

# CONTENTS

|                                      |           |
|--------------------------------------|-----------|
| <b><u>Notebook</u></b>               | <i>1</i>  |
| <b><u>Supplemental Materials</u></b> | <i>26</i> |
| • <b>Tools Provided by BOA</b>       | <i>27</i> |
| • <b>BOA Program Summary</b>         | <i>28</i> |
| • <b>BOA Program Benefits</b>        | <i>31</i> |
| • <b>3 - Step Summary</b>            | <i>33</i> |
| • <b>Step 1: Sample Work Plan</b>    | <i>34</i> |
| • <b>Step 2: Sample Work Plan</b>    | <i>59</i> |
| • <b>Step 1: Activity Worksheet</b>  | <i>90</i> |
| • <b>Step 2: Activity Worksheet</b>  | <i>91</i> |

---

New York State Department of State Division of Coastal Resources  
Community Seminar Series

# BOA: Getting Started



Governor David A. Paterson  
Secretary of State Lorraine A. Cortéz-Vázquez

National Oceanic and Atmospheric Administration  
New York State Department of State, Division of Coastal Resources  
SUNY ESF Center For Community Design Research



# BOA: GETTING STARTED

## Purpose

This training module introduces the contractor, municipal staff, and other key project participants to the Brownfield Opportunity Areas Program, with particular emphasis on the process and requirements of BOA Step 1 Pre-Nomination Study and Step 2 Nomination. This session will provide an overview of the BOA process, illustrate the holistic nature of brownfield planning, describe the relationships between different project tasks, and illustrate how the BOA process can guide a meaningful revitalization that is based on the appropriate use of community resources. An in-depth description of the shared components of Step 1 and Step 2 processes will also be provided, so all in attendance will have a clear understanding of the relationship between the steps as well as the tasks and products associated with each.

## Goals

1. Understand the purpose of a BOA and its role in community revitalization
2. Understand the three step BOA process, including the sequence of tasks, the actions, outcomes, and products of each task, and the significance of each task in the planning process, as well as the tasks and related products associated with Pre-Nomination and Nomination studies, consistent with the generic work plan
3. Introduce the type and depth of technical information and type of consultants required to make sound decisions at each stage of the process
4. Understand the value and role of community vision, community participation, and building partnerships in guiding the planning process
5. Appreciate the iterative nature of the BOA process and the need to reference, review, and refine the vision, goals, and objectives as more in-depth inventory and analysis are accomplished
6. Appreciate the importance of organization and project management to the success of the BOA process
7. Understand the inherent value in completing the various tasks associated with each step, including the value of conveying information to a broader audience that may not be entirely familiar with the community and/or project area



## CONTENTS

*Presentation 1: An Overview of the BOA Program: Its Value and Role in Community Revitalization .....3*  
*Case Study (Not in Notebook)*

*Presentation 2: BOA Steps 1 and 2: Planning Framework and Operational Tasks .....7*

*Activity: Aligning Expertise and Skills with your BOA Work Plan.....11*

*Presentation 3: Community Participation in Your BOA.....21*

### *Supplemental Material*

- *Tools Provided by the BOA Program (Presentation 1)*
- *BOA Program Summary (Presentation 1)*
- *BOA Program Benefits (Presentation 1)*
- *BOA 3-Step Summary (Presentation 2)*
- *Step 1 Generic Work Plan (Activity 1)*
- *Step 2 Generic Work Plan (Activity 1)*

*Presentation Slide Handouts (provided at end of notebook)*



## **PRESENTATION 1:**

# **An Overview of the BOA Program: Its Value and Role in Community Revitalization**

The purpose of this presentation is to provide an overview of the BOA program and to emphasize the use of the program as a flexible tool to revitalize communities and neighborhoods that are home to multiple potential brownfield sites.

### **Setting the Stage – The Importance of Addressing Brownfields**

Successful community revitalization builds on assets, resources, and opportunities, while addressing problems and issues. Often the most compelling opportunities and underutilized resources are in areas of neighborhoods, downtowns, waterfronts and transportation corridors that are plagued by disrepair and disinvestment and that bear the leftovers of past use, including vacant lots, and vacant or underutilized buildings. These potential brownfields are eyesores and often carry the stigma of possible contamination.

According to the New York State Conservation Law, *a brownfield is any real property where redevelopment or re-use may be complicated by the presence or potential presence of hazardous waste, petroleum, pollutant, or contaminant.* A potential brownfield may or may not be contaminated, but even the perception is often enough to stall investor interest and tarnish community image.

Addressing brownfield sites make sense for a number of reasons.

- Bringing sites back to productive use adds to the local tax base
- Environmental quality as well as quality of life can be improved
- More efficient use of local resources and infrastructure in comparison to “greenfield” development
- Removal of eyesores and the associated stigma improves perception of community by residents, visitors and potential investors

The Brownfield Opportunity Area (BOA) program provides funding and technical assistance for communities to address revitalization of entire neighborhoods with multiple brownfields. Through the program, residents and other stakeholders create a Vision for the neighborhoods’ future that will be fulfilled in part by brownfield site clean up and redevelopment.

### **What is a BOA?**

A Brownfield Opportunity Area is the designation for a defined geographical area containing multiple brownfield sites that the community has identified as a focus

of its revitalization efforts.

A BOA considers multiple brownfield sites because there are more options and opportunities for compatible site reuse when looking at an overall neighborhood and multiple sites. There is also the potential for greater synergy and the chance to create a functional and livable neighborhood that includes compatible land uses, public amenities, and infrastructure improvements. There is the potential for greater positive environmental impact by addressing multiple brownfields in one plan.

The BOA program is also a strategic planning process through which a community will develop and refine a vision for its future, and the goals and strategies by which to achieve that vision. It provides an opportunity to chart a well considered and realistic course of action based on an in-depth understanding of common values, resources, and economic trends and conditions.

### **The BOA Program is Composed of Three Sequential Steps**

The three steps of the program are designed for a community to progressively work through a process to create a strategic vision for their BOA. Each step builds on the work and results of the previous steps, defining and refining the vision and strategies through collection and analysis of relevant information and data. When the work of Step 3 is complete and approved, your community will have a designated BOA and the strategies and partners to proceed with (or continue) action and implementation.

Throughout the process, assistance and approval will be provided by both the Department of State (DOS) and the Department of Environmental Conservation (DEC). The DOS will take the lead role in the community planning aspects of your BOA, and the DEC will take the lead role in Site Assessment.

A **Step 1 Pre-Nomination Study** is designed for communities that have multiple potential brownfields but have little or no information about the sites and have not coalesced ideas about the area's future. Through the Step 1 process a community will:

- Identify and describe a manageable study area;
- Initiate a community outreach and participation process;
- Create a common vision with realistic goals and objectives that will be the framework to guide the area's revitalization; and
- Complete a preliminary inventory and analysis of the study area that identifies compelling opportunities for revitalization.

**Step 2 Nomination** is intended for communities that have completed a Pre-Nomination study or that have sufficient information to satisfy the Step 1 program. Communities are ready to initiate and complete the in-depth inventory and analysis needed to make the informed decisions and recommendations to frame community revitalization and brownfield redevelopment. Through the Step

2 process a community will:

- Prepare a comprehensive inventory and analysis;
- Identify potential brownfield sites that are catalysts for redevelopment and priorities for site assessment;
- Prepare an economic and market trends analysis to determine feasible uses aligned with the vision;
- Refine community vision, goals, and objectives based on analysis;
- Prepare recommendations for future uses and actions to redevelop strategic sites and revitalize the neighborhood.

In **Step 3 Implementation Strategy and Site Assessments**, communities will complete their BOA study and can apply for funding to conduct site assessments for eligible strategic brownfield sites identified in the Nomination that may hold key redevelopment opportunities.

In Step 3, your community will develop a comprehensive set of tools and action steps to implement the revitalization plan. The strategy will include:

- Identification of desired future land uses for all brownfield sites;
- Design alternatives for strategic sites;
- Marketing strategies for strategic sites;
- Land use techniques to encourage desired uses;
- Identification of implementation projects, and related studies to move them forward;
- Outline of the local management structure to lead implementation; and
- Compliance with SEQRA

Through Site Assessments the community can characterize potentially contaminated areas of concern on strategic sites and can use the assessment to gather critical environmental data. The Site Assessments do not include actual site remediation, but they should encourage clean-up and reuse of sites by lessening uncertainties about contamination.

Upon completion of the Nomination and Implementation Strategy, your BOA plan will be submitted to the Secretary of State and the Commissioner of the DEC.

### **The BOA Program is Flexible**

The DOS believes that the BOA program has to be flexible to meet the needs and characteristics of the different communities that will use the program funding and tools. While the tasks of the standard work program are requirements for all communities, you may determine that additional or different types of studies are needed and should discuss your ideas and needs with your DOS and DEC project managers.

### **Program Benefits**

1. Establishes sound planning as the basis for revitalization, including a community based vision plan, a comprehensive area and site specific inventory, and critical environmental data for strategic sites.
2. Improves environmental quality and quality of life over time through implementation of projects identified in the BOA plan.
3. Meets community development needs by identifying desired uses, clearly indicating to developers and investors the community desires, identifying sites that are available for redevelopment, and preparing environmental review documents during the BOA process and speeding the redevelopment timeline.
4. Markets sites to investors and developers by developing a marketing strategy for strategic sites, including design rendering and illustrations, brochures and descriptive profiles.
5. Creates partnerships with organizations and agencies that can contribute to the revitalization strategy and implementation.
6. Enhances the community's ability to compete for funds.

## **PRESENTATION 2:**

# **BOA Steps 1 and 2: Planning Framework and Operational Tasks**

### **The BOA Process is Iterative**

Preparation of a BOA study from Step 1 through Step 3 helps ensure that revitalization is strategic and based on a thorough understanding of resources, identification of issues and opportunities, and exploration of viable implementation approaches. It is an iterative process during which you will refer back to, use, and confirm previously gathered information. You will develop, refine, evaluate, and adjust implementation strategies as you learn more about the area, the sites, and the market.

You will find as you progress from Step 1 through Step 2 that there are common components in the work programs and that they contain elements typical of all community planning and design processes. While there is flexibility to modify the work program, it is helpful to understand the purpose of each component and its value in the BOA planning process.

### **The “Project Start Up” Work Program Tasks Provide a Solid Foundation for your BOA**

Work Program Components 1, 2, and 3 are similar in Step 1 and Step 2.

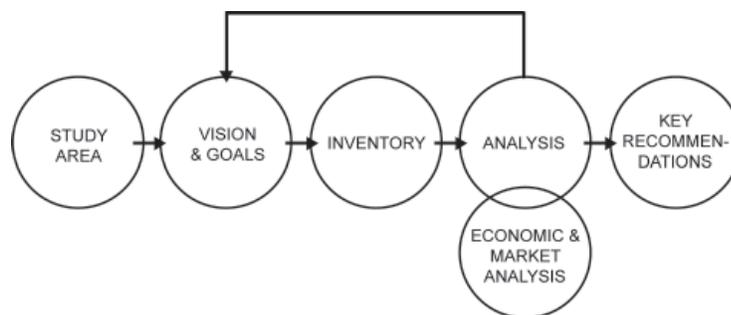
- The **organization meeting** provides a comprehensive overview of your BOA process for those that will guide its development. A well organized and facilitated meeting will help establish strong working relationships, review work program and schedule, define responsibilities, and establish communications procedures.
- Creating a **project advisory committee** will provide a “working group” that will represent the broad interests of the community. Their role may include articulation of local issues, management of public participation, outreach and communication, and review of draft products.
- The **consultant selection and procurement process** should be closely coordinated with your DOS project manager. At the Step 1 Pre-Nomination Study stage, the primary expertise required will be community design and planning. At Step 2 Nomination stage you will probably also need the services of civil or environmental engineers, economic and market analysts, ecologists, or other specialists depending upon your BOA characteristics. In procuring consultants, you must follow general municipal law and local procurement requirements.
- Effective **community participation** will promote broad involvement and

contribution of local values, expertise, and information to your BOA plan. It should build a sense of ownership and responsibility that will help shepherd and strengthen implementation. Minimum requirements are listed in the work program but your community participation strategy should be tailored to allow residents and other stakeholders access and voice throughout the BOA process.

- **Capacity building** refers to increasing the abilities and skills of individuals, organizations, and organizational networks within the community so that they can contribute more effectively and collectively towards community rebuilding and revitalization. Recommended methods of building capacity include attendance at DOS/DEC sponsored Community Seminar Series and Interagency Workshops.
- **Enlisting partners** will broaden the available resources and increase the capacity to accomplish desired revitalization. Partnerships can tap other agencies, community organizations, academic institutions, and property owners. Partnerships should benefit all partners and it is important to understand each partners goals in the project.

### **Common Planning Process Elements in BOA Step 1 and Step 2**

In addition to the Project Start Up and Leadership tasks, BOA Step 1 Pre-Nomination Study and Step 2 Nomination work programs contain elements that are common to all community based planning processes.



*Community Planning Diagram*

- **Determine the Study Area** – For BOA, this includes justifying and delineating the BOA study area boundary. Justifications should demonstrate the need for revitalization as well as the opportunities for redevelopment. Delineation should be by recognizable features such as roads, natural features or changes in land use.

- **Community Vision** – Creating a vision, goals and objectives is the initial and foundational step in your BOA study. Through creation of a vision, the community describes its desired future, based on its shared values, and understanding its resources, strengths and opportunities, as well as the local issues and challenges that need to be addressed. The initial visioning that occurs in the Pre-Nomination Study will probably be refined and updated in the Nomination stage as you gain a better understanding of issues and opportunities.
- **Inventory and Analysis** – Inventory is the collection of data about the natural, social, economic and cultural conditions and characteristics of your study area, specific sites, and context area. Inventory for BOAs must research and document information on both past and current conditions, especially to understand past use and ownership of potential brownfield sites. Through analysis of the inventory data, you will develop an understanding of the conditions and resources of the study area, and will use that understanding to determine opportunities and constraints to achieve the Vision and goals. In the Step 1-Pre-Nomination stage, your inventory will provide a preliminary understanding of the conditions and resources, while in Step 2 Nomination, the inventory will be more in-depth for certain factors and conditions depending on the characteristics of your study area.
- **Economic and Market Trends Analysis**– This is a key feature of the BOA process that is becoming more common in many community-based planning processes. This study and analysis will typically occur in Step 2 Nomination. It is used to recommend and/or justify realistic future land uses in the BOA based on research and analysis of demographic characteristics, market trends and other economic information.
- **Key Recommendations** – in both the Pre-Nomination and Nomination steps you will develop and describe key recommendations that are at a level of depth and detail appropriate to your step in the planning process. For the Pre-Nomination step the recommendations are preliminary, based on the community vision and the results of the preliminary analysis. At the Nomination step the recommendations will be detailed and will include specific information on strategic sites and priorities for redevelopment.
- **State Environmental Quality Review (SEQR)** – The goal of SEQR is to avoid or limit possible negative impacts on the environment from proposed actions. SEQR should be viewed as a tool to help determine projects and actions that are appropriate and sensitive to the setting and resources while still providing desirable economic and development benefits. The BOA process requirements are closely aligned with SEQR requirements to encourage coordinated submittals.

### **Putting It All Together – the Draft Studies**

The required content for the Draft Pre-Nomination Study and the Draft Nomination documents are included in the project work programs that are prepared by the DOS for each community. Following in the notebook are outlines for what should be included in the draft studies.

## **Activity: ALIGNING EXPERTISE AND SKILLS WITH YOUR BOA WORK PLAN**

The materials for this activity include:

- Activity Worksheet - BOA Step 1
- Activity Worksheet - BOA Step 2
- BOA Step 1 Program Work Plan Sample (in supplemental materials or you can use your community's work plan)
- BOA Step 2 Program Work Plan Sample (in supplemental materials or you can use your community's work plan)

The steps in this activity are as follows:

1. Review the components of the appropriate Work Plan (Step 1 or Step 2).
2. Working individually, determine the status of each task of your BOA Work Plan.
  - “C”- The Task is Complete
  - “I” - The Task is In Progress
  - “N”- The Task is Not Started
3. Working with your small group, review where everyone is in their BOA Work Plans.
4. Working with the group, discuss and record the in the worksheet the skills and expertise that will be needed to complete the different work program tasks.
5. Select one or two tasks, and complete a “RASI” chart for them.

The facilitator will help you work through this activity and keep track of time.



Activity 1 Worksheet

**BOA Step 1 Program** Work Plan Task List

|  | <b>Component 1: Project Start-Up</b> |  |  |                         |  |  |                    |
|--|--------------------------------------|--|--|-------------------------|--|--|--------------------|
| Tasks  | 1: Initial Organization Meeting      | 2: Establishment of a Project Advisory Committee | 3: Solicitation of Consultant Services | 4: Consultant Selection | 5: Subcontract Preparation and Execution | 6: Project Scoping Session with the Selected Subcontractor | 7: Project Outline |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |                                      |  |  |                         |  |  |                    |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |                                      |  |  |                         |  |  |                    |

|  | <b>Component 2: Capacity Building &amp; Training</b> |                          |
|--|--|--------------------------|
| Tasks  | 1: NYS Community Seminar Series                      | 2: Interagency Workshops |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |  |                          |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |  |                          |

|  | <b>Component 3: Community Participation</b> |   |                         |
|--|---|---|-------------------------|
| No Specific Tasks Listed                                   | • Approved Outline                          | • Summary description of participation and visioning plan | • Ongoing participation |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |   |   |                         |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |   |   |                         |

|  | <b>Component 4: Draft Pre-Nomination Study</b>  |  |
|--|---|--|
| Tasks  | 1: Description of the Proposed Project, Boundary, and Public Participation<br>Community Overview and Description, Project Overview and Description, Brownfield Opportunity Area Boundary, Description and Justification, Community Vision and Goals and Objectives, Community Participation Techniques and/or Process | 2: Preliminary Analysis of the Brownfield Opportunity Area<br>Existing Land Use and Zoning, Brownfield, Abandoned and Vacant Sites, Land Ownership, Natural Resources, Summary of Preliminary Analysis and Recommendations |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |   |  |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |   |  |



Activity 1 Worksheet

**BOA Step 2 Program** Work Plan Task List

|  | Component 1: Project Start-Up   |  |  |                         |  |   |                    |
|--|---------------------------------|--|--|-------------------------|--|---|--------------------|
| Tasks  | 1: Initial Organization Meeting | 2: Establishment of a Project Advisory Committee | 3: Solicitation of Consultant Services | 4: Consultant Selection | 5: Subcontract Preparation and Execution | 6: Project Scoping Session with the Selected Consultant | 7: Project Outline |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |                                 |  |  |                         |  |   |                    |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |                                 |  |  |                         |  |   |                    |

|  | Component 2: Capacity Building & Training |                          |
|--|---|--------------------------|
| Tasks  | 1: NYS Community Seminar Series           | 2: Interagency Workshops |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |   |                          |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |   |                          |

|  | Component 3: Community Participation |                                  |
|--|--------------------------------------|----------------------------------|
| Tasks  | 1: Community Participation Summary   | 2: Techniques to Enlist Partners |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |                                      |                                  |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |                                      |                                  |

|  | Component 4: Draft Pre-Nomination Study  |   |   |   |
|--|--|---|---|---|
| Tasks  | 1: Description of the Proposed Project and Boundary<br><small>Lead Project Sponsors, Project Overview and Description, Community Vision and Goals, Brownfield Opportunity Area Boundary, Description and Justification</small> | 2: Community Participation Plan and Techniques to Enlist Partners | 3: Analysis of the Proposed Brownfield Opportunity Area<br><small>Community and Regional Setting, Inventory and Analysis, Economic and Market Trends Analysis, Summary Analysis, Findings and Recommendations</small> | 4: Review of Strategic Brownfield Sites |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |  |   |   |   |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |  |   |   |   |



## **PRESENTATION 3:**

# **Community Participation in Your BOA**

### **Introduction**

From their experience with communities in many EPF funded planning and construction projects, the DOS project managers have come to understand that broad community participation contributes to the quality of the planning process and increases the potential for local implementation of recommendations and projects. Public participation is a required component of your BOA work program that begins in Step 1 with the formation of an advisory committee, development of a contact list, organization of kick-off meetings and preparation of a draft vision statement and goals. In Step 2, you will want to broaden community participation, refine your draft vision, and strengthen critical partnerships. In Step 3 you will prepare an implementation plan that will incorporate the resources of your established partnerships and be advanced with the support of community residents who have participated in the process.

While you will be expected to initiate and foster community participation in your BOA process, the program is flexible and allows each community to design a community participation plan that meets its particular needs and builds on local community practices.

### **Significance and Value**

Community participation contributes to the BOA planning process in the following ways:

1. Documenting community perspectives and values. Effective participation will foster and facilitate a community dialogue that uncovers shared community values and concerns. Through these conversations many communities have been able to build consensus around future opportunities. This process enables community members to articulate their concerns and develop a shared vision of their future that can be used to guide the BOA planning.
2. Building community understanding. Participation in community workshops and discussions builds a shared community understanding of the relationship between issues and opportunities and the relationship between past and future land uses. This understanding establishes a strong foundation for planning, prepares community members to make sound decisions, and builds community support for implementation of planning recommendations that will lead to revitalization.
3. Developing a shared vision. Vision planning is an exciting way to facilitate community participation. Through workshops and meetings, community members are able to develop and describe their shared vision for the reuse of their brownfield sites and the revitalization of their community. In addition, the vision

helps to focus the required physical inventory and analysis and economic and market trends study.

4. Building partnerships and support for revitalization. Effective community participation engages people in a constructive process that builds excitement and instills hope. A facilitated process will encourage greater public participation and, through their involvement, participants will develop a vested interest in the planning recommendations and projects. A process that incorporates a broad range of stakeholders and community members increases the likelihood that you will develop a diverse set of partnerships, increasing support and the availability resources for implementation of your plan.

### **Keys to success**

Through years of experience, practitioners working to facilitate community participation in planning and design have identified characteristics that are critical for successful community participation. As you begin to initiate community participation in your BOA program consider the following:

- People must feel that their participation will make a difference
- Participants must be able to understand the process, how it will be conducted, how decisions will be made, and their role in the process
- There must be real opportunities for participation – venue, timing, and types of activities are all important
- Community participation requires careful planning and facilitation
- Communication needs to be accessible to all community members and it should be continuous and on going
- Communication should be a two-way process

### **Leaders and facilitators**

1. The advisory committee. Local leadership is essential to the development of a successful community participation process. Each community will form an advisory committee to represent community interests in the BOA program. This advisory committee is well suited to guide and facilitate community participation in your BOA program. Members of the committee would be able to:

- Personally reach out and engage the community
- Coordinate outreach and communication
- Serve as spokespersons for the process
- Build partnerships
- Serve as facilitators

2. Consultants. Most communities will hire consultants to provide needed expertise and experience. Some communities hire consultants specifically to develop and lead the public participation process. If you plan to hire a consultant to guide this process, you must clearly describe the assistance you need and carefully review the proposal that is presented to be confident that the consultant will be able to lead an effective process. The following steps are recommended as

you select your consultant:

- Ask for references from communities that have worked with the consultant
- Be certain that the plan is reasonable and that it includes outreach, communication, and facilitation
- Conduct an interview to be sure that the consultant will be able to work well with your advisory committee and community

When you select consultants, you need to be sure that they are able to contribute effectively to your community process. Every consultant will need to interact with the public. Whether making a report at a public meeting or preparing written documentation, your consultants will need to present information and answer questions in a manner that can be understood by community members.

### **Community Participation in Step 1**

1. Project start up. In Step 1, community participation begins during project start up with the formation of the advisory committee. Once formed, the advisory committee is required to develop a contact list and a plan to involve the public in the Pre-Nomination Study. The plan should include strategies for conducting outreach, vision planning and communication. The DOS expects that the community will be invited to a kick off meeting, and included in vision planning. While required steps are laid out, each community has the flexibility to modify and expand on this process as appropriate given its community context. It is anticipated that the advisory committee will facilitate public involvement in this process and keep the public informed as the Pre-Nomination Study is drafted and approved.

2. Vision planning. Step 1 communities are required to develop a vision with a set of goals as part of their Pre-Nomination Study. Vision planning is an engaging and exciting way to initiate community participation and generate support for the BOA planning program. Vision planning generally occurs in a workshop format that brings stakeholders and community members together in a constructive forum where local understanding of issues and ideas can be shared and where consensus can be developed to describe a shared future. Through facilitated activities, the advisory committee, community members, and consultants work together to understand issues and document opportunities.

A vision is the community's idea of what it might become. The vision statement declares what the community hopes to accomplish and serves as the foundation for BOA planning and revitalization. Vision planning helps communities identify initial opportunities that are critical to the Pre-Nomination Study and it suggests the inventory and analysis that should occur to determine feasibility of the vision. The vision process creates a positive view of future potentials and provides the motivation to mobilize assets and resources and to establish partnerships.

For those communities that will initiate vision planning during Step 1, there is a training session that will introduce you to the vision process. Communities that

have already sponsored community-based vision planning will need to determine if the process was adequate to guide their BOA planning. If you think that your vision process could be strengthened or more clearly focused on the BOA sites, there is a training session designed to help you assess and refine your vision.

## **Community Participation in Step 2**

Public participation in Step 2 builds on the activities initiated in Step 1 and there are significant milestones in Step 2 where community participation should be facilitated.

1. Project start up. As in Step 1, Step 2 begins with a kick-off meeting. Because community participation builds on the activities of the first step, this meeting is an opportunity to share the work accomplished during the Pre-Nomination Study, give the community a sense of the work to be accomplished in Step 2 and discuss community members' roles in this process. This is an opportunity to increase participation and strengthen partnerships.
2. Inventory and analysis. During Step 2, site inventory and analysis and market research are developed that will have bearing on the community vision. The presentation of these existing conditions and economic circumstances must be shared with the community in a manner that enables them to understand the implications that these findings have for their vision.
3. Refining the vision. With an understanding of the physical site inventory and analysis and the findings of the economic and market trends study, the community can revisit and refine their vision. This is also the time when the community can begin to consider alternatives by which they might accomplish their vision. Through the exploration and prioritization of strategic sites and their envisioned end-uses, the community will understand the costs and benefits associated with the various alternatives and the rationale behind the recommendations presented in the nomination report.
4. Review of the draft report. As you prepare the draft nomination report community members should have an opportunity to review the report and discuss the priority redevelopment alternatives.

## **Outreach and Communication**

Outreach and communication are important aspects of public participation that require thoughtful consideration and planning. An effective plan can generate interest, excitement, and community momentum. Outreach is critical to growing the number of active participants, while communication is essential to maintaining involvement. People are not always able to attend the various forums, workshops, or meetings and it is important that the activities, understanding, and findings of

these are shared regularly with the full community.

1. Outreach. Outreach is a process of invitation through which the purpose, process and benefits of community participation are clearly described. The process must make residents feel welcome and emphasize the importance of their participation. Outreach is most effective when conducted on a personal level, but fliers, posters, newsletters, and local media are also useful.

Community outreach should occur early in the process and must be continuous throughout the BOA program. This can be a challenging task and it is wise to take advantage of existing community networks including: local clubs and organizations, non-profits, public agencies, and the local media. Organizations can speak to their members, non-profits to their clients, and local leaders to their constituents. Local media can help with community-wide broadcasts. This practice increases the likelihood that individuals will hear about the process and receive their invitation to participate from friends and associates. Working with existing organizations also contributes to the formation of partnerships. When you move on to Step 2 you will already have an outreach network in place.

2. Communication. Your communication strategy should keep residents informed and provide a means for community members to find answers to questions and comment on the process. Communication is most effective when it appears on a regular basis and the community knows when and where to look for it. Erratic reporting is not helpful. A newspaper column, newsletter, or meetings that occur on a regular basis will maintain project visibility in the community and systematically build and integrate information in a way that is useful to community members.

Past experience in community based planning reveals a strong connection between effective communication and project success (see **Keys to success** on page 22). Your communication strategy must:

- Make the process transparent
- Establish satisfactory means of communication
- Recognize the importance of two-way communication

Never rely on just one approach. Develop a range of media outlets including:

- Newspaper, TV (local cable and news), and radio
- Fliers and newsletters
- Postcards
- Email and websites

3. Sharing technical information. Step 2 of the BOA process will include more technical information – data and analysis - than Step 1. While the studies in each community will vary, Step 2 typically includes engineering reports, environmental data and analysis, transportation studies, marketing analysis and real estate studies. This technical information should be presented in a format that can be

easily understood and discussed in terms of its relationship to the community vision, goals, or potential redevelopment. All consultants should be prepared to share, and discuss their work with the advisory committee and community members. When hiring consultants, be sure that they understand the relationship and importance of communication to public participation.

Finally, remember that one size does not fit all. Be creative as you think about the various ways that you can reach a wide range of stakeholders. While the BOA process requires the development and implementation of a community participation plan, there is no one way to accomplish this. Each community should develop a plan that builds on its local traditions of gathering, meeting, and communicating.

### **Evaluate and strengthen your process**

Because community participation continues throughout the BOA process, it is important to evaluate the effectiveness of your participation plan. Evaluation will help you understand what is working and what is not. This understanding will help you make adjustments and strengthen your plan.

Evaluation is most easily accomplished by incorporating it in your ongoing activities through sign in sheets, surveys, etc. The following lists suggest questions that might help you to evaluate outreach, facilitation and communication:

#### 1. Evaluating outreach

- How many community members have been actively involved in the process to date?
- How are people learning about your meetings, workshops, and activities?
- How many new people do you have attending later sessions?
- Do you have a good cross section of the community participating?

#### 2. Evaluating meeting facilitation

- Have the participants been involved in constructive dialogue?
- Have the meetings and workshops contributed to an understanding of the issues?
- How many participants return to later workshops and meetings?
- If you have a vision, did the community participate in its development, are community members familiar with it, and have they confirmed that this is, in fact, their vision?
- Have you developed committed partners that are or can bring resources and support to the BOA planning process?

#### 3. Evaluating communication

- Do people in the community know that the BOA planning is going on?
- Do they understand the purpose of the planning and who has been involved?
- Is the process transparent, is information about the program accessible, and

do people know how they might be involved?

Public participation is not a linear process, there are always opportunities to step back and improve on what you are doing, engage more community members, and involve new partners. Start by understanding what has worked and why. Learn from your success and use this understanding to strengthen participation.

# *Supplemental Material*

## *What Tools Can the BOA Program Provide?*

The BOA program funds a range of flexible pre-development activities necessary to attract public and private capital investment to underutilized properties. The tools outlined below begin with broad-based community visioning and end with near shovel ready sites ready for development.

- **a community vision** to establish a blueprint for revitalization including redevelopment goals and objectives as well as actions to improve environmental quality
- **public participation** to ensure community involvement and support for the revitalization plan and redevelopment projects
- **existing conditions analysis** including land use and ownership, infrastructure, and natural features
- **infrastructure studies** including traffic and transportation, parking, water and sewer, utility and relocation studies
- **site inventory** of abandoned, vacant or brownfields available for redevelopment
- **market trends analysis** to identify an economic niche and the range of realistic new uses and businesses
- **identification of strategic sites** to spur revitalization
- **acquisition due diligence** including property appraisal, title work, surveys, and phase I environmental and archeology assessments
- **environmental site assessments** (phase II) to quantify environmental conditions and reduce developer risk
- **site specific demand and feasibility analysis** to understand the demand for certain uses, costs, benefits and overall feasibility
- **conceptual designs and cost estimates** to illustrate how strategic sites will appear when developed
- **SEQRA compliance** through the preparation of a generic environmental impact statement which is blended into the BOA plan accelerating the development time frame
- **project permits** to advance development predictability
- **local zoning revisions and other local laws** to ensure the desired end uses identified in the BOA plan are permissible
- **site marketing** through project renderings, brochures, web applications and the preparation of requests for proposals for specific development proposals

## ***New York State Brownfield Opportunity Areas Program***

### ***Summary***

- ***Superfund/Brownfields Law*** - The New York State Brownfield Opportunity Areas (BOA) Program, is administered by the Departments of State and Environmental Conservation. The legislation amends the General Municipal Law, Article 18-C which authorizes municipalities to pursue redevelopment and revitalization of distressed areas, by adding Section 970-r to create the Brownfield Opportunity Areas Program.
- ***Blends Expertise to Address Brownfield Issues*** - Under the BOA Program, the Commissioner of the New York State Department of Environmental Conservation, in consultation with the New York State Secretary of State, are directed to provide financial and technical assistance to communities to conduct planning for the redevelopment of brownfield sites and site assessments. The BOA Program blends and delivers to communities the Department of State's expertise in working in partnership with various interests on community based planning projects combined with the Department of Environmental Conservation's expertise in assessing and cleaning-up brownfield sites.
- ***Provides an Area-wide Approach to Brownfields Redevelopment*** - The BOA Program provides a significant land use and brownfields redevelopment planning tool for communities. The program provides communities with assistance to plan for the reuse and redevelopment of brownfields on an area-wide basis, as opposed to dealing with brownfields on a site by site basis. The program's primary objective is to establish revitalization plans and implementation strategies for area affected by a concentration of brownfield sites. The program will enable local governments and community based organization to:
  - address a range of problems posed by multiple brownfield sites;
  - build consensus on the future of the area with an emphasis on brownfield sites; and
  - establish the multi-agency and private-sector partnerships necessary to leverage assistance and investments to revitalize neighborhoods and communities.

### ***Program Benefits to Communities***

- ***Establishes a Community Vision and Strategy*** - A community based plan and implementation strategy is established to spur revitalization of distressed areas by establishing clear priorities for redevelopment and other actions for community renewal and improved quality of life.
- ***Defines Future Uses*** - New uses and businesses that are desired by the community for strategic brownfield sites will be clearly defined, a key for the successful redevelopment of brownfields.
- ***Provides a Remediation Strategy for Catalyst Sites*** - By conducting site assessments on strategic sites that are catalysts for redevelopment, communities will have a remediation strategy for site clean-ups and will better understand the costs for clean-up.
- ***Fulfills Community Development Needs*** - Communities will be able to work more effectively

with developers to transform brownfields from liabilities to assets by establishing new uses and businesses that are desired by the community and will contribute to the community in a beneficial way, generating jobs and revenues.

- ***Increases Predictability*** - For those who are looking to invest in the area, the program provides increased predictability in terms of project timing by giving developers a clear indication of uses and businesses that the community wants, and does not want, as expressed in the area-wide plan.
- ***Improves Environmental Quality*** - The quality of the environment will benefit in terms of cleaning up contaminated properties, removing eyesores, and through other environmental and public improvement projects that are identified in the area-wide plan.
- ***Financial Assistance*** - With a community supported plan in place, communities will increase their competitiveness to leverage funds from a variety of sources to make brownfields ripe for private investment. Designated areas shall receive priority and preference from DEC's Environmental Restoration and Environmental Protection Fund Programs. Designated areas may also receive priority and preference when considered for other state and federal programs.
- ***Partnerships With State Agencies*** - The program is designed to establish a working partnership between communities and state agencies to address a variety of issues related to community planning and zoning, brownfield clean-up and redevelopment, economic renewal, improving transportation systems and infrastructure, and improving environmental quality.

### ***Activities Eligible for Funding***

- ***Pre-Nomination Study*** - The first activity is a Pre-Nomination Study that enables a community to complete a preliminary analysis of issues and opportunities in the proposed Brownfield Opportunity Area so communities can gain a basic understanding about existing conditions, brownfields and the area's potential for revitalization.
- ***Nomination*** - The Nomination provides an in-depth and thorough description and analysis, including an economic and market trends analysis, of existing conditions, opportunities, and reuse potential for properties located in the proposed Brownfield Opportunity Area with an emphasis on the identification and reuse potential of brownfield sites that are catalysts for revitalization.
- ***Implementation Strategy*** - The Implementation Strategy provides a description of the techniques and actions to implement the area-wide plan and describes how the requirements of the New York State Environmental Quality Review Act have been met.

Site assessments - Site assessments are completed for strategic brownfield sites that are identified in the Nomination, concurrent with progress on the Implementation Strategy. If needed, site assessments will result in a clear understanding of potential contamination issues on strategic brownfield sites. Key findings from the site assessment reports are factored into the Implementation Strategy. Remedial investigations are used to design a conceptual level remediation strategy for strategic brownfield sites.

### ***Funding Preferences***

The Superfund/Brownfields Law directs the program's funding to areas having one or more of the

following characteristics:

- ***Partnerships*** - Established partnerships or expressed support between municipalities and community based organizations to pursue an area-wide plan.
- ***Brownfield Sites*** - Areas with concentrations of brownfield sites.
- ***Economic Distress*** - Areas with indicators of economic distress including low resident incomes, high unemployment, high commercial vacancy rates and depressed property values.
- ***Strategic Opportunities*** - Areas with brownfield sites presenting strategic opportunities to stimulate economic development, community revitalization or to site new public amenities.

### ***Designation of the Brownfield Opportunity Area***

New York State will designate a Brownfield Opportunity Area based on the following:

- ***Applicant Submits the Completed Nomination/Implementation Strategy*** - An applicant submits a completed Nomination/Implementation Strategy for review.
- ***New York State's Review of the Completed Nomination*** - The Commissioner of the Department of Environmental Conservation, in consultation with the Secretary of State, will review and determine the consistency of the Nomination/Implementation Strategy with the General Municipal Law, Article 18-C (Section 970-r).

If a Nomination/Implementation Strategy is determined to be consistent with the provisions of the General Municipal Law Article 18-C, the Brownfield Opportunity Area shall be designated.

If a Nomination/Implementation Strategy is determined not to be consistent with the provisions of the General Municipal Law (Section 970-r.), the applicant shall be advised in writing regarding how the Nomination/Implementation Strategy should be amended.

## ***NYS Brownfield Opportunity Areas Program***

### ***Planning to Redevelop Brownfields and Revitalize Communities***

***Establishes a Community Vision and Strategy for Revitalization*** - A community based revitalization plan and implementation strategy is established to spur investment in distressed areas by establishing clear priorities for redevelopment and other actions for community renewal and improved quality of life. The plan provides a proactive and systematic way to address brownfields and to return them to productive use.

***Provides a Remediation Strategy for Catalyst Sites*** - By conducting site assessments, to more fully understand potential contamination issues, on strategic brownfield sites expected to catalyze redevelopment, communities can better understand options and costs for remediation and redevelopment.

***Provides Site Inventory*** - an accurate and clear inventory and description of brownfield sites and other underutilized properties to serve as a basis for identifying strategic redevelopment opportunities.

### ***Increasing Predictability and Fostering the Development Process***

***Defines Future Uses and Businesses*** - New uses and businesses that are desired by the community for strategic sites will be clearly defined, a key for the successful redevelopment of brownfields.

***Increases Predictability*** - For those who are looking to invest in the area, the program provides increased predictability in terms of community acceptance by giving developers a clear indication of uses and businesses that the community wants, and does not want, as expressed in the BOA plan.

***Fulfills Community Development Needs*** - Communities will be able to work more effectively with developers to transform brownfields from liabilities to assets by establishing new uses and businesses that are clearly desired by the community and will contribute to the community in a beneficial way, generating jobs and revenues.

***Convening Parties to Foster Development*** - Grantees (for the Nomination and Implementation Strategy) can hire a neutral, objective consultant to work as a liaison on behalf of the grantee, private landowner, and development interests to explore project feasibility, and deal structure alternatives for the privately held property.

***SEQRA*** - SEQRA is blended into the BOA planning process. A GEIS will be undertaken and completed as part of BOA. Property owners and developers will save time in the development process if redevelopment plans are within the scope of the approved GEIS document by eliminating the need to prepare a site specific EIS.

### ***Establishing Partnerships and Increasing Competition for Funding Programs***

***Fosters Partnerships With State Agencies*** - The program is designed to establish a working partnership between communities and state agencies to address a variety of issues related to community planning and zoning, brownfield clean-up and redevelopment, economic renewal, improving transportation systems and infrastructure, and improving environmental quality.

***Increases Competition for Other Funding Programs*** - With a community supported BOA plan in place, communities will increase their competitiveness to leverage funds from a variety of sources to make

brownfields ripe for private investment and for projects to implement their plan. Designated areas shall receive priority and preference from DEC's Environmental Restoration and Environmental Protection Fund Programs. Designated areas may also receive priority and preference when considered for other state and federal programs.

### ***Providing Financial Assistance***

***Site Assessments*** - Site assessment funding, to more fully understand potential contamination issues, is available on a competitive basis for strategic BOA sites which will be developed in a manner consistent with the community BOA plan. To be eligible, the owner must not be responsible for the environmental conditions at the site.

***Applications for Additional Funding*** - Environmental data compiled as part of the BOA planning process may enhance applications to other state and federal programs.

### ***Improving Property Values and the Community***

***Increased Property Values*** - With strong local leadership as the plan's primary advocate and sponsor, the BOA plan can induce public and private-sector investment leading to community revitalization and increased property values over time.

***Infrastructure and Transportation Improvements*** - The redevelopment potential of private properties may benefit from identified transportation, infrastructure and other community related improvements in BOA areas.

***Improves Environmental Quality*** - Environmental quality can improve through cleaning up properties, removal of unattractive or derelict structures, and through implementation of other environmental and public improvement projects identified in the community driven revitalization plan.

***Community Improvement Projects*** - Public improvement projects, identified through BOA, such as parks, esplanades, or streetscape improvements and/or environmental improvement projects, such as a stream corridor or habitat restoration project, will have an overall positive impact on the quality of the community leading to increased property values and marketability.

### ***Marketing to Solicit Investors and Developers***

***Site Renderings*** - The BOA Program will fund renderings of private redevelopment projects on BOA strategic sites to illustrate the redevelopment potential of the property.

***Marketing Brochure*** - A marketing brochure may be produced for a BOA featuring strategic sites and renderings of proposed development projects. The marketing brochure will show key redevelopment projects and priorities for public and private-sector investments. The brochure may be posted on the DEC and DOS websites.

***Marketing of Sites*** - The marketing brochure will be complemented by direct marketing of strategic sites by Empire State Development Corporation (ESDC). To support these efforts, each BOA will produce descriptive profiles of brownfield sites that will be marketed to developers by ESDC.

**New York State Brownfield Opportunity Areas Program**

2/10/06

|  |  |  |
|--|--|--|
| <p><b>Step 1: Pre-Nomination Study</b></p>   | <p><b>Step 2: Nomination</b></p>   | <p><b>Step 3: Site Assessment and/or Implementation Strategy</b></p>   |
| <p><b>Description of Project and Boundary</b></p> <ul style="list-style-type: none"> <li>- Project Overview and Description</li> <li>- Community Vision, Goals and Objectives</li> <li>- Proposed Boundary Description/Justification</li> </ul> <p><b>Preliminary Analysis</b></p> <ul style="list-style-type: none"> <li>- Overview of Existing Land Use and Zoning</li> <li>- Brownfield Sites</li> <li>- Land Ownership</li> <li>- Natural Resources</li> <li>- Preliminary Analysis and Recommendations</li> </ul> | <p><b>Section 1 - Description of Project and Boundary</b></p> <ul style="list-style-type: none"> <li>- Lead Project Sponsors</li> <li>- Project Overview and Description</li> <li>- Community Vision, Goals and Objectives</li> <li>- Brownfield Opportunity Area Boundary Description/ Justification</li> </ul> <p><b>Section 2 - Public Participation Plan &amp; Techniques to Enlist Partners</b></p> <ul style="list-style-type: none"> <li>- Public Participation Plan</li> <li>- Techniques to Enlist Partners</li> </ul> <p><b>Section 3 - Analysis of the Brownfield Opportunity Area</b></p> <ul style="list-style-type: none"> <li>- Community and Regional Setting</li> <li>- Inventory and Analysis                             <ul style="list-style-type: none"> <li>- Existing Land Use, Zoning, and Economic Districts/Designations                                     <ul style="list-style-type: none"> <li>- Residential</li> <li>- Commercial/Retail</li> <li>- Industrial</li> <li>- Water-dependent</li> <li>- Institutional and Cultural</li> <li>- Dedicated parks and open space</li> <li>- Public and private underutilized, abandoned or vacant land</li> </ul> </li> <li>- Brownfield Sites</li> <li>- Land Ownership</li> <li>- Building Inventory</li> <li>- Historic or Archeologically Significant Areas</li> <li>- Transportation Systems</li> <li>- Infrastructure and Utilities</li> <li>- Natural Resources and Environmental Features</li> </ul> </li> <li>- Economic and Market Trends Analysis</li> <li>- Macro trends and analysis (state and regional level)</li> <li>- Micro trends and analysis (neighborhood, street, and block)</li> <li>- Analysis, Findings, and Recommendations of the BOA and Strategic Sites</li> </ul> | <p><b>Site Assessment</b> - Site assessments, comparable to remedial investigations, are completed for strategic brownfield sites concurrent with progress on the implementation Strategy. Key findings from the site assessment reports regarding the type, location, and extent of contamination are factored into the implementation Strategy. Remedial investigations are used to design a conceptual level remediation strategy for strategic brownfield sites.</p> <p><b>Section 4 - Implementation Strategy</b></p> <ul style="list-style-type: none"> <li>- Defining Future Uses                             <ul style="list-style-type: none"> <li>- Definition of Future Land Uses for all Sites</li> <li>- Reuse of Strategic Brownfield Sites: Cost Benefit Scenario</li> <li>- Design Alternatives and Illustrations for Strategic Brownfield Sites</li> <li>- Profiles of Strategic Brownfield Sites for Marketing Purposes</li> </ul> </li> <li>- Land Use Implementation Techniques                             <ul style="list-style-type: none"> <li>- Zoning and Other Local Laws</li> <li>- New or Modifications to Existing Economic Districts or Designations</li> <li>- Design Standards and Guidelines for Buildings</li> <li>- Best Management Practices to Minimize Impacts to Natural Features</li> </ul> </li> <li>- Implementation Projects                             <ul style="list-style-type: none"> <li>- Construction Projects                                     <ul style="list-style-type: none"> <li>- Redevelopment Projects</li> <li>- Transportation Projects</li> <li>- Infrastructure Projects</li> </ul> </li> <li>- Public Improvement Projects</li> <li>- Environmental Improvement Projects</li> </ul> </li> <li>- Preconstruction Projects (design, construction documents, permits)</li> <li>- Studies, Reports, Investigations, or Feasibility Assessments</li> <li>- Local Management Structure to Implement BOA                             <ul style="list-style-type: none"> <li>- Lead Entity to Ensure Implementation</li> </ul> </li> <li>- Regional, State and Federal Actions and Programs for Implementation</li> </ul> <p><b>Section 5 - SEQRA Compliance</b></p> |
| <p><b>Products:</b></p> <ul style="list-style-type: none"> <li>- Pre-Nomination Study</li> <li>- Application for Project Advancement</li> </ul>  | <p><b>Products:</b></p> <ul style="list-style-type: none"> <li>- Nomination (Sections 1 - 3)</li> <li>- Application for Project Advancement for Site Assessment and/or Implementation Strategy</li> </ul>  | <p><b>Products:</b></p> <ul style="list-style-type: none"> <li>- Site Assessments for Strategic Brownfield Sites</li> <li>- Implementation Strategy (Sections 4 - 5)</li> <li>- NYS Designation of the Brownfield Opportunity Area</li> </ul>  |

## ***Brownfield Opportunity Areas Program***

The following components will result in a NYS BOA Program Pre-Nomination Study.

### ***Step 1: Pre-Nomination Study Generic Work Plan***

- Project Description
- Project Components
  - Component 1: Project Start-up
  - Component 2: Capacity Building and Training
  - Component 3: Community Participation
  - Component 4: Draft Pre-Nomination Study
  - Component 5: Completion and Approval of the Pre-Nomination Study
  - Component 6: NYS Environmental Quality Review Act
  - Component 7: Project Reporting
- Project Management and Responsibilities
- Budget Summary

**PRE-NOMINATION STUDY WORK PLAN**

---

BOA Applicant Name:

BOA Name:

BOA Number:

Contract Number: \_\_\_\_\_

---

***PROJECT TITLE***

**1. Project Description**

- project description from profile
- any additional information that will assist in better understanding the project and how it relates to other activities in the area

The Pre-Nomination Study will provide a preliminary description and analysis of the proposed Brownfield Opportunity Area. Key project objectives include:

- Identifying and providing a clear description and justification of a manageable study area and associated boundaries;
- Establishing a community participation process to begin to identify a common vision for the area, including goals and objectives;
- Identifying the multi-agency, private-sector, and other community partnerships necessary to inform the process and leverage assistance for revitalizing the community; and
- Completing a preliminary analysis of the study area and preliminary recommendations to revitalize the area.
- relationship to LWRP and/or other comprehensive plans or economic development plans

**2. Project Attribution and Number of Copies**

The contractor must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the NYS Departments of State, Division of Coastal Resources, and Environmental Conservation, Division of Environmental Remediation, to the project. The materials must include the following acknowledgment:

***“This (document, report, map, etc.) was prepared for (insert grantee name), the New York State Department of State and the New York State Department of Environmental Conservation with state funds provided through the Brownfield Opportunity Areas Program.”***

In each of the following components and tasks, the NYS Department of State, Division of Coastal Resources is referred to as the "DOS" and the NYS Department of Environmental Conservation, Division of Environmental Remediation is referred to as "DEC".

The contractor must ensure that all materials printed, constructed and/or produced with funding provided by the Brownfield Opportunity Areas program form a unified and coherent report and include the components

and products described in this work plan. Submission of pre-existing and stand alone data and reports are not acceptable as substitutes.

***All products described in this work plan shall be submitted directly to the DOS. The DOS shall be responsible for forwarding all such products, as required, to the DEC.***

The contractor shall prepare, or cause to be prepared, the following project components, tasks, and associated products.

### **3. PROJECT COMPONENTS**

#### ***Component 1: Project Start-up***

##### ***Task 1.1: Initial Organization Meeting***

The contractor, DOS and DEC shall conduct an initial meeting with key project participants to discuss the scope of the project, SEQRA requirements, the type of services that are most appropriate, the subcontractor procurement process, and how the budget should be directed. In addition, the composition of a project advisory committee and other public participation techniques shall be discussed as well as any other information which would assist in project completion. A copy of the work plan and budget will be made available at the meeting. The contractor shall complete and distribute a meeting summary.

***Product: Meeting summary prepared and distributed to meeting participants.***

##### ***Task 1.2: Establishment of a Project Steering Committee***

The contractor shall establish a steering committee to oversee the process in cooperation with the contractor and the subcontractor. The committee shall be comprised of a range of interests that are representative of the community and may include, but are not limited to: local municipal officials from the community in which the project is located; community-based organizations or not-for-profit organizations; regional planning entities or other regional groups; appropriate state and/or federal agencies; private or business interests; property owners; other non-governmental entities; environmental groups or organizations; other civic groups; area residents; and the public at large. To the extent necessary to achieve broad public participation, additional representatives may be identified in consultation with DOS and DEC. The contractor shall complete and distribute a list of the steering committee members.

***Product: List of steering committee members prepared and distributed.***

##### ***Task 1.3: Solicitation of Consulting Services***

Should the contractor require the services of a consultant, there are two approaches that may be used to select a consulting firm:

- Request for Proposals (RFP) process can be used to select a consultant based on the submission of a full project proposal by a consultant.

- OR -

- Request for Qualifications (RFQ) process can be used to identify qualified consultants to receive a RFP. The RFP process can then be used to select a consultant based on the submission of a full project proposal in response to the RFP.

**A. *Request for Qualifications***

If the contractor elects to use the RFQ approach, the contractor shall prepare a *request for qualifications* (RFQ) to solicit responses from qualified consultants for the project. After DOS and DEC have reviewed and approved the *request for qualifications*, the contractor shall advertise the *request for qualifications* in the NY State Contract Reporter, a regional newspaper, or appropriate trade publication. In addition, the contractor may directly notify, through e-mail or regular mail, potentially qualified consultants of the *request for qualifications*.

***Product:*** *An approved RFQ released and issued through appropriate means as described above.*

**B. *Review Consultant Responses***

If an RFQ has been advertised, the contractor shall, in consultation with the DOS and DEC, review consultant responses to the request for qualifications and identify consultants most qualified to undertake the project.

***Product:*** *List of qualified consultants as prepared and distributed by the contractor.*

**C. *Request for Proposals***

The contractor shall draft a *request for proposals* (RFP), including a complete project description with site conditions, expected final results, and criteria for selecting a preferred proposal. The RFP shall be submitted to DOS and DEC for review and approval prior to release for solicitation of proposals. After the DOS and DEC have reviewed and approved the *request for proposals*, the contractor may directly notify, through e-mail or regular mail, potentially qualified consultants of the *request for proposals*. In addition, if no RFQ was advertised, the contract shall also advertise the *request for proposals* in the NY State Contract Reporter, a regional newspaper, or an appropriate trade publication.

***Product:*** *An approved RFP sent to qualified consultants.*

**Task 1.4:      *Consultant Selection***

In consultation with DOS and DEC, the contractor shall review all proposals received as a result of the RFP. Based on the reviews of the consultant proposals, the contractor shall organize and conduct interviews of the top-ranked candidate consultants. DOS and DEC may participate in the interview process.

At a minimum, the following criteria are suggested for use in evaluating consultant responses:

- Quality and completeness of the response.
- Understanding of the proposed scope of work.
- Applicability of proposed alternatives or enhancements to information requested.
- Cost-effectiveness of the proposal.
- Qualifications and relevant experience with respect to the tasks to be performed.
- Reputation among previous clients.
- Ability to complete all project tasks within the allotted time and budget.

Incomplete proposals that do not address all of the requested components should not be accepted for review and consideration. The consultant selected is subject to approval by the DOS and DEC.

If the contractor is a municipality, the municipal attorney, chief legal officer, or financial administrator for the municipality (contractor) shall certify to the Departments of State and Environmental Conservation that the procedures of the municipality, established pursuant to General Municipal Law, Section 104-b, were fully complied with for all contracts for professional services. (See Attachment A.)

If the contractor is a community based organization, the chief legal officer or financial administrator for the community based organization (contractor) shall certify to the Departments of State and Environmental Conservation that alternative proposals and quotations for professional services were secured by use of written requests for proposals through a publicly advertised process to ensure the prudent and economical use of public funds for professional services of maximum quality at reasonable cost. (See Attachment A.)

***Product:***      ***List of top-ranked candidates and letter from the contractor to DOS indicating the selected consultant, and appropriate certification.***

**Task 1.5:      *Subcontract Preparation and Execution***

The contractor shall prepare a draft subcontract to conduct the work with the selected consultant. The contract shall contain a detailed work plan with adequate opportunity to review stages in completion of the study, a payment schedule (payments must be tied to receipt of acceptable products in the work plan), and a project cost. The subcontract must specify: the professionals from the firm that will be directly involved in the project; the composition of the entire team, including firm name and area of responsibility/expertise; and the persons, including firm affiliation, that are assigned to undertake and complete specific tasks that are in the work plan. The contractor shall

submit the draft subcontract to DOS and DEC for review and approval. A copy of the final subcontract, incorporating DOS and DEC's comments on the draft, shall be provided to DOS.

***Product: Executed subcontract.***

***Task 1.6: Project Scoping Session With the Selected Consultant***

The contractor, DOS, DEC and the consultant shall hold an initial meeting to review project and contract requirements, site conditions and to transfer any information to the consultant which would assist in completing the project. Topics shall include but are not limited to the following:

- project scope
- study area boundary
- community participation and visioning process
- project goal and objectives
- existing relevant information (maps, reports, etc.)
- access to information on past or current projects related to the NYS Brownfield Cleanup Program, the Environmental Restoration Program, the Volunteer Cleanup Program, Superfund, and petroleum spills, including DEC's on-line databases, GIS maps, site summary sheets for key projects, etc.
- responsibilities of the participants (contractor, consultant, DOS and DEC)
- time frames and deadlines
- SEQRA requirements
- expected products

The contractor shall prepare, or cause to be prepared, a brief meeting summary to clearly indicate the agreements/understandings reached at the meeting.

***Product: Meeting summary prepared, with note of agreements/understandings reached, and distributed to scoping session participants.***

***Task 1.7: Project Outline***

The contractor shall provide, or cause to be provided, to the DOS and DEC, a project outline that reflects the outcome of the project scoping meeting and guides the preparation of the Brownfield Opportunity Areas Program report. The DOS and DEC shall review the project outline and comment. The contractor shall revise, or cause to be revised, the project outline to reflect the comments made by the DOS and DEC.

***Product: Approved project outline completed and distributed to scoping participants.***

## ***Component 2: Capacity Building and Training***

### ***Task 2.1: NYS Community Seminar Series***

The contractor shall participate in training sessions provided by the Brownfield Opportunity Area Program. The contractor shall, in consultation with the DOS project manager, provide a list of appropriate training sessions to be attended throughout the course of the project.

The training program is designed to inform and educate grantees about community leadership, planning and development, brownfields and associated challenges and opportunities, community revitalization, remedial programs to clean-up brownfields, the tasks associated with each BOA program step and deliverables specified in the BOA contract work plan, and grant administrative and management. Specific objectives are to: enhance understanding of brownfields and community revitalization; enhance local capacity to administer and manage grants; ensure timely completion of planning and site assessment report products; and ensure effective implementation of BOA plans.

Training is available for up to three individuals per contract. Registration fees are waived for BOA grantees and travel costs associated with the Community Seminar Series are an eligible contract expense.

***Product: List of training sessions that the grantee will attend, attendance in, and completion of, available training.***

### ***Task 2.2: Interagency Workshops***

The contractor may be requested to prepare for and participate in interagency workshops with appropriate local, county, state, and federal agencies. Interagency workshops/meetings may be conducted to: improve communication and understanding among the agencies about the contractor's community vision, and project objectives and needs; gain an improved understanding by the contractor of various government programs, services, and potential financing (grants and loans) that could be beneficial to advancing the contractor's plan; obtain support from government agencies for permitting, technical assistance, and financing; coordinate government agency actions; and foster the redevelopment process.

***Product: Workshop participation and associated preparation.***

## ***Component 3: Community Participation***

The contractor shall describe, or cause to be described, the techniques or processes by which local participation in the development of the Brownfield Opportunity Area plan will be sought, including a description of the partners or potential partners in terms of municipalities, community-based organizations, regional entities, private interests and other stakeholders that are expected to be involved in the project.

Public participation should occur early and consistently in the process through visioning workshops, informational meetings, project presentations, public education, and or other agreed upon techniques. The contractor shall provide DOS and DEC with a minimum of two (2) weeks' notice of all public proceedings

relative to the public participation process. At a minimum, the community participation plan will allow for several key points for public input, including, but not limited to:

- the use of a local steering committee to guide the plan's preparation;
- the preparation, update and maintenance of a community contact list that includes the names, addresses, telephone numbers, and e-mail addresses of individuals and organizations with a stake in the proposed action to be used on a regular basis to keep the contacts informed of progress on the plan;
- the initial kick-off meeting to explain the Brownfield Opportunity Areas Program and the project's intent and scope, and to solicit initial public input on a vision for the study area, goals and objectives, opportunities and constraints;
- presentation of existing conditions and circumstances in the study area, and the development of a vision statement and goals and objectives;
- the review of the vision statement and an exploration of alternative approaches to revitalization;
- the review of, and input on, the completeness and accuracy of the draft Pre-Nomination Study, and a discussion of priorities for redevelopment

Public outreach should serve to inform the public about the project and serve as a means for the public to participate in forming the plan, thus ensuring community understanding and support. The community participation plan is subject to approval by the DOS and DEC.

**Product:** *Approved outline and summary description of the community participation and visioning plan for the Pre-Nomination Study.*

#### ***Component 4: Draft Pre-Nomination Study***

The contractor shall prepare, or cause to be prepared, a Pre-Nomination that provides a preliminary description and analysis of the proposed Brownfield Opportunity Area Study, and which consists of the following tasks. The Pre-Nomination Study will be reviewed by the DOS and DEC to determine if a community should proceed with a Nomination to designate a Brownfield Opportunity Area.

##### ***Task 4.1: Description of the Proposed Project, Boundary and Public Participation***

The contractor shall prepare, or cause to be prepared, a narrative and map description of the following elements:

###### ***A. Community Overview and Description***

A descriptive overview of the community that includes, but is not limited to: geographic location in relation to the county and region; demographic, social, economic, and employment indicators; current community features and conditions; and current and historical economic and land use development trends. The description shall include the relationship of the study area to any existing comprehensive plans and/or economic development reports or strategies.

**Map Requirement** - The community overview and description shall include a *Community Context Map* that shows the location and relationship of the community to the county and region.

**B. *Project Overview and Description***

A description of the proposed Brownfield Opportunity Area (BOA) in terms of: existing land uses and development pattern; the number and size of brownfield sites and other abandoned, vacant, or partially developed sites located in the proposed BOA; and the area's potential in terms of providing new development and uses, businesses and housing, creating new employment opportunities, generating additional revenues, new public amenities or recreational opportunities, and improving environmental quality.

A “brownfield” or “brownfield site” is defined in New York State law as any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of a contaminant.

**Map Requirement** - The project overview and description shall include a *Study Area Context Map* that shows the location of the BOA in relation to the municipality and region.

**C. *Brownfield Opportunity Area Boundary Description and Justification***

A narrative description of the proposed Brownfield Opportunity Area, and justification of the proposed boundary. The borders should follow recognizable natural or cultural resources such as, but not limited to: highways, local streets, rail lines, municipal jurisdictions or borders, or water bodies. The study area should range from 50-500 acres. The borders must be justified in terms of:

- land uses that affect or are affected by identified potential brownfields
- natural or cultural resources with a physical, social, visual or economic relationship to identified potential brownfields
- areas necessary for the achievement of the expressed goals of the BOA

**Map Requirement** - The Brownfield Opportunity Area boundary description shall include a *Brownfield Opportunity Area Boundary Map* that clearly shows and identifies the proposed location and boundaries of the study area.

**D. *Community Vision and Goals and Objectives***

A vision statement, and a preliminary set of goals and objectives to be achieved relative to community redevelopment and revitalization, as shaped and expressed by the community. Goals and objectives may be expressed in terms of opportunities for new development projects that are desired by the community and will fulfill community development needs, such as: providing new housing opportunities; improving economic conditions; addressing environmental justice issues; providing new recreational opportunities; improving quality

of life and environmental quality; or other goals and objectives relevant to the redevelopment of brownfields and the surrounding area.

Such goals and objectives shall, where practicable, reflect the principles of quality community development, including, but not limited to: mixing land uses; taking advantage of compact building design; creating a range of housing opportunities and choices; creating walkable neighborhoods; fostering distinctive, attractive communities with a strong sense of place; preserving open space, natural resources, and critical environmental areas; strengthening and directing development towards existing communities; providing a variety of transportation choices; making development decisions predictable and fair; and encouraging community and stakeholder collaboration in development decisions.

A description shall also be provided that explains the relationship of the proposed project vision, goals, and objectives to any existing community vision, revitalization strategies, and or comprehensive plans.

***E. Community Participation Techniques and/or Process***

The techniques or processes by which local participation in the development of the Brownfield Opportunity Area plan has been or will be achieved as outlined in Component 3, including the partners or potential partners in terms of municipalities, community based organizations, regional entities, private interests and other stakeholders that are involved or expected to be involved in the project.

***Product: Complete description of the project and Brownfield Opportunity Area boundary, including all of the Task 1 elements above, and all required maps.***

***Task 4.2: Preliminary Analysis of the Brownfield Opportunity Area***

The contractor shall develop, or cause to be developed, a preliminary analysis of existing conditions, including, but not limited to, the following:

***A. Existing Land Use and Zoning***

A descriptive overview of existing land use and zoning in the proposed Brownfield Opportunity Area including but not limited to:

- location of study area as it relates to the community;
- total land area in acres and area of each sector or sub-area in acres located in the proposed Brownfield Opportunity Area;
- existing and adjacent land and water uses, including but not limited to, residential, retail, commercial, mixed-use, industrial/manufacturing, vacant or underutilized land, private and publicly owned land, dedicated parkland and open space, institutional uses and cultural uses;
- land area committed to each land use category;
- all brownfield sites and other underutilized, abandoned, or vacant properties that are privately or publicly owned;

- existing zoning and other relevant local laws or development controls guiding land use, including historic districts;
- and local, county, state or federal economic development designations such as but not limited to Urban Renewal Areas, NYS Empire Zones, Environmental Zones, Federal Enterprise Business Zones, Business Improvement Districts, Industrial Parks, Special Assessment Districts, etc.

**Map Requirement** - The description of existing land use and zoning shall include an *Existing Land Use Map* that shows the pattern of existing land use, and an *Existing Zoning Map* that shows the location and type of zoning districts.

**B. *Brownfield, Abandoned, and Vacant Sites***

The size and condition of each relevant brownfield, abandoned, or vacant site, including current ground water conditions, and potential contamination issues based on: review of existing or historical records and reports, including existing remedial investigations, and aerial or regular site photographs; field observations from locations adjacent to or near the site, or, if permission is granted, from being present on the site; interviews with people that are familiar with the land use history of the site; and/or any other known data about the environmental conditions of the properties in the proposed Brownfield Opportunity Area, as needed.

For each relevant brownfield and abandoned or vacant site, a descriptive profile (see Attachment B) shall be completed that shall include, but not be limited to:

- site name and location, including owner, site address, size in acres, and map location;
- current use/status;
- environmental and land use history, including environmental reports, previous owners and previous operators;
- known or suspected contaminants, and the media which are known or suspected to have been affected (soil, groundwater, surface water, sediment, soil gas);
- use potential (residential, commercial, industrial, recreational) and potential redevelopment opportunities.

A list of potential information sources is provided as Attachment C. A description of the information sources used to create the site profiles shall be included within this section of the Pre-Nomination Study report.

**Map Requirement** - The description shall include an *Underutilized Sites Location Map* that clearly shows the location, borders, and size of brownfields sites and other underutilized, vacant or abandoned properties that are privately or publically owned.

**C. *Land Ownership***

The private and public land ownership pattern including: land and acres held in public ownership (municipality, county, state, and federal); land held in private ownership;

brownfields held in private or public ownership; and land committed to roads and rights-of-way.

**Map Requirement** - The description of land ownership pattern shall include a *Land Ownership Patterns Map* that shows the pattern of public and private land ownership.

**D. Natural Resources**

Natural resources and conditions including but not limited to: current groundwater use and conditions; surface waters and tributaries; wetlands; flood plains; erosion hazard areas; fish and wildlife habitats; visual quality; agricultural lands; air quality maintenance areas; and any locally, state, or federally designated resources and open space areas.

**Map Requirement** - The description of natural resources and conditions shall include a *Natural Resources Map* that shows existing natural resources and environmental features.

**E. Summary of Preliminary Analysis and Recommendations**

A preliminary analysis of reuse and development opportunities and community revitalization needs in the proposed Brownfield Opportunity Area with an emphasis on the identification, description, and recommendations for preliminary reuse opportunities for identified sites, and other actions to revitalize the area.

The analysis shall include a description of potential end land uses and development projects such as residential, commercial, mixed use, industrial, cultural, or recreational, and the anticipated future use of groundwater. The analysis shall also include a description of the relationship of such potential end land uses and development projects to existing comprehensive plans and/or economic development reports or strategies. The analysis and recommendations shall also identify and describe any other public and private measures needed to stimulate investment, promote revitalization and enhance community health and environmental conditions in the proposed Brownfield Opportunity Area.

**Map Requirement** - The preliminary analysis and recommendations shall include an *Actions for Revitalization Map* that shows and illustrates the location of key projects to be undertaken to revitalize the study area.

**Product:** *Preliminary analysis of the Brownfield Opportunity Area, including all of the Task 2 elements above and all required maps.*

## **Component 5: Completion and Approval of the Pre-Nomination Study**

**Task 5.1:** *Draft Pre-Nomination Study*

The contractor shall prepare, or cause to be prepared, a draft Pre-Nomination Study, including all of the Tasks in Component 4, that reflects or addresses the ideas and views expressed during the community participation process. The document shall include, if necessary, a revised vision statement, goals and objectives, and provide a preliminary set of development and community revitalization opportunities to address the identified goals and objectives.

A limited edition of the draft shall be submitted to the DOS and DEC for review and comment. The contractor must submit five copies of the draft Pre-Nomination Study, including three paper copies and two electronic copies, consistent with Attachment D. No additional copies of the draft Pre-Nomination shall be printed or distributed without the approval of DOS and DEC.

**Product:** *Draft Pre-Nomination Study.*

**Task 5.2:** *Final Pre-Nomination Study*

The contractor shall prepare, or cause to be prepared, a final Pre-Nomination Study, reflecting the comments received by DOS and DEC. The contractor shall produce ten (10) copies of the approved, final document, including eight (8) paper copies and two electronic copies, consistent with Attachment D. The final document shall be submitted to the DOS.

**Product:** *Final Pre-Nomination Study*

**Task 5.3:** *Application for Project Advancement*

Upon completion of all tasks, the DOS will advise the contractor that the contractor may submit an Application for Project Advancement to complete a Nomination in the Brownfield Opportunity Area Program.

**Product:** *Completed Application for Project Advancement to continue work under the Brownfield Opportunity Area Program.*

## **Component 6: NYS Environmental Quality Review Act**

The contractor shall prepare, or cause to be prepared, all documents necessary to comply with the State Environmental Quality Review Act through completion of a Full Environmental Assessment Form, and, if sufficient information is provided by the Pre-Nomination Study, may make a determination of significance.

**Task 6.1:** *Environmental Assessment Form*

The contractor shall complete Part 1 of the full Environmental Assessment Form (EAF). If the contractor is not a municipality, the contractor shall submit Part 1 of the full EAF to the appropriate municipality.

**Product:** *Completed Part 1 of the full Environmental Assessment Form.*

**Task 6.2:      *Lead Agency***

The municipality shall circulate the completed Part 1 of the full EAF and request lead agency status under the State Environmental Quality Review Act (SEQRA). With regard to SEQRA, the municipality, DOS and DEC are involved agencies, since the Brownfield Opportunity Area will be designated by the New York State Commissioner of Environmental Conservation, in consultation with the New York State Secretary of State, and will be locally adopted.

**Product:**           *Completed Part 1 of the full EAF and a letter requesting lead agency status.*

**Task 6.3:      *Environmental Assessment and Determine Significance***

As lead agency, the municipality shall complete Part 2 of the full Environmental Assessment Form (EAF) and, if necessary, Part 3 of the full EAF. If sufficient information is provided by the Pre-Nomination Study, the lead agency shall make a Determination of Significance and file the required notices.

**Product:**           *State Environmental Quality Review Act documents, including a completed full Environmental Assessment Form and, if appropriate at the time, a Determination of Significance.*

***Component 7: Project Reporting***

The contractor shall submit to the DOS semi-annual reports on the form provided, including the extent of work accomplished, any problems encountered, and any assistance needed. If a payment request is submitted, the semi-annual report may be submitted as part of the payment request.

**Products:**        *Completed semi-annual reports during the life of the contract.*

***Project Management and Responsibilities***

**The Contractor:**

- will be responsible for conducting all project work in conformance with the Work Plan referenced in the executed contract with the DOS and DEC.
- will be responsible for all project activities including drafting request for proposals and managing subcontracts with consultants and subconsultants.
- will certify to the DOS and DEC that the procurement for project consultants and subcontractors was achieved through a competitive process.
- will receive approval from the DOS and DEC for any and all consultant subcontracts before beginning project work.
- will be responsible for submission of all products and payment requests.
- will be responsible for coordinating participation and soliciting comments from local government personnel, project volunteers, and the public.
- will keep the DOS and DEC informed of all important meetings for the duration of the contract.

- will receive approval from the DOS and DEC before purchase of any equipment.
- will ensure that all products prepared as a part of this work plan shall include the NYS Comptroller's Contract #.
- will ensure the project objectives are being achieved.
- will ensure that comments received from the DOS, other agencies, and the project steering committee, or other advisory group, are satisfactorily responded to and reflected in subsequent work.
- will recognize that payments made to consultants or subcontractors covering work carried out or products produced prior to receiving approval from the DOS and DEC and will not be reimbursed unless and until the DOS and DEC find the work or products to be acceptable.
- will participate, if requested by DOS or DEC, in a training session or sessions focused on developing and implementing revitalization strategies.

**The Departments of State and Environmental Conservation:**

- will review and approve or disapprove of subcontracts between the Contractor and consultant(s) and any other subcontractor(s).
- will participate in initial project scoping and attend meetings that are important to the project.
- will review all draft and final products and provide comments as necessary to meet the objectives.

**Certification of Grantee to New York State Departments of State and Environmental Conservation that all State and Local and Private Procurement Requirements Have Been Met.**

1. I hereby certify that the (County) (City) (Town) (Village) (Other \_\_\_\_\_) of \_\_\_\_\_, awarded the contract appended hereto pursuant in whole or in part to NYS Departments of State and Environmental Conservation Contract No. \_\_\_\_\_ in accordance with all requirements of law and Article 5A of the General Municipal Law, as follows: (place check mark where applicable)

\_\_\_\_\_ Contract for professional services or purchase contracts involving not more than \$10,000, procured according to the policies and procedures of the municipality adopted pursuant to General Municipal Law§104-b.

\_\_\_\_\_ Contract for purchase contracts involving more than \$10,000, procured pursuant to the bidding requirements of General Municipal Law§103.

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Signature Title Date

2. I hereby certify that the (Insert NYC Agency or Borough name) \_\_\_\_\_ of the City of New York awarded the contract appended hereto pursuant in whole or in part to NYS Departments of State and Environmental Conservation Contract No. \_\_\_\_\_ in accordance with all requirements of law and Article 5A of the General Municipal Law, as follows:(place check mark where applicable)

\_\_\_\_\_ Contract for professional services or purchase contracts involving not more than \$10,000, procured according to the rules and regulations of the Policy Procurement Board.

\_\_\_\_\_ Contracts for purchase contracts involving more than \$10,000, procured to the bidding requirements of General Municipal Law§103 and the regulations of the Procurement Policy Board.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title  
(Agency Chief Contracting Officer must sign)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

3. I hereby certify that the (Insert name of not-for-profit organization) \_\_\_\_\_ awarded the contract appended hereto pursuant in whole or in part to NYS Departments of State and Environmental Conservation Contract No. \_\_\_\_\_ in accordance with all requirements of law, including the NYS Not-for-Profit Corporation law and the bylaws of this organization, and pursuant to a publicly advertised process to ensure the prudent and economical use of public funds to obtain maximum quality at reasonable cost.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Pre-Nomination Study**  
**Descriptive Profile of Brownfield and Underutilized Properties**

**Tax Map Information (section, block and lot number(s)):**

**Name:**

**Address:**

**Owner:**

**Municipality:**

**Publically Owned:** *(yes or no)*

**Foreclosure List:** *(yes or no)*

**Size:** *(acres)*

**Existing Buildings:** *(number and general condition)*

**Zoning:**

**Zone and/or District Status:** *(Check all that apply)*

- NYS Empire Zone:
- NYS Environmental Zone:
- Urban Renewal Area:
- Federal Enterprise Business Zone:
- Other \_\_\_\_\_

- Business Improvement District:
- Special Assessment District:
- Historic District:
- Archeologically Significant Area:

|  |                          |
|--|--------------------------|
| <b>Preliminary Assessment of Importance and Ranking:</b> |                          |
| High   | <input type="checkbox"/> |
| Medium   | <input type="checkbox"/> |
| Low  | <input type="checkbox"/> |

**Use Status:** *(Describe the site's current condition in terms of use and operational status, i.e. vacant, abandoned, partially developed, partially used.)*

**Property Description:** *(Describe the physical characteristics of the property, buildings, and natural feature based on field observations and/or aerial photographs.)*

**Use and Environmental History:** *(Describe, based on existing available information, the site's operational history, potential contamination issues, and ground water conditions.)*

*Location on Map  
(if available)*

*Digital Photo of Property  
(if available)*

## ***Information Sources for Descriptive Profiles***

***Attachment C***

*A search of existing materials for descriptive profiles should include, but not be limited to, the following sources:*

### ***Records Review***

#### Federal

- Federal National Priorities site list
- Comprehensive Environmental Response Compensation/Liability Information System list
- Comprehensive Environmental Response Compensation/Liability Information System no further remedial action planned list
- Resource Conservation and Recovery Act - Treatment, Storage and Disposal Facilities list
- Resource Conservation and Act - Corrective Action facilities list
- Resource Conservation and Recovery Act - generators list
- Emergency Response Notification System list

#### State

- NYS DEC on-line Environmental Remediation databases (Remedial, Brownfield Cleanup Program, Environmental Restoration Program, Volunteer Cleanup Program, Spills)
- NYS Solid Waste Landfills
- NYS Registered Storage Tanks
- NYS Chemical Bulk Storage, Petroleum Bulk Storage, and Major Oil Storage Facilities

#### County and Local

- Property tax files
- Title records
- Site specific studies, reports
- Environmental Impact Statements
- Department of Health
- Fire Department

#### Private/Public

- Hazardous waste site information and environmental data

### ***Aerial Photographs and Maps***

- United States Geological Survey (USGS) Topographic Map
- USGS Groundwater Maps
- USGS Bedrock Geology Maps
- USGS Surficial Geology Maps
- Soil Conservation Service Soil Maps
- NYS DOT aerial photographs
- Sanborn Fire Insurance Co. Maps
- Other private maps aerial photographs

### ***Site Reconnaissance***

- On-site
- From properties adjacent to the site

### ***Interviews***

People knowledgeable about the site and previous uses

- Local municipal staff
- NYSDEC staff
- Current and former owners
- Current or former employees
- People living nearby
- Community leaders

## BOA DOCUMENT STYLE REQUIREMENTS

*Attachment D*

### **Format for Print Copies:**

Organization and format requirements for report products generated as a result of the Brownfield Opportunity Areas Program are as follows:

- Cover:** A report cover that includes:
- Title (name of the program step and name of the proposed Brownfield Opportunity Area).
  - Name of the municipality (city, town, or village and county) or municipalities that the proposed Brownfield Opportunity Area is located in.
  - Name of the entity submitting the study (municipality, community based organization, or both).
  - Date and month the report was prepared.
- Contents:** A table of contents must be provided and be consistent with the description of content requirements in the work plan. The table of contents must also include a list of maps, tables, and appendices.
- Sections:** The report must include the sections described in the work plan. Each section must have a section cover page that states the section's title.
- Pages:** The narrative must be printed in an 11- or 12-point, Times New Roman, single space, on 8" x 11" paper with 1" margins using both sides and containing subject headings. Subject headings must be consistent with the content requirements in the work plan.
- Pages must include footers that include the section name and page number. Page numbers must be numbered consecutively (i.e., 1, 2, 3, 4, 5, ...).
- Limits:** Draft and final reports submitted to the Departments of State and Environmental Conservation shall not exceed 150 pages, exclusive of appendices. Appendices shall not exceed 150 pages.
- Maps:** Maps must be 8 ½" x 11", 8 ½" x 14" or 11" x 17" and be included in the body of the study. Maps that are 8 ½" x 14" or 11" x 17" must be folded down to an 8 ½" x 11" size. Maps that exceed the 11" x 17" size must be placed in a map pocket located at the end of the report. Rolled maps are not acceptable.
- Binding:** Documents must be bound in standard three-ring binders with a maximum ring size of 2 inches.

### **Format for Electronic Copies:**

Compact computer disks, digital video disks, or USP Memory Sticks containing the document must conform to the following:

- The document must be delivered on a standard CD which is CD-R type, a standard DVD, or a USP Memory Stick.
- Each disk should contain a single Adobe® Acrobat® Portable Document Format (PDF) file, and a MS Word or WordPerfect file.

- The PDF document should use 300 dpi scanning resolution.
- The PDF document must have an appropriate identifying short file name.
- The document must be contained in one file; that is, all appendices, volumes, plans, drawings, etc., must be together.
- All documents must be searchable.

4. Schedule

| Task Description                                   |      |      |      |      |      |      |      |      |      |       |       |       | Expected Products                                 |
|--|------|------|------|------|------|------|------|------|------|-------|-------|-------|---|
|  | Mo 1 | Mo 2 | Mo 3 | Mo 4 | Mo 5 | Mo 6 | Mo 7 | Mo 8 | Mo 9 | Mo 10 | Mo 11 | Mo 12 |   |
| <b>Component 1: Project Start-up</b>               |      |      |      |      |      |      |      |      |      |       |       |       |   |
| Task 1: Initial Organizational Meeting             |      |      |      |      |      |      |      |      |      |       |       |       | Meeting summary prepared and distributed.         |
| Task 2: Establishment of Steering Committee        |      |      |      |      |      |      |      |      |      |       |       |       | List of steering committee members prepared.      |
| Task 3: Solicitation of Consultant Services        |      |      |      |      |      |      |      |      |      |       |       |       |   |
| A. Request for Qualifications                      |      |      |      |      |      |      |      |      |      |       |       |       | Approved RFQ released and issued appropriately.   |
| B. Review Subcontractor Responses                  |      |      |      |      |      |      |      |      |      |       |       |       | List of qualified subcontractors prepared.        |
| C. Request for Proposals                           |      |      |      |      |      |      |      |      |      |       |       |       | An approved RFP sent to qualified subcontractors. |
| Task 4: Subcontractor Selection                    |      |      |      |      |      |      |      |      |      |       |       |       | Selected subcontractor and certification.         |
| Task 5: Subcontract Preparation and Execution      |      |      |      |      |      |      |      |      |      |       |       |       | Executed subcontract.                             |
| Task 6: Project Scoping Session with Consultant    |      |      |      |      |      |      |      |      |      |       |       |       | Meeting summary prepared.                         |
| Task 7: Project Outline                            |      |      |      |      |      |      |      |      |      |       |       |       | Approved project outline completed.               |
| <b>Component 2: Capacity Building and Training</b> |      |      |      |      |      |      |      |      |      |       |       |       |   |
| Task 1: Training                                   |      |      |      |      |      |      |      |      |      |       |       |       | Attendance in, and completion of, training.       |
| Task 2: Interagency Workshops                      |      |      |      |      |      |      |      |      |      |       |       |       | Workshop participation and preparation.           |
| Task 3: QC Conference                              |      |      |      |      |      |      |      |      |      |       |       |       | Attendance/participation in QC Conference.        |
| Task 4: Project Scoping Session                    |      |      |      |      |      |      |      |      |      |       |       |       | Meeting summary.                                  |

|  |  |  |  |  |   |
|--|--|--|--|--|---|
| <b>Component 3: Community Participation</b>    |  |  |  |  | Approved outline and summary description of the community participation and visioning plan. |
| <b>Component 4: Draft Pre-Nomination Study</b> |  |  |  |  |   |
| Task 1: Description of the Proposed Project    |  |  |  |  | Complete description of project and boundary  |
| Task 2: Preliminary Analysis of the BOA        |  |  |  |  | Preliminary analysis of the BOA.  |
| <b>Component 5: Completion and Approval</b>    |  |  |  |  |   |
| Task 1: Draft Pre-Nomination Study             |  |  |  |  | Draft Pre-Nomination Study.   |
| Task 2: Final Pre-Nomination Study             |  |  |  |  | Final Pre-Nomination Study.   |
| Task 3: Request for Project Advancement        |  |  |  |  | Completed application for project advancement.  |
| <b>Component 6: SEQR</b>                       |  |  |  |  |   |
| Task 1: Environmental Assessment Form          |  |  |  |  | Completed Part 1 of the Full EAF  |
| Task 2: Lead Agency                            |  |  |  |  | Full EAF, letter requesting Lead Agency status.   |
| Task 3: Determination of Significance          |  |  |  |  | SEQR documents, Determination of Significance.  |
| <b>Component 7: Project Reporting</b>          |  |  |  |  |   |
| <b>Semi-annual Reports</b>                     |  |  |  |  | Completed semi-annual reports   |

**BUDGET SUMMARY**

|   |    |        |
|---|----|--------|
| A. Salaries & Wages (including Fringe Benefits) | \$ | \$0.00 |
| B. Travel                                       | \$ | \$0.00 |
| C. Supplies/Materials                           | \$ | \$0.00 |
| D. Equipment                                    | \$ | \$0.00 |
| E. Contractual Services                         | \$ | \$0.00 |
| F. Other  | \$ | \$0.00 |
| <br>  |    |        |
| TOTAL PROJECT COST                              | \$ | \$0.00 |
| <br>  |    |        |
| State Assistance Amount ( 90 % of Total)        | \$ | \$0.00 |
| Local Share (10 % of Total)                     | \$ | \$0.00 |

Explanation of local share:

**(Budget Detail Sheet)**

| A. SALARIES & WAGES              |                      |                                       |
|----------------------------------|----------------------|---------------------------------------|
| <u>TITLE</u>                     | <u>ANNUAL SALARY</u> | <u>AMOUNT CHARGED TO THIS PROJECT</u> |
|                                  |                      |                                       |
|                                  |                      |                                       |
|                                  |                      |                                       |
|                                  |                      |                                       |
| Fringe Benefits Rate             |                      | %                                     |
| Total Salaries, Wages and Fringe |                      |                                       |

SUBTOTAL \$0.00

|           |
|-----------|
| B. TRAVEL |
|-----------|

SUBTOTAL \$0.00

|                       |
|-----------------------|
| C. SUPPLIES/MATERIALS |
|-----------------------|

SUBTOTAL \$0.00

|              |
|--------------|
| D. EQUIPMENT |
|--------------|

SUBTOTAL \$ 0.00

|                         |
|-------------------------|
| E. CONTRACTUAL SERVICES |
|-------------------------|

SUBTOTAL \$0.00

|          |
|----------|
| F. OTHER |
|----------|

SUBTOTAL \$0.00

## ***Brownfield Opportunity Areas Program***

The following components will result in a NYS BOA Nomination.

### ***Step 2: Nomination Generic Work Plan***

- Project Description
- Project Components
  - Component 1: Project Start-up
  - Component 2: Capacity and Partnership Building
  - Component 3: Community Participation and Techniques to Enlist Partners
  - Component 4: Draft Nomination Study
  - Component 5: Completion, Approval and Distribution of the draft Nomination
  - Component 6: Final Nomination and Advancing to Step 3
  - Component 7: NYS Environmental Quality Review
  - Component 8: Project Reporting
- Project Management and Responsibilities
- Budget Summary

## NOMINATION WORK PLAN

---

BOA Applicant Name:

BOA Name:

BOA Number:

Contract Number: \_\_\_\_\_

---

### *PROJECT TITLE*

#### **1. Project Description**

- project description from profile
- additional information that will assist in better understanding the project and how it relates to other activities in the area

The Nomination will provide an in-depth and thorough description and analysis of existing conditions, opportunities, and reuse potential for properties located in the proposed Brownfield Opportunity Area with an emphasis on the identification and reuse potential of strategic sites that are catalysts for revitalization. Key project objectives include:

- Identifying and providing a clear description and justification of a manageable study area and associated boundaries;
- Establishing a community participation process, including a clear description of a community vision and associated goals and objectives for the study area, and techniques to enlist partners;
- Completing a comprehensive land use assessment and analysis of existing conditions in the study area, including an economic and market trends analysis, to determine the range of realistic future uses and types of redevelopment projects to revitalize the study area;
- Identifying strategic sites that represent key redevelopment opportunities and are catalysts for revitalization; and
- Based on the analysis, a description of key findings and recommendations for future uses and other actions for redevelopment and community revitalization.
- relationship to LWRP and/or other comprehensive plans or economic development plans

#### **2. Project Attribution and Number of Copies**

The contractor must ensure that all materials printed, constructed, and/or produced acknowledge the contributions of the NYS Department of State, Division of Coastal Resources and the Department of Environmental Conservation, Division of Environmental Remediation to the project. The materials must include the following acknowledgment:

***“This (document, report, map, etc.) was prepared for (insert grantee name), the New York State Department of State and the New York State Department of Environmental Conservation with state funds provided through the Brownfield Opportunity Areas Program.”***

In each of the following components and tasks, the NYS Department of State, Division of Coastal Resources is referred to as the "DOS" and the NYS Department of Environmental Conservation, Division of Environmental Remediation is referred to as "DEC".

The contractor shall ensure that all materials printed, constructed and/or produced with funding provided by the Brownfield Opportunity Areas program form a unified and coherent report and include the components and products described in this work plan. Submission of pre-existing and stand alone data and reports are not acceptable as substitutes.

***All products described in this work plan shall be submitted directly to the DOS. The DOS shall be responsible for forwarding all such products, as required, to the DEC.***

The contractor shall prepare, or cause to be prepared, the following project components, tasks, and associated products.

#### **4. PROJECT COMPONENTS**

##### ***Component 1: Project Start-up***

###### ***Task 1.1: Initial Organization Meeting***

The contractor, DOS and DEC shall conduct an initial meeting with key project participants to discuss the scope of the project, SEQRA requirements, the type of services that are most appropriate, the subcontractor procurement process, and how the budget should be directed. In addition, the composition of a project advisory committee and other public participation techniques shall be discussed as well as any other information which would assist in project completion. A copy of the work plan and budget will be made available at the meeting. The contractor shall complete and distribute a meeting summary.

***Product: Meeting summary prepared and distributed to meeting participants.***

###### ***Task 1.2: Establishment of a Project Steering Committee***

The contractor shall establish a steering committee to oversee the process in cooperation with the contractor and the subcontractor. If a steering committee was assembled for the preparation of the Pre-Nomination Study, the contractor may decide to use that same body or an alternative form to guide the preparation of the Nomination.

The committee shall be comprised of a range of interests that are representative of the community, and may include, but are not limited to: local municipal officials from the community in which the project is located; community-based organizations or not-for-profit organizations; regional planning entities or other regional groups; appropriate state and/or federal agencies; private or business interests; property owners; other non-governmental entities; environmental groups or organizations; other civic groups; area residents; and the public at large. To the extent necessary to achieve broad public participation, additional representatives may be

identified in consultation with DOS and DEC. The contractor shall complete and distribute a list of the steering committee members.

**Product:** *List of steering committee members prepared and distributed.*

**Task 1.3:** *Solicitation of Consulting Services*

Should the contractor require the services of a consultant, there are two approaches that may be used to select a consulting firm:

- Request for Proposals (RFP) process can be used to select a consultant based on the submission of a full project proposal by a consultant.

- OR -

- Request for Qualifications (RFQ) process can be used to identify qualified consultants to receive a RFP. The RFP process can then be used to select a consultant based on the submission of a full project proposal in response to the RFQ.

**A.** *Request for Qualifications*

If the contractor elects to use the RFQ approach, the contractor shall prepare a *request for qualifications* (RFQ) to solicit responses from qualified consultants for the project. After DOS and DEC have reviewed and approved the *request for qualifications*, the contractor shall advertise the *request for qualifications* in the NY State Contract Reporter, a regional newspaper, or appropriate trade publication. In addition, the contractor may directly notify, through e-mail or regular mail, potentially qualified consultants of the *request for qualifications*.

**Product:** *An approved RFQ released and issued through appropriate means as described above.*

**B.** *Review Consultant Responses*

If an RFQ has been advertised, the contractor shall, in consultation with the DOS and DEC, review subcontractor responses to the request for qualifications and identify consultants most qualified to undertake the project.

**Product:** *List of qualified consultants as prepared and distributed by the contractor.*

**C.** *Request for Proposals*

The contractor shall draft a *request for proposals* (RFP), including a complete project description with site conditions, expected final results, and criteria for selecting a preferred proposal. The RFP shall be submitted to DOS and DEC for review and approval prior to release for solicitation of proposals. After the DOS and DEC have

reviewed and approved the *request for proposals*, the contractor may directly notify, through e-mail or regular mail, potentially qualified consultants of the *request for proposals*. In addition, if no RFQ was advertised, the contract shall also advertise the *request for proposals* in the NY State Contract Reporter, a regional newspaper, or an appropriate trade publication.

***Product:***        ***An approved RFP sent to qualified subcontractors.***

***Task 1.4:        Consultant Selection***

In consultation with DOS and DEC, the contractor shall review all proposals received as a result of the RFP. Based on the reviews of the consultant proposals, the contractor shall organize and conduct interviews of the top-ranked candidate consultants. DOS and DEC may participate in the interview process.

At a minimum, the following criteria are suggested for use in evaluating consultant responses:

- Quality and completeness of the response.
- Understanding of the proposed scope of work.
- Applicability of proposed alternatives or enhancements to information requested.
- Cost-effectiveness of the proposal.
- Qualifications and relevant experience with respect to the tasks to be performed.
- Reputation among previous clients.
- Ability to complete all project tasks within the allotted time and budget.

Incomplete proposals that do not address all of the requested components should not be accepted for review and consideration. The consultant selected is subject to approval by the DOS and DEC.

If the contractor is a municipality, the municipal attorney, chief legal officer, or financial administrator for the municipality (contractor) shall certify to the Department of State that the procedures of the municipality, established pursuant to General Municipal Law, Section 104-b, were fully complied with for all contracts for professional services. (See Appendix A.)

If the contractor is a community based organization, the chief legal officer or financial administrator for the community based organization (contractor) shall certify to the Department of State that alternative proposals and quotations for professional services were secured by use of written requests for proposals through a publicly advertised process to ensure the prudent and economical use of public funds for professional services of maximum quality at reasonable cost. (See Appendix A.)

***Product:***        ***List of top-ranked candidates and letter from the contractor to DOS indicating the selected consultant, and appropriate certification.***

***Task 1.5:        Subcontract Preparation and Execution***

The contractor shall prepare a draft subcontract to conduct the work with the selected consultant. The contract shall contain a detailed work plan with adequate opportunity to review stages in completion of the study, a payment schedule (payments must be tied to receipt of acceptable

products in the work plan), and a project cost. The consultant must specify: the professionals from the firm that will be directly involved in the project; the composition of the entire team, including firm name and area of responsibility/expertise; and the persons, including firm affiliation, that are assigned to undertake and complete specific tasks that are in the work plan. The contractor shall submit the draft subcontract to DOS and DEC for review and approval. A copy of the final subcontract, incorporating DOS and DEC's comments on the draft, shall be provided to DOS.

***Product: Executed subcontract.***

***Task 1.6: Project Scoping Session With the Selected Consultant***

The contractor, DOS, DEC and the consultant shall hold an initial meeting to review project and contract requirements, site conditions and to transfer any information to the consultant which would assist in completing the project. Topics shall include but are not limited to the following:

- project scope
- study area boundary
- community participation and visioning process
- project goal and objectives
- existing relevant information (maps, reports, etc.)
- access to information on past or current projects related to the NYS Brownfield Cleanup Program, the Environmental Restoration Program, the Volunteer Cleanup Program, Superfund, and petroleum spills, including DEC's on-line databases, GIS maps, site summary sheets on key projects, etc.
- responsibilities of the participants (contractor, consultant, DOS and DEC)
- time frames and deadlines
- SEQRA requirements
- expected products

The contractor shall prepare, or cause to be prepared, a brief meeting summary to clearly indicate the agreements/understandings reached at the meeting.

***Product: Meeting summary prepared, with note of agreements/understandings reached, and distributed to scoping session participants.***

***Task 1.7: Project Outline***

The contractor shall provide, or cause to be provided, to the DOS and DEC, a project outline that reflects the outcome of the project scoping meeting and guides the preparation of the Brownfield Opportunity Areas Program report. The DOS and DEC shall review the project outline and comment. The contractor shall revise, or cause to be revised, the project outline to reflect the comments made by the DOS and DEC.

***Product: Approved project outline completed and distributed to scoping participants.***

## ***Component 2: Capacity Building and Training***

### ***Task 2.1: NYS Community Seminar Series***

The contractor shall participate in training sessions provided by the Brownfield Opportunity Area Program. The contractor shall, in consultation with the DOS project manager, provide a list of appropriate training sessions to be attended throughout the course of the project.

The training program is designed to inform and educate grantees about community leadership, planning and development, brownfields and associated challenges and opportunities, community revitalization, remedial programs to clean-up brownfields, the tasks associated with each BOA program step and deliverables specified in the BOA contract work plan, and grant administrative and management. Specific objectives are to: enhance understanding of brownfields and community revitalization; enhance local capacity to administer and manage grants; ensure timely completion of planning and site assessment report products; and ensure effective implementation of BOA plans.

Training is available for up to three individuals per contract. Registration fees are waived for BOA grantees and travel costs associated with the Community Seminar Series are an eligible contract expense.

***Product: List of training sessions that the grantee will attend, attendance in, and completion of, available training.***

### ***Task 2.2: Interagency Workshops***

The contractor may be requested to prepare for and participate in interagency workshops with appropriate local, county, state, and federal agencies. Interagency workshops/meetings may be conducted to: improve communication and understanding among the agencies about the contractor's community vision, and project objectives and needs; gain an improved understanding by the contractor of various government programs, services, and potential financing (grants and loans) that could be beneficial to advancing the contractor's plan; obtain support from government agencies for permitting, technical assistance, and financing; coordinate government agency actions; and foster the redevelopment process.

***Product: Workshop participation and associated preparation.***

## ***Component 3: Community Participation and Techniques to Enlist Partners***

The contractor shall describe, or cause to be described, the following:

### ***Task 3.1: Community Participation Summary***

The public outreach methods and techniques that will be used to ensure public participation throughout the course of preparing the Nomination. Methods and techniques may include, but are not limited to: public informational or outreach meetings; visioning sessions; design charettes; workshops; discussion groups; surveys; and public meetings and hearings. Public

participation should occur early and consistently in the process through visioning workshops, informational meetings, project presentations, and public education. The contractor shall provide DOS and DEC with a minimum of two (2) weeks' advanced notice of all public proceedings relative to the public participation process. Public participation shall include, at a minimum:

- the use of a local steering committee to guide the plan's preparation;
- the preparation, update and maintenance of a community contact list that includes the names, addresses, telephone numbers, and e-mail addresses of individuals and organizations with a stake in the proposed action to be used on a regular basis to keep the contacts informed of progress on the plan;
- the initial kick-off meeting to explain the Brownfield Opportunity Area Program and the project's intent and scope, and to solicit initial public input to develop, refine, or confirm the community's vision for the study area, project goals and objectives, opportunities and constraints;
- the presentation/review of current conditions, and the review, revision or update of the vision statement and goals and objectives;
- the review of the economic and market trends analysis and an exploration of alternative approaches to redevelopment and revitalization;
- a public presentation and informational meeting on the draft Nomination that describes, and allows feedback on the vision for the study area, existing conditions, strategic sites, and the study area analysis, findings, and recommendations.

Public outreach should serve to inform the public about the project and serve as a means for the public to participate in forming the plan, thus ensuring community understanding and support. The public participation outline and summary description shall be subject to review and approval by DOS and DEC.

### ***Task 3.2: Techniques to Enlist Partners***

The techniques that will be used to advise potential partners about the plan and to enlist their assistance. This task differs from the Community Participation task above as this task is designed to seek assistance from a variety of potential partners in formulating and implementing the plan. Partners may include but are not limited to: local, county, state or federal government agencies; property owners; private sector interests; not-for-profit organizations; academic institutions; and other stakeholders.

Consultation methods and techniques used to inform project partners about the plan's status and progress, and to enlist their assistance in the process, including, but not limited to: written correspondence; phone contact; and meetings and workshops involving local, county, state or federal government agencies, property owners, private sector interests, not-for-profit organizations, and academic institutions. Consultation shall include, at a minimum, a presentation to partners on the Nomination (Sections 1- 3) that describes existing conditions, strategic sites, and the study area analysis, findings, and recommendations.

The purpose of this task is to:

- improve communication and understanding about project objectives and needs;
- gain information about the status of on-going remedial activities and the environmental condition of brownfield sites in the study area;

- gain information about funding opportunities available from government programs and private-sector or not-for-profit organizations to facilitate clean-ups, foster appropriate redevelopment, rehabilitate existing infrastructure or provide new infrastructure;
- gain support from government agencies for permitting and financing; and
- coordinate government agency and private-sector actions.

The techniques to enlist partners shall be subject to review and approval by DOS and DEC.

**Product:** *Approved outline and summary description of the community participation plan and techniques to enlist partners for the Nomination.*

## **Component 4: Draft Nomination**

The contractor shall prepare, or cause to be prepared, the following tasks that comprise the draft Nomination (Sections 1 - 3).

The Nomination shall provide an in-depth and thorough description and analysis of the study area, including an economic and market trends analysis, for properties located in the proposed Brownfield Opportunity Area, with an emphasis on the identification and reuse potential of strategic sites that are catalysts for revitalization.

The contractor shall describe, or cause to be described, the following:

### **Task 4.1: Description of the Project and Boundary (to be presented as Section 1)**

#### **A. Lead Project Sponsors**

The relationship and organizational structure between the sponsoring municipality and involved community-based organizations or the relationship and organizational structure between the sponsoring community-based organization and the municipality.

#### **B. Project Overview and Description**

The project, including: the relationship of the study area to the community and region; acreage in the study area; and the number and size of brownfield sites and other abandoned, vacant, or partially developed sites located in the proposed Brownfield Opportunity Area (BOA). The description shall include the area's potential in terms of opportunities for: new uses and businesses; creating new employment and generating additional revenues; new public amenities or recreational opportunities; and restoring environmental quality. The description shall include the relationship of the BOA to any existing comprehensive plans and/or economic development reports or strategies.

**Map Requirements** - The description shall include: a *Community Context Map* that shows the location and relationship of the community (in which the proposed Brownfield Opportunity Area is located) to the surrounding municipality, county and region; and a *Study Area Context Map* that shows the location of the proposed BOA in relation to the community and entire municipality.

**C. *Community Vision and Goals and Objectives***

A vision statement and the specific goals and objectives to be achieved relative to community redevelopment and revitalization as shaped and expressed by the community. Goals and objectives may be expressed in terms of: opportunities for new development projects that are desired by the community and will fulfill community development needs; providing new housing opportunities; improving economic conditions; addressing environmental justice issues; providing new recreational opportunities; improving quality of life and environmental quality; or other goals and objectives relevant to the redevelopment of brownfields and the surrounding area.

Such goals and objectives shall, where practicable, reflect, to the degree appropriate, the principles of sustainable community development, including, but not limited to:

- strengthening and directing development towards existing communities centers;
- fostering distinctive, attractive communities with a strong sense of place;
- mixing land uses;
- taking advantage of compact building design;
- creating a range of housing opportunities and choices, including affordable housing;
- reusing historic buildings and preserving historic sites;
- preserving open space, farmland, natural beauty, and critical environmental areas;
- providing a variety of transportation choices (public transit, pedestrian, bicycle, etc.);
- creating walkable neighborhoods;
- using best management practices for stormwater management;
- making development decisions predictable, fair and cost effective; and
- encouraging community and stakeholder collaboration in development decisions.

A description will also be provided that explains the relationship of the proposed project vision, goals, and objectives to any existing community vision, revitalization strategies, and or comprehensive plans.

**D. *Brownfield Opportunity Area Boundary Description and Justification***

The proposed Brownfield Opportunity Area and a justification of the proposed boundary. The borders should follow recognizable natural or cultural resources such as, but not limited to: highways, local streets, rail lines, municipal jurisdictions or borders, or water bodies. The project study area should be between 50-500 acres. The borders must be justified in terms of :

- land uses that affect or are affected by identified potential brownfields
- natural or cultural resources with a physical, social, visual or economic relationship to identified potential brownfields
- areas necessary for the achievement of the expressed goals of the BOA

**Map Requirement** - The description shall also include a *Brownfield Opportunity Area Boundary Map* that clearly shows and identifies the location and boundaries of the study area.

**Product:** *A complete narrative Description of the Project and Boundary, and all required maps, as described in Task 1 above. This narrative and associated maps will be presented in the draft Nomination as Section 1.*

*SEQRA - Section 1 shall satisfy Generic Environmental Impact Statement content requirements by including a concise description of the proposed action, its purpose, public need and benefits, including social and economic considerations [6 NYCRR Section 617.9 (b)(5)(i)]. This description shall be included in the Project Overview and Description (item B. above).*

**Task 4.2:** *Community Participation Plan and Techniques to Enlist Partners (to be presented as Section 2)*

**A. Community Participation Plan**

The community outreach methods and techniques that have been and will be used to ensure community and public participation throughout the course of preparing the Nomination, as outlined in Component 3.

**B. Techniques to Enlist Partners**

The meetings or workshops that have occurred, and will occur, at appropriate and key stages during the preparation of the Nomination, as outlined in Component 3.

**Product:** *A complete narrative description of the Community Participation Plan and Techniques to Enlist Partners as described in Task 2 above. This narrative shall be presented in the draft Nomination as Section 2.*

**Task 4.3:** *Analysis of the Proposed Brownfield Opportunity Area (to be presented as Section 3)*

**A. Community and Regional Setting**

A summary description and analysis of the contextual relationship of the proposed Brownfield Opportunity Area to the community, municipality and region that includes, but is not limited to: community size, population, and location in relation to the county and region; key demographic information and trends; housing trends and needs; the area's economic history and current condition including income, dominant employment sectors, and unemployment figures; land use history and current status; transportation systems; infrastructure; and natural features. This summary may rely primarily upon existing reports and plans.

**B. Inventory and Analysis**

An inventory and analysis for the entire Brownfield Opportunity Area, including an in-depth and thorough description and analysis of existing conditions, opportunities, and reuse potential for properties located in the proposed Brownfield Opportunity Area, with an emphasis on the identification and reuse potential of strategic sites that are identified by the community as catalysts for revitalization.

The inventory and analysis must include the information needed to develop specific and realistic recommendations for the use of land and groundwater, and for recommended implementation projects, in the proposed Brownfield Opportunity Area.

The Brownfield Opportunity Area may be divided into logical sectors or subareas to organize, facilitate, and clearly present the inventory and analysis. The study area, sectors, or subareas must be described in terms such as: total acres; acres developed and vacant, including strategic sites for redevelopment; and percent of the total area or sector developed with specific land use types and percent of land area vacant. The inventory and analysis shall include, but not be limited to, a description of the following:

***Existing Land Use and Zoning*** - A description and analysis of the existing land use pattern and zoning districts within the Brownfield Opportunity Area, including:

- location of study area as it relates to the community;
- total land area in acres and area of each sector or subarea in acres of the proposed Brownfield Opportunity Area;
- existing and adjacent land and water uses including, but not limited to, residential, retail, commercial, mixed use, water-dependent, industrial and manufacturing, publicly or privately owned vacant or underused sites, dedicated parks and dedicated open space, and institutional uses, and cultural uses;
- land area committed to each land use category;
- brownfield sites and all underused, abandoned, or vacant properties that are publicly and privately owned;
- known data about the environmental conditions of the properties in the area;
- existing zoning districts and other relevant local laws or development controls guiding land use including but not limited to historic districts; and
- local, county, state or federal economic development designations or zones (such as Empire Zones, Environmental Zones, Urban Renewal Areas, Federal Enterprise Business Zones, Business Improvement Districts, Special Assessment Districts, etc.)

***Map Requirements*** - The description and analysis of the existing land use pattern and zoning must include: an *Existing Land Use Map* that shows the pattern of existing land use; and an *Existing Zoning Map* that shows the location and type of zoning districts and economic designations or zones.

***Brownfield, Abandoned, and Vacant Sites*** - A description and analysis of the size and condition of each relevant brownfield, abandoned, or vacant site, including current ground water conditions, and potential contamination issues based on: review of existing or historical records and reports, aerial or regular site photographs, and existing remedial investigations, studies and reports; field observations from locations adjacent to or near the site, or, if permission is granted, from being present on the site; interviews with people that are familiar with the land use history of the site; and/or any other known data about the environmental conditions of the properties in the proposed Brownfield Opportunity Area, as needed.

For each relevant brownfield and abandoned or vacant site, a descriptive profile (see Attachment B) shall be completed that shall include, but is not limited to:

- site name and location, including owner, site address, and size in acres;
- location on the *Underutilized Sites Location Map*;
- current use or status and zoning;

- existing infrastructure, utilities, and site access points;
- proximity to existing transportation networks;
- natural and cultural resources or features;
- adjacent uses;
- environmental and land use history, including previous owners and operators;
- known or suspected contaminants, and the media which are known or suspected to have been affected (soil, groundwater, surface water, sediment, soil gas) based on existing environmental reports and other available information;
- use potential (residential, commercial, industrial, recreational) including potential redevelopment opportunities.

A list of potential information sources is provided in Attachment C. A description of the information sources used to create the site profiles shall be included within this section of the Nomination report.

***Strategic Sites*** - A description of the process and factors used to determine strategic sites for redevelopment. Factors that may be used to identify strategic sites can include but are not limited to: overall importance to the community and the revitalization effort; location; ownership and owner willingness; on-site structures; level of contamination; property size and capacity for redevelopment; potential to spur additional economic development or positive change in the community; potential to improve quality of life or to site new public amenities; community support for proposed projects for the site; adequacy of supporting or nearby infrastructure, utilities and transportation systems; and other factors as may be determined by the community.

***Map Requirement*** - The description shall include a *Underutilized Sites Location Map* that clearly shows the location, borders and size of each brownfield site and other underutilized, abandoned or vacant sites that are privately or publically owned. Strategic sites that have been identified through the planning process shall be shown on this map.

***Land Ownership Pattern*** - A description and analysis of the private and public land ownership pattern including: land and acres held in public ownership (municipal, county, state, and federal); land held in private ownership; brownfields held in private or public ownership; and land committed to road/rights-of-way.

***Map Requirement*** - The description shall include a *Land Ownership Map* that shows the primary public and private land ownership patterns.

***Parks and Open Space*** - A description of all public (municipal, county, state, and federal) and privately owned lands that have been dedicated for or committed to parks or open space use.

***Map Requirement*** - The description shall include a *Parks and Open Space Map* that shows lands that have been dedicated or committed for park or open space use.

***Building Inventory*** - A description and analysis of key buildings in the area, including: building name, levels, gross square footage, original use, current use, condition, and ownership.

***Map Requirement*** - The description shall include a *Building Inventory Map* that shows the location of key buildings.

***Historic or Archeologically Significant Areas*** - A description and analysis of historic or archeologically areas, sites, districts, or structures that are of local, state or federal significance.

***Map Requirement*** - The description shall include a *Historic or Archeologically Significant Areas Map* that shows resources of historic significance (may be shown as part of the Building Inventory Map).

***Transportation Systems*** - A description and analysis of the types of transportation systems (vehicular, rail, subways, air, navigable waterways, esplanades) in the study area and the types of users (truck, car, bus, ferry, train, subway, recreational and commercial vessels, pedestrian, bicyclists, etc.).

***Map Requirement*** - The description shall include a *Transportation Systems Map* that shows primary transportation networks and systems.

***Infrastructure*** - A description and analysis of the area's infrastructure (water, sewer, stormwater, etc.) and utilities including location, extent, condition and capacity. This description and analysis will also include include parking lots and garages.

***Map Requirement*** - The description will include an *Infrastructure and Utilities Map* that shows the areas primary infrastructure.

***Natural Resources and Environmental Features*** - A description and analysis of the area's natural resource base and environmental features and current conditions including, but not limited to: upland natural resources and open space; geologic, soil and topographic resources; surface waters and tributaries, groundwater resources and use; wetlands; flood plains; erosion hazard areas; fish and wildlife habitats; air quality maintenance areas; visual quality; agricultural lands; and locally, state, or federally designated resources.

***Map Requirement*** - The description shall include a *Natural Resources and Environmental Features Map* that shows the location of primary natural resources and environmental features.

### **C. *Economic and Market Trends Analysis***

An economic conditions and market trends analysis that, when combined with the inventory and analysis, will sufficiently and thoroughly justify a range of realistic future land uses to occupy the study area and strategic sites that are targeted for redevelopment; as well as the future land uses that are economically viable, compatible, and appropriate for the area targeted for redevelopment.

The economic analysis shall include existing and projected socio-economic conditions within the municipality and the region, and consider the following: population; labor force and earnings; employment (public and private); transportation factors; land available for development; types of potential future land uses most appropriate for the study area; development impacts; and a description of benefits such as employment, impact on the area targeted for redevelopment, municipal tax revenues, economic benefits from construction and subsequent business operations, and economic multipliers to the municipality and region from desired end land uses.

The economic and market trends analysis may consist of a macro (state and regional) and micro (neighborhood, street, block) analysis. If a macro analysis is conducted, the contractor shall consult with the NYS Empire State Development Corporation and the NYS Department of Labor and other sources identified below to obtain the most up to date and relevant information on macro-economic issues, such as national, state and regional business, labor and employment trends. The analysis shall include a micro-economic and real estate trends analysis that addresses issues and opportunities at the municipal, neighborhood and block levels relevant to the proposed Brownfield Opportunity Area.

Additional sources upon which the economic analysis will be prepared may include but not be limited to:

- telephone surveys and interviews with local business owners, chamber of commerce, appropriate civic groups, and municipal officials
- local, county, regional planning boards
- county or regional economic reports and assessments
- local or regional visitors and convention bureaus
- local, county, state, or metropolitan transportation bureaus or councils
- recreational and commercial boating organizations and reports
- maritime trade organizations and associations
- county assessors office
- New York State Department of Labor, Division of Research and Statistics
- New York State Division of Equalization and Assessment
- New York State Department of Commerce
- American Planning Association
- U.S. Bureau of the Census
- U.S. Census Transportation Planning Package
- U.S. Census of Retail Trade
- U.S. Immigration and Naturalization Service
- U.S. Department of Commerce, Bureau of Economic Analysis; Metropolitan Statistical Area Projections; Patterns of Metropolitan Area and County Population Growth; RIMS-II economic multipliers for specific counties
- U.S. Army Corps of Engineers, Waterborne Commerce of the United States

***D. Summary Analysis, Findings, and Recommendations***

A summary analysis and subsequent findings shall be prepared based on the more thorough analysis produced as a result of the tasks described above, including a review of existing comprehensive plans and/or economic development reports or strategies, and shall include, but is not limited to, the following:

- an analysis and findings based in part on the economic and market trends analysis, that provides an in-depth and thorough description of existing conditions, including an assessment and summary of existing land use and zoning;
- an analysis and findings of reuse and development opportunities and needs for properties located in the proposed Brownfield Opportunity Area, with an emphasis on the identification and description of reuse and redevelopment

opportunities, for strategic sites that have been identified by the community as catalysts for revitalization;

- an identification of strategic brownfield sites that are potential candidates for site assessment;
- an analysis and findings that shall include anticipated end or future land uses including residential, commercial, industrial, recreational or cultural, and a clear comparison of proposed uses and necessary or desired zoning changes to existing land use and zoning;
- an analysis and findings regarding publicly controlled and other lands and buildings which are or could be made available for development or for public purposes;
- an analysis and findings regarding potential interim land uses for strategic brownfield sites that have been identified by the community as catalysts for revitalization;
- anticipated future use of groundwater; and
- an analysis and findings of necessary infrastructure improvements and other public or private measures needed to stimulate investment, promote revitalization, and enhance community health and environmental conditions.

Following the summary analysis and findings, a series of key recommendations will be provided. These key recommendations shall serve as the basis for the Implementation Strategy.

**Product:** *A complete narrative of the Analysis of the Brownfield Opportunity Area, and all required maps, as described in Task 3 above. This narrative and associated maps will be presented in the draft Nomination as Section 3.*

*SEQRA - Section 3 shall satisfy Generic Environmental Impact Statement content requirements by including a concise description of the environmental setting of the areas to be affected, sufficient to understand the impacts of the proposed action and alternatives [6 NYCRR Section 617.9 (b)(5)(ii)]. This description shall be included in the description of the Community and Regional Setting and Inventory and Analysis (items A. and B. above).*

**Task 4.4:** *Review of Strategic Brownfield Sites*

Prior to completion of the summary analysis and findings, the contractor shall hold discussions with DEC and DOS regarding the identified strategic brownfield sites that may be candidates for site assessment funding. The recommended discussions will serve to aid in prioritizing the sites that may be eligible for Site Assessment funding or technical assistance under BOA, the State's remedial programs (i.e., Environmental Restoration Program, or Brownfield Cleanup Program), or other programs.

**Product:** *List of candidate sites to be considered for Site Assessment funding.*

## ***Component 5: Completion and Distribution of the draft Nomination***

### ***Task 5.1: Draft Nomination and Executive Summary***

The contractor shall prepare, or cause to be prepared, the initial draft Nomination and Executive Summary, reflecting the ideas and views expressed during the community participation process. The document shall include, if necessary, a revised vision statement, goals and objectives, and provide a description of development and community revitalization opportunities to address the identified goals and objectives.

The Executive Summary shall include, in no more than fifteen (15) pages, the following:

- community and project overview and description, including the study area boundary;
- the community's vision for the area and major goals and objectives;
- public participation process;
- conditions in the study area and key natural resources;
- an economic niche or opportunities based in part on the economic and market trends;
- strategic sites and associated redevelopment opportunities; and
- key findings and recommendations

The draft document shall be submitted to DOS for review and comment. The contractor must submit five copies of the draft Nomination, including three paper copies and two electronic copies, consistent with Attachment D. No additional copies of the draft Nomination will be printed or distributed without the approval of DOS and DEC.

**Product:** *Draft Nomination.*

### ***Task 5.2: Draft Nomination and Executive Summary***

The contractor shall prepare, or cause to be prepared, a draft Nomination and Executive Summary, reflecting the comments received by the grant recipient, DOS and DEC.

**Product:** *Draft Nomination and Executive Summary.*

### ***Task 5.3: Print and Distribute Draft Nomination***

Upon review and acceptance of the draft Nomination, the contractor shall provide, or cause to be provided, to the DOS no fewer than 50 and no more than 100 copies of the approved draft Nomination for distribution, review, and comment by local, State, and federal agencies. The exact number of copies required shall be determined by the DOS in consultation with the contractor. Paper copies and electronic copies shall be submitted consistent with Attachment D. All agencies shall have 30 days to review and forward comments on the draft Nomination to the DOS.

**Product:** *Draft Nomination distributed for review by local, state, and federal agencies.*

**Task 5.4: Consultation on Comments Received**

Upon completion of the 30-day review period, the contractor shall consult with DOS and DEC to discuss responses to comments received, and may hold additional discussions with DEC regarding the identified strategic brownfield sites that may be candidates for site assessment funding. Comments received shall be addressed in the final Nomination.

**Product:** *Letter summarizing points of agreement regarding necessary revisions and distributed to meeting participants.*

**Component 6: Final Nomination and Advancing to BOA Program Step 3**

**Task 6.1: Preparation of Final Nomination**

Based on comments received during the review period, the contractor shall prepare, or cause to be prepared, a final Nomination. The final Nomination shall be submitted, along with a "redline/strikeout" version for comparison purposes, to DOS for review and comment, consistent with Attachment D. No additional copies of the Nomination will be printed or distributed without approval by DOS and DEC.

**Product:** *Final Nomination*

**Task 6.2: Application for Project Advancement**

Upon completion of all tasks and receipt of acceptable report products, the contractor may submit an Application for Project Advancement to complete an Implementation Strategy for the Brownfield Opportunity Area and, as appropriate, an Application for Site Assessment. If site assessment funding is sought, the contractor shall complete, or cause to be completed, a Site Assessment Form for each strategic brownfield site. Conceptual approval is recommended on the strategic brownfield sites selected prior to completing the form(s). A completed Site Assessment Form should be included (one for each strategic brownfield site that site assessment funding is being sought for) with the Application for Project Advancement to advance to Step 3.

**Product:** *Completed Application for Project Advancement to continue work under the Brownfield Opportunity Area Program and Site Assessment Form completed for each strategic brownfield.*

**Component 7: NYS Environmental Quality Review**

**Task 7.1: Environmental Assessment Form**

As early in the process as practicable, but no later than completion of the Summary Analysis in the Nomination, the contractor shall complete Part 1 of the full Environmental Assessment Form (EAF). If the contractor is not a municipality, the contractor shall submit Part 1 of the full EAF to the appropriate municipality.

**Product:** *Completed Part 1 of the full Environmental Assessment Form.*

**Task 7.2:      *Lead Agency***

The municipality shall circulate the completed Part 1 of the full EAF and request lead agency status under the State Environmental Quality Review Act (SEQRA). With regard to SEQRA, the municipality, DOS and DEC are involved agencies, since the Brownfield Opportunity Area will be designated by the New York State Commissioner of Environmental Conservation, in consultation with the New York State Secretary of State, and will be locally adopted.

**Product:**      *Completed Environmental Assessment Form and letter requesting lead agency status.*

**Task 7.3:      *Determine Significance***

Within twenty (20) days of designation of lead agency, or within twenty (20) days of receipt of sufficient information, the lead agency shall make a Determination of Significance. If determined by the Lead Agency that the proposed BOA will have a significant adverse environmental impact, a Positive Declaration must be prepared and a Generic Environmental Impact Statement will be required **OR** if determined by the Lead Agency that the proposed BOA will not have a significant adverse environmental impact, a Negative Declaration must be prepared. If a Negative Declaration is prepared and filed, then a Draft Generic Environmental Impact Statement will not be necessary.

**Product:**      *State Environmental Quality Review Act Determination of Significance filed.*

**Task 7.4:      *Scoping Session***

If a positive determination is made, the lead agency shall initiate a scoping session by providing a draft scope to all involved agencies, and, based on comments received during the scoping session, shall, within sixty (60) days of the scoping session, provide a final scope of issues to be addressed in the draft GEIS.

**Product:**      *Written scope of issues to be addressed in the draft GEIS.*

**Component 8: *Project Reporting***

The contractor shall submit to the DOS semi-annual reports on the form provided and will include the extent of work accomplished, any problems encountered, and any assistance needed. If a payment request is submitted, the semi-annual report may be submitted as part of the payment request.

**Product:**      *Semi-annual reports during the life of the contract.*

***Project Management and Responsibilities***

**The Contractor:**

- will be responsible for conducting all project work in conformance with the Work Plan referenced in the executed contract with the DOS and DEC.
- will be responsible for all project activities including drafting request for proposals and managing subcontracts with consultants and subconsultants.

- will certify to the DOS and DEC that the procurement for project consultants and subcontractors was achieved through a competitive process.
- will receive approval from the DOS and DEC for any and all consultant subcontracts before beginning project work.
- will be responsible for submission of all products and payment requests.
- will be responsible for coordinating participation and soliciting comments from local government personnel, project volunteers, and the public.
- will keep the DOS and DEC informed of all important meetings for the duration of this contract.
- will receive approval from the DOS and DEC before purchase of any equipment.
- will ensure that all products prepared as a part of this work plan shall include the NYS Comptroller's Contract #.
- will ensure the project objectives are being achieved.
- will ensure that comments received from the DOS, other agencies, and the project steering committee, or other advisory group, are satisfactorily responded to and reflected in subsequent work.
- will recognize that payments made to consultants or subcontractors covering work carried out or products produced prior to receiving approval from the DOS and DEC and will not be reimbursed unless and until the DOS and DEC finds the work or products to be acceptable.
- will participate, if requested by DOS or DEC, in a training session or sessions focused on developing and implementing revitalization strategies.

**The Departments of State and Environmental Conservation:**

- will review and approve or disapprove of subcontracts between the Contractor and consultant(s) and any other subcontractor(s).
- will participate in initial project scoping and attend meetings that are important to the project.
- will review all draft and final products and provide comments as necessary to meet the objectives.

**Certification of Grantee to New York State Departments of State and Environmental Conservation that all State and Local and Private Procurement Requirements Have Been Met.**

1. I hereby certify that the (County) (City) (Town) (Village) (Other \_\_\_\_\_) of \_\_\_\_\_, awarded the contract appended hereto pursuant in whole or in part to NYS Departments of State and Environmental Conservation Contract No. \_\_\_\_\_ in accordance with all requirements of law and Article 5A of the General Municipal Law, as follows: (place check mark where applicable)

\_\_\_\_\_ Contract for professional services or purchase contracts involving not more than \$10,000, procured according to the policies and procedures of the municipality adopted pursuant to General Municipal Law§104-b.

\_\_\_\_\_ Contract for purchase contracts involving more than \$10,000, procured pursuant to the bidding requirements of General Municipal Law§103.

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

2. I hereby certify that the (Insert NYC Agency or Borough name) \_\_\_\_\_ of the City of New York awarded the contract appended hereto pursuant in whole or in part to NYS Departments of State and Environmental Conservation Contract No. \_\_\_\_\_ in accordance with all requirements of law and Article 5A of the General Municipal Law, as follows:(place check mark where applicable)

\_\_\_\_\_ Contract for professional services or purchase contracts involving not more than \$10,000, procured according to the rules and regulations of the Policy Procurement Board.

\_\_\_\_\_ Contracts for purchase contracts involving more than \$10,000, procured to the bidding requirements of General Municipal Law§103 and the regulations of the Procurement Policy Board.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title  
(Agency Chief Contracting Officer must sign)

\_\_\_\_\_

\_\_\_\_\_

Signature

Date

3. I hereby certify that the (Insert name of not-for-profit organization) \_\_\_\_\_ awarded the contract appended hereto pursuant in whole or in part to NYS Departments of State and Environmental Conservation Contract No. \_\_\_\_\_ in accordance with all requirements of law, including the NYS Not-for-Profit Corporation law and the bylaws of this organization, and pursuant to a publicly advertised process to ensure the prudent and economical use of public funds to obtain maximum quality at reasonable cost.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Nomination**  
**Descriptive Profile of Brownfield and Underutilized Properties**

**Tax Map Information (section, block and lot number(s)):**

**Name:**

**Address:**

**Owner:**

**Municipality:**

**Publically Owned:** *(yes or no)*

**Foreclosure List:** *(yes or no)*

**Size:** *(acres)*

**Existing Buildings:** *(number and general condition)*

**Condition:** *(good, fair, poor)*

**Zoning:**

**Zone and/or District Status:** *(Check all that apply)*

**NYS Empire Zone:**   
**NYS Environmental Zone:**   
**Urban Renewal Area:**   
**Federal Enterprise Business Zone:**   
**Other** \_\_\_\_\_

**Business Improvement District:**   
**Special Assessment District:**   
**Historic District**   
**Archeologically Significant Area:**

|  |                          |
|--|--------------------------|
| <b>Assessment of Overall Importance and Ranking:</b> |                          |
| <b>High</b>  | <input type="checkbox"/> |
| <b>Medium</b>  | <input type="checkbox"/> |
| <b>Low</b>   | <input type="checkbox"/> |

**Utilities:** *(check all that apply)*

**Municipal Water**   
**Municipal Sewer:**   
**Natural Gas:**

**Electrical Service:**   
**Telecom. Service:**

**Access:**

**Closest Highway:** \_\_\_\_\_  
**Miles to Highway:** \_\_\_\_\_  
**Closest Interstate:** \_\_\_\_\_  
**Miles to Interchange:** \_\_\_\_\_

**Access Road:** \_\_\_\_\_  
**Rail Service:** \_\_\_\_\_  
**Closest Airport:** \_\_\_\_\_

**Site Status:** *(Describe the site's current condition in terms of use and operational status, i.e. vacant, abandoned, partially developed, partially used.)*

**Property Description:** *(Describe physical characteristics of the property, buildings, and natural features based on field observations and/or aerial photographs.)*

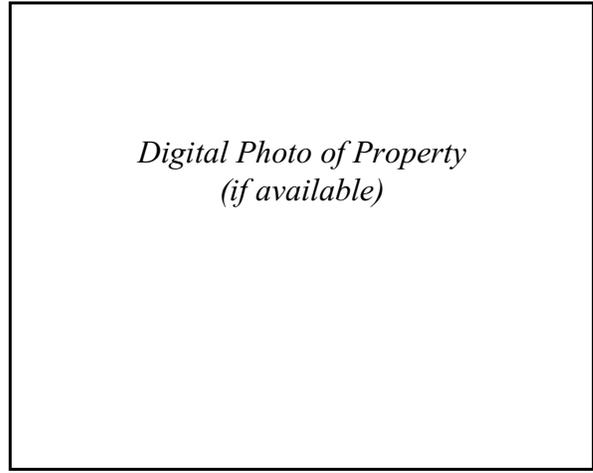
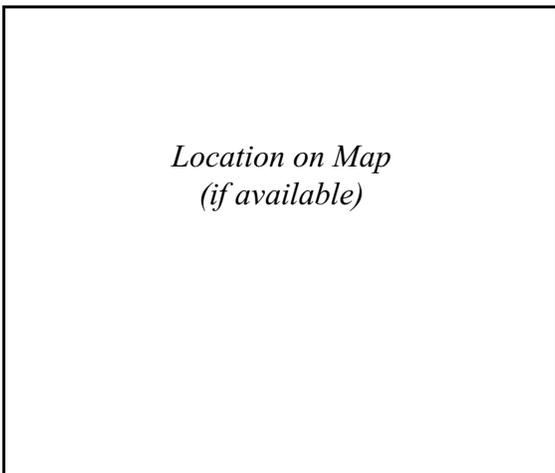
**Description of Adjacent Land Uses:** *(Describe existing adjacent land uses.)*

**Use and Environmental History:** *(Based on existing available information, describe the site's operational history, potential contamination issues, and ground water conditions.)*

**Status of Remedial Investigation:** *(Describe type and status of investigation undertaken and whether or not a remediation strategy has been defined.)*

**Use Potential and Redevelopment Opportunities:** *(Describe the type of future use and redevelopment most appropriate for the site.)*

**Ranking Explanation:** *(Assessment of overall importance and ranking.)*



## ***Information Sources for Descriptive Profiles***

***Attachment C***

*A search of existing materials for descriptive profiles should include, but not be limited to, the following sources:*

### ***Records Review***

#### **Federal**

- Federal National Priorities site list
- Comprehensive Environmental Response Compensation/Liability Information System list
- Comprehensive Environmental Response Compensation/Liability Information System no further remedial action planned list
- Resource Conservation and Recovery Act - Treatment, Storage and Disposal Facilities list
- Resource Conservation and Act - Corrective Action facilities list
- Resource Conservation and Recovery Act - generators list
- Emergency Response Notification System list

#### **State**

- NYS DEC on-line Environmental Remediation databases (Remedial, BCP, ERP, VCP, Spill)
- NYS Solid Waste Landfills
- NYS Registered Storage Tanks
- NYS Chemical Bulk Storage, Petroleum Bulk Storage, and Major Oil Storage Facilities

#### **County and Local**

- Property tax files
- Title records
- Site specific studies, reports
- Environmental Impact Statements
- Department of Health
- Fire Department

#### **Private/Public**

- Hazardous waste site information and environmental data

### ***Aerial Photographs and Maps***

- United States Geological Survey (USGS ) Topographic Map
- USGS Groundwater Maps
- USGS Bedrock Geology Maps
- USGS Surficial Geology Maps
- Soil Conservation Service Soil Maps
- NYS DOT aerial photographs
- Sanborn Fire Insurance Co. Maps
- Other private maps aerial photographs

### ***Site Reconnaissance***

- On-site
- From properties adjacent to the site

### ***Interviews***

People knowledgeable about the site and previous uses

- Local municipal staff
- NYSDEC staff
- Current and former owners
- Current or former employees
- People living nearby
- Community leaders

## BOA DOCUMENT STYLE REQUIREMENTS

*Attachment D*

### **Format for Print Copies:**

Organization and format requirements for report products generated as a result of the Brownfield Opportunity Areas Program are as follows:

- Cover:** A report cover that includes:
- Title (name of the program step and name of the proposed Brownfield Opportunity Area).
  - Name of the municipality (city, town, or village and county) or municipalities that the proposed Brownfield Opportunity Area is located in.
  - Name of the entity submitting the study (municipality, community based organization, or both).
  - Date and month the report was prepared.
- Contents:** A table of contents must be provided and be consistent with the description of content requirements in the work plan. The table of contents must also include a list of maps, tables, and appendices.
- Sections:** The report must include the sections described in the work plan. Each section must have a section cover page that states the section's title.
- Pages:** The narrative must be printed in an 11- or 12-point, Times New Roman, single space, on 8" x 11" paper with 1" margins using both sides and containing subject headings. Subject headings must be consistent with the content requirements in the work plan.
- Pages must include footers that include the section name and page number. Page numbers must be numbered consecutively (i.e., 1, 2, 3, 4, 5, ...).
- Limits:** Draft and final reports submitted to the Departments of State and Environmental Conservation shall not exceed 150 pages, exclusive of the Executive Summary and appendices. Executive Summaries shall not exceed 15 pages. Appendices shall not exceed 150 pages.
- Maps:** Maps must be 8 ½" x 11", 8 ½" x 14" or 11" x 17" and be included in the body of the study. Maps that are 8 ½" x 14" or 11" x 17" must be folded down to an 8 ½" x 11" size. Maps that exceed the 11" x 17" size must be placed in a map pocket located at the end of the report. Rolled maps are not acceptable.
- Binding:** Documents must be bound in standard three-ring binders with a maximum ring size of 2 inches.

### **Format for Electronic Copies:**

Compact computer disks, digital video disks, or USP Memory Sticks containing the document must conform to the following:

- The document must be delivered on a standard CD which is CD-R type, a standard DVD, or a USP Memory Stick.
- Each disk should contain a single Adobe® Acrobat® Portable Document Format (PDF) file, and a MS Word or WordPerfect file.
- The PDF document should use 300 dpi scanning resolution.
- The PDF document must have an appropriate identifying short file name.
- The document must be contained in one file; that is, all appendices, volumes, plans, drawings, etc., must be together.
- All documents must be searchable.

4. Schedule

| Task Description                                   |        |        |        |        |         |          |          |          |          |          |          |          | Expected Products   |
|--|--------|--------|--------|--------|---------|----------|----------|----------|----------|----------|----------|----------|---|
|  | Mo 1-2 | Mo 3-4 | Mo 5-6 | Mo 7-8 | Mo 9-10 | Mo 11-12 | Mo 13-14 | Mo 15-16 | Mo 17-18 | Mo 19-20 | Mo 21-22 | Mo 23-24 |   |
| <b>Component 1: Project Start-up</b>               |        |        |        |        |         |          |          |          |          |          |          |          |   |
| Task 1.1: Initial Organizational Meeting           |        |        |        |        |         |          |          |          |          |          |          |          | Meeting summary prepared and distributed.   |
| Task 1.2: Establishment of Steering Committee      |        |        |        |        |         |          |          |          |          |          |          |          | List of steering committee members prepared.  |
| Task 1.3: Solicitation of Consultant Services      |        |        |        |        |         |          |          |          |          |          |          |          |   |
| A. Request for Qualifications                      |        |        |        |        |         |          |          |          |          |          |          |          | Approved RFQ released and issued appropriately.   |
| B. Review Subcontractor Responses                  |        |        |        |        |         |          |          |          |          |          |          |          | List of qualified subcontractors prepared.  |
| C. Request for Proposals                           |        |        |        |        |         |          |          |          |          |          |          |          | Approved RFP sent to qualified subcontractors.  |
| Task 1.4: Subcontractor Selection                  |        |        |        |        |         |          |          |          |          |          |          |          | Selected subcontractor and certification.   |
| Task 1.5: Subcontract Preparation and Execution    |        |        |        |        |         |          |          |          |          |          |          |          | Executed subcontract.   |
| Task 1.6: Project Scoping with Consultant          |        |        |        |        |         |          |          |          |          |          |          |          | Meeting summary prepared.   |
| Task 1.7: Project Outline                          |        |        |        |        |         |          |          |          |          |          |          |          | Approved project outline completed.   |
| <b>Component 2: Capacity Building and Training</b> |        |        |        |        |         |          |          |          |          |          |          |          |   |
| Task 2.1: Training                                 |        |        |        |        |         |          |          |          |          |          |          |          | Attendance in, and completion of, training.   |
| Task 2.2: Interagency Workshops                    |        |        |        |        |         |          |          |          |          |          |          |          | Workshop participation and preparation.   |
| <b>Component 3: Community Participation</b>        |        |        |        |        |         |          |          |          |          |          |          |          |   |
| Task 3.1: Community Participation Summary          |        |        |        |        |         |          |          |          |          |          |          |          | Approved outline and summary description of the community participation and visioning plan. |

|   |  |  |  |  |   |
|---|--|--|--|--|---|
| Task 3.2: Techniques to Enlist Partners         |  |  |  |  | Approved techniques to enlist partners.         |
| <b>Component 4: Draft Nomination</b>            |  |  |  |  |   |
| Task 4.1: Description of Project and Boundary   |  |  |  |  | Complete description of project and boundary    |
| Task 4.2: Community Participation and Partners  |  |  |  |  | Community Participation and Partners            |
| Task 4.3: Analysis of Proposed BOA              |  |  |  |  | Complete Analysis of the BOA and maps.          |
| Task 4.4: Review of Strategic Brownfield Sites  |  |  |  |  | List of candidate sites for Site Assessments.   |
| <b>Component 5: Completion and Distribution</b> |  |  |  |  |   |
| Task 5.1: Initial Draft Nomination              |  |  |  |  | Initial Draft Nomination and Executive Summary  |
| Task 5.2: Draft Nomination and Exec. Summary    |  |  |  |  | Draft Nomination and Executive Summary          |
| Task 5.3: Print and Distribute Draft Nomination |  |  |  |  | Draft Nomination distributed for review.        |
| Task 5.4: Consultation on Comments Received     |  |  |  |  | Letter summarizing agreement on revision.       |
| <b>Component 6: Final Nomination</b>            |  |  |  |  |   |
| Task 6.1: Preparation of Final Nomination       |  |  |  |  | Final Nomination.                               |
| Task 6.2: Advancement and Interim Designation   |  |  |  |  | Completed application for project advancement.  |
| Task 6.3: Site Assessment Information Forms     |  |  |  |  | Site Information Form for each strategic site.  |
| <b>Component 7: SEQR</b>                        |  |  |  |  |   |
| Task 7.1: Environmental Assessment Form         |  |  |  |  | Completed Part 1 of the Full EAF                |
| Task 7.2: Lead Agency                           |  |  |  |  | Full EAF, letter requesting Lead Agency status. |
| Task 7.3: Determination of Significance         |  |  |  |  | SEQR documents, Determination of Significance.  |
| Task 7.4: Scoping Session                       |  |  |  |  | Written scope of issues to be addressed.        |
| <b>Component 8: Project Reporting</b>           |  |  |  |  |   |
| <b>Semi-annual Reports</b>                      |  |  |  |  | Completed semi-annual reports                   |

**BUDGET SUMMARY**

|   |    |        |
|---|----|--------|
| A. Salaries & Wages (including Fringe Benefits) | \$ | \$0.00 |
| B. Travel                                       | \$ | \$0.00 |
| C. Supplies/Materials                           | \$ | \$0.00 |
| D. Equipment                                    | \$ | \$0.00 |
| E. Contractual Services                         | \$ | \$0.00 |
| F. Other  | \$ | \$0.00 |
| <br>  |    |        |
| TOTAL PROJECT COST                              | \$ | \$0.00 |
| <br>  |    |        |
| State Assistance Amount ( 90 % of Total)        | \$ | \$0.00 |
| Local Share (10 % of Total)                     | \$ | \$0.00 |

Explanation of local share:

**(Budget Detail Sheet)**

| A. SALARIES & WAGES              |                      |                                       |
|----------------------------------|----------------------|---------------------------------------|
| <u>TITLE</u>                     | <u>ANNUAL SALARY</u> | <u>AMOUNT CHARGED TO THIS PROJECT</u> |
|                                  |                      |                                       |
|                                  |                      |                                       |
|                                  |                      |                                       |
|                                  |                      |                                       |
|                                  |                      |                                       |
| Fringe Benefits Rate             |                      | %                                     |
| Total Salaries, Wages and Fringe |                      |                                       |

SUBTOTAL \$0.00

|           |
|-----------|
| B. TRAVEL |
|-----------|

SUBTOTAL \$0.00

|                       |
|-----------------------|
| C. SUPPLIES/MATERIALS |
|-----------------------|

SUBTOTAL \$0.00

|              |
|--------------|
| D. EQUIPMENT |
|--------------|

SUBTOTAL \$0.00

|                         |
|-------------------------|
| E. CONTRACTUAL SERVICES |
|-------------------------|

SUBTOTAL \$0.00

|          |
|----------|
| F. OTHER |
|----------|

SUBTOTAL \$0.00

Activity 1 Worksheet

**BOA Step 1 Program** Work Plan Task List

|  | <b>Component 1: Project Start-Up</b> |  |  |                         |  |  |                    |
|--|--------------------------------------|--|--|-------------------------|--|--|--------------------|
| Tasks  | 1: Initial Organization Meeting      | 2: Establishment of a Project Advisory Committee | 3: Solicitation of Consultant Services | 4: Consultant Selection | 5: Subcontract Preparation and Execution | 6: Project Scoping Session with the Selected Subcontractor | 7: Project Outline |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |                                      |  |  |                         |  |  |                    |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |                                      |  |  |                         |  |  |                    |

|  | <b>Component 2: Capacity Building &amp; Training</b> |                          |
|--|--|--------------------------|
| Tasks  | 1: NYS Community Seminar Series                      | 2: Interagency Workshops |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |  |                          |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |  |                          |

|  | <b>Component 3: Community Participation</b> |   |                         |
|--|---|---|-------------------------|
| No Specific Tasks Listed                                   | • Approved Outline                          | • Summary description of participation and visioning plan | • Ongoing participation |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |   |   |                         |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |   |   |                         |

|  | <b>Component 4: Draft Pre-Nomination Study</b>  |  |
|--|---|--|
| Tasks  | 1: Description of the Proposed Project, Boundary, and Public Participation<br>Community Overview and Description, Project Overview and Description, Brownfield Opportunity Area Boundary, Description and Justification, Community Vision and Goals and Objectives, Community Participation Techniques and/or Process | 2: Preliminary Analysis of the Brownfield Opportunity Area<br>Existing Land Use and Zoning, Brownfield, Abandoned and Vacant Sites, Land Ownership, Natural Resources, Summary of Preliminary Analysis and Recommendations |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |   |  |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |   |  |

Activity 1 Worksheet

**BOA Step 2 Program** Work Plan Task List

|  | Component 1: Project Start-Up   |  |  |                         |  |   |                    |
|--|---------------------------------|--|--|-------------------------|--|---|--------------------|
| Tasks  | 1: Initial Organization Meeting | 2: Establishment of a Project Advisory Committee | 3: Solicitation of Consultant Services | 4: Consultant Selection | 5: Subcontract Preparation and Execution | 6: Project Scoping Session with the Selected Consultant | 7: Project Outline |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |                                 |  |  |                         |  |   |                    |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |                                 |  |  |                         |  |   |                    |

|  | Component 2: Capacity Building & Training |                          |
|--|---|--------------------------|
| Tasks  | 1: NYS Community Seminar Series           | 2: Interagency Workshops |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |   |                          |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |   |                          |

|  | Component 3: Community Participation |                                  |
|--|--------------------------------------|----------------------------------|
| Tasks  | 1: Community Participation Summary   | 2: Techniques to Enlist Partners |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |                                      |                                  |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |                                      |                                  |

|  | Component 4: Draft Pre-Nomination Study  |   |   |   |
|--|--|---|---|---|
| Tasks  | 1: Description of the Proposed Project and Boundary<br><small>Lead Project Sponsors, Project Overview and Description, Community Vision and Goals, Brownfield Opportunity Area Boundary, Description and Justification</small> | 2: Community Participation Plan and Techniques to Enlist Partners | 3: Analysis of the Proposed Brownfield Opportunity Area<br><small>Community and Regional Setting, Inventory and Analysis, Economic and Market Trends Analysis, Summary Analysis, Findings and Recommendations</small> | 4: Review of Strategic Brownfield Sites |
| Status:<br>C- Complete<br>I- In Progress<br>N- Not Started |  |   |   |   |
| Skills/<br>Expertise<br>Needed to<br>Accomplish<br>Task    |  |   |   |   |