

## Chittenden County Brownfields Program - Guiding Principles for Site Selection & Design Working Draft for Brownfields Advisory Committee Review

### Procedure for Review of All Brownfields Funding Requests

- Requests for funding must be made in writing to CCRPC staff using the [Site Nomination / Assistance Request Form](#).
- CCRPC staff will review the request to determine project eligibility and preliminary funding amount in consideration of funds available. If deemed eligible, staff will request the following from the applicant:
  - Completed Owner Participation Agreement Form
  - Completed Agreement for Site Access
- Upon submission of the required forms, CCRPC staff will select a consultant from the pre-qualified list. If the applicant has a preferred consultant from among CCRPC's pre-qualified firms, CCRPC will use that firm unless CCRPC staff determine that the consultant is overburdened with work or there are other good reasons, consistent with CCRPC's procurement policy, that another prequalified consultant would be a better fit.
- Once a consultant is selected, CCRPC staff will forward the funding request with a recommended action to the Brownfields Advisory Committee (BAC) at their next available meeting (typically 2<sup>nd</sup> Monday of each month from 11:00am-12:00pm) unless the project timeline warrants a special meeting.
- Staff and/or the applicant and their consultant will present the request to the BAC. The BAC will generally act to request additional information, deny the application, approve as recommended by staff, or approve with modification to the recommended funding amount. Any action to modify funding amounts must be consistent with the Guiding Principles for Site Selection and Design, the amount of grant funds available, the terms and conditions of the original grant, and any applicable state and/or federal requirements.

### Project Eligibility Requirements

- The site is nominated for inclusion in the program. The property owner must sign a Participation Agreement and Site Access Agreement before CCRPC will issue a Task Order to one its consultant firms
- If using U.S. Environmental Protection Agency funds, the site meets the [Vermont Department of Environmental Conservation eligibility criteria for petroleum sites](#) and [EPA eligibility criteria for hazardous sites](#).
- If using Vermont Agency of Commerce and Community Development funds, the an application to enroll the property in [BRELLA](#) has been submitted or approved.

### Guiding Principles for Site Selection and Design

- Sites should be located in areas that have existing infrastructure (water, sewer, roads, electricity, heating systems, etc.).

**Commented [DS1]:** Has this ever been a problem? If we determine they're eligible but not willing to sign the forms, then the request stops there right?

Just wondering if getting the applicant and owner signature on the request form is sufficient, and this can be deleted.

**Commented [DS2]:** @Dan Albrecht can you insert links to these forms?

**Commented [DS3R2]:** @Dan Albrecht I tried finding these links but can you please check that they're correct?

**Commented [4R2]:** ok. will find the good links and try to insert

**Commented [DA5R2]:** here is the DEC link, can you try to insert, it would not work for me  
[https://dec.vermont.gov/sites/dec/files/wmp/Sites/UPDATE D%20Appendix%20E%20-%202020.0708.VTDEC\\_-\\_petro\\_eligibility.request.docx](https://dec.vermont.gov/sites/dec/files/wmp/Sites/UPDATE%20Appendix%20E%20-%202020.0708.VTDEC_-_petro_eligibility.request.docx)

**Commented [DA6R2]:** here is the EPA money

**Commented [DA7R2]:** <https://www.epa.gov/system/files/documents/2021-08/site-eligibility-determination-checklist.pdf>

- The owner/developer has a conceptual plan for reuse or redevelopment of the site and has contacted the appropriate municipal staff to determine compatibility with bylaws and ordinances.
- Reuse of the property should be consistent with goals and actions in municipal and regional plans related to housing, economic development or open space/recreation.
- Projects that create new housing units in existing infrastructure service areas and in areas planned for growth as specified in municipal and regional plans are given top priority.
- Projects that support economic development or create recreational opportunities or open space are the next highest priorities.
- Projects that are not directly contributing to housing, economic development and recreation / open space may be supported by CCRPC's Brownfields Technical Assistance program if they provide other tangible public benefits or amenities, particularly to historically or currently underserved populations. Examples include, but are not limited to:
  - Creation of publicly accessible civic space, including recreational (parks, trails, sports facilities), other public realm elements (sidewalks, plazas, storefronts), or civic buildings and spaces
  - Provision of health services such as physical or mental health clinic, pharmacy, secure needle drop-off
  - Increasing food security through establishment of community gardens, food banks, grocery stores targeted to serve low and middle income residents, etc.
  - Improving public safety and emergency services capacity using crime prevention through environmental design (natural surveillance, territorial reinforcement, natural access control, etc.)
  - Revitalization of vacant, abandoned, or unsafe structures
  - Provision of services or facilities that reduce public tax burden such as a municipal office, public works garage, water or sewer infrastructure that increase capacity beyond the funded site, construction of public streets, etc.

**Policy for Funding of Phase I Environmental Site Assessments (ESAs)**

- Applications from non-profit organizations and municipalities that meet Eligibility Requirements and Site Selection and Design Principles will generally be fully funded (100%) up to a maximum of \$5,000
- Applications from private entities that meet Eligibility Requirements and Site Selection and Design Principles will generally be funded at 80% of the Phase I ESA costs, up to a maximum of \$4,000 covered by CCRPC.
- Applications for revised or repeated Phase I Assessments will only be funded, up to a maximum of \$3,000, for non-profit and municipal projects that will result in the creation of housing.

**Policy for Funding of Phase II Environmental Site Assessments (ESAs), Hazardous Building Materials Assessments, Supplemental Assessments and Corrective Action Plans (CAPs)**

- Applications from non-profit organizations and municipalities that meet Eligibility Requirements and Site Selection and Design Principles will be funded at a minimum of 80% of the quoted cost of Phase II ESAs plus other Assessments and CAPs.
- Applications from private entities that meet Eligibility Requirements and Site Selection and Design Principles will be funded at a minimum of 50% of the cost of Phase II ESAs plus other Assessments and CAPs provided that they increase the number of new housing units by at least three units and/or the amount of new commercial space by 2,000 square feet or more
- Additional funding at the discretion of the CCRPC in consultation with its Brownfields may be allocated for any project that provides tangible public benefits as outlined in the Principles for Site Selection and Design.
- The CCRPC and the Committee can establish upper limits of contributions towards a single project at any time to adequately support a wide variety of projects that are consistent with the Guidelines as noted above and consistent with the goals and purposes and requirements of any grant funds the CCRPC receives.

Caveats:

CCRPC will generally not provide funding for projects consisting of individual homeowners or property owners to address a contamination concern that does not also involve redevelopment of the property that provides new benefits or services as noted above.

Projects that would require displacement / eviction of current residents of a proposed site might not be supported if there is not an adequate plan and funding and processes in place to mitigate such impacts.