



**U.S. Department of Housing and Urban  
Development**  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

**Environmental Review for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR 58.35(a)**

**Project Information**

**Project Name:** Pacific-House-West

**HEROS Number:** 900000010160091

**Responsible Entity (RE):** DANBURY, 142 Deer Hill Ave Danbury CT, 06810

**State / Local Identifier:**

**RE Preparer:** Andrea Gray

**Certifying Officer** Joseph M. Cavo  
**r:**

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** 3 Lake Avenue Ext, Danbury, CT 06811

**Additional Location Information:**

3 Lake Avenue Ext, Danbury, CT 06811 Geo-coded address: 3 Lake Avenue Ext,  
Danbury, CT 06811-5252 Longitude: -73.477659 Latitude: 41.387758

**Direct Comments to:**

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The City of Danbury is proposing to purchase the Super 8 Motel that is currently housing the homeless residents of Danbury. The purchase of this facility will give the City the capacity to serve the homeless in our community in a safe environment for both the guests, staff and volunteers. Pacific House, Inc. an agency that has over 35 years of experience in providing emergency shelter, has been asked to lead the effort in acquiring the motel and provide emergency shelter services. The City of Danbury typically sees approximately 60 to 80 homeless at any given time during the winter months. With COVID-19 we cannot anticipate the number of homeless individuals that will need to be served in our community. The purchase of the Super 8 Motel will provide capacity to meet the needs of the current residents of Danbury. The physical layout of the motel makes it ideal to be able to provide a safe environment to contain exposure to COVID-19. Hotels and motels have proven to be an effective way of keeping the homeless safe, as well as providing space for quarantine/isolation, while meeting the public health needs. The emergency shelter will provide emergency to accommodate individuals or families who become homeless. The City of Danbury in conjunction with the State of Connecticut Department of Housing will provide financial resources to Pacific House to fund the delivery of services for the emergency shelter. The emergency shelter will be open 24 hours a day, 7 days a week, allowing guests to stay in a safe environment. Precautions will be established to insure the safety of all residents and staff from COVID 19 by adhering to CDC, state, and city public health guidelines. In partnership with the Danbury Department of Health and Human Services, COVID-19 testing will be provided to all guests and staff as needed. All current guidelines will be adhered to and adapted to accommodate any new health guidelines recommended by the Danbury Department of Health and Human Services. The emergency shelter will also partner with the local health clinics to provide ongoing primary health care to all of its residents. The emergency shelter will be a partner with Opening Doors of Fairfield County Continuum of Care (HUD designation), and will continue participate in the Danbury Coordinated Access Network (CAN) for the homeless. The focus of the emergency shelter will be to support the guests from day one to commence a plan for permanent housing, rather than staying in a shelter. Shelter guests will be referred to all local agencies for support services such as Catholic Charities, DMHAS, Housing Authority, Health Clinics, etc., as needed.

**Maps, photographs, and other documentation of project location and description:**

**Level of Environmental Review Determination:**

**Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at**

**58.5:**

58.34(a)(12)

58.35(a)(5)

**Determination:**

✓	This categorically excluded activity/project converts to <b>EXEMPT</b> per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; <b>Funds may be committed and drawn down after certification of this part</b> for this (now) EXEMPT project; OR
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	This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, <b>publish NOI/RROF and obtain "Authority to Use Grant Funds"</b> (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds; OR
	This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

**Approval Documents:**

**7015.15 certified by Certifying Officer on:**

**7015.16 certified by Authorizing Officer on:**

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
SC-2020-1	Community Planning and Development (CPD)	Community Development Block Grants (Non-Entitlement) for States and Small Cities

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$4,700,000.00

**Estimated Total Project Cost:** \$4,750,000.00

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		

<p><b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The site is located approximately 4,276 feet from Danbury Municipal Airport. The Site is not located within the airport's RPZ/CZ. Refer to Attachments 1A and B.</p>
<p><b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. The site is not located in the vicinity fo a Coastal Barrier Resource System (CBRS) as defined by the U.S. Fish and Wildlife Service. Refer to Attachment 2.</p>
<p><b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. The site is not located within a Special Flood Hazard Area according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 09001C0138F and therefore does not require flood insurance. Refer to Attachment 3 for a copy of the FEMA map.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b></p>		
<p><b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. The project does not involve new construction or conversions of land use facilitating the development of public, commercial, or industrial facilities or</p>

		five or more dwelling units. The project will not generate emission levels that would adversely impact the County Designated Non-Attainment or Maintenance for 5 NAAQS Pollutants. Refer to Attachment 4.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The site is not located within the coastal boundary as defined by the Connecticut Coastal Zone Management Act. The project does not involve new construction or conversions of land use facilitating the development of public, commercial, or industrial facilities or five or more dwelling units or any land disturbing activities and will not affect any land or water use or coastal resource of the Connecticut Coastal Management Zone. Refer to Attachment 5.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project is not located within a Connecticut Natural Diversity Database (NDDDB) Area. Refer to Attachment 7.
<b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. This project does not

		include development, construction, rehabilitation or conversion that will increase residential densities or result in converting the type of use of a building to habitation, or making a vacant building habitable. The project does not include a hazardous storage facility.
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The project is located in an area identified as having farmland soils of statewide importance. However, the property is already developed for commercial use, and the project does not include new construction, acquisition of undeveloped land, or conversion of current land use. The property is surrounded by other previously developed land with residential use to the north and west, Interstate 84 to the east, and commercial use to the south. It is unlikely that the property will be reverted to agricultural land. Refer to Attachment 8.
<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(11), the approval of financial assistance for acquisition, leasing, construction, rehabilitation, repair, maintenance, or operation of ships and other water-borne vessels that will be used for transportation or cruises and will not be permanently moored. The site is not located within a flood zone or floodway according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate map (09001C0138F). Refer to Attachment 3.
<b>Historic Preservation</b> National Historic Preservation Act of	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project has No Potential to Cause Effects. The project is in compliance

<p>1966, particularly sections 106 and 110; 36 CFR Part 800</p>		<p>with Section 106. The property is not listed in the National or State Register of Historic Places Database. Consultation with the State Historic Preservation Office (SHPO) for the presence of historically significant building materials and/or artifacts is not proposed due to the lack of physical alteration to the building or ground disturbance, as well and the age of the building. since activities associated with the project actions do not include those listed under Appendix A of CPD-12-006, process for Tribal Consultation in Projects that are Reviewed under 24 CFR Part 58, tribal consultation was not necessary. Refer to Attachment 9.</p>
<p><b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. The project does not involve new construction for residential use or rehabilitation of an existing residential property, and is therefore considered to be in compliance with 24 CFR Part 51, Subpart B.</p>
<p><b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements. The Pawcatuck River and the Pootatuck River are the only two sole source aquifers in Connecticut. There are no sole source aquifers designated by the EPA within Danbury, CT. Refer to Attachment 10A and 10B.</p>
<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. The project does not impact an on- or off-site wetland. Refer to Attachment 11.</p>

<p><b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. There is no Wild and Scenic River located on or near the project site. Refer to Attachment 12.</p>
<p><b>HUD HOUSING ENVIRONMENTAL STANDARDS</b></p>		
<p><b>ENVIRONMENTAL JUSTICE</b></p>		
<p><b>Environmental Justice</b> Executive Order 12898</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. The project Site is located within a 60 to 70 percentile low income census block and within a 70 to 80 percentile minority population census block. Refer to Attachment 13A and 13B. The project will involve acquisition and continued operation of an existing transient residential (motel) property.</p>

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Complete
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**Mitigation Plan**

**Supporting documentation on completed measures**



## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

### Screen Summary

#### Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The site is located approximately 4,276 feet from Danbury Municipal Airport. The Site is not located within the airport's RPZ/CZ. Refer to Attachments 1A and B.

#### Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

## Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**1. Is the project located in a CBRS Unit?**

No

Document and upload map and documentation below.

Yes

### Screen Summary

#### **Compliance Determination**

This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. The site is not located in the vicinity fo a Coastal Barrier Resource System (CBRS) as defined by the U.S. Fish and Wildlife Service. Refer to Attachment 2.

#### **Supporting documentation**

#### **Are formal compliance steps or mitigation required?**

Yes

No

## Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

**2. Upload a FEMA/FIRM map showing the site here:**

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

✓ No

Based on the response, the review is in compliance with this section.

Yes

### **Screen Summary**

#### **Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD

recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements. The site is not located within a Special Flood Hazard Area according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 09001C0138F and therefore does not require flood insurance. Refer to Attachment 3 for a copy of the FEMA map.

**Supporting documentation****Are formal compliance steps or mitigation required?**

Yes

 No

## Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### **Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under the Clean Air Act. The project is in compliance with the Clean Air Act. The project does not involve new construction or conversions of land use facilitating the development of public, commercial, or industrial facilities or five or more dwelling units. The project will not generate emission levels that would adversely impact the County Designated Non-Attainment or Maintenance for 5 NAAQS Pollutants. Refer to Attachment 4.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No

## Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### Screen Summary

#### **Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The site is not located within the coastal boundary as defined by the Connecticut Coastal Zone Management Act. The project does not involve new construction or conversions of land use facilitating the development of public, commercial, or industrial facilities or five or more dwelling units or any land disturbing activities and will not affect any land or water use or coastal resource of the Connecticut Coastal Management Zone. Refer to Attachment 5.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No

## Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

**1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

No

Yes

### Screen Summary

#### **Compliance Determination**

Site contamination was evaluated as follows: ASTM Phase I ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

#### **Supporting documentation**

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No



## Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

### 1. Does the project involve any activities that have the potential to affect species or habitats?

- ✓ No, the project will have No Effect due to the nature of the activities involved in the project.

This selection is only appropriate if none of the activities involved in the project have potential to affect species or habitats. Examples of actions without potential to affect listed species may include: purchasing existing buildings, completing interior renovations to existing buildings, and replacing exterior paint or siding on existing buildings.

Based on the response, the review is in compliance with this section.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

Yes, the activities involved in the project have the potential to affect species and/or habitats.

### Screen Summary

#### Compliance Determination

This project will have No Effect on listed species due to the nature of the activities involved in the project. This project is in compliance with the Endangered Species Act. This project is not located within a Connecticut Natural Diversity Database (NDDDB) Area. Refer to Attachment 7.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No

## Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

**1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

No

Yes

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

No

Based on the response, the review is in compliance with this section.

Yes

### Screen Summary

#### **Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements. This project does not include development, construction, rehabilitation or conversion that will increase residential densities or result in converting the type of use of a building to habitation, or making a vacant building habitable. The project does not include a hazardous storage facility.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No



## Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### Screen Summary

#### Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The project is located in an area identified as having farmland soils of statewide importance. However, the property is already developed for commercial use, and the project does not include new construction, acquisition of undeveloped land, or conversion of current land use. The property is surrounded by other previously developed land with residential use to the north and west, Interstate 84 to the east, and commercial use to the south. It is unlikely that the property will be reverted to agricultural land. Refer to Attachment 8.

#### Supporting documentation

**Are formal compliance steps or mitigation required?**

Yes

No

## Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- ✓ 55.12(c)(11)
- None of the above

Based on the response, the review is in compliance with this section.

### **Screen Summary**

#### **Compliance Determination**

The following exception applies, so the project is in compliance with Executive Order 11988: 55.12(c)(11), the approval of financial assistance for acquisition, leasing, construction, rehabilitation, repair, maintenance, or operation of ships and other water-borne vessels that will be used for transportation or cruises and will not be permanently moored. The site is not located within a flood zone or floodway according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate map (09001C0138F). Refer to Attachment 3.

#### **Supporting documentation**

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

## Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" <a href="http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html">http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html</a>

### **Threshold**

#### **Is Section 106 review required for your project?**

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)

- ✓ No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

Yes, because the project includes activities with potential to cause effects (direct or indirect).

**Threshold (b). Document and upload the memo or explanation/justification of the other determination below:**

Based on the response, the review is in compliance with this section.

### **Screen Summary**

#### **Compliance Determination**

Based on the project description the project has No Potential to Cause Effects. The project is in compliance with Section 106. The property is not listed in the National or State Register of Historic Places Database. Consultation with the State Historic Preservation Office (SHPO) for the presence of historically significant building



materials and/or artifacts is not proposed due to the lack of physical alteration to the building or ground disturbance, as well and the age of the building. since activities associated with the project actions do not include those listed under Appendix A of CPD-12-006, process for Tribal Consultation in Projects that are Reviewed under 24 CFR Part 58, tribal consultation was not necessary. Refer to Attachment 9.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

### **Screen Summary**

#### **Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation. The project does not involve new construction for residential use or rehabilitation of an existing residential property, and is therefore considered to be in compliance with 24 CFR Part 51, Subpart B.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

Based on the response, the review is in compliance with this section.

No

### Screen Summary

#### Compliance Determination

Based on the project description, the project consists of activities that are unlikely to have an adverse impact on groundwater resources. The project is in compliance with Sole Source Aquifer requirements. The Pawcatuck River and the Pootatuck River are the only two sole source aquifers in Connecticut. There are no sole source aquifers designated by the EPA within Danbury, CT. Refer to Attachment 10A and 10B.

#### Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

## Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

No

Based on the response, the review is in compliance with this section.

Yes

### Screen Summary

#### **Compliance Determination**

Based on the project description this project includes no activities that would require further evaluation under this section. The project is in compliance with Executive Order 11990. The project does not impact an on- or off-site wetland. Refer to Attachment 11.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No

## Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

### 1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

### Screen Summary

#### **Compliance Determination**

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. There is no Wild and Scenic River located on or near the project site. Refer to Attachment 12.

#### **Supporting documentation**

#### **Are formal compliance steps or mitigation required?**

Yes

No

## Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes

No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### **Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898. The project Site is located within a 60 to 70 percentile low income census block and within a 70 to 80 percentile minority population census block. Refer to Attachment 13A and 13B. The project will involve acquisition and continued operation of an existing transient residential (motel) property.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No