

BOULDER HWY

REVITALIZE

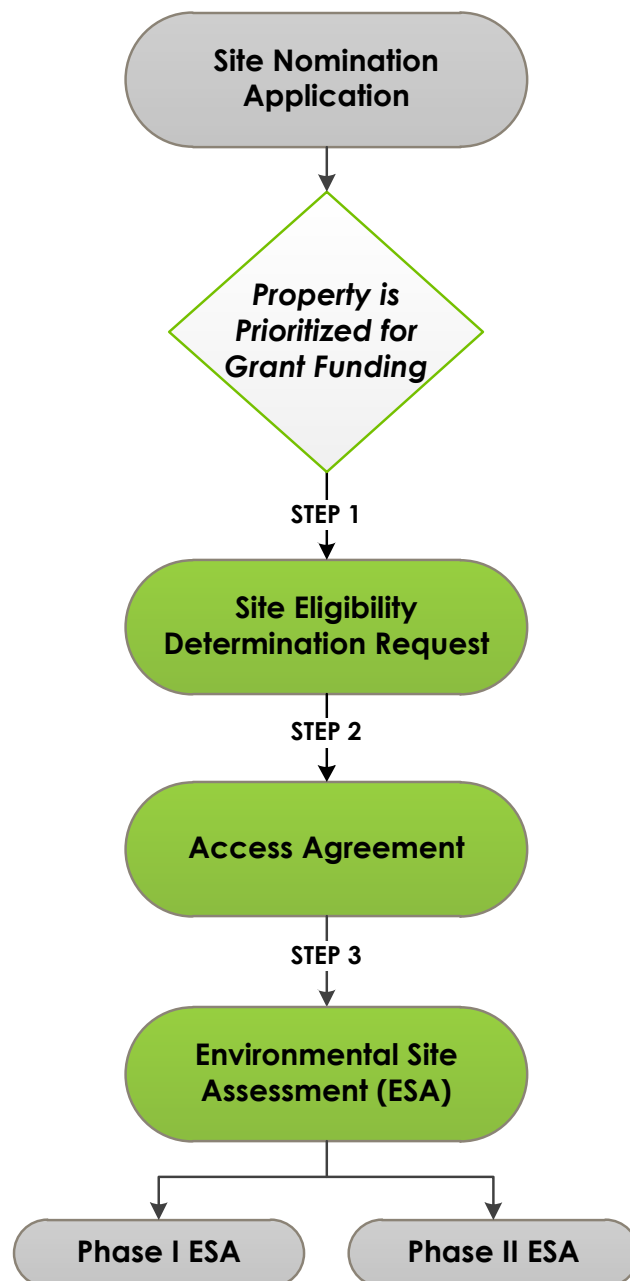
REUSE

RENEW

powered by **HENDERSON STRONG**

Process Guide for Property Owners & Stakeholders

What follows is an overview of the key steps and activities involved in Boulder Highway–Revitalize, Reuse, Renew, a program funded by U.S. Environmental Protection Agency Brownfields Assessment Grants awarded to the City of Henderson in 2022.



KEY STEPS

Below are descriptions of the site nomination process and key steps that will take place if your application is approved and your property is prioritized for grant funding.

Site Nomination Process

The information provided on your Site Nomination Application will be reviewed to evaluate owner/ developer interest and to confirm the property meets baseline eligibility criteria. Generally, a property must be underused, potentially impacted and meet the following criteria in order to be considered eligible for grant funding:

- 1) exhibits high potential for redevelopment and/or other community benefit opportunities, and
- 2) is not included on the EPA National Priority “Superfund” List, under a Consent Decree, or targeted for any federal or state enforcement action.

Properties that are nominated and meet the baseline eligibility criteria will be ranked to prioritize those with the greatest need and economic development potential. Once a property is prioritized for funding, it will need to be approved by EPA (Step 1) prior to using grant funds. Below is an overview of key steps involved in the grant process.

Step 1: Site Eligibility Determination Request

The information provided on your Site Nomination Application will be used to prepare a Site Eligibility Determination Request (“ED Request”). The ED Request will be submitted on your behalf to the EPA and/or state environmental agency to obtain approval for using grants funds for Environmental Site Assessment (ESA) activities on your property.

Estimated Timeline: 2-4 weeks

Note: Please let us know if your request for an ESA is related to due diligence for a property transaction already underway as there may be options to submit an expedited ED Request.

Step 2: Access Agreement

Step 2 will take place concurrently with the ED Request (the EPA prefers that a signed access agreement accompany the ED Request). We must receive approval from you (in the form of a simple Access Agreement) for our professional environmental consultant (Stantec Consulting Services Inc.) to perform ESA activities on your property.

Estimated Timeline: 1-2 weeks

Step 3: Environmental Site Assessment (ESA)

PHASE I ESA

A Phase I ESA is primarily a *desktop study* that is intended to gather reasonably ascertainable information, such as previous property use, to assess the potential environmental condition of a property and identify suspected areas where hazardous substances or petroleum may have

For more information visit cityofhenderson.com/planning

been released. A Phase I ESA evaluates whether any recognized environmental conditions exist on the property; however, it does not involve collecting environmental samples to confirm if there are actual impacts to the property.

Purpose of a Phase I ESA:

- Provides liability protection under the Comprehensive Environmental Response, Compensation and Liability Act.
- Supports property acquisition decisions.
- Assesses potential for hazardous or other substances to have impacted the property.
- Fulfills typical lender environmental due diligence requirement.
- Typically completed within 6 months of commercial or industrial property transactions and/or to secure funding for redevelopment.

Estimated Value: \$5,900 (***Funded by Boulder Highway – Revitalize, Reuse, Renew***)

Estimated Timeline: 1-2 months

The scope of work for a Phase I ESA includes two parts:

Part 1 – Site Visit and Interview (or Survey): As soon as the Access Agreement is signed by you, Stantec will schedule a site visit and interview(s) with the property owner, current occupant(s), and/or other authorized representatives who are knowledgeable about the site. Site visits take an average of 2 hours and interviews are generally limited to 30 minutes or less. In situations where an in-person interview is not feasible, Stantec will conduct phone interviews and/or provide a survey form.

Part 2 – Desktop Study and Report: Stantec will complete a desktop study of your property that includes review of historical documents and regulatory databases to evaluate whether any potential environmental concerns exist that may impact property reuse. A Phase I ESA Report will be prepared to summarize the findings of the site visit, interviews, and desktop study. A copy of the report will be provided to you.

NEXT STEPS:

If **no recognized environmental conditions are identified**, additional action is not necessary.

If **recognized environmental conditions are identified** during the Phase I ESA, Stantec will discuss the findings and provide recommendations for performing a Phase II ESA to further evaluate whether any environmental impacts exist on the property. If a Phase II ESA is recommended and you provide approval for the work, Stantec will discuss the pros and cons associated with the potential outcomes of the Phase II ESA.

PHASE II ESA

A Phase II ESA involves a physical study where environmental samples are collected and analyzed to characterize the type, distribution and concentration of hazardous substances and/or petroleum in the environment (if present).

For more information visit cityofhenderson.com/planning

Phase II ESA Activities:

- Evaluate Phase I ESA findings to design an appropriate Phase II ESA scope of work.
- Determine whether contamination has occurred.
- If contaminants are identified, delineate the type, distribution and concentration.
- Obtain regulatory closure should no or only limited, contamination be identified.
- Conduct clean-up and reuse planning

Estimated Value: \$20,000 (***Funded by Boulder Highway – Revitalize, Reuse, Renew***)

Estimated Timeline: 2-3 months

The scope of work for a Phase II ESA includes two parts:

Part 1 – Work Plan: Only when you understand the pros and cons of a Phase II ESA and indicate you would like to move forward, Stantec will prepare and submit a work plan to EPA and the Nevada Department of Environmental (NDEP) protection for review and approval.

Part 2 – Fieldwork & Report: After the Work Plan is approved, environmental samples (i.e. soil and/or groundwater) will be collected and analyzed. The study will characterize the type, distribution and concentration of hazardous substances and/or petroleum (if any) in the environment. A Phase II ESA Report will be prepared to summarize the work performed, analytical results, and conclusions. A copy of the report will be provided to you.

FREQUENTLY ASKED QUESTIONS

Why should I participate?

Having an assessment is among the first steps on the path to marketing a property for sale, or preparing for development, as banks may require an environmental assessment before lending to a buyer. An environmental assessment can identify the property's historical use and potential levels of contamination, or confirm that the site has no contamination at all.

Who is paying for this work?

For eligible priority sites, 100% of the costs for the activities described above will be covered by the Boulder Highway – Revitalize, Reuse, Renew.

What are the program timeline and requirements?

Grant funding is committed until summer of 2019 and will be used to conduct ESAs and related activities on eligible sites on a first-come, first-serve basis until funds have been fully expended.

Will an ESA affect the value of my property?

No. An ESA will quantify the amount of contamination (if any), but the assessment itself does not affect property value.

How can this assistance enhance the value of my property?

Property values are often affected by uncertainty regarding site history and the financial and legal risks of potential environmental impacts. ESAs allow property owners to quantify the

For more information visit cityofhenderson.com/planning

amount of contamination on a property (if any). For properties with little to no contamination, this knowledge may increase value and marketability. For sites with significant contamination, property owners can realize increased value by quantifying the cost of cleanup.

Will an ESA trigger a requirement that I take action?

The program is voluntary and the information generated must be provided to the EPA, the public agency paying for the work. In certain cases, Phase II ESA results may trigger a reporting requirement with the NDEP. In nearly all cases, a Phase II ESA does not trigger EPA involvement or any other type of enforcement action. In unusual situations, a condition that is deemed to pose an immediate threat to human health and the environment may trigger an immediate action requirement. If a Phase II ESA is recommended and you provide approval for the work, Stantec will discuss the pros and cons associated with the potential outcomes of the Phase II ESA.

Will I have control over the work done through this program?

We consider every project participant a part of the team, and will work collaboratively with you in designing the work program for your property. You will receive copies of all project deliverables. You and/or the City of Henderson will have the right to stop participation in the program at any time. You will receive final reports throughout the assessment process.

What's the catch?

There is no catch! Phase I and II ESA and/or related activities can be conducted using grant funds at no cost to the property owner. Participation is voluntary and no grant match is required.

CONTACT INFORMATION

Sean Robertson, City of Henderson Redevelopment Agency

Phone: 702-267-1537

Email: sean.robertson@cityofhenderson.com

Bill Marion, Purdue Marion & Associates

Phone: 702-222-2362

Email: bill@purdueмарion.com