
Virginia Brownfields Restoration & Economic Redevelopment Assistance Fund

Site Assessment & Planning Grant
Guidelines and Application
FY 19

Guidelines for the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund

Site Assessment and Planning Grant

Purpose:

The Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund (VBAF) was established pursuant to § 10.1-1237 of the Code of Virginia of 1950, as amended (the Code), to provide either grants or loans to local governments to promote the restoration and redevelopment of brownfield sites and to address environmental problems or obstacles to reuse so that these sites can be effectively marketed to new economic development prospects.

Administration:

The VBAF is administered by the Virginia Resources Authority (VRA).

The Virginia Economic Development Partnership (VEDP) directs the distribution of grants or loans from the VBAF to grant or loan recipients (VBAF Program), in consultation with the Virginia Department of Environmental Quality (DEQ) and based upon the priorities and procedures set forth in these Guidelines.

These Guidelines address the Site Assessment and Planning Grants available through the VBAF Program. Site Remediation Grants also are available through the VBAF Program and managed pursuant to separate guidelines.

It is expected that all awards made under the VBAF Program will be grants.

VBAF Program Priorities:

The VBAF Program is targeted toward projects or phases of work associated with the restoration and redevelopment of brownfield sites that by their completion will generate additional private investment and job creation in the immediate future.

Such projects or phases of work will be evaluated and grants will be awarded based upon meeting one or more of the following priorities:

- **Use or reuse of existing infrastructure** - projects or phases of work that seek to repurpose or redevelop a property currently served by existing infrastructure, rather than property not so currently served.
- **Limited ability to draw on other funding sources** – small communities or communities with a local unemployment rate or poverty rate that exceeds the

statewide unemployment rate or poverty rate and have limited ability to draw on other funding sources.

- **Potential for redevelopment and reuse of the site** - sites with significant potential for redevelopment and reuse including demonstrable interest in the property for economic development purposes and appearance in the comprehensive plan of the community in which the property is located.
- **Economic benefits** –projects or phases of work with a specific relationship to a local or regional economic development strategy and where redevelopment could be a catalyst to larger revitalization projects and economic benefits to the surrounding community.
- **Environmental benefits** – environmental issues can be resolved with grants from the VBAF Program and other available funding within a relatively brief period of time and the site redeployed.

VBAF Site Assessment and Planning Grants:

Pursuant to § 10.1-1237 of the Code, the VBAF may be used to pay the reasonable and necessary costs associated with the restoration and redevelopment of a brownfield site.

VBAF Site Assessment and Planning Grants are to be used to help fill a financing gap for projects or phases of work for such restoration and redevelopment that have not already commenced. The VBAF Site Assessment and Planning Grant is not available to reimburse for costs already incurred for a project or phase of work that has begun or is already completed.

VBAF Site Assessment and Planning Grants, in amounts of up to \$50,000, are available to assist with the costs of:

- (i) environmental and cultural resource site assessments;
- (ii) development of remediation and reuse plans;
- (iii) the necessary removal of human remains, the appropriate treatment of grave sites, and the appropriate and necessary treatment of significant archaeological resources, or the stabilization or restoration of structures listed on or eligible for the Virginia Historic Landmarks Register; or
- (iv) demolition and removal of existing structures, or other site work necessary to make a site or certain real property usable for new economic development.

VBAF Site Assessment and Planning Grant proceeds are to be used only for the necessary and reasonable costs incurred in accordance with the scope of work set forth in an applicant's VBAF Site Assessment and Planning Grant Application (Attachment A

to these Guidelines) and the performance agreement setting forth the terms and conditions of the VBAF Site Assessment and Planning Grant.

VBAF Site Assessment and Planning Grant proceeds may not be used as a substitute for other funding already committed to the project or phase of work or for regularly recurring local fiscal obligations such as personnel, project management, administrative and related costs. Up to five percent (5%) of VBAF Site Assessment and Planning Grant proceeds may be used to cover administrative costs specifically associated with a project or phase of work.

In the event that the original VBAF Site Assessment and Planning Grant is insufficient to allow a recipient to complete a project or phase of work or other associated work identified through the results of a project or phase of work, an additional grant in an amount of up to 20% of the original VBAF Site Assessment and Planning Grant may be awarded if that additional amount, plus other identified funds, will be sufficient to allow completion. Award of such a supplemental VBAF Site Assessment and Planning Grant will be considered on a case-by-case basis and will be dependent on the amount of money in the VBAF.

The award of a VBAF Site Assessment and Planning Grant is subject to the availability of funds in the VBAF and an appropriation of the Virginia General Assembly.

A committee of VEDP and DEQ staff (VBAF Review Committee) has the sole discretion to award grants from the VBAF Program.

Eligible Applicants:

Only political subdivisions of the Commonwealth of Virginia, including counties, cities, towns, industrial/economic development authorities, and redevelopment and housing authorities, may apply for grants from the VBAF Program.

Applications:

The VBAF Review Committee will evaluate VBAF Site Assessment and Planning Grant Applications on a rolling basis and will award VBAF Site Assessment and Planning Grants based on the VBAF Program priorities identified in these Guidelines.

An applicant should submit an application for each project or phase of work. The proceeds of a VBAF Site Assessment and Planning Grant may be used for multiple properties so long as such properties are identified in the application.

When a Phase I or Phase II Environmental Site Assessment or further characterization as part of an All Appropriate Inquiry (to meet the ASTM E1527) is being completed, the property may be publicly or privately owned as long as the property has public or private redevelopment potential.

A VBAF Site Assessment and Planning Grant Application may include a scope of work to be performed that includes remediation, removal and demolition, as described above, so long as the total VBAF Site Assessment and Planning Grant amount sought is no more than \$50,000. An applicant with a project or phase of work seeking a grant in a higher amount for such activities should file a VBAF Site Remediation Grant Application.

An applicant will be limited to no more than two VBAF Site Assessment and Planning Grant Applications and one VBAF Site Remediation Grant Application per fiscal year.

Local Financial Responsibility:

An applicant must demonstrate a commitment to a project or phase of work and evidence of adequate funding to complete the project for which a grant is made.

A local match of at least 100% is required (Local Match).

A Local Match may be funded from public and/or private sources and must either be:

- (i) cash in the form of actual cash contributions from the applicant or other cash or grants from federal (including EPA Brownfields Grant), other state, local or private sources of funding; or
- (ii) documented reasonable and necessary costs incurred and in-kind contributions for the site where the VBAF Grant proceeds are to be expended that (a) are associated with the project or phase of work, (b) will promote the restoration and redevelopment or (c) will address environmental problems or obstacles to reuse.

Previously awarded grants from the VBAF Program may not count towards such Local Match.

A Local Match in documented reasonable and necessary costs must be specifically identified in an application and may include:

- (i) environmental and cultural resource site assessments;
- (ii) environmental testing;
- (iii) development of a remediation and reuse plan;
- (iv) purchase of a property;
- (v) remediation of a contaminated property to remove hazardous substances, hazardous wastes, or solid wastes; the necessary removal of human remains, the appropriate treatment of grave sites, and the appropriate and necessary treatment of significant archaeological resources, or the stabilization or

restoration of structures listed on or eligible for the Virginia Historic Landmarks Register;

- (vi) engineering; design or architectural activities as well as other costs such as public notices, permit fees and inspections costs (or waivers of such) related to physical activities; or
- (vii) other costs associated with implementation of a remediation and reuse plan.

In-kind contributions must be directly related to the project or phase of work and may include land, equipment and other property or goods.

Up to five percent (5%) of the administrative costs associated with the overall budget for a project or phase of work may be allocated for the Local Match if such use is outlined in a VBAF Site Assessment and Planning Grant Application.

If a supplemental VBAF Site Assessment and Planning Grant is subsequently awarded, a recipient must provide a second Local Match of 100%.

A higher Local Match will cause the application to be considered more favorably.

It is the preference that a Local Match not have been paid or incurred any more than five years prior to the date of an application.

Performance Agreement:

The recipient of a FY19 VBAF Site Assessment and Planning Grant will be required to enter into a performance agreement with VEDP, as acknowledged by VRA and DEQ.

If the performance agreement is not executed within a reasonable timeframe, such award may be rescinded. The recipient will be entitled to reapply for a VBAF Site Assessment and Planning Grant thereafter, based upon the terms, conditions and availability of funds at that time.

The performance agreement will be subject to negotiation. It is expected that the performance agreement will contain provisions for, among other things, the disbursement of the grant, the use of the grant proceeds, the Local Match, potential repayment obligations and the form of reporting, as well as an exhibit outlining the expected scope of work and associated costs.

The performance agreement must be executed before any grant proceeds will be disbursed to the recipient.

VRA disburses the VBAF Site Assessment and Planning Grant to the recipient. VRA expects that a recipient will provide an Automated Clearing House (ACH) Authorization

so that the grant proceeds may be deposited directly into the account designated by the recipient.

It is expected that the entire VBAF Site Assessment and Planning Grant will be paid upon execution and delivery of the performance agreement.

The performance agreement will be subject to amendment for any necessary revisions to the expected scope of work and associated costs, as well as any supplemental VBAF Site Remediation Grant that may be awarded.

Data and Report Requirements:

The investigation methodology, collection, sampling, laboratory analysis, evaluation, and report development and compilation are expected to be of the quality as would be required for submission to the Virginia Voluntary Remediation Program (VRP) or any environmental regulatory programs which may apply. Phase I work should follow ASTM International's E1527-13 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." The recipient and its contractor are responsible for quality assurance for the report(s) developed as part of this process.

Enrollment in the DEQ VRP is strongly encouraged for recipients of a VBAF Site Assessment and Planning Grant to gain the statutory liability protections and to provide agency oversight for site cleanup. If a recipient elects not to enroll the property in the VRP (for sites not under a regulatory program) the recipient is expected to meet appropriate standards of care for reuse of the property in accordance with the VRP. The recipient is expected to maintain all records for facilitating potential future brownfields revitalization of the property, to demonstrate appropriate care, and to facilitate potential future VRP enrollment if necessary.

All tests, analyses, measurements, or monitoring required pursuant to the Commonwealth's air, waste, and water laws and regulations must be certified or accredited by the Virginia Division of Consolidated Laboratory Services (DCLS) Virginia Environmental Laboratory Accreditation Program (VELAP).

Upon conclusion of the performance period set forth in a performance agreement, the recipient of a VBAF Site Planning and Assessment Grant will be required to file a grant report that should include, among other things:

- (i) a brief summary of the outcome of the project or phase of work;
- (ii) any adjustments to the scope of work and associated costs;
- (iii) copies of studies performed as a part of the project or phase of work, which will be subject to review and request for further supporting documentation;
- (iv) a statement that data collected reflects certification by the VELAP;

- (v) if the property was not enrolled in the VRP, certification that project or phase of work has met appropriate standards of care for reuse of the property in accordance with the VRP, and that the recipient will maintain all records for facilitating potential future brownfields revitalization of the property, to demonstrate appropriate care, and to facilitate potential future VRP enrollment if necessary;
- (vi) pre- and post-grant assessed property value; and
- (vii) any before and after photographs.

Upon request of the VBAF Review Committee made any time after the filing of grant report, the recipient of a VBAF Site Planning and Assessment Grant also will be required to file a status report providing an update on the site including recent economic development activity at the site and surrounding properties since the grant was awarded, additional investment and job creation, and whether the site was successfully marketed to an economic development prospect.

Questions:

Please direct any general questions regarding the administration of the VBAF Program to:

John Loftus
Sites and Buildings Manager
Virginia Economic Development Partnership
901 E. Cary Street, Suite 900
Richmond, VA 23219
804.545.5786 (phone)
jloftus@vedp.org

Please direct any questions regarding the environmental or technical aspects of a project or an application to:

J. Meade R. Anderson, CPG
Brownfields Program Manager
Virginia Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218
804-698-4179 (phone)
j.meade.anderson@deq.virginia.gov

ATTACHMENT A

VBAF Site Assessment and Planning Grant Application

Instructions

Carefully review the VBAF Site Assessment and Planning Grant Guidelines and the application requirements before completing and submitting the application.

Applications for VBAF Site Assessment and Planning Grants will be accepted on a rolling basis and will be awarded based on the VBAF Program priorities identified in the VBAF Guidelines.

Only complete applications will be considered.

Use the Provided Format: Applicants must use the format provided and respond using a font size of no less than 12.

Use the Space Provided: All questions should be answered within the space and/or word limitations provided. Certain questions may require attachments. Such attachments, as applicable, must be placed at the end of the application, and listed in order. In some cases, more than one document may be needed to for a particular attachment. For example, with respect to Part II, 2 Scope of Work, proposals and past studies may be necessary. In this instance, please label the documents Part II 2-A, 2-B, and so forth.

Application Submittal: All applications and supporting materials should be submitted **electronically to both:**

John Loftus
Sites and Buildings Manager
VEDP
vbaf@vedp.org

Meade Anderson
Brownfields Program Manager
DEQ
J.Meade.Anderson@deq.virginia.gov

Please submit large documents (over 10MB) via a file transfer protocol (FTP) site or other digital file transfer services such as Dropbox or Google Drive. Any files over 50MB should be broken down in to smaller files prior to submittal.

If electronic submission is not possible, please contact John Loftus, Sites and Buildings Manager, VEDP, at 804.545.5786 or jloftus@vedp.org

Part I – Applicant

1. Applicant:

State the name of applicant.

2. Site:

Provide the name, address and locality in which the site is located. Note that additional site identification is required in Part II.

3. Prior VBAF Program Grants:

State whether the applicant previously was awarded a grant from the VBAF Program. Indicate, if applicable, whether (i) that project or phase of work was completed, (ii) the site was successfully marketed to a new economic development prospect and (iii) the site generated any additional private investment and job creation. See Exhibit A for a template to track prior VBAF Program Grants.

4. Primary Contact:

Provide the name and all relevant contact information, including physical and email addresses and contact numbers, of the primary contact for purposes of application and administration of the VBAF Site Assessment and Planning Grant. A secondary contact also may be provided.

5. Grant Request:

State the amount of the VBAF Site Assessment and Planning Grant request.

6. Certification:

To the best of my knowledge and belief, the information contained in this application is true and correct and the application has been duly authorized by the governing body of the applicant.

Name: _____
Title: _____
Date: _____

Part II – Site

1. Site identification (100 words or less):

Provide the site's tax parcel identification or lot number. Provide a site location map if available. Provide the name of the property owner. Indicate whether the property is publicly or privately owned. Documentation of ownership may be requested.

2. Site Description (100 words or less):

Provide a brief physical description of the site on which the project or phase of work is located. Attach any detailed site plan(s). Include any photos available. Provide the site's current assessed or estimated value.

3. Community (100 words or less):

Briefly describe the size of the community where the project or phase of work is located. Indicate whether the locality in which the project will be located has an average unemployment rate above the statewide average unemployment rate **and/or** has an average poverty rate above the statewide average poverty rate.

4. Infrastructure (100 words or less):

Briefly describe existing utility and transportation infrastructure serving the property and whether and to what extent the project or phase of work will make use of such infrastructure. If the property is not currently served by a particular utility or transportation infrastructure, describe the nearest infrastructure. Describe any utility or transportation infrastructure improvements planned for the site.

5. Environmental Concerns:

(a) Summarize any known or suspected soil contamination, water contamination, asbestos or other environmental challenges at the property. **(100 words or less)**

(b) Indicate whether the property is currently subject to any federal or state environmental regulatory programs. Briefly describe the current status. **(100 words or less)**

6. Virginia Voluntary Remediation Program (VRP) (100 words or less):

Indicate whether the property is already enrolled in the VRP or if plans include for it to be enrolled. Briefly describe the current status. Although enrollment is not required for recipients of a VBAF Site Assessment and Planning Grant, recipients are strongly encouraged to enroll to gain the statutory liability protections and to provide agency oversight into site cleanup. Recipients will be expected to meet VRP remediation and risk standards of care for reuse of the property and to maintain all records for facilitating potential future brownfields revitalization of the property, to demonstrate appropriate care, and to facilitate potential future VRP enrollment if necessary.

Part III – Project

1. Project Description (100 words or less):

Describe the project or phase of work.

2. Scope of Work Description (200 words or less):

Describe the scope of work to be performed for the project or phase of work and for which the VBAF Site Assessment and Planning Grant will be used. Attach proposals or other descriptions of the scope of work. Summarize the basic findings of any environmental studies or reports describing environmental conditions (e.g., Phase I and Phase II ESAs, remediation reports) that have been already been performed at the property and document the need for remediation. Copies of studies may be requested. See Exhibit B for a template to outline the scope of work.

3. Budget:

Provide the total budget for the project or phase of work, broken down by major category of expense and including sources of funding. Attach estimates and any invoices for expenditures already made. See Exhibit B for a template to outline the budget.

4. Local Match (100 words or less):

Describe the type, amount, source, and timing of the Local Match. Attach documentation, including date, of any previously expended funds if applicable. If environmental studies or reports describing environmental conditions (e.g., Phase I and Phase II ESAs, remediation reports) have been already been performed at

the property, state the dates and costs of such studies and include any invoices if the expenditures are to be included as part of the Local Match. Include documentation of any EPA funds to be used as part of the Local Match (EPA funds may only be used once for a Local Match; EPA funds used for previous projects or phases of work with VBAF Program Grants may not be counted toward this scope of work). See Exhibit B for a template to outline the Local Match.

5. Time-Frame (100 words or less):

Provide the expected time schedule for the scope of work. See Exhibit C for a template to outline the time-frame.

6. Virginia Environmental Laboratory Accreditation Program (VELAP) (100 words or less):

Affirm that all data to be collected and submitted to VEDP and DEQ will reflect certification by the Virginia Division of Consolidated Laboratory Services (DCLS) VELAP.

Part IV – Potential Redevelopment and Reuse

1. Potential Redevelopment and Reuse Plans (200 words or less):

Summarize documented plans for the potential redevelopment and reuse of the property and attach any such plans.

2. Economic Impact (100 words or less):

Briefly describe how the restoration and redevelopment of this property for economic development purposes would positively impact the adjacent properties and surrounding area. Indicate how redevelopment could be a catalyst to larger revitalization projects.

3. Strategic or Comprehensive Plans (100 words or less):

Briefly describe the local or regional economic development strategic plan(s), including local or regional comprehensive plans, and describe the relationship of the project or phase of work to such plan(s) including the need for the property to meet economic development needs. Attach copies of any such plans.