



# CITY COUNCIL AGENDA FORM

REQUESTED COUNCIL MEETING DATE: 10/06/09

**SUBJECT:** SUBMISSION OF EPA BROWNFIELDS ASSESSMENT GRANT APPLICATION  
**DEPARTMENT:** CITY MANAGER/Community Redevelopment Agency

**RECOMMENDED MOTION:**

To approve Resolution No 09-84, authorizing staff to submit a Brownfields Assessment Grant application to the U.S. Environmental Protection Agency.

**SUMMARY:**

The City has the opportunity to apply for a \$200,000 Brownfield Assessment Grant from the U.S. Environmental Protection Agency. Assessment grants provide funding to inventory brownfield sites, conduct environmental assessments, and undertake planning and community involvement activities related to redevelopment of brownfield sites. Although the application is for a community-wide grant, the City will be targeting the areas along the U.S. 1 corridor and those in and around former landfills sites. The performance period for EPA Assessment Grants is three (3) years. No financial match is required by the City. Concurrent Technologies Corporation of Jacksonville, FL, is assisting the City in the preparation of the EPA Grant proposal at no charge or obligation to the City. EPA Brownfield assessment grants are highly competitive, however CTC was instrumental in assisting the City of New Smyrna Beach last year in successfully securing a \$400,000 assessment grant from the EPA.


*The Brownfields program is a redevelopment tool to help local communities increase the economic viability of properties that are underutilized or that have remained idle for years due to contamination or the perception of environmental contamination. State tax credits and tax incentives are a couple of the benefits from participation in the State of Florida Brownfield program. All properties in designated redevelopment districts, as well as those that merely have the perception of potential contamination are eligible for designation as brownfield sites or areas. Participation in the Brownfields program is strictly voluntary.*

**ATTACHMENTS:**  Ordinance  Resolution  Budget Resolution

Other  Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT  
FINANCE DEPARTMENT  
CITY ATTORNEY  
CITY MANAGER

Donna J. Steinebach  
Approved  
Approved  
Approved Agenda Item For:

  
Date: 9-25-09  
Date: 9-29-09  
Date: 10/6/09

**COUNCIL ACTION:**  Approved as Recommended  Disapproved  
 Tabled Indefinitely  Continued to Date Certain  Approved with Modification

RESOLUTION NO. 09-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY UNDER ITS BROWNFIELDS ASSESSMENT GRANT PROGRAM, TO DEVELOP A BROWNFIELD SITES INVENTORY, CONDUCT ENVIRONMENTAL ASSESSMENTS, PLAN FOR REDEVELOPMENT OF BROWNFIELD SITES AND ENGAGE THE COMMUNITY IN BROWNFIELD REDEVELOPMENT ACTIVITIES; AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AGREEMENTS AND CONTRACTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Port Orange acknowledges the importance of brownfield redevelopment activities as part of a community-wide economic development and revitalization strategy; and

WHEREAS, the City Council of the City of Port Orange initiated its Brownfield Program by creating a Brownfields Advisory Committee and designating its first Brownfield Area in June 2008 under Resolution No. 08-19; and

WHEREAS, the City Council of the City of Port Orange supports a community-wide project to establish an inventory of brownfield sites, conduct environmental assessments, plan for redevelopment of brownfield sites, and engage the community in brownfield redevelopment activities; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) provides financial assistance under its Brownfields Assessment Grant Program to support community revitalization focused on reclaiming brownfield sites; and

WHEREAS, the City Council of the City of Port Orange desires to authorize the submission of an application for financial assistance to the U.S. Environmental Protection Agency to assist the City in its Brownfield Redevelopment activities,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The Mayor and City Manager of the City of Port Orange are hereby authorized to submit an application for financial assistance to the U.S. Environmental Protection Agency under the Agency's Brownfields Assessment Grant Program. The Mayor and City Manager shall be authorized to execute any agreements or contracts necessary to implement this Resolution.

Section 2. The City seeks a \$200,000.00 Community-wide Assessment Grant from the U.S. Environmental Protection Agency. No local match is required.

Section 3. This resolution shall become effective immediately upon adoption.

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MAYOR ALLEN GREEN

ATTEST:

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Kenneth W. Parker, City Manager

Adopted on the        day of

Reviewed and Approved:

  
City Attorney



# EPA Brownfields Assessment Grants: Interested in Applying for Funding?

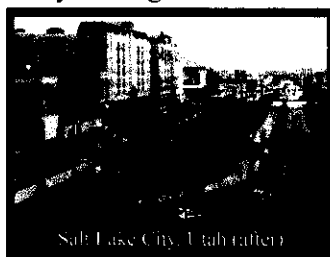
*Here's what you need to know to get started...*

## What is EPA's Brownfields Program?



The U.S. Environmental Protection Agency's (EPA) Brownfields Program is designed to empower states, communities, and other stakeholders to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. EPA provides technical and financial assistance for brownfields activities through an approach based on four main goals: protecting human health and the environment, sustaining reuse, promoting partnerships, and strengthening the marketplace. Brownfields grants serve as the foundation of the Brownfields Program and support revitalization efforts by funding environmental assessment, cleanup, and job training activities. Thousands of properties have been assessed and cleaned up through the Brownfields Program, clearing the way for their reuse.

The U.S. Environmental Protection Agency's (EPA) Brownfields Program is designed to empower states, communities, and other stakeholders to work together in



A brownfield is defined as: real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The 2002 Brownfields Law further defines the term to include a site that is: "contaminated by a controlled substance; contaminated by petroleum or a petroleum product excluded from the definition of 'hazardous substance'; or mine-scarred land."

## What are the Four Grant Types?

- ✓ **Assessment grants** provide funding for brownfields inventories, planning, environmental assessments, and community outreach.
- ✓ **Revolving Loan Fund grants** provide funding to capitalize a revolving loan fund that provides subgrants to carry out assessment and/or cleanup activities at brownfields.

- ✓ **Cleanup grants** provide direct funding for cleanup activities at specific sites.
- ✓ **Job Training grants** provide environmental training for residents of brownfields communities.

## What are Assessment Grants?

Assessment grants provide funding for a grant recipient to:

- ✓ **Inventory Sites:** Compile a listing
- ✓ **Characterize Sites:** Identify past uses
- ✓ **Assess Sites:** Determine existing contamination
- ✓ **Conduct Cleanup and Redevelopment Planning:** Scope and plan process
- ✓ **Conduct Community Involvement:** Inform and engage community

## For a Community-Wide Grant:

- ✓ An applicant may apply for a community-wide assessment grant if a specific site has not been identified or if the assessment will address more than one site within the community.
- ✓ Applicants electing to apply for up to \$200,000 for a community-wide hazardous substance assessment grant are not eligible for a site-specific hazardous substance assessment grant in the same grant competition. Applicants applying for up to \$200,000 for a community-wide petroleum or petroleum product assessment grant will not be eligible for a site-specific petroleum assessment grant.

## For a Site-Specific Grant:

- ✓ A site-specific assessment grant must be applied for if the assessment is limited to one, and only one, site. A site-specific assessment grant application must be made if a waiver of the funding limitation is requested.
- ✓ Applicants will not be allowed to substitute another site for a site-specific assessment grant where the subject site is determined to be ineligible.

**For the complete discussion of Brownfields Program grant funding, refer to the EPA Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund, and Cleanup grants at: <http://www.epa.gov/brownfields/applicat.htm>**

## How Do I Apply for an Assessment Grant?

Applicants submit a proposal for each grant type that they are applying for (i.e., assessment, revolving loan fund, and/or cleanup). Each proposal must address the selection criteria outlined in the guidelines.

Grant proposals should be concise and well organized, and must provide the information requested in the guidelines. Applicants must demonstrate that they meet threshold criteria requirements and must respond to evaluation criteria. Factual information about your proposed project and community must be provided.

Proposals must include:

- ✓ Cover letter describing project
- ✓ Applicant information
- ✓ Applicable mandatory attachments (e.g., state letter)
- ✓ Responses to evaluation criteria

All applicants must refer to the Proposal Guidelines published by EPA.

### *Who is Eligible to Apply for an Assessment Grant?*

Eligible entities include: state, local, and tribal governments, with the exception of certain Indian tribes in Alaska; general purpose units of local government, land clearance authorities, or other quasi-governmental entities; regional council or redevelopment agencies; or states or legislatures. Some properties are excluded from the definition of a brownfield unless EPA makes a site-specific funding determination that allows grant funds to be used at that site.

Applicants may apply for both community-wide and site-specific assessment grants; however, an applicant is limited to submitting only ONE hazardous substance assessment grant proposal and ONE petroleum assessment proposal.

Each eligible entity may submit no more than two assessment proposals.

### *How Much Assessment Grant Funding is Available?*

- ✓ Up to \$200,000 to assess a site contaminated by hazardous substances, pollutants, or contaminants (including hazardous substances co-mingled with petroleum).
- ✓ Up to \$200,000 to address a site contaminated by petroleum.
- ✓ For site-specific proposals, applicants may seek a waiver of the \$200,000 limit and request up to \$350,000 for a site contaminated by hazardous substances, pollutants, or contaminants and up to \$350,000 to assess a site contaminated by petroleum. Such waivers must be based on the anticipated level of hazardous substances, pollutants, or contaminants including hazardous

substances comingled with petroleum) or petroleum at a single site. (Community-wide assessment grants are not eligible for assessment grant "waivers.")

- ✓ Total grant fund requests should not exceed a total of \$400,000 unless such a waiver is requested.
- ✓ Up to \$1 Million for assessment coalitions. A coalition is made up of 3 or more eligible applicants that submits one grant proposal under the name of one of the coalition members who will be the grant recipient.

### *How Long is the Assessment Period?*

The performance period for an assessment grant is three years.

### *Where Do I Find the Proposal Guidelines?*

Electronic copies of the Proposal Guidelines can be obtained from the EPA brownfields Web site at: <http://www.epa.gov/brownfields/applicat.htm>

Additional information on grant programs may be found at: [www.grants.gov](http://www.grants.gov)

### *Is Pre-Application Assistance Available?*

If resources permit, EPA Regions may conduct open meetings with potential applicants. Check with your regional office for date and location information. Your regional Brownfields Program contacts can be found at: <http://www.epa.gov/brownfields/corentct.htm>

EPA can respond to questions from applicants about threshold criteria, including site eligibility and ownership.

EPA staff can not meet with applicants to discuss draft proposals or provide assistance in responding to ranking criteria.

### *What is the Evaluation/Selection Process?*

Brownfields grants are awarded on a competitive basis. Evaluation panels consisting of EPA staff and other federal agency representatives assess how well the proposals meet the threshold and ranking criteria outlined in the Proposal Guidelines for Brownfields Assessment, Revolving Loan Fund, and Cleanup grants. Final selections are made by EPA senior management after considering the ranking of proposals by the evaluation panels. Responses to threshold criteria are evaluated on a pass/fail basis. If the proposal does not meet the threshold criteria, the proposal will not be evaluated. In some circumstances, EPA may seek additional information.