



State of Connecticut

Environmental Review Checklist

Last Updated 02/25/2020

Instructions for Use:

The Environmental Review Checklist (ERC), as defined in Sec. 22a-1a-1(9) of the Regulations of Connecticut State Agencies (RCSA), is intended to assist state agencies in (1) determining whether a proposed action or category of actions requires public scoping, or (2) in recording an agency's initial assessment of the direct, indirect, and cumulative environmental effects of a proposed action at the completion of public scoping.

For the purposes of CEPA, an Action is defined in Sec 22a-1a-1(2) of the RCSA as an individual activity or a sequence of planned activities initiated or proposed to be undertaken by an agency or agencies, or funded in whole or in part by the state.

Completion of the ERC is only *required* as part of a sponsoring agency's post-scoping notice in which the agency has determined that it will not be preparing an EIE (Sec. 22a-1a-7(d) of the RCSA).

In all other instances, the sponsoring agency has the option to use this form or portions of it, in conjunction with the applicable Environmental Classification Document (ECD), as a tool to assist it in determining whether or not scoping is required and to document the agency's review. This can be especially useful for an agency administering a proposed action that is not specifically represented in the ECD or which may have additional factors and/or indirect or cumulative impacts requiring further consideration.

Even if an agency ultimately determines that public scoping is not necessary, as a matter of public record OPM highly recommends that the agency internally document its decision, and its justification.

In completing this form, include descriptions that are clear, concise, and understandable to the general public.

Note that prior to reviewing a proposed action under the Connecticut Environmental Policy Act (CEPA), Connecticut General Statutes (CGS), Section 16a-31 requires agencies to review any proposed actions for the acquisition, development or improvement of real properties, or the acquisition of public transportation equipment or facilities, and in excess of \$200,000, for consistency with the policies of the State Plan of Conservation and Development (State C&D Plan).



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PART I – Initial Review and Determination

Date: 04/19/2024
Name of Project/Action: MLK Tyler
Project Address(es): 16 Miller Street, New Haven, CT
Affected Municipalities: New Haven

Sponsoring Agency(ies): DOH
Agency Project Number, if applicable: FX210930050 and NHTF210930050
Project Funding Source(s)/Program(s), if known: Affordable Housing Program (FLEX) and National Housing Trust Fund (NHTF)

Identify the Environmental Classification Document (ECD) being used in this review:

- Generic, or Agency-Specific
- An environmental assessment or environmental impact statement is being prepared pursuant to NEPA, and shall be circulated in accordance with CEPA requirements.
- The proposed action requires a written review by the State Historic Preservation Office (SHPO) and/or Nation Tribal Historic Preservation Office (NATHPO). Include SHPO/NATHPO reviews as an attachment, or indicate the status of those reviews: The SHPO letter of 'No historic Properties will be affected' is available.

Based on the analysis documented in this Environmental Review Checklist (ERC), and in consideration of public comments, this agency has determined that the preparation of an Environmental Impact Evaluation (EIE) for the proposed action is not warranted. Publication of this document to the Environmental Monitor shall satisfy the agency's responsibilities under [Section 22a-1a-7 of the Regulations of Connecticut State Agencies](#) (RCSA).

Completed by: Mithila Chakraborty, Ph.D., Environmental Analyst 1

Note that prior to commencing a CEPA review, Connecticut General Statutes (CGS) Section 16a-31 requires state agencies to review certain actions for their consistency with the policies of the State Plan of Conservation and Development (State C&D Plan). Completion of this ERC assumes the agency has determined this proposed action to be consistent with the State C&D Plan.

PART II – Detailed Project Information

Description of the Purpose & Need of the Proposed Action: The Project located at 16 Miller Avenue in the City of New Haven redevelopment project will reach families and individuals at or below 30%, 50% and 60% AMI. Supporting uses include a clubhouse community center with meeting space for supportive services staff and residents, management offices, a coffee shop to be operated in part by supportive housing residents, 62 surface parking spaces, playground and community gazebo. The apartments are being constructed within the existing contextual (low rise residential) zoning established for the site by the City of New Haven with a special exception approved for the coffee shop (548 sq ft) commercial use.

Description of the Proposed Action:

The Project is located at 16 Miller Avenue in the City of New Haven on a 4.3-acre parcel. The Project includes the new construction of fifty-six (56) residential units of one-, two- and three-bedroom apartments of which forty-four (44) will be subject to the affordability restrictions and twelve (12) supportive units.

Alternatives Considered:

No Action Alternative.

Public concerns or controversy associated with the proposed action:

None.

PART III – Site Characteristics (Check all that apply)

- The proposed action is non-site specific, or encompasses multiple sites;
- Current site ownership: N/A, State; Municipal, Private, Other: Please Explain.
- Anticipated ownership upon project completion: N/A, State; Municipal, Private, Other: Please Explain.

Locational Guide Map Criteria:

<http://ctmaps.maps.arcgis.com/apps/webappviewer/index.html?id=ba47efccdb304e02893b7b8e8cff556a>

Priority Funding Area factors:

- Designated as a Priority Funding Area, including Balanced, or Village PFA;
- Urban Area or Urban Cluster, as designated by the most recent US Census Data;
- Public Transit, defined as being within a ½ mile buffer surrounding existing or planned mass transit;
- Existing or planned sewer service from an adopted Wastewater Facility Plan;
- Existing or planned water service from an adopted Public Drinking Water Supply Plan;
- Existing local bus service provided 7 days a week.

Conservation Area factors:

- Core Forest Area(s), defined as greater than 250 acres based on the 2006 Land Cover Dataset;
- Existing or potential drinking water supply watershed(s);
- Aquifer Protection Area(s);
- Wetland Soils greater than 25 acres;
- Undeveloped Prime, Statewide Important and/or locally important agricultural soils greater than 25 acres;
- Category 1, 2, or 3 Hurricane Inundation Zone(s);
- 100 year Flood Zone(s);
- Critical Habitat;
- Locally Important Conservation Area(s),
- Protected Land (list type): Enter text.
- Local, State, or National Historic District(s).

PART IV - Assessment of Environmental Significance – Direct, Indirect, And Cumulative Effects

Required Factors for Consideration (Section 22a-1a-3 of the RCSA)	Agency’s Assessment and Explanation
Effect on water quality, including surface water and groundwater;	<p>The proposed action will not result in any impact to groundwater and surface water quality.</p> <p>DEEP comments indicated the applicability of Stormwater and Dewatering Wastewaters from Construction Activities depending on the size of the disturbance regardless of phasing. This general permit applies to discharges of stormwater and dewatering wastewater from construction activities where the activity disturbs more than an acre.</p> <p>The stormwater management plan was accepted by the City of New Haven as part of their zoning approval process. The project is between 1-5 Acres, so the applicant does not require to obtain a general permit for stormwater discharge and Dewatering Wastewaters from Construction as long as the applicant has adhered to the erosion and sediment control regulations of the municipality (New Haven) in which the construction activity is.</p>
Effect on a public water supply system;	The project will not have any impact on the public water supply system.
Effect on flooding, in-stream flows, erosion or sedimentation;	<p>The project site is not located in 100- or 500-year flood zone.</p> <p>DEEP’s comment on watershed management: The proposed redevelopment lies just east of West River, across from Ella T Grasso Blvd. At this location, the West River is an estuary to the Long Island Sound, and is assessed as not supporting recreation, marine aquatic life, and shellfish. This project slightly increases impervious cover in this area. DEEP recommends the use of low impact development techniques and green infrastructure in the development to reduce the impact of polluted stormwater from reaching receiving surface waters, such as West River. DEEP has a Watershed Management Plan for the West River for information on the watershed.</p> <p>DOH requested developers to follow the recommendations from DEEP on this.</p>
Disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings; A.	The project has been reviewed by State Historic Preservation Office and determination of ‘No historic properties will be affected’ is available.

Alteration of an historic building, district, structure, object, or its setting; OR B. Disruption of an archeological or sacred site;	
Effect on natural communities and upon critical plant and animal species and their habitat; interference with the movement of any resident or migratory fish or wildlife species;	<p>The project received comments for Natural Diversity Database area from DEEP.</p> <p>According to DEEP: The NDDDB Request for Review process was developed by DEEP to assist state agencies with the requirement that any activity authorized, funded, or performed by the state does not threaten the existence of endangered or threatened species. Applicants for state and local permits and grants may be required to consult with the NDDDB as part of the application process. Species and habitat surveys may be required in order to assess risks and to determine appropriate mitigation measures. A map review shows that the project site is within an NDDDB area. Applicants can submit their filings through a portal user account.</p> <p>The development team applied to NDDDB and received a determination letter. Best Management Practices will be followed.</p>
Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment;	<p>Based on the type and the nature of the development, the use of pesticides, toxic or hazardous materials are not anticipated. Any residual impacted from fill and historic activities at the site will be addressed as part of the site investigation and cleanup.</p> <p>DEEP commented on Remediation as: The subject property at 16 Miller Street entered the Voluntary Remediation Program on April 25, 2023, and was acknowledged by DEEP on June 15, 2023. Along with the voluntary filing, a Remediation Action Plan was received. DEEP anticipates the site will be investigated and remediated to the Remediation Standard Regulations.</p>
Substantial aesthetic or visual effects;	The project is not expected to cause substantial aesthetic or visual impacts in the area.
Inconsistency with: (A) the policies of the State C&D Plan, developed in accordance with section 16a-30 of the CGS; (B) other relevant state agency plans; and (C) applicable regional or municipal land use plans;	Proposed project is consistent with the State C&D Plan Growth Management principles #1 (Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure); Growth Management Principle #2 (Expand Housing Opportunities and Design Choices to Accommodate a variety of Household Types and Needs); and Growth Management Principle #3 (Concentrate Development around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options).
Disruption or division of an established community or inconsistency with adopted municipal and regional plans,	Temporary disruption is expected during construction but the long-term affect will be positive to the site and neighborhood.

including impacts on existing housing where sections 22a- 1b(c) and 8-37t of the CGS require additional analysis;	
Displacement or addition of substantial numbers of people;	No direct, indirect, or cumulative impacts.
Substantial increase in congestion (traffic, recreational, other);	During work there can be some temporary traffic but the best management practice can be adopted to reduce the impact.
A substantial increase in the type or rate of energy use as a direct or indirect result of the action;	Some increase may occur as the building will be residential.
The creation of a hazard to human health or safety;	No direct, indirect, or cumulative impacts.
Effect on air quality;	<p>During construction or reuse there can be a little air dust issue but no direct, indirect or cumulative impacts are anticipated from reuse work.</p> <p>DEEP Bureau of Air Management typically recommends the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.</p> <p>DEEP also recommends the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitted with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.</p> <p>DOH advised client to adopt best management practices including those from DEEP to reduce potential air quality impacts.</p>
Effect on ambient noise levels;	No noise issue is anticipated from reuse work.

Effect on existing land resources and landscapes, including coastal and inland wetlands;	No adverse impact on coastal or inland wetland are anticipated.
Effect on agricultural resources;	No adverse impact on agricultural land is anticipated.
Adequacy of existing or proposed utilities and infrastructure;	Existing utilities are present on site and in the area.
Effect on greenhouse gas emissions as a direct or indirect result of the action;	Not any adverse impact is anticipated.
Effect of a changing climate on the action, including any resiliency measures incorporated into the action;	Not any adverse impact is anticipated.
Any other substantial effects on natural, cultural, recreational, or scenic resources.	Not any adverse impact is anticipated.
Cumulative effects.	Positive cumulative impact as residential building meeting more housing needs.

PART V - List of Required Permits, Approvals and/or Certifications Identified at the Time of this Review

DEEP has made recommendations in their review letter dated October 19, 2023 (attached). On request of DOH, Developer/Consultant confirmed that all comments were considered.

- (1) NDDDB: The development team applied to NDDDB and received a determination letter. Best Management Practices will be followed.
- (2) Stormwater Management during Construction: The stormwater management plan was accepted by the City of New Haven as part of their zoning approval process. The project is between 1-5 Acres, so the applicant does not require to obtain a general permit for stormwater discharge and Dewatering Wastewaters from Construction as long as the applicant has adhered to the erosion and sediment control regulations of the municipality (New Haven) in which the construction activity is.
- (3) Fisheries Division: Best management practices will be followed.
- (4) Watershed Management: DOH advised client to adopt best management practices including those from DEEP.
- (5) Air Management: DOH advised client to adopt best management practices including those from DEEP to reduce potential air quality impacts.

PART VI – Sponsoring Agency Comments and Recommendations

Based on the environmental assessment of the proposed project, DOH recommends that the project proceed as proposed and preparation of an Environmental Impact Evaluation (EIE) is not warranted.

PART VII - Public Comments and Sponsoring Agency Responses:

Comments were received from Aaron Goode, Friends of the West River Peace Garden and DOH advised development team to carefully consider the comments.