

**FY 2007 BROWNFIELDS CLEANUP GOOD EXAMPLES OF  
RESPONSES TO RANKING CRITERIA**

**Criteria A: Budget**

Provide the proposed budget(s) for your proposal, including a detailed description and narrative of each task. Typical tasks might include “Community Involvement,” “Site Cleanup,” and “Cleanup Planning.” The narrative must provide a basis for the tasks. The budget also must reflect your cost share. The budget(s) must show the distribution of funds, including cost estimates for each of the proposed activities.

If your proposal is requesting both hazardous substance and petroleum funding, please provide two separate budgets to reflect the amount of hazardous substance and petroleum funding and the tasks associated with the funding.

A **local government** may use up to 10 percent of its grant funds for monitoring the health of populations exposed to one or more hazardous substances, pollutants, or contaminants from a Brownfield site and monitoring and enforcement of any institutional control used to prevent human exposure to any hazardous substance, pollutant, or contaminant from a Brownfield site. To effectively oversee assessments and cleanups, local governments may use grant funds (subject to the 10 percent limit) for other related program development and implementation activities (e.g., writing local Brownfield-related ordinances). Activities planned for the 10 percent category must be included in a separate budget task.

**Sample Format for Budget**

<b>Budget Categories</b>	<b>Project Tasks</b>				
(programmatic costs only)	[Task 1]	[Task 2]	[Task 3]	[Task 4]	Total
Personnel					
Fringe Benefits					
Travel <sup>1</sup>					
Equipment <sup>2</sup>					
Supplies					
Contractual <sup>3</sup>					
Other (specify) _____					
<b>Total</b>					
<b>Cost Share</b>					

<sup>1</sup> Travel to Brownfield-related training conferences is an acceptable use of these grant funds.

<sup>2</sup> EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year. Items costing less than \$5,000 are considered supplies.

<sup>3</sup> Applicants must comply with the procurement procedures contained in 40 CFR 31.36, or for non-profits, with 40 CFR 30.40 through 30.48.

### **Budget Example 1**

Budget Categories	Project Tasks		
	Task 1	Task 2	Task 3
Personnel	\$5,000	\$3,000	\$3,000
Fringe Benefits			
Travel	\$3,000	\$1,000	\$1,000
Equipment	\$2,000	\$500	\$500
Supplies	\$500	\$500	\$500
Contractual	\$2,500	\$5,000	\$172,000
Other			
Total	\$13,000	\$10,000	\$177,000
Cost Share	\$2,000	\$2,000	\$36,000

Task 1 – Cleanup Planning and Coordination: Task 1 will include completion of all planning and programmatic requirements of the grant agreement. Included in the task will be the preparation and submittal of all reporting requirements, including the financial reports, travel and training, computer and related equipment, and hiring a qualified environmental professional. The City anticipates allocating approximately 6.5% of the grant to perform cleanup planning and coordination.

Task 2 – Community Involvement: The City anticipates allocating approximately 5% of the grant to disseminate information concerning cleanup options, engaging the public in meaningful dialogue about redevelopment activities, creating and maintaining the informational repository, and managing records, the City will maintain time sheets to monitor actual programmatic time and expenses incurred on these efforts. The City will also leverage approximately 25% of the cost share match in community involvement activities.

Task 3 – Site Cleanup Activities: The City anticipates allocating approximately 88.5% of the grant to implement cleanup activities at the Smith Hauling Services property. The City will also leverage the remaining 75% of the cost share match for cleanup related activities. The monies above and beyond the grant match will be bore by the City. The budget table represents the cleanup grant budget including the estimated cost to cleanup the site. The total estimated cost of the cleanup activities for the Smith property is over \$1.5 million for isolation and \$3 million for removal remedies.

**Budget Example 2**

Budget Categories	Project Tasks			
	Community Outreach	Supplemental Remedial Design	Abatement and Remediation	Total
Personnel				
Travel				
Equipment				
Supplies	\$1,000			\$1,000
Contractual	\$2,000	\$3,000	\$188,000	\$193,000
Other – VCP	\$4,000	\$2,000		\$6,000
Cost Share			\$40,000	\$40,000
<b>Total</b>	<b>\$7,000</b>	<b>\$5,000</b>	<b>\$228,000</b>	<b>\$240,000</b>

Budget Narrative: Project tasks in the budget are described below:

Community Outreach: Funds will be used for the following community outreach activities:

- Advertise three public meetings (3 ads at \$1,000 ea. in “Other”), mail notices, and copy material (\$1,000 in “Supplies”) to provide notice and opportunity to comment on the cleanup plan and report the results of the cleanup activities, includes providing copies and summaries of scopes of work, reports, and other materials concerning the abatement project to stakeholders in the targeted community.
- Make available at public meetings those consultants involved in the design of the abatement projects to answer questions or provide more detail (20 hours for three meetings at \$100/hr = \$2,000 in “Contractual”).
- Translate materials for non-English speaking community members and provide assistance to those with vision, hearing, access, or other special needs (20 hours at \$50/hr = \$1,000 in “Other”).

Supplemental Remedial Design: Remedial design of the abatement project has already been completed and approved by the State Y VCP. However, after removal of the building, subsurface contamination may be encountered. In that case, additional remedial design services will be necessary to prepare and gain approval of an amended remedial plan through State Y VCP. (Contract services estimated at 25 hours at \$100/hr plus drafting, clerical, incidentals.) This activity will not include any ineligible sampling or analysis.

VCP Fees: Additional VCP oversight fees may be needed to review and approve an amended remedial plan. This includes only that portion of fees for project-specific oversight and technical assistance and excludes all administration.

Abatement and Remediation: An approved remedial action plan will be implemented to abate asbestos containing materials and other hazardous substances as necessary for demolition.

Local Match: Budget includes \$40,000 of local match funding for abatement and remediation.

## **Criteria B: Community Need**

1. Provide a detailed description of the target community that the project(s) will benefit. Include demographic information for the target community and indicators, such as the poverty rate, unemployment rate, special community situations (e.g., population size), or other environmental justice factors that support community need relating directly to this project (e.g., low-income and/or minority communities; sensitive populations, such as children and pregnant women; or communities disproportionately impacted by environmental factors). Identify the source for this information.
2. Explain how the targeted community will benefit from this grant. If the current proposal targets a community previously targeted by an EPA Brownfields cooperative agreement, please justify the need for additional funding.
3. Characterize the impact of Brownfields on your targeted community (or communities) by describing the extent of Brownfields (e.g., size, number, location) and the economic, health, and/or environmental impacts of the Brownfields.

### **Community Need Example 1**

1. City X is known as “The City of Birds.” The town is located on a high plateau (1,434 ft. above sea level) in the state’s southwest corner from which one can gradually descend into the Green Mountains. As one of the oldest mountain ranges in the United States, the Green Mountains retain their wild character, rugged, diverse, and always delightful. City X was founded five years prior to the aforementioned discovery of lead and zinc; however, these two minerals formed the basis of the town’s growth and continued existence until the end of the Second World War. Manufacturing, milling, retail, and agricultural employment have entirely replaced the mine-related occupations that initially drew people to City X.

City X currently has a population of approximately 7,000 people, of which 18% of individuals and 14% of households fall below the federal poverty level. Both of these figures are significantly above their respective national averages. The unemployment rate for City X is only 3.3%; however, median household income is only \$25,118, significantly less than the national average of \$41,994. 30% of the population of City X is under 18 and 18.1% are above 65. These two groups are the most likely to benefit from the passive recreational activities, like walking and educational materials, available at the park.

Remarkably, 27.7% of the citizens of City X are handicapped in some form. This is well above the national average of 19.9%. By constructing an ADA compliant trail system, City X will be able to provide a recreational resource currently unavailable to its handicapped citizens. This information was derived from the US Census Bureau’s 2000 Census.

The citizens of City X have long endured the deleterious effects of historic mining activities. As previously discussed in the Threshold Criteria, the EPA conducted removal action on residential soils in City X to address elevated levels of lead and cadmium. The children of City X are most

susceptible to heavy metal poisoning and should not have to risk their health while playing in a city park.

2. City X will benefit from the funding of this proposal by several means. The primary benefit derived from the completion of the outlined activities will be the inclusion of a previously unavailable suite of passive recreational opportunities. Current park facilities in the city provide for only active recreational activities such as a variety of sporting fields. Passive recreational opportunities to be developed include: walking on nature trails, discovering interpretive information on the cultural and natural history of County Z, observing birds, other wildlife, and native plant species flourishing in the newly restored park habitat, fishing at an onsite pond, already stocked with fish and determined to be safe for human consumption through analysis performed by HWP staff, and holding gatherings and outdoor classroom lectures at the newly constructed educational pavilion.

Statewide recreational surveys indicate that recreational trails are the most desired and underdeveloped assets in the state. As mentioned above, some 48% of the population of City X is less than 18 years old or above 65 years old and expected to utilize the recreational trails the most often.

Secondly, funding the cleanup grant will create an economic influx to local contractors, materials suppliers, and equipment operators in City X to the tune of \$200,000. In a small town \$200,000 represents a significant investment in the local economy.

3. Over its 125 year history City X has experienced the economic “roller coaster ride” of being a mining town. Fortunately, the economic fortunes of City X have stabilized of late. Although the mining cycle of boom and bust may be over for City X, the environmental legacy remains. There exist nearly 1,000 acres of negatively impacted mined-land Brownfields in and near City X that suffer the stigma of contamination. The constant public health threat posed by these mine-scarred Brownfields was enough to initiate a removal action in 2002 by EPA to protect the citizens of City X from their own yard soils. With these public health concerns comes the very real potential of dissuading individuals and companies from locating in City X, a highly negative situation for the long-term outlook of the city. The net effect is that businesses do not relocate on the Brownfields areas, fearing contamination issues and the ever-present danger of mine collapse.

The net environmental effect of these mine-scarred Brownfields is enough to cause the primary waterway in City X, Crow Creek, to be listed on the state list of Impaired (303d) Waterways. Impacts on the terrestrial environment are also catastrophic and can be compared to mining sites around the country.

### **Community Need Example 2**

1. City X is one of the densest cities in State Y with an average of 8,386 persons per square mile, compared to the state average of 1,003 persons per square mile (2000 US Census). City X also has a higher percentage of low-income residents and minority residents compared to the rest of the state with a minority population of 30.9%, compared to a state average of 18.1% and a median family income of \$39,038, compared to the state median family income of \$52,781

(2000 US Census). City-wide statistics alone make a strong argument for community need. However, recent economic and demographic trends have resulted in a concentration of the city's minority and low-income residents within City X's oldest neighborhoods, which are located within one such neighborhood: Buena Vista. Although Buena Vista is only moderate in size (.65 sq. mi.), the neighborhood is the third most populated in City X with just under 8,000 people, or 11% of the city's total population. Buena Vista's density, 12,647 people per square mile, represents an opportunity for this project to improve the quality of life for many City X families. The densely populated Buena Vista neighborhood (Census Tracts 123,124, Block 2 of Tract 128, and Blocks 1 and 2 of Tract 130) is our Targeted Community. The site itself is located within Census Tract 130, Block 2012 which is a primarily industrial and commercial area. Aside from being lower in population, the demographics of Census Tract 130 are accurately represented by demographics presented for the entire Buena Vista neighborhood.

As one would suspect from the density statistics most of Buena Vista is characterized by a compact arrangement of large, multiple-family dwellings and small parcels. One of the few exceptions is the riverfront, where the project is located. Sandwiched between the Roaring River and Hwy 1, most of this area remains underdeveloped because of the costs of remediating old industrial sites. Industrial expansion in Buena Vista began in the late 18<sup>th</sup> century and continued into the early 1900's when the neighborhood's waterfront was filled with active manufacturing uses. However, as the 20<sup>th</sup> century progressed many of the industrial buildings along the river became obsolete as the focus of manufacturing shifted elsewhere. When Hwy 1 was constructed in 1958, it effectively severed this already declining riverfront from the rest of the city resulting in a swath of land marred by vacancy and disinvestment even today.

Buena Vista has been the focus of many local and federal urban revitalization projects during the last 40 years, but the neighborhood continues to suffer from many of the problems plaguing older urban neighborhoods and now faces new challenges due to the changing demographics. One-third of the Buena Vista households earn less than 150% of the poverty line and almost 20% of neighborhood residents live in poverty. Furthermore, approximately three-quarters of the Buena Vista households are renters. In terms of race, Buena Vista, like the other inner-core neighborhoods, houses a disproportionately large Hispanic population, 21% of the neighborhood total, the third greatest concentration of Latinos in the city. Buena Vista's minority residents also tend to be both younger and poorer than their white neighbors. Within the neighborhood, non-whites account for one-half of the neighborhood children, and children make up 42% of the population living below the poverty line.

2. The benefits of this project are three-fold: public access to the riverfront; an integral link for the Grey Valley Bikeway; and riverfront land available for redevelopment. The Buena Vista neighborhood has a minimal amount of open space and recreation facilities. The swath of land that will remain under city control at the conclusion of this project and be developed into the Bikeway is 720 feet by 20 feet. While the total land committed to recreation may seem small – 0.33 acres – it would represent a 10 percent increase in the recreation land available to that neighborhood and would also, in the future, link to the 48-mile multi-state Grey Valley Bikeway. Even before the Bikeway is developed, this area will be maintained as Greenspace and provide public riverfront access. The redevelopment of the remaining land is integral to the success of this project. As described in the following section, Brownfields are often isolated and secluded,

which can make them unsafe places. Development of the Bikeway along the river must, therefore, be partnered with the redevelopment of the remainder of these parcels, approximately 1.25 acres, into active and successful uses.

3. Besides the Brownfields that is the subject of this request, the city has four additional Brownfields sites: an 11-acre riverfront site, a one-acre site in an industrial park, the City X Armory, located in downtown City X, which recently received funding from the State Y Economic Development Committee Revolving Loan Fund, and another riverfront site, the former Sate Y Pier, which the city is working with State Y to investigate. City X also obtained a list of included known contaminated sites, which included over 90 properties, on over 200 acres of land, which is approximately 3 percent of the total land area in City X. Twenty of the 90 sites are located along the river, for a total of 90 acres of known contaminated sites located along City X's Riverfront.

The presence of these sites, first of all, creates safety issues for the surrounding neighborhoods. Not only are the sites contaminated, they are also generally isolated and secluded. In addition, many of the structures located on these sites are not structurally sound. To protect the safety of its citizens, City X is interested in moving Brownfields redevelopment efforts forward quickly and is working with State Y to assess city owned property. Brownfields sites along the river also prevent City X residents from taking advantage of the aesthetic and recreation opportunities that the riverfront presents.

Aside from these direct impacts, is the Brownfields' contribution to the overall perception of City X. The economic stagnation of the recent past has lead State Y residents to coin a disparaging nickname for the former economic engine of the Central United States: many State Y residents began to refer to City X as "the Pits". Perhaps the most difficult struggle in the city's charge to revitalize its downtown and riverfront is, and will continue to be, this perception. The image of the city as a tired former mill city, divided by Hwy 1 and left to languish is constantly reinforced by visual reminders, including a riverfront dotted with underutilized abandoned structures and overgrown vacant lots. The city recently rezoned the entire waterfront to better integrate mixed-use, commercial, residential, and public space. The new zoning was framed on smart growth principles, such as encouraging land-use design practices that allow public access to the shoreline, protecting environmental features, and using the river and potential parkland as focal points for private redevelopment along the waterway. It has been difficult, however, for the city to promote this image to potential developers with the riverfront in its current condition.

## **Criteria C: Sustainable Reuse of Brownfields**

To what extent will this grant support the goals listed below:

1. Prevent pollution and reduce resource consumption through, e.g., Brownfields prevention, infrastructure reuse, native landscaping, innovative stormwater management/reuse, construction debris/fill reuse, local government commitment to achieving green building and/or energy efficiency building standards, and/or others.
2. Promote economic benefits, e.g., an expanded tax base, increased investment, job creation, enhanced property values through adjacent Greenspace creation, and/or others.
3. Promote a vibrant, equitable, and healthy community, through, e.g., smart growth, linked recreational and park areas, affordable housing, and/or others.

### **Sustainable Reuse of Brownfields Example 1**

1. City X will use the proposed grant funds to cleanup a vacant, contaminated property to pave the way for its redevelopment/reuse consistent with the city's Comprehensive Plan and consistent with community concerns. Site A is located within the Old Neighborhood, which incorporates high-density job centers adjacent to high density urban residential zones. The cleanup of this site is a necessary step in preparing it for high density job creation (as described in Criterion B2). The efficient use of land and existing infrastructure, accomplished by recycling this Brownfields property and creating jobs in the urban core near housing units, reduces vehicle trips by matching jobs and housing more efficiently. Fewer vehicle trips means reduced vehicle emissions and higher air quality. Also, based upon our assessment results for the Site A property, it is an ongoing source of contamination to the environment; the remediation will remove the source of ongoing contamination.

Our design review process with the end-users of our remediated sites focuses on "resource and materials productivity" in the construction of their building. This means focusing on locally made or recycled goods (i.e. steel) which results in reduced pollution through decreased materials delivery distances and reduces resource consumption by emphasizing materials made with recycled content. The end users at our business centers are also required to conduct a high-performance/sustainable design process with a team of design experts paid for by City X. Through this process we: a) strive for high performance site design, b) promote native plantings and next generation storm water management (in conjunction with another partner, Roaring River Cleanup); c) improve energy efficiency by working with Tomorrow Energy to guide every building project through design assistance or plan review (this technique results in buildings operating up to 20% better than energy code and businesses lowering their annual energy costs by a similar percentage); d) improve employee productivity by encouraging increased daylighting, improved ventilation, and the use of materials that do not off-gas; and e) evaluate material usage for increased durability, resource efficiency, and cost effectiveness.

2. The cleanup grant will: 1) cleanup a known contaminated site and remove blight, thereby paving the way to remove and the related health and safety risks faced by the local population

that can also deter investment; 2) lead to increase in local property tax revenue (as described further in C3, below); 3) provide a clean site which City X can offer to attract light manufacturing entities seeking to build in the City X metropolitan area; 4) thereby create jobs for city residents; 5) increase the quality of community life; and 6) spur spin-off economic activity with area service and retail businesses. A summary of the effect of our past five business centers, redeveloped in accordance with City X's "process" described in criterion B2, serves to illustrate the economic benefit that the assessment grant activities will leverage. City X's past five business centers (Wolf Lake, Rose Heights, West Hill, East Village, and Central Meadow) have created 2,677 jobs for city residents, raised \$3.1 million in annual property taxes, and leveraged \$164.8 million in private investment in new buildings and equipment.

3. First and foremost, the grant will lead to redevelopment that will result in approximately 260 new jobs, and increase property annual tax revenues by \$234,000. Secondly, City X's purchase agreements with each company and legal covenants that run with the land in our business centers establish design requirements for buildings addressing facades, windows, public space, landscaping, signage, energy efficiency, day-lighting, indoor air quality, reuse of materials and other sustainable design elements. The legal covenants set building cost minimums at \$60 per square foot and make economic use of scarce land (35% minimum coverage of building to land). Each business occupying our business centers is required to enter into a work force agreement, under which we require that the company have high job density (at least one job per 1,000 square feet of building space), pay good wages (at least \$10.50 per hour plus benefits), and enhance neighborhood economic development (at least 70% of new jobs must go to City X residents). Finally, we work with the City X Department of Planning and Economic Development to ensure that economic development is accompanied by the development of quality affordable housing. The combined effect of these various efforts greatly contributes to a vibrant community.

### **Sustainable Reuse of Brownfields Example 2**

1. Funding of the Green Meadows (GM) cleanup grant will drastically reduce the continued release of toxins to the terrestrial, aquatic, and human environs in and around City X. By capping and revegetating barren and exposed hazardous contaminants, surface runoff, groundwater contamination, and biotic uptake of toxins will be drastically reduced. Because GM is in the contaminated core part of City X, funding this proposal will reduce energy consumption by allowing citizens to walk to the park. All of the disturbed and reclaimed areas of GM will be seeded with a mixture of warm season native grasses and forbs, representing at least 30 restored acres of what was once a vast, uninterrupted prairie. Additional native wildflower gardens will be along the walking trails with interpretive signs installed, encouraging park users to research and use native plantings in their own yards. As there will be minimal construction debris and no enclosed spaces generated during this project, the rest of this question is not applicable.

2. Because GM is a city-owned property this project will not expand the local tax base. However, due to its ambitious structure and the transformation of an eyesore into a resource, GM will become the "crown jewel" in the city's park system. Quality of life will be greatly increased for the citizens of City X, and neighboring property owners will experience a drastic increase in their property values as a result. This fact alone could encourage other property owners to

reclaim their property and reduce other sources of contamination. It is not expected that this project will create any long-term jobs; however, as mentioned earlier, it should provide several months of work for local contractors in the area.

3. The cleanup and transformation of GM is a perfect example of how to promote a vibrant, equitable, and healthy community by providing extremely sought after, but unavailable passive recreational opportunities. By encouraging walking, contemplation, and immersion in nature, City X will have progressed in leaps and bounds towards the creation of a more healthy and sustainable community. By revitalizing inner parts of the city, residents will be drawn back towards the historic core of town, utilizing existing resources rather than consuming unblemished Greenfields.

#### **Criteria D: Creation and/or Preservation of Greenspace/Open Space or Nonprofit Purposes**

Describe the extent to which the grant will facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property, or other property used for nonprofit purposes. If this grant will result in such creation or addition (e.g., a new or expanded community park), what specific regulations, policies, or programs, are (or will be) in place to provide for long-term management and care? If this grant will result in such preservation (e.g. preserving outlying Greenfields by focusing development on Brownfields) what specific regulations, policies, or programs, are (or will be) in place to assure long-term management, care and preservation?

#### **Creation and/or Preservation of Greenspace/Open Space or Nonprofit Purposes Example 1**

This grant will be used to clean up approximately four acres of known contamination from former manufacturing and commercial land uses that over the past 120 years have left their impact on the environment. The city's Comprehensive Plan calls for the creation of Greenspace/open space along the southern perimeter as a buffer from the industrial properties to the south. In addition, a park is to be established on a portion of the former Haller Car Shops property to commemorate the railroad's history in City X. The State Y Department of Transportation (DOT) will fund the creation of the Greenspace as part of the Hwy 1 design and construction. The YDOT is also committed to helping improve roadways, pedestrian walkways, and recreational trails in the Town Square redevelopment project area. Care and preservation of these Greenspace areas will fall under the city's Public Works and Parks Departments. The project area is part of the State's Enterprise Zone and the City Tax Increment Financing (TIF) District. Funding to maintain these areas will come from the revenues generated by the TIF and other funding sources such as bonds and special assessment taxes.

The city anticipates applying for both federal and state recreational trail funding through the YDOT and the Federal Highway Administration for the construction of the trail. Other funding sources may include the State Y Department of Economic Development, State Y Department of Natural Resources, Federal Parks Program, and the Federal Transportation Enhancement Program. The city has been successful in leveraging approximately \$35 million for environmental and redevelopment activities.

The city's practices and policies relating to smart growth emphasizes the need to recognize the cost and responsibilities associated with expanding the city at its fringe. These practices and associated policies ensure that public owned facility, including the maintenance of parkland, trails, and Greenspace receive the requisite budgets to preserve these facilities and provide for the security of those who use them. The city will also implement institutional controls such as zoning, overlay districts, conservation easements, and deed restriction to assure long-term management, care, and preservation of Greenspace, parks, and trails.

### **Creation and/or Preservation of Greenspace/Open Space or Nonprofit Purposes Example 2**

The Bikeway portion of this site, which will comprise an approximately 20-foot wide, by 720-foot long swath of land along the river, will be public recreation space. The actual Bikeway will be 12 feet wide, to meet State Y Department of Transportation (YDOT) requirements for an accessible bicycle path. The Grey Valley Bikeway is a 48-mile collaborative multi-state project. The Bikeway will begin in City X and travel through Central Hills, City A, City B, and Town C, State Y before heading into State A where it continues along the Roaring River until it reaches City D ([www.roaringriverbikeway.com](http://www.roaringriverbikeway.com)). In State Y the municipalities are partnering with YDOT to develop the Bikeway. YDOT is preparing the design for the Bikeway, City X will acquire the necessary land, and then YDOT will develop the Bikeway. Once completed, the City X Department of Public Works will take over the responsibility for its maintenance and upkeep. The George P. Kelley Grey Valley National Heritage Corridor has been an advocate for the Bikeway in both states. Eight miles of the 20-mile State Y segment of the Bikeway are complete. City X's section is at 30 percent design and is in the process of acquiring or obtaining easements for the Bikeway. Once this project is complete, City X will have completed 80 percent of the total acquisitions necessary. (Please see Attachments 3, 4, and 5 for documentation of Bikeway support).

### **Criteria E: Pre-Award Community Notification**

*Note: Responses to this section are required as part of your proposal and will be ranked accordingly. Actual notification need not take place prior to selection, but applicants should be prepared to implement their plan as soon as selections are announced. EPA will require the execution of Community Notification plans prior to grant award and no later than September 14, 2007.*

*If selected, as part of their work plan, applicants will be required to summarize the major comments received and their responses to those comments.*

Please note that the notification is to citizens or members of the public, not exclusively to government officials.

1. Describe how the targeted community(ies) was or will be notified of your proposed plans should your proposal be selected for funding. If conducted by another entity on behalf of you, the applicant, please demonstrate how you were or will be involved in the community notification (i.e., you attended or will attend the public meeting, you responded or will respond to comments, etc). Describe the means by which you notified or will notify the community of your plans and by what means they provided or may provide comment.

2. Explain why the notification method proposed above was/is the most appropriate way to reach your target community. Provide any details that justify your notification plans (languages used, type of media used, medium used, etc.).
3. How long of a comment period did/do you propose (if less than two business weeks please explain why)? What forms of outreach did/will you employ to encourage community comment over this period?
4. What were/are your plans for addressing comments received?

### **Pre-Award Community Notification Example 1**

1. This grant proposal was discussed at a public community meeting held at the state Y University Community Center at 6:00 PM on 12/04/06. Notice of this meeting was published in the El Mundo newspaper from 11/20 to 11/30. The notice stated that the meeting would be held on 11/30/06. A severe winter storm caused the meeting to be rescheduled to 12/04/06. Notice of the cancellation and rescheduled time was distributed by email and phone calls. At the meeting, a summary of the grant proposal was distributed. Attendees were asked to review the draft proposals and submit comments. In addition, the city provided notice of this grant proposal by direct contact with community organizations active in the West Village and East Hills target communities. City Brownfields coordinator Gary Hatten contacted the following individuals by telephone and email: Kelly Love, executive director of Hart, Inc., a homeless services organization, on 12/03/06; Carl Tolf, chair of the East Hills neighborhood association, on 12/02/06; and Nate Hern, Downtown neighborhood association, on 12/02/06. It should also be noted that the public and target communities have been generally informed of West Village redevelopment plans through public meetings and local press coverage. The West Village project has been the subject of a Tax Increment Finance (TIF) plan that was discussed and adopted at the public meetings of the TIF commission and City Council in April 2006. In the past 12 months numerous articles concerning the project have appeared in the City X Business Journal and the City X Newspaper, the local paper of largest daily circulation.

It should be noted that the city intends to implement the following community notification plan immediately following submission of this proposal. The city regards the immediate abatement and removal of the long-blighted Row Ave. Inn as a critical precondition of the West Village project. Therefore, the city has already obtained approval of its remedial plan through the State Y VCP, issued a bid invitation for the abatement and demolition work, and selected a qualified contractor. Nonetheless, members of the affected community will be given a meaningful opportunity to review the cleanup plan and provide input through the following notification plan. The city will create a list of all relevant community and faith-based organizations, active community members, and other stakeholders. Key organizations, like the East Hills neighborhood association, Hart, Inc., and the Downtown neighborhood association, will be asked to forward notices to their members. These organizations will also be consulted on the best methods to notify elderly “shut-ins,” the public housing residents, homeless or temporarily-housed persons, non-English speaking residents, and others who may not be reached by advertisements in local papers (i.e. message board postings, door to door handouts, local newsletters). The city will organize a public meeting at a time and location convenient to the

majority of community members. The meeting notice will inform stakeholders of the proposed cleanup plan and redevelopment project, state that copies of the cleanup plan will be available to review at the Downtown Library, and include contact information to learn more. Cleanup plan copies will also be provided to key neighborhood organizations and made available electronically through the city's website. Notice will be sent by email and standard mail to the listed community organizations and stakeholders, and the city will implement alternative notice methods. In addition, notice of the availability of the cleanup plan will be advertised in Now, a local African-American owned newspaper and El Mundo, a local bi-lingual newspaper.

2. The above notification plan utilizes multiple methods (advertised notices, email, and mailings) to reach both the general public and a diverse local population, consults relevant organizations as to best notice methods, and allows the flexibility to implement them. The city's experience with community notice and involvement in the Central Corridor and the West Corridor demonstrates that neighborhood organizations must be consulted on how to best inform and engage their members.

3. A period of at least two business weeks will be provided to review and comment on the cleanup project. Community members will be encouraged to provide input both at the public meeting and afterwards on forms provided at the meeting or by mail, email, phone, or fax.

4. The city will make every reasonable effort to accommodate the suggestions and input of local community members in the administration of this grant. To help respond to questions and comments concerning technical aspects of the cleanup plans, contamination present, and potential health risks to the community, City X will partner with the Midwest Hazardous Substances Research Center Technical Assistance to Brownfields (TAB) Communities program to provide outreach assistance with communications efforts.

### **Pre-Award Community Notification Example 2**

1. Some of the functions and mechanisms by which City X has and will continue to provide community notification of this and other projects and initiatives important to the community include regular dialogue with key neighborhood associations (primarily East Hills and Town Square) and through the city's Community Advisory committee members. Preliminary plans for the redevelopment were shared with these and other entities during development of the city's Master Plan in 2003. Mr. Carl Foster, the city's Environmental Health and Safety Director and the project director for this grant, will build on these existing relationships and utilize consulting support as well as all resources available through the city's Office of Public Affairs to develop and implement a community relations plan specific to the cleanup and redevelopment activities envisioned for this project.

Additional sources and forums of community outreach and notification are achieved by membership of senior city officials in various community groups including the North City X Development Committee that facilitated the North Downtown City X Project ([www.downtowncityx.com](http://www.downtowncityx.com)) as well as the Midtown Project ([www.cityx.gov/midtownproject](http://www.cityx.gov/midtownproject)).

2. City X chooses to utilize functions and mechanisms such as the neighborhood associations, the Community Advisory Committee, and project-specific involvement such as the Midtown Project and North Downtown City X Project forums because experience has shown that such open forum interactions reach the largest amount of stakeholders and diversity of views that shape the city's decisions related to major project involvement. Additional groups and forums as well as communication media (project newsletters, web page updates, etc.) will be targeted throughout the cleanup process in order to maximize community input.

3. Comment periods for the cleanup plan will be 30 days consistent with public notice requirements under State Y's Voluntary Cleanup Program. Before issuance of the standard public notice to the local newspaper, the city will reach out to stakeholders such as those listed above with a particular focus on reaching potentially affected residents and minority groups to ensure awareness and understanding of the scope of the proposed cleanup actions.

4. City X values the input of all residents and interested stakeholders in the Brownfields cleanup project and will make every effort to accurately inform the public regarding grant activities, seek input, and respond to such input. Response to comments can take many forms, dependent upon the medium through which the comments were provided and if the commenter requests a response. For instance, comments posted on the city's web page can be responded to with a web posting response. Comments provided in open public meetings will be responded to directly, as appropriate, and written comments can be responded to via direct mailings or published in city and area newspapers or other means. All comments and responses will be logged as part of the project documentation and summarized at key junctures in the project.

#### **Criteria F: Ongoing Community Involvement**

EPA requires early community notification and encourages continuing community involvement.

1. Discuss your plan for involving the affected community (e.g., neighborhood organizations, citizens' groups, borrowers, redevelopers, and other stakeholders) in cleanup decisions and reuse planning for the site, including making cleanup-related documents available to the public and soliciting public comment on the analysis of cleanup alternatives. Describe what community involvement activities, if any, have already occurred.

2. Describe your efforts and/or plans to develop partnerships at the local, state, and/or tribal level with other stakeholders to ensure appropriate and sustainable cleanup and redevelopment of Brownfields in your targeted community.

3. Describe your specific plans for communicating the progress of your project to citizens, including plans for communicating in languages indigenous to the community or other efforts to reach the targeted community as well as the broader community.

4. Provide a list of the community-based organizations involved in this project and a contact person, phone number, and a brief description of the organization's activities and representation (these organizations may include, but are not limited to, local citizen groups, environmental organizations, civic organizations, local business groups and institutions, educational institutions,

and local labor organizations). Community-based organizations do not include the local planning department, the local fire department, or the mayor's office.

*Note: EPA may conduct reference checks to ensure that organizations identified are supportive and involved with the Brownfields project.*

### **Ongoing Community Involvement Example 1**

1. The Plateau Heights Group was formed as part of the EPA 2003 Community-Wide Assessment Grant to address many of the planning and redevelopment issues with this project and to communicate information to the community. The nine member committee represents the City Planning and Zoning Commission, City Council, business owners, economic development personnel, and residents. Meeting monthly, the Group generates meeting agendas and minutes that are on file with the City Planning and Development Director.

The Group has been instrumental in disseminating the results of the Phase II environmental site assessments to the community groups and in formulating cleanup alternatives based on planned future land use to help facilitate the decision making process. The Group will continue to have an active role in the implementation of the cleanup grant, if awarded. In addition, the city conducted a series of community outreach workshops during the assessment grant to solicit input from the community on whether to pursue acquisition of the subject site based on the known contamination, to apply for this cleanup grant, and how the railroad property should be redeveloped to meet the goals of the Plateau Heights Plan. The results of the workshops were summarized in a report that was presented to City Council.

The city will continue to use a combination of communication media to keep the community informed of cleanup activities and to solicit input into the decision making process. These activities proved successful during the assessment grant and include:

- The city's Brownfields Project Director will be the designated spokesperson to inform the community of actions taken and respond to inquiries. The Director will formulate and implement a community relations plan to update the public on the status of the cleanup activities. In addition, an informational repository has been set up at City Hall where any interested person can review information related to the assessment and cleanup process.
- The city will contract with an environmental consultant to prepare an Analysis of Brownfields Cleanup Alternatives (ABCA) plan based on the results of the Phase I and II environmental assessments. The community will be given the opportunity to comment on the remedial alternatives presented in the ABCA. Upon selection of the corrective remedy and enrollment in the State Y Land Revitalization Program (LRP), a Risk Evaluation and Response Action (RERA) plan will be prepared detailing how the implementation of the ABCA will be completed so as to reduce the risk of human exposure, protect the environment, allow for redevelopment, and meet the federal and state regulations. Once again, the community will be given the opportunity to comment on the remedial alternative presented in the RERA.

- Periodically a notice will be published in the City X Gazette and City A Newspaper of availability of the information pertaining to the cleanup activities especially before public meetings.
- A 30-day opportunity will be provided for written or oral comments on documents submitted for regulatory approval per the requirements of the LRP.
- A written response to significant concerns will be prepared and published.

2. Since the award of the 2003 EPA Community-Wide Assessment Grant, the city has maintained and expanded its relationship with the State Y Department of Natural Resources (YDNR) and the EPA by filing environmental site assessment reports, submitting a quality assurance project plan, site-specific sampling plans, quarterly reports, and other related documents to ensure that these agencies are familiar with the project. The city has had informal conversations with EPA and YDNR about the proposed enrollment of the subject property in the State Y Land Revitalization Program upon award of the grant, if selected, to ensure that the chosen environmental cleanup remedy to protect the public is appropriate for the future use and meets state and federal environmental cleanup standards. Additionally, the city will maintain its close working relationship with the EPA Region 7 project officer to ensure that planned project progress reports are filed and other requirements of the grant are met.

On the local level, partnerships will continue to be strengthened through the Plateau Heights Group. This group meets on a regular basis to discuss findings associated with environmental site assessments, cleanup activities, land acquisition, and funding opportunities, provides direction to future land use and redevelopment planning, and cultivates support by sharing information throughout the community. The committee also represents several stakeholders including residents, business owners, planning commission members, elected officials, city staff, and economic development representatives.

3. The Plateau Heights Group has and will continue to play a significant role in providing information to a wide array of stakeholder groups (e.g. citizens' at-large, adjacent residents, affected businesses, etc.). In addition, the city has designated the Brownfields Project Director to disseminate information to the community and to establish an information repository in City Hall of all project related materials. As part of the community relations plan, the city will use proven successful communication methods to keep all segments of the community informed and enable them to ask questions, offer suggestions, and provide comments. These may include press releases, direct mailings, public meetings, open house events, briefings to the City Council and local interest groups, and maintaining an interactive web site. All communication efforts would be consistent with the requirements of the National Contingency Plan to ensure that all actions taken relative to the cleanup and redevelopment planning would provide ample public review and comment. Enrollment of the site in the State Y Land Revitalization Program requires a minimum of two public notification and comment periods.

According to the 2000 US Census, only 3.3% of the residents speak Spanish and less than 1% speaks other foreign languages within the project area. Based on the small percentage of affected residents speaking languages other than English, the city will provide a foreign translation upon

request. The city will try to accommodate requests for foreign translations of any prepared documents. Also, the city will attempt to accommodate visually impaired citizens with large print documents and hearing impaired individuals with better seating and audio transmission enhancements at public meetings.

4. The table below highlights the names, organizational affiliations, phone numbers, and role in the Plateau Heights Initiative:

Contact	Phone No.	Agency/Association	Organization's Activities
Jon Ham	555.555.5555	Railroad committee member	Prepared recommendation regarding the reuse of the vacated railroad right-of-way
Kelly Bo	555.555.5555	Economic development co.	Encourages and facilitates the attraction of new and retention of existing businesses
Greg For	555.555.5555	Business owner	Owner of City X Auto Salvage facilities
Hal Mine	555.555.5555	Resident	Wants to plan for the redevelopment in the neighborhood
Phil Lou	555.555.5555	Planning Commissioner	Makes recommendations to the City Council and Board of Zoning regarding land use, platting, and development plans
Mel Gall	555.555.5555	Chamber of Commerce	Promotes City X as a place to do business and promotes the downtown area
Rob Tort	555.555.5555	Resident	Wants to plan for the redevelopment in the neighborhood
Sal Nirl	555.555.5555	Property owner	Owner of several properties currently ready for redevelopment

**Ongoing Community Involvement Example 2**

1. Looking forward, City X has developed a plan to continue efforts to inform and engage local stakeholders, connect local planning efforts and priorities with the project, and involve representatives in designing and implementing cleanup plans, through the following activities:
  - City X will ensure that community representatives have direct oversight and input on cleanup decisions and redevelopment planning through the continuing activities of the Planning Committee, described above.
  - If selected, several public communication meetings will be held to announce the grant project, as described above.
  - One of two designated community representatives will be invited to attend appropriate national, regional, or local Brownfields conferences to prepare for evaluation and input on cleanup plans and to address local environmental concerns.
  - Local disadvantaged businesses will be identified and efforts made to ensure that each receives notices of competition to provide services related to cleanup, redevelopment,

construction, and end-use hiring. City X will work with local representatives to help prepare these businesses to take advantage of new opportunities. Although there can be no guarantees of performance, it should be noted the developer is proud of its record of exceeding goals for contracts with disadvantaged businesses on similar projects.

- Local residents looking for jobs related to project activities, especially those in disadvantaged areas, will be targeted to receive hiring notices and information about available job training programs. Spanish language workers will receive translated notices with the help of the City X School District.

2. City X will take advantage of the following continuing partnerships to ensure proper cleanup and redevelopment:

- State Y Department of Natural Resources, through its Voluntary Cleanup Program (VCP), will oversee and ensure that the cleanup is protective of health and the local environment and is appropriate for the planned reuse. In September 2005, City X entered Site A into the VCP.
- City A, through its nationally-recognized Brownfields Program, will assist City X with technical oversight and grant administration and coordinate the cleanup activities with redevelopment plans and community concerns.
- The Midwest Hazardous Substances Research Center (MHSRC) Technical Assistance to Brownfields (TAB) program will assist in outreach to community members. TAB specialists will help interpret plans, reports, and technical information for community members through public meetings, FAQ sheets, and an information line.

3. First, detailed cleanup project information will be shared with community members at regular meetings of the Planning Committee. Second, City X will continue working with community organizations by distributing periodic updates on cleanup and redevelopment activities at Site A and by participating in meetings of these organizations and inviting interested members learn more about cleanup and redevelopment activities at Site A. Public meetings will be advertised in local papers and notice will be distributed through the organizations listed in item 4 below. The meetings will address cleanup plans and options, progress reports, proposed land use controls, grant finances, and the final report. Interested stakeholders will be provided copies of plans, reports, and other materials concerning the landfill remedial actions. Notices and materials will be translated for Spanish language participants. Community members will be able to pose questions and get information from unbiased health and science experts through a longstanding cooperative arrangement with the TAB program operated, with EPA funding, by State Y State University.

4. The following community organizations are involved in this project:

- City X School District-Guadalupe Center: The local school district and an urban Hispanic assistance center partnered to teach the growing Latino student population and provide social services to their families. Both will be involved in outreach to local Latinos. Contact: Marcia Rodriguez, 555.555.5555

- City X Economic Development Committee: This organization, led by former director of the Hispanic Economic Development Group of City A, will assist in connecting City X with new business and employment opportunities that result from base redevelopment. Contact: Celia Ruiz, 555.555.5555
- Site A Advisory Committee: This committee, which includes six representatives of local communities, will guide cleanup decisions and review redevelopment plans for the project. Contact: Gary Wilson, 555.555.5555
- Community Assistance Council: The Council will facilitate outreach to many City X community organizations whose members will be invited to become involved in the project by attending meetings and reviewing plans and reports. Contact: Richard Howe, 555.555.5555

### **Criteria G: Reduction of Threats to Human Health and the Environment**

1. How and to what extent will funds be used to identify and/or reduce threats to human health and the environment within the target area that may be associated with exposure to Brownfield site contaminants? If known, describe the proposed end use of the Brownfields site and to what extent this proposed end use will factor into cleanup activities, monitoring, and maintenance of engineering controls or institutional controls as part of redevelopment.
2. To what extent are you working with your local, state, or tribal health agency to ensure protection of public health and the environment during the cleanup and redevelopment process? Include a brief discussion of relevant state/tribal response program (or “Voluntary Cleanup Program”) processes, where applicable. Note: Local governments seeking funds to support health monitoring must provide additional detail on proposed monitoring activities as part of this question.
3. Describe the proposed cleanup plan for the site and the estimated costs to complete the cleanup.

### **Reduction of Threats to Human Health and the Environment Example 1**

1. Because the Brownfields threats of Site A have been extensively characterized by the YDNR and EPA, most of the funds received under this proposal will be used to reduce the threats to human health and the environment, rather than identify said threats. More than half of the grant funds requested by this proposal will go directly towards the reduction of these threats. Current users of Site A risk introduction and transport of contaminants to their selves and to family members with whom they reside. Human health threat reduction will be accomplished by regrading dangerous slopes, limiting access to the most physically hazardous portions of the park (the “wildlife refuge”), and reducing contaminant levels at the ground surface through the application of poultry litter biosolids, applying phosphorus fertilizers to decrease the bioavailability of the lead, and creating a healthy vegetative cover over mine wastes. Similarly, threats to the environment will be reduced by reducing contaminant levels at the ground surface, reducing the bioavailability of lead with phosphorus fertilizers, and creating a vegetative trap for

mine wastes. Once mine wastes are smoothed and vegetated, contaminant transport through the ecosystem will be drastically reduced, limiting uptake of metals in terrestrial and aquatic organisms. Dissolved and total metals content of Crow Creek should also decline precipitously within park boundaries.

The proposed end use of the park, as discussed at length, will be for educational gatherings, walking/nature trails, bird/nature observation, fishing, and a variety of other uses that will be discovered as the park matures. Because citizens of City X will be utilizing large tracts of the park, careful consideration has been given to designing a cleanup action that will be protective of human health and the environment. City staff will survey the reclaimed areas of Site A on a monthly (most likely weekly) basis to assure the long-term protectiveness of the remedy. Hazardous Waste Program (HWP) staff will conduct quarterly monitoring site visits for the first two years following construction completion and then annual inspections for eight years to assure that cleanup goals are met and that engineering and institutional controls placed on Site A remain effective. Engineering controls include access controls such as the cable fencing, barbed wire fencing, vegetative cover over mine wastes, and warning signs near unimproved physical hazards. Institutional controls established with the assistance of YDNR will forbid disturbance, excavation, and transport of mine wastes at Site A and prevent future residential use in perpetuity.

2. City X has worked extensively with the State Y Department of Health Services (YDHS) and YDNR to develop cleanup criteria that will be at least as protective of public health and the environment as current EPA standards for mine waste cleanups in non-residential areas. As previously mentioned, the city has worked with the Voluntary Cleanup Program (VCP) and the Superfund section of the HWP and YDNR for the past two years to design this cleanup proposal. Thousands of hours have been dedicated to Site A and heavy metals contamination research to ensure that cleanup will be protective of public health.

The YDNR's VCP utilizes the following process with their sites:

When a site enters the program, the VCP reviews existing site assessment reports and determines whether or not additional investigation or cleanup is required to meet state standards. The site investigation and any necessary cleanup are conducted by the applicant or their consultants and contractors. Site assessment reports, remedial action plans, and a final report are submitted to the VCP for review and approval.

When the VCP is satisfied that the cleanup has met the objectives, the department provides the applicant with a Completion Certification or a "No Further Action Needed" letter signed by the Director of the Hazardous Waste Program. The department's Voluntary Cleanup Memorandum of Agreement with the EPA states that the EPA will not plan or anticipate action relating to VCP sites after closure by the department. Applicants pay for the VCP's oversight costs, which are calculated on an hourly basis. Participation in the program is voluntary and applicants may withdraw at any time.

3. The first step in the cleanup involves some initial planning including final on-site measurements of the disturbed area, delineation of areas for spreading composted manure,

identification of undesirable vegetation and trees to be removed, and designing/preparing a bid package for earth moving contractor. Estimated cost for planning is \$4,575.

The next phase involves on-site earth moving. Areas of undesirable weedy vegetation will be cleared and grubbed. Select malformed or undesirable trees will be removed. All trash will be properly hauled away and disposed. Several areas of the site will be deposited in collapsed mine workings called subsidence pits and capped with clean soil. Other mine wastes will be graded flat and addressed in the revegetation phase of the first year. Access to the fishing pond will be improved by reducing steep slopes while retaining mature trees. Estimated cost for earth moving is \$30,625.

Once earth moving work is completed, the revegetation efforts will commence. Previous characterizations of heavy metals concentrations and soil nutrient qualities have identified 30 acres that need some degree of soil amendment to facilitate increased plant vigor and reduce contaminant levels at the surface of the soil. Composted poultry litter will be purchased and disked into these areas. Composted litter will be applied at rates from 10-75 tons/acres depending upon metals concentration and current soil nutrient quantities. Agricultural fertilizers will be added according to amounts suggested in previously conducted agronomic soil sampling. Phosphate fertilizer will be added at 1 ton per acre to reduce the bioavailability (or how much an organism absorbs into its body) of lead compounds at the site. Warm season native grasses and forbs will be seeded onto the invigorated soils and non-native weed species will be controlled with mowing. Annual haying of the meadow area will stimulate native prairie species. At this point, HWP staff will conduct soil sampling at select locations with 10% confirmatory samples sent to YDNR's environmental laboratory to ensure protectiveness of the remedy. Estimated cost for revegetation is \$56,825.

Next, cleanup activities will shift towards protecting public health and the recently cleaned areas. The restricted portion of the park is so deemed due to extremely high metals concentrations and the abundance of dangerous mine features. This portion of the park will be reclaimed and cleaned up under this proposal; however, due to the potential for more mine collapses, the city has decided to limit access and reserve the section for the use of wildlife. To this end, City X plans to install approximately 600 feet of 3-strand barbed wire fence to prevent access to the dangerous portion of Site A.

Secondly, to prevent vehicular trespass over recently reclaimed, sensitive, and dangerous areas of the park, the city has decided to install low post and cable vehicle deterrents along the south side of the main park road. This fencing should prevent all vehicular traffic from entering Site A, preserving the efforts of the city to maintain a natural and relaxing park environment. Estimated cost for access improvements is \$34,477.

During the second year of the cleanup, construction planning activities will determine final linear footage, layout, and design of Americans with Disability (ADA) compliant trails system. Design and contract for construction of picnic/educational pavilion must be prepared. Estimated cost for the construction planning is \$1,025.

Next, approximately  $\frac{3}{4}$  to 1 mile of walking trails will be developed throughout the safest, most accessible, and most aesthetically pleasing portions of Bunny Trail. The trail will be at least 8

feet wide and feature a gentle grade and rest stops with benches and interpretive information regarding the natural and human history of the park and local area. Small wildflower gardens will be constructed at length along the trail. Estimated cost for trail development is \$75,738. Park interpretive signage will be installed at intervals along the trail to describe the restoration of the park and its unique history. A wooden platform will be built to allow access to the fishing pond. Estimated cost for park improvements, 2<sup>nd</sup> year, is \$12,500.

The third year of the cleanup will focus mainly on assessment of previous activities to ensure the protectiveness of the remedy. Additionally, a small educational pavilion will be constructed at the site of the former picnic pavilion area, providing a gathering place for classes and other community groups at the trailhead. Recycled plastic lumber picnic tables will be purchased for the pavilion. Additional interpretive signage will greet users and introduce them to the trail system, history, and natural surroundings of the park. Estimated cost for park improvements, 3<sup>rd</sup> year, is \$31,125.

HWP staff will conduct soil sampling at select locations with 10% confirmatory sample sent to YDNR's environmental laboratory to ensure the ongoing protectiveness of the remedy. Estimated cost for vegetation assessment is \$1,373.

### **Reduction of Threats to Human Health and the Environment Example 2**

1. According to the Agency for Toxic Substances and Disease Registry (ATSDR), contaminants identified within Site A pose significant potential health and environmental threats:
  - Asbestos is a mineral that has been identified in the insulation, pipe joints and wrap, floor tiles, and other materials in the structures to be abated. In older buildings it is often friable and can release airborne particles when disturbed. Exposure increases the risk of lung cancer and a cancer of the lung lining called mesothelioma.
  - Lead painted surfaces, identified in the structures to be abated, can release chips and airborne dust particles. Pregnant women are susceptible to miscarriages, low birth-weight babies, and premature births. Young children and fetuses are particularly sensitive and can suffer irreversible brain, nervous system, and organ damage and learning disabilities.

Those most at risk include: construction workers during redevelopment activities, future site residents and workers, and trespassers, which may include homeless persons, those illegally salvaging metals, and children from adjoining neighborhoods. Sensitive populations most at risk are current or future pregnant occupants and children. Identification of these threats occurred with help from the TAB program and in consultation with local health departments (see next item). Grant funds will be used to eliminate these health threats by implementing a cleanup plan, approved by YDNR officials, to permanently remove and dispose of asbestos containing materials, lead paint, and other structural hazards. Funds will also be used to reduce health threats through community outreach activities to warn local residents, businesses, and sensitive populations.

2. City X coordinated with the Air Quality Division of the Health Department in the process of preparing the remedial plan and will continue coordination throughout the project to ensure compliance with all applicable federal, state, and local work safety and environmental standards. In addition, the city will rely upon its long-standing relationship with the State Y VCP to further ensure the abatement plan is protective of workers, the public, and the environment. Site A was enrolled in the VCP in May 2006. The city intends to obtain a certificate of completion or “No Further Action Required” letter upon site clearance for asbestos abatement and completion of subsurface remediation, if necessary.

3. The remediation plan was set forth in the bid package issued for Site A. The relevant sections allowed the respondent to enter a base bid for abatement to be performed by any method so long as the contractor erects and maintains a Class 1 containment for all abatement areas, both exterior and interior. The respondent was also allowed to provide an alternate base bid for abatement by any alternative method proposed by the respondent so long as it met stated performance standards and was acceptable to the Health Dept. Air Quality Division. The selected low bidder elected to bid only for abatement under Class 1 containment with no alternate. The portion of the selected bid assigned to asbestos abatement is \$280,623.

#### **Criteria H: Leveraging of Additional Resources**

1. Identify the funds (e.g., general revenues, tax increment financing (TIF), staff time/in-kind) that your agency/organization has committed or will commit to meet cleanup/redevelopment needs not met through this grant, e.g., additional stages of cleanup, infrastructure upgrades, etc.

2. Demonstrate your ability to leverage funds. Describe all other funding sources (e.g., federal, state, nonprofit, or private) that will be committed or that you are pursuing to fill in any remaining funding gaps to ensure the success of this project.

#### **Leveraging of Additional Resources Example 1**

1. Public Financing: A local Tax Increment Financing (TIF) Plan and State TIF Plan were approved in April and June 2006, respectively. Proceeds of the sale of TIF bonds are expected to yield over \$38 million for project development expenses.

2. Additional resources are expected from the following:

- Private investment: Koch, Inc. is anticipated to invest over \$30 million in private funds to construct its new world headquarters. Town Square LLC is anticipated to secure up to \$287 million to develop the residential and remaining retail and commercial space. Town Square LLC is a development entity consisting of Community Builders, a City X nonprofit community development corporation, and Howe Associates, Inc., a City A urban development firm.

- In-kind: The city, through its Brownfields program, will provide staff for grant administration and technical oversight of cleanup activities. However, these services will not be monetized or counted as in-kind contribution.

## **Leveraging of Additional Resources Example 2**

### 1. Funds committing:

- Public Financing: City X anticipates completing a \$10.6 million purchase of Site A properties from City A by 04/30/07. According to the general structure of the development agreement that will soon be finalized, Lights, Inc. will have approximately 12 months to complete its due diligence and purchase the properties from City X. City A and City X will be responsible for providing remediation and basic infrastructure to Site A and the developer will finance all redevelopment expenses. A public financing plan is currently being developed and is expected to include a Tax Increment Financing (TIF) district and Chapter 100 Industrial Revenue Bonds. The amount of the plan will depend on the pre-development and additional remediation costs that are yet to be determined, but is anticipated to be approximately \$80 million.
- Development Agreement: In addition, City X expects to receive \$400,000 from Lights, Inc. for an environmental assurance and oversight fund upon signing the development agreement. These funds are expected to be used to secure additional sources of cleanup funds. It should be noted that although City X plans to sell Site A to Lights, Inc. for approximately \$10.6 million, these funds (less costs of sale and other expenses) will be used to improve city facilities.
- Royalties: City X anticipates entering into a limestone extraction and lease agreement with Real Estate Development, Inc. (RED), whereby RED would lease the subsurface portion of the property and mine limestone rock to create underground development space. Under the extraction agreement, City X expects to receive mining royalties from RED as a result of RED's plans to beneficially use or sell excavated limestone for commercial purposes.
- In-Kind: Finally, City X will provide staff for project management of cleanup and redevelopment activities. However, these services will not be monetized and counted as in-kind contribution.

### 2. Additional resources are expected from the following:

- State Y Brownfields Remediation Tax Credits: To fund the remaining remedial cost, City X is seeking up to \$5 million in remediation tax credits from State Y Department of Economic Development (YDED) under its Brownfields Redevelopment Program. This tax credit is driven by expected creation of new jobs and state tax revenues. YDED officials have indicated that the projected 4,000 jobs and new investment at Site A will support substantial tax credits. In January 2005, City X received \$4.5 million in

remediation tax credits for cleanup of another Brownfields site, Hillside Park in downtown City X.

- State Y Enterprise Zone Tax Credits: City X intends to seek a package of state economic development incentives to entice end-user businesses to locate in redeveloped Site A, including: Job Tax Credits of up to \$1,300 per job for up to ten years, New Investment Tax Credits of approximately 2% on qualified new personal property excluding inventory and rolling stock, and up to 50% state sales tax abatement.
- Private Investment: In the redevelopment phase, Lights, Inc. and RED expect that total private investment in Site A will be up to \$500 million over a ten-year period. Specific new investment amounts over the short term are expected to consist of at least \$60 million in development of 150 acres into approximately 2 million square feet of distribution/light industrial facility space.
- In-Kind: City X, through its Brownfields Program, will provide staff for grant administration and technical oversight of cleanup activities. However, these services will not be monetized and counted as in-kind contribution.

Note: Although City X is leveraging substantial resources, the cleanup grant will nonetheless play an indispensable role as a project catalyst. Most resources are limited in purpose and cannot address cleanup costs. One that can, State Y Remediation Tax Credits, must be sold at a discount (typically around 13%), to realize cash value. Even if State Y awards \$5 million in tax credits to cover landfill remediation, the city will still have a cleanup cost deficit of 13%, or \$650,000. The EPA cleanup grant will help fill the gap and enable City X to fulfill its part of the development agreement.

### **Criteria I: Programmatic Capability**

1. Demonstrate your ability to manage this grant and successfully perform all phases of work under this grant, and, if applicable, describe the system(s) you have in place to acquire the requisite expertise and resources necessary to successfully perform the grant. If you are, or have been, a recipient of an EPA Brownfields cooperative agreement(s), highlight significant accomplishments generated AND monies leveraged through the use of the funds.
2. Describe your history of managing federal funds. If applicable, you must identify and provide information regarding the status of any adverse audit findings from an OMB Circular A-133 audit, an audit conducted by a federal, state, tribal, or local government inspector general or similar organization, or audits conducted by the U.S. Government Accountability Office. If applicable, you also must note whether you are, or have previously been, required to comply with special “high risk” terms and conditions under agency regulations implementing OMB Circular A-102. Note: If you have not previously managed federal funds, respond with NA and you will receive a neutral score. Blank responses will receive a zero score for this factor.
3. If you are, or have been, a recipient of an EPA Brownfields cooperative agreement(s) or other EPA or Federal assistance agreements, provide information regarding your compliance

with quarterly progress reports, Brownfields reporting measures, annual financial status reporting, and any other reporting requirements under those agreements. In addition, provide information on your past performance in reporting on whether you were achieving the results under these agreements. Describe how this information demonstrates that you are making satisfactory progress. Note: If you have not previously received any EPA or Federal assistance agreements, respond with NA and you will receive a neutral score for this factor. Blank responses will receive a zero score for this factor.

4. Describe your plans for tracking and measuring progress towards achieving the expected outputs and outcomes, including those identified in Section I.

### **Programmatic Capability Example 1**

1. City X has carefully considered the requirements and responsibilities associated with managing this grant and is confident it has assembled a team comprised of internal staff and contracted consultants to satisfy the intent of this program. The cleanup and oversight structure discussed in Subsection E – Threshold Criteria illustrates how the respective skills of each project team member contribute to the success of the project. This subsection assigns the Lead Agency responsibilities to Mr. Lee Jacob, Director of City X Department of Development and Planning. He will also leverage other requisite professionals from the City Engineering Department, City Attorney’s and Manager’s Offices, and County Z Health Department to address issues or situations that emerge over the course of the cleanup effort. The city selected and Mr. Jacob has successfully managed the contractual services of Howe Company during the implementation of the 2003 and 2006 EPA Brownfields Community-Wide Assessment Grants and the 2005 EPA Brownfields Cleanup Grant. The city will comply with the competitive procurement requirements of Title 40 of the Code of Federal Regulations, Section 31.36 for selecting a qualified environmental consultant. The selected consultant will develop project specifications to secure the services of a licensed hazardous materials disposal contractor, manage the removal effort, maintain appropriate quality assurance/quality control records, and prepare and file necessary reports.

2. City X has a successful history of managing several federal grants, including two 2003 EPA Brownfields Assessment Grants, two 2006 EPA Brownfields Assessments Grants, one 2005 EPA Brownfields Cleanup Grant, federal public safety grants (COPS), and a Community Development Block Grant (CDBG) Revolving Loan Fund. Additionally, recent findings cited in the June 30, 2005 City X Financial Audit indicate that the schedule of expenditures of federal awards required by OMB Circular A-133 has been subjected to auditing procedures applied by the audit and, in the auditor’s opinion, is “fairly stated in all material respects in relation to the financial statements taken as a whole.” Further, the city is not presently, nor has been, subject to comply with special “high risk” terms and conditions associated with agency regulations implementing OMB Circular A-102.

3. City X has been a recipient of two EPA Brownfields Assessment Grants for \$200,000 each in 2003, an EPA Brownfields Cleanup Grant for \$200,000 in 2005, and two EPA Brownfields Assessment Grants of \$200,000 each in 2006. City X has been submitting quarterly progress reports on the Central Corridor Revitalization project since receiving the initial grants in

2003. The first quarterly progress report was for the period October 1 through December 1, 2003. The most recent quarterly report was submitted October 31, 2006 for the period of July 1 through September 30, 2006. The city submitted all cooperative agreements, annual financial reports, property profile forms, and project closeout reports within their reporting requirements and to EPA's satisfaction.

4. The City plans to track and measure the success of this grant, if awarded by comparing the actual outputs and outcomes to those presented in the cooperative agreement work plan. This will be done on a quarterly basis at the time of preparing the quarterly reports for submittal to the EPA project officer. If necessary, adjustments will be made to the work plan schedule to compensate for unanticipated circumstances that may arise.

### **Programmatic Capability Example 2**

1. City X has successfully managed many grants in recent years including Intermodal Surface Transportation Efficiency Act (ISTEA), Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), Community Development Block Grant (CDBG), and Non-Primary Entitlement Funds. City personnel have provided a variety of in-kind activities including, but not limited to, tree removal, sidewalk and curb demolition, setting grades, installation of storm drains, and numerous building projects. The public works department has over 100 years of combined experience. The city Finance Director has over 25 years experience in municipal finance and oversees the budget and payment requests on all such projects. Additionally, she prepares bid specifications and oversees documentation of prevailing wage compliance, bid bonds, and performance bonds. City X has the full support of YDNR for all technical, contractual, and practical needs during the project. City X has not been the recipient of an EPA Brownfields cooperative agreement, yet.

2. City X received funding for the restoration of the Depot building located at High Avenue and Oak Street in 1992. That project, the first project approved by District 1 on the ISTEA program (a program created by the ISTEA of 1991) was completed in 1997. Today the facility houses the Chamber of Commerce and the Historical Society Museum and serves the traveling public as an information center.

City X received \$91,446 in funding through TEA-21 for Phase I of the Downtown Streetscape Project from State Y Department of Transportation (STP-1100(703)) in December of 2000. This funding was combined with a \$203,300 grant through CDBG awarded in March 2003. The project was completed in September of 2004. This project included 1943 linear feet of plain sidewalk, tinted stamped sidewalk, curb and gutter, 9 handicap ramps tinted and stamped, 12 entrances of plain concrete, 29 decorative streetlights, 4 new fire hydrants, 16 water meter boxes, 12 trash receptacles, benches, and planters.

City X was awarded \$154,802 for Phase II of the Downtown Streetscape Project through TEA-21 (STP-1100(704)) on September 9, 2005 which will include 861 feet of curbing and sidewalks, utility relocation, 4 corner improvements that feature pedestrian safety, better traffic signage, and streetlights. This project is scheduled for completion in the spring of 2007.

City X participates and receives \$150,000 annually through the Non-Primary Entitlement Program which is funded through the Federal Airport Improvement Program. To date the city has updated the airport layout plan, acquired land, relocated the entrance road, and addressed drainage issues. Plans for 2007 include the construction of new hangars, purchase of aviation easements, and obstruction removal. The city has never received an adverse audit of grant expenditures from any federal, state, or local agency, nor have we been required to comply with special high-risk terms and conditions under OMB Circular A-102.

3. City X has not received an EPA or federal assistance agreement; thus, the question is not applicable. YDNR staff will assist the city with any quarterly progress reports, Brownfields reporting measures, or annual financial status reporting.

4. The project is planned for completion in three years as detailed in the cleanup grant budget. The Parks and Recreation Director will prepare a project schedule for each year. The project schedule will be on the Park Board agenda for discussion each month until the project is completed. The Park Director will provide a monthly report to the Park Board detailing the progress and completion of projects as they occur. The Park Board will schedule open forums throughout the process in order to provide vivid details of the progress of the project and actively seek community input and involvement during each phase. Additionally, to ensure that the most affected citizens remain involved in a meaningful way, project updates will be provided monthly to the City Council, Chamber of Commerce, Rotary, and the Community Club so that this information can be incorporated into their newsletters and scheduled meetings. The Parks and Recreation Director will request to be placed on the meeting agendas of these organizations in order to verbally share the excitement of the progress of this project.