

CARSON CITY REDEVELOPMENT AUTHORITY CITIZENS COMMITTEE
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A regular meeting of the Carson City Redevelopment Authority Citizens Committee was scheduled for 5:30 p.m. on Monday, July 20, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Vice Chairperson Stan Jones
Member Jed Block
Member Gary Cain
Member Dan Neverett
Member Gigi Valenti

STAFF: Joe McCarthy, Director, Office of Business Development
Tamar Warren, Recording Secretary

NOTE: A recording of these proceedings, the committee's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

1 - 2. CALL TO ORDER AND ROLL CALL (5:32:12) – Vice Chairperson Jones called the meeting to order at 5:32 p.m. Roll was called, and a quorum was established at 5:35 p.m., with the arrival of members Cain and Valenti. Chairperson Williamson and Member Cowan were absent.

3. ACTION ON APPROVAL OF MINUTES – May 3, 2010 (6:15:36) - Member Valenti moved to approve the minutes of the May 3, 2010 meeting. Member Neverett seconded the motion. There were no public comments. **The motion carried 5-0.**

4. ADOPTION OF AGENDA

5. PUBLIC COMMENTS AND DISCUSSION – None.

6. PUBLIC WORKSHOP TO INTRODUCE THE 2010-2012 CARSON CITY BROWNFIELDS PROGRAM. (5:33:09) – Vice Chairperson Jones introduced the item. Mr. McCarthy gave background about the EPA grant that was awarded to Carson City last year. He stated that the Committee would receive a presentation from the contractors, who were awarded the opportunity to facilitate this grant. Mr. McCarthy said that the PowerPoint presentation was for the community and for the RACC to view, clarifying that this was a public workshop with no action items. He summarized the presentation by saying that Carson City was awarded an EPA Brownfields assessment grant for hazardous substance for \$200,000, and for petroleum for another \$200,000, clarifying that these were assessment grants and not cleanup grants. The purpose of the grant funds was to complete several environmental assessments of properties in and around Carson City, that could be affected by the potential presence of hazardous substances, pollutants, and contaminants. The

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purpose of the workshop, he said, was to ask for the RACC's and the public's feedback, via the televised meeting broadcast.

Mr. McCarthy then invited Mr. John Juhrend, Principal Engineer, Geocon Consultants, Inc., who congratulated the City on being awarded the Brownfields grant, informed the attendees that there were brochures and comment cards available on the back table, and encouraged them to talk to the entire team after the presentation. Mr. Juhrend introduced the consulting team members: Mr. McCarthy; Heidi Herrmann, Grants Coordinator, Carson City; Marvin Tebeau, of Resource Concepts, Inc., responsible for community outreach; and, McGinley & Associates, doing an assessment of a downtown redevelopment block. A hard copy of the PowerPoint presentation by Mr. Juhrend is incorporated in the record. He began with the EPA's definition of Brownfields, which are potentially contaminated properties such as abandoned gas stations, vacant land, mine-scarred land, or abandoned homes containing asbestos or lead paint. Mr. Juhrend cited the importance of Brownfields as recycling of properties which "help revitalize downtown areas" by reusing existing infrastructure, and preventing urban sprawl. Another benefit, he said, would be the removal of old contamination that could present an on-going risk to inhabitants of an area. The third benefit, he continued, would be preserving the greenfields, such as farmlands, deserts and ranchlands. He noted that the City had applied for this grant three times and was successful on the third application, saying that only 12 assessment grants had been awarded to Nevada since 1998. He mentioned that the EPA program started in 1993, and there were no matching obligations to the city. He also stated that the funds would be used for community outreach, inventorying and ranking properties to determine what the priorities would be to use the funds, the environmental assessment of properties, the cleanup, and the end use planning. Mr. Juhrend said that the enrollment by property owners was voluntary, and that it was not a program for the EPA or the state to enforce cleanup, however, the property must be accessed in order to take samples for the studies. The materials assessed under the program, according to Mr. Juhrend, would include hazardous substances, specifically highly toxic contaminants such as metals, solvents, paints, and any type of non-petroleum-type chemicals. That is why, he said, the grants are separated into hazardous substances and petroleum products. They could also sample and assess impact, he continued, for asbestos and lead-based paint, necessary for building renovation and demolition activities; meth lab residues; mine-scarred land, relating to naturally occurring metals such as mine tailings. He summarized by stating that the main benefits would be using existing infrastructure, bringing properties back into development, and combining them with the revitalization of the downtown. He reminded the Committee that Brownfields are not always contaminated, but that there was a certain stigma associated with the unknown cost of potential contamination. At that point, Mr. Juhrend asked Mr. Tebeau to take over the presentation.

Mr. Tebeau stated that the consulting team needed guidance on project opportunities and prioritization within the Phase I environmental assessment properties. He pointed to the selection criteria outlined in the presentation. Mr. Tebeau listed the ranked criteria as: location, as in proximity to Highway 395, Main Street, Stewart Street, and Highway 50 would be given higher priority; lot size, the larger lot sizes would receive a higher score than the smaller ones; adjacent land use, which would allow a

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smaller, clean lot to be merged with a larger lot for a larger space or bigger parking area; and lastly, potential environmental impact, which would allow scoring the property based on the suspected contaminant type, before any work would begin.

Mr. McCarthy reminded the Committee that their individual feedback was being sought. Mr. Tebeau stated that this meeting was considered the kickoff and that the team would like to return in several months, after the site assessments, and report their findings and give the Committee the opportunity to exchange ideas that would help guide them through the process. "We're not on auto-pilot", he explained. He continued that one of the requirements was to place notices and releases in the newspaper, and that they had developed a brochure, along with Mr. McCarthy and Ms. Herrmann, and created a detailed fact sheet, all of which had been posted on the City's website, and could be reached by clicking on the "business" link. He said they had "no hidden agendas" and were "simply trying to make sure we're giving Carson City the most bang for its buck". Mr. Tebeau believed that an environmental impact study was what the banks asked for, prior to lending money. Mr. Juhrend then took over the presentation and stated that the performance of a Phase I, provided liability protection to the potential purchasers of the property. He continued, "The innocent landowner defense provides protection to a purchaser of property where it's identified as clean through a phase I", and that if contamination were to be discovered later, they would be indemnified. He said that there had been recognition that properties existed were potentially contaminated, and these liability protections were built through regulation to protect the development team from future liabilities. He then clarified the basic components of the Phase I study as historical research, regulatory research, interviews, site reconnaissance, and possibly limited sampling. It would, he said, predominantly be a research paper, identifying the potential for recognized environmental conditions, defined as potential releases of hazardous substances and petroleum products on a property that would create a potential health risk, or would cause an agency to require a type of cleanup. This study is required, he continued, for all lenders on commercial properties, and at times, also for residential properties, subdivisions, development and construction financing. He identified a potential outcome of a Phase I study as having no recognized environmental impact, resulting in the project moving forward. Should recognized environmental conditions be identified, Mr. Juhrend said, they would go into Phase II environmental site assessment, trying to determine the extent of the contamination, resulting in remediation. Should chemicals of concern be detected, he continued, the owner of the property must report this to the NDEP. At that point, according to Mr. Juhrend, the owners would turn to voluntary cleanup. Low interest loans to individuals, or grants to cities, should the cities become involved, could be available options to clean up contaminated properties. Mr. Tebeau stressed the importance of community outreach as forms of getting the communities involved, and having the public understand "what's going on." He saw the Brownfields project as a catalyst or a facilitator of redevelopment. He emphasized that the team would continue to post all new information on the City's website, and that they would like to hear from the Committee. With that, he opened the floor to questions.

Vice Chairperson Jones asked about the old Mercury Cleaners. Mr. McCarthy replied that there was a concurrent effort by McGinley & Associates looking at an area-wide possible impact of contamination

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around Third and Fourth Streets, and in the area of the legislative grounds; and that this was an opportunity to take advantage of this grant around the entire Capitol area. Mr. McCarthy told the Committee that he had been contacted by a citizen who has completed a Phase I assessment and was ready for Phase II. He asked if they could be part of this work plan. Mr. Juhrend replied that as long as Phase I was ASTM and AAI compliant, then yes, they could base some Phase II site assessment on that Phase I. He also stated that the grant funds expired in June 2012, with a possible time extension, and that Phase I work could be performed almost immediately with nothing more than a notification to the EPA. The Phase II work, however, would require an approval of a sampling plan, which would go to an EPA review. Currently, they could not fast-track Phase I and Phase II plans, but were willing to work with property owners. Member Neverett wanted to know whether Phase I had to be completed in order to move to Phase II, or whether they could be done concurrently. Mr. Juhrend confirmed that Phase I had to be completed first, and Phase II sampling plans would have to be submitted to the EPA for approval. Member Cain asked how many sites were currently on the team's radar screen, and whether the V&T roundhouse and the armory building were part of this consideration. Mr. Juhrend replied that currently they did not have an updated list of sites but he said they would come back and report on that, based on the selection criteria. Currently, there were no projects to move forward with, however, they are engaging with property owners, real estate professionals, developers and engineering firms in getting the word out. In response to a question from Member Cain on how many Phase I assessments could the funding support, Mr. Juhrend said that currently there were funds for 25 -30 Phase I and 10-15 Phase II projects. He also explained that the cleanup standards would depend on the land use and level of risk to the public. Member Neverett asked about the process by which a developer would contact the team. Mr. Juhrend replied that the aforementioned brochure had information on getting in touch with Mr. McCarthy and Ms. Herrmann, and that the press release had Mr. Tebeau's contact information.

A public comment came from Mike Drews, Chairperson of the Historic Resources Commission, who was concerned about a number of historic, and potentially eligible, properties within the redevelopment district. He suggested making such properties part of the ranking, to see what the impact might be to the historic resources. He cited the V&T shops, which have the potential for some contamination, and added that when in remediation, the impact to historic resources should be considered. He also invited the team to bring such properties to the attention of the Historic Resources Commission as agenda items. In response to another public question regarding reporting to NDEP after Phase II, Mr. Juhrend clarified that such reporting was the responsibility of the property owner, and only if contamination was found at reportable concentrations. He also stated that if, in the discovery event, the engineer, the geologist or the consulting firm determined that the public was under imminent threat, then, as licensed professionals, it was their duty to report that to NDEP. Since there were no other comments, Vice Chairperson Jones thanked the team and asked for the Committee to be included as part of the feedback mechanism, in the future.

7. NON-ACTION ITEMS:

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FUTURE AGENDA ITEMS – None.

8. ACTION TO ADJOURN (6:10:07) – Vice Chairperson Jones entertained a motion to adjourn. It was moved and seconded to adjourn the meeting at 6:20 p.m.

The Minutes of the July 20, 2010 Carson City Redevelopment Authority Citizens Committee meeting are so approved this 17th day of August, 2010.

ROBIN WILLIAMSON, Chair