

**Questions from The Charrette: Redevelopment by Design Webinar
August 11, 2010**

1. *Seems like a very interactive process that is best captured through videos or documentary rather than print reports. Are any such videos or interactive examples available to review?*

--Jean Balent; U.S. EPA Office of Superfund Remediation and Techn; Arlington, VA, United States (balent.jean@epa.gov) on 8/11/2010 at 2:36 PM EDT.

There are videos of charrettes in action, although not in the context of contaminated lands (that we are aware of). The National Charrette Institute (NCI) has charrette video resources available at: <http://charretteinstitute.org/blog/the-nci-charrette-video-is-here>.

The Superfund Redevelopment Initiative (SRI) has also produced a series of Superfund Redevelopment videos, which are located here:

<http://www.epa.gov/superfund/programs/recycle/info/video.html>.

2. *Do you ever have to go back and explain to participants when plans agreed on by the charrette process are changed by agency decision-makers due to budget constraints or other unforeseen circumstances? And how is that done without destroying the charrette credibility?*

--Linda Mariner; AZ Dept. of Environmental Quality; Phoenix, AZ, United States (lph@azdeq.gov) on 8/11/2010 at 2:46 PM EDT

Absolutely. A key charrette outcome – the reuse plan or framework – is designed to be flexible and updated over time. Site conditions may change. Community priorities and conditions may also change. By discussing the possibility of unforeseen changes that may follow the charrette process, project participants are prepared for that eventuality.

Project sponsors sometimes choose to outline a process by which charrette outcomes will be updated over time – e.g., a Committee will be reconvened, a new working group will be established).

- 3.1 *This seems perfect for public lands, but how does this work when the community requests something that the landowner doesn't want to pay for.*

--Hale Ellen; Region 10 ECL; Seattle, WA, United States (hale.ellie@epa.gov) on 8/11/2010 at 2:49 PM EDT

Charrettes can work well for both public and private lands at contaminated sites. As part of community outreach and ensuring a diversity of perspectives, it is important for site owners to be involved in a charrette process. Sometimes, they will have ideas about how they would like to use their property in the future. Often times, they will be looking to transition ownership of their property to other parties.

- 3.2 *What kind of community member can/will spend 3 days in a charrette? Do charrettes involve paying people or otherwise rewarding them for their time?*

Time and resource constraints are important to consider in the design of an effective charrette. Many one- and two-day charrettes are held over a weekend, to help ensure good participation. Multi-day charrettes also typically do not require all-day commitments from participants; participants will meet with the project's charrette team at designated times.

Sample charrette schedules are available in *The Charrette Handbook: The Essential Guide for Accelerated Collaborative Community Planning* (APA, 2006) and in NCI's Charrette Manager's Binder (<http://charretteinstitute.org/blog/announcing-the-new-nci-charrette-managers-binder>).

- 3.3 *Can we consider charrette costs "response costs" under CERCLA (and recover them?)*

Our understanding is that charrette costs can be considered cost-recoverable response costs under CERCLA, given that reuse planning activities like charrettes help inform a site's reasonably anticipated future land use, which in turn informs remedy decisions from the RI/FS through to Five-Year Reviews. It is also important to involve site attorneys early in the planning process, in part so that they understand the role of reuse planning activities like charrettes in informing the remedial process.

- 3.4 *Do you have experience using this process with land use on tribal lands?*

Land use and reuse planning projects, including charrettes, have been conducted on tribal lands. For an example, please see: <https://www.lrboi-nsn.gov/commerce/docs/LRBOI%20%20Little%20River%20Village%20Manistee%20Report.pdf>.

- 3.5 *You mention liability considerations--are there any tools that work well for helping local government take on ownership or operation of a site in re-use?*

EPA has tools available to help local governments overcome liability concerns concerning involuntary acquisition. Two of these tools are below:

www.epa.gov/compliance/resources/policies/cleanup/superfund/fsinvolacqurpty-rpt.pdf

www.epa.gov/compliance/resources/policies/cleanup/superfund/lendr-aquis-mem.pdf

The 2002 Brownfields Law also provides substantial liability protection for parties acquiring property, assuming they practice due diligence and abide by the bona fide prospective purchaser (BFPP) criteria. The Brownfields Law amended the

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) by providing funds to assess and clean up brownfields; clarified CERCLA liability protections; and provided funds to enhance state and tribal response programs.

4. *What are the keys for using a charrette for conflict resolution when there are stark disagreements on site reuse or other issues?*
--Sandy Smith; URS; Austin, TX, United States (sandra_smith@urscorp.com) on 8/11/2010 at 2:50 PM EDT

Keys can include taking time to build relationships; gathering site and community information to inform discussions and disagreements; recognizing and discussing conflict areas; providing conflict resolution training to help participants recognize and address conflict effectively; exploring the interests underlying participants' positions; and enabling participants "to agree to disagree" on some areas while making progress in other areas.

Please also reference Module 4 from the webinar for additional information regarding keys to effective community engagement, collaborative decision-making, and conflict resolution (slides 40-54). Webinar materials are available at: <http://www.clu-in.org/conf/tio/charrette/>

5. *In EPA's experience using charrettes at superfund sites, do you have any observations about whether charrettes are most commonly or most effectively used at a particular phase of the remedial process (pre, post, or mid-remedy selection process)?*
--elissa tonkin; epa, region 1 adr program; boston, MA, United States (tonkin.elissa@epa.gov) on 8/11/2010 at 2:51 PM EDT

Charrettes can be used appropriately and effectively throughout the remedial process at contaminated lands. Each stage offers opportunities as well as key considerations. Module 3 of the webinar (slides 34-37) addresses this subject at a general level: <http://www.clu-in.org/conf/tio/charrette/>

For a more detailed look at charrettes across different phases of the remedial process, please see Section IV of CPRC's online Charrette Tutorial (pages 20-27), available at: <http://www.clu-in.org/conf/tio/charrette/>

- 6.1. *Have charrettes been used to obtain input into cleanup issues? And have they been used in a natural environment (sediment/wetland site) to inform remediation/restoration? If so, how have they worked?*
--Susan Svirsky; OSRR; Boston, MA, United States (svirsky.susan@epa.gov) on 8/11/2010 at 2:56 PM EDT

Charrettes provide a way for EPA to gather community information that can help inform the remedial process. Charrettes also help build relationships between EPA, communities, and other key parties at contaminated sites, while charrettes' use of detailed, comprehensive information establishes realistic community expectations for future land use opportunities.

The Milltown Reservoir Sediments Superfund site in Region 8 is a great example of efforts to integrate remediation, river restoration, and reuse considerations. For more information, please see Region 8's Web page for the site (www.epa.gov/region8/superfund/mt/milltown), the community's 2008, charrette-based reuse plan (www.co.missoula.mt.us/wq/milltowndam/MilltownRedevelopment/pdfs/Final_Concept_Plan_Report.pdf), and the Clark Fork River Technical Assistance Committee's website: www.cfrtac.org/061009b.html.

6.2. *If a charrette is being conducted during the remedy selection phase, have there been any pre-decisional issues?*

Please see the answer to Question #2 above.

6.3. *What is the role of the PRP in a charrette?*

A PRP participates as a stakeholder in the charrette process. They will share their perspective, priorities, and concerns throughout a project. Sometimes, though not always, a PRP can also be a site owner. PRPs can initially be difficult to engage; PRPs may assume that reuse planning activities like charrettes will result in plans that require an unfeasible, high-cost remedy that restores a site to pristine condition. A project's sponsor group needs to address these concerns at the outset of the charrette process.

With PRPs, the sponsor group can emphasize that the charrette process is focused on determining a site's reasonably anticipated future land uses, based on a detailed evaluation of site and community information. The sponsor group can clarify for all project stakeholders that:

- EPA implements remedies that are protective of human health and the environment.
- The charrette process informs but does not drive the response process.
- Information like site contaminant characteristics and remedial costs are significant factors that will inform the identification of a site's reasonably anticipated future land uses and the development of a site's remedy.

For PRPs that are also property owners at contaminated sites, the sponsor group can emphasize that their property's status as part of a site does not affect their right to sell or

subdivide the property. At the same time, the sponsor group can point out to all project stakeholders that EPA develops remedies for contaminated sites that will be in place for the long-term, not just for the site's potential next uses. Given that local governments retain the right to regulate local land uses over the long-term to ensure the community's general welfare and quality of life, it is appropriate that local governments notify EPA regarding the community's future land use needs and priorities.

6.4. *Are the participants typically invited or are the meetings open?*

--Susan Svirsky; OSRR; Boston, MA, United States (svirsky.susan@epa.gov) on 8/11/2010 at 3:17 PM EDT

Charrettes can be used both with small groups of targeted stakeholders and larger groups of participants. At contaminated lands, broad community outreach to diverse stakeholders is an integral part of successful charrettes. Charrettes also typically include opportunities for public comment and presentations, and that feedback is then incorporated into the revisions of site reuse scenarios and the project's outcomes.

6.5. *How do you deal with setting expectations for post-remediation activities and designs that may or may not be possible?*

The gathering and analysis of site and community information is a key part of the pre-charrette preparation stage. Charrettes' use of detailed, comprehensive information helps establish realistic community expectations for future land use opportunities at any stage of the remedial process. For a more detailed look at charrettes' use of site and community information, please see Section III of CPRC's online Charrette Tutorial (pages 11-19), available at: <http://www.clu-in.org/conf/tio/charrette/resource.cfm>

6.6. *Is there a list of case studies involving the EPA's use of charrette processes?*

EPA's Superfund Redevelopment Initiative (SRI) offers a range of reuse-related resources, including case studies, on its website:

<http://www.epa.gov/superfund/programs/recycle>.

7. *Has the charrette process been used in Region 6?*

-- Crystal Taylor; Texas Commission on Environmental Quality; Austin, TX, United States (ctaylor@tceq.state.tx.us) on 8/11/2010 at 3:15 PM EDT

We are not aware of any charrette processes that have been completed for contaminated lands in Region 6. Other reuse support tools, like Ready for Reuse Determinations, have been used in the Region. For more information, please see:

www.epa.gov/superfund/programs/recycle/live/region6_tx.html.

8. *How does one become qualified to effectively use the charrette process?*
-- Crystal Taylor; Texas Commission on Environmental Quality; Austin, TX, United States (ctaylor@tceq.state.tx.us) on 8/11/2010 at 2:21 PM EDT

While there is no single professional accreditation process that is universally accepted, the National Charrette Institute does provide certification to individuals and organizations. <http://www.charretteinstitute.org/>

9. *Do you need specialized training to conduct a charrette or is that why EPA contracts outside of the agency to conduct one?*
--Linda Mariner; AZ Dept. of Environmental Quality; Phoenix, AZ, United States (lph@azdeq.gov) on 8/11/2010 at 2:22 PM EDT

The charrette process is quite detailed, complex and time consuming. For these reasons, EPA benefits from the use of third parties with particular expertise. There is special training available through a number of organizations that would serve to improve the skills of the organizer and/or facilitator and given the time to do so, a dedicated staff member could effectively conduct a charrette.

10. *One potential impediment to doing charrettes both at the state and local levels is the financial resources to allow state and local staff to put in the time necessary to prepare properly and implement the Charette. Hopefully everyone is aware that resources - money and staff are likely going to continue to shrink at the local and state level. What types of funds might be available or be utilized by local and state agencies specifically for preparing for and holding a Charette?*
--Charles Harman; Oregon Department of Environmental Quality; Portland, OR, United States (harman.charles@deq.state.or.us) on 8/11/2010 at 2:36 PM EDT

The Charette process is resource intensive and we understand that there may not be enough funding at the state and local levels to put one on. That said, if there is great interest in conducting a charrette process here are a few ways to decrease costs or leverage resources that do exist.

Charrette training is provided by various organizations. A state or local government could find a staff member to serve as facilitator of the process in order to decrease costs. They could also partner with a local community mediation organization/ University to engage volunteers in the process.

The Money Point site referred to during the webinar utilized funding from a host of different organizations and grants. Support came from EPA's Targeted Watershed Initiative and Community Action for a Renewed Environment programs, NOAA's Community Based Habitat Restoration Program, the Virginia Department of Environmental Quality, Fish America Foundation, the Virginia Migratory Waterfowl Stamp Grant Program, Hess Corp., Luck Stone and the members and donors of Elizabeth River Project.

Likewise, state and local governments can serve to bring together interested parties to fund and participate in a charrette process.

11. *How strongly is EPA favoring using Brownfields Assessment Grant money for charettes, especially given that the cost may be \$70-\$100K? Please elaborate. Will a municipality be more likely to win a grant if their proposal includes a charrette?*
--Ken Ruckstuhl; EMS; Brandon, MS, United States (kruckstuhl@env-mgt.com) on 8/11/2010 at 2:49 PM EDT

“Brownfields Assessment Grants – provides funds to inventory, characterize, assess, and conduct planning (including cleanup planning) and community involvement related to brownfield sites.”

In that a charrette process is a highly effective tool in reuse planning and community involvement, it would be a beneficial addition to a grant application. There is no formal decision on whether or not a charrette process will be chosen over any other grant application.

12. *Will the questions that didn't get answered on the call be answered somewhere we can find the information?*
-- Hale Ellen; Region 10 ECL; Seattle, WA, United States (hale.ellie@epa.gov) on 8/11/2010 at 3:35 PM EDT
Yes! Thank you for the great idea.

For More Information

For more information regarding CPRC's Charrette Training and available charrette resources, please visit the CPRC's website (www.epa.gov/adr) and/or contact Anna Abbey at (202) 564-1897 / abbey.anna@epa.gov.

For additional information regarding Superfund Redevelopment, please visit SRI's website (www.epa.gov/superfund/programs/recycle) and/or contact your Region's Superfund Redevelopment Coordinator (www.epa.gov/superfund/programs/recycle/contact/redevelopment.html).