



## **Brownfields Advisory Committee**

**Tuesday February 22, 2022**

*Remote Participation via Zoom<sup>1</sup>*

<https://us02web.zoom.us/j/82804637975?pwd=NUtWY29PaHhCWGxFWFI6OU9YQjJhQT09&from=addon>

Via phone: +1 312 626 6799 or +1 929 436 2866 Meeting ID 828 0463 7975; Passcode 029372

Download the app at least 5 minutes prior to the meeting start: [www.zoom.com](http://www.zoom.com)

### **AGENDA**

**4:00pm<sup>2</sup> Adjustments to the Agenda**

**Public Comment**

**4:05pm Membership Update and Election of Officers**

- a) Staff will provide membership update.
- b) Per the Brownfields Advisory Committee (BAC) Rules of Procedure, the RPC will elect a Chairperson and Vice-Chairperson.

**4:20pm Review Program Components**

Review and discussion of the following program components: Available Funding & Program Timeline; Brownfields Site Selection, Eligibility, and Enrollment; Qualified Environmental Professional (QEP) Selection; Program Promotion & Community Engagement.

**5:00 pm Minutes**

Approve September 29, 2021 meeting minutes

**5:05pm Adjourn**

*Starting next month regular Brownfields Meetings will be held on the 3<sup>rd</sup> Monday of each month at 6pm.*

**Next Meetings: March 21, 2022; April 18, 2022; May 16, 2022**

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<sup>1</sup> Dial-in telephone numbers are "Toll" numbers. Fees may be charged to the person calling in dependent on their phone service.

<sup>2</sup> All times are approximate unless otherwise advertised



## MEMO

Date: February 18, 2022  
To: Brownfields Advisory Committee  
From: Clare Rock, Senior Planner  
Re: Central Vermont Brownfields Assessment Program Description 2022

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☒ **ACTION REQUESTED: Become familiar with the program components. At the Committee meeting please come with questions or identify areas which are not clear. Committee members function as program ambassadors so we want to ensure our program information is helpful and informative. Staff anticipates using this information to update website, newsletter articles and etc.**

**Also, staff is seeking agreement on the general enrollment steps and the Site Selection Criteria in anticipation of a site seeking enrollment in the very near future.**

### Program Description

The overall goal of the CVRPC Brownfields Program is to return sites with real or perceived contamination to the marketplace or to be reused for the public good. The program provides grant funds to conduct site assessments and related activities at brownfields sites to determine whether sites are, in fact, contaminated and provide landowners and prospective purchasers with a better understanding of the funding sources, benefits, tax incentives, liabilities, insurance protection, and other tools available to redevelop sites. Funding can be used to undertake assessment activities including undertaking Phase II Environmental Site Assessments (ESAs) and developing Corrective Action Plans. Clean up and redevelopment activities are not eligible for funding under this program.

In 2021 the Agency of Commerce and Community Development, Department of Economic Development (ACCD-DED) dedicated \$10 million to assess brownfields sites statewide. CVRPC has been awarded \$100,000 in one time funding to grant to eligible brownfields projects in Central Vermont. The CVRPC Brownfields Program is administered by the CVRPC Brownfields Committee.

## Background

CVRPC has administered a brownfields program since 2003 with Federal Environmental Protection Agency (EPA) competitive grant funds totaling \$1,000,000. CVRPC has provided grant funding to 23 sites to date and has completed 10 Phase I's, 19 Phase II's, 7 CAPs, and one Risk Based Cleanup Plan. One of these sites is the City of Montpelier's Multi Modal Transportation Center, a state-of-the-art transportation center with 30 affordable and market-rate residential units above. CVRPC's work has allowed owners to leverage significant additional amounts of cash and in-kind resources. In total, the CVRPC leveraged an estimated \$12 million in cleanup and redevelopment funds from private, state, and federal sources. These funds created jobs, transportation facilities, commercial space, and more. With new funds provided by the Vermont Agency of Commerce and Community Development, Department of Economic Development (ACCD-DED), CVRPC is able to continue these efforts.

## Program Components

### ➤ Available Funding & Program Timeline

- \$100,000 is available through June 30, 2023.
- \$50,000 already awarded, \$50,000 available only after 75% of the initial award has been spent or encumbered.
- Status report detailing the anticipated expenditure and encumbrance of the grant funds is due by January 1, 2023.
- Remaining portion of funds may be reallocated for use by other RPCs that have requested additional funds.
- any unexpended or unencumbered as of June 30, 2023 will be returned to the State.
- Eligible use of funds:
  - to hire Qualified Environmental Professionals (QEPs). CVRPC will contract with QEPs to undertake assessment work, funds will not be granted to the property owner or prospective purchaser to undertake the work.
  - for administrative services performed by the RPC. The maximum allowable reimbursement for these administrative services is 10% of the award
- Funding benchmarks:
  - actively worked collaboratively with State and other partners to promote and facilitate awareness of the State Brownfield program and funding opportunities.
  - successfully awarded and administered Brownfield program that met the funding eligibility criteria as stated in Brownfield Revitalization Fund Notice of Funding Opportunity.
  - completed detailed performance reporting and submitted it to the state on or before the specified due dates.

## ➔ Site Selection, Eligibility, and Enrollment

Since the inception of the CVRPC Brownfields Program, the RPC has used the following criteria for selecting sites to enroll in the program. They are:

1. The site has redevelopment potential;
2. The site will assist in addressing public health, environmental, and furthering land use goals;
3. The site assessment and redevelopment has community and/or municipal support;
4. Redeveloping the site offers public benefit, such as housing, economic development or parkland/greenspace;
5. The owner or developer has provided willingness and can provide financial support/in-kind help for cleanup, if it is needed; and
6. Results are achievable.

With ACCD-DED funding, enrolled sites are also required to be eligible for the Vermont Brownfields Reuse and Environmental Liability Limitation Program (BRELLA) and funds awarded are to be used in the same manner as the Brownfields Revitalization Fund established by 10 V.S.A. § 6654.

- BRELLA is Vermont's environmental liability limitation program in which participation is open to person's who intend to purchase a brownfield property, as well as persons who already own a brownfield property, provided that they did not cause or contribute to the contamination.
- The BRELLA program provides a way out of the liability chain and enables redevelopment to proceed knowing that legal and financial risks associated with contamination have been put to rest.
- Participation also enables access to the additional financial incentives to help with property clean up and redevelopment.
- Costs for BRELLA applications and fees are eligible expenses under this grant program and should be included in a project budget if the site is not enrolled.
- More information about BRELLA can be found [here](#).

Applicants seeking grant funding through the Brownfields Program may request funding for one or more of the following activities:

<b>Brownfield Assessment Activities</b>		
Acronym	Assessment Activity	Description
Phase I ESA*	Phase I Environmental Site Assessment	-Background information gathering and historical records review -Visual site inspections -Other requirements according to ASTM standards
Phase II ESA	Phase II Environmental Site Assessment	-Subsurface Soil Sampling -Groundwater Sampling -Ecological Assessment (if necessary) -Quality Assurance Project Plan (QAPP) required by EPA
Supplemental Phase II ESA	Supplemental Phase II Environmental Site Assessments	-Subsurface soil sampling and groundwater sampling to determine the extent of contamination found in the initial Phase II ESA
SSQAPP**	Site Specific Quality Assurance Project Plan	- a document that outlines the procedures that those who conduct a monitoring project will take to ensure that the data they collect and analyze meets project requirements. - invaluable planning and operating tool that outlines the project's methods of data collection, storage and analysis
HBM	Hazardous Building Materials Assessment	- Assessments for the hazardous materials that impact building use, renovation or demolition. - Determines if hazardous substances are present and in what quantities, and then develop options and costs for management or removal.
ECAA	Evaluation of Corrective Action Alternatives	- Evaluation of remediation options and associated costs, while balancing environmental protection and site redevelopment goals - Identification of redevelopment scenarios - Identification of remedial alternatives Engineering evaluation of remedial alternatives and selection of preferred alternative - Required by DEC to be included in all DEC approved Corrective Action Plans
CAP	Corrective Action Planning Activities	A plan detailing the specific remedial actions necessary to implement the preferred alternative selected in the ECAA process.
<p><b>Notes:</b> *Phase I ESAs for current owners of a property may be eligible projects. This would be reviewed by DEC on a project basis as this funding is not intended to benefit potentially liable parties. **This is State funding so SSQAPPs are not needed. However, the expense may be eligible if a SSQAPP is needed, such as if state funding is partnered with federal funding for the project. This can be determined on a project basis.</p>		

### ➤ **General Enrollment Steps**

1. Property Owner/Prospective Purchaser submits an application for funding request to staff
2. Brownfields Advisory Committee reviews requests and determines if it meets program criteria
3. Applicant will be asked to attend Committee meeting to discuss project
4. Upon Committee approval staff concurrently:
  - a. Submits a Project Information Form to DEC for review and comment, to ensure eligibility
  - b. Initiates a Simplified Bid Process per CVRPC Procurement Policy and executes contract for assessment activities to commence
5. QEP presents findings of assessment work to Committee and applicant

### ➤ **Program Promotion & Community Engagement**

Participation and community engagement is expected by attending and participating in Brownfield related meetings and events, sponsored by ACCD as they relate to this grant program. Participating RPCs will work with ACCD and the Department of Environmental Conservation in promoting the brownfield programs and funding opportunities available to leverage State and Federal program opportunities to potential applicants.

Attribution shall be made to the State in all publications, i.e., newsletters, press releases, event promotions, webpages, programs, etc. Attribution shall read: This (activity to be filled in specific to the publication) of Mount Ascutney Regional Commission is made possible in part by a grant from the State of Vermont through the Agency of Commerce and Community Development, Department of Economic Development.

### Proposed Site Selection Criteria Form

Site Name:	Work Requested:
Site Address:	Recommended Funding Allocation:

Criteria	Comments/Notes
1) Does the applicant have site control?	
2) Is there a prospective purchaser?	
3) Is the property owner/prospective purchaser enrolled in BRELLA?	
4) Is the property owner/prospective purchaser willing to be enrolled in BRELLA?	
5) Is there a redevelopment plan for the site? a) Are conceptual site plans available? b) Does redevelopment conform to local zoning regulations? c) Will the site facilitate the use or reuse of existing infrastructure? d) Other: _____?	
6) Will the site assessment assist in addressing: a) Identification and reduction of threats to human health; and the environment associated with exposure to hazardous materials, pollutants, or contaminants b) Furthering local and regional land use goals	
7) To what degree does the site assessment and redevelopment have: a) Community/neighborhood support b) Municipal support c) Other public or private commitments	

Criteria	Comments/Notes
8) Will redeveloping the site offer public benefit, such as: a) Housing b) Job creation/retention c) Parkland, greenspace, greenway, outdoor recreation opportunity d) Other:_____?	
9) Does the applicant demonstrate a willingness to provide financial support/in-kind help for cleanup, if it is needed?	
10) Are results achievable? a) Is the project financially feasible? b) Is the timeline realistic? c) Is there commitment from necessary partners (public &/or private)? d) Other_____?	



**CENTRAL VERMONT REGIONAL PLANNING COMMISSION**  
**Brownfields Advisory Committee**

**September 29, 2021 at 4:00 pm**

Hybrid Meeting

Physical Location: Central VT Chamber of Commerce Conference Room

Remote Participation via Zoom

**Draft Minutes**

**Brownfields Advisory Committee Members**

x	Ron Krauth, Middlesex Commissioner	1
x	Peter Carbee, Washington Commissioner (Alternate Seat)	2
x	George H Clain, Barre Town Commissioner	3
x	Paula Emery, Plainfield CVRPC Alternate	4
	vacant	5

6 Staff: Clare Rock

7

8 C Rock welcomed members to the newly re-formed Committee. The Committee has not met since 2018  
 9 when the RPC had EPA brownfields funds. R Krauth was a member on that Committee and the other  
 10 members are all new. The purpose of this meeting was to provide an orientation to the topic for the  
 11 new members. This is a committee of the RPC and Rules of Procedure were sent out previously. We will  
 12 be looking to recruit additional members from other sectors as referenced in the Rules and will proceed  
 13 with electing officers at the next meeting. CVRPC is still waiting to receive a contract for funds to run this  
 14 program and anticipate finding out programmatic details at that time.

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16 **Adjustments to the Agenda** – none

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18 **Public Comments** – none

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20 **Introduction to Brownfields** - C Rock presented an introductory brownfields presentation to orientate  
 21 committee members to the topic. Presentation included a description of brownfield properties in  
 22 Central Vermont, the brownfields assessment process and the general program process for providing  
 23 assistance to properties owners in Central Vermont with ARPA funds.

24

25 **Next Meeting** - C Rock will send out an email to poll members on a future regular meeting date. Peter  
 26 Carbee has a conflict on the fourth Monday at 4pm.