

**Narrative Information Sheet**  
**FY2022 EPA Brownfields Cleanup Grant Application – Wayne County, New York**

Wayne County New York is excited for the opportunity to submit this proposal for FY2022 Brownfields Revolving Loan Fund Grant funding. Below we provide the information requested.

**1. Applicant Identification:**

Wayne County, New York, 9 Pearl Street, Lyons, New York, 14489

**2. Funding Requested:**

(a) Grant Type: Individual RLF

(b) Federal Funds Requested:

(i) Requested Amount: \$1,000,000

(ii) Cost Share Waiver: No cost waiver is requested.

**3. RLF Boundaries:**

The geographic boundaries that we propose to serve includes all of Wayne County. A map of the County boundaries is provided in Attachment A of the Threshold Criteria section of this application.

**4. Target Area and Priority Site Information:**

Target Areas include:

- the Town of Arcadia (includes the Village of Newark);
- the Village of Newark; and
- the Town of Lyons.

The census tract numbers for the Village of Newark include:

- 211
- 212

Priority Site Name(s) and Addresses:

<b>Former Newark Development Center (NDC)</b>	<b>Former Lyons Cold Storage</b>	<b>58-66 Canal Street</b>	<b>Former Rando Machine</b>
703 East Maple Street Newark, New York, 14513 (includes multiple parcels)	42 Elmer Street Lyons, New York 14489	58-66 Canal Street Lyons, New York 14489	1071 NYS Route 31 Macedon, New York 14502

**5. Contacts:**

(a) Project Director:

Name: Brian Pincelli, AICP/EDFP Director and CEO Economic Development and Planning

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Mailing Address: 9 Pearl Street, Lyons, New York, 14489

(b) Chief Executive/Highest Ranking Elected Official:

Name: Kenneth F. Miller, Chairman Wayne County Board of Supervisors

Phone: (315) 946-5406 | Email: [kfmiller@co.wayne.ny.us](mailto:kfmiller@co.wayne.ny.us)

Mailing Address: 26 Church Street, Lyons, New York 14489



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**6. Population:**

a) **Wayne County Population: 89,918**

b) **Target Area Population**

Town of Arcadia: 4,700

Village of Newark: 8,836

Town of Lyons: 5,407

**7. Other Factors Checklist:**

<b>Other Factors</b>	<b>Page #</b>
Community population is 10,000 or less.	1, 4
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	NA
The priority site(s) is impacted by mine-scarred land.	NA
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	NA
The proposed site(s) is in a federally designated flood plain.	NA
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	2
The reuse of the priority site(s) will incorporate energy efficiency measures.	3
The target area(s) is located within a community in which a coal-fired power plant has recently closed (2011 or later) or is closing.	NA

**8. Letter from the State or Tribal Environmental Authority:**

A letter of acknowledgement from the New York State Department of Environmental Conservation Office of Program Management is attached.

**9. Releasing Copies of Applications:**

Not Applicable



# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Bureau of Program Management

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November 18, 2021

Ken F. Miller, Chairman  
Wayne County Board of Supervisors  
26 Church Street  
Lyons, NY 14489

Dear Mr. Miller:

This is to acknowledge that the New York State Department of Environmental Conservation (DEC) received a request from Wayne County, dated November 2, 2021, for a state acknowledgement letter for a Federal Year 2022 United States Environmental Protection Agency (USEPA) Brownfields grant.

I understand that Wayne County plans to submit a Brownfield Revolving Loan Fund (RLF) grant application for hazardous substances and petroleum in the amount of \$1,000,000. Focus of the funding will be to complete petroleum and/or hazardous substance cleanups and for the abatement of regulated building materials such as asbestos, lead paint and PCB caulking. These are not allowable costs under the assessment grant that Wayne County currently receives from USEPA. Associated reuse and remediation planning and community involvement activities will also be conducted.

DEC encourages initiatives to redevelop brownfields with the goal of mitigating any environmental and health impacts that they might pose.

Sincerely,



Karen Diligent

Director, Bureau of Program Management

ec: T. Wesley, USEPA Region 2  
A. Devine, USEPA Region 2  
M. Cruden, DEC Albany  
D. Pratt, DEC Region 8  
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Department of  
Environmental  
Conservation

# Narrative Proposal FY22 Revolving Loan Fund Grant Application Wayne County, New York



Newark Development Center (NDC), Newark/Acadia, New York



Former Rando Machine Company, Macedon, New York



58-66 Canal Street, Lyons, New York



Fourth Former Cold Storage (Elmer Street), Lyons, New York

## **1. PROJECT AREA DESCRIPTION & PLANS FOR REVITALIZATION:**

### **1.a. Target Area & Brownfields: 1.a.i. Background & Description of Target Area:**

Wayne County (pop. 89,918), in upstate New York on the south shore of Lake Ontario, covers 604 miles<sup>2</sup> and consists of 15 Towns & seven villages. The County is #5 in New York agriculture with \$221M in farm income from 829 farms. A State Certified Agricultural District encompasses 293,816 acres or 78%, of the County. The Erie Canal bisects the County and over 200 years ago, construction of the Canal and railroads fueled the availability of fast and affordable transportation of goods. The result was an immediate influx of industry, new residents and culture. Along the Canal, Arcadia, Lyons, and Newark became home to numerous manufacturing and industrial plants. Industry included machine shops, mills, parts processing, fertilizer, cement/blocks, coal fired utilities, electronics, and automobile shops. From the 1960s to the mid-1980s the County lost many employers including Sarah Coventry Jewelry, Jackson and Perkins, Hickock Belts and Royster Fertilizers. The Newark Development Center (NDC), a facility for the mentally handicapped, housed up to 4,000 residents and employed up to 1,700 in its 120-year existence until State policy changes led to its closure in 1991. The loss of these employers had significant economic impacts on the County and its municipalities including the creation of abandoned properties. These properties (Brownfields) have risks relating to structural integrity and environmental concerns (hazardous building materials and potential soil and groundwater impacts from petroleum and hazardous substances). To promote a regional effort and support revitalization throughout the County's most impacted areas, Wayne County (County) led a Coalition consisting of the **Wayne County Land Bank (WCLB)**, the Wayne Economic Development Corporation (**WEDC**), the **Towns of Arcadia and Lyons**, and the **Village of Newark** in successfully applying for and receiving a FY2020 EPA Community Wide Assessment (CWA) Grant. The FY20 funds have spurred significant revitalization momentum and a need for additional funding. To continue building the brownfield program and meet the demand for brownfield cleanup, Wayne County is requesting EPA grant funding to establish a Brownfield Revolving Loan Fund (RLF).

Our Target Area for the RLF grant includes the Towns of Arcadia (pop. 4,700) and Lyons (pop. 5,407), and the Village of Newark (the County's largest municipality lying within the Town of Arcadia – pop. 8,836). These municipalities have +/- 21% of the County's population and are burdened with some of the greatest environmental justice/socio-economic challenges in the County and worst poverty rates in the U.S. They have a high concentration of vacant/abandoned brownfields that could be used to revitalize neighborhoods and the economy. With un-delineated petroleum and hazardous substance impacts to soil and groundwater, these sites may have health impacts on community residents. The RLF will provide a bridge between completed site assessment projects and reuse planning to environmental cleanup. We have had significant developer interest in many brownfields in our Target Area but funding to address environmental considerations such as regulated building materials (RBM) involving lead paint and asbestos, soil and groundwater impacts, and soil vapor intrusion have restricted property transfers. RLF funding will enable the County to advance cleanup and redevelopment of high priority sites within the Target Area that have been or will be assessed using CWA funding.

**1.a.ii. Description of the Priority Brownfield Site(s):** In February of 2021 our County partner, Wayne County Industrial Development Agency (IDA) used a NYS Empire State Development grant to complete a countywide brownfield inventory which identified 17 priority sites for redevelopment in the Target Area. The inventory includes priority sites consisting of abandoned auto garages/gas stations, junk yards, abandoned residential housing, and commercial and industrial buildings ranging in size from 0.1 acres to 154 acres. These sites are within our most densely populated areas among our most sensitive populations. Information for four initial priority sites for use of RLF funding is provided below.

**Former Newark Development Center (NDC):** One of the highest priority Brownfield sites in the County, located in Newark/Arcadia, the NDC was constructed over 140 years ago as the first state sanctioned facility for care of the mentally handicapped in the US. There are numerous vacant buildings on six adjoining parcels comprising +/- 154 acres in the Village's central business district. There is over 100,000 ft<sup>2</sup> of developable residential/office space at this site. Potential contamination includes RBMs and buried demolition debris and petroleum /hazardous substances in soil/groundwater from tanks and former maintenance activities. This site is prioritized due to health and safety risks to the community, and the potential for its redevelopment to stimulate economic growth and job creation. There are 918 residential properties within 1/4-mile feet of this property. Trespassing by local youths and transients is exposing them to structurally unsound buildings and RBMs. Potential impacts from hazardous substances and petroleum pose the risk of exposure to nearby residents via vapor intrusion and surface soils. Eliminating environmental and health exposure impacts and the facility's value for commercial/residential reuse make the NDC property a high priority site for the County. RLF funding will be directed to abatement of asbestos, lead based paint and other RBMs and upgrading the existing vapor mitigation system.

**42 Elmer Street, Lyons, New York:** This prominent brownfield in Lyons is the 0.45-acre former Lyons Cold Storage facility. The facility has been vacant for years and the on-site building was demolished by the WCLB in December of 2020. There are potential soil and groundwater impacts from previous use of refrigerants and fuels and an adjacent railroad. There are over 60 residences in a condensed neighborhood adjacent to this property and over 175 within a 1/4-mile radius. Impacts from hazardous substances and petroleum pose exposure risks to residents via vapor intrusion and surface soils. This property was a priority brownfield site identified in our FY 2020 CWA application and is currently undergoing a Phase II Environmental Site Assessment (ESA) and reuse planning using Community Development Block Grant (CDBG) funding leveraged by our CWA grant. Eliminating potential exposures will enhance the facility's commercial/residential reuse potential. RLF funding will be used to help with institutional and engineering controls (SSDS) that will be required during construction and other required remediation not able to be funded by CDBG.

**58-66 Canal Street, Lyons, New York:** This site occupies .10 acres in the community's commercial Canal Street Corridor. There are several other priority brownfield sites nearby, and all are viable for commercial/residential redevelopment. The vacant, dilapidated building at this site was constructed over 100 years ago and as a result contamination includes RBMs. A Phase I ESA completed for the property under our existing CWA grant identified an automotive garage and gasoline service station with underground fuel tanks to the immediate south and west and a former dry-cleaning facility approximately 100 feet upgradient requiring a Phase II ESA to be completed under the CWA. Adjacent properties with known environmental conditions provide the potential for exposure impacts to future building occupants via vapor intrusion. Trespassing by local youths and transients is exposing them to unsafe building conditions and RBMs. Redevelopment will address multiple community revitalization priorities and provide a catalyst for development of nearby priority brownfield sites in our inventory (42, 46 and 50 Canal Street). RLF funding will be directed to complete abatement of asbestos, lead based paint and other RBMs and install a vapor mitigation system.

**1071 Route 31, Macedon, New York:** This property's high-profile location along the major east west thoroughfare that transects Wayne County, and developer interest in its redevelopment for light industrial use that will bring up to 100 new jobs to the area, make it a priority candidate for redevelopment. The Property is approximately 5 acres in size and located in a 60-acre industrial park. The Property is occupied by a one-story, 35,000-square-foot structure built in 1975. Rando Machine (Rando) manufactured industrial machines on site from 1975 through September 2019. The New York State Department of Environmental Conservation (NYSDEC) has completed environmental investigation and cleanup and has issued a conditional no further action declaration for the site. RLF funding is needed for groundwater monitoring and maintenance of a vapor mitigation system, both required by the conditional no further action. The infrastructure and building super-structure are in excellent condition but the roof needs repair and office space requires renovation, and it is anticipated that roofing and interior building materials will contain asbestos. RLF funding will be used to complete abatement of asbestos and other RBMs and upgrade the existing vapor mitigation system prior to re-occupancy and could result in an early program success story.

**1.b. Revitalization of the Target Area:**

**1.b.i. Reuse Strategy & Alignment with Revitalization Plans:** The Target Area redevelopment strategies align with goals established during community engagement conducted to develop the Town of Arcadia and Village of Newark Comprehensive Plan; the Town of Lyons Comprehensive Plan; Wayne County's Derelict Property Study; and the Wayne County Capital Plan. The projects are catalytic and likely to spur additional developments consistent with these plans, thereby leveraging the impact of EPA RLF funds. The Target Area was chosen for the EPA CWA grant and now for the EPA RLF grant, because they: (a) offer the most connectivity to recent investments, including the \$10M Main Street Newark (NYS Route 88) Highway Improvement and Streetscape project completed in 2018 which included: reconstruction of 3.66 miles of pavement (75 year service life) in the Village replacing existing infrastructure and streetscaping consistent with and promoting pedestrian and biking safety; newly installed utilities and roadway off Westshore Blvd (Village & County funded) to service new business in the area; expansion/renovation of a 20 bed intensive 6-8 month residential stabilization and rehabilitation center (adjacent to NDC) for women and substance abuse patients; multiple sewer and water distribution projects; and a recent WCLB project to renovate a property for use as Child Advocacy Center; (b) supports the most economically and environmentally disadvantaged neighborhoods in the County; (c) includes the most leverageable infrastructure; and (d) has been the focus of recent planning processes. These factors provide a strong foundation for revitalization of the area, the potential to attract significant private investment, and the ability to focus revitalization on neighborhoods having the greatest social, economic, and welfare needs.

The following table summarizes redevelopment strategies for priority sites and local land use/revitalization plans.

	Priority Site	Redevelopment Strategy	Alignment with Local Land Use & Revitalization Plans
Newark Arcadia	Newark Development Center	High redevelopment potential as an office park or mixed-use development, with a majestic setting and available utilities. With over 150 acres available, renewable energy (wind and/or solar) is a viable reuse option.	The <i>Arcadia/Newark Comprehensive Plan</i> recommends mixed types and sizes of housing and affordability to meet the needs of seniors, special needs residents and families in poverty.
Lyons	Lyons Cold Storage, Elmer Street	Reuse planning is pending with concepts to redevelop as a mixed-use industrial or commercial building which will create jobs in a successful industrial area of Town.	The <i>Lyons Comprehensive Plan (Plan)</i> includes detailed Concepts for Downtown, the Industrial Park housing the site, and nearby Hwy 31. The Plan specifies redevelopment sites (including Lyons Cold Storage) and structures to support industrial/commercial use and job creation.
	58-66 Canal Street, Lyons	Renovation of existing building to promote mixed commercial/residential use.	The <i>Lyons Comprehensive Plan (Plan)</i> identifies the need for projects aimed at improving housing, recreation, mobility and economic conditions. This site matches that need.
Macedon	Former Rando Property, 1071 Route 31, Macedon	This site is located within 12 miles of the Target Area and provides opportunity for light industrial redevelopment creating as many as 100 skilled labor jobs. There is significant developer interest.	Matches <i>Regional Plan</i> goals to promote opportunities which create job growth. Creating new jobs is a top priority for the Town and County and is identified in The Town of Macedon Comprehensive plan. The property is located in an industrial park along a major east/west County thoroughfare, within a focus area for revitalization.

**1.b.ii. Outcomes & Benefits of Reuse Strategy:**

The revitalization strategies will vary for each neighborhood. In downtown Lyons (within the Canal Street Corridor), there are clusters of brownfield sites with developer interest that are well suited for adaptive reuse. The strategy for this

area's buildings, including the 58-66 Canal Street site, properties such as 42, 46 and 50 Canal Street (which are part of the County's Brownfield Inventory) and others, will be to use the County's CWA grant to complete RBM surveys, enabling abatement costs to be quantified thereby removing an uncertainty that is a barrier to redevelopment. Where appropriate, market studies will be used to document demand for desired uses and aid developers in securing funding. Significant abatement costs will be required for reuse of these properties (all which have the potential to result in mixed use affordable housing units and provide additional local jobs). To keep these projects moving forward after environmental assessment, RLF funding is needed to complete the financing package and offset some of the risk accepted by local banks and developers.

Cleanup and reuse of the NDC site in Newark will stimulate economic development by building on recent revitalization success. For example, portions of this property have already been subdivided to facilitate cost effective asbestos abatement, renovation and reuse for commercial office space including Wayne/Finger Lakes BOCES (a WEDC project), Armstrong Senior Assisted Living Center, FLACRA community residence, Developmentally Disabled Service offices and community residences. The reuse strategy for additional buildings/properties in this complex will be to model and build on recent redevelopment success creating affordable housing for our senior population, disabled persons and families in Poverty. The former Rando property has significant developer interest and RLF funding can help to ease concerns related to long term environmental monitoring and building upgrades where asbestos abatement and SSDS improvements will be required. A key to success will be focusing efforts on these catalyst sites, working with local organizations with a long-term commitment to the neighborhood such as the Newark Housing Authority, coordinating investments being made by other local government entities (such as the WCLB and WEDC), and making creative and aggressive use of all available financial and technical resources (such as CDBG funding currently leveraged to assist with environmental assessment, cleanup and reuse planning at the Elmer Street Site in Lyons). These combined efforts will return abandoned, often tax-delinquent sites to productive use, while increasing tax revenues, property values and the health and welfare of our communities as highlighted below.

Quantifying environmental liabilities with the CWA has allowed the WCLB to take ownership of certain properties, remove barriers to their redevelopment (e.g., liens, fractured ownership, title flaws) and market them for redevelopment. This has helped make sites more marketable to spur new investment for community benefit. Returning brownfields to productive use also aligns with the Comprehensive Plans to prioritize employment opportunities in areas with large unemployed populations and "bring high-quality new jobs to abandoned facilities in distressed communities." Restoring brownfield properties in the Target Area will return approximately \$1.25M in property taxes per year to the County tax roll. This number will significantly increase as returning industrial/commercial parcels to productive use will increase property values and generate higher tax revenues that are critical for supporting a healthy municipal fund. Revitalization of properties such as the NDC will also benefit organizations such as our partner Newark Housing Authority (NHA) by removing environmental hazards, and structural safety concerns.

The following table illustrates the anticipated residential, industrial, and commercial space and number of new jobs that will be created from the proposed projects and relationships to the Target Area.

Area	Priority Site	New Residential Space <sup>(1)(2)</sup>	New Industrial/Commercial Space <sup>(1)</sup>	New Jobs <sup>(3)</sup>
Arcadia/Newark	Newark Development Center	50,000 SF (~ 58 units)	50,000 SF (office, educational, medical)	80
Lyons	Lyons Cold Storage	n/a	20,000 SF (Commercial/Manufacturing)	30
	58-66 Canal Street, Lyons	11,500 SF (~ 12 units)	20,000 SF (Commercial/Residential)	30
Macedon	1071 Route 31	n/a	35,000 SF (Manufacturing/Industrial)	100
	<b>Total Estimates</b>	<b>61,500 SF (~ 74 units)</b>	<b>125,000 SF</b>	<b>240</b>

<sup>(1)</sup>Square footage based on size of existing structure(s) or proposed size of new structure. <sup>(2)</sup>Unit estimates based on average apartment size of 860 SF.

<sup>(3)</sup>Job estimates based on the USEIA's most recent (Sept. 2021) employment estimates for industrial, commercial, retail, restaurant and mixed-use spaces.

**1.c. Strategy for Leveraging Resources: 1.c.i. Resources Needed for Site Reuse:** The County and our partners satisfy the eligibility requirements to leverage funding from local, state, and federal sources for community revitalization, as well as private organizations (such as utility companies) who offer **incentives for improving energy efficiency and sustainability**. The County and partners have already been successful in leveraging funds using the CWA grant. For example, funds received by the WCLB from the NYS Attorney General have been used for organizational startup, property acquisition and demolition of unsafe structures. The WCLB also received \$975K from Wayne County's 2021 tax foreclosure auction, a portion of which will be used for demolition and advancing redevelopment of additional Brownfield priority sites. CWA funding received from EPA FY2020 has been used to complete Phase I ESAs and SAPs with reuse plans forthcoming on multiple sites. The WCLB is also using \$300K of federal CDBG funds to complete a Phase II ESA, site remediation and reuse planning at one of our priority sites (42 Elmer Street site in Lyons). While these funds provide significant foundational resources, many properties also will require both demolition and site remediation to facilitate development. As we continue to use our CWA funding for Phase I and Phase II ESAs, and reuse plans, it is imperative to supplement those activities with funding from EPA's RLF program to implement environmental cleanup (an ineligible activity under the CWA Grant). The RLF will solidify the foundation that stimulates other forms of funding for the reuse phases of projects. While continuing environmental assessments under the CWA and targeted demolitions by the WCLB at priority sites the County will continue to use the successful funding sources above and leverage the following additional funding sources to advance reuse of brownfield sites.

- **NY State Economic Development Purpose Grants** program for economic development initiatives and projects that create or retain jobs, generate increased economic activity and improve the economic and social viability/vitality of local

communities. Funding will be used by the County for demolition and renovation of structures, and environmental remediation, all of which are eligible activities.

- **NYS Office of Community Renewal, CDBG.** Provides grants to eligible cities, towns, and villages with a population < 50,000 and counties with an area population < 200,000 to revitalize neighborhoods, expand affordable housing and economic opportunities and/or improve community facilities and services. The County has used this program to successfully fund gaps for business expansion, demolition, planning and renovation.
- **NYS Brownfield Cleanup Program (BCP).** The BCP provides tax incentives for, the redevelopment of urban brownfields. The BCP offers significant property tax credits to private developers of brownfield sites. We will leverage completed environmental assessments from CWA Grant funds to attract developers who commonly use this program and incentives from opportunity zones (two OZ's available in Newark) as part of their investment strategy.
- **Wayne County Available Funding.** The County has multiple additional funding options to assist prospective brownfield site developers during planning and redevelopment including: **WEDC Revolving Loan Fund; Wayne County Industrial Site Fund; IDA Revenue Bonds and Tax Incentive Program; and Business Property Tax Exemptions**
- **EPA Cleanup Grants.** Where assessment activities identify remediation is necessary prior to redevelopment, the County will also pursue EPA Brownfield Cleanup Grants.

**1.c.ii. Use of Existing Infrastructure:** The Target Area is among the oldest developed areas of the County and have the most robust infrastructure (e.g., water, sewer, highway, rail and public transit access, etc.) in the region. The former NDC site has multiple structures that the County anticipates preserving (renovating/rehabilitating) for reuse as commercial space and residential property. This approach will require the least investment in infrastructure and provide opportunities to preserve the unique architectural character and history. The 58-66 Canal Street site in Lyons and cluster sites nearby have unsafe building conditions that will require structural renovations and/or demolition to promote future reuse. These mixed/residential sites have existing sewer, water access, natural gas, electric and telecommunications with significant capacity to promote reuse and revitalization of the adjacent downtown district. Therefore, these properties are exceptionally well suited to make use of existing infrastructure, as well as recently completed infrastructure investments. The former Rando site has exceptional infrastructure for its intended reuse as a light industrial facility. No critical infrastructure needs have been identified for the initial priority sites referenced in Section 1.a.ii.

**2. COMMUNITY NEED & COMMUNITY ENGAGEMENT:**

**2.a. Community Need: 2.a.i. The Community's Need for Funding:** The 2020 estimated populations (US census) for Wayne County, Arcadia, the Village of Newark, and Lyons (see table below) have all declined since 2010. Population loss is economically challenging for any community but is especially challenging for micro-communities such as those in Wayne County. According to County Health Rankings and Roadmaps, 2019, Arcadia, Newark and Lyons resident's annual median household incomes (\$50,290, \$44,949 and \$51,795 respectively) fall significantly below the US Top Performers (\$79,900) and NYS (\$87,100) levels. Population loss, low incomes, and high poverty rates reduce the local tax base limiting funding available for brownfield projects. Together the factors shown in the table below indicate much lower than average discretionary income, which results in less spending, decreasing local business revenues and taxes. Abandoned property is also an economic challenge for Target Area communities. The 2020 Wayne County Treasurers Annual Report shows unpaid tax parcel bills totaling \$6,251,875 or 15.06% of the \$41,500,000 tax levy. With a decreasing tax base, below average incomes, and an aging population, municipalities in the County have limited staff and financial resources to address brownfields without outside funding. In addition, funds that were formerly available through the NYSDEC Environmental Restoration Program (ERP) are currently depleted.

Data Type	BROWNFIELD TARGET AREA			Wayne County	New York State	United States
	Arcadia	Newark	Lyons			
Total Population	4,700	8,836	5,407	89,918	19.45M	328M
Senior Population	<b>21.5%</b>	<b>19%</b>	<b>19.4%</b>	<b>18.9%</b>	11.4%	12.6%
Labor Force Participation	<b>58%</b>	<b>60%</b>	68%	64.2%	63.2%	63.4%
Median Household Income	<b>\$50,290</b>	<b>\$44,949</b>	<b>\$51,795</b>	<b>\$59,449</b>	\$87,100*R	\$79,900*
Poverty Rates	<b>15.3%</b>	<b>14.7%</b>	<b>25.7%</b>	11.6%	14%	13.4%
Child/Youth Poverty Rate (age <18 Years)	<b>37.9%</b>	<b>22.7%</b> <sup>Ave</sup>	<b>23.7%</b>	16.9%	21.3%	20.3%
Households with Food Stamps	<b>17%</b>	<b>21.5%</b>	<b>17%</b>	11.6%	14.7%	11.7%
Disabled Persons Pop. (non-institutionalized)	<b>12.9%</b>	<b>21.9%</b>	<b>22.7%</b>	<b>14.7%</b>	11.4%	12.6%

*Data reflect 2015-2019 Quick Facts and American Community Survey 5-yr estimates from American Fact Finder (factfinder.census.gov). **Bold** indicates distress factors above or below (depending on factor) US averages. Shaded indicates distress factors above or below (depending on factor) State averages. \* Data taken from US Department of Housing and Urban Development April 2021 (\*R= rural NYS). <sup>Ave</sup> Average Census Tracts 211 and 212*

Since 2008 there has been a decline in business activity causing a decline in property tax revenues, further straining the Target Area's ability to maintain aging infrastructure that typifies older municipalities. A decrease in jobs and population has added to community blight as the number of vacant ("zombie") homes has also increased. These economic factors/challenges have had a cumulative negative impact on the ability of the target communities to provide necessary resources such as police and fire service to its residents. As communities with small populations, Arcadia, Lyons and Newark have limited financial resources and are unable to draw on other initial sources of environmental cleanup funding. Tax



delinquent sites have a substantial impact on these communities, and they cannot be foreclosed upon without performing necessary due diligence to understand environmental risks. Without the use of RLF funds to supplement other sources, the momentum created by site assessments using CWA funds will be slowed and existing Brownfield properties will remain dormant increasing the probability that additional abandoned/vacant sites will be created.

**2.a.ii. Threats to Sensitive Populations:**

**2.a.ii(1) Health or Welfare of Sensitive Populations:** The table below shows the Target Area are home to multiple sensitive populations (low income, senior populations and persons with disabilities) and are challenged with high levels of poverty and unemployment as compared to other areas of the County, NYS and the US. Group homes for 70 residents of the NYS Developmental Disabilities Services Office are located within the NDC Priority Site. **Children are another sensitive group** with an above average population facing high rates of poverty. **Welfare concerns** in the Target Area include blight, homelessness, unemployment, lack of quality affordable housing, health insurance, healthy food choices and recreational amenities. As detailed in Sections 2.a.ii (2) & (3) below, **health concerns** in the Target Areas include asthma, lead poisoning, obesity, pre-mature death, and poor mental/physical health. **Aging infrastructure and lack of safe and quality housing** are also problems as over half the area’s housing stock was built pre-1960 (increasing the likelihood of exposure to RBMs).

Sensitive Categories <sup>1</sup>	Population	Percentile in EPA Region 2			
		Target Area			
		Arcadia	Newark	Lyons	County
Low Income Population		68	72	70	58
Sr. Population (age 64+)		78	68	74	67
Disabled Persons *		12.9%	21.9%	22.7%	14%

*Bold indicates distress factors ≥ 60th %tile. Shaded indicates distress factors ≥ 70th %tile. \*see table from 2.a.i above*

The grant will be used to remediate multiple contaminated sites within the Target Area for which threats to the health or welfare of sensitive populations are known or are identified as a result of assessments completed using the County’s FY2020 EPA CWA Grant. Cleanup of these sites will help to eliminate exposure risks, and advance completion of projects that will help to reduce or address the public health and welfare concerns identified in the preceding paragraph.

**2.a.ii(2) Greater Than Normal Incidence of Disease & Adverse Health Conditions:** Table 2 summarizes prevalence rates for several chronic disease and health indicators for Wayne County residents. A County Health Department report shows that several cancer incidence and mortality indicators rank the County in the bottom quarter as compared to other NYS counties. Specifically, lung and bronchus, prostate, breast, and colorectal cancer have the highest incidence and mortality rates in Wayne County, with lung and bronchus cancers accounting for 29.6% of all Wayne County cancer deaths.

Health Measure Indicators	Wayne County	New York State	U.S.
Cancer Incidence <sup>2</sup> (per 100,000)	634	564	439
Lung and Bronchus Cancer <sup>2</sup> (per 100,000)	94	85	46
Chronic Kidney Hospitalization <sup>4</sup> (per 10,000)	189	137	150
Chronic Lower Respiratory Disease Mortality <sup>3</sup> (per 100K)	44	29	19
Female Breast Cancer <sup>1</sup> (per 100,000)	201	158	124
Diabetes <sup>4</sup> (per 100,000)	127	92	112
Adult Obesity <sup>1</sup>	37%	26%	26%
Premature Death	6,900	5,400	5,400

<sup>1</sup> County Health Rankings and Roadmaps 2021, <sup>2</sup> National Cancer Institute (2020 Statistics), <sup>3</sup> NYSDOH Community Health Indicator Reports 2020, <sup>4</sup> Institute for Health Metrics and Evaluation, Wayne County Profile. **Bold** indicates distress factors above or below (depending on factor) US averages. **Shaded** indicates distress factors above or below (depending on factor) State averages. \*Specific data for Target area communities not available.

Wayne County residents are also at a higher risk for mortality from Chronic Lower Respiratory Disease (CLRD) and have a higher hospitalization rate than NYS. Asthma is a specific concern in the Town of Lyons, which has a rate of 64.6 asthma-related emergency department (ED) visits per 10,000 per year as compared to the rest of Wayne County with a rate of 36.7. With the history of industrial activity (including coal burning utilities), homes built before 1960 (with asbestos/lead/radon/vapor intrusion) and brownfields located near residents, there is a strong case to link the noted health indicators to historical contamination and current Brownfields. The Target Area also have a disproportionate number of families headed solely by females and poverty rates for those families are higher than state and national averages. The high poverty rate for female led households limits current housing options in the Target Area.

Negative Health impacts will be reduced as exposure pathways to contaminants are mitigated using the RLF and other funding sources. Removal of soil impacts will reduce exposure to hazardous substances from ingestion of particulates and inhalation of vapors; removal of dissolved contaminants that threaten aquifers and surface water will reduce potential exposure to carcinogens; and abatement of asbestos from aging/decaying structures like the NDC and Canal Street sites will reduce the risk of respiratory disease.

**2.a.ii(3) Promoting Environmental Justice:** Industrial growth along the Erie Canal in the Target Area has resulted in long-term environmental justice impacts and threats that are still present today. Demographic data shows income and poverty levels in the Target Area are above national averages. EPA’s EJSCREEN Tool shows that these sensitive populations fall above the 60th percentile (US and NYS average) for disproportionate burden/vulnerability to exposure to lead paint and wastewater discharges. Exposure to lead paint is higher in the Target Area with Arcadia, Newark and Lyons at 79, 83 and 87

<sup>1</sup> Generated using EPA Environmental Justice Screening (EJSCREEN) Tool on 11/11/2021.

percent respectively. Each Target Area is in the 92<sup>nd</sup> percentile for exposure to wastewater discharges and Newark is in the 62<sup>nd</sup> percentile for hazardous waste site and 52<sup>nd</sup> in Superfund proximity.

The RLF will be used to address legacy contamination associated with brownfields in the Target Area and identify remedial measures necessary to address threats at priority sites. A significant amount of RLF funds will be used to complete RBM surveys and remove asbestos/lead-based paint from structures in the Target Area to support adaptive reuse and/or demolition at priority sites. The RLF will fill local funding gaps providing a vehicle for revitalizing brownfields in the Target Area which will in turn, address longstanding environmental issues that are disproportionately impacting low-income, disabled, and elderly residents.

Environmental Justice Indicators (EJI) <sup>2</sup>	Percentile in US			
	Target Area			
	Arcadia	Newark	Lyons	Wayne County
Lead Paint Indicator	79	83	87	73
RMP Proximity	52	19	73	56
Wastewater discharge	92	92	92	89
<i>Bold indicates distress factors ≥ 60th %tile. Shaded indicates distress factors ≥ 70th %tile. RMP=Risk Management Plan</i>				

**2.b. Community Engagement:** The County and coalition members have set a strong foundation for community engagement through the CWA Grant program. The County works with our towns and villages, project partners and community stakeholders to form strong partnerships for our grant projects. Community involvement in planning and implementation ensures the community has a voice in the decisions affecting them and that residents will benefit from the revitalization of brownfields in their neighborhoods. Over the last three years, the County and WEDC have had at least 15-20 grant related public meetings with over 150 in-person attendees. COVID impacts have helped the County and partners elevate the use of hybrid meetings on multimedia platforms to enable community engagement. The County engages the community in multiple ways that best fit the needs of each group to feel informed, voice concerns, raise questions, understand project status, and have a say in reuse plans. For the FY2020 CWA Grant, the County holds monthly meetings with the Coalition members to share project information, discuss site prioritization and selection strategies, share regional challenges and successes, and discuss revitalization and economic development opportunities. Due to COVID 19, we have made a practice of hosting monthly progress meetings via conference calls to ensure engagement from a broad group of stakeholders. This approach will be continued for the FY2022 EPA RLF project, and any in-person meetings will follow local COVID guidelines. The County's Project Director (Brian Pincelli) and Project Manager (Ora Rothfuss) are also members of several regional groups where they regularly share project updates.

The County will continue to advertise all engagement opportunities through public notices, email blasts to project partners, Board of Supervisors and select board meetings, and through word of mouth in existing community networks. This toolbox of community engagement methods will allow stakeholders to provide informed feedback that can influence the next phase of work. Strong public involvement will lead to community buy-in and more effective and representative redevelopment projects. Additional elements of the County's engagement plan will include:

- **Webpage & Fact Sheets:** The County will continue to update its brownfields webpage with fact sheets, informative details about the site assessment and cleanup process and a streamlined approach to the site nomination process. Fact sheets will be updated to summarize FY2020 CWA Grant accomplishments and goals of the FY2022 RLF Grant.
- **Meetings with Property Owners & Developers:** The County and other project partners regularly conduct meetings with property/business owners and developers to solicit interest and participation from potential end users and investors.
- **Email & Newsletters:** A stakeholder distribution list will be created, and emails will be sent out periodically. Project partners will also communicate progress via regular meetings/organizational newsletters.
- **Special Events:** Tactical events, realtor breakfasts, loan officer tours and meetings with Wayne County Business Council and local Chambers of Commerce and Rotary Clubs (e.g., over lunch and breakfast), are tools the County uses to capture busy parents, business owners and residents without regular access to the Internet. This will allow stakeholders to provide meaningful input during the grant lifecycle.

**2.b.i. Project Involvement: and 2.b.ii. Program Roles:** Project partners that have pledged to serve on the BAC and/or provide other valuable project support are summarized in this section.

**Table 3. List of Program Partners and Roles**

	Partner Name	Organization Purpose	Point of Contact	Project Role
Grant Management	Wayne County Land Bank (WCLB)	To address vacant abandoned, contaminated or tax delinquent properties, market them for reuse and sale to prospective developers.	Mark Humbert, PhD Director 315-946-5495 director@waynecountylanbankny.com	Project owner for catalyst site(s); leverage funding for ESAs, RBM surveys, demolition(s) and site cleanups; provide a vehicle for property transfers and ownership; reuse marketing.
	Wayne County Industrial Development Agency (WCIDA)	Develop, promote, advance sustainable economic growth	Ariel Cardiel, Economic Development Specialist 315.946.5917	Outreach, site selection, land use, revitalization, funding support
	WEDC	Manage all aspects of revolving loan program	Fiscal Team 315.946.5917	Underwriting, servicing loan and PILOT payments, job reporting and business data collection
	Lyons Industrial Develop. Corp (LIDC)	Develop, promote, advance and sustainable economic growth	Jim Brady, Pres. 315.946.6143	Outreach, site selection, land use, revitalization

<sup>2</sup> Generated using EPA Environmental Justice Screening (EJSCREEN) Tool on 11/1/21.

Health	Wayne County Health Department	Protect health, disease prevention	Diane Devlin, MS, BSN, RN 315.946.5749	Outreach, site selection, evaluating health issues & planning
CBOs	Lyons Main Street Program	Promote business opportunities in Lyons	Linda Guest 315.945-5526	Site selection, marketing, outreach
	Wayne Community Action Program	Providing housing, education, services to people in need.	Crystal Manktelow, 315.665.0131	Reuse of brownfield sites, community education, workforce development, outreach
	Newark Housing Authority	Insight and support for people with housing needs	George Getman, 315-331-1574	Input on area demographics, housing, education, employment opportunities, community outreach
Outreach	Pathstone Development	Community Dev., education, housing, workforce dev.	Herbert Van Tol 585.340.3385	Reuse of brownfield sites, community education, workforce development
	Greater Rochester Enterprise (GRE)	Connect business to dev. opportunities	Matt Hurlbutt, Pres., CEO 585.530.6200	Promote new industrial and manufacturing development and outreach.

Additional partners pledging involvement include Towns and Villages in the County, The Wayne County Business Council, Wayne County Consortium of Schools, Ryndock Realty, and Finger Lakes Board of Cooperative Educational Services (BOCES).

**2.b.iii. Incorporating Community Input:** Our existing CWA public outreach campaign has put us in excellent position to keep citizens of Wayne County and the Target Area informed of our brownfield initiatives and to provide them with a means to provide input. Project fact sheets and other reference materials are available on the webpage and distributed at public facilities (e.g., libraries, community centers, churches, transit stations) and literature includes a statement that citizens may request alternative formats or special accommodations. The webpage also includes a mechanism for soliciting project input on the RLF. The County will continue to utilize our webpage and media outlets including local daily and weekly newspapers, cable access television, public libraries in the target communities, the County Economic Development and Planning Committee, and regularly scheduled Town Board meetings to seek public input on our brownfield revitalization program and the use of the RLF. The County will also utilize its social media accounts to provide the public real time information about the project. Community meetings will be held during all phases of the project and will be accessible to those who rely on public transportation and will be held at ADA-compliant facilities in the Target Area to ensure equal access to sensitive populations and Target Area residents. Special outreach efforts (e.g., translation services for non-English speaking and hearing impaired) will also be used to provide equal access to project information. These community input methods offer viable alternatives to in-person meetings and promote overall safety to minimize the impacts of COVID-19.

The County will also use the support of project partners to assist with distributing project-related information on their websites, social media pages, newsletters and other avenues offered. Furthermore, the County anticipates hosting 2-3 brownfield action committee (BAC) meetings/year and 3-4 neighborhood meetings/year. These items will provide an “information out, feedback in” process that will continue throughout the brownfield assessment, cleanup and redevelopment processes. The County will compile community input on a quarterly basis and circulate the summary to the BAC to develop response options. Public input and the County’s response will be summarized in quarterly project progress reports and on the project webpage.

**3. TASK DESCRIPTIONS, COST ESTIMATES, & MEASURING PROGRESS:**

**3.a. Program Description and Marketing Strategy: 3.a.i. Program Management:** Key program management elements specified in the guidelines are detailed below.

**(1.) How the RLF Program will build and maintain a competent team to ensure an effective program:** The County will expand responsibilities of the current CWA Project Advisory Team (PAT) to advise the WEDC on: (a) establishing the RLF Program, (b) strategically synthesizing the RLF implementation as the County’s EPA CWA Grant ends in 2023, and (c) integrating the Brownfield RLF with the County’s planning and economic development initiatives/programs. The County will subcontract with the WEDC as the Program Administrator to provide specialized expertise (i.e., financial underwriting, loan servicing, etc.) necessary for the effective long-term operation of the RLF Program. WEDC will provide these services to the County at no charge and will no grant funds will be required for their efforts. The County has effectively used this approach for other loan programs since 1983. The existing Loan Review Board and WEDC Board of Directors include members of the PAT, and other members represent a cross section of the area’s community leadership that will review and approve loan/subgrant proposals. The County has economic development partners such as the IDA to assist with business expansion and development using payments-in-lieu-of-taxes (PILOT) to defer ad valorem tax impact on new and expanding businesses. The County believes strongly in the benefit of this program and will not charge administrative fees to the RLF program.

**(2.) How the RLF Program will select borrowers/subgrantees and projects:** Municipal comprehensive plans for the Target Area include goals such as: 1) providing quality local jobs, 2) providing additional affordable housing, and 3) expanding and improving parks and green space. The RLF program will select projects based on ability to advance these goals. Additional consideration will be given to sites assessed using the County’s EPA CWA Grant. Eligible applicants must have site control, meet EPA eligibility requirements, and have a NYSDEC approved cleanup plan, so the project meets minimum remedial standards to protect human health and the environment. The County anticipates a two-step application process, 1) a pre-application that provides information to the WEDC and the PAT to evaluate site eligibility (with assistance from the EPA Project Officer), project funding needs relative to available RLF funding, and assess the project’s alignment with RLF Program priorities. Applicants that pass initial review will be invited to submit a complete application that will include standard loan

documentation, credit reports, appraisals, and environmental documentation (Phase I/II ESAs, Remedial Investigation reports, RBM Survey reports, Cleanup/Abatement Plans, NYSDEC or other regulatory approvals and correspondence). WEDC and the PAT will review submitted information and prepare a funding proposal to be presented to the Loan Review Board. The WEDC will approve or deny the proposal or may defer the decision and request supplemental information. Although a goal of the RLF Program includes providing access to funding for borrowers who are unable to secure funding for brownfield sites from other sources, WEDC's first goal on any loan is to avoid making bad loans which undermine goals of revolving funding to establish a permanent source of funding for business expansion focused on brownfields reuse in Wayne County.

**(3.) How the RLF Program will structure and administer loans and subgrants and facilitate financial underwriting:** Administrative procedures for the EPA RLF Program will be folded into Policies and Procedures for the WEDC's existing RLF Program (updated in 2019). The RLF Program will provide flexible, low-interest loans to eligible applicants. Interest rates and repayment periods will be negotiated on a case-by-case basis, dependent on the risk-profile of the applicant and the needs of the project. RLF loans may cover up to 100% of an application's site cleanup costs, to serve as gap financing for high-risk projects that would otherwise not be financially feasible. To maximize federal dollars, cleanup costs will not be allowed to exceed 50% of total project costs. Other basic loan terms include: (1) a risk-based interest rate starting at 75% of the current prime rate; (2) an initial term of a maximum of 5 years; and (3) a maximum loan amount determined on a project basis.

Up to \$150,000 in subgrants will be available for eligible applicants who meet all criteria outlined above and demonstrate their projects are not feasible but for the use of a subgrant. Subgrant applicants will have defined criteria in the RLF Administrative Plan and will need to demonstrate they own the site and are not potentially liable for the contamination at the site. The PAT and WEDC will review subgrant applications for project and redevelopment feasibility before making a recommendation to the Loan Review Board and WEDC for the final subgrant determination. **3.a.ii. Revolution of the RLF Program: Strategy for incorporating reasonable and prudent lending practices to encourage the funds to revolve:** The County will encourage revolving of RLF funds by: (a) employing current underwriting practices having a goal of 0% default, (b) focusing on strategic projects where funds address a critical financing gap, versus complicated projects that take a long time to coalesce, (c) focusing on loans versus subgrants to keep the money revolving in the community, (d) and focusing on projects needing short-term gap financing and not where the RLF funds will be structured as part of the project's long-term financing. **To sustain the program for the long-term, including after the cooperative agreement has ended:** (a) income will be re-loaned or spent on brownfield cleanups, (b) income will be deposited into an interest-bearing account, and (c) income will be inclusive of principal payments and interest earned on outstanding loan principal, interest earned on accounts holding RLF income, loan fees, loan-related charges received from borrowers, other income generated from RLF operations, proceeds from the sale-collection-or liquidation of a defaulted loan, and proceeds in excess of unpaid principal.

**Strategy for properly maintaining and reporting outcomes and outputs to EPA so long as program income exists:** The Brownfields RLF Program will be folded into the Policies and Procedures, with specific criteria added to capture EPA required information. The WEDC and IDA routinely contact clients for various job and financial reports, depending on the reporting requirements of the Federal or State agency. The County's existing RLF Loan program has been in operation since 1983 and as of FY 2020, WEDC services 21 active loans and an additional 12 loans for the local Cornell Cooperative Extension with a combined principle of \$1,693,108 which have helped to create 419 jobs. WEDC monitors loans closely and has only had one loss of loan repayment in the fiscal years 2016 through 2020. The proposed project management approach is designed to maintain the RLF Program to continue long after the cooperative agreement has ended. The Administrative Plan for the WEDC's current RLF is designed to provide for long-term tracking and maintenance of financial records for assisted projects, and the reporting of long-term compliance with financial and other outcomes.

**3.a.iii. Marketing Strategy:** The County will employ both short-term and long-term strategies for marketing the RLF Program. A short-term strategy will include a focus on integrating marketing as part of the County's CWA Grant, and will be included in outreach meetings, presentations, and other outreach efforts as the CWA is implemented through Q3 2023. The County's brownfield inventory lists will be used to identify sites/proposed projects that meet eligibility requirements and are in potential need of cleanup funding. The CWA assessment and reuse planning tasks are positioning these sites/projects with environmental studies, plans, and approvals in place to meet application requirements for the RLF Program. The success of this approach is evident in our current purchase offer for the Rando Machine property and developer interest in the Canal Street properties (see developer support letter in Threshold Criteria Attachment D). Another strategy will be to achieve successful completion for one or more high visibility projects to showcase well publicized local "success stories" featuring the RLF Program. The long-term strategy will be to integrate marketing of the RLF program with the County's overall economic development program marketing and initiatives – which will help match these projects with other potentially available funding and incentives and will also help limit the long-term costs (a key for program sustainability). The marketing program will include: 1) outreach to neighborhood/community organizations (with support from the project partners listed on Table 3), 2) engagement with the real estate brokers, developers, environmental consultants, bankers, major property owners and realtors, and 3) use of social media, including providing information on the County's economic development program website with its brownfields project webpage. Digital and print marketing materials will be prepared specifically for the RLF Program.

**3.b. Description of Tasks/Activities & Outputs:** Table 4 provides a description of project tasks, as well as the schedule, leads, and outputs associated with each task.

**Table 4 – Summary of Project Implementation Tasks, Activities, Schedule & Outputs**

**Task 1 – Grant Oversight & Fund Management**

i. **Program Implementation:** Upon notice of award, the PAT will convene as well as the Loan Review Board. Subsequently, the County will complete a qualifications-based procurement process (compliant with 2 CFR 200.317-326) and retain a Qualified Environmental Professional (QEP). The WEDC will perform Loan Management services to support implementation of the RLF Program. The County is developing an Administrative Plan detailing all policies and procedures relevant to establishing and administering the Brownfields RLF Program. The WEDC has administrative procedures for implementing a loan program but will tailor specific language to match the unique characteristics of brownfield sites, as well as requirements specific to the EPA Cooperative Agreement. A combined loan/subgrant pre application form will be created. As loan/subgrant applications are received, they will be reviewed and approved or denied by the Loan Administration Board. Agreements will be executed for approved loan/subgrant applications. The Loan Manager will manage loans and associated financial record keeping and reporting, and provide reports on at least a quarterly basis to the Project Manager and PAT. The PAT will meet at least quarterly during initial stages of the project (to guide development and launching of the RLF Program and maintain progress towards deployment of all available loan/subgrant funds), and as needed during later stages (as issues are encountered or funding for additional loans becomes available). Required quarterly and annual progress and financial reports will be completed and submitted to EPA.

ii. **Anticipated Project Schedule:** Initial steps (convening the PAT, forming the Loan Administration Board, and procuring the QEP) will begin following initial notice of award. The Administrative Plan and application form(s) will be completed within the first quarter. The PAT will convene on a quarterly basis until agreements are executed for all initial loan/subgrant funding. The Loan Administration Board will convene as loan/subgrant proposals are completed for consideration. The goal will be to execute agreements for all initial loan/subgrant funding during the initial 2 years of the Program. EPA required quarterly and annual reports will be completed by the specified due dates. The Loan Manager will process, monitor, and maintain records for all loans/subgrants on an on-going basis and provide reports to the Project Manager and PAT on a quarterly basis.

iii. **Task/Activity Leads:** The Loan Administration Board will convene as applications are received to review and approve loans/subgrants to eligible applicants based on project eligibility, applicant credit worthiness, and demonstrated project economic and environmental benefits. The Loan Manager will track the progress of each loan and subgrant as well as for the RLF Program overall and report to the Loan Administration Board and Project Manager. The Loan Manager will also retain all records necessary for auditing of the Program. The County's Project Manager will be responsible for completing all quarterly and annual progress, financial and other reporting required by the Cooperative Agreement.

iv. **Outputs:** 1) RLF Program Administrative Plan. 2) Loan Manager and QEP procurement documentation and service agreements. 3) Loan/subgrant applications and supporting documentation. 4) Loan/subgrant review and decision records. 5) Agendas and minutes for meetings of the Loan Administration Board. 6) Loan/subgrant agreements. 7) Detailed financial records for all loans/subgrants. 8) EPA quarterly and annual financial and progress reports.

**Task 2 – Community Engagement and Program Marketing**

i. **Program Implementation:** The County will integrate initial **outreach** for the RLF grant with community engagement that is occurring as part of the County's FY2020 CWA Grant which is focused on revitalization of brownfields in the same Target Area, and involving the project partners listed in Section 2.b. Community engagement activities for the RLF Program will include notifying landowners and communities in the Target Area about cleanup schedules and project progress; conducting 30-day comment periods on Analysis of Brownfield Cleanup Alternatives (ABCAs); creating technical presentations, exhibits, and handouts for meetings; drafting meeting summaries; and responding to public comments gathered in meetings and through the County's Brownfields Program website. Although the engagement process will need to be adjusted following completion of the CWA Grant, the key focus will be during the initial 2 years of the Program when the County's goal is to fully expend all budgeted amounts for loans/subgrants on eligible priority sites. Digital and print marketing materials will be prepared specifically for the RLF Program and used to support both community engagement and marketing activities. Materials will be created to facilitate engagement and marketing for residents in the Target Area.

**Program marketing** will be integrated with the County's existing economic development programs, which provide information on an array of funding and incentive programs available to businesses or developers (<https://web.co.wayne.ny.us/226/Economic-Development>). This multi-tiered marketing approach will provide brownfields redevelopers with essential information on additional incentive and funding programs for advancing projects and helping to fill project financing requirements.

ii. **Anticipated Project Schedule:** Community engagement and marketing of the RLF Program will be on-going throughout the project but focused in particular during the initial 2 years when the goal is to put loans/subgrants in place for the full budgeted amounts, and the opportunity to integrate activities with outreach/engagement being performed as part of the FY2020 CWA Grant.

iii. **Task/Activity Leads:** County staff in the Planning and Development Dept. (who are leading the FY2020 CWA Grant project) will lead the community engagement activities, with support from the QEP. WEDC staff will lead marketing of the RLF Grant, with support from Planning and Development Dept. staff.

iv. **Outputs:** 20 public meetings over 5 years; program progress updates, and explanation of proposed projects, including public comment periods; informational materials, bilingual materials as necessary; and program information on the County's Brownfields Program website and other locations and digital platforms.

**Task 3 – Cleanup Oversight**

i. **Program Implementation:** The QEP will review approved ABCAs, remediation plans, and abatement plans to verify cleanups will be completed in a manner protective of public health and the environment, and in accordance with applicable regulations. The QEP (or qualified County staff) will confirm the applicant's enrollment in all relevant state programs, perform site visits while cleanups are in progress, and review remedial documentation (or other reports) documenting that cleanup was completed in accordance with plans, and applicable State, federal, local, and loan/subgrant requirements.

ii. **Anticipated Project Schedule:** Work will depend on when the Loan Manager receives the initial application materials for loans/subgrants. Work would continue as loan/subgrant agreements are executed and cleanups are completed throughout the 5-year initial grant period. It is anticipated the reviews completed by the QEP as part of loan/subgrant underwriting will occur primarily during the first 2 years of the grant, with oversight of in progress or completed remedial programs also occurring during that time.

iii. **Task/Activity Leads:** The QEP will lead this task, under the direction of the County's Project Manager.

iv. **Outputs:** 1) Documentation of reviews performed by the QEP of environmental reports and applicants submitted plans (Phase I/II ESAs, remedial investigation reports, cleanup/abatement plans, and/or ABCAs). 2) QEP site visits and associated records. 3) Documentation of QEP review of remedial documentation reports or RBM abatement completion records.

**Task 4 – Cleanup Loans and Subgrants**

i. **Program Implementation:** Approved loan/subgrant funding will be dispersed to eligible projects for performance of cleanup work. As detailed in Section 3.a.iii, the priority sites will be among those initially considered for use of funding. Assuming that cleanup funding agreements are executed on these sites, EPA funded activities will include abatement of lead, asbestos and other RBMs in buildings on **all priority sites** for which renovation/adaptive reuse is the goal. EPA-funded cleanup activities at the **Canal Street, NDC, and Former Rando Properties** would include RBM surveys and abatement, installation or maintenance of vapor mitigation systems in the footprint of planned or existing buildings subject to vapor intrusion hazards, collection and analysis of required verification samples, and preparation of remedial documentation reports. We anticipate that funds leveraged from the CDBG program will be used for site assessment, cleanup and reuse planning for the **Elmer Street site**, but additional RLF funds will be required to supplement those activities. The QEP (under Task 3) would verify the completion of EPA-funded cleanup activities in accordance approved abatement or cleanup plans, and review documentation submitted to DEC or other agencies, and approvals issued by those agencies.

ii. **Anticipated Project Schedule:** The County's goal is to have loan-subgrants executed for all RLF loan/subgrant budget within the first 2 years of the project, with funded cleanups completed and fully documented within the first 3 years. As loans are repaid and funding is replenished, additional loan agreements would be executed.

iii. **Task/Activity Leads:** This task is integral with loan/subgrant application review, underwriting, agreement execution. Application for EPA Brownfields RLF Grant, and loan servicing/monitoring/record keeping/reporting to be completed by the County and the WEDC Loan Manager as detailed under Task 1, and the cleanup oversight and cleanup documentation review/verification to be performed by the QEP as detailed under Task 3. Cleanup work will be completed by the loan/subgrant recipients, and qualified environmental contractors and consultants retained by those recipients.

iv. **Outputs:** 1) 2-3 loans. 2) 1-2 subgrants. 3) 3-5 remediated brownfield sites. 4) completed remedial documentation reports.

**3.c. Cost Estimates:** The budget for grant funded and cost share activities by task, funding type, and category is summarized below.

**Table 5. Budget for Grant Funded Activities and Cost Share\***

Budget Categories*	Task 1 - Grant Oversight & Fund Mgmt.	Task 2 - Community Engagement & Program Mktg	Task 3 - Cleanup Oversight	Task 4 - Cleanup Loans & Subgrants	Totals
Personnel	\$0	\$0	\$0	\$0	\$0
Contractual	\$0	\$0	\$22,500	\$0	\$22,500
Loans	\$0	\$0	\$0	\$827,500	\$827,500
Subgrants	\$0	\$0	\$0	\$150,000	\$150,000
Total Direct Costs	\$0	\$0	\$22,500	\$977,500	\$1,000,000
Indirect Costs	\$0	\$0	\$0	\$0	\$0
Total Federal Funds	\$0	\$0	\$22,500	\$977,500	\$1,000,000
Cost Share (20%)	\$0	\$0	\$0	\$200,000	\$200,000
Total Budget	\$0	\$0	\$22,500	\$1,177,500	\$1,200,000

Notes: \*No federal funds are requested for, fringe benefits, travel, or supply costs, and therefore, these categories are not included on the table.

Descriptions for how the cost estimates for each task and budget category were developed are provided below.

**Personnel costs** The County and the WEDC are not requesting RLF funding for personnel costs. Management of the program, administrative time, loan review and servicing, or other related tasks will be provided as in-kind services at no charge against the RLF.

**Contractual costs** No contractual fees are budgeted for work by the contracted Loan Manager (under Tasks 1 and 2). QEP contractual fees are provided (\$22,500 under Task 3) over the 5-year implementation period and assume issuance of up to 3 loans and 2 subgrants. The Loan Manager in-kind services will include underwriting and review for loan/subgrants assistance with community engagement and marketing and general loan servicing, monitoring, recording keeping, and reporting. The QEP costs are based on an estimated 36 hours of work per loan/subgrant project at an average hourly billing rate of \$125/hr (= \$4,500 per loan/subgrant and \$22,500 total). QEP costs are based on an assumption that several loans and/or subgrants will be made to projects funded through the County's EPA CWA Grant, for which complete environmental due diligence and cleanup plans will be in place requiring a lower level of effort for review. It is also assumed that all loans/subgrants will be made to projects having NYSDEC approved cleanup plans.

**Cleanup Loans and Subgrants:** Over 90% of requested RLF funding (= \$977,500) will be allocated to provide loans for eligible brownfields activities, including 15% (= \$150,000) on subgrants. We intend to provide 2-3 loans and 1-2 subgrants with the federal funds. The percentage of funding associated with loans will depend in part on the final number of subgrants and loans, and actual underwriting and environmental oversight costs associated. It is likely that a majority of personnel and contractual costs will be associated with loans.

**Cost Share:** The required 20% cost share of \$200,000 has been committed (by resolution) by our partner WEDC for eligible and allowable expenses (anticipated to be remediation or abatement costs). Using this cost share approach shows commitment to the program and will facilitate long-term tracking and documentation of match funds while simplifying the verification of eligible activities being claimed as match. RLF funding can be leveraged above the 20% match through County Economic and Planning staff time in project and loan administration, and potential funding sources such as (1) state brownfield grants or loans, (2) CDBG grant funding, (3) recipients providing a match in the form of money, labor, materials, or services, or (4) a combination of each of the options. The County will ensure that the 20% cost share meets the EPA definition of an eligible and allowable expense. The County will provide additional in-kind cost share through time devoted to administering the funds and loan review and servicing to supplement the 20% cost share requirement.

**3.d. Measuring Environmental Results:** At the start of the project, the County will set up a tracking table to track and measure progress towards completion of each of the outputs listed in Table 4. The table will be incorporated into the quarterly progress reports and serve as one means for tracking and measuring progress towards achieving the specific outputs identified in the approved grant work plan. The County will also track standard outcomes required to be reported in ACRES (i.e., dollars of public or private funding leveraged, acres of land made available for reuse, number of jobs created, etc.) as well as progress towards key outcomes identified by the community for the Target Area (i.e., creating "quality" local jobs, creating more affordable housing, and expanding and improving parks and green space). We recognize that a key to the success of the program will be securing applications for qualified and eligible projects during the initial 1-2 years of the Program. The inventory and outreach tasks of the County's EPA CWA Grant (which are in their second year of implementation) will be used to help identify proposed or potential brownfields projects that are well suited for the RLF Grant, as well as to complete all necessary assessment and remedial/reuse planning activities needed for the four priority sites identified in Section 1.a.ii such that they are optimally positioned to apply for RLF Grant funding. By the time the RLF Grant is awarded, we are confident that the County will be to have 4-6 high quality prospects in place.

#### **4. PROGRAMMATIC CAPABILITY & PAST PERFORMANCE:**

**4.a. Programmatic Capability: 4.a.i. Organizational Structure:** To maintain consistency and build off previous successful program management, the County will use the governance structure that was established for our CWA project. To manage the loan portion of the RLF, the County will contract with WEDC whose current Loan Review Committee and Board of Directors include bank loan officers, business owners and County Supervisors. Policy development and loan applications will receive thorough reviews from experienced decision-makers covering a wide range of industry sectors.

**4.a.ii. Description of Key Staff:** The County will use the PAT discussed in section 3 to assist with implementation of the RLF Grant over the 5-year performance period and beyond. Lead staff and their roles are described below:

**Brian Pincelli, AICP/EDFP, Director, Wayne County Economic Development and Planning,** will be the Project Director and primary point of contact for the Program, a role that he is also serving for the County's FY 2020 \$600K CWA grant. Mr. Pincelli will approve all contracts and reports; coordinate BAC meetings; secure assistance from other County staff as needed; and oversee work by the environmental or other contractors used to implement the grant. He has over 15 years of planning and economic development experience including as Project Director of the Wayne County CWA and the City of Syracuse Brownfield Project Coordinator managing over \$1M in NYSDEC funding for investigation and remediation of four sites, management of an EPA Superfund cleanup project, and two Brownfield Opportunity Area (BOA) projects. He has extensive experience in grant administration, urban planning, statistical analysis, technical writing, public speaking, project management, intergovernmental collaboration, public participation, and stakeholder engagement.

**Ora Rothfuss, Planner, Wayne County Economic Development and Planning,** will manage the RLF Grant program for the County. He is the current Project Manager for the Wayne County FY 2020 \$600K CWA grant and has a comprehensive knowledge of all brownfield sites in the county and Target Area. He works directly with the WCLB Director identifying priority

sites, leveraging funding and focusing community revitalization efforts. He also helped acquire and manage an additional \$21M in grant awards from federal and State sources.

**Kathleen Bronson, Deputy Director, Wayne County Economic Development and Planning**, will support program oversight, coordination and acquisition of funding. She has a master’s degree in urban planning and policy from the University of Illinois at Chicago and an undergraduate degree in Public Communication from The American University. Her previous work includes Director of Housing initiatives at Home HeadQuarters, Executive Director of the Albany County Land Bank, and Principal Planner at the City of Albany.

**Dr. Mark Humbert, Executive Director, Wayne County Land Bank**, will manage all activities conducted by the Land Bank including property acquisition, financial support to the County, and assisting with site selection. Since June 2019 the Land Bank has acquired 41 properties, sold eight and is in the process of selling six. The Land Bank, and County worked with NYSDEC to negotiate a 3-party Memorandum of Understanding (MOU) modeled after one executed by New York’s Suffolk County, and their Land Bank. The MOU allows the WCLB to proceed with foreclosure on tax delinquent suspected brownfields without fear of State environmental liability thereby allowing for acquisition of a clear title to brownfields that are tax delinquent.

**Jamie Corteville, Wayne County Economic Development Corporation and Industrial Development Agency Fiscal Officer**, responsible for the performance of complex professional accounting and related fiscal administrative tasks in development, examination, review or analysis activities related to fiscal management of Department funds/expenditures. Jamie oversees special projects or programs like servicing and tracking of loan and PILOT payments, job reporting and data collection. WEDC and WCIDA have administered loan and financial incentive programs since 1969. WEDC policies and procedures to acquire and utilize funds from various state and federal funding agencies are well tested and proven to be effective.

**4.a.iii. Acquiring Additional Resources:** The County has a fully staffed human resources department with the resources, experience, and expertise to recruit qualified replacements for any key project staff that depart during the Project/Program. The County routinely contracts out for engineering and consulting services and has all management and procurement procedures in place to secure services through competitive processes compliant with 2 CFR 200.317-326 requirements, as well as the experience and expertise needed to manage contractors as they complete assignments.

**4.b. Past Performance & Accomplishments:**

**4.b.i. Currently Has or Previously Received an EPA Brownfields Grant:** The County was awarded an EPA CWA Grant (FY2020) starting the 2<sup>nd</sup> year of the 3-year implementation period with our accomplishments provided below.

**4.b.i.(1) Accomplishments:** The following are descriptions for various recent and relevant grants: **EPA 2020 Brownfield Coalition CWA Grant (Year Awarded – 2020: Grant Amount = \$600K; 10/1/2020 to 9/30/2022)**: A summary of project accomplishments is provided below. All outputs and outcomes are accurately reflected in ACRES. Additional ACRES updates will be made as necessary to account for additional outcomes and success stories beyond the life the of the grant.

23 sites nominated for grant funding.	Leveraged \$29M in abatement and demolition funds to date.
Completed assessments for 13 sites in 7 towns/villages.	Fostered property transfers for 2 priority sites
Created 18 property profiles in ACRES.	Completed a countywide brownfield Inventory.
Developed project-specific webpage and 5 fact sheets.	Hosted 11 Brownfield Advisory Committee meetings.
Completed 2 SAPs for priority sites in the Target Area.	Completed 4 Quarterly Performance Reports.

**Other Recent Funding Accomplishments:** The County receives over \$750,000 of annual Federal funding for a variety of projects. In the last 8 years, Wayne County has received \$1.68M in Community Development Block Grants (CDBGs) through NYS Department of Housing and Community Renewal. The three most recent are a \$696K CDBG to recover and prepare for extreme lakeshore flooding events, a countywide CDBG grant for \$745K to assist low-income families to access municipal water or sewer systems, or upgrade to private systems and a \$47K Derelict Properties planning grant. The WCIDA also utilized a state grant to assist in the development of a Brownfields inventory. Both the Derelict Property study and the Brownfield inventory have helped to inform the work of the CWA. An additional \$748K of CDBG funding was awarded to the WCLB to demolish the 42 Elmer St. (priority site) and to complete environmental assessments, cleanups and reuse plans. The County and WEDC have also recently used Enterprise funding to establish a small unit (<30 units) affordable housing pre-development revolving loan fund to help encourage development of affordable housing projects.

**4.b.i.(2) Compliance with Grant Requirements: 2020 CWA Grant (\$600K):** The County has maintained compliance with the workplan, schedule (10/01/20-09/30/23), and EPA terms & conditions and is ahead of schedule to achieve expected results in just over two years. We are on pace to expend all allotted funding prior to the end of our grant period. To date, we have completed 13 Phase I ESAs on priority sites paving the way for completion of multiple Phase II ESAs and reuse plans in FY year 2022. Progress reports and deliverables have been submitted on time and in compliance with EPA standards. Property profiles in ACRES were updated within 30 days of completing assessment activities and are updated as needed to reflect current status. The County also annually undergoes a 2 CFR 200 audit and our Treasurer received the 2020 prestigious 90+ cashVest® Award for the top 10 percentile of Counties for handling equity, saving and earning more money for our taxpayers. The County’s most recent Credit Rating of AA2 allows for lower interest rates for bonding of capital infrastructure and economic development.



# Threshold Criteria FY22 Revolving Loan Fund Grant Application Wayne County, New York



Newark Development Center (NDC), Newark/Acadia, New York



Former Rando Machine Company, Macedon, New York



58-66 Canal Street, Lyons, New York



Fourth Former Cold Storage (Elmer Street), Lyons, New York

**Threshold Criteria for Revolving Loan Fund Grants  
Revolving Loan Fund Proposal – Wayne County, New York (FY2022)**

**1. APPLICANT ELIGIBILITY:**

*Wayne County, New York* is eligible to apply for grant funding under the criteria as a General Purpose Unit of Local Government. Wayne County qualifies as a local government as defined under 2 § CFR 200.64

**2. DEMONSTRATION OF PREVIOUS RLF GRANT STATUS:**

Wayne County has not had, or been a part of, a cooperative agreement for a Brownfields RLF in the past.

**3. Expenditure of Existing Multipurpose Grant Funds:**

Wayne County affirms that it does not have an open EPA Brownfields Multipurpose Grant.

**4. DESCRIPTION OF RLF BOUNDARIES:**

The jurisdictional boundaries for Wayne County are the current established limits for the County's incorporated area. A map detailing the current County limits is provided as **Attachment A**.

**5. OVERSIGHT STRUCTURE AND LEGAL AUTHORITY TO MANAGE A REVOLVING LOAN FUND:**

**a. Oversight Structure**

All loan or subgrant recipients will be required to enroll in cleanup projects overseen by the New York State Department of Environmental Conservation (NYSDEC). In addition, the County will also retain an environmental consultant to provide additional technical expertise relevant to environmental cleanups and ensuring that cleanups are: (a) protective of human health and the environment, and (b) being performed in accordance with approved plans and applicable environmental requirements. The environmental consultant will be retained through a competitive procurement process that is compliant with applicable provisions of 2 CFR §§ 200.317 through 200.326, and which is completed prior to the beginning of cleanup activities supported by the RLF grant.

**b. Legal Authority to Manage a Revolving Loan Fund**

A legal opinion from Wayne County's legal counsel is presented in **Attachment B** which demonstrates the County's legal authority to: (1) access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant, and (2) perform the actions necessary to manage a revolving loan fund. At a minimum, legal authority must include the ability to hold funds, make loans, enter into loan agreements, and collect repayments.

## **Threshold Criteria for Revolving Loan Fund Grants Revolving Loan Fund Proposal – Wayne County, New York (FY2022)**

### **6. STATUTORY COST SHARE:**

The required 20% cost share of \$200,000 has been committed (resolution included as **Attachment C**) by our partner WEDC for eligible and allowable expenses (anticipated to be remediation or abatement costs). Using this cost share approach shows commitment to the program and will facilitate long-term tracking and documentation of match funds while simplifying the verification of eligible activities being claimed as match. The County will ensure that the 20% cost share meets the EPA definition of an eligible and allowable expense. The County will provide additional in-kind cost share through time devoted to administering the funds and loan review and servicing to supplement the 20% cost share requirement.

### **7. NAMED CONTRACTORS AND SUBRECIPIENTS (OTHER THAN BORROWERS AND SITE CLEANUP SUBGRANTEES):**

The County has not selected a contractor to assist with RLF services and has not selected or identified subrecipients, borrowers and/or site cleanup subgrantees at this time. Upon notice of award, the County and the Loan Administration Board will convene and procure the services of a Qualified Environmental Professional (QEP) using a qualifications-based procurement process (compliant with 2 CFR 200.317-326). In addition, the County has not hired firm(s) or individual consultants to develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals.

### **ATTACHMENTS TO THRESHOLD CRITERIA RESPONSE**

- A. Map of County Boundaries**
- B. Legal Opinion Letter**
- C. WEDC Cost Share Resolution**
- D. Developer Support Letter**

