

Chittenden County Brownfields Program
DRAFT **Owner Participation Agreement** **DRAFT**
(form revised for this Site only, February 2019)

Name of Site: Road ResQ
Site Address: 1 Main Street
Essex Junction, Vermont

I, GABE HANDY, the undersigned owner(s) of the referenced property, agree to participate in the Chittenden County Brownfields Program. As a voluntary participant in this program, I agree to the following conditions:

- My property (or interest therein) will be included in the Chittenden County Brownfields Program inventory of sites;
- I will share documents and information relevant to the assessment and redevelopment processes;
- I will disclose and share prior environmental assessment actions and records;
- I am granting Chittenden County Regional Planning Commission (CCRPC) and their consultants access to the referenced property; and
- I give CCRPC or its designees permission to share information about my case study with others, including but not limited to conferences, public forums, publications and website.

I understand that:

- Information collected by CCRPC or its consultant(s) is public information and will be available for public review;
- I have a right to terminate my voluntary participation in this program. Notification of termination must be submitted in writing to CCRPC;
- If public funds have been expended on my property, I must reimburse this cost to prevent any future disclosure (note: reimbursement is not required if disclosure is not an issue). Should I desire to not have the results of any assessments and studies conducted on my property with the use of CCRPC's public funds be disclosed and made available to the public, I must reimburse CCRPC for this cost within 30 days of receipt of the draft results of the assessment/study;
- Under Vermont law, the property owner is responsible for notifying the Vermont Agency of Natural Resources immediately regarding releases that have occurred. The State may require additional site work, which may or may not be funded by the Chittenden County Brownfields Program depending on the circumstances;
- As a condition of federal funding, CCRPC is required to ensure that its work on the property meets certain federal requirements, such as those related to environment, health, and/or historic resources. I will cooperate with CCRPC to assist it to meet these requirements;
- The Chittenden County Brownfields Program and CCRPC is not responsible for the cost of any cleanup activities that may be needed at the property ~~and, as the current owner, I may have to bear these cleanup costs according to existing state and federal laws;~~
- As the current owner, I may or may not have to bear these cleanup costs according to existing state and federal laws; and
- CCRPC's agreement to conduct environmental site assessment activities at this property does not mean that CCRPC has determined that redevelopment plans for this property are in conformance with the local municipal zoning and subdivision regulations, or the most recent version of the *Chittenden County Regional Plan*.

Subject to this permission/participation, CCRPC agrees to:

- Consider including the property in the Chittenden County Brownfields Program and provide access to program benefits;
- Maintain confidentiality of owner's proprietary information (owner must identify proprietary information);
- Consult with the owner prior to any on-site activities; and
- Provide the owner with a copy of the draft and final assessment reports. These reports will identify whether a contaminant release has occurred or is suspected to have occurred.

Acknowledgement:

Signature of Property Owner(s)*

Signature of Executive Director, CCRPC

Printed Name(s) of Property Owner*

Charles L. Baker
Printed Name of Executive Director, CCRPC

Date

Date

*This agreement must be signed by all persons having an ownership interest in the property, or CCRPC must be provided with documentation demonstrating that the signer has the legal authority to sign on behalf of all owners.