City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

R02-18-A-016

Lovely A. Warren
Mayor

November 16, 2017

Environmental Management Support, Inc.
Attention: Ms. Lya Theodoratos
290 Broadway; 18th Floor
New York, NY 10007
Phone 212-637-3260

Re: City of Rochester, NY - USEPA Brownfield Assessment Grant Proposal - $200,000
Community-wide Program
Contamination: Hazardous Substances
DUNS No. 00-246-5805

Dear Ms. Theodoratos:

I am pleased to submit this $200,000 brownfield assessment grant proposal from the City of Rochester, New York for your consideration. This proposed grant will provide needed funding for site assessments of key brownfields that have been identified through New York State's Brownfield Opportunity Area (BOA) program within the City of Rochester. The BOA program funds community-based, area-wide planning for communities impacted by concentrations of brownfield sites. Within the City of Rochester four New York State Brownfield Opportunity Areas totaling 1,867 acres have been established. The proposed EPA assessment grant will be used to establish a BOA Site Assessment Program (BOASAP) to help the City capitalize on over $1.5M in NYS BOA grants. The result will be site investigations of strategic, high priority sites within the City's brownfield opportunity areas (BOAs).

Brownfield inventories have already been completed for all four BOA's. Under the proposed BOA Site Assessment Program the City of Rochester and its community partners will select strategic and accessible brownfield sites for environmental site investigations. These investigations will be an essential step in the community based planning process for cleanup, redevelopment, and job creation within the BOA's.

While the county of Monroe does not evidence persistent poverty as defined by the percent of population living in poverty in 1990, 2000, and 2010, it does show an increasing percent of the county population living in poverty for each year. The City of Rochester, the urban core at the center of the county, has persistent and pervasive poverty. According to the Rochester Area Community Foundation (RACF) of the top 75 metro areas in the nation, Rochester has the fourth highest rate of childhood poverty and the rate of poverty is increasing. Furthermore, among 18 comparable benchmark cities across the country, Rochester now has the highest rate, 16.2 %, of Extreme Poverty, defined as people living below 50% of the federal poverty level. The RACF found that since 2014 the City of Rochester's childhood poverty rate has increased from 46% to 50%, and its childhood poverty rate now ranks No. 1 among cities in comparably sized metro areas. It is the only city of comparable size in the nation where more than half the children live in poverty and now has the highest rate of extreme poverty of any comparably sized city in the United States.

The conditions of poverty present in Rochester together with the fiscal challenges that we face significantly increase the importance of the EPA brownfield grant program to Rochester.

As required in the proposal guidelines, we are providing the following information:

Applicant Identification:
City of Rochester, New York
Dept. of Environmental Services
Division of Environmental Quality
30 Church Street Room 300 B
Rochester, New York 14614

Location:
City of Rochester, New York
Mayor Lovely A. Warren
30 Church Street Room 307A
Rochester, New York 14614
585-428-7045/Fax 585-428-6059

Contacts:
Project Director: Anne Spaulding
Manager of Environmental Quality
Phone: 585-428-7474
Fax: 585-428-6010
Email: Anne.Spaulding@cityofrochester.gov

Lovely A. Warren
Mayor
Phone: 585-428-7045
Fax: 585-428-6059
Email: warrenl@cityofrochester.gov

Date Submitted: November 16, 2017
(Submitted via Grants.Gov)

Project Period: October 2018 - September 2019
City of Rochester Population: 208,880

Location:
City of Rochester, County of Monroe, State of New York

We appreciate EPA's continued leadership and support of our past brownfield efforts, and the Opportunity to share our successes with EPA. In response to EPA's recent request for proposals, Rochester is applying for this $200,000 community wide brownfield assessment grant and a $200,000 site specific assessment grant. Please let me know if you need additional information or have questions regarding this application.

Thank you again for your consideration.

Sincerely,

Lovely A. Warren
Mayor

Enclosure

c: C. Wagner, Budget Director
N. Jones, Commissioner, DES
A. Spaulding, Manager of Environmental Quality
L. Theodoratos, EPA Region 2

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COVER LETTER ATTACHMENTS:

Regional Priorities Form
Other Factors Checklist

Appendix 3-Regional Priorities Form/Other Factors Checklist

Name of Applicant: City of Rochester, New York

Regional Priorities Other Factor

If your proposed Brownfields Assessment project will advance the regional priority (ies) identified in Section I.F., please indicate the regional priority (ies) and the page number(s) for where the information can be found within your 15-page narrative. Only address the priority (ies) for the region in which your project is located. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal, it will not be considered during the selection process.

Regional Priority Title(s): Extreme Weather Resiliency

Page Number (s):
Pages 2 (Welfare Impacts), 9 (Ability to Leverage 2.c.2), & 12 (Welfare Benefits)

Assessment Other Factors Checklist

Please identify (with an ***x***) which, if any, of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

Other Factor	**Page #**
None of the Other Factors are applicable.	
Community population is 10,000 or less.	
The jurisdiction is located within, or includes, a county experiencing "persistent poverty" where 20% or more of its population has lived in poverty over the past30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.	
Applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
Target brownfield sites are impacted by mine-scarred land.	
X - Project is primarily focusing on Phase II assessments.	***Page 8***
X - Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion, by identifying in the proposal the amounts and contributors of resources and including documentation that ties directly to the project.	***Pages 9 &10***
X - Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant.	***Page 9 & 14***

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Bureau of Program Management
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P: (518) 402-9764 | F: (518) 402-9722
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Honorable Lovely A. Warren
Mayor - City of Rochester
City Hall Room 308A
Rochester, NY 14614

OCT 25 2017

Dear Mayor Warren:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) received your letter dated October 17, 2017, for a state acknowledgement letter for United States Environmental Protection Agency (USEPA) Brownfield grant.

I understand that the City plans to submit two EPA Brownfield Grant Proposals: a Brownfield Cleanup Grant proposal in the amount of $200,000 for 121-125 Reynolds Street, and a Community-Wide Assessment Grant proposal in the amount of $200,000 to establish a brownfield opportunity area site assessment program.

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

Sincerely,

Laura Zeppetelli
Director
Bureau of Program Management

ec: T. Wesley, USEPA Region 2
M. Cruden/B. Schilling/P. Miller, NYSDEC

City of Rochester, New York
Community-Wide Brownfield Assessment Grant Narrative Proposal (IV.C.3)
Brownfield Opportunity Area Site Assessment Program
November 16, 2017

1. Community Need

1.a. Target Area and Brownfields

1.a.i. Community and Target Area Descriptions

The City of Rochester, New York is a mid-sized city of approximately 210,745 people, located in west-central New York, about 60 miles east of Buffalo. Once dominated by a small number of major manufacturing companies such as Eastman Kodak, Bausch and Lomb, Xerox, and General Motors/Delphi, Rochester has experienced massive industrial sector job losses and continues to experience commercial/manufacturing facility contractions and closings. The decline and 2011 bankruptcy of Kodak, reduced its employment base in Rochester from about 65,000 at its peak to less than 2,500 people in 2014. Additional layoffs of 500 Bausch and Lomb employees after its acquisition in 2013 added to the uncertain economic future in the City. Over 400 acres of the former Kodak facilities are located within the City. Rochester's built environment supported a population of over 330,000 in the 1950's versus its current population of 210,745. In 2016, the Rochester Area Community Foundation calculated that the City of Rochester is the 5th poorest among the 75 largest cities in the US.

The specific areas targeted for this grant proposal are the four New York State Department of State (NYSDOS) approved Brownfield Opportunity Area (BOA) in Rochester: The South Genesee River Vacuum Oil BOA, the Lyell-Lake-State Street (LYLAKS) BOA, the 14621 BOA and the Bulls Head BOA. The four BOA planning areas cover 2214 acres and represent the poorest areas in the City as well as the neighborhoods most affected by brownfields. The BOA program is an area-wide brownfield planning program established in 2003 in New York that also formed the basis for the US EPA's area-side brownfield planning grant program.

1.a.ii. Rochester BOA Demographic Information and Indicators of Need

	Bulls Head BOA	LYLAKS BOA	Vacuum Oil BOA	14621 BOA	City	New York State	National
Population	1,815[3,5]	7,204[3,4]	1,936[5]	20,973[3]	210,745[1]	19,673,174[1]	316,127,513[1]
Unemployment	18.0 %[3,5]	30.7%[3,4]	28.7%[3,5]	24.5 %[3]	13.8 %[1]	5.2 %[1]	8.3 %[1]
Poverty Rate	37.5%[3,5]	44.0%[3,4]	40.0%[3]	44.0 %[3]	33.5 %[1]	15.7 %[1]	15.5 %[1]
Child Poverty	63.2%[3,4]	71.5 %[3,4]	69.0 %[5]	60.0 %[3]	51.6 %[1]	22.2%[1]	21.7 %
Percent Minority	82.5%[3,4]	71.5%[3,4]	80.7%[3]	78.2 %[3]	51.5%[1]	44.2 %[1]	37.8 %[1]
Owner Occupied Housing	29.6%[3,4]	21.3 %[3,4]	20.0%[5]	32.1%[3]	36.9 %[1]	53.6 %[1]	66.1 %
Median Household Income	$27,800[3,5]	$15,651[3]	$18,539[5]	$23,205[3]	$30,960[1]	$59,269[1]	$ 53,889[1]
Med. Property Value	$58,000[3,5]	$26,600[3]	$30,000[5]	$33,200[3]	$76,400[1]	$283,400[1]	$ 178,600[1]

[1] 2011-15 American Community Survey 5-Yr Estimates, US Bureau of Census, [3] BOA Studies and 2010-2015 Census data; [4] www.city-data.com/zips, [5]ESRI forecast data (2016), US Census 2000 and 2010

The demographic data clearly indicate Community Need in the four BOA's which are characterized by very high rates of poverty and child poverty, low incomes, low property values and high minority populations relative to City-wide, NYS and national data. The four BOA's have been experiencing prolonged economic depression-like conditions that require creative public sector responses.

1.a.iii. Description of the Brownfields

At least 408 brownfield properties fall within the BOA's in Rochester. Although progress is being made publicly available phase 1 and phase 2 site assessments and reports are available for less than 10% of these properties. Each of the BOA's is characterized by a high concentration of brownfields immediately adjacent to or within poor residential areas with high unemployment rates. Predominant prior land uses of concern include dry cleaners, gas stations, small manufacturing facilities as well as a number of larger strategic sites including: the former Standard Oil Company of New York Oil refinery (Vacuum Oil BOA); a GM/Delco plant site and a coal gasification site (LYLAKS BOA); the vacant former Kodak Hawkeye manufacturing facility and 24 Seneca manufacturing site (14621 BOA); and the former United Cleaners dry cleaner site and adjacent underutilized Bull's Head Plaza (Bull's Head BOA). The BOA neighborhoods have been significantly impacted not only by soil and groundwater contamination associated with these brownfields, but also by the indirect effects of having numerous vacant sites and abandoned structures: arson fires, drug and prostitution activity, dangerous building conditions including structural failures, diminished property values, and degraded aesthetic conditions. The LYLAKS BOA is the most highly concentrated area of abandoned industrial/commercial sites in the City.

City Brownfield Opportunity Area	BOA Size (acres)	Brownfields Properties
South Genesee River Vacuum Oil	148	38
LYLAKS	602	206
14621	1,276	99
Bulls Head	188	65
Total	**2,214**	**408**

Sources: NYS Department of State approved Pre-nomination/Nomination Studies for each BOA.

1.b. Welfare, Environmental, and Public Health Impacts

1.b.i Welfare Impacts ... within the BOA's

All four BOA's face a number of persistent social and community welfare conditions that are related to the high concentrations of brownfield sites and vacant and underutilized properties that are present. The BOA's all exhibit high rates of property vacancies, high crime rates, and high rates of poverty. Childhood poverty rates within the BOA's exceed 60% and are at least 3 times the national average. All four BOA's have experienced population declines from 2000 to 2015.

In addition completed BOA land use inventory and analysis planning has determined that there is a disproportionately low availability of parkland and recreational areas within the BOA's. Based on National Recreation and Park Association and The Trust for Public Land standards, the BOA's have insufficient park areas and programmed recreational space. Similarly a City analysis of the location of full service groceries has revealed that each of the BOA's include large areas of "food deserts" characterized a lack of access to a supermarket within 1.5 miles and inadequate availability of fresh food. *Also increased risk of flooding, especially within the VOBOA neighborhood, has been identified by Federal Emergency Management Agency (FEMA).*

As the Demographic Table indicates the BOA's are very poor areas. According to the University of Rochester's Medical Center, the BOA communities are especially at risk for chronic diseases that disproportionately affect poor children, such as asthma and lead poisoning. Each of the four BOA's are characterized by low property values which is supported by findings by the City's Real Estate Division which has reported that brownfields and vacant properties depress nearby property values by 15% and choked-off new investment. These conditions in turn directly contribute to a lack of jobs and economic opportunities for residents in these affected neighborhoods. ***For more than 20 years unemployment rates within all four of the BOA's have been equivalent to national rates of unemployment experienced during the height of the Great Depression in the 1930's.*** These

conditions are in part attributable to the exodus of jobs and related to the increase in vacant commercial structures and brownfields across all four BOA's.

1.b.ii <u>Cumulative Environmental Issues</u> <u>within the BOA's…excluding brownfield sites</u>

Until recently childhood lead poisoning rates in many BOA neighborhoods exceeded 35%. Rates of lead poisoning have decreased since the enactment of the City's lead law but are still a significant concern. Blood testing results show that minority and low-income children living in rental housing remain most likely to have elevated blood lead levels. Rochester has some of the oldest housing stock in poorest condition in New York State, with 86% built before 1970. Within the BOA's 85% of lead poisoned children are racial minorities and 90% live in homes subsidized by public assistance (University of Rochester Medical Center). The BOAs are primarily located in census tracts with more than 70% renter-occupied housing, putting residents at elevated risk of housing-based health hazards and include areas of the City with the highest subsidized housing rates.

Cumulative environmental issues that disproportionately affect people living and working within the BOA's were first highlighted by the US EPA in 2004. At that time the EPA determined that Rochester had the highest risks posed to humans in the Northeast based on EPA's Risk Screening Environmental Indicators which evaluated the number of people exposed and the amount and toxicity of current and past pollution. In response to the EPA's findings, the Rochester Community Action for a Renewed Environment (RCARE) initiative identified priority actions that were needed to address pollution from lead, stationary and mobile air sources of toxins, and the lack of knowledge about toxins in the neighborhoods that would later become part of the BOA's. While the RCARE initiative and manufacturing declines have led to reductions of some air toxics, the cumulative effect of these sources of pollution within and adjacent to the BOA's continue to disproportionately burden the people living and working in the BOA's.

The 14621, LYLAKS, and Vacuum Oil BOA's are also directly adjacent to the Genesee River which is the primary tributary to the Rochester Embayment Area of Concern (REAOC) on Lake Ontario. Poorer residents of the BOA neighborhoods fish the waters of the Genesee and within the REAOC for consumption despite the existence of a number of fish consumption advisories. Restrictions on fish and wildlife consumption and the tainting of fish and wildlife flavor are REAOC beneficial use impairments along with beach closings and degradation of aesthetics.

The combination of concerns about sources and impacts of lead poisoning, air toxics, and impaired water and fish safety for the people within the BOA's demonstrate cumulative environmental concerns beyond those that result from brownfield sites.

1.b.iii <u>Cumulative Public Health Impacts</u>… <u>including brownfield sites discussed earlier</u>

Key sensitive populations located within the BOA's are children and the poor. ***Children's asthma hospitalization rates for BOA zip codes are among the highest in Monroe County with the highest total asthma hospitalization rate for the 14621 BOA, which at 327.9 per 10,000 is more than twice the statewide rate and*** higher than any other NYS county level jurisdiction other than the Bronx (NYS Dept. of Health SPARCS - data available as of March 2016).

The City's childhood poverty rate has dramatically increased from 37.5% in 2000 to 51.6% in 2015 and is among the highest in New York State. ***However, within the BOA's the child poverty rate is even higher: 60% to 71.5 %.*** The Center for Governmental Research has reported that the neighborhoods in the large "crescent" that surrounds the Central Business District that includes three of the City's four BOA's … "display the characteristics associated with elevated blood lead levels, including: concentration of minority residents, high percentage of families in poverty, a large proportion of the population that does not receive a high school diploma, low housing values, low owner occupancy rates and high population densities." Similarly reflecting trends in poverty and in those at risk for basic necessities, Foodlink, Rochester's nonprofit foodbank, is distributing 40 percent more food than just 5 years ago.

The brownfield sites identified in section **1.a.iii** present a variety of public health concerns. Soil and groundwater contamination has been identified at several sites. Each of these sites, but especially the former United Cleaner site and the Vacuum Oil refinery, are being investigated to determine vapor migration and intrusion impacts of volatile organic compounds to occupied on-site and off-site buildings. Abandoned structures on these sites also present concerns for exposure to friable asbestos and mold as well as public safety concern due to unsafe conditions and compromised structural integrity. These conditions pose real risks to those that might enter these sites, especially children because they are more likely to be affected by health conditions like asthma and lead poisoning.

1c. Financial Need

1.c.i. Economic Conditions

Rochester's Office of Management and Budget (OMB) projects a total budget gap for Fiscal Year 2019 of $47.6 million. This projected gap increases to $61.4 million by fiscal year 2023 when it represents 10% of the total inflation adjusted City budget. Since the fiscal year 2013, federal aid for the City's administration of federally funded programs declined 35%. Over the same time period aid from NYS decreased more than 13%, about $16 million. While Rochester has an active and successful brownfield program the pace of municipal and private sector brownfield cleanup and redevelopment in the City is about 10-20 acres per year and slowed during the recent recession. There are over 2,000 acres of brownfield properties that still require assessment and possibly cleanup (City DEQ data). The number of vacant properties in Rochester rose approximately 50% in the just the last 15 years. City real estate data indicate that brownfields and vacant properties both depress neighboring property values by about 15% and choke-off investment.

Rochester lost 4.1% of its population between 2000 and 2015 (US Census Bureau) which when combined with the increase in abandoned properties and manufacturing losses, has depressed property valuations in many neighborhoods.

Rochester has experienced massive industrial sector job losses and continues to experience facility closings. The decline and 2011 – 2013 Chapter 11 bankruptcy of Kodak, which reduced its employment in Rochester from its peak of 65,000 to less than 2,500 people, and layoffs of 500 Bausch and Lomb employees continue to add to the uncertain economic future of the City. Kodak's dramatic downsizing and facility demolition program also eliminated about half of its manufacturing facilities within the City. These reductions have reduced assessed property values and led to a drop of $10 million in property tax revenues annually to the City. ***More than 40,000 jobs were lost in the Rochester Metro Area between 2000 and 2015, including a 40% loss in manufacturing jobs, and since 2015 Rochester has suffered the most job losses of any area in the state*** (NYS Labor Department). These trends significantly limit Rochester's ability to derive local revenue sources to address brownfield assessment and cleanup.

In addition, New York State's municipal brownfield cleanup grant program, the Environmental Restoration Program (ERP), which Rochester had used successfully for 10 years, has not accepted applications for new sites in more than five years. NYS ERP grants have represented approximately 40% of the City's brownfield funding for cleanup projects over the last 15 years. NYS BOA program funding to municipalities has been reduced by more than 80% and BOA funding for site assessments is not currently available. Within New York there are few funding resources available to the public or private sectors for brownfield assessments and due diligence. These limitations severely constrain the City's ability to finance brownfield assessment and redevelopment.

1.c.ii. <u>Economic Effects of Brownfields</u>

Both the unemployment rate and poverty rate within the City are well above the state and national rates. Within the targeted BOA's these rates are 3 times the state and national rates. Median household income in the City is slightly more than half the statewide figure of $56,951 and the median home value ($74,000) in the City are less than 25% of the state median value, *but* within

the BOA's these numbers fall even further with income about 40% and home value just 10% of the corresponding statewide median values reflecting decades of property value declines in the BOA neighborhoods (See Table 1a.ii).

As demonstrated by the data high numbers of brownfield sites often reflect shuttered businesses and lost jobs which result in declining property values. Perceptions in the real estate community about known or suspected contamination at these properties further diminish interest in the properties. This trend accelerates the decline in median property values and neighborhood conditions as seen in the BOA's. The median property values within the BOA's are 48% of that in other areas of the City. These declines in property values within the BOA's directly affect the City's ability to generate property tax revenues which are needed to provide capital funding for site investigations and cleanup. The scarcity of local resources becomes acute when traditional police, fire, and public works activities in Rochester are growing portion of the annual budget (City OMB).

In the City each year approximately one in ten properties are tax delinquent. Based on the number of pre-foreclosure environmental reviews performed by the City Division of Environmental Quality (DEQ) from 1995 to 2015, there has been an increase of 50% in the number of tax delinquent commercial and industrial properties reflecting a rising number of brownfields in the community. More than 75% of brownfields in the BOA's are not City-owned (BOA Pre-nomination and Nomination Studies). These sites are located in BOA neighborhoods where property values have experienced a 25 five year decline in inflation adjusted property tax revenues and falling property values (City OMB). Concurrent with this decline in real property tax revenues, Rochester has experienced massive job losses at its traditional industrial employers such as Eastman Kodak, Bausch and Lomb, Delphi, and Valeo. These trends continue to add to the number of vacant and under-utilized properties in Rochester contributing to the decline of many City neighborhoods and create additional pressure on the City to address brownfields cleanup and redevelopment. ***Since 2000, the number of vacant properties in Rochester has increased by over 50% to 3,000 and the pace and cost of vacant structure demolition quadrupled from 2010 to 2015*** (City OMB). These statistics illustrate the combined trends of a City that is becoming less financially able to meet increasing social and infrastructure demands including brownfield cleanup and redevelopment.

2. Project Description and Feasibility of Success

2.a. Project Description, Redevelopment Strategy, Timing and Implementation

2.a.i. <u>Project Description and Alignment with Revitalization Plans</u>

Rochester will use the proposed grant to continue its successful BOA Site Assessment Program (BOASAP) to fund site investigations specifically within the four BOAs. The EPA grant funds will not be used for inventory or planning activities: these activities have already been performed using NYSDOS BOA planning grants. The BOA program provides an area-wide approach to assessment and redevelopment planning in areas disproportionately impacted by brownfields and other vacant or underutilized properties. ***The proposed BOASAP is well aligned with the target areas' BOA land use and revitalization plans because the completion of site assessments of brownfield properties is both a key objective and a required early implementation step in each of Rochester's BOA plans as well as an overarching goal of the NYS BOA program.*** To date the BOASAP program, which was funded with previous EPA brownfield assessment grants, has resulted in assessments of 25 properties totaling 49 acres in the four BOA's. These BOASAP assessment activities have resulted in 12 properties, totaling more than 25 acres being accepted into the NYSDEC's Brownfield Cleanup Program for remediation and redevelopment. Two other sites are now being addressed under the NYS superfund program.

Under the BOA program Rochester has already completed studies of the social, economic, and general environmental conditions within the four BOAs which cover 2214 acres. ***Within the BOAs, 408 brownfield properties have already been identified.*** Under the proposed BOASAP, phase 1 and

phase 2 investigations of selected sites will be perform using the EPA grant funds. Using established BOA project structures, the City and its community partners will prioritize and select strategic brownfields. The City will pursue viable legal options for access once site prioritization and selection is completed. When site selection and access is established, the City will submit sites for EPA Region 2 approval. Concurrent with the site selection process the City will procure the environmental consultants that will perform phase 1 and phase 2 site investigations. Upon the completion of the site assessments DEQ will lead the development of a site specific strategy for cleanup and redevelopment in accordance with the BOA masterplan. DEQ will work with the BOA Steering committees and the lead CBO as well as the property owner, if the land has not been acquired by the City, when developing the site strategies.

Each BOA master plan incorporates equitable development and sustainable practices that are of importance to the specific BOA neighborhoods and the City. Equitable development and environmental justice concerns associated with brownfield redevelopment in the BOA's include mitigating the effects of gentrification on current low income residents, site redevelopment related employment opportunities, new housing opportunities for low and moderate income residents. The community visions, goals and objectives of each of the BOA's emphasizes equity in environmental cleanup decisions and reuse through neighborhood stabilization and housing opportunities for people of all incomes, ages, and races. When negotiating agreements with developers in the BOA's the City will require Community Benefit Agreements between the developer and the BOASAP CBO partner as a means to address the availability of low and moderate income housing opportunities as well as requirements for employment targeted specifically for BOA neighborhood residents.

At a fundamental level the BOA process and the City's four BOA masterplans are an effort to correct persistent inequity and environmental justice conditions that have existed for many years in the BOA neighborhoods due in part to abandoned and unaddressed brownfield properties. In response, the City's EPA grant funded Environmental Workforce Development and Job Training Program is focused on unemployed/underemployed individuals living in the four BOA's.

2.a. ii. Redevelopment Strategy

Each of the four BOAs has its own master plan and specific redevelopment strategies. Within each BOA key strategic brownfield sites have been identified for assessment, potential cleanup, and future redevelopment. The master plans envision the type of redevelopment or future use of each brownfield property within the BOA. All properties assessed under this grant will be evaluated in the context of the BOA master plan and envisioned reuse specified in the master plan. The brownfield site reuses identified in the plan will be an important consideration in the remedy selection process for sites that are determined to require cleanup. In addition the BOA redevelopment strategies take into account current ownership and control of the brownfield properties. All four BOA's have common themes that respond to the needs of poor neighborhoods. Each contemplates a mix of residential and commercial development on strategic brownfield properties. Each also identifies the need for increased open space and recreational opportunities for the existing residents of the neighborhoods within the BOA's. Each BOA emphasizes the need for jobs for neighborhood residents. Within the Vacuum Oil BOA the need for improved flood mitigation and control and greater neighborhood access to the waterfront will be integrated with the brownfield cleanup. The LYLAKS BOA envisions redevelopment of the riverfront former coal gasification/power generating facility into a mixed use waterfront project. The 14621 BOA focusses on stabilizing transitional areas by working with the City to control properties followed by needed physical improvements and redevelopment. Within the Bull's Head BOA City land acquisitions will set the stage for new commercial and mixed income residential development.

Existing infrastructure is incorporated into each BOA master plan. The BOA's are located in areas that are fully served with existing drinking water, storm and sanitary sewer, natural gas,

electricity, and telecommunications utilities. Infrastructure also includes the public roadways and the pedestrian network of sidewalks and trails. During the BOA planning process existing utility infrastructure is inventoried. Maximizing the efficient use of existing infrastructure is a key component of the BOA planning process and reflected in the master plans. Existing infrastructure is also a critical consideration during subsurface site assessment activities that will be performed under the proposed grant as well as later during cleanup and redevelopment. Brownfields assessed under the proposed BOASAP will eventually be redeveloped to reuse as much of the existing infrastructure as possible.

2.a.iii. Timing and Implementation

2.a.iii.(a) contractor procurement

The City DEQ proposes to use the same implementation approach toward contractor procurement and site prioritization, selection and access that was previously used in several successfully completed EPA community-wide brownfield assessment grants. As soon as the EPA cooperative agreement is received the DEQ will prepare a request for proposal (RFP) for consultant site assessment services and advertise the RFP. The RFP process, City Council authorization, and execution of agreements will require 3 to 4 months. DEQ will closely follow EPA cooperative agreement procurement requirements. DEQ will establish contracts with several consultants to allow multiple site assessments to be completed simultaneously. ***Consultant selection, City Council authorizations, and execution of consultant contracts will be complete by January 2019.***

2.a.iii.(b) For Community-wide proposals, discuss the development of site inventory…

Brownfield inventories have already been completed for all four BOA's which will expedite the selection of strategic, high priority sites for assessments. Using these inventories, the City and the BOA Steering Committees will initially prioritize brownfield sites for phase 1 and phase 2 site assessments. The targeted community within each BOA will have direct involvement in the selection of the assessment sites. DEQ will immediately work with each CBO Partner to evaluate the priority sites and make site selections. It is expected that initial selection will take place over 3-4 months. If the City's site access attempts fail then the CBO partner with advice from the BOA steering committee will nominate a replacement site from the priority list. The existing BOA inventories and structure will allow the proposed BOASAP to begin immediately after a cooperative agreement is executed between the City and EPA.

It is expected that two to four sites will be assessed in each BOA, and the City will attempt to balance the number of sites assessed across all four BOA's. Sites will be assessed until the available funds are exhausted. To assist the site prioritization process and help determine EPA site eligibility in advance, existing layers of retrievable Geographic Information System (GIS) data and other City, Monroe County and State databases will be screened. The four BOA masterplans will be used to overlay the locations of planned redevelopment projects to help identify accessible tax delinquent properties and City-owned parcels. It is expected that 12-15 high priority sites will be identified for the site investigations. DEQ will submit EPA Property Approval forms for each proposed site and the proposed consultant scope of work and fee to EPA Region 2 for approval. Not until after EPA approval of the site eligibility and investigation scope will the City authorize its consultants to proceed. The City has effectively used this procedure for EPA site approvals for its community-wide assessment grants. ***Initial site selection will be completed by January 2019. Environmental site assessments are expected to be underway beginning in February 2019.***

2.a.iii.(c) Obtaining and securing site access

The City will secure access to non-City owned sites through direct negotiations with the owners or other means if negotiations fail or are not possible. ***The City is experienced using techniques such as access and license agreements, purchase options, court orders, and "temporary incidents***

of ownership" which, under NYS Environmental Conservation Law, provides access to private property for the purpose of performing environmental assessments. Access will be secured using one of these methods prior to submitting property approval forms to EPA Region 2. DEQ and the City Law Department have 25 years of experience gaining access to brownfield properties for site investigations. If attempts to secure access fail, DEQ will report back to the BOA steering committee and the Steering committee will suggest a replacement site. Site access arrangements will begin while consultant selection is underway. Based on the City's past experience with securing legal access it is expected that six months may be required to gain access to some properties. ***Based on the large inventory of 408 sites the entire grant will be fully expended by February 2021.***

2b. Task Description and Budget Table

2b.i.Task Description

Task 1. <u>BOASAP Site Assessments</u>

This task includes staff implementation, programmatic management, and contractual consulting site assessments under the BOASAP. Subtasks will include environmental consultant procurement, site eligibility/approval submittals to EPA Region 2, site access negotiations as needed, the performance of site investigation by consultants, and required EPA ACRES, progress, and financial reporting. If needed the City will secure access to non-City owned sites through the techniques mentioned in section V.B.2.a.iii. Property eligibility and approval information will be submitted to EPA Region 2. The City will hire a qualified consultant(s) to complete phase I assessments in compliance with 40 CFR Part 312 and to perform phase II site investigation based on approved field sampling plans, quality assurance project plans, and health and safety plans. Consultants may also prepare remedial estimates along with the Phase II investigations. The majority of the BOASAP grant will be used for the completion of phase II investigations and preliminary remedial estimating. It is estimated that 12 AAI compliant phase1's will be completed at an average cost of $2,500 per site ($30,000) and 12 phase II site investigations with will be completed at an average cost of $12,850 per site ($154,200) : ***77% of the proposed grant will used for Phase II site investigations.*** It is estimated that DEQ will spend about 116 hours over the course of the term of the grant (average direct personnel salary cost of $40.17 per hour) to manage the programmatic aspects of the site assessments. Funding for travel to EPA brownfield related conferences and training is also included ($2,100).

Task 2. <u>BOASAP Community Participation</u>

This BOASAP task includes working with the BOA steering committees and CBO Partners to identify priority brownfield sites, select sites for assessments, discuss and review site assessment results, and perform community outreach activities with the broader community about the BOASAP site assessments and master plans. DEQ will meet initially with the steering committees to prioritize sites for assessment and then make final selections with the Partner CBO's. This task also includes meetings with the site owners, CBO Partners, and BOA steering committees to discuss site assessments. When opportunities exist site assessment results and potential cleanup costs will be shared with investors and developers to help spur investment and job creation. Communications in the BOA neighborhoods will be tailored to the community's needs and concerns. The City DEQ will make BOASAP reports and documents available in hard copy and electronically to each Partner CBO as well as on the City's BOA web page. Hardcopy reports will also be provided at each BOA document repository. The City expects that interpreters and Spanish language materials will be needed in the 14621 BOA based on the high number of Hispanic residents and businesses present. This task will involve approximately 40 hours of DEQ staff time at an average direct salary rate of $40.45 per hour and 40 hours of environmental consultant time at an average fully loaded hourly rate of $100 per hour (direct, indirect, and profit). The City's average fringe rate is 54.5%

2.b. ii. Budget Table 5

Budget Categories	Task 1 - Site Assessments	Task 2 - Community Participation	Total
Personnel	$4,660	$1,618	$6,278
Fringe	$2,540	$882	$3,422
Travel	$2,100	$0	$2,100
Equipment	$0	$0	$0
Supplies	$0	$0	$0
Contractual	$184,200	$4,000	$188,200
Other	$0	$0	$0
Grand Total	**$193,500**	**$6,500**	**$200,000**

All procurement will comply with procedures in 40CFR 31.36.

2.c. Ability to Leverage

2.c.1 ...the success of this grant... Several existing NYS BOA grants directly support the success of the proposed BOASAP by establishing inventories of brownfields, identifying of strategic sites, supporting community engagement activities, and proposing future land uses. *The City also secured an EPA Area-Wide planning grant that is being used on a sub area of the LYLAKS BOA and will aid the BOASAP site selection and assessment.* Leverage documentation is provided in **Attachment A.**

NYS Department of State City of Rochester Brownfield Opportunity Area grants

Source	Purpose/Role	Amount	Status
NYSDOS (Vacuum Oil BOA)	Planning, site inventory etc.(Step 2)	$215,100	Secured
NYSDOS (Vacuum Oil BOA)	Masterplan redevelopment strategies Implementation Plans (Step 3)	$868,500	Secured
NYSDOS (LYLAKS BOA)	Planning, site inventory etc. (Step 2)	$214,509	Secured
NYSDOS (14621 BOA)	Planning, site inventory etc. (Step 2)	$194,850	Secured
NYSDOS (Bull's Head BOA)	Planning, site inventory etc. (Step 2)	$284,745	Secured
USEPA	*Area-wide planning targeting reuse conditions within LYLAKS BOA*	*$200,000*	*Secured*
TOTAL		**$1,977,704**	

2.c.2.... the revitalization of the brownfield sites assessed with this funding...

Additional sources of secured or pending funding that will support the broader cleanup and revitalization of sites assessed through the proposed BOASAP include the following:

Source	Purpose/Role	Amount	Status
NYSDOS Local Waterfront Program	*Study and redesign of river wall flood control system*	*$750,000*	*Secured*
City General Debt	Design for Vacuum Oil BOA Flint Street reconstruction	$250,000	Secured
City General Debt	Design for open space and park land within BOA's	$100,000	Secured
City Cash Capital & Debt	Brownfield cleanup of City-owned properties within the Vacuum Oil BOA	$800,000	Secured
USEPA	Clean-up revolving loan fund for sites that proceed to cleanup (*includes program income)	$249,100*	Secured
City General Debt	Reconstruction of Flint Street to support Vacuum Oil BOA cleanup and redevelopment	$1,400,000	Pending
NYS DASNY funds	Construction of new parkland and recreational areas within BOAs	$500,000	Pending
Rochester Economic Development Corp.	Acquisition of Bull's Head Plaza	$1,000,000	Secured
TOTAL		**$5,049,100**	

3. Community Engagement and Partnerships

3.a. Engaging the Community

3.a.i. Community Involvement Plan

During the planning and implementation of the BOASAP the City will use both existing BOA community participation mechanisms and new BOASAP efforts that will be focused on the selection and assessment of strategic brownfields. ***Each of the four BOAs in Rochester has developed its own Community Participation Plan (CPP) which has been*** **approved by the NYSDOS.** ***These CPP's will be followed throughout the entire proposed BOASAP.*** Each CPP is a guide to involving the specific BOA community throughout the brownfield planning, site cleanup, and redevelopment process. The CPP's identify a variety of forums and outreach mechanisms to engage the public and community stakeholders: Project Steering/Advisory Committee Meetings; Community Stakeholder Meetings; Neighborhood Outreach Sessions; Public Visioning and Design Workshops; and Public Open House gatherings. Each CPP has a community contact list for mailings, emails, and social media communications and a project web-site. The City will work with each CBO Partner in a structured review of the existing brownfield inventories. In total 408 sites will be considered. Through the four BOA steering committees the City will involve residents, property owners, businesses and the neighborhood groups in the BOASAP selection of priority brownfields located within the BOAs.

Each steering committee includes leadership from the Partnering CBO in the BOA, residents, businesses, non-profits, property owners, and community planners. The City, its partner CBOs, and the BOA steering committees will guide the site prioritization process. After the site priorities are established the City DEQ will work with the Partner CBO's to make final selections for the site investigations. It is expected that the CBO's may also assist the City with site access information. The City will present the results of the site investigations to the steering committees including the Partner CBO's. The City will also meet directly with residents and businesses as may be needed to explain the results of site assessments.

3.a.ii Communicating Progress

During the course of the BOASAP several methods will be used to ensure that the BOA neighborhoods and residents are involved in the program and made aware of progress. Under Task 2 the City will produce both brownfield educational materials tailored to the target community within each BOA as well as site-specific information and outreach for residents, community groups, property owners, and businesses. The need for information in languages other than English will be evaluated for each BOA. Based on the make-up of residents, interpreters and Spanish language materials may be needed for the 14621 BOA. The City and its CBO partners will involve residents, property owners, businesses and the neighborhood groups in the selection and assessment of strategic brownfields. As site assessments are completed strategies for site specific cleanup and redevelopment will be discussed with the CBO partners and as will the most appropriate techniques for communicating BOASAP site assessment progress to the residents, property owners, local institutions, schools, and businesses in the targeted BOA neighborhoods.

Approaches used will be flexible and responsive in order to meet the community's needs. In the BOA neighborhoods it is often necessary to use door-door mailer approaches to ensure that renters and students are reached. ***The City will communicate the progress of the proposed BOASAP using the CPP contact list for mailings, emails, and social media and the City project web-page, however, in some neighborhoods one-on-one meetings with affected businesses and residents, meetings with small groups of neighbors, and attendance at block club meeting may be required.***

3.b. Partnerships with Government Agencies

3.b.i) Local/State/Tribal Environmental Authority

In New York State the Department of Environmental Conservation (NYSDEC) administers the state's brownfield cleanup program as well as the other site remedial programs to protect public health and the environment. The New York State Department of Health (NYSDOH) also has a formal role working with the NYSDEC to ensure that the remedial programs adequately address public health concerns. The City DEQ has a long and effective relationship with both the NYSDEC and NYSDOH on a wide-range of brownfield and state superfund concerns. In order to promote successful brownfield cleanup, the City engages the NYSDEC regularly to ensure that site-specific investigation and cleanup requirements are met. The NYSDEC is a member on each of the four BOA steering committees and is already involved with the evaluation of the strategic brownfield sites located within the BOAs. The other primary mechanism for involvement of the NYSDEC, NYSDOH, as well as the Monroe County Department of Health (MCDOH) in the oversight of brownfield projects is the Monroe County Waste Site Advisory Committee (WSAC). DEQ has participated in the WSAC for over 30 years. The WSAC meets several times during the year to review progress on the cleanup and reuse of brownfield and Superfund sites. The City DEQ actively involves the NYSDEC and MCDOH in its brownfield projects, particularly those where engineering and institutional controls are anticipated to mitigate residual contamination. These existing partnerships and site review mechanisms will ensure that the BOASAP will be successful and responsive to public health and the environment.

3b. ii) <u>Other Governmental Partners</u>

The NYSBOA program is administered by the NYS Departments of State (NYSDOS), and the NYSDOS is a key partner with the City. NYSDOS provides both funding and technical assistance under the BOA program, and is on each BOA steering committee. The City regularly involves EPA Region 2 in its BOA site assessment and cleanup efforts. Rochester's BOA steering committees include many other governmental agencies such as City Council, the Rochester Economic Development Corporation, NYS Empire State Development, the NYS Canal Corporation, Monroe County Planning & Development, Genesee Finger Lakes Regional Planning Council, and the Rochester Land Bank Corp. Several City agencies also participate in the BOA steering committees including Housing and Business Development, Planning and Zoning, Real Estate, Law, and the Neighborhood Service Centers. The Vacuum Oil steering committee includes the NYS Canal Corporation which owns the Genesee River frontage and 1,200 foot long flood protection wall.

3.c. Partnerships with Community Organizations

3.c.i. <u>Community Organization Descriptions & Roles</u>

The City with each partner Community Based Organization (CBO) and corresponding BOA steering committee will establish site priorities, site investigation and master planning process for each BOA. After the steering committee and CBO's have established site priorities, DEQ will work with the each CBO's identified in this section to make final selections for the site investigations. CBO's may also assist the City with site access. The City will present the results of the site investigations to the steering committees and the partner CBO's. Strategies for site specific cleanup and redevelopment will be developed with the CBO. The partner CBO's for each BOA are listed below:

Partner CBO	Organization Purpose/Description	BOA	Contact Person
Group 14621	Civic engagement to improve the general quality of life in the 14621 zip code area. (Directly manages the 14621 BOA)	14621	George Moses. Executive Director
PLEX	Improve the quality of life for all people regardless of race, creed, color or religious belief	Vacuum Oil	Dorian Hall

Charles House Neighbors in Action	Address neighborhood issues of crime, education, and neighborhood redevelopment and other topics of importance to the community	LYLAKS	Scott Benjamin
19th Ward Community Association	Create, foster and maintain a "multi-racial community where individual and cultural differences are celebrated	Bulls Head	John DeMott

3.c.ii Letters of Commitment

Letters of commitment from each of the BOASAP partner CBOs that actively participate on the BOA steering committees are included in **Attachment B.** In the 14621 BOA, Group 14621 is the BOA grant recipient and the City is a member. The Partner CBO's will work with the City to identify strategic brownfields for assessments using the proposed grant funds and will actively review phase 1 and phase 2 assessment results in order to plan for site reuse.

3.d. Partnerships with Workforce Development Programs

In 2016 Rochester secured a $200,000 EPA environmental workforce development and job training (EWDJT) grant. With this grant the City created the Rochester Environmental Job (*REJob*) program which targets BOA residents for job training. Over 100 applicants applied to the first training module in 2017, 30 candidates were selected, and 29 graduated. All 29 were placed in jobs at the end of the program. The City gives preference to consultants and contractors that hire *REJob* graduates.

4. Project Benefits

4.a. Welfare, Environmental, and Public Health Benefits

Anticipated **welfare benefits** to the BOA communities include improved physical safety, elimination of vacant structures used for illegal activity, and new housing and employment opportunities. Completion of assessments under the BOASAP and subsequent cleanup and redevelopment consistent with the BOA master plans will respond to a range of community welfare challenges that currently burden the BOA neighborhoods by creating affordable housing, reducing crime, decreasing property vacancies, and improving property values. Improved employment opportunities will reduce poverty rates and help address the deplorable levels of childhood poverty in the BOA neighborhoods. The commercial and retail redevelopment in the BOA master plans will provide new retail services including grocery stores to help address food desert conditions. New parks and open space will address the disproportionately low availability of parkland and recreational opportunities which will improve the quality of life and aesthetic conditions within the BOAs. *Implementation of the proposed grant and BOA plans, particularly Vacuum Oil BOA, will help the City improve extreme weather event resiliency and flood protection through redesign and reconstruction of the river wall/flood control system which was recently de-accredited by FEMA. This section of river wall is adjacent to the Vacuum Oil BOA and upstream of the other three BOA's.*

Environmental benefits expected from the BOASAP include site access and site assessment as the critical first steps needed in order to begin to attract private investment, develop cleanup estimates, and allow business and developer to monetize brownfield properties. This is particularly true in the BOA's where real estate, economic, and social challenges have resulted in years of disinvestment. Assessments will lead to cleanup and demolition of dilapidated structures and remediation of surface and subsurface soil, groundwater, surface water, and air contaminants. At the same time public safety and health hazards will be eliminated reducing the overall burden of pollutant exposures including lead and volatile organic compounds in the BOA neighborhoods. Rochester's prior experience with the BOASAP suggests that about 50% of sites assessed under the proposed grant will enter the NYS Brownfield Cleanup Program. These sites will be remediated under the BCP which will remove or mitigate both environmental contaminant hazards and public health threats. Cleanup of brownfield sites adjacent to the Genesee River including the former Vacuum Oil

site and several utility sites will contribute to improved water quality in the river and the Rochester Embayment in Lake Ontario.

Public health benefits from the grant for the BOASAP and implementation of the BOA master plans include identifying and mitigation or remediation of public health risks posed by exposures to air and soil contaminants and through vapor intrusion into businesses and homes. Vapor intrusion related problems are especially concerning in the BOA neighborhoods where dry cleaners, gasoline stations, printers and chemical facilities are present close to or immediately adjacent to residences. Under the proposed grant DEQ will work with its community partners to identify and assess potential community garden sites. Improving access to fresh food will provide tangible public health benefits to the BOA neighborhoods, particularly for children and elderly residents. In each BOA initial site assessments will be the first step toward more and better quality open space, park land and recreation improvements. This will create more walkable neighborhoods within the BOAs and improve access to recreation and physical activity.

In a project recently completed by the University of Rochester Medical Center Environmental Health Sciences Center (UREHSC) it was found that stress and related health symptoms experienced by some residents in the BOA's were associated with concerns not only about contamination but also about gentrification and the ability to continue to afford to live in one's neighborhood. The proposed grant and BOA plans address this issue by specifically addressing neighborhood priority sites and requiring community benefit agreements, mandating low income housing options, and carefully phasing cleanup and redevelopment efforts.

4.b. <u>Economic and Community Benefits</u>

Based on experience in the City of Rochester it is anticipated that at least 50% of the properties assessed under the proposed grant will lead to successful cleanup and redevelopment. Median property valued in the BOA's are depressed and the corresponding investment in the cleanup and redevelopment properties is expected to restore valuations resulting in a doubling of the assessed property values of such properties and a 15% improvement in adjacent property values (City Real Estate Division data). City property tax revenues for the sites and neighboring properties would be increased similarly. **Assuming that twelve assessed sites, comprised of 18 parcels, are assessed under the proposed BOASAP, the projected increase in assessed valuations would be about $1.5 million and the associated increases in City property tax revenues would be about $54,400 each year** (City of Rochester FY2018 Budget). These projected outcomes represent significant improvements for the affected BOA neighborhoods. Additional indirect economic and community benefits include new employment and increases in demands for services associated with site cleanup and redevelopment. The BOASAP and the BOA master plans lay the groundwork for millions of dollars of private and public investment in the neighborhoods that are in need. The City's BOA planning efforts and the BOASAP site assessments have already and will continue to trigger private sector brownfield activity that will lead to redevelopment of long vacant and underperforming brownfields and will improve assessed valuations and business opportunities within the BOAs.

The BOA master plans have identified consistent themes: Enhanced waterfront trail system; programmed waterfront access and spaces; residential neighborhood stabilization; reuse of vacant properties in residential areas; streetscape enhancements and traffic calming; and open space connectivity. Each of the BOA's have a lack of access to parks, open space, and recreational opportunities as a top priority. The BOA's have over 1.5 miles of waterfront on the Genesee River but almost no direct connectivity to the river or the river trail system. The proposed grant and implementation of the BOA plans will result in new access for recreation on the Genesee River. The BOA neighborhoods are currently under-served with parkland and are well short of the US National Park and Recreation standards of at least two additional acres of parkland within a 5 minute walk (1/4 mile) of its residences. Neighborhood residents and youth need formal recreation outlets. The

BOASAP program will help the City assess properties in locations where BOA plans contemplate new park and recreational facilities. Plans for new green space, open space, and trails are being used in all of the BOAs. Each of the four BOA masterplans also call for recreational open space design that would include natural play for a broad range of age groups, as well as workforce development and volunteer opportunities for youth. The BOASAP will help provide the benefits of healthy recreational access opportunities to more than 25,000 people that are currently underserved.

5. Programmatic Capability and Past Performance

5.a. Audit Findings Rochester has an established grant monitoring and audit process and has not received any adverse audit findings (2016 Comprehensive Annual Financial Report).

5.b. Programmatic Capability

The City's Division of Environmental Quality has an established organizational structure to manage the proposed grant and has successfully managed over 20 EPA brownfield assessment, cleanup, and RLF grants including an EPA area-wide planning grant. The City's brownfield coordinator has 24 years of experience and has been with the DEQ since 1993. Collectively DEQ staff have over 100 years of experience in managing brownfield assessment and cleanups for a broad range of redevelopment projects. The DEQ includes four full-time, degreed, environmental professionals, a full-time grants/budget financial coordinator, one full-time energy and sustainability analyst, one full-time program development specialist and one part-time economic development specialist. The grants/budget coordinator has 15 years of experience with EPA grant compliance including quarterly and MWBE reporting, ACRES reporting, and consultant contract and cooperative agreement administration and payments for over 20 EPA grants. DEQ has managed several hundred environmental site assessment projects and several dozen cleanup projects covering nearly 400 acres. DEQ's permit based environmental institutional control system currently tracks 223 parcels in the City. *DEQ has an established system for hiring qualified environmental professionals for investigation, compliance, and cleanup services and is experienced in procuring professional environmental consulting services under EPA's brownfield cooperative agreement procurement requirements.* RFP drafts must be approved prior to advertisement by the Division Manager, who serves as the Grant Project Director. Proposals received by the City are reviewed, rated using quantitative rating criteria, and ranked. Proposed fees are carefully analyzed and compared. If needed, interviews are held prior to selection. Once consultants are selected City Council authorization is required prior to executing professional service agreements. DEQ completes the process from RFP issuance to execution of consulting services agreements in about four months. The DEQ Office of Energy and Sustainability advances innovative ecologically sustainable operations, policies and practices, and climate action, mitigation, and resiliency measures.

5.c. Measuring Environmental Results: Anticipated Outputs and Outcomes

The mechanism for tracking progress, measures of success, outputs and outcomes associated with the BOA Site Assessment Program is well established. Each project is tracked individually through a database and milestone completion dates are monitored. EPA site approvals, consultant proposals, work plans, phase 1 and phase 2 site assessments are all tracked and reported in quarterly progress reports and ACRES. The grants coordinator tracks data on of sites assessed, acres assessed, leveraged investment, subsequent acres remediated and developed, as well as jobs created and retained.

5.d. Past Performance and Accomplishments

5.d.i. Currently or ever received an EPA Brownfield Grant

Rochester has received prior EPA brownfields funding. Current activity includes:

Category/Site	EPA Funding & Type	Use of Funds	Balance Remaining	Estimated Depletion
Site Specific Brownfield Cleanup	$200,000 Petroleum	937-941 Genesee Street Cleanup	$0	9/30/2017
Community-Wide Assessment	$200,000 Haz. Substance	Brownfield Opportunity Area Site Assessment Program	$81,500	9/30/2018
Community-Wide Assessment	$200,000 Petroleum	CBAP/ Building Permit Flagging System (BPFS)	$19,800	9/30/2018
Brownfield Cleanup Revolving Loan Fund	$1,030,661	Loans/Subgrants: $226,000, $163,000, $111,000, $115,000 and $400,000	$15,661	9/30/2018

5.d.i.1. Accomplishments

Rochester has successfully completed nine EPA grant funded cleanup projects totaling 24 acres and is in the process of redeveloping five of these sites. Previous EPA grant funding used to assist businesses and developers resulted in the investigation of over 92 acres of brownfields at 69 sites investment of over $72 million dollars. This investment led to the retention of 933 jobs. In addition, 669 new jobs are projected to be created, and 400 construction jobs. Rochester's EPA BOASAP has resulted in investigation of 25 sites to date on almost 50 acres of property in Rochester's BOAs. Ninety-four percent of EPA assessment grant funding has been used for environmental site assessments. Rochester's EPA grant funded cleanup revolving loan fund has made four loans and one subgrant to successfully complete cleanup and redevelopment projects worth more than $122 million, 936 in temporary construction jobs, 412 new permanent jobs, and 225 retained jobs. Loan repayments have been timely and without issue. *All output and outcome data have been regularly and accurately reported to EPA and are up to date in ACRES.*

5.d.i.2. Compliance with Grant Requirements

Rochester has consistently met its work plan and cooperative agreement requirements, as well as ensured timely achievement of results through effective management of project assessment consultants, budgets, and schedules. The grants/budget coordinator monitors compliance with cooperative agreement and work plan financial, budget, environmental outputs and deliverables, and helps assemble data. Site approval requests under community-wide assessments grants were submitted on a timely basis. Rochester complies with competitive procurement standards in 40 CFR Part 31.36 and all subaward/subgrant requirements. Work plan outputs, schedules, and key results are compared against work plan estimates and reported on a timely basis. Quarterly progress reporting, reporting measures, ACRES, and annual financial reports for the existing EPA assessment and cleanup grants are up to date and have been made in a timely and acceptable manner. Annual financial reporting has been performed. The City's quarterly reporting routinely linked progress toward achieving grant output goals, for example, numbers of site assessments completed, to actual performance. The City also communicates progress and accomplishments directly to its EPA Region 2 project manager. Rochester's performance, including the completion of EPA funded cleanup projects and active, successful use of the BAP by the private sector, demonstrates that it is achieving the results expected. Balances remaining in the existing grants are all projected to be exhausted.

DEQ completed and closed an EPA hazardous substance assessment grant in November 2016. The total remaining balance for this grant was $166.31 in the salary category.

NARRATIVE PROPOSAL ATTACHMENTS:

Leveraged Resources
Letters of Committment

IN RE:

BOA Name: City of Rochester, Genesee River Corridor
BOA Application Number: 06BOA025
DEC BOA Number: BOA00087 Contract Number: C 303891

THIS Contract by and between the New York State Department of Environmental Conservation (herein referred to as the "DEC"), and the New York State Department of State (herein referred to as the "DOS") both agencies acting for and on behalf of New York State, (herein referred to as the "State") and the City of Rochester (herein referred to as the "Contractor"), with offices at City Hall, 30 Church Street, Room 307A, Rochester, NY 14614.

WHEREAS, funds have been authorized by §970-r of the General Municipal Law (State assistance for Brownfield Opportunity Areas); and

WHEREAS, the DEC and the DOS have entered into a Memorandum of Understanding for implementation of the Brownfield Opportunity Areas (BOA) Program. The BOA Program provides financial and technical assistance to communities for the preparation of revitalization plans and implementation strategies for areas affected by the presence of multiple brownfield sites; and

WHEREAS, the Contractor has made application for a BOA grant which has been approved and in that approved application the Contractor agreed to fund its share of the eligible project costs; and

NOW, THEREFORE, in consideration of the promises and mutual covenants and conditions contained in this Contract, the State and the Contractor agree as follows:

I. General Conditions:

(a) The term of this Contract shall commence on March 7, 2008 and shall terminate on March 6, 2013. This Contract shall not take effect until it is approved by all required State agencies and the Office of the State Comptroller ("Comptroller").

(b) The State agrees to reimburse the Contractor 90 percent of eligible project costs incurred up to two hundred fifteen thousand and one hundred dollars ($215,100) for the BOA scope of work (herein referred to as the "Project") described in Schedule A Scope of Work, and Schedule B Payment Schedule, which are attached to and made a part of this Contract.

127810

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue – Suite 1010 Albany, NY 12231	BUSINESS UNIT/DEPT ID: DOS01/3800000 CONTRACT NUMBER: C1000362 CONTRACT TYPE: ☐ Multi-Year Agreement ☐ Simplified Renewal Agreement ☒ Fixed Term Agreement
CONTRACTOR SFS PAYEE NAME: ROCHESTER CITY OF	TRANSACTION TYPE: ☒ New ☐ Renewal ☐ Amendment
CONTRACTOR DOS INCORPORATED NAME: n/a	PROJECT NAME: Vacuum Oil-South Genesee River Corridor - Step 3
CONTRACTOR IDENTIFICATION NUMBERS: NYS VENDOR ID Number: 1000004320 Federal Tax ID Number: 16-6002551 DUNS Number (if applicable): n/a	AGENCY IDENTIFIER: n/a CFDA NUMBER (Federally Funded Grants Only): n/a
CONTRACTOR PRIMARY MAILING ADDRESS: City of Rochester 30 Church Street, Room 307A Rochester, NY 14614 CONTRACTOR PAYMENT ADDRESS: ☒ Check if same as primary mailing address CONTRACTOR MAILING ADDRESS ☒ Check if same as primary mailing address	CONTRACTOR STATUS: ☐ For Profit ☒ Municipality, Code: ☐ Tribal Nation ☐ Individual ☐ Not-for-Profit Charities Registration Number: n/a Exemption Status/Code: 3A/02 ☐ Sectarian Entity

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM:	CONTRACT FUNDING AMOUNT: (*Multi-year* – enter total projected amount of the contract; *Fixed Term/Simplified Renewal* – enter current period amount)
FROM: 2/3/2014 TO: 2/2/2017	
CURRENT CONTRACT PERIOD:	
FROM: 2/3/2014 TO: 2/2/2017	CURRENT: $868,500.00
AMENDED TERM:	AMENDED:
FROM: TO:	FUNDING SOURCES:
AMENDED PERIOD:	☒ State ☐ Federal
FROM: TO:	☐ Other

FOR MULTI-YEAR AGREEMENTS ONLY – CONTRACT PERIOD AND FUNDING AMOUNT:
(Out years represent projected funding amounts)

#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT
1				
2				
3				
4				
5				

ATTACHMENTS PART OF THIS AGREEMENT:

☒ Attachment A:
- ☒ A-1 Program Specific Terms and Conditions
- ☐ A-2 Federally Funded Grants

☒ Attachment B:
- ☒ B-1 Expenditure Based Budget
- ☐ B-2 Performance Based Budget
- ☐ B-3 Capital Budget
- ☐ B-1(A) Expenditure Based Budget (Amendment)
- ☐ B-2(A) Performance Based Budget (Amendment)
- ☐ B-3(A) Capital Budget (Amendment)

☒ Attachment C: Work Plan
☒ Attachment D: Payment and Reporting Schedule
☐ Other:

FACE PAGE 033535

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue - Suite 1010 Albany, NY 12231-0001	**NYS COMPTROLLER'S #:** C096005 **ORIG. AGENCY CODE:** 19000 **TYPE OF PROGRAM:** Brownfield Opportunities Areas Program
INITIAL CONTRACT PERIOD: FROM: 10/07/09 TO 10/06/14	**STATE SHARE FUNDING AMOUNT FOR INITIAL PERIOD** $214,509 **LOCAL SHARE FUNDING AMOUNT FOR INITIAL PERIOD** $23,834
CONTRACTOR: City of Rochester City Hall 30 Church Street, Room 307A Rochester, , NY 14614 **Federal Tax Identification Number:** 16-6000251 **Municipal Code #:** 260245000 CLU	**CONTRACTOR STATUS:** Sectarian Entity Yes ___ No ✓ Not-for-Profit Organization. Yes ___ No ✓ **Charities Registration Number** ___ - ___ - ___ /(E-1) - 34 Estates, Powers and Trusts Laws Reporting (E-2) - 2 If you did not claim an exemption to both of the items above, you must circle appropriate response in the following statement: Contractor has/has not timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.

APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT

APPENDIX A: Standard clauses as required by the Attorney General for all state contracts
APPENDIX A1: Agency-specific clauses; including:
- Attachment 1: Final Project Summary Report
- Attachment 2: Minority and Women-owned Business Enterprises (MWBE) Program Quarterly Contractor Report
- Attachment 3: Project Status Form
- Attachment 4: Procurement Certification

APPENDIX B: Budget
APPENDIX C: Payment and Reporting Schedule
APPENDIX D: Program Work Plan
- Attachment A: Document Style Requirements
- Attachment B: Information Sources for Descriptive Profiles
- Attachment C: Descriptive Profile of Brownfield & Underutilized Properties

APPENDIX E: Charities Bureau Registration and Reporting Exemptions
APPENDIX F: Notices
APPENDIX G: Electronic Payments
APPENDIX X: Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue – Suite 1010 Albany, NY 12231	BUSINESS UNIT/DEPT ID: DOS01/3800000 CONTRACT NUMBER: C1000189 CONTRACT TYPE: ☐ Multi-Year Agreement ☐ Simplified Renewal Agreement ☒ Fixed Term Agreement
CONTRACTOR SFS PAYEE NAME: GROUP 14621 COMMUNITY ASSOC	TRANSACTION TYPE: ☐ New ☐ Renewal ☒ Amendment
CONTRACTOR DOS INCORPORATED NAME: GROUP 14621 COMMUNITY ASSOCIATION, INC.	PROJECT NAME: 14621 Revitalization Plan - Step 2
CONTRACTOR IDENTIFICATION NUMBERS: NYS VENDOR ID Number: 1000028639 Federal Tax ID Number: 16-1079596 DUNS Number (if applicable): n/a	AGENCY IDENTIFIER: n/a CFDA NUMBER (Federally Funded Grants Only): n/a
CONTRACTOR PRIMARY MAILING ADDRESS: Group 14621 Community Association 1171 North Clinton Avenue Rochester, NY 14621 CONTRACTOR PAYMENT ADDRESS: ☒ Check if same as primary mailing address CONTRACTOR MAILING ADDRESS ☒ Check if same as primary mailing address	CONTRACTOR STATUS: ☐ For Profit ☒ Municipality, Code: ☐ Tribal Nation ☐ Individual ☐ Not-for-Profit Charities Registration Number: 02-36-72 Exemption Status/Code: 3A/02 ☐ Sectarian Entity

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM:	CONTRACT FUNDING AMOUNT: (*Multi-year* – enter total projected amount of the contract; *Fixed Term/Simplified Renewal* – enter current period amount)
FROM: 9/1/2012 TO: 8/31/2015	
CURRENT CONTRACT PERIOD:	
FROM: 9/1/2012 TO: 8/31/2015	CURRENT: $194,850.00
AMENDED TERM:	AMENDED:
FROM: 9/1/2012 TO: 8/31/2016	FUNDING SOURCES:
AMENDED PERIOD:	☒ State ☐ Federal ☐ Other
FROM: 9/1/2012 TO: 8/31/2016	

FOR MULTI-YEAR AGREEMENTS ONLY – CONTRACT PERIOD AND FUNDING AMOUNT:
(Out years represent projected funding amounts)

#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT
1				
2				
3				
4				
5				

ATTACHMENTS PART OF THIS AGREEMENT:

☐ Attachment A:

☐ A-1 Program Specific Terms and Conditions
☐ A-2 Federally Funded Grants

☐ Attachment B:

☐ B-1 Expenditure Based Budget
☐ B-2 Performance Based Budget
☐ B-3 Capital Budget
☐ B-1(A) Expenditure Based Budget (Amendment)
☐ B-2(A) Performance Based Budget (Amendment)
☐ B-3(A) Capital Budget (Amendment)

☐ Attachment C: Work Plan
☐ Attachment D: Payment and Reporting Schedule
☐ Other:

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue – Suite 1010 Albany, NY 12231	BUSINESS UNIT/DEPT ID: DOS01/3800000 CONTRACT NUMBER: C1000140 CONTRACT TYPE: ☐ Multi-Year Agreement ☐ Simplified Renewal Agreement ☒ Fixed Term Agreement
CONTRACTOR SFS PAYEE NAME: ROCHESTER CITY OF	TRANSACTION TYPE: ☒ New ☐ Renewal ☐ Amendment
CONTRACTOR DOS INCORPORATED NAME: n/a	PROJECT NAME: Bulls Head - Step 2
CONTRACTOR IDENTIFICATION NUMBERS: NYS VENDOR ID Number: 1000004320 Federal Tax ID Number: 16-6002551 DUNS Number (if applicable): n/a	AGENCY IDENTIFIER: n/a CFDA NUMBER (Federally Funded Grants Only): n/a
CONTRACTOR PRIMARY MAILING ADDRESS: City of Rochester 30 Church Street, Room 307A Rochester, NY 14614 CONTRACTOR PAYMENT ADDRESS: ☒ Check if same as primary mailing address CONTRACTOR MAILING ADDRESS ☒ Check if same as primary mailing address	CONTRACTOR STATUS: ☐ For Profit ☒ Municipality, Code: ☐ Tribal Nation ☐ Individual ☐ Not-for-Profit Charities Registration Number: n/a Exemption Status/Code: 3A/02 ☐ Sectarian Entity

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM:	CONTRACT FUNDING AMOUNT: (*Multi-year* – enter total projected amount of the contract; *Fixed Term/Simplified Renewal* – enter current period amount)
FROM: 2/1/2015 TO: 1/31/2018	
CURRENT CONTRACT PERIOD:	
FROM: 2/1/2015 TO: 1/31/2018	CURRENT: $284,745.00
AMENDED TERM:	AMENDED:
FROM: TO:	FUNDING SOURCES:
AMENDED PERIOD:	☒ State ☐ Federal ☐ Other
FROM: TO:	

FOR MULTI-YEAR AGREEMENTS ONLY – CONTRACT PERIOD AND FUNDING AMOUNT:
(Out years represent projected funding amounts)

#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT
1				
2				
3				
4				
5				

ATTACHMENTS PART OF THIS AGREEMENT:

☒ Attachment A:
- ☒ A-1 Program Specific Terms and Conditions
- ☐ A-2 Federally Funded Grants

☒ Attachment B:
- ☒ B-1 Expenditure Based Budget
- ☐ B-2 Performance Based Budget
- ☐ B-3 Capital Budget
- ☐ B-1(A) Expenditure Based Budget (Amendment)
- ☐ B-2(A) Performance Based Budget (Amendment)
- ☐ B-3(A) Capital Budget (Amendment)

☒ Attachment C: Work Plan
☒ Attachment D: Payment and Reporting Schedule
☐ Other:

U.S. ENVIRONMENTAL PROTECTION AGENCY

Assistance Amendment

GRANT NUMBER (FAIN): 96278416 **MODIFICATION NUMBER:** 1 **PROGRAM CODE:** TR	**DATE OF AWARD** 03/02/2017
TYPE OF ACTION No Cost Amendment	**MAILING DATE** 03/02/2017
PAYMENT METHOD: Advance	**ACH#** 20021

RECIPIENT TYPE:
Municipal

Send Payment Request to:
Las Vegas Finance Center

RECIPIENT:
City of Rochester New York
30 Church St.
Rochester, NY 14614
EIN: 16-6002551

PAYEE:
City of Rochester, New York
30 Church Street
Rochester, NY 14614

PROJECT MANAGER	EPA PROJECT OFFICER	EPA GRANT SPECIALIST
Dorraine Kirkmire 30 Church St. Rochester, NY 14614 **E-Mail:** kirkmired@cityofrochester.gov **Phone:** 585-428-6698	Lya Theodoratos 290 Broadway, ERRD/PSB New York, NY 10007-1866 **E-Mail:** theodoratos.lya@epa.gov **Phone:** 212-637-3260	John Ciorciari Grants and Audit Management Branch, OPM/GAMB **E-Mail:** Ciorciari.John@epa.gov **Phone:** 212-637-3417

PROJECT TITLE AND EXPLANATION OF CHANGES
Orchard Whitney Brownfield Redevelopment Feasibility Study and Economic Impact Analysis
This amendment approves the No-Cost Time Extension to June 30, 2018, per Senior Environmental Specialist/Planner Dorraine Kirkmire's February 23, 2017 letter. All terms and conditions to the original award remain in effect.

BUDGET PERIOD	PROJECT PERIOD	TOTAL BUDGET PERIOD COST	TOTAL PROJECT PERIOD COST
07/01/2015 - 06/30/2018	07/01/2015 - 06/30/2018	$200,000.00	$200,000.00

NOTICE OF AWARD

Based on your Application dated 02/23/2017 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards $0. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of $200,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)	AWARD APPROVAL OFFICE
ORGANIZATION / ADDRESS	**ORGANIZATION / ADDRESS**
Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866	U.S. EPA, Region 2 Emergency and Remedial Response Division 290 Broadway New York, NY 10007-1866

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official John Ciorciari - Grants Specialist	**DATE** 03/02/2017

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue – Suite 1010 Albany, NY 12231	BUSINESS UNIT/DEPT ID: DOS01/3800000 CONTRACT NUMBER: C1000688 CONTRACT TYPE: ☐ Multi-Year Agreement ☐ Simplified Renewal Agreement ☒ Fixed Term Agreement
CONTRACTOR SFS PAYEE NAME: ROCHESTER CITY OF	TRANSACTION TYPE: ☒ New ☐ Renewal ☐ Amendment
CONTRACTOR DOS INCORPORATED NAME: n/a	PROJECT NAME: Design of West River Wall Renovations
CONTRACTOR IDENTIFICATION NUMBERS: NYS VENDOR ID Number: 1000004320 Federal Tax ID Number: 16-6002551 DUNS Number (if applicable): n/a	AGENCY IDENTIFIER: n/a CFDA NUMBER (Federally Funded Grants Only): n/a
CONTRACTOR PRIMARY MAILING ADDRESS: City of Rochester 30 Church Street Rochester, NY 14614 CONTRACTOR PAYMENT ADDRESS: ☒ Check if same as primary mailing address CONTRACTOR MAILING ADDRESS ☒ Check if same as primary mailing address	CONTRACTOR STATUS: ☐ For Profit ☒ Municipality, Code: ☐ Tribal Nation ☐ Individual ☐ Not-for-Profit Charities Registration Number: n/a Exemption Status/Code: 3A/02 ☐ Sectarian Entity

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM:	CONTRACT FUNDING AMOUNT:
FROM: 9/1/2016 TO: 8/31/2019	(*Multi-year* – enter total projected amount of the contract; *Fixed Term/Simplified Renewal* – enter current period amount)
CURRENT CONTRACT PERIOD:	
FROM: 9/1/2016 TO: 8/31/2019	CURRENT: $750,000.00
AMENDED TERM:	AMENDED:
FROM: TO:	FUNDING SOURCES:
AMENDED PERIOD:	☒ State
FROM: TO:	☐ Federal ☐ Other

FOR MULTI-YEAR AGREEMENTS ONLY – CONTRACT PERIOD AND FUNDING AMOUNT:
(Out years represent projected funding amounts)

#	CURRENT PERIOD	CURRENT AMOUNT	AMENDED PERIOD	AMENDED AMOUNT
1				
2				
3				
4				
5				

ATTACHMENTS PART OF THIS AGREEMENT:

☒ Attachment A:
- ☒ A-1 Program Specific Terms and Conditions
- ☐ A-2 Federally Funded Grants

☒ Attachment B:
- ☒ B-1 Expenditure Based Budget
- ☐ B-2 Performance Based Budget
- ☐ B-3 Capital Budget
- ☐ B-1(A) Expenditure Based Budget (Amendment)
- ☐ B-2(A) Performance Based Budget (Amendment)
- ☐ B-3(A) Capital Budget (Amendment)

☒ Attachment C: Work Plan
☒ Attachment D: Payment and Reporting Schedule
☐ Other:

Lyell Lake State Street BOA & Josanna Master Plan

Broad Street Streetscape Enhancements.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Cash Capital	0	25	0	0	0	25
General Debt	0	0	200	0	0	200
	0	25	200	0	0	225

Vacuum Oil BOA Flint Street

Extension & Landscaping.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Debt	250	1,400	0	0	0	1,650
	250	1,400	0	0	0	1,650

Vacuum Oil BOA River Trail

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Debt	100	800	0	0	0	900
	100	800	0	0	0	900

E-7 Housing

Affordable Housing Acquisition and Support

The support and development of affordable housing city wide.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Cash Capital	500	500	500	500	500	2,500
	500	500	500	500	500	2,500

Home Ownership Program

Closing cost/down payment assistance and for homeownership programs.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Cash Capital	420	500	500	500	500	2,420
	420	500	500	500	500	2,420

Lyell Lake State Street BOA & Josanna Master Plan

Broad Street Streetscape Enhancements.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Cash Capital	0	25	0	0	0	25
General Debt	0	0	200	0	0	200
	0	25	200	0	0	225

Vacuum Oil BOA Flint Street

Extension & Landscaping.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Debt	250	1,400	0	0	0	1,650
	250	1,400	0	0	0	1,650

Vacuum Oil BOA River Trail

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Debt	100	800	0	0	0	900
	100	800	0	0	0	900

E-7 Housing

Affordable Housing Acquisition and Support

The support and development of affordable housing city wide.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Cash Capital	500	500	500	500	500	2,500
	500	500	500	500	500	2,500

Home Ownership Program

Closing cost/down payment assistance and for homeownership programs.

Funding Source	2015-16	2016-17	2017-18	2018-19	2019-20	TOTAL
General Cash Capital	420	500	500	500	500	2,420
	420	500	500	500	500	2,420

City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **September 14, 2016** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **September 15, 2016** in accordance with the applicable provisions of law.

Ordinance No. 2016-308

Authorizing an amendatory agreement and funding for the Vacuum Oil Site remedial investigation and alternatives analysis

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with O'Brien & Gere Engineers, Inc. for environmental services related to the former Vacuum Oil site (Site). The amendatory agreement shall amend the agreement authorized in Ordinance No. 2014-254 by providing for the completion of a Brownfield Cleanup Program remedial investigation (RI) and for the preparation a remedial alternatives analysis report (RAAR) for the Site and by increasing the maximum compensation by $200,000, for a total compensation of $800,000.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. The increase in compensation provided for herein shall be funded in the amount of $150,000 from the proceeds of bonds issued for the purpose, $40,800 from 2012-13 Cash Capital and $9,200 from 2015-16 Cash Capital.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Clifford, Haag, McFadden, Miller, Ortiz, Patterson, Spaull – 8.

Nays - None - 0.

Attest Hazel Washington

City Clerk

U.S. ENVIRONMENTAL PROTECTION AGENCY

Assistance Amendment

GRANT NUMBER (FAIN): 97254807 **MODIFICATION NUMBER:** 3 **PROGRAM CODE:** BF	**DATE OF AWARD** 09/06/2016
TYPE OF ACTION Augmentation: Increase	**MAILING DATE** 09/13/2016
PAYMENT METHOD: Advance	**ACH#** 20021

RECIPIENT TYPE:
Municipal

Send Payment Request to:
Las Vegas Finance Center

RECIPIENT:
City of Rochester New York
30 Church St.
Rochester, NY 14614
EIN: 16-6002551

PAYEE:
City of Rochester, New York
30 Church Street
Rochester, NY 14614

PROJECT MANAGER	EPA PROJECT OFFICER	EPA GRANT SPECIALIST
Karen Altman 30 Church St., Room 005A Rochester, NY 14614 **E-Mail:** altmank@cityofrochester.gov **Phone:** 585-428-6967	Benny Hom 290 Broadway, ERRD/PSB New York, NY 10007-1866 **E-Mail:** Hom.Benny@epa.gov **Phone:** 212-637-3964	Arlene Chin Grants and Audit Management Branch, OPM/GAMB **E-Mail:** Chin.Arlene@epa.gov **Phone:** 212-637-3408

PROJECT TITLE AND EXPLANATION OF CHANGES
Rochester Brownfield RLF - Supplemental
This amendment increases the federal share by $200,000 from $830,661 to $1,030,661 and increases the recipient's cost share by $40,000 from $166,132 to $206,132. This action is taken in accordance with the application dated July 6, 2016. In addition, the budget and project period expiration dates are extended from September 30, 2016 to September 30, 2018. All previous Terms and Conditions to this Agreement remain in effect for funds awarded and obligated prior to the date of this amendment, with the exception of Administrative Condition No. 7, which is superceded by Grant-Specific Administrative Condition A (UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MBE/WBE)) in this amendment, and Administrative Condition E which is added to the agreement. This amendment also adds an entirely new set of General, and Grant-Specific Administrative and Programmatic conditions that apply to the unobligated balances and newly awarded funds. Please pay careful attention to the terms and conditions of the award.

BUDGET PERIOD	PROJECT PERIOD	TOTAL BUDGET PERIOD COST	TOTAL PROJECT PERIOD COST
10/01/2007 - 09/30/2018	10/01/2007 - 09/30/2018	$1,236,793.00	$1,236,793.00

NOTICE OF AWARD

Based on your Application dated 07/06/2016 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards $200,000. EPA agrees to cost-share 83.33% of all approved budget period costs incurred, up to and not exceeding total federal funding of $1,030,661. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.

ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)	AWARD APPROVAL OFFICE
ORGANIZATION / ADDRESS	**ORGANIZATION / ADDRESS**
Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866	U.S. EPA, Region 2 Emergency and Remdial Response Division 290 Broadway New York, NY 10007-1866

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Digital signature applied by EPA Award Official for Richard Manna - Acting Assistant Regional Administrator for Policy and Management Donald Pace - Award Official delegate	**DATE** 09/06/2016

Investigation and Remediation - Genesee Street

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Debt	700	0	0	0	0	700
	700	0	0	0	0	700

Investigation and Remediation - Reynolds Street

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Debt	150	0	0	0	0	150
	150	0	0	0	0	150

Investigation and Remediation - Vacuum Oil Refinery Site

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Debt	1,000	1,500	0	0	0	2,500
	1,000	1,500	0	0	0	2,500

Investigation and Remediation - Webster Avenue

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Debt	0	225	0	0	0	225
	0	225	0	0	0	225

Vacuum Oil BOA Flint Street

Extension & Landscaping.

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Debt	0	1,400	0	0	0	1,400
	0	1,400	0	0	0	1,400

Vacuum Oil BOA River Trail

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Cash Capital	0	300	0	0	0	300
New York State	0	500	0	0	0	500
	0	800	0	0	0	800

E-7 Housing

Affordable Housing Acquisition and Support

The support and development of affordable housing city wide.

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Cash Capital	250	500	500	500	500	2,250
	250	500	500	500	500	2,250

Home Ownership Program

Closing cost/down payment assistance and for homeownership programs.

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Cash Capital	0	400	400	400	400	1,600
	0	400	400	400	400	1,600

Home Rochester

Funding for income eligible homebuyers of up to 120% AMI through Home Rochester and projects through Rochester Land Bank.

Funding Source	2017-18	2018-19	2019-20	2020-21	2021-22	TOTAL
General Cash Capital	285	285	285	285	285	1,425
	285	285	285	285	285	1,425

MONROE COUNTY CLERK'S OFFICE

ROCHESTER, NY

THIS IS NOT A BILL. THIS IS YOUR RECEIPT

Receipt # 1639069

Index DEEDS

Book 11895 Page 491

No. Pages : 7

Instrument DEED OTHER

Date : 07/28/2017

Time : 01:47:34PM

Control # 201707280660

TT # TT0000020940

Ref 1 #

Employee : RachelR

Return To:
BOX 36

855 WEST MAIN STREET HOLDINGS LLC

ROCHESTER ECONOMIC DEVELOPMENT CORPORATION

COUNTY FEE TP584	$	5.00
MISCELLANEOUS COUNTY FEE	$	0.00
COUNTY FEE NUMBER PAGES	$	30.00
RECORDING FEE	$	45.00
RP5217 COUNTY FEE	$	9.00
RP5217 STATE EQUAL ADDIT FEE	$	241.00
STATE FEE TRANSFER TAX	$	4,000.00

Total $ 4,330.00

State of New York

MONROE COUNTY CLERK'S OFFICE

WARNING - THIS SHEET CONSTITUTES THE CLERKS ENDORSEMENT, REQUIRED BY SECTION 317-a(5) & SECTION 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

ADAM J BELLO

MONROE COUNTY CLERK

PI182-201707280660-7

TRANSFER AMT

TRANSFER AMT	$1,000,000.00
TRANSFER TAX	$4,000.00

2017 JUL 28 PM 1:47

COUNTY CLERK

After recording return to:
Office of the County Clerk
101 County Office Building
39 W. Main St.
Box 36
Rochester, New York 14614

Tax Billing Address:
30 Church Street, Room 005A
Rochester, New York 14614

Property Address: 835-855 West Main Street, Rochester, New York 14611
Tax Account No.: 120.50-2-2.002

SPECIAL WARRANTY DEED

STATE OF NEW YORK §
§ **KNOW ALL PERSONS BY THESE PRESENTS:**
COUNTY OF MONROE §

855 West Main Street Holdings, LLC ("**Grantor**"), whose mailing address is c/o CWCapital Asset Management LLC, 7501 Wisconsin Avenue, Suite 500 West, Bethesda, Maryland 20814, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT unto **Rochester Economic Development Corporation**, a not-for-profit corporation ("**Grantee**"), whose mailing address is 30 Church Street, Room 005A, Rochester, New York 14614, forever, the following described property:

(i) That certain real property in Monroe County, New York, being the same premises conveyed to the Grantor by that certain Referee's Deed recorded on November 17, 2016 in Book 11784, Page 279 as Control No. 201611170731, in the Office of the Monroe County Clerk, Monroe County, New York, which is described on **Exhibit A** attached hereto and incorporated herein by reference (the "**Land**");

(ii) All buildings, structures, utility lines, utility facilities, utility improvements, street and drainage improvements, and other improvements of any kind or nature located in, on, or under the Land (all of the foregoing being referred to herein collectively as the "**Improvements**"); and

(iii) All appurtenances benefiting or pertaining to the Land or the Improvements, including, without limitation, all of Grantor's right, title, and interest in and to all development and utility rights and permits benefiting the Land and all streets, alleys, rights-of-way, or

easements adjacent to or benefiting the Land, and all strips or pieces of land abutting, bounding, or adjacent to the Land (all of the foregoing being referred to herein collectively as the "**Appurtenances**").

The Land, Improvements and Appurtenances are collectively referred to herein as the "**Property.**"

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, and Grantee's successors or assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise; provided, however that this conveyance is made by Grantor and accepted by Grantee subject to: (a) all of the title exceptions revealed in or by the recorded documents and other matters affecting the Property, as listed on **Exhibit B** attached hereto and incorporated herein by reference; and (b) all standby fees, taxes and assessments by any taxing authority for the current and all subsequent years, and all liens securing the payment of any of the foregoing.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payments of the cost of the improvement before using any part of the total of the same for any other purpose.

GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITION OF THE PROPERTY, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY. GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS" AND "WITH ALL FAULTS", AND GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED, ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED) CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (i) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY, (ii) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE CONSTRUCTION, OF ANY IMPROVEMENTS TO THE PROPERTY; AND (iii) THE MANNER OF REPAIR, QUALITY OF REPAIR, STATE OF REPAIR OR LACK OF REPAIR OF ANY SUCH IMPROVEMENTS. BY GRANTEE'S ACCEPTANCE OF THIS DEED, GRANTEE REPRESENTS TO GRANTOR THAT GRANTEE HAS MADE (i) ALL INSPECTIONS OF THE PROPERTY TO DETERMINE ITS VALUE AND CONDITION DEEMED NECESSARY OR APPROPRIATE BY GRANTEE, INCLUDING, WITHOUT LIMITATION, INSPECTIONS FOR THE PRESENCE OF ASBESTOS, PESTICIDE RESIDUES, HAZARDOUS WASTE AND OTHER HAZARDOUS MATERIALS AND (ii) INVESTIGATIONS TO DETERMINE WHETHER ANY PORTION OF THE PROPERTY LIES WITHIN ANY FLOOD HAZARD AREA AS DETERMINED BY THE U.S. ARMY CORPS OF ENGINEERS OR OTHER APPLICABLE AUTHORITY.

[Signature Page Follows]

EXECUTED AND DELIVERED, and to be effective as of the 28th day of July, 2017.

GRANTOR:

855 West Main Street Holdings, LLC,
a Maryland limited liability company

By: U.S. Bank National Association, as Trustee for the Registered Holders of ML-CFC Commercial Mortgage Trust 2006-2, Commercial Mortgage Pass-Through Certificates, Series 2006-2 (the "Trust"), its Sole Member/Manager

By: CWCapital Asset Management LLC, a Delaware limited liability company, solely in its capacity as Special Servicer to the Trust

By: _____
Thomas Shearer, Senior Vice President

STATE OF TEXAS §
§
COUNTY OF DALLAS § SS:

On the 20 day of July, in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas Shearer, Senior Vice President of CWCapital Asset Management LLC, solely in its capacity as special servicer to U.S. Bank National Association, as Trustee for the Registered Holders of ML-CFC Commercial Mortgage Trust 2006-2, Commercial Mortgage Pass-Through Certificates, Series 2006-2, the sole member/manager of 855 West Main Street Holdings, LLC, a Maryland limited liability company, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the person upon behalf of which the individual acted, executed the instrument.

MARIANA SERRATO
Notary Public, State of Texas
Comm. Expires 02-26-2020
Notary ID 130557146

Notary Public
My Commission expires: 2.26.2020

Prepared by:
Quilling, Selander, Lownds, Winslett & Moser, PC
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
3389.1564

EXHIBIT A

Legal Description

ALL that tract or parcel of land situate in the City of Rochester, County of Monroe and State of New York, being part of Town Lot 170 in the 20,000 Acre Tract in Township 1, Short Range, Mill Seat Tract and being Lot No. 2 as shown on Subdivision Map entitled "Bullshead Associates Subdivision" filed in the Monroe County Clerk's Office on January 2, 1990 in Liber 261 of Maps, at page 55. Said Lot No 2 is bounded and described as follows:

BEGINNING at the point of intersection of the east right of way line of Genesee Street with the south right of way line of West Main Street, THENCE the following three courses along the south right of way line of West Main Street; (1) N 71 degrees 44' 25" E a distance of 230.70 feet to a point; (2) N 18 degrees 10' 36" W a distance of 7.00 feet to a point, (3) N 71 degrees 44' 25" E a distance of 51.00 feet to the west right of way line of Churchlea Street, THENCE (4) S 18 degrees 10' 36" E, and along the west right of way line of said Churchlea Street a distance of 191.06 feet to a point, THENCE (5) S 71 degrees 49' 24" W, a distance of 74.00 feet to a point, THENCE (6) S 18 degrees 10' 36" E a distance of 463.90 feet to a point on the north right of way line of Clifton Street, THENCE (7) S 71 degrees 47' 00" W, and along the north right of way line of Clifton Street a distance of 240.77 feet to a point, THENCE (8) N 00 degrees 54' 45" W, a distance of 174.62 feet to a point; THENCE (9) S 89 degrees 31' 05" W a distance of 165.00 feet to a point in the east right of way line of Genesee Street, THENCE the following three courses along the east right of way line of said Genesee Street, (10) N 00 degrees 54' 45" W a distance of 289.99 feet to a point, (11) N 89 degrees 05' 15" E a distance of 4.35 feet to a point, (12) N 00 degrees 54' 45" W a distance of 162.50 feet to the point of BEGINNING of the parcel herein described.

ALL as shown on a Survey Map made by Ronald W Staub, N.Y.S.L.S. #44621, dated April 17, 1996, and revised May 9, 1996 being Job No. 9603725.

Together with the benefits of the access easement contained in the Grant and Release Deed made by R. Ian Tatlock and Crofts S. Gorsline, individually and d/b/a Bullshead Associates, to De Paul Properties Inc., dated March 25, 1989 and recorded March 26, 1989 in Liber 7640 of Deeds, Page 271.

Historically known as:

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Rochester, Monroe County, New York, and being Lots 68, 69, 70, 71, 72, 73, 166, 167, 168 and parts of Lots 77, 78 and 79 in the Sibley & Field Tract, reference being had to a map of a part of said tract made by James M. Bruff and recorded in Monroe County Clerk's Office in Liber 64 of Maps, page 453; and Lots 27 and 28 of the Church Tract, as laid down on a map thereof made by W.R. Storey, Surveyor, and filed in Monroe County Clerk's Office in Liber 9 of Maps, page 29; said premises being more particularly bounded and described as follows:

BEGINNING at the intersection of the east line of Genesee Street and the south line of Main Street West in said City of Rochester; thence (1) easterly along the south line of Main Street West, and making an interior angle of 107° 20' 50" with said east line of Genesee Street, a distance of 230.70 feet to a point distant 51.0 feet west of the west line of Churchlea Place; thence (2) southerly and making an interior angle of 89° 55' 01" with the southerly line of Main Street West, a distance of 82.0 feet to a point; thence (3) easterly at an interior angle of 270° 04' 59" a distance of 51 feet to a point in the west line of Churchlea Place; thence (4) southerly at an interior angle of 89° 55' 01" and along the west line of

Churchlea Place, a distance of 85.91 feet to point; thence (5) westerly at an interior angle of 90° 02' 24" a distance of 51 feet to a point; thence (6) southerly at an interior angle of 269° 57' 36" a distance of 480 feet to a point in the north line of Clifton Street; thence (7) westerly at an interior angle of 90° 02' 24" and along the north line of Clifton Street a distance of 263.77 feet to a point; thence (8) northerly at an interior angle of 72° 41' 45" a distance of 174.62 feet to a point; thence (9) westerly at an interior angle of 269° 34' 10" a distance of 165 feet to a point in the east line of Genesee Street; thence (10) northerly at an interior angle of 90° 25' 50" and along the east line of Genesee Street a distance of 289.99 feet to a point; thence (11) easterly at an interior angle of 90° and along said Genesee Street a distance of 4.35 feet to a point; thence (12) northerly at an interior angle of 270° and along the east line of Genesee Street a distance of 162.50 feet to the point and place of beginning.

Tax Map No. 120.500-02-002.2

EXHIBIT A

Exhibit B

Permitted Exceptions

1. Restrictive covenants contained in instrument recorded in the Monroe County Clerk's Office in Liber 922 of Deeds at page 46.

2. Subject to the burdens of the Access Easement and Building Maintenance Agreement granted in the Grant and Release Deed made by R. Ian Tatlock and Crofts S. Gorsline, individually and d/b/a Bullshead Associates, to De Paul Properties Inc., dated March 25, 1989 and recorded March 26, 1989 in the Monroe County Clerk's Office in Liber 7640 of Deeds at page 271.

3. Improvements shown on a Survey Map made by Jack W. Shoemaker, N.Y. S. L. L. S. #50495-1, of First Order, LLC, for Bock & Clark, dated October 6, 2016 and last revised November 1, 2016, being Project No. CWC2016, of the premises described in Schedule "A" herewith, are located wholly within the perimeter lines of the insured premises. Said survey shows the following:
   A. Building on property line at the south west corner of the property.
   B. Asphalt encroachment along the east property line (apparent 3-4 parking spaces over the lot line).

Group 14621 Community Association, Inc.

A SUBSIDAIRY OF NORTH EAST AREA DEVELOPMENT, INC.

1171 North Clinton Avenue * Rochester, NY 14621

Tel: 585-266-4693 * Fax: 585-266-6196 * Email: group14621@group14621.com

www.group14621.com

George H. Moses, Executive Director

November 8, 2017

Jane MH Forbes
Environmental Specialist
City of Rochester – Division of Environmental Quality
30 Church Street Room 300B
Rochester, NY 14614

RE: City of Rochester EPA brownfield assessment grant (BOASAP)

Dear Jane,

I am pleased to provide this letter of support to the City of Rochester proposal for a $200,000 US EPA brownfield assessment grant. Group 14621 Community Association (a subsidiary of North East Area Development, Inc. /NEAD) mission is to advocate for and to engage our community members in collective efforts to improve the quality of life in our neighborhoods.

As you are aware, In April 2012 Group 14621 BOA application Revitalization Plan - Step 2 application was approved and received an award in the amount of $194,850 from State of New York, Department of State. Group 14621 Community Association has completed and in October 2017 submitted the final report to New York State for Step 2, Nomination Strategy for a 757 acre site. Also, Group 14621 received notification from the City of Rochester, Northeast Quadrant team has acquired $35,000 in CDBG funding to support planning efforts in the BOA Designated Area.

Since G14621 has already completed at least a preliminary inventory of brownfields and with the concept for this program; that the City Division of Environmental Quality, our BOA steering committees, and the involved neighborhood groups would use the existing inventories to identify key, high priority brownfields that need investigation. The City will explore options for site access needed for the site investigations. We would suggest that the BOA steering committees be the venues for these discussions and that would also be a good way for the City to report on progress with access and the investigations and the results when reports are submitted. We view the City of Rochester proposed program as an extension of G14621 BOA efforts that are already underway.

We support and actively will assist with the City of Rochester with the selection of priority brownfields within the BOA's.

Please contact me should have any further questions or concerns.

Sincerely,

George H. Moses
Executive Director

GHM/sb

Plymouth-Exchange
PLEX
Neighborhood Association

PYLMOUTH – EXCHANGE NEIGHBORHOOD ASSOCIATION
70 Coretta Scott Crossings (Office) 14608
P.O. Box 24858 (Mailing) 14624
Rochester, New York
Office: 585-328-6916 * Alternate: 585-230-5658

November 10, 2017

Anne Spaulding
Manager of Environmental Quality
City of Rochester
30 Church Street, Room 300B
Rochester, NY 14614

RE: USEPA Brownfield Assessment Grant Funding Proposal for the Brownfield Opportunity Area Site Assessment Program

Dear Ms. Spaulding:

The Plymouth Exchange Neighborhood Association (PLEX) continues to be engaged in the City of Rochester's process of addressing Brownfield site investigation and cleanup within the Vacuum Oil Brownfield Opportunity Area. We welcome the opportunity to, not only identify Brownfield sites to the City that are priority needs to the community, but also to ensure those site reuses benefit our neighborhood. PLEX supports the City of Rochester's proposal for funding to complete Brownfield assessment sites that are of concern and a priority to PLEX membership within the Vacuum Oil BOA area.

Over the past several years, we have endeavored to work with the City of Rochester on the Vacuum Oil Brownfield Opportunity Area (BOA). We believe the City's proposed Brownfield Opportunity Area Site Assessment Program will be a new opportunity for PLEX to present its priority areas in hopes for future tangible improvements to our neighborhood. We need to be an active voice in the site selection process to make sure sites selected will lead to Brownfield investigation, cleanup and redevelopment that support our neighborhood.

PLEX has evaluated the existing Vacuum Oil BOA Brownfield inventory and identified our high priority Brownfield sites that need investigation. We plan on meeting regularly with the City to discuss those priority properties and to review all completed phase 1 and phase 2 site investigation findings. Key properties that we have already identified where site assessments and investigations are needed to advance future reuse that PLEX would like to see include 632, 719-775 South Plymouth Avenue where we already have developed conceptual reuse plans for a PLEX Park, 66-68 Frost Ave, 16,14,12, 7, 15, 13, 11 Champlain St and 4, 12, 18, 26 Coretta Scott Crossing. PLEX wants grant to support Community City owned properties and not support privately owned parcels.

Sincerely,
Dorian Hall PLEX (BOA BCP Chair)

100 Years of Service | CHARLES Settlement House

CharlesSettlementHouse.org

November 9, 2017

Ms. Jane Forbes
Environmental Specialist
City of Rochester-Division of Environmental Quality
30 Church Street – Room 300B
Rochester, NY 14604

Dear Ms. Forbes:

Charles Settlement House is pleased to continue to collaborate with the City of Rochester to address vacant and underutilized properties in Northwest Rochester – particularly the JOSANA, Brown Sqaure, Edgerton, Lyell-Otis, and Dutchtown neighborhoods. We have participated in steering committees and planning studies related to the LYLAKS Brownfield Opportunity Area and redevelopment of the Orchard-Whitney site, as well as other efforts to revitalize these neighborhoods.

Charles Settlement House (CSH) is a neighborhood-based human services agency, serving this part of Rochester since 1917. We provide an array of programs including Family Services (basic needs & casework), Senior Services (meals, socialization, health & wellness), Youth Development (after-school, summer camp, teen club, juvenile justice), and Community/Neighborhood Capacity Building. We also have partnered with Rochester's Cornerstone Group for the Stadium Estates affordable housing project in the JOSANA neighborhood. We work with neighborhood associations and block clubs to support revitalization efforts and resident engagement. CSH will specifically inform and engage the Charles House Neighbors in Action (CHNA) and Triangle Block Club in this project.

Charles Settlement House is very supportive of the City of Rochester's proposed Brownfield Opportunity Area Site Assessment Program (BOASAP) and your application for grant funding from the Environmental Protection Agency. It is important that community groups and organizations work with the City to identify priority brownfields that need investigation. CSH and neighborhood residents are an important part of advisory and/or steering committees to select key parcels for study.

Under the BOASAP, CSH will periodically canvas our neighborhoods to identify problematic and strategic vacant or underutilized brownfield properties. We will then work with the City's Northwest Neighborhood Service Center administrator to prioritize the properties for subsequent investigation through the BOASAP. CSH is particularly interested in properties in the JOSANA neighborhood that were identified during the development of the Stadium Estates affordable housing projects (Phase I and Phase II) to have potential environmental issues. There are lots on Jay, Smith, and Whitney Streets that either have histories of commercial uses with a likelihood of impacted soils or are located near known brownfields.

CSH looks forward to continuing our work with the City to address brownfield issues and revitalize our neighborhoods and we are hopeful you will be successful with this grant application.

Sincerely,

Scott C. Benjamin
President & CEO

71 Parkway, Rochester, NY 14608 | 585-277-0810 telephone | 585-277-0839 fax

PROUD PARTNER United Way of Greater Rochester

Bull's Head Community Engagement

216 Thurston Road
Rochester, NY 14619
585.328.6571
19thward@19wca.org
http://19wca.org/

19TH WARD COMMUNITY ASSOCIATION

November 13, 2017

Ms. Jane MH Forbes, Environmental Specialist
Division of Environmental Quality
30 Church Street, Room 300B
Rochester, NY 14614

Re: US Environmental Protection Agency Brownfield Opportunity Area
Site Assessment Program Application

Dear Ms. Forbes:

Thank you for your invitation to support the City of Rochester's application for USEPA's Brownfield Opportunity Area Site Assessment Program. Thanks to your efforts we have a better understanding of the Brownfield process and the funding that could be used for soil and groundwater contamination assessment investigations at priority sites within the BOAs (including the Bull's Head BOA).

The Bull's Head BOA is especially in need of assessment funding. In a series of public meetings the community has clearly welcomed Bull's Head revitalization. The area has numerous sites whose future development financing would depend on environmental assessment and subsequent cleanup. Several are current and prior industrial operations; such as auto repair and landscaping businesses. Others are residential structures that may have been built on land once used in a manner that could have left ground contamination.

We fully support the City of Rochester's grant application for the BOA Site Assessment Program. It will be important in our efforts to revitalize the Bull's Head area. We hope the EPA responds favorably to your Brownfield Cleanup Grant application.

Please let me know if I can assist further, particularly with any community engagement.

Sincerely,

John C DeMott

John DeMott
Community Engagement Coordinator

THRESHOLD CRITERIA RESPONSES ATTACHMENT

III.B. Threshold Criteria for Assessment Grants

1. Applicant Eligibility

The City of Rochester (City) is an incorporated general purpose unit of local government in New York State.

2. Community Involvement

During the course of the BOASAP several methods will be used to ensure that the BOA neighborhoods and residents are involved in the program and made aware of progress. Under Task 2 the City will produce both brownfield educational materials tailored to the target community within each BOA as well as site-specific information and outreach for residents, community groups, property owners, and businesses. The need for information in languages other than English will be evaluated for each BOA. Based on the make-up of residents, interpreters and Spanish language materials may be needed for the 14621 BOA. The City and its CBO partners will involve residents, property owners, businesses and the neighborhood groups in the selection and assessment of strategic brownfields. As site assessments are completed strategies for site specific cleanup and redevelopment will be discussed with the CBO partners and as will the most appropriate techniques for communicating BOASAP site assessment progress to the residents, property owners, local institutions, schools, and businesses in the targeted BOA neighborhoods.

Approaches used will be flexible and responsive in order to meet the community's needs. In the BOA neighborhoods it is often necessary to use door-door mailer approaches to ensure that renters and students are reached. The City will communicate the progress of the proposed BOASAP using the CPP contact list for mailings, emails, and social media and the City project web-page, however, in some neighborhoods one-on-one meetings with affected businesses and residents, meetings with small groups of neighbors, and attendance at block club meeting may be required.

OMB Number: 4040-0004
Expiration Date: 10/31/2019

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received: 11/14/2017

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Rochester, NY

* b. Employer/Taxpayer Identification Number (EIN/TIN): 16-6002551

* c. Organizational DUNS: 0024658050000

d. Address:

* Street1: 30 Church Street
Street2: City Hall - Room 300B
* City: Rochester
County/Parish: Monroe
* State: NY: New York
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 14614-1291

e. Organizational Unit:

Department Name: Environmental Services

Division Name: Environmental Quality

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms.
* First Name: Anne
Middle Name:
* Last Name: Spaulding
Suffix:

Title: Manager of Environmental Quality

Organizational Affiliation:

* Telephone Number: 585-428-7474
Fax Number: 585-428-6010

* Email: Anne.Spaulding@cityofrochester.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

*** 12. Funding Opportunity Number:**

EPA-OLEM-OBLR-17-07

* Title:

FY18 GUIDELINES FOR BROWNFIELDS ASSESSMENT GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

City of Rochester, NY - Community Wide Brownfield Assessment grant (Hazardous Substance)
Brownfield Opportunity Area Site Assessment Program

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant: 28, 29

* b. Program/Project: 28, 29

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2018

* b. End Date: 09/30/2021

18. Estimated Funding ($):

* a. Federal	200,000.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	200,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Ms.

* First Name: Lovely

Middle Name: A

* Last Name: Warren

Suffix:

* Title: Mayor

* Telephone Number: 585-428-7045

Fax Number: 585-428-6059

* Email: Lovely.Warren@cityofrochester.gov

* Signature of Authorized Representative: Vicki Brawn

* Date Signed: 11/14/2017