



## SALT LAKE COUNTY

PETER M. CORROON  
Salt Lake County Mayor

Jean Nielsen  
Human Services  
Department Director

### COMMUNITY RESOURCES and DEVELOPMENT

Michael R. Gallegos  
Community Resources and  
Development Division Director  
mgallegos@slco.org

Administration  
2001 South State Street  
Suite S-2100  
Salt Lake City, UT 84190-2710

801 / 468-3246  
801 / 468-3684 fax  
[www.slcoedcr.org](http://www.slcoedcr.org)

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November 28, 2011

R08-12-R-001

Environmental Management Support, Inc.  
Attention: Mr. Don West  
8601 Georgia Avenue, Suite 500  
Silver Spring, Maryland 20910

**RE: Wasatch Front Brownfields Coalition – Revolving Loan Fund Grant Proposal  
Salt Lake County, Redevelopment Agency of Salt Lake City, Ogden City, UTAH  
RFP NO. EPA-OSWER-OBLR-11-06**

Dear Mr. West:

Salt Lake County is pleased to submit this Brownfields Revolving Loan Fund (RLF) grant proposal on behalf of its three-party Wasatch Front Brownfields Coalition (Coalition), which spans two counties in northern Utah. As the lead entity of the Coalition, Salt Lake County is partnering with the Redevelopment Agency of Salt Lake City and Ogden City to help facilitate the cleanup and redevelopment of sites along the expansive Wasatch Front. The Coalition area includes a combined population of 1.1 million people in one of the most rapidly-growing parts of the country – an area known as the "Crossroads of the West."

Because of its geographic location, Utah has long been a transportation hub. In the 1800's Ogden was a major railroad center, located not far from Promontory Point where the two major rail lines (built from East and West) were first joined together. Since that time, the Wasatch Front has emerged as a major financial hub and employment center, with a thriving outdoor recreation industry that capitalizes on the scenic mountains that surround us. However, many of the industries and technological advancements of this area have also left behind blighted and abandoned areas of environmentally-contaminated lands. Today many of these sites are in areas characterized by climbing unemployment, high crime rates, an uneducated workforce, deteriorating properties and a shrinking tax base. Many of these properties are also located in areas served by mass transit and that would benefit immensely from redevelopment of these properties in a mixed-use manner.

Our economy has been "hard hit" over the past few years, with revenues in the County's municipal services budget declining from \$82 million in 2008 to \$55 million in 2010 – a decrease of nearly one-third. The Coalition has made a significant investment of time and funds, including the use of EPA assessment funds, to identify properties that are ready for reclamation. We have numerous sites that are ready to move forward with the next step of cleanup of properties, but have no funds available to capitalize a revolving loan fund whereby we might partner with the private sector in revitalizing these declining areas in our communities.

The Coalition has methodically identified eight (8) priority sites that are ready for immediate remediation and revitalization. We have a united, transit-oriented vision for each of those sites – one that will greatly improve the vitality of disadvantaged neighborhoods and that will improve air quality in our Valley.

The Coalition values EPA's partnership and its commitment to our environmental and redevelopment goals.

- a. Applicant Identification: Salt Lake County  
2001 South State Street, Suite S2100  
Salt Lake City, Utah 84190
- b. Applicant DUNS number: 128055613
- c. Funding Requested:
  - i) Grant Type: Revolving Loan Fund (RLF)
  - ii) Federal Funds Requested: \$1,000,000 (not seeking hardship waiver of cost share requirement)
  - iii) Contamination: Hazardous Substances (\$500,000) & Petroleum (\$500,000)
- d. Location:  
Salt Lake County, Salt Lake City, and Ogden City, UTAH
- e. Contacts:

|   |                                      |
|---|--------------------------------------|
| PROJECT DIRECTOR                            | CHIEF EXECUTIVE                      |
| <b>Emily Farmer</b> , Redevelopment Manager | <b>Peter Corroon</b> , Mayor         |
| 2001 South State Street, Suite S2100        | 2001 South State Street, Suite N2100 |
| Salt Lake City, Utah 84190                  | Salt Lake City, Utah 84190           |
| 801.468.2280 (ph) 801.468.3684 (fax)        | 801.468.2500 (ph) 801.468.3535 (fax) |
| <u>EFarmer@slco.org</u>                     | <u>PCorroon@slco.org</u>             |
- f. Date Submitted: November 28, 2011
- g. Project Period: September 2013 – September 2018 (will not exceed five years)
- h. Population (2010 Census):
  - i) Salt Lake County (includes Salt Lake City): 1,029,655
  - Salt Lake City: 186,440
  - Ogden City: 82,825
  - TOTAL: 1,112,480**
- i. "Special Considerations" Checklist:  
The "Special Considerations" Checklist is included in the Appendix.

If you should have any questions concerning this proposal, please do not hesitate to contact Emily Farmer at (801) 468-2280 or [efarmer@slco.org](mailto:efarmer@slco.org).

Respectfully submitted,



Peter Corroon, Mayor  
Salt Lake County

## NARRATIVE PROPOSAL

### 1. COMMUNITY NEED

#### a. Health, Welfare and Environment

The Wasatch Front Brownfields Coalition (“Coalition”) is composed of three members: Salt Lake County, the Redevelopment Agency of Salt Lake City (located in Salt Lake County) and Ogden City (located in Weber County). Together, we have **8 priority sites (covering 294 acres)** that have been identified as environmentally contaminated. This creates significant health concerns in our community – an area that has air quality issues and substantially higher hospitalization rates for asthma and coronary heart disease than in surrounding Utah counties.

To address this significant problem of contaminated properties and health concerns along the Wasatch Front, the Coalition was formed to focus on the cleanup of critical sites that are linked to each other by one or more modes of public transit. These properties are highly visible to the public and could be redeveloped in a transit-oriented, mixed-use, and higher-density pattern. Further, the Coalition members, connected by I-15, and recently joined together by commuter rail service, represent some of the most-rapidly growing areas in the country – Utah’s Wasatch Front. Recognizing the need to meet the demands of new growth while limiting “sprawl” development, the Coalition intends to focus on promoting mass transit and improving air quality in our region through the cleanup of brownfields sites. Cleanup and redevelopment of key sites near transit will result in greater affordability for households in these economically disadvantaged areas, as well as improved health, safety, and quality of life through reduced sprawl, increased use of public transit, and improved air quality.

With these goals in mind, the Coalition has identified the following properties as having immediate needs, interested parties, and the potential to utilize funds and make improvements quickly. The sites have also been prioritized because they are all located near transit, have potential for redevelopment, generate significant health and safety concerns, and are located in areas that are economically disadvantaged.

Table 1

| Property                            | Acres | Contaminants                      | Health/Safety Concerns                      | Location         |
|-------------------------------------|-------|-----------------------------------|---|------------------|
| West Millcreek Target Area          | 135   | TPH, Metals, Solvents             | Cancer, nervous system, respiratory         | Salt Lake County |
| Fleet Yard                          | 8     | TPH, Tetrachloroethene, PAH, Lead | Cancer, skin, nervous system, respiratory   | Salt Lake City   |
| Swift Building                      | 4     | TPH, Asbestos, Arsenic, PCB, Lead | Cancer, respiratory, breathing difficulties | Ogden City       |
| 24 <sup>th</sup> Street Interchange | 23    | TPH, Arsenic, PCB, Lead           | Cancer, skin, nervous system, respiratory   | Ogden City       |
| Old Stock Yards                     | 7     | TPH, Arsenic, Lead                | Cancer, skin, nervous system, respiratory   | Ogden City       |
| Fife Property                       | 37    | TPH, Arsenic, Lead                | Cancer, skin, nervous system, respiratory   | Ogden City       |
| Goode Ski Lake                      | 39.5  | TPH, Arsenic, Lead                | Cancer, skin, nervous system, respiratory   | Ogden City       |
| Wall Avenue Retail                  | 40    | TPH, Arsenic, Lead                | Cancer, skin, nervous system, respiratory   | Ogden City       |

**Salt Lake County:** The West Millcreek Target Area (over 135 acres) has a long history of industrial uses, including trucking companies, dry cleaning, paving companies, cement plant, auto repair/auto body shops, and printing/graphics companies. The area also immediately borders the former Morgan Hanover Smelting Works Site. There is a mix of development types, including residential, in this area, which exposes sensitive population to contaminants. Big Cottonwood Creek also flows through this area, and is in need of cleanup. While development has thrived in surrounding areas of Salt Lake County, this area of the County has experienced a decreasing population, significantly lower-than-average incomes, a higher-than-average poverty level, and low property values (approximately one-third of values in surrounding areas).

Utilizing funds from an EPA Brownfields Assessment Grant, Salt Lake County has obtained Phase I & II Environmental Sites Assessments (ESAs) of McKinnon Enterprises (2.28 acres), which reveal property contamination due to current paving operations and vehicle/equipment storage yards. The McKinnon property is deemed a key land assemblage within West Millcreek since it runs alongside Big Cottonwood Creek and is proximate to State Street, which is major corridor of U.S. Route 89. In short, redevelopment of the target area would decrease reliance on automobile travel, improve air quality, and reduce infrastructure costs for water, sewer, and roadways through the higher density associated with transit-oriented development near light rail. It would also provide increased enrollment for local schools that have a pattern of declining enrollment and that may face closure issues.

**Redevelopment Agency of Salt Lake City:** The Fleet Yard (8 acres) has been the site of various Salt Lake City activities since the early 1950s, including a former asphalt plant, fleet fueling station, and heavy vehicle maintenance. In 2005, the Redevelopment Agency of Salt Lake City procured an environmental assessment of the Fleet Yard that revealed major contamination in the form of petroleum and hazardous substances. Over the Spring of 2011, Salt Lake City relocated its Fleet, Streets, and Sanitation Divisions, thereby leaving the site vacant and ready for remediation.

The neighborhoods immediately surrounding the Fleet Yard that are adversely impacted by the environmental contamination are mainly comprised of single-family homes, multi-family residential, and office/retail developments, as well as industrial uses. This mixed pattern of development originated in the 1860's when the nearby railroad corridor was constructed and converted most of the existing residential neighborhoods into rail-oriented industries. Salt Lake City's Gateway Specific Master Plan calls for the area around the Fleet Yard to transition away from its current industrial uses and ultimately become a mixed-use extension of Downtown Salt Lake City.

The remediation of the Fleet Yard is a crucial first step to encourage new development and to protect the health of surrounding residential neighborhoods and other family-related amenities. The remediation will also allow Salt Lake City to capitalize on the development potential of a planned modern streetcar line that will pass through this area. The streetcar line will connect Salt Lake City's transit hub to the 900 South light rail station (a mass transportation system that services over 130 miles of existing/planned regional rail transit) and thereby increasing household ridership, creating permanent jobs, improving air quality, leveraging public/private investment, and promoting transit-oriented development.

**Ogden City:** With a legacy reaching back to 1869, Ogden was once affectionately known as "Junction City" because of its robust rail yards and associated industrial resources that resulted from the completion of the Union Pacific-Southern Pacific transcontinental railroad and the driving of the Golden spike. Once a booming industrial hub, railroad usage declined dramatically in the late 1970's leaving behind a depressed economy, high unemployment rates and large areas of severely environmentally-impacted lands.

Specifically, Ogden City has identified 1 NPL and 15 CERCLIS sites in the community and there are 4 RCRA Large Quantity Generators and several other sites that use or store hazardous waste, produce hazardous air emissions, or have historical or present uses consistent with petroleum waste contamination.

Based on immediate health and environmental concerns from real or apparent contamination, there are **6 priority sites** in Ogden City (Weber County) boundaries that could benefit from remediation including: the Swift Building (4 acres), 24<sup>th</sup> Street Interchange (23 acres), Old Stock Yards (7 acres), Fife Property (37 acres), Goode Ski Lake (39.5 acres), and Wall Avenue Retail Corridor (40 acres). Among the priority clean-up sites, the typical operational uses range from trucking companies, paving companies, former gas stations, auto repair/storage, decommissioned landfills, waste transfer stations, rail yards, stock yards, and/or manufacturing companies. All of these properties, most idle for decades, present a potential public health risk, act as a drain on the local economy, inhibit tourism, discourage business relocation and/or expansion, and act as potential crime scenes. The fear associated with these properties has contributed to sprawl, displacement, and increased burden on municipal infrastructure throughout the community.

Several of the Ogden City priority sites (listed above) are located within ¼ mile of either a church or school, suggesting that children are likely to pass, and even stop to play, at abandoned sites. The Ogden and Weber rivers flow through this cluster of brownfield sites and the waterways are bounded, not by parks and green space, but rather junk yards, industrial shops, and blighted neighborhoods. Pedestrian/bike trails are located along these rivers and border each site, further endangering the health/welfare of this community. Lastly, the high levels of contamination pose a public health risk and a threat to air and groundwater quality.

In addition to the specific concerns at the identified sites, the Wasatch Front already has vast health concerns. The beautiful mountains surrounding our area create "soup bowl" inversions, trapping pollution for days at a time, and resulting in some of the highest rates of childhood asthma in the country, and some of the worst wintertime air quality ratings. The following table shows critical health factors for Salt Lake County and Weber County as compared to the surrounding Utah and Davis counties. In almost every health category, Salt Lake and Weber Counties have poorer health statistics than Utah and Davis counties.

Table 2

| <b>Hospitalization Rates (Incidents per 1000)</b>   |               |                               |               |
|---|---------------|-------------------------------|---------------|
|   | <b>Asthma</b> | <b>Coronary Heart Disease</b> | <b>Cancer</b> |
| Salt Lake County  | 0.73          | 1.60                          | 1.47          |
| Weber County  | 0.56          | 2.10                          | 1.77          |
| <b>Comparative Counties</b>   |               |                               |               |
| Davis County  | 0.47          | 1.38                          | 1.59          |
| Utah County   | 0.27          | 1.21                          | 1.18          |
| Utah Hospital Discharge Database 2010, AHCPDR: CCS code 128 / CCS code 100-101 / CCS code 11-36   |               |                               |               |
| <a href="http://ibis.health.utah.gov/query/builder/hddb/HDDBCntyHosp/CrudeRateHosp.html">http://ibis.health.utah.gov/query/builder/hddb/HDDBCntyHosp/CrudeRateHosp.html</a> |               |                               |               |

Cleanup of these priority sites will eliminate blight, promote open space, and encourage transit-oriented development. This should lower asthma hospitalization rates, reduce incidences of coronary heart disease, improve air quality, and enrich the overall health/safety of these economically-disadvantaged areas that are unduly impacted by contaminants and have sensitive populations, including children and the elderly.

**b. Financial Need**

Both Salt Lake and Weber counties are experiencing very difficult economic conditions. Sales tax revenues in both counties have declined by more than 15 percent over the past three years – to approximately the same levels seen in 2005. Meanwhile, the Wasatch Front has experienced some of the most rapid growth in the country, growing by almost 114,000 persons in these two counties over the past five years. This has placed extreme hardship on local budgets, leaving no funds for the remediation of contaminated properties.

The priority sites are located in neighborhoods with significantly lower-than-average incomes and lack of investment. Salt Lake County (which includes Salt Lake City) and Weber County (which includes Ogden City) have lower per capita incomes than the national average. Most of the priority sites are in census tracts (see Table 3) that have per capita incomes lower than the national average and high poverty rates. As an example, the Fife Site has a per capita income of \$12,651 at 48 percent of the national average. Portions of West Millcreek have per capita incomes at 59 percent of the national average, and the Fleet Yard has incomes at only 63 percent of the national average. Given these figures, it is highly likely that the environmentally-contaminated sites have had a direct detrimental effect on investment and area incomes.

Table 3

|                      | Salt Lake County         |   |            | Weber County   |                                    |            |
|----------------------|--------------------------|---|------------|--|------------------------------------|------------|
|                      | Fleet Yard<br>Tract 1024 | West Millcreek Area<br>McKinnon Enterprises |            | Stock Yard<br>SWIFT, 24 <sup>th</sup><br>Interchange | Goode Ski,<br>Lake, Wall<br>Avenue | Fife Site  |
|                      |                          | Tract 1121                                  | Tract 1116 | Tract 2019   | Tract 2011                         | Tract 2004 |
| Population           | 463                      | 6,943                                       | 6,257      | 6,329  | 5,537                              | 1,758      |
| Unemployment         | 0%                       | 3.0%  | 14.6%      | 7.6%   | 2.5%                               | 5.0%       |
| Poverty Rate         | 12.70%                   | 9.40%                                       | 21.80%     | 4.4%   | 9.30%                              | 41.20%     |
| Percent Minority     | 17.1%                    | 12.5%                                       | 30.1%      | 7.9%   | 9.2%                               | 10.2%      |
| Per Capita<br>Income | \$16,597                 | \$23,147                                    | \$15,703   | \$29,173   | \$20,876                           | \$12,651   |

Several of the areas have minority ratios that are higher than in the overall community, suggesting the credible likelihood of environmental justice concerns in these areas as well.

Table 4

|                   | Salt Lake County | Weber County | State of Utah | National    |
|-------------------|------------------|--------------|---------------|-------------|
| Population        | 1,029,655        | 231,236      | 2,763,885     | 308,745,538 |
| Unemployment      | 7.4%             | 8.6%         | 7.7%          | 9.6%        |
| Poverty Rate      | 13.5%            | 13.9%        | 13.2%         | 14.3%       |
| Percent Minority  | 18.8%            | 14.8%        | 13.9%         | 26.7%       |
| Per Capita Income | \$23,659         | \$22,468     | \$22,059      | \$26,530    |

Property values in Salt Lake County and Weber County have also seen decreasing values over the past few years. There have been significant employment reductions and layoffs at Hill Air Force Base, a major employer in the region. All of these factors result in strained economic environment, resulting in reduced, tightened, and limited local budgets with no excess funds available for remediation of brownfields sites.

Salt Lake County, the Redevelopment Agency of Salt Lake City, and Ogden City have all been recent recipients of EPA Assessment Grants that have documented conditions at brownfields sites and are ready to move forward with the next step. A supplemental funding source through the RLF program will provide support to local governments that are operating on reduced local budgets and do not have sufficient funds for remediation. This will allow the Coalition to facilitate the next step of the remediation process and promote cleanup and redevelopment with outside partners. The grant will also increase the Coalition's ability to leverage other local and state economic development funds, establish new partnerships, and help create desperately needed jobs in the community. Cleanup of these sites should improve the economic conditions in these disadvantaged areas through redevelopment and revitalization of key properties.

## **2. PROGRAM DESCRIPTION AND FEASIBILITY OF SUCCESS**

### **a. Program Description**

#### ***i) Description of Brownfields Redevelopment Program.***

Our Coalition has eight transit-related sites (listed previously) that have been identified and that are "ready to go" for cleanup. We have conducted previous studies, used assessment grants and other resources to identify these properties, and have created redevelopment project areas in order to obtain tax increment financing to assist with infrastructure needs. The RLF grant would provide the missing financial piece that would help remediate and further invigorate these properties and the surrounding neighborhoods.

The focus of our program is to clean up sites located near transit, because of the significant benefits that can be realized: improved use of public transit, improved air quality, mixed-use and higher density zoning, infrastructure savings, affordable housing development, and revitalization of disadvantaged communities. The Brownfields Redevelopment Program will be administered by Salt Lake County, the lead applicant for the Coalition. In the past, each member of the Coalition has created a viable brownfields redevelopment program that involves the larger community. The combined strengths of these individual programs will help shape the Coalition that will come together as the Wasatch Front Brownfield Coalition Board (WFBCB).

To be successful, the WFBCB will include a diverse multi-stakeholder group with representatives from the business and economic development departments in the local communities, business information centers, city/county planning departments, Sustainable Communities Consortium, and the County Attorney's Office. The WFBCB will also seek the technical expertise of the Utah Department of Environmental Quality (DEQ), Salt Lake Valley/Weber-Morgan Health Departments, interested residents, and property/business owners.

The WFBCB will be responsible for setting policy and procedures, approving applications, and overseeing loan practices that will be based on federal lending criteria. The WFBCB will also determine the interest rates, with a fixed rate between two and five percent, and a term matching the asset life for a maximum of 20 years. Payments may be reduced or deferred during the period of development. The WFBCB will rely on loan specialists for staff support, underwriting and administration of loans. The WFBCB will act as a fiscal agent and be responsible for all RLF activities including local/state/federal compliance and EPA reporting.

Certified appraisers will be utilized to determine the values of real property. Late payments and default loans will see prompt action under WFBCB policies and procedures. Whenever possible, modifications to the loan will be explored to allow the recipient to remain intact, ensure project success and loan repayment.

Loan approval/denial will be based on existing criteria that includes two separate thresholds described below and will apply to both loans and subgrants, which will be evaluated on a case-by-case basis. The following process will ensure sustainability of these funds long into the future.

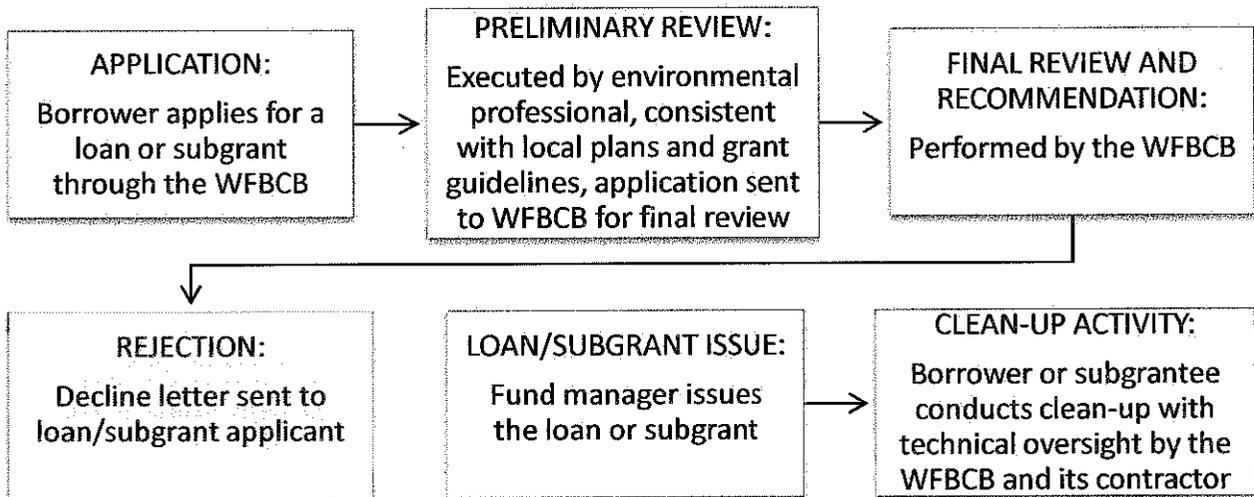
**PROJECT VALUE THRESHOLD**

- The potential for mixed-use, transit-oriented, or sustainable redevelopment or alternative energy
- Developer participation and redevelopment vision
- Increase to local tax base and the ability to create jobs
- Degree to which environmental/human health risks are eliminated

**BORROWER VALUE THRESHOLD**

- Ability of repayment and character/credit worthiness
- Development experience
- Available collateral
- Leveraged contributions (overall site funding package)

In addition, sustainability of the loan fund will be ensured through applicant screenings, timely collection, minimizing subgrants, and adhering to standard loan practices. Our process is diagrammed as follows:



Leveraging opportunities will be maximized and these resources are discussed further in Section 2biii.

**ii) Types of Applicants and Marketing Strategy.** The following table shows priority sites that have been identified through assessment work as projects that could benefit from a RLF loan or subgrant. These sites and applicants have been identified due to mass transit proximity and their ability to capitalize on transit-oriented development, as well as potential improvement to the overall health and safety of the community with cleanup of each site. This maximizes the benefits from a remediated site through increased transit use, improved air quality, additional open space, reduced sprawl, and more affordable housing options.

Table 5

| RLF Projects                 | Type(s) of Contamination  | Project Estimate           | Leveraged Funds         | Potential Commitment | Reuse & Outcomes    | Project Length |
|------------------------------|---------------------------|----------------------------|-------------------------|----------------------|---------------------|----------------|
| West Millcreek McKinnon Site | Hazardous Sub & Petroleum | \$150,000-<br>\$180,000    | \$50,000-<br>\$80,000   | \$100,000            | Business Park       | 2-4 years      |
| Fleet Yard                   | Hazardous Sub & Petroleum | \$636,157 -<br>\$1,010,600 | \$210,000-<br>\$430,000 | \$580,600            | Retail / Commercial | 1-3 years      |

| RLF Projects                     | Type(s) of Contamination  | Project Estimate | Leveraged Funds | Potential Commitment | Reuse & Outcomes    | Project Length |
|----------------------------------|---------------------------|------------------|-----------------|----------------------|---------------------|----------------|
| Swift Building                   | Hazardous Substances      | \$250,000        | \$75,000        | \$175,000            | Industrial Park     | 2-3 years      |
| 24 <sup>th</sup> St. Interchange | Hazardous Sub & Petroleum | \$450,000        | \$135,000       | \$315,000            | Major Retail        | 3-4 years      |
| Old Stock Yards                  | Hazardous Substances      | \$150,000        | \$45,000        | \$105,000            | Industrial Park     | 2-3 years      |
| Fife Property                    | Hazardous Sub & Petroleum | \$775,000        | \$232,500       | \$542,500            | Big Box Retail      | 1-3 years      |
| Goode Ski Lake                   | Hazardous Sub & Petroleum | \$350,000        | \$105,000       | \$245,000            | Business Park       | 4-6 years      |
| Wall Avenue Retail Corridor      | Hazardous Sub & Petroleum | \$550,000        | \$165,000       | \$385,000            | Retail / Commercial | 1-4 years      |

To help market and sustain the RLF program, the Coalition and its partners will focus on the following:

- Coordinate marketing/outreach with stakeholders and partners and building credibility and visibility
- Facilitate meetings and site visits with potential development partners to market specific projects
- Work with local Chambers of Commerce to educate business community about the RLF program
- Maintain a comprehensive brownfields education program and use it as a marketing tool
- Feature success stories in regional publications enticing interested parties to participate in program
- Require onsite signage indicating funding sources and program contact information
- Provide site profile packets to local developers with property information and associated incentives
- Issue press releases and develop print/web collateral including flyers, brochures, websites, etc.
- Utilize social media outreach including Facebook, Twitter, and YouTube

**iii) Team Structure for Sound Financial and Project Management.** Under the leadership of Salt Lake County, the Coalition has organized a multi-stakeholder Committee known as the Wasatch Front Brownfields Coalition Board (WFBCB). As defined previously, representatives include the business and economic development departments in the local communities, business information centers, city/county planning departments, public works, Sustainable Communities Consortium, and the County Attorney's Office. In addition to this core group, the committee will also seek the technical expertise of the UDEQ, Salt Lake Valley and Weber-Morgan Health Departments, interested residents, and property/business owners. Emily Farmer (Salt Lake County) will serve as project manager and will be responsible for the day-to-day operations of the RLF program. The Coalition partners will provide support staff, including Matthew Dahl (Redevelopment Agency of Salt Lake City) and Brandon Cooper (Ogden City) who will also serve on the WFBCB, to assist with policy creation and coordinate with their respective communities for outreach efforts. The project team has over 35 years of development experience, bringing great stability to the RLF program.

In addition, the WFBCB will select an environmental professional to review all loan applications and provide input regarding the potential of each application to improve health, safety, and environmental conditions. The WFBCB will consider this input on all funding requests and shall function per equal representation of voting and non-voting members; with identical privileges among the three Coalition members. Non-voting Board membership may include consulting agencies, professionals, or other entities for a set period of time.

**b. Budget for EPA Funding, Tracking and Measuring Progress, and Leveraging Other Resources**

i) Budget Table and Description of Tasks

Table 6

| <b>HAZARDOUS SUBSTANCES BUDGET - \$500,000</b> |                           |                  |                  |                                   |                         |              |
|--|---------------------------|------------------|------------------|-----------------------------------|-------------------------|--------------|
| <b>Categories</b>                              | <b>Community Outreach</b> | <b>Marketing</b> | <b>Servicing</b> | <b>Cleanup Planning/Oversight</b> | <b>Loan or Subgrant</b> | <b>TOTAL</b> |
| Personnel                                      | \$20,000                  | \$5,000          | \$10,000         | \$15,000                          |                         | \$50,000     |
| Fringe Benefits                                |                           |                  |                  |                                   |                         |              |
| Travel   |                           | \$2,500          |                  |                                   |                         | \$2,500      |
| Equipment                                      |                           |                  |                  |                                   |                         |              |
| Supplies                                       | \$4,200                   | \$8,300          | \$1,000          | \$1,000                           |                         | \$14,500     |
| Contractual                                    | \$6,000                   | \$15,000         |                  | \$12,000                          |                         | \$33,000     |
| Loans  |                           |                  |                  |                                   | \$300,000               | \$300,000    |
| Subgrants                                      |                           |                  |                  |                                   | \$100,000               | \$100,000    |
| <b>Subtotal:</b>                               | \$30,200                  | \$30,800         | \$11,000         | \$28,000                          | \$400,000               | \$500,000    |
| <b>Cost Share</b>                              | \$5,000                   | \$2,400          | \$500            | \$2,100                           | \$90,000                | \$100,000    |
| <b>Total:</b>                                  | \$35,200                  | \$33,200         | \$11,500         | \$30,100                          | \$490,000               | \$600,000    |
| <b>PETROLEUM BUDGET - \$500,000</b>            |                           |                  |                  |                                   |                         |              |
| <b>Categories</b>                              | <b>Community Outreach</b> | <b>Marketing</b> | <b>Servicing</b> | <b>Cleanup Planning/Oversight</b> | <b>Loan or Subgrant</b> | <b>TOTAL</b> |
| Personnel                                      | \$15,000                  | \$5,000          | \$10,000         | \$15,000                          |                         | \$45,000     |
| Fringe Benefits                                |                           |                  |                  |                                   |                         |              |
| Travel   |                           | \$2,500          |                  |                                   |                         | \$2,500      |
| Equipment                                      |                           |                  |                  |                                   |                         |              |
| Supplies                                       | \$9,200                   | \$8,300          | \$1,000          | \$1,000                           |                         | \$19,500     |
| Contractual                                    | \$6,000                   | \$15,000         |                  | \$12,000                          |                         | \$33,000     |
| Loans  |                           |                  |                  |                                   | \$350,000               | \$350,000    |
| Subgrants                                      |                           |                  |                  |                                   | \$50,000                | \$50,000     |
| <b>Subtotal:</b>                               | \$30,200                  | \$30,800         | \$11,000         | \$28,000                          | \$400,000               | \$500,000    |
| <b>Cost Share</b>                              | \$5,000                   | \$2,400          | \$500            | \$2,100                           | \$90,000                | \$100,000    |
| <b>Total:</b>                                  | \$35,200                  | \$33,200         | \$11,500         | \$30,100                          | \$490,000               | \$600,000    |
| <b>COMBINED TOTALS:</b>                        | \$70,400                  | \$66,400         | \$23,000         | \$60,200                          | \$980,000               | \$1,200,000  |

**Community Outreach:** This includes the preparation of educational materials, public meeting coordination, signage, press releases, website maintenance, fliers, and brochures. *Total Estimated Cost: \$70,400*

**Marketing:** This includes outreach to developers and potential applicants, conferences and travel costs, as well as additional printing costs for information to be provided to developers regarding community assistance, potential benefits of the site, and other key facts. *Total Estimated Cost: \$66,400*

**Servicing:** This project will be managed by Emily Farmer of Salt Lake County and additional Salt Lake County staff. They will provide oversight and servicing for the various functions, including community outreach, overseeing loan applications, and cleanup activities. *Total Estimated Cost: \$23,000*

**Cleanup/Planning Oversight:** This vital element includes funding to oversee the cleanup of each project which will require coordination with regional planning and other government agencies to best leverage all available funds and resources. It also includes contractual expenses for the use of certified professionals such as environmental consultants and public relations agencies. *Total Estimated Cost: \$60,200*

**Loan or Subgrant:** This provides the initial capitalization for the program. Of the eight priority sites that were identified for cleanup, we estimate that \$980,000 will provide sufficient funding for the remediation of 5-6 sites with leverage potential for clean-up of the remaining sites. Please see Table 6 for a cost breakout. Subgrants will be evaluated on a case-by-case basis with limited availability. *Estimated Cost: \$980,000*

#### ii) Performance Measures

The **outputs** of environmental activity will be measured in EPA quarterly reports and on an annual basis, as follows: number of community meetings held, cleanup sites identified, tracking of developer prospects, applications received (i.e., level of interest generated), and number of loans/subgrants issued.

The **outcomes** of environmental activity will be measured in EPA quarterly reports and on an annual basis, as follows: number of acres made ready for reuse, greenspace created, amount of reduction of hazardous materials, jobs created, funds leveraged, and the amount of private investment on remediated sites.

#### iii) Leveraging

Historically, Coalition members have been very successful in leveraging their funds with other resources. The Coalition members all qualify for Community Development Block Grant Funds (CDBG), have managing partnerships with Certified Development Corporations (CDCs), and always seek out new funding prospects.

There are several specific opportunities to leverage these RLF funds with other private and public partners in order to maximize funding resources, as well as the marketing and outreach potential.

- Community Development Block Grant (CDBG)/ Community Development Corporations (CDCs)
- \$5 million HUD Sustainable Communities Grant for the Wasatch Front
- Federal Tax Credits, Primary Responsible Parties (PRPs), Industrial Loan Funds
- Utah Housing Authorities of Salt Lake County (Salt Lake City) & Weber County (Ogden City)
- Tax Increment Funds from the West Millcreek Urban Renewal Area (Salt Lake County)
- Tax Increment Funds from the Granary District Redevelopment Area (Salt Lake City)
- Tax Increment Funds from the Golden Spike Redevelopment Area (Ogden City)

All of the Coalition members recognize that tax increment funds are an important leveraging mechanism. Salt Lake County has established three urban renewal areas, while the Redevelopment Agency of Salt Lake City has eight project areas, and Ogden City has 21 project areas.

With the priority sites listed in this proposal, half of the sites (about 215 acres) are already located in urban renewal areas. Therefore, as redevelopment takes place near or on these sites, additional tax funds will be available to assist with demolition, cleanup, infrastructure and development. Because new redevelopment areas may be needed, each of the Coalition members has attested the political will to create new areas.

To help promote cleanup of brownfields sites, Salt Lake County recently adopted the West Millcreek Urban Renewal Area. Over the 20-year term, the redevelopment area is expected to generate \$18.6 million in tax increment revenues of which \$1.7 million is allocated towards environmental activities and remediation.

Similarly, the Redevelopment Agency of Salt Lake City earmarked \$210,000 of tax increment funding from its established Granary District Project Area for redevelopment of the Fleet Yard. The Agency has also allocated an additional \$434,000 for the redevelopment of other sites in the Granary District, which could create further leveraging opportunities for the RLF program. Recently, the Federal Department of Transportation awarded Salt Lake City \$26 million to build a modern streetcar line that will connect its Sugar House area to the regional TRAX light rail system. There are also additional plans to develop a modern streetcar line through the Granary District Project Area. The Agency hopes to utilize RLF grant funds to further leverage public/private investment for the transit-oriented development of the Fleet Yard.

Leveraging of resources will allow us to remove negative perceptions, clean up health and safety concerns, improve the community pride of neighborhoods, "free-up" private and public funding sources for other purposes, and provide momentum for nearby development projects to spur additional area investment.

### **c. Programmatic Capability and Past Performance**

i) Programmatic Capability. The executive management of Salt Lake County has over 65 years of grant administration experience and currently manages \$1.7 million of Home Investment Partnership funds, \$2.2 million of Lead Hazard Control funds, \$2.3 million of Community Development Block Grant funds, \$200,000 of EPA Brownfields Assessment Grant funds, and \$5 million of HUD Sustainable Communities Grant funds. Its fiscal team is knowledgeable of the Certified Federal Registers (CFR) circulars related to cost allocation and financial management. There have been no deficiencies and disallowed costs in the annual financial, single audit reports, or in specific federal monitoring reports. In addition, the County has received numerous awards and recognition for its part in planning and providing financial support for various projects that benefit the community or benefit specific constituents from the affordable housing/neighborhood developments to job training programs.

We envision that the process for the day-to-day grant management will be overseen by Emily Farmer. Specifically, the project manager will be responsible to see that the RLF is adequately funded, review loan balances on a periodic basis, and communicate regularly with grantees to review their cleanup progress. The project manager will help oversee community outreach efforts and will track every finding and result. It is anticipated that the project manager will also be responsible for monitoring all of the site cleanups and insuring that work is moving forward in a manner that is acceptable to the WFBCB. Lastly, the project manager will always comply with EPA reporting requirements, including the submission of data to ACRES.

*Emily Farmer*, RLF Project Manager, obtained a Master's of Science in Applied Economics (with an emphasis in Community and Regional Development) and currently serves as the Salt Lake County Mayor's analyst on municipal taxing entity committees for the approval of redevelopment project area budgets. Over the past few years, Ms. Farmer has successfully led the creation of two urban renewal areas and also drafted the newly-adopted Community Development Area (CDA) policy for Salt Lake County

*Matthew Dahl*, RLF Coordinator for the Redevelopment Agency of Salt Lake City, has seven years of real estate lending experience and has successfully managed multi-million dollar infrastructure projects along with the remediation of petroleum-impacted properties. Mr. Dahl is the Senior Project Manager overseeing the development Granary District Redevelopment Project Area, which includes the Fleet Yard.

*Brandon Cooper*, RLF Coordinator for Ogden City, has 16 years of experience in commercial development and the remediation of contaminated sites and is also a LEED Accredited Professional. During his tenure at Ogden, Mr. Cooper has remediated multiple sites and leveraged millions of dollars in private investment.

In the case of employee turnover, the WFBCB will promptly advertise the job opening and will seek staff with relevant education and experience. The depth of expertise in each of the three entities that form the Coalition –Salt Lake County, Redevelopment Agency of Salt Lake City and Ogden City– adds great stability to the program. Additional resources will be provided through coordination with local educational institutions including the Salt Lake Community College (SLCC), University of Utah, and Weber State University.

Salt Lake County will service the ongoing grant management needs and has the authority to contract with qualified environmental professionals (subject to standard procurement policies) to review all loan/subgrant applications and evaluate the relative benefits that could be achieved from each application. In cooperation with the WFBCB, loan/subgrant project benefits will be evaluated on quantitative and qualitative factors, improvements to the social and economic environments, as well as health and safety factors.

ii) Adverse Audits. There are not and have not been any adverse audit findings in connection with Salt Lake County and its grant management policies and procedures. There have been no issues with compliance reporting with any of the federal, state, or local grants that it currently manages.

iii) Past Performance. All of the Coalition members have successful grant management experience: **Salt Lake County**, the lead applicant, was the recipient of a \$200,000 EPA Brownfields Assessment Grant for an area consisting of 135 acres in West Millcreek. This area has a long history of commercial and industrial operations, including a pesticide and fertilizer plant, trucking and paving companies, a cement plant, auto repair shops, construction junkyards, and printing and graphics companies. A comprehensive site inventory of the entire target area identified properties of concern with annual updates. Utilizing the site inventory findings along with relationships established via community outreach, the County completed three Phase I Environmental Site Assessments (ESAs) and has two Phase II ESAs in progress. To date, the fund balance of the West Millcreek grant totals \$69,900; with \$130,100 having been spent on eligible projects.

The County has fully complied with the EPA grant guidelines by submitting quarterly progress reports in advance of all deadlines. In addition, County staff has inputted the required property-specific information into the ACRES database and obtained site eligibility approvals for all environmental assessments. Furthermore, County staff has attended 5 EPA-sponsored Brownfield's conferences for training purposes.

The **Redevelopment Agency of Salt Lake City** is a past recipient of EPA Brownfield's Assessment and Showcase Community funding in which rail yards and rail-related properties were remediated within the 650-acre, historic Gateway District. In the past, the area had suffered from being cut off by the Interstate 15 highway and 4 massive on/off-ramps which, combined with fears of contamination after more than 100 years of rail and industrial use, had deterred any public or private investment. Following remediation efforts, a private developer purchased the area's largest rail yard (in November 2001) to develop a \$375 million open-air contemporary destination that delivers the ultimate in shopping, dining, and entertainment. The 40-acre "Gateway" project includes mixed-use, mixed-income development with 2.5 million square feet of retail and entertainment space, offices, cultural facilities, a public plaza, underground and structured parking and 500 residential units (135 units are designated as affordable housing) and a hotel. The Gateway developers also restored the 1908 Union Pacific Railroad Depot and created the Olympic Legacy Plaza. In addition, the Utah Transit Authority (UTA) recently expanded its commuter rail system to create new TRAX lines that will connect the Gateway development to the Intermodal Hub, the FrontRunner rail line, and the Salt Lake City International Airport. When accounting for environmental remediation, tax increment reimbursements, and all other project costs, this multifaceted transit-oriented development amounted to over \$493,600,000.

**Ogden City** was awarded a Brownfield's Pilot Grant for the area between 21<sup>st</sup> and 24<sup>th</sup> Streets for assessment in 1997. The results from this project are tremendous, including the redevelopment of the City's Lindquist Field baseball stadium, Ogden City Public Safety Building, Twin Rivers Office Park, Phase II of the IRS Campus, the Intermodal Transportation Hub and the Ogden City Mall site (now known as The Junction). Over 60 Phase I Environmental Site Assessments (ESAs) were conducted with approximately 40 cleanup/construction projects completed. Millions of dollars were leveraged with the private sector and other investors including: The Church of Jesus Christ of Latter-day Saints, Zions Bancorporation, Union Pacific, Utah Transit Authority, the IRS and the Ogden/Weber Chamber of Commerce.

In 2009, Ogden City received an EPA Community Wide Assessment Grant for \$400,000 in order to continue the work started in 1997. Almost 35 sites have been assessed (Phase I), with plans for more tests on 15-20 of those sites. The EPA grant has a current balance of \$290,000 and expires in September 2013.

### **3. COMMUNITY ENGAGEMENT AND PARTNERSHIPS**

#### **a. Plans for Community Involvement**

The Wasatch Front has been commended for its leadership in community involvement, and we intend to keep this tradition alive with the RLF. Our specific approach begins with a more broad approach to reach the public-at-large and then focuses in on community involvement with specific populations and sites.

The WFBCB will set up a series of public meetings (at locations near targeted brownfields sites) to inform and educate the public about grant funds and to seek input on issues regarding contaminated properties. Meeting fliers will be distributed in surrounding neighborhoods and signs will be posted (as allowed by owners) on impacted properties. Written information, like a brownfields fact sheet, will be prepared in English/Spanish/other languages and distributed at meetings. Key stakeholders (i.e., property/business owners, residents, community councils and local governments) will be notified of these meetings through website postings, direct mailings and e-mail. Coalition members will also link RLF notices to their websites.

Specifically, initial meetings will be held near each targeted site. The "first meetings" in each neighborhood will be designed to obtain input from the stakeholders about problems and issues in their communities. Any concerns raised at these meetings that are contamination related will then be addressed directly as part of the cleanup process. For example, industrial debris and/or operational hours (noise, lighting, traffic, etc.) represent real issues that can divide neighborhoods and must be addressed.

Project progress updates will be communicated at regular, frequent intervals through follow-up meetings as appropriate, website/email updates, webinars, and other uses of social media like Facebook and Twitter. Appropriate signage will be placed on properties undergoing cleanup and revitalization for the purpose of informing the public about activities taking place, timeframes and expected outcomes on the property.

Special efforts will be made to reach low-income populations by posting notices in areas impacted by contaminated properties. The Association of Community Councils Together and other community councils will be invited to participate in the process by providing input and aiding outreach efforts to its constituents.

For example, the Redevelopment Agency of Salt Lake City has fostered a close relationship with Granary District residents that live near the Fleet Yard and is an active participant in their Ballpark Community Council. Agency staff has regularly held public meetings with residents to provide updates on upcoming projects and to seek input on their project expectations. These meetings resulted in redevelopment funding for the successful People's Portable Garden, a community garden for Granary District residents.

b. Partnerships

i) Local/State/Tribal Environmental and Health Agencies

Salt Lake Valley and Weber Morgan Health Departments. Salt Lake Valley and Weber-Morgan Health Department staff will be actively involved in site cleanup and oversight (see attached letters of support).

Utah Department of Environmental Quality (DEQ) – Cleanup/closure of hazardous substance sites will be completed under the Utah Voluntary Cleanup Program, with direction from Mr. Bill Rees. All RLF sites will be required to enroll in the Voluntary Cleanup Program to meet regulatory standards and petroleum site closures will be managed by Mr. Paul Zahn of DEQ's UST/LUST program (see attached letter of support).

ii) Other Relevant Federal and State Governmental Agencies

Wasatch Front Regional Council (WFRC) – WFRC is the Metropolitan Planning Organization with regional jurisdiction over Salt Lake County and Weber County. The WFRC serves on the Sustainable Communities Consortium and will provide guidance on each site's highest and best use (see attached letter of support).

Utah Transit Authority (UTA) – UTA serves on the Sustainable Communities Consortium and will assist the Coalition with resources/oversight of contaminated transit sites. UTA's involvement will promote transit-oriented development in reuse locations to maximize infill land potential (see attached letter of support).

iii) Local Environmental Job Training Programs

The Coalition is committed to working with local vocational training centers and colleges to encourage job training that is related to brownfields reclamation skills. Several applied technology centers (ATC's) and local school districts provide job training in Salt Lake and Weber counties. In addition, the University of Utah has programs dealing with soil stabilization, solid/hazardous waste engineering and environmental bioremediation. Salt Lake Community College also offers OSHA certification training. Support letters from University of Utah, Salt Lake Community College and Weber State University are included in the Appendix.

Salt Lake County manages the AmeriCorps program that serves special populations like refugees and will provide outreach to brownfields communities in need of public assistance (see attached letter of support).

c. Key Community-Based Organizations

*The Coalition has key relationships that are integral to brownfields redevelopment and the RLF program.*

Wasatch Front Sustainable Communities Consortium – This partnership of local governmental agencies, non-profits and research institutions (Salt Lake County, Wasatch Front Regional Council, University of Utah, Envision Utah, Utah Transit Authority, and Salt Lake City) will provide public outreach and has also established a lender/developer financial forum that will be a vital force in cultivating joint funding deals.

Envision Utah – Envision Utah's civic engagement approach will ensure that all affected communities are represented in the cleanup process and that citizens maintain a voice about how their community grows. Envision Utah also serves on the Sustainable Communities Consortium (see attached letter of support).

Association of Community Councils Together (ACCT) – Salt Lake County's jurisdiction includes multiple unincorporated townships. Each township has a Community Council that can provide valuable outreach efforts and help increase public involvement during the clean up process (see attached letter of support).

Utah State Chamber of Commerce – This organization will be integral in educating the community, business owners and other membership about RLF cleanup opportunities (see attached letter of support).

Community Development Corporation of Utah (CDCU) – CDCU is a non-profit organization that develops sustainable and affordable housing, revitalizes neighborhoods, and promotes self-sufficiency through home ownership. The Coalition's partnership with CDCU will provide access to increased credit as well as opportunities to co-develop affordable housing on remediated sites (see attached letter of support).

Economic Development Corporation of Utah (EDCUtah) – Started in 1987 as a nonprofit organization, EDCUtah is a public/private partnership, working with state and local government and private industry to attract and grow competitive, high-value companies and spur the development and expansion of local Utah businesses on remediated sites and other disadvantaged areas (see attached letter of support).

#### **4. PROGRAM BENEFITS**

##### **a. Welfare and/or Public Health**

Cleanup of the targeted sites will increase community health and welfare conditions by reducing polluted soils and improving water and air quality. Hazardous/toxic chemicals will be removed from West Millcreek (unincorporated Salt Lake County), the Fleet Yard (Salt Lake City) and the priority sites in Ogden City.

The **West Millcreek Target Area** is located in the Granite School District which services two schools with declining enrollment. The cleanup and redevelopment of this target area would lower resource consumption by filling underutilized school capacities and potentially avoiding future school closures. Further remediation of Big Cottonwood Creek – which extends about 4000 feet through the area – would result in a greenway corridor that could attract new residents and promote outdoor recreation for the surrounding area. All of the cleanup efforts would serve to build community pride, reduce crime rates, and increase the local tax base.

For the **Redevelopment Agency of Salt Lake City**, there are four churches and a preschool located within walking distance (1/2 mile) of the Fleet Yard and there is a residential neighborhood bordering the east side of this site. Older industrial and commercial uses are common in the area, with a significant amount of vacant land, making this site an ideal candidate for redevelopment efforts. Cleanup of this area will improve the safety, health and welfare of households living nearby, children playing in the area, and people traveling through the area. Again, this will improve the general appearance of the area, attract new development to surrounding properties, and create a better sense of community.

In **Ogden City**, one park is included in the 24<sup>th</sup> St. Corridor site and another park is located on the eastern edge of this site. Environmental remediation will help resolve ongoing safety issues for children traveling to and from the three schools, two parks and four churches that are located within a few blocks of the Fife site. In addition, the Ogden and Weber rivers flow through the middle of the priority brownfields sites with pedestrian/bike trails located along the perimeter of 3 contaminated sites. With cleanup of this area, river access will be increased thus providing community gathering places and outdoor recreation opportunities.

Sensitive populations will be protected during cleanup by employing standard environmental practices like: 1) fugitive dust monitoring; 2) stormwater pollution control; 3) noise control; and 4) secure site access.

Equitable redevelopment efforts will be applied for residents displaced by brownfields cleanup via special housing accommodations and ensuring that there are not disproportionate impacts to sensitive populations; like the elderly, low-income, minorities, or other groups identified with environmental justice concerns. Specifically, community outreach efforts will be initiated before any cleanup work is done onsite. Outreach will include communication with current residents to provide them with a forum to give feedback on ongoing needs/concerns. When necessary, relocation assistance will be provided to those residents that qualify.

**b. Economic Benefits and/or Greenspace**

i) **Economic Benefits.** The economic benefits will vary dependent upon the site being targeted for cleanup. However, all targeted sites, as well as the surrounding properties, will benefit from the cleanup due to the removal of uncertainty at the contaminated site(s). The uncertainty associated with polluted sites is often a barrier to development and can trigger downward investment cycles. With site remediation, the uncertainty is removed and developers are more prone to invest in an area, thus reversing the downward spiral.

In Salt Lake County, the West Millcreek Target Area has taxable property values averaging \$490,500 per acre. In comparison, the average taxable value of the entire Millcreek Township (including West Millcreek) is just over \$1.5 million per acre – more than three times the value, on a per acre basis, than that in the brownfields target area. Cleanup of the West Millcreek priority sites should raise real estate values and the tax base. According to Northeast-Midwest Institute research (2008), cleanups often lead to property value increases of 5%-15% for properties up to ¾ mile from a site. With 135 acres in the West Millcreek area, this could lead to valuation increases between \$3.3 million and nearly \$10 million. Property values could further rise if Big Cottonwood Creek is remediated, thereby making the area more attractive to new development.

As another example, Ogden City is literally cut in half by a strip of land burdened by dilapidated buildings, depressed neighborhoods, environmentally-impacted properties and unused rail yards. The impact of this division is evident in the “strip” by lack of new development, real estate values far beneath the values of similar properties, and poverty levels higher than that of other households countywide. With remediation of the priority brownfields sites, Ogden neighborhoods would be joined together once again, property values would rise, and there would be connection between businesses located on either side of the blighted area.

ii) **Non-Economic and Greenspace Benefits.** The West Millcreek area includes Big Cottonwood Creek that, if remediated, will provide a boost to local neighborhoods and serve to attract dog walkers and the outdoor recreational community. In addition, several of the Ogden sites are located next to the two major waterways that flow through the middle of the City – the Ogden and Weber Rivers. Cleanup of these sites would allow for greenspace to be developed along the waterways. Specifically, cleanup of the Old Stock Yards will facilitate development of a parkway along the Weber River.

Other non-economic, but equally important, benefits include the potential use of subgrants for non-profit projects like Habitat for Humanity. Cleanup of these spaces, with accompanying transit development, will create community centers and gathering spaces that will increase neighborhood pride.

**c. Infrastructure and Sustainable Reuse.** In addition to human health benefits, the cleanup of brownfields sites improves environmental health through habitat restoration, revegetation, storm water mitigation and improved water quality. Specific care will be taken so that sensitive populations living near the cleanup sites will be protected from contaminants during all work funded under this grant.

Brownfields revitalization, especially at transit sites, will allow us to utilize existing roads, utilities, and other infrastructure instead of using tax proceeds and public resources to extend the same services to outlying areas. Sprawl impact research predicts infrastructure cost savings ranging from 10%-35%. Further, an acre of redeveloped brownfields has been estimated to conserve 4.5 acres of greenfields sprawl development.

Environmental benefits also accrue from LEED-certification mandates, lower run-off per dwelling unit in higher-density areas, as well as from a reduction in transportation-related greenhouse-gas (GHG) emissions by 20%-40% in comparison to sprawling development patterns.

## LIST OF ATTACHMENTS

1. Threshold Criteria
2. Utah Department of Environmental Quality (DEQ) Letter
3. Legal Opinions
4. Committed Leveraged Resources
5. Letters of Support from all Community-Based Organizations
6. Letters of Commitment from Coalition Members & Interlocal Agreement
7. Special Considerations Checklist

## THRESHOLD CRITERIA

## THRESHOLD CRITERIA

1. Applicant Eligibility: Salt Lake County, the Redevelopment Agency of Salt Lake City and Ogden are each eligible as a "General Purpose Unit of Local Government" as defined by the EPA as: "Local government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937), school district, special district, interstate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), any other regional or interstate government entity, or any agency or instrumentality of a local government." EPA 40 CFR Part 31. Salt Lake County is a county; the Redevelopment Agency of Salt Lake City is a local public authority; and Ogden City is a city.

a. None of the Coalition members – Salt Lake County, Redevelopment Agency of Salt Lake City and Ogden City – currently have an existing Brownfields RLF cooperative agreement.

2. Description of Jurisdiction: The boundaries of the jurisdiction are the boundaries of Salt Lake County and the boundaries of Ogden City within Weber County. The Redevelopment Agency of Salt Lake City's jurisdiction is located within Salt Lake County.

3. Letter from State Environmental Authority: A letter from Utah's Department of Environmental Quality, dated November 21, 2011, is in the Appendix.

4. Oversight Structure and Legal Authority to Manage a Revolving Loan Fund:

a. Oversight of Cleanup: Applications for grants and loans will be screened based on the type of the property (commercial, industrial and residential), the condition of the property (operational or inactive) and type of contamination (petroleum, hazardous substance, controlled substance or mine scarred) involved. Based on the results of this preliminary screening, the rules and regulations applicable to the site will be determined in consultation with a qualified environmental professional ("QEP"). Applications for commercial and industrial properties contaminated with petroleum or hazardous substances will be evaluated for cleanup under the Utah Environmental Quality's voluntary cleanup program ("VCP") UCA, §§19-8-101 et seq. Residential properties contaminated with controlled substances will be evaluated for cleanup under the Utah Illegal Drug Operations Reporting and Decontamination Act, UCA §§19-6-901 et seq., and the administrative rules for the decontamination of property contaminated by illegal drugs (R392-600 UAC). Residential properties contaminated by other hazardous substances will be evaluated for cleanup under the Salt Lake Valley Health Department's Health Regulation #32, "Chemically Contaminated Properties" or the county lead paint abatement program. The borrower or subgrantee will be required to sign a commitment to clean up the site as described in the application in compliance with all applicable laws, rules and regulations. The commitment will specifically require site access as a condition. The commitment may also require participation in the VCP if appropriate. The Salt Lake Valley Health Department and the Weber-Morgan Health Department both operate environmental programs and employ environmental scientists and technical support staff. Cleanups outside of a VCP will be conducted under health department regulatory oversight with the assistance of environmental consultants, as necessary. Applications for operational commercial and industrial properties will be denied and referred to the appropriate regulatory programs.

b. Legal Opinion: Legal opinions from the Salt Lake County Attorney's office are in the Appendix.

## 5. Cost Share

### a. Statutory Cost Share

(i) The Wasatch Front Brownfields Coalition ("Coalition") – Salt Lake County (lead applicant), Redevelopment Agency of Salt Lake City and Ogden City – will provide the required 20% cost match for loans or grants made using the EPA RLF through the following methods:

- In-Kind Staff Time and Legal Fees: Programmatic staff time, resources, and legal expenses will be required to facilitate loan marketing and servicing, cleanup planning, EPA and state reporting, and overall recipient coordination.
- Private Funds: Borrower's will be required to provide owner's equity in the form of an applicant match using project equity or other non-federal funds. It is expected that most projects will require a 10% to 20% applicant match, similar to what typical commercial lender partners would require. In addition, applicants will be required to pay a minimum of 1% to 2% of the total amount loaned to cover closing fees and loan maintenance.
- Certified Community Development Corporation (CDC) Funds: The Coalition has managing partnerships with certified CDCs and Community Development Financial Institutions (CDFIs) which can provide match funding on a per project basis in support of improving blighted and underutilized properties and creating economic development.

(ii) None of the Coalition members – Salt Lake County, Redevelopment Agency of Salt Lake City and Ogden City – are requesting a hardship cost share waiver.

LETTER OF SUPPORT

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)



State of Utah

GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

Department of  
Environmental Quality

Amanda Smith  
*Executive Director*

Brad T. Johnson  
*Deputy Director*

November 21, 2011

The Honorable Mayor Peter Corroon  
Salt Lake County  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190-1020

Dear Mayor Corroon:

Re: Support Letter for Wasatch Front Brownfields Coalition RLF Grant Application

Thank you for including the Utah Department of Environmental Quality (UDEQ) in discussions with the Wasatch Front Brownfields Coalition (Coalition) regarding the Coalition's application for an Environmental Protection Agency (EPA) Brownfields Program Revolving Loan Fund (RLF) grant. The grant will allow the Coalition to establish a revolving loan fund to provide loans or sub grants for the cleanup of eligible Brownfields sites. The UDEQ is committed to seeing Brownfields sites remediated, and redeveloped wherever possible. Our shared goal is protection of human health and the environment, as well as seeing identified Brownfields properties returned to a state of economic beneficial use for the community, and we will pursue achieving this end in partnership with Salt Lake County, Ogden City and the Salt Lake City Redevelopment Agency.

The UDEQ supports the Coalition in its proposal for an EPA Brownfields Program Revolving Loan Fund grant. The benefits of remediating properties include removing the potential stigma associated with impacted properties, protecting public health, and reclaiming valuable property for economic development and future, sustainable growth. As the Coalition pursues this Brownfields RLF grant funding, the UDEQ remains supportive and committed to assisting the Coalition. The UDEQ encourages the use of the Voluntary Cleanup Program and Enforceable Written Assurances as vehicles for addressing contamination problems and returning Brownfields properties to productive use.

We look forward to continuing our partnership with the Coalition to address potential public health and environmental concerns related to Brownfields properties and support your application for a Brownfields Revolving Loan Fund grant.

195 North 1950 West • Salt Lake City, UT  
Mailing Address: P.O. Box 144810 • Salt Lake City, UT 84114-4810  
Telephone (801) 536-4402 • Fax (801) 536-0061 • T.D.D. (801) 536-4414

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Should you have any questions, please contact Joseph Katz of my staff at (801) 536-4100.

Regards,



Amanda Smith  
Executive Director

cc: Emily Farmer, Salt Lake County  
Brandon Cooper, Ogden City  
Matthew Dahl, Salt Lake City RDA  
Joseph Katz, Division of Environmental Response and Remediation  
Gary L. Edwards, M.S., Director, Salt Lake Valley Health Department  
Gary House, B.S., M.P.H., Director, Weber-Morgan Health Department

LEGAL OPINIONS

Ralph Chamness  
Chief Deputy  
Civil Division



Jeffrey William Hall  
Chief Deputy  
Justice Division

Blake Nakamura  
Chief Deputy  
Justice Division

**DISTRICT ATTORNEY**  
SALT LAKE COUNTY  
**SIM GILL**

November 21, 2011

Emily Farmer, Redevelopment Manager  
Economic Development/Salt Lake County  
2001 South State Street, Suite S2100  
Salt Lake City, Utah 84190-3050

Re: Coalition's Authority to Access and Secure Property

Dear Emily:

You have requested a legal opinion regarding the Coalition's authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant. I understand this opinion will be submitted in support of a revolving loan fund grant proposal to be submitted to Region VIII of the Environmental Protection Agency. This opinion is based on our recent discussions and the EPA guidelines (FY12) for the revolving loan fund grant program. The analysis and conclusions summarized herein are limited to this information and are for the purpose of the grant application only.

**BACKGROUND**

Salt Lake County ("County") is a member of a coalition of government entities<sup>1</sup> who intend to submit a proposal to the United States Environmental Protection Agency for a Brownfields revolving loan fund ("RLF") grant. The grant is available through the EPA's Brownfields program legislation.<sup>2</sup> The RLF grant provides funding to capitalize a revolving loan fund to provide sub-grants to applicants who meet the criteria for cleanups at Brownfield sites.

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<sup>1</sup> The members of the Coalition include Salt Lake County, Ogden City and the Redevelopment Agency of Salt Lake City. The members of the Coalition have entered into an interlocal cooperation agreement pursuant to Utah Code Ann. §§ 11-13-201 *et seq.*, to cooperate with each other in a manner which will enable them to make the most efficient use of their resources, including the ability to access and secure sites.

<sup>2</sup> CERCLA § 104(k), 42 U.S.C. 9404(k).

The County is the designated lead agency for the management of the Coalition. The RLF program will be implemented through the County's Economic Development and the Community Resources and Development Divisions. The cleanups conducted under the Coalition's program will be performed after a preliminary screening and written commitment to remediate the site which may include participation in the Utah Department of Environmental Quality's voluntary cleanup program ("VCP")<sup>3</sup>. In addition, institutional controls<sup>4</sup> may be required at certain sites, if appropriate and determined to be necessary for specific land uses.<sup>5</sup> Finally environmental covenants may also be required for specific properties, if necessary, following remediation.<sup>6</sup>

It is anticipated that loans made to applicants who meet the criteria for cleanup at Brownfield sites will be conditioned on a written commitment which will include a grant of access. The loan documents will, therefore, contain specific provisions granting the authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance of a sub-grant. In addition to this grant of access, the Coalition members have broad authority to commence and maintain all necessary actions to enjoin and abate nuisances which are dangerous to public health and the environment. Furthermore, by entering into the interlocal agreement, the Coalition members have agreed to cooperate and exchange services that they are each authorized by statute to perform. The relevant legal authorities to obtain access and take action are summarized herein.

The Grant Proposal Guidelines<sup>7</sup> require the lead agency to provide a legal opinion on the following issue:

Provide a legal opinion from your counsel that demonstrates you have legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant. Applicant must attach a legal opinion.<sup>8</sup>

### SHORT ANSWER

The loan documents or subgrant agreements will be conditioned on a grant of access to the Coalition member to secure sites in the event of an emergency or default of a loan agreement or non-performance of a subgrant. In addition, the Coalition members individually and collectively have the inherent general police power authority and the specific statutory authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant.

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<sup>3</sup> Utah Voluntary Cleanup Program, §§ 19-8-101 *et seq.*, Utah Code Ann.

<sup>4</sup> Environmental Institutional Control Act, §§ 19-10-101 *et seq.*, Utah Code Ann.

<sup>5</sup> Utah Code Ann. § 19-10-106 provides specific authority for the Utah Department of Environmental Quality to enter property to ensure compliance with institutional controls.

<sup>6</sup> Uniform Environmental Covenants Act, §§ 57-25-101 *et seq.*, Utah Code Ann.

<sup>7</sup> FY12 Guidelines for Brownfields Revolving Loan Fund Grants. EPA-OSWER-OBLR-10-10.

<sup>8</sup> *Id.*, at p. 10, ¶ 4. b(1).

## DISCUSSION AND ANALYSIS

The “police power” is the inherent general authority of government to enact laws to protect, preserve and promote the health, safety, morals and general welfare of the people. In Utah, a county “may exercise a power, or perform a function that is reasonably related to the safety, health, morals and welfare of county inhabitants except as limited by statute.”<sup>9</sup> A municipality may likewise exercise such powers as necessary to provide for the safety and preserve the health of the City and its inhabitants and for the protection of property in the City.<sup>10</sup>

In addition to the County’s inherent police power authority, counties have specific statutory authority to enforce state statutes, ordinances and health regulations governing environmental matters. The Salt Lake Valley Health Department operates as a division of the County Department of Social Services. The Salt Lake Valley Health Department and the Weber-Morgan Health Department are local health departments and have specific authority delegated by the legislature to take action to protect the public health and environment under the Utah Local Health Department Act.<sup>11</sup> The Utah Environmental Code also recognizes the regulatory authority of local health departments.<sup>12</sup> Municipalities participate in and cooperate with the local health department operating in the county in which the municipality is located.<sup>13</sup>

### A. County Statutory Authority

1. § 17-50-302 General County Powers
2. § 17-50-304 Police, Building and Sanitary Regulations
3. § 76-10-806 Abatement of Public Nuisance
4. § 17-50-313 Create a Local Health Department as provided in Title 26A Chapter 1

### B. Municipal Authority

1. § 10-1-202 General Municipal Powers
2. § 10-8-52 Regulation, Removal and Destruction of Buildings
3. § 10-8-60 Abatement of Nuisances
4. Title 10 Chapter 9a Land Use, Development and Management
5. § 10-7-3 Participation in Local Health Department

### C. Redevelopment Agency Authority

1. § 17C-1-202 General Powers and Authority
2. Title 17C Chapter 2 Urban Renewal Project Area Authority

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<sup>9</sup> General County Powers, § 17-50-302, Utah Code Ann.

<sup>10</sup> See, Title 10 Chapter 8, Utah Code Ann. "Powers and Duties of Municipalities."

<sup>11</sup> Utah Local Health Department Act, 26A-1-101, *et seq.*, Utah Code Ann.

<sup>12</sup> § 19-1-201(1)(c)(i) recognizes that the department and local health departments are the foundation for providing environmental health programs in the state.

<sup>13</sup> § 10-7-3 "Participation in and Cooperation with Local Health Department."

3. § 17C-2-301 to 304 Blight Determinations<sup>14</sup>

D. Local Health Department Act

1. § 26A-1-106(3)(e) Responsibilities
2. § 26A-1-108 Jurisdiction
3. § 26A-1-109 Board of Health
4. § 26A-1-113 Right of Entry
5. § 26A-1-114 Powers and Duties
6. § 26A-1-123(1)(b) Unlawful Acts

E. Ordinance Authority

Salt Lake County, as the designated lead agency for the Coalition, has adopted specific ordinances regulating public health and environmental matters.

1. 9.04.040 Salt Lake County Code of Ordinances – the Salt Lake Valley Health Department has jurisdiction under § 26A-1-108, Utah Code Ann., 1953 as amended, in all unincorporated and incorporated areas of the county. The Salt Lake Valley Board of Health is empowered to enforce all ordinances of the county and all applicable ordinances of the municipalities, and the laws, rules and regulations and standards of the state of Utah, now in force or that may hereafter be enacted, which relate to the health, sanitation and environment of the county.

2. 9.08.010 Salt Lake County Code of Ordinances - The health department shall cause every nuisance dangerous to health and human life, within its jurisdiction, to be abated. When complaint of such nuisance is made to it, the board of health shall cause the matter to be investigated and shall determine whether or not the alleged nuisance is detrimental to public health.

F. Salt Lake Valley Health Department Regulations

The following health regulations may apply to sub-grants and loan agreements under the RLF program: (1) Health Regulation No. 1 Solid Waste Management and Permitting; (2) Health Regulation No. 7 General Sanitation; (3) Health Regulation No.32 Chemically Contaminated Properties.<sup>15</sup>

## CONCLUSION

Based on the information you have provided, the Coalition members have the legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-

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<sup>14</sup> § 17C-2-303 environmental hazards that require remediation for current or future use and development.

<sup>15</sup> Ogden City is located in Weber County and participates in the Weber-Morgan Health Department. The Weber-Morgan Health Department has adopted environmental regulations similar to the Salt Lake Valley Health Department regulations.

performance under a sub-grant. The loan documents or subgrant agreements will be conditioned on a grant of access to the Coalition members. Under the police power, the counties and municipalities have the inherent authority to protect, preserve and promote the health, safety, morals and general welfare of the people. In addition to the police power, counties and municipalities in Utah have specific statutory authority to enforce state statutes, ordinances and health regulations governing environmental matters. This opinion is for the limited purpose of the RLF grant application and should not be relied on for any other purpose.

Sincerely



CRAIG W. ANDERSON  
Deputy District Attorney

H:sharechristewordC31

Ralph Chamness  
Chief Deputy  
Civil Division



Jeffrey William Hall  
Chief Deputy  
Justice Division

Blake Nakamura  
Chief Deputy  
Justice Division

**DISTRICT ATTORNEY**  
SALT LAKE COUNTY  
**SIM GILL**

November 21, 2011

Emily Farmer, Redevelopment Manager  
Economic Development / Salt Lake County  
2001 South State Street, Suite S2100  
Salt Lake City, Utah 84190-3050

Re: Coalition's Authority to Manage an RLF Grant

Dear Emily:

You have requested a legal opinion regarding the Coalition's authority to manage a revolving loan fund for the remediation of eligible Brownfield sites. I understand this opinion will be submitted in support of a grant proposal to be submitted to Region VIII of the Environmental Protection Agency ("EPA"). This opinion is based on our recent discussions and the EPA guidelines (FY12) for the revolving loan fund grant program. The analysis and conclusions summarized herein are limited to this information and are for the purpose of the grant application only.

**BACKGROUND**

Salt Lake County ("County") is a member of a coalition of government entities<sup>1</sup> who intend to submit a proposal to the United States Environmental Protection Agency for a Brownfields revolving loan fund ("RLF") grant. The grant is available through the EPA's Brownfields program legislation.<sup>2</sup> The RLF grant provides funding to capitalize a revolving loan fund to provide subgrants to applicants who meet the criteria for cleanups at Brownfield sites.

The County is the designated lead agency for the management of the Coalition. The program will be implemented through the County's Economic Development and the Community Resources and Development Divisions. The cleanups conducted under the Coalition's program will be performed after a preliminary screening and written commitment to remediate the site which

<sup>1</sup> The members of the Coalition include Salt Lake County, Ogden City and the Redevelopment Agency of Salt Lake City. The members of the Coalition have entered into an interlocal cooperation agreement pursuant to Utah Code Ann. §§ 11-13-201 *et seq.*, to cooperate with each other in a manner which will enable them to make the most efficient use of their resources.

<sup>2</sup> CERCLA § 104(k), 42 U.S.C. 9404(k).

may include participation in the Utah Department of Environmental Quality's voluntary cleanup program ("VCP")<sup>3</sup>. In addition, institutional controls<sup>4</sup> may be required at certain sites, if appropriate and determined to be necessary for specific land uses. Finally environmental covenants may also be required for specific properties, if necessary, following remediation.<sup>5</sup>

The Grant Proposal Guidelines<sup>6</sup> require the Coalition to provide a legal opinion on the following issue:

Provide an opinion from your legal counsel that demonstrates your legal authority to 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. This authority may be based on a statute, regulation, or other authority. Applicant must attach a legal opinion.<sup>7</sup>

### **SHORT ANSWER**

The County as the lead agency for the Coalition, has statutory authority to maintain funds and accounts, including funds for special purposes. In addition, the County legislative body has adopted specific ordinances for community and economic development. Pursuant to this authority, the County has implemented a revolving fund for the Community Development Block Grant Program.<sup>8</sup> Finally, the County has experience implementing and managing loan programs for economic development, housing and small business programs. The County has the legal authority to manage an RLF, including the ability to hold funds, make loans, enter into loan agreements and collect payments.

### **DISCUSSION AND ANALYSIS**

The County as the lead agency for the Coalition, has legal authority to perform the actions necessary to manage an RLF. The county has the authority to hold and maintain funds and accounts, including funds for special purposes, based on the following statutes, ordinances and policies:

#### **A. Statutory Authority – County Fiscal Procedures**

1. Uniform Fiscal Procedures Act for Counties, Title 17, Chapter 36, Utah Code Ann.
2. Funds and Accounts, § 17-36-6 Utah Code Ann.
3. Financial Administration, § 17-36-43 Utah Code Ann.
4. Internal Control, § 17-36-45 Utah Code Ann.
5. Special Funds, § 17-53-213 Utah Code Ann.

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<sup>3</sup> Utah Voluntary Cleanup Program, §§ 19-8-101 *et seq.*, Utah Code Ann.

<sup>4</sup> Environmental Institutional Control Act, §§ 19-10-101 *et seq.*, Utah Code Ann.

<sup>5</sup> Uniform Environmental Covenants Act, §§ 57-25-101 *et seq.*, Utah Code Ann.

<sup>6</sup> FY12 Guidelines for Brownfields Revolving Loan Fund Grants. EPA-OSWER-OBLR-10-10.

<sup>7</sup> *Id.*, at p. 10, ¶ 4. b(2).

<sup>8</sup> U.S. Department of Housing and Urban Development.

B. Statutory Authority for Urban Renewal and Economic Development

1. Agency Powers, § 17C-1-202 Utah Code Ann.
2. Urban Renewal, Economic and Community Development, § 17C-1-207 Utah Code Ann.

C. Ordinance Authority

The County legislative body has adopted specific ordinances for community and economic development. Pursuant to this authority, the County has implemented a revolving fund for the Community Development Block Grant Program. Designated accounts have been established for the administration of this program.<sup>9</sup> The County has experience implementing and managing loans for economic development, housing and small business programs. In addition, the governing body of the County and the County Redevelopment Agency are the same.<sup>10</sup> The following ordinance ordinances have been adopted for these purposes:

1. Chapter 2.91, Salt Lake County Code of Ordinances “Housing Trust Fund & Board”
2. § 3.64.030, Salt Lake County Code of Ordinances – the operation of the fund management system shall be regulated by countywide policies and procedures adopted by the county council.
3. § 2.20.030 G, Salt Lake County Code of Ordinances provides that the Community Resources and Development Division is responsible for administering federally funded capital improvement programs and the redevelopment agency, serving as a planning and coordinating and fund allocation agency, as provided by the community development block grant agreements between the county and HUD. This division is further responsible for administering federally funded employment and training programs at the community level to enhance employment opportunities and self sufficiency. The division, pursuant to agreement, may also administer similar programs for other entities.
4. § 2.20.030 I, Salt Lake County Code of Ordinances provides that the Economic Development Division is responsible for the promotion of economic development in Salt Lake County and has responsibility for the sale, purchase or lease of real property.

D. Salt Lake County Policies and Procedures

Specific procedures have been adopted in Policy #1062 of the Countywide Policies and Procedures for the management of public funds based on the ordinances summarized hereinabove.

**CONCLUSION**

Based on the information you have provided, the County as the lead agency for the Coalition, has the legal authority to perform the actions necessary to manage a revolving loan fund. Based on the statutory and ordinance authority summarized herein, the County may hold funds,

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<sup>9</sup> Telephone interview with Steve Spencer, Salt Lake County Auditor’s Office, October 5, 2010.

<sup>10</sup> Interview with Michael Gallegos and Dale Carpenter, October 8, 2010.

make loans, enter into loan agreements and collect payments. The County has experience implementing and managing loan programs for economic development, housing and small business programs. The Coalition's authority for site access will be addressed in a separate opinion.

Sincerely

A handwritten signature in black ink, appearing to read "Craig W. Anderson". The signature is fluid and cursive, with a large initial "C" and "A".

CRAIG W. ANDERSON  
Deputy District Attorney

H:\share\christeword\31a

**COMMITTED LEVERAGED RESOURCES**

# REDEVELOPMENT AGENCY OF SALT LAKE COUNTY

## BOARD OF DIRECTORS

Jim Bradley  
Arlyn Bradshaw  
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## DALE B. CARPENTER

Business and Economic  
Development Director  
[dcarpenter@slco.org](mailto:dcarpenter@slco.org)

## EMILY FARMER

Section Manager  
[efarmer@slco.org](mailto:efarmer@slco.org)

## ADMINISTRATIVE OFFICE

2001 South State St. S2100  
Salt Lake City, UT 84190

Phone (801) 468-2280

Fax (801) 468-3224

[www.upgrade.slco.org](http://www.upgrade.slco.org)

November 28, 2011

Mayor Peter Corroon  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190-3050

RE: EPA Brownfields Revolving Loan Fund (RLF) Grant – Leveraging Funds

Dear Mayor Corroon:

The Redevelopment Agency of Salt Lake County ("Agency") has created three urban renewal areas within unincorporated portions of Salt Lake County. In December of 2009, the Agency adopted the West Millcreek Urban Renewal Area (URA) with the multifaceted purpose of eliminating blight and stimulating transit-oriented development.

The West Millcreek URA has a long history of industrial uses including trucking companies, dry cleaners, paving companies, cement plants, and auto repair shops. While development has thrived in surrounding areas of Salt Lake County, this area of the County has experienced a decreasing population, significantly lower-than-average income, a higher-than-average poverty level, and low property values (at approximately one-third of values in surrounding areas).

Utilizing funds from a \$200,000 EPA Brownfields Assessment Grant, Salt Lake County has obtained Phase I & II Environmental Site Assessments of multiple properties within the West Millcreek target area. The assessments have revealed property contamination due to the existing and surrounding industrial uses.

To help promote the cleanup of brownfields sites the Agency has committed tax increment funding generated from the West Millcreek URA that will serve as an important leveraging mechanism. Over the 20-year term, this redevelopment area is expected to generate \$18.6 million in tax increment revenues of which \$1.7 million is allocated towards environmental activities. The specific cleanup funds that have been allocated to this project can be found in the adopted budget documents for the West Millcreek URA (see attachments).

Please let me know if you have any questions or need additional information.

Sincerely,



Emily Farmer  
Redevelopment Manager

| Item  | SLCo/W. Mill Creek  | Murray           | Total               | Comments  |
|---|---------------------|------------------|---------------------|---|
| Connector Road (~55 West) between Fireclay and Central Avenue       | \$1,250,000         | \$250,000        | \$1,500,000         | Standard 2 lane road.   |
| Connector Road Bridge (~55West) between Fireclay and Central Avenue | \$3,000,000         |                  | \$3,000,000         | The cost would be divided some way between Murray and SLCo/West Mill Creek.   |
| Streetscape down the middle of State Street                         | \$400,000           | \$100,000        | \$500,000           | Trees are extra.  |
| Clean-up and small park/trail along Cottonwood creek                | \$500,000           |                  | \$500,000           | Say 7 acres w/ 2,000 feet of concrete "trail." Trees are extra.   |
| CG&S Main street between 3900 South and 4250 South                  | \$1,000,000         |                  | \$1,000,000         | Main is approx. 2,400 LF – double for both sides of road. Most of the street does not have CG&S. Cost could be reduced by using some of the existing.         |
| CG&S West Temple between 3900 S and Central Ave                     | \$700,000           |                  | \$700,000           | West Temple is approx. 1,700 LF – double for both sides of road. Most of this street does not have CG&S. Cost could be reduced by using some of the existing. |
| CG&S Howick Street  | \$100,000           |                  | \$100,000           | Approx. 500 feet of new CG&S would be needed.   |
| CG&S Gordon Ave   | \$300,000           |                  | \$300,000           | Gordon Ave is approx. 1,500 LF – double for both sides of road. Most of this street does not have CG&S. Cost could be reduced by using some of the existing.  |
| CG&S Columbia Ave   | \$150,000           |                  | \$150,000           | Columbia Ave is approx. 750 LF – CG&S needed on south side only?  |
| Street Lights Main street between 3900 South and Columbia Ave       | \$200,000           |                  | \$200,000           | Approx. 2,100 LF of street, lights every 200 feet on both sides.  |
| Street Lights West Temple between 3900 South and Central Ave        | \$150,000           |                  | \$150,000           | Approx. 1,700 LF of street, lights every 200 feet on both sides.  |
| Street Lights Central Ave between 300 West and State Street         | \$300,000           |                  | \$300,000           | Approx. 3,200 LF of street, lights every 200 feet on both sides.  |
| Storm Drain   | \$300,000           |                  | \$300,000           | Approx. cost for approx. 2,500 feet of installed storm drain system   |
| Laundry tower site improvements                                     | \$1,000,000         |                  | \$1,000,000         | Renovation and park area  |
| 3900 South pedestrian crossings and improvements                    | \$3,000,000         |                  | \$3,000,000         | Connectivity between N and S sides of 3900 S  |
| Façade renovation grants  | \$300,000           |                  | \$300,000           | Focus on State Street and commercial areas; matching grants for façade renovations  |
| Graffiti and cleanup program  | \$200,000           |                  | \$200,000           | Throughout project area   |
| Economic Development assistance                                     | \$8,460,736         |                  | \$8,460,736         | Land assemblage; infrastructure assistance; parking; remediation of contaminated properties   |
| <b>TOTAL</b>  | <b>\$21,310,736</b> | <b>\$350,000</b> | <b>\$21,660,736</b> |   |



RALPH BECKER  
CHIEF ADMINISTRATIVE OFFICER

REDEVELOPMENT AGENCY  
OF SALT LAKE CITY

D.J. BAXTER  
EXECUTIVE DIRECTOR

November 21, 2011

Mayor Peter Corroon  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190-3050

Re: Brownfields Revolving Loan Fund Grant – Leveraging Funds

Dear Mayor Carroon:

The Redevelopment Agency of Salt Lake City (RDA) administers eight Urban Renewal Project Areas in Salt Lake City with the primary mission of removing blighted conditions. We feel that the Brownfields Revolving Loan Fund Grant Program would provide the RDA with a valuable tool for assisting private and public partners in eliminating blighted conditions caused by environmental contamination. A key priority in the RDA's Granary District Project Area is the redevelopment of Salt Lake City's 8.5 acre Fleet Maintenance Yard site. The RDA hopes to utilize the Brownfields Revolving Loan Fund Grant program, private funds, and \$210,000 of RDA funding, earmarked for the redevelopment of the site, to accomplish this goal. The RDA has also allocated an additional \$434,000 for the redevelopment of other sites in the Granary District Project Area, which could create other opportunities for leveraging the Brownfields Revolving Loan Fund Grant program.

To document the funding the RDA has allocated for the development of the Fleet Maintenance Yard and that will be used to leverage funding provided by the Brownfields Revolving Loan Fund Grant, I have attached a copy of the Sources and Uses of Funds spreadsheet that shows how funding has been allocated in the Granary District Project Area as of September 30, 2011. The specific funds that have been allocated for the development of the Fleet Maintenance Yard can be found in the line item "Fleet Block Development." The funds were originally allocated in the 2007 Budget Year. The RDA will use the "Fleet Block Development" funds to augment the Brownfields Revolving Loan Grant in funding the remediation of the site, to build public improvements on the site once the remediation has been completed, or incentivize the development of the site by a private developer. The final use of the funds will be based on the size of the Brownfields Revolving Loan Fund Grant awarded to the Coalition and the actual cost to remediate the site.

Please feel free to contact me at 801-535-7239 if you have any questions about the funds the RDA intends to use to leverage a Brownfield Revolving Loan Fund Grant.

Sincerely,



Matt Dahl  
Senior Project Manager

Redevelopment Agency of Salt Lake City  
Sources & Uses of Funds  
Comparison to budget  
As of September 30, 2011

| Granary District   | Current<br>Month | Year<br>to<br>Date   | Budget              | Remaining<br>Budget | Projected added<br>sources &<br>applications |
|--|------------------|----------------------|---------------------|---------------------|--|
| Unreserved cash for 92949 - Granary District Fund                      |                  | \$ 969,074.98        |                     |                     |  |
| Performance deposits   |                  | -                    |                     |                     |  |
| Accounts payable   |                  | -                    |                     |                     |  |
| <i>Net cash for future needs</i>                                       |                  | <u>\$ 969,074.98</u> |                     |                     |  |
| <b>Sources of funds:</b>   |                  |                      |                     |                     |  |
| Appropriation of 6/30/11 cash,<br>investments, and interest receivable | -                | 967,724.71           | 967,724.71          | -                   | -  |
| Tax income proceeds  | -                | -                    | 700,000.00          | 700,000.00          | 700,000.00                                   |
| Prior year slippage  | -                | -                    | -                   | -                   | -  |
| Interest income  | 501.58           | 1,483.58             | 5,000.00            | 3,516.42            | 3,516.42                                     |
| Other income   | -                | -                    | -                   | -                   | -  |
|  | <u>501.58</u>    | <u>969,208.29</u>    | <u>1,672,724.71</u> | <u>703,516.42</u>   | <u>703,516.42</u>                            |
| Cash plus remaining balance of revenues                                |                  |                      |                     |                     | <u>1,672,591.40</u>                          |
| <b>Uses of funds:</b>  |                  |                      |                     |                     |  |
| 400 West Track removal   | 28214            | -                    | 36,846.00           | 36,846.00           | 36,846.00                                    |
| Loan programs  | 31214            | -                    | 62,934.00           | 62,934.00           | 62,934.00                                    |
| Land acquisition   | 32214            | -                    | 14,322.01           | 14,322.01           | 14,322.01                                    |
| Fleet Block Development  | 33214            | -                    | 210,145.50          | 210,145.50          | 210,145.50                                   |
| Land acquisition & development   | 34214            | -                    | 248,281.71          | 248,281.71          | 248,281.71                                   |
| Land acquisition and development                                       | 35214            | -                    | 163,173.00          | 163,173.00          | 163,173.00                                   |
| Temporary property expense   | 35215            | 76.40                | 90.26               | 116.34              | 26.08  |
| Street car design & implementation                                     | 35217            | -                    | 18,950.54           | 18,950.54           | 18,950.54                                    |
| Branding & Education   | 36214            | -                    | 2,586.42            | 2,586.42            | 2,586.42                                     |
| Temporary Property Expense   | 36215            | 14.71                | 14.71               | 4,800.00            | 4,785.29                                     |
| Public Improvements & Developm   | 36217            | -                    | 130,730.00          | 130,730.00          | 130,730.00                                   |
| Loan Programs  | 36220            | -                    | 50,000.00           | 50,000.00           | 50,000.00                                    |
| Subtotal Prior   | <u>91.11</u>     | <u>104.97</u>        | <u>942,885.52</u>   | <u>942,780.55</u>   | <u>942,780.55</u>                            |

Redevelopment Agency of Salt Lake City  
Sources & Uses of Funds  
Comparison to budget  
As of September 30, 2011

|   | Current<br>Month | Year<br>to<br>Date | Budget                 | Remaining<br>Budget | Projected added<br>sources &<br>applications |
|---|------------------|--------------------|------------------------|---------------------|--|
| Granary district administration                           | 26210            | -                  | 23,000.00              | 23,000.00           | 23,000.00                                    |
| Contract planner  | 37210            | -                  | 2,500.00               | 2,500.00            | 2,500.00                                     |
| Assessment & Collection levies                            | 37211            | -                  | 3,938.00               | 3,938.00            | 3,938.00                                     |
| Land acquisition & development                            | 37212            | -                  | 22,577.00              | 22,577.00           | 22,577.00                                    |
| State Tax Overpayment                                     | 37213            | -                  | 100.00                 | 100.00              | 100.00                                       |
| Artspace Commons  | 37214            | -                  | 56,085.00              | 56,085.00           | 56,085.00                                    |
| Temporary property expense                                | 37215            | 28.34              | 3,800.00               | 3,771.66            | 3,771.66                                     |
| Public Improvements & Developm                            | 37217            | -                  | 100,000.00             | 100,000.00          | 100,000.00                                   |
| City-wide Housing   | 37218            | -                  | 11,500.00              | 11,500.00           | 11,500.00                                    |
| Project area Housing                                      | 37219            | -                  | 11,500.00              | 11,500.00           | 11,500.00                                    |
| **Land Acquisition & Development                          | 37221            | -                  | 100,000.00             | 100,000.00          | 100,000.00                                   |
| **City-wide Housing                                       | 37222            | -                  | 23,500.00              | 23,500.00           | 23,500.00                                    |
| **Project Area Housing                                    | 37223            | -                  | 23,500.00              | 23,500.00           | 23,500.00                                    |
| **Street car design & imple                               | 37224            | -                  | 23,000.00              | 23,000.00           | 23,000.00                                    |
| **Public Improve & Develop in                             | 37225            | -                  | 300,000.00             | 300,000.00          | 300,000.00                                   |
| <b>Subtotal Current</b>                                   |                  | <b>28.34</b>       | <b>705,000.00</b>      | <b>704,971.66</b>   | <b>704,971.66</b>                            |
| <b>Total</b>  | <b>91.11</b>     | <b>133.31</b>      | <b>1,647,885.52</b>    | <b>1,647,752.21</b> | <b>1,647,752.21</b>                          |
| Under/(over) spending                                     | <u>410.47</u>    | <u>969,074.98</u>  |                        |                     |  |
| Under/(over) budget allocation                            |                  |                    | <u>24,839.19</u>       |                     |  |
| Cash plus remaining revenues minus remaining expenditures |                  |                    |                        |                     | <u>24,839.19</u>                             |
| Adjustments to bring to GAAP basis:                       |                  |                    |                        |                     |  |
| Net transfer in (out)                                     |                  |                    | -                      |                     |  |
| GAAP interest income                                      |                  |                    | -                      |                     |  |
| Budgetary resources-not GAAP                              |                  |                    | (967,724.71)           |                     |  |
| Gain (loss) property tax rebate                           |                  |                    | -                      |                     |  |
| Non GAAP principal received                               |                  |                    | -                      |                     |  |
| Budgetary outlays-not GAAP                                |                  |                    | -                      |                     |  |
| Net Adjustments   |                  |                    | <u>(967,724.71)</u>    |                     |  |
| Fund balance as of 07/01/11                               |                  |                    | \$ 1,162,179.71        |                     |  |
| Fund balance as of 9/30/11                                |                  |                    | <u>\$ 1,163,529.98</u> |                     |  |

LETTERS OF SUPPORT

ALL COMMUNITY-BASED ORGANIZATIONS



Salt Lake Valley Health Department

Gary L. Edwards, M.S. • Executive Director

November 23, 2011

Mayor Peter Corroon  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190

Dear Mayor Corroon:

Salt Lake Valley Health Department (SLVHD) is pleased to submit this letter of support for Wasatch Front Brownfields Coalition (Coalition). The Coalition which is comprised of three members: Salt Lake County, the Redevelopment Agency of Salt Lake City (located in Salt Lake County) and Ogden City (located in Weber County) is submitting an application for an Environmental Protection Agency Brownfields Revolving Loan Fund (RLF) Grant. This grant which will provide funding to capitalize a revolving fund which will make loans and provide sub-grants to carry out cleanup activities at Brownfield sites.

SLVHD is the public health regulatory agency for the proposed project area in Salt Lake City and Salt Lake County and is dedicated to promoting and protecting community and environmental health for residents. We have a long history of working to identify local issues that affect health and quality of life and then implementing proven programs to better the community and the lives of people who live and work there.

The Wasatch Front Brownfields Coalition is connected by I-15, and by Utah Transit Authority (UTA) commuter rail service. Recognizing the need to meet the demands of new growth while limiting “sprawl” development, the Coalition was formed to focus on critical environmentally-contaminated properties that are linked to each other by one or more modes of public transit, properties that are highly visible to the public, and that could be redeveloped in a mixed-use, higher-density pattern. This would result in greater affordability for households in these areas – areas that are currently economically disadvantaged – as well as improved health, safety and quality of life for these neighborhoods, limited sprawl, and increased use of public transit.

The proposed community-wide petroleum and hazardous substance site assessments are an important step in characterizing environmental contamination and the potential impacts on the health and welfare of the residents in the transportation corridor. As demonstration of our support and in the event that an EPA Brownfield’s Revolving Loan Fund (RLF) Grant is awarded, SLVHD is committing to:

- Assist in compiling data to develop the West Millcreek Target Area in Salt Lake County and the Fleet Management Yard in Salt Lake City;
- Review progress and results of the community-wide Brownfields assessments at the monthly meetings of the Salt Lake County Environmental Task Force; and
- Take action on public health impacts identified in the corrective action plan.

SLVHD is pleased to support the work of the Coalition and the EPA to identify and assess environmentally comprised sites that, once remediated, will support the redevelopment and reuse of properties along Transportation Corridor that will contribute to the health and welfare of the residents located within the Wasatch Front Brownfields Coalition areas. We look forward to your favorable review of the Coalition’s proposal.

Sincerely,

Gary Edwards, MS  
Executive Director  
Salt Lake Valley Health Department

November 21, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, Utah 84190-3050

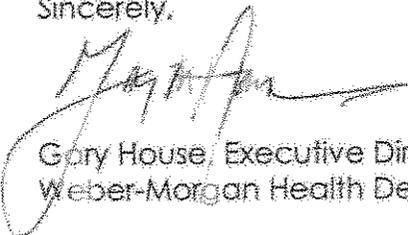
**RE: Letter of Support for the Wasatch Front Brownfields Coalition**  
EPA Brownfields Revolving Loan Fund (RLF) Grant Proposal

Dear Mayor Corroon,

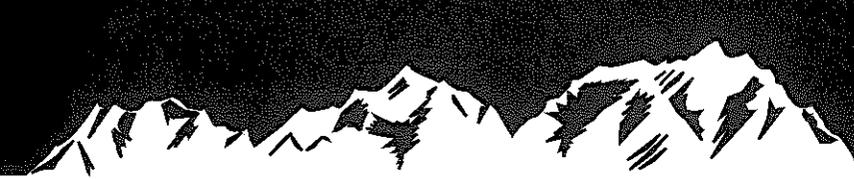
On behalf of the Weber-Morgan Health Department, I would like to offer our support for the Wasatch Front Brownfields Coalition – comprised of Salt Lake County, the Redevelopment Agency of Salt Lake City, and Ogden City – and its EPA Brownfields Revolving Loan Fund (RLF) Grant application. We are concerned about the cleanup of brownfield sites as these sites provide health and safety threats to the surrounding neighborhoods, and especially to sensitive populations such as the elderly, children, and child-bearing women.

We are committed to the successful cleanup of brownfields sites and are willing to work closely with Coalition members in this endeavor. Specifically, we are willing to serve, as requested, as a member of the Wasatch Front Brownfields Coalition Board (WFBCB) and to provide input and feedback regarding health impacts in targeted areas, as well as procedures that will ensure the safety of these populations during actual cleanup periods.

Sincerely,



Gary House, Executive Director  
Weber-Morgan Health Department



# WASATCH FRONT REGIONAL COUNCIL

295 North Jimmy Doolittle Road • Salt Lake City, Utah 84116 • [www.wfrc.org](http://www.wfrc.org)  
Phone Salt Lake: 801.363.4250 • Fax: 801.363.4236 • Phone Ogden: 801.773.5559

Craig L. Dearden  
Chairman  
Commissioner, Weber County

November 22, 2011

Bret Millburn  
Vice-Chairman  
Commissioner, Davis County

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, UT 84190

Len Arave  
Mayor, North Salt Lake

Ralph Becker  
Mayor, Salt Lake City

Bruce Burrows  
Mayor, Riverdale

Peter Corroon  
Mayor, Salt Lake County

Tom Dolan  
Mayor, Sandy

Richard Harris  
Mayor, North Ogden

Michael H. Jensen  
Councilman, Salt Lake County

Tina Kelley  
Councilmember, Morgan County

Brent Marshall  
Mayor, Grantsville

Kent Money  
Mayor, South Jordan

Jamie Nagle  
Mayor, Syracuse

John Petroff, Jr.  
Commissioner, Davis County

JoAnn B. Seghini  
Mayor, Midvale

Darrell H. Smith  
Mayor, Draper

Mike Winder  
Mayor, West Valley City

Jan Zogmaister  
Commissioner, Weber County

Senator Scott Jenkins  
Utah State Senate

Representative Wayne Harper  
Utah House of Representatives

Louenda Downs  
Utah Association of Counties

Russ Wall  
Utah League of Cities & Towns

John Njord  
Utah Department of Transportation

Michael Allegra  
Utah Transit Authority

Alan Matheson  
Envision Utah

Dear Mayor Corroon,

Wasatch Front Regional Council would like to lend its support to Salt Lake County in connection with its application to the U.S Environmental Protection Agency for a Brownfields Revolving Loan Fund Grant. WFRC is currently managing a \$5 million HUD Sustainable Communities Grant; revolving loan funds for cleanup of key sites would greatly benefit the efforts that we are currently putting in place for sustainable development. As part of the Sustainable Communities Grant, we have identified "catalytic sites" near transit that would greatly benefit from cleanup and redevelopment. We view the RLF grant as working in concert with this ongoing effort and as further leveraging our current efforts by providing funds for these and other key sites -- sites for which no funding is currently available.

The WFRC is an association of 60 cities and five counties organized in 1969 for the purpose of pursuing goals of common interest, with Salt Lake County being the most populous of the five counties that sit on our board. The Regional Council ensures that vehicle emissions associated with regionally significant transportation plans fall within the guidelines set for air quality. The Regional Council also provides background information in preparation of the State Implementation Plan for Air Quality with regard to automobile emissions levels, budgets, and traffic control measures. The Regional Council also manages smaller cities Community Development Block Grant program and disburses approximately \$1.5 million annually to projects that directly benefit low and moderate income families and individuals and areas.

Salt Lake County has been at the fore front of the energy movement in Utah. We recognize this application as evidence of the County's enduring commitment to assist in reclaiming property to be utilized for the growth of our economy and the creation of jobs. WFRC is committed to assist Salt Lake County with this grant and will actively work to promote this program and encourage participation from the other entities within Salt Lake County boundaries.

We feel very strongly that the EPA Brownfields Revolving Loan Fund Grant program will complement this partnership and provide significant, new capacity to spur economic development in the area. We fully endorse, and are committed to support, Salt Lake County's application for this program.

Sincerely,



Andrew S. Gruber  
Executive Director

November 22, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, UT 84190

Dear Mayor Corroon,

Utah Transit Authority (“UTA”) is pleased to submit this letter of support for the Wasatch Front Brownfields Coalition (the “Coalition”) to obtain an Environmental Protection Agency Brownfield Revolving Loan Fund Grant (the “Grant”) for the Wasatch Front region.

UTA is the public transportation provider created by the Utah State Legislature to afford the citizens of the Wasatch Front region an innovative, accessible and efficient public transportation system. The Wasatch Front region is home to over 80% of the State’s population and UTA, in partnership with cities such as Salt Lake, has built, and will continue to build, a system that has strengthened and connected communities through smart growth principle implementation and collaborative strategic initiatives.

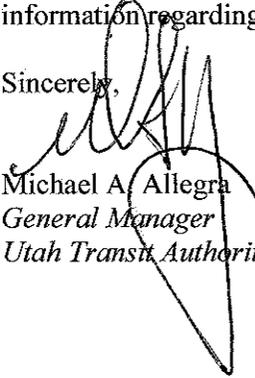
We understand that the receipt of this Grant will support the cleanup of key redevelopment sites, such as the West Millcreek Target Area in Salt Lake County and the 24<sup>th</sup> Street Interchange in Weber County. Our organization has participated in stakeholder meetings for some of the areas identified in the Coalition’s application and we welcome the opportunity to participate with the Coalition in their efforts on projects in the future.

The Coalition and UTA share similar values and have consistently worked together in an effective manner to incorporate transit-oriented development and walkability into the region’s transportation networks. The Coalition members share our vision for environmental protection by considering alternative solutions to ongoing transportation demands.

UTA is grateful for the chance to partner with the Coalition in their efforts to identify and assess environmentally compromised sites that, once remediated, will support redevelopment and contribute to the economic health and welfare of the surrounding neighborhoods.

Thank you for the opportunity to provide support for this project. If you would like additional information regarding our support please contact me at 801-237-1900.

Sincerely,



Michael A. Allegra  
*General Manager*  
*Utah Transit Authority*



**Envision  
Utah** How we grow matters.

November 22, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190-3050

Dear Mayor Corroon,

Envision Utah fully supports Salt Lake County in obtaining an EPA Revolving Loan Fund (RLF) grant for the purpose of brownfields cleanup and remediation. Our goal is to promote sustainable planning by making our cities healthier, more livable places. We are prepared to assist the Wasatch Front Brownfields Coalition Board (WFBCB) in their community outreach efforts – to make the public better aware of brownfields sites, and to educate them about the potential for cleanup and redevelopment of these sites. Envision Utah is a nationally-recognized leader in community outreach and sustainable development.

Envision Utah is a private, non-profit organization that facilitates collaboration between the public, planners, business leaders, elected officials, and developers in addressing ongoing community issues. Sustainable growth measures can be implemented by promoting walkability, energy conservation, protection of sensitive land, and through reuse and infill. Our renowned "Quality Growth Strategy" is a collaborative effort with our stakeholders that demonstrates the efficiency of tasks that can be accomplished when we work together as a region.

Both Envision Utah and Salt Lake County are leading members of the Utah Consortium, an elite group of planning, transportation, housing, and local government organizations. Recently the Consortium was the recipient of a \$5 million HUD Sustainable Communities Grant that will promote sustainable development along the Wasatch Front. An RLF fund will help further the goals of the Consortium by providing funds for cleanup at key sites.

As partners, Envision Utah and Salt Lake County have demonstrated a strong dedication to maintaining Utah's quality of life through the implementation of strategies that reduce pressure on our critical lands. With forethought and EPA grant assistance, we can accommodate growth, build world-class cities, and preserve the stunning beauty of our state.

Sincerely,

Robert J. Grow  
Chair, Envision Utah Board of Trustees



# Association of Community Councils Together

2001 SO. STATE STREET • SUITE N-4002 • SALT LAKE CITY, UTAH 84190 • (801) 468-3636

November 22, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, Utah 84190-3050

Dear Mayor,

The Association of Community Councils Together (ACCT) offers a united voice of support for the residents of unincorporated Salt Lake County, with representation from the Big Cottonwood Canyon Community, Copperton Township, Granite Community, Emigration Canyon Township, Kearns Township, Magna Township, Millcreek Township (with the Canyon Rim Community, East Millcreek Community, Millcreek Community, and Mt. Olympus Community), Parleys Canyon Community, Sandy Hills Community, Southwest Community, White City Township, and the Willow Canyon Community. As a valley-wide organization, ACCT offers a venue in which all of the community councils can come together to work on issues of mutual concern.

A major issue for our townships and communities has been the continual exposure to hazardous substances as a result of uncontrolled land uses, illegal methamphetamine laboratories/other chemical threats, and large-scale mining operations. An EPA Brownfields Assessment Grant for West Millcreek has served to address some of these concerns, but there are still several parcels in other areas of unincorporated Salt Lake County that require environmental attention. In late 2007, a County-sponsored Brownfield Site Assessment study identified at least ten (10) properties in our townships and communities that may currently be contaminated. In addition, the Salt Lake Valley Health Department has listed multiple properties within unincorporated areas that have confirmed cases of chemically-controlled contamination. The requested EPA Revolving Loan Fund grant would provide a much-needed funding mechanism for the remediation of these contaminated properties.

Over the last 25 years, ACCT has established an impressive, working partnership with Salt Lake County to provide volunteer services and assistance for the betterment of its communities. As the driving force behind many locally-recognized projects, ACCT has and will continue to endorse any funding opportunity that could lead to an enhanced quality of life. We share in the County's desire to create a healthier, more vibrant community and know that an EPA grant award would help us to meet this grand objective.

Sincerely,

Paulina Flint, President  
Association of Community Councils Together



175 East 400 South, Suite 600  
Salt Lake City, UT 84111  
(801) 328-5090  
[www.utahstatechamber.org](http://www.utahstatechamber.org)

November 28, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190

Dear Mayor Corroon,

On behalf of the Utah State Chamber of Commerce, it is my pleasure to write this letter of support for Salt Lake County and the Wasatch Front Brownfield Coalition for an EPA Brownfields Revolving Loan Fund Grant.

Assessment, cleanup and redevelopment of contaminated properties – especially those located near transit sites – are critical to the continued economic development of the Wasatch Front. Much work has been done to date in assessing and identifying properties. It is now time to move forward with cleanup of these properties. Redevelopment will improve our air quality (through increased use of transit), facilitate job growth, utilize existing infrastructure (rather than constructing new infrastructure in sprawling developments), open up green spaces and parkways for public use, promote more affordable housing and increase the local tax base.

Salt Lake County and each of the Coalition members have provided superb leadership in the past for sustainable development and in forming key partnerships that maximize the use of a wide range of financial and other resources. They have spent considerable time, invested in studies, and worked closely with the public to identify specific properties for cleanup. Now is the time for them to move forward with funding for actual cleanup and remediation of the targeted sites.

The Chamber is committed to helping the Coalition in any way we can to get an established Brownfields Revolving Loan Fund in place. We urge the EPA to give the highest consideration to this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Evans". The signature is fluid and cursive, with a long horizontal line extending to the right.

Ryan Evans, Executive Administrator  
Utah State Chamber of Commerce



22 November 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, Utah 84190

Dear Mayor Corroon,

On behalf of Community Development Corporation of Utah, it is my pleasure to write this letter of support for Salt Lake County and the Wasatch Front Brownfields Coalition for an EPA Brownfields Revolving Loan Fund Grant. We have full confidence in Salt Lake County to administer this important program to the benefit of our the residents of our community.

As a longtime friend to Community Development Corporation of Utah, you are aware that our agency was founded in 1990 as a 501(c)(3) nonprofit organization with the mission to develop and preserve affordable housing, revitalize neighborhoods and communities throughout Utah, and encourage individual and family self-sufficiency through homeownership. In its 20 year history, CDCU has served nearly 4000 households in more than 120 Utah communities. Still, most of that work has been accomplished in Salt Lake County, where we take a particular interest, and have concern for the health and safety of our residents.

We are honored to partner with the Wasatch Front Brownfields Coalition in establishing a revolving loan fund. We feel that these funds are critical to the cleanup of contaminated sites in neighborhoods that are adversely impacted by poor health and safety conditions. Further, many of the environmentally-contaminated parcels are located near key transit sites. If these sites are redeveloped in a mixed-use fashion, as planned, there will be an enormous upside through the provision of more affordable housing at locations where residents can use public transit to commute to work, thus benefiting residents through reduced transportation expenditures.

We pledge our support and commitment to this important project. Best wishes!

Respectfully,

A handwritten signature in black ink, appearing to read "Darin Brush", is written over a horizontal line.

Darin Brush  
Executive Director



November 28, 2011

Mayor Peter Corroon  
 Salt Lake County  
 2001 S. State Street, Suite N2100  
 Salt Lake City, UT 84190-3050

Dear Mayor,

The Economic Development Corporation of Utah (EDC Utah) enthusiastically submits this letter of support to Salt Lake County and the Wasatch Front Brownfields Coalition in its revolving loan fund grant application. Our purpose as an organization is to promote economic development and job creation in the State of Utah, and we work closely with the Governor's Office of Economic Development in this regard.

As you are aware, economic infrastructure (transportation, communications, utilities) is critical to attracting business development and job creation. Cleanup for key properties that are located near transit will have immense benefits as sites are redeveloped in a manner that promotes the use of public transit, that limits sprawl, and that provides opportunities for people to live and work in the same area.

EDC Utah is committed to working with the Wasatch Front Coalition and providing support to them. We are well aware of the requirements and needs of businesses looking to expand and relocate and will provide expertise to the Coalition regarding infrastructure needs and cleanup requirements. By leveraging our resources together, we know that we can be highly successful in revitalizing deteriorating neighborhoods, creating new jobs, and improving the safety and health of communities.

Sincerely,

Jeff Edwards,  
 President & CEO  
 Economic Development Corporation of Utah

A. Richard Waite  
 Rocky Mountain Power  
 Chairman

Jeffery B. Edwards  
 President & CEO

**EXECUTIVE COMMITTEE**

Ron Jibson  
 Questar Gas Company  
 Vice Chair - Private Sector

Mayor Thomas M. Dolan  
 Sandy City  
 Vice Chair - Public Sector

Jill Taylor  
 KeyBank of Utah  
 Secretary/Treasurer

Jerry D. Fenn  
 Qwest Communications  
 Past Chairman

Senator Stuart Adams  
 Utah State Legislature

Commissioner Gary J. Anderson  
 Utah County

Mayor Ralph Becker  
 Salt Lake City Corporation

President Cynthia Bioteau  
 Salt Lake Community College

Mark H. Bouchard  
 CB Richard Ellis

Deedee Corradini  
 Congierge Relocation - A Division  
 of Prudential Utah Real Estate

Mayor Peter Corroon  
 Salt Lake County

Mayor Stephen Curtis  
 Layton City

William L. D'Evelyn  
 Commerce Real Estate Solutions

Commissioner Louenda H. Downs  
 Davis County

David Lang  
 Goldman Sachs

Spencer P. Eccles  
 Governor's Office of Economic  
 Development

Michael Gardner  
 Washington County  
 Economic Development Council

Mayor Matthew R. Godfrey  
 Ogden City

George B. Hofmann  
 Zions Bank

Peggy Larsen  
 Workers Compensation Fund

David S. Layton  
 The Layton Companies, Inc.

Commissioner Mike McKee  
 Uintah County

Mayor W. Kent Money  
 City of South Jordan

Arthur C. Nelson  
 Metropolitan Research Center  
 University of Utah

Patricia Richards  
 SelectHealth

William A. Sederburg  
 Utah State Board of Regents

J. Steven Price  
 Price Realty Group

Phillip M. Thompson  
 Industrial Supply Company

Mayor Russ Wall  
 City of Taylorsville

Glen D. Watkins  
 Jones Waldo Holbrook & McDonough

Mayor Mike Winder  
 West Valley City

Greg A. Winegardner  
 Wells Fargo Bank

M. Craig Zollinger  
 JPMorgan Chase

November 22, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190-3050

Dear Mayor Corroon,

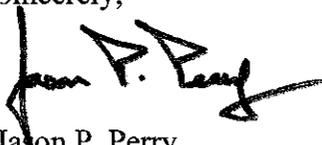
The University of Utah offers its wholehearted support to Salt Lake County for its EPA Brownfield Revolving Loan Fund Grant application. We share the County's vision of creating a more sustainable community, and believe that the grant will contribute to this end.

Our University is dedicated to providing the highest quality education programs for its students, and we believe education in energy and environmental fields is becoming increasingly vital. We appreciate the relationship we have with community leaders and want to pledge our support in civic matters. We have enjoyed partnering with Salt Lake County on past community projects, and feel that we stand to benefit from the RLF grant program.

Education is an important tool for training tomorrow's workforce in businesses that have the promise of success. The remediation of Brownfield sites within our region will provide improved sites that can be effectively marketed to growing industries desiring to relocate in Utah. We recognize that Utah has a talented education pool and believe this grant program will encourage business growth and increased employment opportunities. To this end, the University of Utah would like to pledge its support for Salt Lake County in obtaining a grant for Brownfield's cleanup and restoration and will encourage other community leaders to do the same.

We are pleased to partner with Salt Lake County in the funding of assessment and cleanup of brownfield contamination. We encourage you to support the County in their oversight of a revolving loan fund that will assist in these cleanup efforts.

Sincerely,



Jason P. Perry  
Vice President for Government Relations  
University of Utah

November 22, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, UT 84190

Dear Mayor,

On behalf of Salt Lake Community College (SLCC), I hereby express our support of the County and the Wasatch Front Brownfields Coalition in your application for an EPA brownfield revolving loan fund. Contaminated properties in our region sit vacant, giving an unsightly appearance to many neighborhoods and posing health and safety risks to residents and children.

SLCC has an interest in educating and training its students for the cleanup of contaminated properties. We currently operate the Mountain West OSHA Training Center and offer specific training in the following courses:

OSHA 2264: Permit-Required Confined Space Entry  
OSHA 6000: Collateral Duty Course for Other Federal Agencies  
OSHA 1910.120 HAZWOPER Hazard Waste 40-Hour Training

We are eager to partner with the Coalition in this important endeavor and feel that we can offer many benefits from our training programs.

Please know that we strongly support your revolving loan fund grant application and look forward to the opportunity of working with you in this important endeavor.

Sincerely,



Karen Gunn, MBA  
Associate Provost, Business Partnerships  
Dean, School of Professional and Economic Development/Applied Technology  
Salt Lake Community College



**Ogden City Corporation**  
Jeanne M. Harris, Sr. Project Coordinator  
Business Information Center  
2036 Lincoln Avenue, Suite 105, Ogden, UT 84401  
(801) 629-8604  
[jeanneharris@ci.ogden.ut.us](mailto:jeanneharris@ci.ogden.ut.us)

Brandon Cooper, Senior Development Coordinator  
Ogden City Corporation  
2549 Washington Blvd.  
Ogden, UT 84401

RE: Letter of Support-2012Brownfields RLF Grant Proposal  
Wasatch Front Brownfields Coalition

Dear Mr. Cooper:

The Business Information Center is pleased to provide this letter of support for the Wasatch Front Brownfields Coalition grant proposal for the 2012 Brownfields Revolving Loan Fund (RFL), and express its interest as an active participant in the re-OGDEN program and as a member of the Wasatch Front Brownfields Coalition Board (WFBCB).

The Business Information Center currently manages revolving loan funds for Ogden City, utilizing a variety of federal grant funds, and has the capacity to hold loan funds, make loans, enter into loan agreements, collect payments, and offer technical support and guidance as necessary.

We believe that access to the Brownfield program funding would be a great addition to the City's economic development programs and will assist the City and the re-OGDEN program in furthering its redevelopment mission and goals. We look forward to being an integral part of this exciting project.

Sincerely,

Jeanne M. Harris  
Sr. Project Coordinator  
Ogden City Corporation

November 21, 2011

Brandon Cooper  
Project Director, re-Ogden



Dear Brandon,

This letter of understanding and support confirms our interest in participating with Ogden City and the Wasatch Front Brownfields Coalition to establish a Brownfields revolving loan fund.

The ORC is a nonprofit community development finance institution (CDFI) that provides loans and financial resources in the greater Ogden to new and expanding businesses that have a positive community and economic impact, focusing on low to moderate income earners and blighted and underutilized property.

Ogden City's commitment to environmental excellence through the re-OGDEN program fits squarely within our mutual interests of cleaning and utilizing property in the Ogden area that has suffered environmental spoilage, and create job opportunities to those who are most in need. The ORC considers Ogden City a partner in identifying projects, borrowers, and contaminated locations, as well as processing loans.

Therefore, the ORC will provide priority access to borrowers that qualify for Brownfield redevelopment. This will include gap financing through our team of 11 participating banks. The ORC will also share its lending and underwriting resources, and community development expertise to this effort.

We look forward to joining with you in bringing Brownfield revitalization in the Ogden area.

Sincerely,



Shawn Beus  
Executive Director & Legal Counsel



# SALT LAKE COUNTY

**PETER CORROON**  
Salt Lake County Mayor  
[pcorroon@slco.org](mailto:pcorroon@slco.org)

**COMMUNITY RESOURCES &  
DEVELOPMENT**

*"Making a positive  
difference"*

**JEAN NIELSEN**  
Director Human Services  
[jnielsen@slco.org](mailto:jnielsen@slco.org)

**MICHAEL R. GALLEGOS**  
Division Director  
[mgallegos@slco.org](mailto:mgallegos@slco.org)

SALT LAKE COUNTY  
GOVERNMENT CENTER  
2100 South State St., Ste. S2100  
Salt Lake City, UT 84190-2000  
Phone (801) 468-3246  
Fax (801) 468-3684  
TTY: 7-1-1  
[www.crd.slco.org](http://www.crd.slco.org)

November 28, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, UT 84190

Dear Mayor,

As you are well aware, Salt Lake County Community Resources and Development manages the AmeriCorps programs that serve special populations, such as refugees and chronically homeless people.

AmeriCorps members are currently placed at the county housing authority, homeless shelters, hospitals and in similar settings as part of the **AmeriCorps Building Utah's Capacity to End Chronic Homelessness (ABUCECH)** program. In the **AmeriCorps Assisting Refugee Program (AARP)**, AmeriCorps members work at organizations that directly assist refugees.

Many of these populations are negatively impacted by in neighborhoods where there are contaminated properties, thereby directly adversely affecting the health and safety of these people. AmeriCorps has significant interest in seeing these properties cleaned up and is committed to supporting the County and the Wasatch Front Brownfields Coalition in this important project.

We urge the EPA to award this grant application to Salt Lake County and the Wasatch Front Brownfields Coalition. We feel that the positive impacts to minority and environmental justice population will be significant if funds are available to cleanup sites in neighborhoods that are severely economically disadvantaged.

Sincerely,

Rich Parks, Program Manager  
AmeriCorps

November 28, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, Utah 84190

Dear Mayor Corroon,

ASSIST Inc. offers its support of the EPA Brownfield Grant Application being submitted by the Wasatch Front Brownfields Coalition. We feel that the establishment of a Brownfields Revolving Loan Fund (RLF) will significantly benefit the cleanup of properties in neighborhoods that have a disproportionate number of contaminated parcels and low-income and other disadvantaged populations. We offer our support as a partner in this important process that will bring greater health and safety to underprivileged areas in our community.

ASSIST Inc. is a nonprofit Community Design Center founded in 1969. ASSIST provides architectural design, community planning and development assistance to nonprofit and community groups, and housing and accessibility design assistance to low-income households or persons with disabilities.

On behalf of myself and ASSIST Inc., I encourage favorable consideration of this RLF grant proposal and invite the EPA reviewers to contact me personally should they have questions regarding any of the above or our work throughout the region.

Sincerely,



Roger Borgenicht, Director  
ASSIST Inc.

LETTERS OF COMMITMENT

COALITION MEMBERS & INTERLOCAL AGREEMENT

November 23, 2011

Mayor Peter Corroon  
2001 South State Street, Suite N2100  
Salt Lake City, Utah 84190-3050

Re: Brownfields Revolving Loan Fund Grants

Dear Mayor Corroon:

The Redevelopment Agency of Salt Lake City (RDA) is pleased to be part of the Wasatch Front Brownfields Coalition that Salt Lake County has assembled and will be leading. The RDA feels that partnering with Salt Lake County and the City of Ogden will result in a strong Brownfields Revolving Loan Fund Grant application and lead to the funding of remediation projects that will benefit the Wasatch Front Region and the State of Utah.

The RDA administers eight Urban Renewal Project Areas in Salt Lake City with the primary mission of removing blighted conditions. The Brownfields Revolving Loan Fund Grant Program will provide the RDA with a valuable tool for assisting private and public partners in eliminating blighted conditions caused by environmental contamination. A key priority in the RDA's Granary District Project Area is the redevelopment of Salt Lake City's 8.5-acre Fleet Maintenance Yard site. The RDA hopes to utilize the Brownfields Revolving Loan Fund Grant program, private funds, and \$210,000 of RDA funding, earmarked for the redevelopment of the site, to accomplish this goal. The RDA has also allocated an additional \$434,000 for the redevelopment of other sites in the Granary District Project Area, which could create other opportunities for leveraging the Brownfields Revolving Loan Fund Grant program.

We appreciate this opportunity to work with you and the City of Ogden in this endeavor. Please have any party that wishes to discuss the RDA's role in the coalition contact Matt Dahl or myself at 801-535-7240.

Sincerely,



D.J. Baxter  
Executive Director



Tom Christopoulos, Deputy Director  
Community & Economic Development

November 28, 2011

Mayor Peter Corroon  
Salt Lake County  
2001 S. State Street, Suite N2100  
Salt Lake City, UT 84190

Dear Mayor,

Ogden City is excited to join with you and Salt Lake City as a partner in the Wasatch Front Brownfields Coalition. As a municipality, we are an eligible entity to apply for an EPA Brownfields Revolving Loan Fund Grant as a "General Purpose Unit of Local Government" EPA 40 CFR Part 31.

Over the past ten years, Ogden City's staff and its elected officials have been working hard to reclaim the heritage and vibrancy that once was the hallmark of the city. Much work has been done already. The downtown Central Business District has seen tremendous economic development and revitalization. Through public/private partnerships, previous federal funding, and a current EPA Community-Wide Assessment Grant, over 60 properties have been assessed with upwards of 40 cleanup/construction projects completed.

However, there is much more work to be done. Developer participation and outside investment interest continues to be weak due to a high level of uncertainty associated with the various sites and their historical industrial uses and perceived levels of contamination as well as the lack of available funds for cleanup efforts.

By partnering with the Coalition and representing two of the major economic hubs statewide, we will provide leadership and a model for the entire State of Utah. We also will be better able to coordinate and leverage our resources for the cleanup of key properties. This will jumpstart development, create jobs and support private partnerships already created through our initial assessment and identification efforts.

We appreciate this opportunity to work with you and are excited about taking these next steps in our reclamation and revitalization efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Christopoulos".

Tom Christopoulos  
Deputy Director, Community & Economic Development  
Ogden City

**INTERLOCAL AGREEMENT**

**among**

**SALT LAKE COUNTY  
OGDEN CITY  
and  
THE REDEVELOPMENT AGENCY  
OF SALT LAKE CITY**

This Interlocal Cooperation Agreement ("Agreement") is effective on the 28 day of November, 2011 among Salt Lake County, a political subdivision of the State of Utah; Ogden City, a municipality and a political subdivision of the State of Utah; and the Redevelopment Agency of Salt Lake City, a community development and renewal agency and a political subdivision of the State of Utah ("RDA"). Salt Lake County, Ogden City, and RDA are sometimes jointly referred to hereinafter as the "Parties" or "Coalition" or "Coalition Members."

**WITNESSETH:**

WHEREAS, the Parties, acting together as a coalition of eligible governmental entities, intend to submit a proposal to the U.S. Environmental Protection Agency ("EPA") for a Brownfields Revolving Loan Fund ("RLF") grant; and

WHEREAS, the RLF grant will capitalize a revolving loan fund to make loans and provide subgrants to conduct cleanup activities at eligible Brownfields sites; and

WHEREAS, the Parties are public entities and are, therefore, authorized by the Utah Interlocal Cooperation Act, Utah Code Ann. §11-13-201 *et seq.*, as amended, to enter into agreements to cooperate with each other in a manner that will enable them to make the most

efficient use of their resources and powers, and to exchange services that they are each authorized by statute to provide; and

WHEREAS, the Parties desire to enter into an interlocal agreement to accomplish the foregoing purposes.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this agreement, the mutual benefits to the parties to be derived herefrom, and for other valuable consideration, the receipt and sufficiency of which the parties acknowledge, it is hereby agreed as follows:

**1. Coalition Members**

The Coalition Members are “local government” units as defined in 40 CFR Part 31.3.

1.1 Salt Lake County is a county of the first class as defined in Utah Code Ann. § 17-50-501 and may perform the services, exercise the powers, and perform the functions provided for in Utah Code Ann. § 17-50-302.

1.2 Ogden City is a municipality and political subdivision of the State of Utah pursuant to Utah Code Ann. § 10-1-201, and may perform the services, exercise the powers, and perform the functions provided for in Utah Code Ann. § 10-1-202.

1.3 The RDA is a community development and renewal agency created by an ordinance adopted by the Salt Lake City Council and is a separate body corporate and politic created under Utah Code Ann. § 17C-1-201 and is a political subdivision of the State of Utah pursuant to Utah Code Ann. § 17C-1-102(3). The RDA may perform the services, exercise the powers, and perform the functions provided for in Utah Code Ann. §17C-1-202.

**2. Threshold Criteria**

2.1 Eligible Entities. As is more fully described in Section 1, the Coalition Members

are units of local government organized and existing under the laws of the State of Utah.

2.2 Jurisdiction. Salt Lake County has general jurisdiction within the unincorporated areas within the geographic boundaries of the County. In addition, the Salt Lake Valley Health Department ("SLVHD") operates as a Division of the Salt Lake County Department of Human Services. The SLVHD has jurisdiction in both the incorporated and unincorporated areas of the County pursuant to Utah Code Ann. §26A-1-114, for all public health and environmental regulatory matters. The RDA has jurisdiction for the purposes described in Utah Code Ann. §17C-1-202 within the incorporated geographic boundaries of Salt Lake City. Ogden City has jurisdiction for the municipal purposes described in Utah Code Ann. §10-1-202 within the incorporated geographic boundaries of Ogden City.

2.3 Environmental Authority. A letter from the Utah Department of Environmental Quality ("DEQ") acknowledging that the Coalition plans to apply for federal grant funds to establish a revolving loan fund and conduct cleanup activities will be submitted in support of the Coalition's proposal.

2.4 Oversight Structure and Legal Authority. Loan or subgrant recipients will be required to enroll in the Utah Division of Environmental Response and Remediation ("DERR") Voluntary Cleanup Program described in Utah Code Ann. §19-8-101 *et seq.*, to ensure that cleanups are protective of human health and the environment. The Coalition Members will submit legal opinions in support of their proposal demonstrating: (a) legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant; and (b) legal authority to perform the actions necessary to manage a RLF.

2.5 Cost Share. Each Coalition Member shall be responsible for the grant program's 20% cost share requirement, and apportionment of ultimate responsibility for the payment of

such cost share requirement will be agreed to prior to the issuance of a subgrant or loan.

2.6 Retention of Grant Writing Consultant. Each Coalition Member agrees to contribute \$5,000.00 to retain the services of a grant writing consultant.

### **3. Brownfields RLF Grant Coalition Elements.**

3.1. The designated representatives of the Parties are specifically identified in Section 7 herein.

3.2. Salt Lake County is responsible to EPA for management of the Coalition and compliance with the statutes, regulations, and terms and conditions of the award, and ensuring that the Parties, as Coalition Members, are in compliance with the RLF grant requirements.

3.3. Salt Lake County is responsible for the provision of timely information to the other Parties as Coalition Members regarding the management of the Coalition and any changes that may need to be made to the Agreement over the period of performance.

3.4. Activities funded through the RLF may include the direct costs associated with the cleanup of eligible Brownfields sites and eligible programmatic costs for managing the RLF, and other eligible activities as may be agreed to by the Coalition Members. Consistent with section 3.5 below, Salt Lake County may retain consultant(s) and contractors to undertake various activities funded through the Coalition agreement and may, with majority approval by the Coalition Members, award subgrants to any one or more of the Parties for cleanup activities in their geographic areas.

3.5. Salt Lake County will procure consultant(s) as necessary to implement the RLF grant. Salt Lake County will issue Requests for Proposals or Requests for Qualifications and will be the entity responsible for receipt of the submitted proposals. The selection of the

consultant(s) shall be made by a majority of the Coalition Members. Salt Lake County will then be responsible for the award of the consultant contract(s).

3.6. Salt Lake County, in consultation with the Parties as Coalition Members, will work to develop a site selection process based upon mutually agreed factors. Potential cleanup sites may be awarded subgrants or loans for eligible Brownfields sites.

3.7. Salt Lake County will be responsible to work with the Coalition Member(s) in whose geographic area the site is located to finalize the scope of work for the consultant or contractor. It will be the responsibility of such Coalition Member(s) to obtain all required permits, easements, and/or access agreements as may be necessary to undertake a cleanup at the selected site. If the Coalition Member(s) does not have the capacity to perform these activities, Salt Lake County may assist in securing necessary site access agreement and permits.

3.8. Salt Lake County is responsible for ensuring that the Coalition Members submit quarterly project reports to the EPA and updating the ACRES database for projects that are funded by the RLF and located within the Coalition Member's jurisdiction.

#### **4. Term**

This agreement shall have a term that is the later of either the expiration of the Coalition's obligations to the EPA or the termination of the RLF.

#### **5. Government Records Access Management Act**

The Parties recognize that they are subject to the Utah Government Records Access Management Act ("GRAMA"), Utah Code Ann. §63G-2-101 *et seq*, as amended, and that the Parties shall not disclose records or documents classified as "private, controlled or protected" to third parties without complying with the provisions of GRAMA. The Parties may share non-public records in compliance with GRAMA, Utah Code Ann. §63G-2-206, as amended.

**6. Governmental Immunity**

The Parties acknowledge that they are governmental entities subject to the Utah Governmental Immunity Act ("Act"), Utah Code Ann. §63G-7-101 *et seq.*, as amended. By entering into this Agreement, the Parties do not waive any defenses or limits of liability under the Act or any defense provided by common law. Each party shall retain liability and responsibility for the acts and omissions of their representative officers and employees. In no event shall this Agreement be construed to establish a partnership, joint venture, or other similar relationship between the Parties, and nothing contained herein shall authorize the Parties to act as agents for each other. Each of the Parties hereto assumes full responsibility for the negligent operations, acts, and omissions of its own employees, agents, and contractors. It is not the intent of the Parties to incur by contract or otherwise any liability for the negligent operations, acts or omissions of the other parties or their agents, employees or contractors. Nothing in this Agreement shall be construed as an assumption of any duty for the benefit of any third party.

**7. Coalition Representatives**

7.1 Consistent with the requirements of Utah Code Ann. §11-13-207, as amended, the Parties as Coalition Members designate the following representatives to administer this Agreement:

Salt Lake County

Emily Farmer  
2001 South State Street, Suite S2100  
Salt Lake City, Utah 84190  
801-468-2280  
[efarmer@slco.org](mailto:efarmer@slco.org)

Ogden City

Brandon Cooper  
2549 Washington Blvd., Suite 420  
Ogden, Utah 84401  
801-629-8947  
[brandoncooper@ci.ogden.ut.us](mailto:brandoncooper@ci.ogden.ut.us)

RDA

Matthew Dahl  
P. O. Box 145518  
Salt Lake City, Utah 84114-5518  
801-535-7239  
[matthew.dahl@slcgov.com](mailto:matthew.dahl@slcgov.com)

7.2 Communications concerning this Agreement shall be directed through the designated representatives or their designees.

**8. No Interlocal Entity Created**

The Parties do not intend to, and do not in fact, create an interlocal entity by entering into this Agreement.

**9. Review and Approval**

Pursuant to the Interlocal Cooperation Act, Utah Code Ann. §11-13-202.5, this agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each party.

**10. Keeper of Records**

Pursuant to the Interlocal Cooperation Act, Utah Code Ann. §11-13-209, a duly executed original counterpart of this agreement shall be filed with the keeper of records of each party.

**11. Costs**

Except as otherwise specifically provided herein, each Party shall be responsible for its own costs related to any action taken pursuant to this Agreement, and for any financing of such costs.

**12. Disposition of Property**

To the extent that a party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such party shall do so in the same manner that it deals with other real property management or transactions.

**13. Termination**

A Party may terminate this Agreement prior to the expiration of the primary term, with or without cause, by giving advance written notice to the other Parties' project representatives of the desired termination date.

**14. Consideration**

The Parties agree that the covenants, obligations, and payments provided for herein are sufficient consideration to support the respective obligations under this Agreement.

**15. Assignment**

It is understood and agreed that the Parties will not assign or transfer their respective obligations under this Agreement without the prior written approval of the other Coalition Members.

**16. Severability**

If any provision hereof is found to be illegal, invalid, or unenforceable for any reason, such finding shall not affect the other provisions hereof.

**17. Entire Agreement**

This agreement contains the entire agreement of the Parties, and no statements, promises, or inducements made by either party or agents for either party that are not contained in this written Agreement shall be binding or valid. This Agreement may not be enlarged, modified, or altered except in writing, signed by the Parties.

**18. Laws of Utah and Venue**

It is understood and agreed that this Agreement shall be governed by the laws of the State of Utah, both as to interpretation and performance. The venue for any and all legal actions

arising hereunder shall lie in the Third District Court in and for the County of Salt Lake, State of Utah.

**19. Attorneys' Fees and Costs**

In the event of legal action, arbitration, alternative dispute resolution, or other proceeding brought for the enforcement or resolution of any of the terms of this Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any of the provisions of this Agreement, the successful or prevailing party shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which it may be entitled.

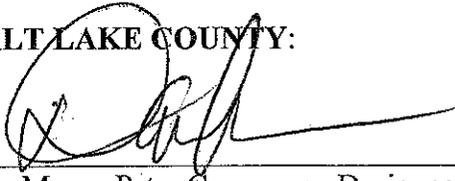
**20. Representation and Warranty Regarding Ethical Standards**

The Parties will comply with the provisions of the Utah Public Officers and Employees Ethics Act § 67-16-1 *et seq.* and § 10-3-1301 *et seq.*, Utah Code Ann. The Parties each jointly and individually represent and warrant that neither they, nor their current or former members, managers, employees, officers, directors, or any other of their agents have: (1) provided an illegal gift or payoff to an RDA officer or employee or former RDA officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the Salt Lake City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that they will not knowingly influence, an RDA officer or employee or former RDA officer or employee to breach any of the ethical standards set forth in Salt Lake City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

**21. Counterparts**

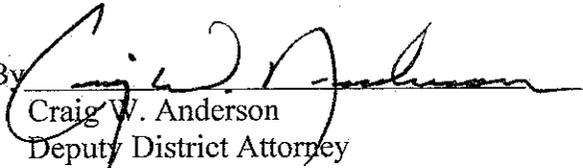
This Agreement may be executed in several counterparts and all so executed shall constitute one agreement binding on all Parties, notwithstanding that each of the Parties are not a signatory to the original or the same counterpart.

**SALT LAKE COUNTY:**

By   
\_\_\_\_\_  
Mayor Peter Corroon or Designee

Approved as to Form and legality:

**SALT LAKE COUNTY  
DISTRICT ATTORNEY**

By   
\_\_\_\_\_  
Craig W. Anderson  
Deputy District Attorney

Dated: Nov. 21, 2011  
H:sharecchristewordC30an

**OGDEN CITY:**

By \_\_\_\_\_  
Mayor Matthew R. Godfrey or Designee

STATE OF UTAH    )  
                              :SS  
County of Weber    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2011, personally appeared before me  
\_\_\_\_\_, who being duly sworn, did say that he/she is the  
\_\_\_\_\_ of Ogden City, and that the foregoing instrument  
was signed on behalf of Ogden City, by authority of law.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing in Weber County

My Commission Expires:  
\_\_\_\_\_

Approved as to Form and legality:

OGDEN CITY ATTORNEY

By \_\_\_\_\_  
Deputy City Attorney

Dated: \_\_\_\_\_, 2011

REDEVELOPMENT AGENCY OF  
SALT LAKE CITY

By [Signature]  
Mayor Ralph Becker  
Its Chief Administrative Officer

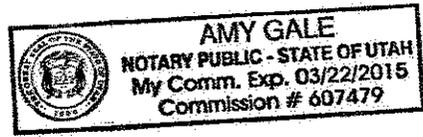
By [Signature]  
D.J. Baxter  
Its Executive Director

STATE OF UTAH )  
:SS  
County of Salt Lake )

On this 23 day of November, 2011, personally appeared before me **Ralph Becker**, who being duly sworn, did say that he is the Chief Administrative Officer of the Redevelopment Agency of Salt Lake City, and that the foregoing instrument was signed on behalf of the Redevelopment Agency of Salt Lake City, by authority of law.

[Signature]  
NOTARY PUBLIC  
Residing in Salt Lake County

My Commission Expires:  
3/22/15

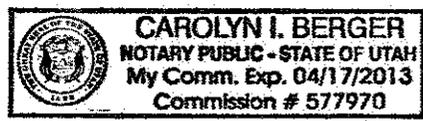


STATE OF UTAH )  
:SS  
County of Salt Lake )

On this 22 day of November, 2011, personally appeared before me **D.J. Baxter**, who being duly sworn, did say that he is the Executive Director of the Redevelopment Agency of Salt Lake City, and that the foregoing instrument was signed on behalf of the Redevelopment Agency of Salt Lake City, by authority of law.

[Signature]  
NOTARY PUBLIC  
Residing in Salt Lake County

My Commission Expires:  
4/17/13



Approved as to Form and legality:

SALT LAKE CITY ATTORNEY

By [Signature]  
Damon Georgelas  
Senior City Attorney

Dated: November 22<sup>nd</sup>, 2011

**SPECIAL CONSIDERATIONS CHECKLIST**

Please identify (with an **X**) if any of the below items apply to your community or your project as described in your proposal. EPA will verify these disclosures prior to selection of the grant.

- Community population is 10,000 or less
- Federally recognized Indian tribe
- United States territory
- Applicant assisting a Tribe or territory
- Targeted brownfield sites are impacted by mine-scarred land
- Targeted brownfield sites are contaminated with controlled substances
- Community is impacted by recent natural disaster(s)
- Community demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation
- Community experiencing plant closures (or other significant economic disruptions), including communities experiencing auto plant closures due to bankruptcy
- Applicant is a recipient of a HUD/DOT/EPA Partnership for Sustainable Communities grant