Oroville Downtown-Gateway Brownfields Assessment Program
Application

Release Date:	September 27, 2011
Application Submitted by:	October 31, 2011, 5pm
Direct Applications to:	Thomas S. Fitzpatrick, MPA Project Specialist City of Oroville 1735 Montgomery Street Oroville, Ca 95965 Phone: 530-538-2405 Email: fitzpatrickts@cityoforoville.org

Background

In June 2010, the Agency received grant funding from the United States Environmental Protection Agency (USEPA) to conduct an area-wide brownfield site assessments program. The funding encourages communities to prevent, assess, safely cleanup, and sustainable reuse brownfields properties.

Brownfields typically include:

- Former auto related industries such as gas stations;
- Dry cleaners;
- Vacant properties suspected or known to be contaminated with hazardous substances or petroleum; and
- Properties that include former meth labs or older buildings with lead based paint.

Eligibility Criteria

Participants of the Program must meet the eligibility criteria established under the Brownfields law and be approved by the Oroville Redevelopment Agency ("Agency"). Sites will be considered at the discretion of the Agency and will be ranked by priority from scores received through a ranking system. In order for a property to be considered for assistance, the following criteria must be met:

1. Properties must be located within the boundaries of the City of Oroville and within the Oroville Downtown-Gateway Brownfields Program area (see Attachment C for Map of Project Area).

2. Sites must meet the federal brownfields definition and receive USEPA's approval prior to any assessment activities.

3. Properties must have real or perceived environmental contamination challenge or concerns.

4. Property and business owners and/or tenants will need to agree to participate in the program to allow site access and answer questions regarding site activities.

5. Participants must allow submission of the USEPA "Property Profile" form required by USEPA. This form is for tracking purposes under the federal program and is not an admission of liability.

6. Participants must allow disclosure of any previously prepared Phase I/II ESAs to the appropriate environmental agency.

Participants must prepare and sign the attached Application (Appendix A) and the Certification, Indemnification and Liability Release and Right of Access (Appendix B).

Information on the Brownfields Redevelopment Program for Downtown Oroville

The Agency is using brownfields funds to create a new business assistance program called the Oroville Downtown-Gateway Brownfields Program, to help property and business owners assess any environmental conditions in order understand the potential roadblocks to redevelopment or site reuse.

The Agency intends to conduct up to 20 Phase I Environmental Site Assessments (ESAs) and 10 Phase II ESAs. Phase I's are "paper" reviews to determine the potential of recognized environmental conditions. This study is required for all commercial property transactions. If a release is suspected, a Phase II ESAs is conducted by sampling the soil, air and/or water to confirm the presence or absence of contamination. The Oroville Downtown-Gateway Brownfields Program is designed to help remove environmental concerns and economic barriers to property utilization and revitalization.

Funds will target properties in the Downtown-Gateway Brownfields Redevelopment Project Area (DGBRA), which is comprised of approximately 618 acres in the general downtown area (see attached map). Properties will be selected from the brownfields site inventory that identifies priority properties. An initial list of 110 properties is being created using information contained in a commercial database report and specific parcels of interest to the Agency. Properties will be ranked in order of priority based on scoring criteria. Candidate brownfield sites must meet the eligibility criteria identified below to participate in the program.

If you have any questions, please contact:

Thomas S. Fitzpatrick, MPA
Project Specialist
City of Oroville
1735 Montgomery Street
Oroville, Ca 95965
Phone: 530-538-2405
Email: fitzpatrickts@cityoforoville.org

Attachment A
Application to Participate in the Oroville Downtown-Gateway Brownfields Assessment Program

Applicant Information

Name: _____ Address: _____

Phone:_____ Fax:_____ email:_____

Property Owner Information:

Name: _____ Address: _____

Phone:_____ Fax:_____ email:_____

Contact Person: (write same is same as owner)

Name: _____ Address: _____

Phone:_____ Fax:_____ email:_____

Years of Ownership: _____

Site Information:

Current Activity or Business Operation: _____

Years of Operations: _____ APN Number(s): _____

Property Address: _____

Operator's Contact Information:

Name: _____ Address: _____

Phone:_____ Fax:_____ email:_____

Type and numbers of structures:_____

Total Acres:_____ Assessed Value: $_____

Potential Area of Contamination: _____

Plans Regarding Reuse: _____

Attachment B
Certification, Indemnification and Liability Release

(*This form must be signed by a principle officer or a non-profit organization, a principle executive officer, or property owner*)

The signee indicated below certifies that the information submitted is, to the best of the undersigned's knowledge and belief, true, accurate, and complete. The signee indicated below hereby releases, indemnifies, and agrees to hold the City of Oroville and the Oroville Redevelopment Agency, its agents, employees, officers, principals, successors, contractors and subcontractors from all liability, claims, damages or actions, including attorney's fees and expenses of litigation, that may arise or result from the performance of the City of Oroville Downtown-Gateway Brownfields Program, regardless of whether such liability, claims, damages, or action are caused in whole or in part by a negligent act or omission of City of Oroville and the Oroville Redevelopment Agency, its agents, employees, officers, principals, successors, contractors and subcontractors.

Signature _____ Date:_____

Right of Access:

That the City of Oroville and the Oroville Redevelopment Agency has notified, herinafter referred to as "Owner" of it need for the right of access under, over, and across the property hereinafter described and which property is located in the City of Oroville, Butte County, California, for the purpose of performing a Phase I/II Environmental Site Assessment (ESA).

Owner of the property hereby grants and extends to the City of Oroville, the Oroville Redevelopment Agency and its consultant, Brown and Caldwell and any subconsultants the right of access under, over, and across the property for the purpose of performing a Phase I/II ESA.

The City of Oroville and the Oroville Redevelopment Agency, its agents, employee, contractors and assignees will be permitted to enter upon said property in order to perform the project described above, said property being more particularly described as:

APN _____ Lot_____ Block_____

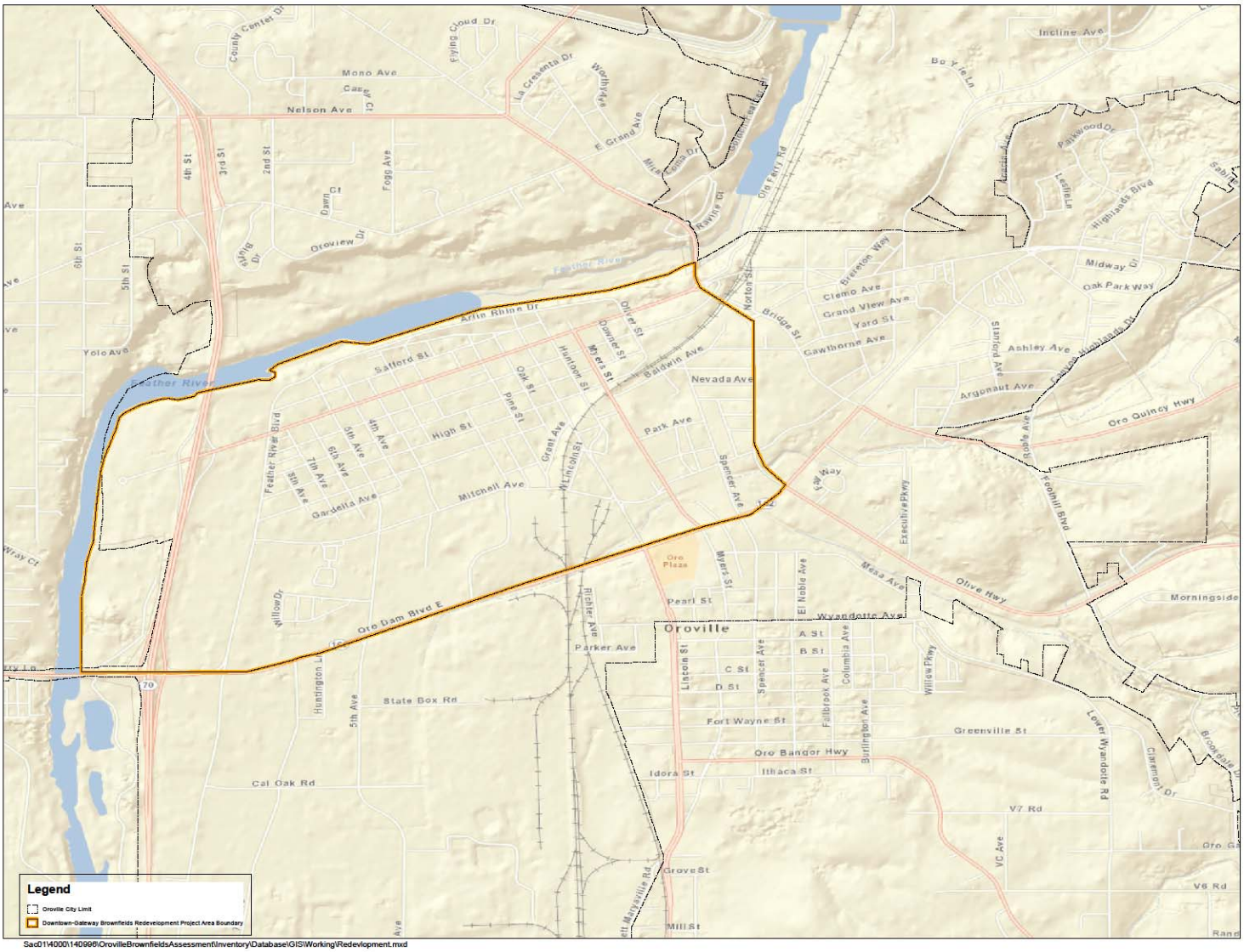
As recorded in Volume_____, Page _____.

Street Address: _____

EXECUTED this day of _____, _____, 201_.

Signature of Owner's Name _____

Attachment C
Map of Downtown-Gateway Brownfields Program Area



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