

# WAYNE COUNTY REGIONAL LAND BANK CORPORATION

16 William Street • Lyons, NY 14489 • 315.946.5495 • waynecountylandbankny.com

**RE: FY2023 EPA Brownfields Multipurpose Grant Application**

*R02-23-M-004*

The Wayne County Regional Land Bank is located in Wayne County, New York and is pleased to submit this proposal for FY2023 Brownfields Multipurpose Grant funding. Below we provide the information requested.

## **1. Applicant Identification:**

Wayne County Regional Land Bank (WCLB)  
16 William Street, Lyons, New York 14489

## **2. Funding Requested:**

- (a) Grant Type: Multipurpose
- (b) Federal Funds Requested: \$800,000

## **3. Location:**

- (a) City: Lyons
- (b) County: Wayne
- (c) State or Reservation: New York

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

The Canal/Geneva Street Corridor (the Target Area, census tract 214), has been identified in the Town's 2021 Comprehensive Plan (the Plan) as a catalytic geographic area to revitalize our historic downtown district. The Plan identifies two key focus areas: Lyon's Central Business and Canalside districts which are located within our Target Area (TA). The geographic boundaries of our TA have been established by the Wayne County Regional Land Bank (the "WCLB", applicant) and our strategic partners and cover approximately 97 acres anchored by the intersection of major regional routes NY 31 and Route 14 (Geneva Street). The TA is bounded by Queen Street on the north, the Erie Canal to the south and Phelps and Butternut Streets to the east and west, respectively. The TA is a historically significant business district located on the Erie Canal with a unique blend of traditional urban architecture, residential neighborhoods and small businesses that fuel the local economy. Situated between the greater Rochester and Syracuse areas, the TA serves Wayne County, northern Ontario, western Seneca, and eastern Monroe Counties. Significant recent planning efforts completed in 2021 have positioned the TA to be positively impacted by regional growth. Major challenges to the community's vision and growth includes multiple brownfields, including clusters of vacant, underutilized brownfields, identified within the TA and socio-economic factors.

The WCLB owns 42 - 50 Canal Street and 58 - 66 Canal Street located in the TA. The following brownfield sites have been identified by the WCLB and our strategic partners as priorities for this multi-purpose grant:

- 42 Canal Street, Lyons, New York 14489
- 46 Canal Street, Lyons, New York 14489
- 50 Canal Street, Lyons, New York 14489
- 52-54 Canal Street, Lyons, New York 14489
- 58- 66 Canal Street, Lyons, New York 14489
- 30 Geneva Street, Lyons, New York 14489
- 1 Clyde Road, Lyons, New York 14489

## **5. Contacts:**

### **(a) Project Director:**

Name: Dr. Mark Humbert, Wayne County Regional Land Bank  
Phone: 315-946-5495  
Email: [director@waynecountylandbank.com](mailto:director@waynecountylandbank.com)  
Mailing Address: 16 William Street, Lyons, New York 14489

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(b) Chief Executive/Highest Ranking Elected Official:

Name: Dr. Mark Humbert, Wayne County Regional Land Bank

Phone: 315-946-5495

Email: director@waynecountylandbank.com

Mailing Address: 16 William Street, Lyons, New York 14489

**6. Population:** Target Area Community population. 5,625 Town of Lyons, New York, Census Tract 214

**7. Other Factors Checklist:**

Other Factors	Page #
Community population is 10,000 or less.	1
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	NA
The priority brownfield site(s) is impacted by mine-scarred land.	NA
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	NA
The priority brownfield site(s) is in a federally designated flood plain.	NA
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	NA
The reuse of the priority site(s) will incorporate energy efficiency measures.	4
The reuse strategy or project reuse of the priority site(s) considers climate adaption and/or mitigation measures.	4
At least 20% of the overall project budget will be spent on eligible reuse/area-wide planning activities, as described in Section I.B., for priority site(s) within the target area.	NA
The target area is located within a community in which a coal-fired power plant has recently closed (2012 or later) or is closing.	NA

**8. Letter from the State or Tribal Environmental Authority:** A letter of acknowledgement from the New York State Department of Environmental Conservation is attached.

**9. Releasing Copies of Applications:** Not applicable

# **NARRATIVE PROPOSAL**

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

### **1.a. Target Area & Brownfields: 1.a.i. Overview of Brownfield Challenges & Description of Target Area:**

The Erie Canal completed in 1825 provided the impetus for business and agricultural growth in the Town of Lyons, NY (pop. 5,625), providing cheap transportation for products to be shipped worldwide. Lyons became home to numerous manufacturing and industrial plants and commercial businesses. Industry included machine shops, mills, dry cleaners, fertilizer plants, cement/blocks, coal fired utilities, electronics, and automobile shops. From the 1960s to mid-1980s the area lost many employers including Agway Fertilizer, the Hotchkiss Essential Oil Company, Jackson and Perkins, and Hickock Belts. The Newark Development Center (NDC) located to the immediate west of Lyons housed up to 4,000 residents and employed up to 1,700 staff in its 120 years as a facility for the mentally handicapped until state policy changes led to its closure in 1991. The loss of these employers has had significant economic impact on Lyons including the creation of abandoned properties. Lyons now has residential neighborhoods built alongside early commercial corridors putting residences, schools, and parks in proximity to former dry cleaners, gas stations, auto garages and abandoned commercial buildings which have now become brownfields. Lyons is also challenged with a decreasing population, a high concentration of citizens over age 64, low income, individuals with developmental challenges and a decreasing tax base.

The Canal/Geneva Street Corridor (the Target Area, census tract 214), has been identified in the Town's 2021 Comprehensive Plan (the Plan) as a catalytic geographic area to revitalize our historic downtown district. The Plan identifies two key focus areas: Lyon's Central Business and Canalside districts which are located within our Target Area (TA). The geographic boundaries of our TA have been established by the Wayne County Regional Land Bank (the "WCLB", applicant) and our strategic partners and cover approximately 97 acres anchored by the intersection of major regional routes NY 31 and NY 14 (Geneva Street). The TA is bounded by Queen Street on the north, the Erie Canal to the south and Phelps and Butternut Streets to the east and west, respectively. The TA is a historically significant business district located on the Erie Canal with a unique blend of traditional urban architecture, quaint residential neighborhoods and small businesses that fuel the local economy. Situated between the greater Rochester and Syracuse areas, the TA serves Wayne County, northern Ontario, western Seneca, and eastern Monroe Counties. Significant recent planning efforts completed in 2021 have positioned the TA to be positively impacted by regional growth. A major challenge to the community's vision and growth is the presence of multiple brownfields, including clusters of vacant and underutilized brownfields, identified within the TA.

With over 200 years of commercial and industrial activity along the Erie Canal there are hazardous substances and petroleum impacted brownfields scattered throughout Lyons. The TA is also burdened with some of the greatest socio-economic challenges in New York State (NYS) and Wayne County and some of the worst poverty rates in the U.S. Census Tract (CT) 214 (where the TA is located) meets the New York State Department Environmental Conservation (DEC) definition of a Potential Environmental Justice (EJ) Area<sup>1</sup> and the definition of an American Rescue Plan Act (ARPA) Qualified CT<sup>2</sup>. Lyons is also on the draft list of disadvantaged communities using criteria established by the Climate Justice Working Group<sup>3</sup>. The Multi-Purpose Grant (MPG) will provide funding for site cleanups and assessments that will make an immediate positive impact on community residents, and advance established revitalization goals identified in Section 1.b. More specifically MPG funding will provide the vehicle for the WCLB to immediately address required environmental cleanup at four properties we own in the TA. Without MPG funding there are no other resources available and environmental conditions will stifle potential development.

The WCLB is applying for \$800K of Fiscal Year 2023 (FY23) EPA Brownfield Multi-Purpose Grant (MPG) funding to address environmental cleanup at properties we currently own in the TA, and to complete environmental assessments and acquire other sites adjacent to and in the immediate vicinity of our parcels. The WCLB is has extensive experience with brownfield revitalization through our work as a coalition member on Wayne County's current EPA Brownfield Community-Wide Assessment (CWA) grant. In addition, the WCLB has a unique memorandum of understanding (MOU) with the DEC which allows our organization to take ownership of additional TA properties with environmental concerns without the threat of state liability.

**1.a.ii. Description of the Priority Brownfield Site(s):** In February of 2020 our strategic partner, Wayne County Industrial Development Agency (IDA) used a NYS Empire State Development grant to complete a

<sup>1</sup> Potential EJ Areas are U.S. Census block groups of 250 to 500 households each that, in the Census, had populations that met or exceeded at least one of the following statistical thresholds:

- At least 52.42% of the population in an urban area reported themselves to be members of minority groups; or
- At least 26.28% of the population in a rural area reported themselves to be members of minority groups; or
- At least 22.82% of the population in an urban or rural area had household incomes below the federal poverty level.

<sup>2</sup> American Rescue Plan Act (ARPA) Qualified Census Tracts (CT) are those in which at least 50% of households have incomes below 60% of the Area Median Gross Income (AMGI) or have a poverty rate of 25% or more.

<sup>3</sup> American Rescue Plan Act (ARPA) Qualified Census Tracts (CT) are those in which at least 50% of households have incomes below 60% of the Area Median Gross Income (AMGI) or have a poverty rate of 25% or more.

comprehensive countywide brownfield inventory which was the vehicle to hit the ground running when EPA CWA funding was awarded to Wayne County later that year. The project identified approximately 70 brownfield properties countywide with seven priority sites in the TA and at least three more along its southern border. These properties now occupy approximately 20% of the central business district and have physical concerns relating to structural integrity and environmental concerns (regulated building materials and potential soil/groundwater impacts from petroleum and hazardous substances). Five of the seven priority brownfields in the following table, the “Canal Street Sites”, are clustered in the center of the TA, and have been acquired by the WCLB to steward them back into productive use. We have had significant developer interest in the Canal Street Sites and others in the TA but funding for regulated building materials (RBM) cleanup and additional assessment and remediation continues to be a barrier to moving these projects forward. Phase II ESAs, RBM Surveys, a reuse plan and Analysis of Brownfield Cleanup Alternatives (ABCA) have been completed positioning those sites for streamlined cleanup and redevelopment. With all these accomplishments, there is still work to be done to continue growth and sustainability in the TA. Through our existing work and community outreach efforts our team has identified additional work to be completed using funding only available through an EPA MPG.

The following table includes priority brownfield sites identified by the WCLB and our strategic partners. The table also provides each site’s current environmental evaluation status to date. Revitalization planning (see 1.b.i), has identified these sites as the foundation for economic development in the TA.

Priority Site <sup>1</sup>	Site Descriptions & Contaminants of Concern (COCs)	Funding Needs
<b>42 Canal Street</b> <i>a)b)c)</i>	Abandoned two story 4,475 ft <sup>2</sup> former mixed commercial and residential row style building (connected to 46 Canal Street) constructed in 1880. COCs include petroleum from and adjacent fueling station, hazardous substances and RBM. Work to date has included Phase I/II ESAs, RBM survey and a draft ABCA.	RBM and vapor intrusion abatement.
<b>46 Canal Street</b> <i>a)b)c)</i>	Abandoned two story 4,475 ft <sup>2</sup> commercial/residential row style building constructed in 1880 with historical dry cleaning. COCs include petroleum from an adjacent fueling station, hazardous substances and RBM. Work to date has included Phase I/II ESAs, RBM survey and a draft ABCA.	RBM and vapor intrusion abatement.
<b>50 Canal Street</b> <i>a)b)c)</i>	A vacant lot which formerly housed a two-story commercial/residential row style building built in 1880, connected to 46 Canal Street and demolished in 2020. COCs include petroleum and RBM. Work to date has included Phase I/II ESAs, RBM survey and a draft ABCA.	Potential vapor intrusion abatement
<b>52- 54 Canal Street</b>	Abandoned former gas station (adjacent to owned WCLB’s 58-66 Canal Street) and store built prior to 1938. It is believed that petroleum storage tanks are still present.	Phase I/II ESA, Geophysical survey, RBM Survey, tank removal, RAP, remediation
<b>58- 66 Canal Street</b> <i>a)b)c)</i>	Abandoned 3 story 3,100 ft <sup>2</sup> former mixed commercial and residential building constructed in 1900. COCs include petroleum from an adjacent fueling center and, RBMs. Work to date has included Phase I/II ESAs, RBM survey and a draft ABCA.	RBM and vapor intrusion abatement.
<b>Former Red Apple Store 30 Geneva Street</b>	This property occupies 0.11 acres and currently houses a 1,250 ft <sup>2</sup> vacant former fueling station and convenience store. It adjoins the 42, 46 and 50 Canal Street sites. Potential environmental impacts include petroleum and RBMs.	Phase I/II ESA, Geophysical survey, RBM Survey, tank removal, RAP, remediation
<b>Former EB Gators Pub and Grill, 1 Clyde Road</b>	A 1-acre lot currently housing a vacant 8,923 ft <sup>2</sup> former restaurant and bar located just south of WCLB owned property at 58-66 Canal Street. Potential environmental impacts include petroleum and RBMs.	Phase I/II ESA, Geophysical survey, RBM Survey.

All sites located in the TA, Lyons, NY. <sup>1</sup>Sites in the TA prioritized by the WCLB based on ownership and local Comprehensive Plans. <sup>a)</sup> Phase I ESA & RBM Survey funded by FY20 Grant. <sup>b)</sup> Phase I & II ESA funded by FY20 Grant. <sup>c)</sup> ABCA funded by FY2020 Grant. RBM = Regulated Building Materials (includes Asbestos-Containing Materials; Lead-Based Paint; and PCBs = Polychlorinated Biphenyls); COCs = Contaminants of Concern; ESA = Environmental Site Assessment; ABCA = Analysis of Brownfield Cleanup Objectives.

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

**1.b.i. Overall Plan for Revitalization:** In 2016 the Village of Lyons was dissolved as a strategic measure to reduce taxes in the community. Since that time, the Town of Lyons leadership has worked to preserve and enhance a sense of place and community vibrancy afforded by their historic downtown. Planning for the future, the Town recently underwent a comprehensive planning process between 2020 and 2021. The plan was bolstered by a diverse public engagement effort, including online participation through their social media page, board meetings, support of the plan’s implementation committee, and a public input

session at their well-attended weekly Farmer’s Market. Based on findings generated during the planning process, the Town has created a vision centered around public input that describes the desired look and feel for the future of Lyons. One of the key themes of this vision is a Town bolstered by a downtown that has a unique and vibrant business district which preserves historic buildings, creates jobs, champions its agricultural landscape, improves housing, and prioritizes access for all.

Lyons’ 2021 Comprehensive Plan (the Plan) builds upon the New York State Finger Lakes Regional Economic Development Council’s (FLREDC) goals for making the region a desirable destination for residents and visitors. The reuse plans align with goals established in the Plan and the FLREDC to facilitate jobs, increase regional economic health, drive public sector investment, and reduce poverty. Development of both plans involved significant community engagement to ensure that the area’s future development reflects the community’s priorities and vision. The Plan clearly identifies revitalization of the Lyons Central Business and Canalside districts as a priority building block for revitalization of the community. Both districts are in the TA and reuse of the brownfields identified above plays a large role in meeting Plan goals. Along with the reuse of catalyst brownfield sites in the Plan, the Town also completed a feasibility study that evaluated the TA’s existing sewer, water, utility and transportation infrastructure.

In addition, the Town has submitted a proposal to the Restore New York funding program to redevelop thirteen abandoned properties (including the priority sites noted below) in the TA which will leverage local, state, and federal funding for demolition, deconstruction, reconstruction, and rehabilitation. These properties will provide 79,524 total square feet of space for 47 residential units (35 affordable housing units) in this District. The sites noted in the table below have been identified as priority brownfield sites in the TA and Plan. Those sites have been a key focus of environmental site assessments, cleanup, and reuse planning using funding from a FY20 CWA Grant being implemented by Wayne County. Except for 52-54 Canal Street, the WCLB owns the Canal Street brownfield properties identified above and is in active negotiations with six other property owners in the TA to incorporate additional key properties into this powerful renovation project. The other three properties listed above are adjacent to properties owned by the WCLB. All this comprehensive planning has put Lyons in a position to obtain additional funding through the NY Forward program to support Plan goals for the TA including development of a nearby industrial park, park and greenspace renovations (including canal side improvements and trails), streetscape changes, drinking water upgrades and a small business improvement fund.

As Lyons has limited resources to address brownfields in the TA, the WCLB is a vital partner that can use MPG funding to address key environmental assessment, planning, and cleanup needs that are paramount to the success of the community’s Plan. The following table summarizes redevelopment strategies identified for priority sites and their role in meeting local land use/revitalization goals.

Priority Site	Reuse Plans/Strategy	Alignment with Revitalization/Land Use Plans
<b>42, 46 and 50 Canal Street</b>	Commercial/mixed-use with available infrastructure for businesses and residential housing units.	Lyons Plan includes development of mixed types/sizes of housing including 35 affordable housing units in the TA. Supports redevelopment goals to revitalize the property to support commercial office use.
<b>58-66 Canal Street</b>	Commercial/mixed-use with available infrastructure for businesses and residential housing units.	Lyons Plan includes development of mixed types/sizes of housing including 35 affordable housing units in the TA. Supports redevelopment goals to revitalize the property to support commercial office use.
<b>52 – 54 Canal Street</b>	Office space for the historical society, tourist information center, or museum space.	Supports goals to maintain historic sites and provide locations for public information access, removes abandoned property promoting public safety.
<b>Former Red Apple Store 30 Geneva Street</b>	Commercial space, office, retail, parking	Provides support services for new office and residential space.
<b>Former EB Gators Pub and Grill, 1 Clyde Road</b>	Renovate for dining, conference center. Create new electric vehicle charging area and bicycle parking.	Provides much needed dining in the TA, parking and electric vehicle charging for new office and residential space located nearby. Gives visitors using our canal trail system safe bicycle parking to access downtown.

**1.b.ii. Outcomes & Benefits of Overall Plan for Revitalization:** The following table illustrates the anticipated number of new jobs, and residential, industrial, and commercial space created from the proposed projects.

Priority Site(s)	New Residential Space <sup>(1) (2)</sup>	New Industrial/Commercial Space <sup>(1)</sup>	New Jobs <sup>(3)</sup>
42, 46, 50 Canal Street	9,000 SF (~ 11 units)	9,000 SF (office, medical, dining)	20 <sup>PM</sup>
58-66 Canal Street	6,200 SF (~ 7 units)	3,100 SF (office, medical)	5 <sup>PM</sup>
52-54 Canal Street	n/a	3,000 SF (Office, Tourist Center)	5
Former Red Apple	n/a	1,200 SF (Commercial, office)	3
Former EB Gators	n/a	9,000 SF (Commercial, dining)	15
<b>Total Estimates</b>	<b>15,200 SF (~ 18 units)</b>	<b>25,300 SF</b>	<b>~53</b>

<sup>1)</sup>Square footage (SF) based on size of existing structure(s) or proposed size of new structure. <sup>2)</sup>Unit estimates based on average apartment size of 860SF. <sup>3)</sup>Job estimates based on the USEIA's most recent employment estimates for industrial, commercial, retail, restaurant, and mixed-use spaces. <sup>PM</sup> = Property Manager, (temporary construction job created)

In addition to the sites noted above the noted above the WCLB is also pursuing ownership of thirteen other sites in the TA including multiple parcels on Canal and William Streets.

- **Create Jobs & Reduce Poverty:** Returning TA brownfields to productive use aligns with local plans to prioritize employment and residential opportunities for the area’s large unemployed populations and bring living wage jobs to abandoned facilities. As shown in the table above, we estimate the proposed projects will **create ~53 new jobs**, in an area of our community that suffers from high unemployment and low incomes.
- **Generate New Tax Revenue:** By restoring vacant/abandoned tax-delinquent properties to the tax roll in the TAs, Wayne County will increase local tax revenue by approximately \$50K in the first year, based on assessed value and 2022 tax rates. This number will significantly increase in the future as more industrial/commercial parcels are returned to productive use, increasing property values. These revenues are critical for supporting a healthy municipal fund that can be used for further revitalization.
- **Stimulate Private Investment:** The Town of Lyons is moving forward on projects that have significant private investment in the TA. Quantifying environmental liabilities will allow the WCLB to take ownership of additional properties and remove environmental barriers to redevelopment, and market them for purchase and redevelopment. Removing these barriers will make sites marketable for new investment and community benefit.
- **Provide affordable, quality housing:** Lyons’ Comprehensive Plan has a focus on providing affordable, quality housing for our residents. Our work on the Canal Street sites is expected to contribute to creating housing in an area identified for revitalization in the plan. The Town continues to prioritize affordable housing in the **TA** to address existing shortages and reduce cost burdening.
- **Renewable Energy:** WCIDA has a policy to provide tax incentives for the use of solar power in development projects. **Energy efficient building design and climate adaption measures** will be built into our development projects. We will also work to provide electric vehicle charging stations at appropriate locations in the TA as development grows.

**1.c. Strategy for Leveraging Resources: 1.c.i. Resources Needed for Site Reuse:** The WCLB and our partners satisfy eligibility requirements to leverage funding from local, state, and federal sources for community revitalization, as well as private organizations (utility companies) who offer **incentives for improving energy efficiency and sustainability**. Funds received by the WCLB from NYS have been used for organizational startup, property acquisition and demolition of unsafe structures. Wayne County’s 2022 tax foreclosure auction generated over \$1M, a portion of which will be used for demolition and advancing redevelopment of brownfield sites. FY2020 CWA grant funding has and will continue to be used to complete Phase I and Phase II ESAs and Sampling and Analysis Plans (SAPs) with reuse plans on-going on multiple sites. The WCLB also leveraged \$748K of Community Development Block Grant (CDBG) funds to complete a Phase II ESA and site remediation and reuse planning at one of our priority sites (42 Elmer Street, Lyons) which is located just south of the TA. FY23 MPG funding will solidify the foundation and supplement other forms of funding for community revitalization. The WCLB and our partners will continue to leverage the following additional funding sources to advance reuse of brownfield sites.

- **NY State Forward:** program to invigorate/enliven downtowns in smaller/rural communities. Lyons recently applied for funding to be used to revitalize their central business district (where 4 cluster brownfield sites were investigated using our existing CWA) including streetscaping, private development programs, supporting existing businesses, canal side improvements, and creating a small business development fund.
- **Restore NY Communities Initiative:** provides municipalities funding for revitalizing commercial and residential properties and encourages community development and neighborhood growth by eliminating blighted structures. The Town of Lyons has been shortlisted to receive funding (up to \$14M) for reducing blight and dangerous buildings for 13 properties in the central business district. The funding will transform properties via demolition, deconstruction, reconstruction, and rehabilitation. It is

expected that 35 residential housing units (79,524 ft<sup>2</sup>) will be created.

- **NYS Office of Community Renewal:** Provides grants to eligible municipalities with populations < 50,000 and counties with an area population < 200,000 to revitalize neighborhoods, expand affordable housing and economic opportunities and/or improve community facilities and services. This program can be used to fund gaps for business expansion, demolition, planning and renovation. Most recently this fund was used to pay for reuse planning and environmental remediation at 42, 44, and 46 Elmer Street where CWA funding was used to complete Phase I and Phase II ESAs.
- **NYS Brownfield Cleanup Program (BCP).** The BCP provides tax incentives for the redevelopment of brownfields. The BCP offers property tax credits to private brownfield sites developers. We will leverage completed environmental assessments from CWA Grant funds to attract developers who commonly use this program as part of their investment strategy.
- **Wayne County Available Funding.** The County has multiple additional funding options to assist prospective brownfield site developers including: *Wayne Economic Development Corporation Revolving Loan Fund; EPA Brownfield Revolving Loan Fund, Wayne County Industrial Site Fund; IDA Revenue Bonds and Tax Incentive Program; and Business Property Tax Exemptions*
- **EPA Cleanup Grants.** Where assessment activities identify remediation is necessary prior to redevelopment, the WCLB will also pursue EPA Brownfield Cleanup Grants. The WCLB is pursuing an EPA MPG to address assessment, reuse planning and cleanup of multiple “cluster” brownfield properties they own in the central business district of the Town of Lyons.

**1.c.ii. Use of Existing Infrastructure:** Revitalization plans include adaptive reuse of selected buildings and structures for future use as mixed-use commercial and housing space. The reuse vision will incorporate some of the existing structures and features into the areas design to reflect the rich history of the buildings and natural beauty of the surrounding region. The Target Area has existing infrastructure (water, sewer, highway, rail, public transit access) which promotes a great opportunity for reuse. This will require the least investment in infrastructure and provide opportunities to preserve the unique architectural character and history. Furthermore, within the last 5-years, the County and municipal partners have acquired over \$15M in federal and state grants and loans for infrastructure upgrade and improvements. As part of their NYS Forward funding application the Town of Lyons requested \$5M to improve drinking water systems. This includes modernizing and properly sizing water mains, hydrants, and other system elements.

**2. COMMUNITY NEED & COMMUNITY ENGAGEMENT: 2.a. Community Need: 2.a.i. The Community's Need for Funding:**

According to County Health Rankings and Roadmaps, 2020, the annual median household income in Lyons is \$50,104 falling significantly below the US (\$69,717) and NYS (\$74,314) levels. Population loss, low incomes, rising inflation rates, decreasing property values and high poverty rates have reduced the local tax base limiting funding for brownfields revitalization in the TA. Together the factors shown in Table 1 indicate much lower than average discretionary income, which results in less spending, decreasing local business revenues and taxes. Abandoned property is also an economic challenge for the TA. With a decreasing tax base, low-income tax revenues and below average incomes, and the costs of caring for the TA’s aging population, Lyons has limited staff and financial resources to address brownfields without outside funding. In addition, funds that were formerly available through the NYSDEC Environmental Restoration Program (ERP) are currently depleted.

	Lyons	Wayne County	New York	US
Total Population	5,625	90,013	20M	331M
Senior Population	19%	20%	11.4%	16.8%
Labor Force Participation	65%	60%	63.2%	63.4%
Median Household Income	<b>\$50,104</b>	<b>\$62,003</b>	\$74,314*R	\$69,717*
Poverty Rates	23.4%	12%	13%	11.6%
Child/Youth Poverty Rate (age <18 Years)	36.7%	9.2%	17%	9%
Disabled Population	22.7%	14.7%	11.3%	26%

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

Since 2008 there has been a decline in business activity in Lyons which has impacted property tax revenues, further straining the TA’s ability to upgrade infrastructure that typifies older municipalities. A decrease in jobs and population has added to community blight as the number of vacant (“zombie”) homes has also increased. These economic factors/challenges have had a cumulative negative impact on the ability of Lyons to provide necessary resources such as police and fire service to its residents. As a community with a small population, Lyons has limited financial resources and are unable to draw on other initial sources of environmental cleanup funding. Tax delinquent sites have a substantial impact on the community, and they rely on Wayne County and the WCLB to perform necessary due diligence to understand environmental risks



prior to foreclosure. Without the use of MPG funds to supplement other sources, the momentum created by site assessments and current planning efforts will stall, brownfield sites will remain dormant which increases the probability that additional abandoned/vacant sites will be created.

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

**(1) Health or Welfare of Sensitive Populations:**

Table 2 shows the Target Area is home to multiple sensitive populations and is challenged with high levels of poverty and unemployment as compared to other areas of the county, state, and the US. **Children are another sensitive group** with an above average population facing high rates of poverty. The TA is also home to a higher percentage of seniors than NY and the US. **Welfare concerns** in the TA include blight, homelessness, unemployment, rising inflation, decreasing home values, lack of quality affordable housing, health insurance, healthy food choices and recreational amenities. As detailed in Sections 2.a.ii (2) & (3) below, **health concerns** in the Target Areas include asthma, lead poisoning, obesity, pre-mature death, and poor mental/physical health. **Aging infrastructure and lack of safe and quality housing** are also problems as over half the area’s housing stock was built pre-1960 (increasing the likelihood of exposure to RBMs). The grant will be used to address multiple contaminated sites for which threats to the health or welfare of sensitive populations are known or are identified as a result of assessments completed using Wayne County’s FY2020 CWA Grant. Cleanup of these sites will help to eliminate exposure risks, and advance completion of projects that will help to reduce or address the public health and welfare concerns identified in the above.

Sensitive Population Categories <sup>4</sup>	Percentile in NYS/US	
	Lyons	Wayne County
Demographic Index	53/52	33/30
Low Income Population	69/63	56/50
Sr. Population (age 64+)	64/64	64/63
Disabled Persons	22.7%*	14.7%

Data pulled from EJ Screen (version 2022) 10/27/22. **Bold** indicates distress factors ≥ 50<sup>th</sup> % tile. Shaded indicates distress factors ≥ 60<sup>th</sup> % tile. \*% exceeds NYS values.

**2.a.ii(2) Greater Than Normal Incidence of Disease & Adverse Health Conditions:** The TA is in Wayne County which ranks in the lower middle range (41 of 62) of NY counties in Health Outcomes<sup>1</sup>. Table 3 summarizes prevalence rates for several chronic disease and health indicators for Wayne County residents. A County Health Department report shows that several cancer incidence and mortality indicators rank the County in the bottom quarter as compared to other NY counties. Specifically, lung and bronchus, prostate, breast, and colorectal cancer have the highest incidence and mortality rates in Wayne County, with lung and bronchus cancers accounting for 29.6% of all Wayne County cancer deaths.

Health Measure Indicators <sup>4</sup>	Wayne County	New York State	U.S.
Cancer Incidence <sup>2</sup> (per 100,000)	634	484	442
Lung and Bronchus Cancer <sup>2</sup> (per 100,000)	94	61	42
Chronic Kidney Hospitalization <sup>4</sup> (per 10,000)	189	137	150
Chronic Lower Respiratory Disease Mortality <sup>3</sup> (per 100K)	44	29	25
Female Breast Cancer <sup>1</sup> (per 100,000)	201	128	19.4
Diabetes <sup>4</sup> (per 100,000)	127	92	112
Adult Obesity <sup>1</sup>	32%	27%	30%
Premature Death	7,100	6,000	5,600

<sup>1</sup> County Health Rankings and Roadmaps 2022, <sup>2</sup>Cancer Incidence and Mortality Trends, NYSDOH (1976-2019), <sup>3</sup>NYSDOH Community Health Indicator Reports 2020, <sup>4</sup>Institute for Health Metrics and Evaluation, Wayne County Profile. **Bold** indicates distress factors above or below (depending on factor) US averages. **Shaded** indicates distress factors above or below (depending on factor) State averages. \*Specific data for Target area communities not available.

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

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

<sup>4</sup> Generated using EPA Environmental Justice Screening (EJSCREEN version 2022) Tool on 10-27-2022.

**(3) Promoting Environmental Justice:** Building on the history of social challenges noted above, industrial growth along the Erie Canal in the TA has resulted in long-term environmental justice impacts and threats that are still present today. The most dramatic example is the cluster of abandoned and underutilized properties that are located adjacent to residential and commercial areas in the TA. Nearly all of these properties were built in the early 1900s and are now brownfields. The properties have the potential to create affordable housing units and new jobs. Demographic data shows income and poverty levels in the TA are above national averages. The CT is located within DEC’s list of Potential EJ Communities and the definition of an American Rescue Plan Act (ARPA) Qualified CT<sup>5</sup>. Lyons is also on the draft list of disadvantaged communities using criteria established by the Climate Justice Working Group<sup>6</sup>. EPA’s EISCREEN Tool shows that these sensitive populations fall above the 60th percentile (US and NYS average) for disproportionate burden/vulnerability related to lead paint, wastewater discharges and risk management planning. The risk of exposure to lead paint in the TA is in the 85<sup>th</sup> US percentile. Lyons is in the 89<sup>th</sup> US percentile for risk of exposure to wastewater discharges and is in the 62<sup>nd</sup> US percentile for proximity to underground tanks. Although not shown in the EJ indicators reviewed, there is a NYS Superfund Site from a Manufactured Gas Plant owned by New York State Electric and Gas undergoing cleanup in the TA at the corner of RT 14 and Water Street.

The MPG integrated with other sources of funding will be used to address legacy contamination at brownfields in the TA and identify remedial measures necessary to address threats at nearby priority sites.

MPG funds will be used to complete RBM abatement at the Canal Street Sites and Phase I and II ESAS and RBM surveys will be used to evaluate other potential development sites in the Target Area. These actions will support adaptive reuse and/or demolition at priority sites and will fill local funding gaps allowing for revitalization of Target Area brownfields. MPG funding will address longstanding environmental issues that are disproportionately impacting low-income, disabled, and elderly residents.

Table 3 Environmental Justice Indicators (EJI)	Percentile NY/US	
	Lyons	Wayne County
Demographic Index	53/52	33/30
Unemployment Rate	86/86	47/49
Lead Paint Indicator	61/85	35/69
RMP Proximity	72/62	56/49
Wastewater discharge	85/89	83/86
Underground Tanks	52/64	33/45

*Bold indicates distress factors ≥ 60th %tile. Shaded indicates distress factors ≥ 70th %tile. RMP=Risk Management Plan. Data pulled from EJ Screen (version 2022) 10/27/22.*

**2.b. Community Engagement:**

**2.b.i. Prior/Ongoing Community Involvement:** The Town of Lyons 2021 Comprehensive Plan identifies Canalside Properties and the Central Business District as key geographic focus areas for revitalization. Both are identified as historic preservation areas and are within the established Target Area for this MPG. In 2020 Wayne County began work on their EPA CWA and multiple cluster brownfield sites along the Canal Geneva Street Corridor underwent Phase I and II ESAs, reuse planning and an ABCA. As original coalition members for the CWA the Town of Lyons and the WCLB have been involved in ongoing community involvement through monthly meetings, a project website, fact sheets, and newsletters. Public engagement for the Comprehensive Plan has been ongoing for two years and has included three phases of community input on community historic preservation, vision, and approach to obtain success. Lyons, WCLB, and Wayne County have also had numerous discussions with local property owners and developers regarding our overall approach to revitalization of the Target Area and other nearby areas.

**2.b.ii. Project Involvement: 2.b.iii. Project Roles:** The WCLB has identified numerous community partners to help guide grant implementation and bring important community voices to the table. We will continue our work with Wayne County participating as a strategic partner on their existing CWA and continue to attend monthly planning meetings and assist with property acquisition as necessary to promote a successful county wide program. Below is a summary of project partners and their roles. Additional partners will be recruited throughout the project.

	Partner Name	Organization Purpose	Point of Contact	Project Role
Health	Wayne County Health Department	Protect health, disease prevention	Diane Devlin, MS, BSN, RN 315.946.5749	Outreach, site selection, evaluating health issues & planning
Municipal	Town of Lyons	Local unit of Government	James Brady, Supervisor, 315-573-1528	Strategic Partner, guidance, and coordination for integrating WCLB MPG priority sites into the community’s 2021 Plan goals. Leveraging

<sup>5</sup> American Rescue Plan Act (ARPA) Qualified Census Tracts (CT) are those in which at least 50% of households have incomes below 60% of the Area Median Gross Income (AMGI) or have a poverty rate of 25% or more.

<sup>6</sup> The Climate Justice Working Group is comprised of representatives from Environmental Justice communities statewide, including three members from New York City communities, three members from rural communities, and three members from urban communities in upstate New York, as well as representatives from the State Departments of Environmental Conservation, Health, Labor, and NYSERDA.

				additional funding, community outreach and education.
	Wayne County Planning Department	Provide land use tracking guidance/evaluation for future use that improves social, economic, environmental, and public health goals.	Brian Pincelli, Director 315-946-5931 bpincelli@co.wayne.ny.us	Currently implementing an EPA brownfield CWA grant evaluating community priority properties with known and/or potential environmental impacts. The County will provide guidance and insight on grant management, priority site evaluation and community benefit.
Economic	Wayne Industrial Development Agency	Develop, promote, advance sustainable economic growth	Jamie Corteville, CFO 315.946.5917	Outreach, Site Selection, Land use, revitalization, funding support and financial management of the grant.
	WEDC	Help local companies achieve benefits of business development & strategic planning.	Ariel Cardiel, Economic Development Specialist 315.946.5919	Job reporting and business data collection, financial support (business loans and state funding) to bring large and small to mid-size business to the TA.
CBOs	Greater Rochester Enterprise (GRE)	Connect business to dev. opportunities	Matt Hurlbutt, Director 585.530.6200	Promote new industrial and manufacturing development
	Lyons Main Street Program	Promote business opportunities in Lyons	Kim Howell, Director 315-882-1521	Site evaluation, Marketing
	The ARC of Wayne	Support people with developmental disabilities	David Calhoun, Executive Director 315.331.7741	Input on demographics, education, employment, community outreach, develop a 40-bed assisted living facility

Additional partners who have pledged involvement include: The Wayne County Business Council, The Wayne County Historical Society, and The Lyons Chamber of Commerce.

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

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

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

**3.a. Description of Tasks/Activities & Outputs:** The scope of work has been organized into the tasks below.

<b>Task 1 – Project Management, Reporting &amp; Other Eligible Activities</b>
<b>i. Project Implementation:</b> The WCLB will oversee consultant activities and manage all aspects of the project in accordance with the terms and conditions established in the Cooperative Agreement (CA) with EPA. At the WCLB’s direction, the consultant will assist with compliance reporting (quarterly and final reports, ACRES updates, annual Disadvantaged Business Enterprise [DBE] and Financial Reports, etc.) and other eligible project activities identified in the CA Work Plan. The WCLB will facilitate monthly check-in meetings with the consultant to ensure the project is progressing as planned. We anticipate that one individual will attend one regional brownfields conference and two national brownfields conferences.
<b>ii. Identifying Additional Sites:</b> Not applicable to this task.
<b>iii. Anticipated Project Schedule:</b> Activities will be ongoing throughout the 4-year project period.

<p><b>iv. Task/Activity Lead(s):</b> The WCLB with support from the consultant.</p>
<p><b>v. Output(s):</b> 16 Quarterly Reports; 1 Final Performance Report; 4 DBE Utilization Reports; 4 Federal Financial Reports; prompt ACRES updates; 3 brownfield conferences attended by 1 WCLB personnel; and monthly check-in meetings.</p>
<p><b>Task 2 – Community Engagement &amp; Site Inventory/Prioritization</b></p>
<p><b>i. Project Implementation:</b> The community engagement program (described in 2.b.iii) includes establishing a Public Participation Plan (PPP) and a BAC with our strategic partners, CBOs, property/business owners and residents. The WCLB will develop a project webpage, fact sheets and site nomination forms to be used for the duration of grant implementation and beyond. The BAC will review and prioritize sites nominated for grant funding. The existing priority brownfields sites will be updated for the TA. The WCLB and BAC will use existing comprehensive plan (Lyons and Regional) to establish site prioritization criteria that will be incorporated with the highest priority sites for assessment, cleanup/reuse planning and cleanup projects. The prioritization process will be leveraged to identify catalyst projects that are most likely to spur reinvestment and provide direct, near-term benefits for the residents in the TA. The inventory will be linked to the Wayne County's geographic information system (GIS) and their existing inventory to maximize its long-term value as a planning resource.</p>
<p><b>ii. Identifying Additional Sites:</b> The consultant will update the existing inventory of brownfield sites in the TA. The WCLB and BAC will use the updated inventory to identify and prioritize additional catalyst sites in need of assessment activities. We will prioritize grant funds for sites with the greatest near-term community benefit in the TA. Sites that have a potential purchaser or developer with redevelopment plans that align with community goals will be prioritized for funding. The WCLB will also accept site nominations from property owners and prospective purchasers. The updated inventory and site nominations will be reviewed and prioritized using the following criteria (1) site location within the TA; (2) likelihood of the project moving forward based on other funding sources secured or identified; (3) number of affordable housing units anticipated; (4) number of permanent new jobs anticipated; (5) plans to improve access to critical goods or services in underserved areas; (6) alignment with local revitalization goals; (7) reduction of human health risks; (8) reduction of blight or public safety hazards; (9) proximity to existing transit networks; and (10) adaptive reuse of existing structure(s) and infrastructure.</p>
<p><b>iii. Anticipated Project Schedule:</b> The PPP, webpage and fact sheets will be updated during the first quarter (1Q). The WCLB and BAC will have monthly check-in meetings. The BAC will convene 3-4 times per year with the first meeting during 2Q. Updates to the existing inventory of brownfield sites in the TA will be completed by 2Q.</p>
<p><b>iv. Task/Activity Lead(s):</b> The WCLB will lead outreach with support from project partners (as in-kind services). The WCLB will facilitate stakeholder, BAC and public meetings with assistance from the consultant. The WCLB and BAC will lead site prioritization efforts. The Consultant will fill-in data gaps to refine the existing inventory and will develop/maintain an inventory short-list of all sites nominated/prioritized/approved for grant funding.</p>
<p><b>v. Output(s):</b> Updated PPP, project webpage, fact sheets &amp; site nomination form; monthly check-in meetings with coalition members; ~12 BAC meetings; ~12 other property owner/stakeholder meetings; Updated TA brownfield inventory; List of all sites nominated/approved for funding and outcomes associated with grant-funded activities.</p>
<p><b>Task 3 – Phase I/II ESAs, RBM Surveys, Site-Specific Cleanup/Reuse Planning</b></p>
<p><b>i. Project Implementation:</b> MPG funds will only be used for sites within the TA with a prime focus on the Lank Bank's currently owned Canal Street properties. The WCLB estimates that all 4 of our Canal Street owned sites will undergo RBM and vapor intrusion remediation/abatement and our draft ABCA prepared for those properties has given us a budget allowing us to accurately project those fees. Based on a history of use as fueling stations, we also project vapor mitigation system installation at 2 additional sites (52-54 Canal Street and 30 Geneva Street). We anticipate that another 6 sites will be assessed (the final total will depend on the number of sites for which more than one type of activity is performed). The consultant will prepare Eligibility Determination (ED) requests for sites prioritized by the WCLB and BAC. The consultant will conduct Phase I ESAs for ~6 sites in accordance with the AAI Final Rule and the ASTM E1527-21 and E1527-13 Phase I ESA Process. The consultant will complete Phase II ESAs for ~4 sites (2 standard and 2 large), vapor intrusion surveys at 2 sites, and RBM Surveys for ~6 sites. Since several of the priority sites identified for this project are contiguous parcels (30 Geneva Street and 52-54 Canal Street), our plan is to include multiple properties in each Phase II ESA field event to reduce mobilization costs and maximize assessment activities. Prior to initiating sampling or other field investigation activities, the consultant will update the existing Master Quality Assurance Project Plan (QAPP) for EPA approval. The consultant will also prepare Sampling and Analysis Plans (SAPs) and Health and Safety Plans (HASPs) for each site selected for a Phase II ESA and/or RBM Survey. The SAPs will be submitted to EPA for approval prior to fieldwork. The consultant will prepare ABCA/RAP Reports for ~2 sites where contamination is confirmed. We are also projecting reuse plans for 1 site.</p>

**ii. Identifying Additional Sites:** The process for identifying additional sites is described under Task 2. The WCLB will accept site nominations throughout the 4-year project term. Each site nomination will be reviewed and approved by the BAC prior to ED requests being prepared and submitted to EPA.

**iii. Anticipated Project Schedule:** Year 1: Master QAPP, finalized ABCA and RBM and vapor intrusion abatement at 4 Canal Street Sites, 2 Phase I ESAs, 1 Phase II ESA, 1 RBM Survey | Year 2: 2 Phase I ESAs, 2 Phase II ESAs, 2 RBM Surveys, 1 Cleanup Plan | Year 3: 1 Phase I ESA, 1 Phase II ESAs, 2 RBM Surveys, 2 vapor intrusion studies, 1 Cleanup Plan | Year 4: 1 Phase I ESA, 1 RBM Survey 1 Cleanup Plan

**iv. Task/Activity Lead(s):** The consultant will lead technical activities at the direction of the WCLB. Site Access will be secured by the WCLB and its legal counsel if necessary. An Access Agreement will be prepared by the WCLB’s legal counsel. The consultant will prepare ED requests at the direction of the WCLB.

**v. Output(s):** Finalize draft ABCA and RBM and vapor intrusion mitigation at 4 sites, 6-8 ED requests; 1 Master QAPP; 6 Phase I ESAs; 4 Phase II ESAs; 6 RBM Surveys; 2 Cleanup Plans

**Task 4 – Reuse Planning**

**i. Project Implementation:** The consultant will develop a site reuse plan/redevelopment feasibility study for ~1 catalyst site in the TA in support of advancing redevelopment goals and adaptive reuse of catalyst sites. The feasibility study supplement existing planning documents to assist the WCLB and its strategic partners with identifying the highest and best reuse for sites with unique redevelopment challenges.

**ii. Identifying Additional Sites:** The process for identifying additional sites is described under Task 2. This approach will be used for selecting additional catalyst sites in need of reuse plans. Should additional priority areas be nominated for reuse planning, the WCLB will review the request with the BAC to determine if grant funds should be allocated for additional planning activities.

**iii. Anticipated Project Schedule:** Year 4: 1 Reuse Plan

**iv. Task/Activity Lead(s):** The consultant will lead all technical activities at the direction of the WCLB.

**v. Output(s):** 1 Site Reuse Plan

**3.b. Cost Estimates:** The table below provides a breakdown of estimated costs by task. An average rate of \$175/hour was used for contractual services. The WCLB will not use grant funds for personnel/fringe costs to administer the grant and will contribute their own resources to manage the activities described herein. As demonstrated under Task 3, **92% of grant funds (\$734,000 of contractual services) are allocated for environmental cleanup, Phase I/II ESAs, RBM Surveys, cleanup planning, and reuse plans.**

**Task 1 – Project Management, Reporting & Other Eligible Activities (Total = \$31,468)**

**Travel Total: \$4,618**

- National Brownfields Conferences (Locations TBD): \$3,152 (\$1,576/person x 1 personnel x 2 events)
- Regional/State Brownfields Conference (Location TBD): \$1,466 (\$1,466/person x 1 personnel)

**Contractual Total: \$26,250**

- 50 monthly check-in meetings: \$8,750 (50 hours x \$175/hr x 1 staff)
- Compliance Reporting: \$17,500 (100 hours x \$175/hr)

**Other Total: \$600**

- Conference Registration Fees: \$600 (\$200/person x 3 conferences x 1 personnel)

**Task 2 – Community Engagement & Site Inventory/Prioritization (Total = \$25,200)**

**Contractual Total: \$25,200**

- BAC & Stakeholder Meetings: \$14,000 (80 hours x \$175/hr x 1 staff)
- Update Project Fact Sheets, Site Nomination Form & Webpage Content: \$7,000 (40 hours x \$175/hr)
- Update inventory and site prioritization: \$4,200 (24 hours x \$175/hr)

**Task 3 – Site Specific Activities (Total = \$731,332)**

**Contractual Total: \$731,332**

- Site Eligibility Requests: \$4,200 (24 hours x \$175/hr)
- Update Master QAPP: \$5,132 (1 QAPP x \$5,132/QAPP)
- Phase I ESAs: \$30,000 (6 sites x \$5,000/site)
- RBM Surveys: \$30,000 (6 sites x \$5,000/site)<sup>(a)</sup>
- Phase II ESAs: \$40,000 (2 sites x \$20,000/site)<sup>(a,b)</sup>
- Phase II ESAs: \$60,000 (2 sites x \$30,000/site)<sup>(a,b)</sup>
- Vapor Intrusion Studies \$15,000 (2 sites x \$7,500)
- Site Cleanups (4 Canal Street Sites): \$480,000 (4 sites x \$120,000/site)<sup>(a,b)</sup>
- Vapor Intrusion Mitigation \$45,000 (6 sites x 7,500)
- Cleanup Plans: \$22,000 (2 sites x \$11,000/site)

<sup>(a)</sup>Cost includes developing site-specific HASPs and SAPs to supplement the Master QAPP.

<sup>(b)</sup>We anticipate sites 2 of our priority sites will require more complex Phase II ESAs and we have included a higher budget for these sites (\$30K each for 52-54 Canal St. and 30 Geneva St.). We anticipate other Phase II ESAs will cost ~\$20K per site.

**Task 4 – Site Reuse Planning (Total = \$12,000)**

**Contractual Total: \$12,000**

- Reuse Plan: \$12,000 (1 site x \$12,000/site)



A summary of the proposed budget for grant funded activities is provided below. Since grant funds are not requested for WCLB personnel/fringe, equipment, or supplies these categories are not included in the table.

Budget Categories	Task 1: Project Mgmt., Reporting & Other Eligible Activities	Task 2: Community Engagement & Site Inventory/Prioritization	Task 3: Site Specific Activities	Task 4: Reuse Planning	Total
Travel*	\$4,618	\$0	\$0	\$0	\$4,618
Contractual	\$26,850	\$25,200	\$731,332	\$12,000	\$794,782
Other**	\$600	\$0	\$0	\$0	\$600
<b>Total for Direct Costs</b>	<b>\$31,468</b>	<b>\$25,200</b>	<b>\$731,332</b>	<b>\$12,000</b>	<b>\$800,000</b>
<b>Total for Indirect Costs</b>	<b>\$0</b>				
<b>Total Budget</b>	<b>\$31,468</b>	<b>\$25,200</b>	<b>\$731,332</b>	<b>\$12,000</b>	<b>\$800,000</b>

\*One person from the WCLB will attend one regional and two national brownfield conferences.

\*\*Costs are for conference registration fees (\$200/person x 3 conferences x 1 WCLB personnel).

**4. PROGRAMMATIC CAPABILITY & PAST PERFORMANCE: 4.a. Programmatic Capability: 4.a.i.**

**Organizational Capacity: 4.a.ii. Organizational Structure:**

The WCLB and its critical partners such as Wayne County, multiple Towns and Villages, and the WEDC have collaborated on over fifteen projects, individually and collectively have the programmatic and administrative capacity to manage this grant. The WCLB will administer the grant and be accountable to EPA for management of the Cooperative Agreement (CA). The WCLB will oversee the qualified environmental professional (QEP) who will implement technical activities. To maintain consistency and build off previous successful program management, the WCLB will use a governance structure like that which was established for Wayne County’s FY20 CWA project, in which the WCLB was a coalition member. We will use a two-person management team to ensure timely completion of key milestones established in the CA. Additionally, each partner has also identified personnel to represent their agency. Organizational Structure: Following notice of grant award, the WCLB will establish a Project Advisory Committee (PAC) that will include representatives from Wayne County, the Town of Lyons, other project partners, and community stakeholders. The WCLB will work with the PAC discussed in section 3 to assist with implementation of the MPG over the 5-year performance period and beyond. The WCLB has worked extensively with Lyons and other PAC partners to develop their Comprehensive plan and using the MPG to address properties we own in the Town’s central business district is vital to the success of its implementation. The PAC will guide site prioritization and assist with stakeholder outreach. The PAC will participate in monthly check-in calls facilitated by the WCLB Project Director to ensure members are meaningfully involved and establish clear objectives for timely and successful expenditure of funds.

**4.a.iii. Description of Key Staff:** Descriptions of key staff and their project roles are provided below.

**Dr. Mark Humbert, Executive Director, WCLB** will manage all activities conducted by the WCLB including property acquisition, financial support to the Coalition, and overseeing all assessment and cleanup activities. As a coalition member and active participant of Wayne County’s FY20 CWA, Mr. Humbert is very familiar with the EPA process and grant management requirements. Mark has been a vital participant working with the Town of Lyons on two major community revitalization grant applications. These included the NY Forward project that is part of the Town’s comprehensive plan to revitalize historic downtown and a Restore NY initiative which will transform 13 underutilized properties in Lyons’ central business district for needed commercial and housing space. The WCLB currently controls six of the properties and is in negotiation with the owners of thirteen others. Mr. Humbert has been instrumental in bringing development partners to the table to secure agreement on the project scope. Mark is currently managing the WCLB’s Elmer Street environmental cleanup and reuse planning project in Lyons (using \$748K of community development block grant funds).

**Robert Ohmann, Board Member, WCLB** has the construction industry experience, marketing skills and contacts to make this project a success and will advise on housing development strategies, marketing, and community outreach. He has extensive experience with creating housing founding St. Lawrence Homes located in Wake Forest, North Carolina. This organization primarily operates in the new construction, single-family houses business within the construction, general contractors and operative builder’s sector. This organization has been operating for approximately 33 years. St. Lawrence Homes is estimated to generate \$22.1 million in annual revenues and employs approximately 45 people at its headquarters location and 100 employees across all locations. He is now retired and living in his hometown of Lyons. He helped to renovate and now oversees the operation of the Historic Ohmann Theater in downtown Lyons which has been in his family for years and is a cornerstone for downtown planning initiatives.

**Jamie Corteville, Wayne County IDA Fiscal Officer**, will assist with budget tracking documentation, reporting, and drawdowns. She has experience with complex professional accounting and related fiscal administrative tasks in development, examination, review or analysis activities related to fiscal management of Department funds/expenditures. Jamie oversees special projects or programs like servicing and tracking of loan and PILOT payments, job reporting and data collection.

**John Morell, Esq.**, Morell Law, PLLC is counsel to the WCLB and will perform all legal review, access agreements, contractual and regulatory compliance activities with respect to the grant.

**4.a.iv. Acquiring Additional Resources:** The WCLB Board of Directors is comprised of Town Supervisors, experienced business owners, County Department heads, each with the experience and expertise to recruit qualified replacements for key project staff that depart during the Project/Program. Brian Pincelli, Director of the Wayne County Department of Economic Development and Planning is a WCLB Board member who also oversees two current EPA projects and has pledged support if the WCLB requests it. The WCLB routinely contracts out for engineering, demolition and consulting services and has all management and procurement procedures in place to secure services through competitive processes compliant with 2 CFR 200.317-326 requirements, as well as the experience and expertise needed to manage contractors as they complete assignments. MPG funding will help leverage state funding sources and is also a key part of ensuring properties are safe before being sold and returned to active status.

**4.b. Past Performance & Accomplishments: 4.b.ii. Has Not Received an EPA Brownfields Grant but Has Received Other Federal or Non-Federal Assistance Agreements:**

**4.b.ii.(1) Purpose and Accomplishments:** The WCLB was established in 2019 by Wayne County to help address the long term environmental and financial risks of taking ownership of derelict and tax foreclosure properties. This partnership has thrived in the last three years. Since June 2019 the WCLB has acquired 41 properties, sold eight and is in the process of selling six. The WCLB, and County worked with NYSDEC to negotiate a 3-party Memorandum of Understanding (MOU) modeled after one executed by New York's Suffolk County's Land Bank. The MOU allows the WCLB to proceed with foreclosure on tax delinquent suspected brownfields without fear of State environmental liability thereby allowing for acquisition of a clear title to brownfields that are tax delinquent. In 2022, the WCLB received a 3-yr \$151K grant for operational support from the New York State Land Bank Community Revitalization Initiative and is applying for an additional \$5M to purchase, demolish, and renovate properties. The Wayne County Board of Supervisors has established a policy to transfer the profits of the annual property tax foreclosure auction to the WCLB. In 2022 this resulted in \$500,000 and 11 tax foreclosed properties being transferred to the WCLB

**Startup Funding, 2019, Wayne County Finance Committee:** WCLB received funding for operational startup including personnel, legal and administrative fees, establishing operating procedures, by-laws, overall mission, and annual operating costs. The funding includes \$250K annually. Activities included addressing vacant, abandoned and underutilized properties across Wayne County, acquisition of real property that is tax delinquent/foreclosed and prioritized to eliminate the harms and liabilities associated. This approach also includes activities to redevelop these properties to meet community revitalization plan goals. Since startup the WCLB has acquired 41 properties, sold eight and is in the process of selling six more.

**New York State Enterprise Community Partners (Enterprise) Grant:** In 2019 the WCLB received a grant for \$450K (3-year term) to address blighted properties in Wayne County. Funding has been used to evaluate and acquire vacant and abandoned properties and return them to beneficial uses in the community. Funding from the program was instrumental in acquiring and renovating a building that was later developed as the Child Advocacy Center of Wayne County. The center is focused on helping abused children heal by providing them with long-term advocacy and healthcare. Based on the WCLB's program accomplishments, they were awarded and additional \$200K in Enterprise funding to continue their mission.

**Community Development Block Grant (CDBG):** The WCLB was a sub-recipient of \$748K of CDBG funding which was used to demolish a structurally unsound property at 48 Broad Street and to complete demolition, environmental assessment, cleanup and reuse planning at 42 Elmer Street both of which are located in the Target Area. The Elmer Street property is currently being evaluated by the Department of Agriculture for relocation of their office space.

**4.b.ii.(2) Compliance with Grant Requirements:** The WCLB must annually report under the Public Authorities Reporting Information System (PARIS), the online reporting system that allows public authorities to enter their information and submit their reports to both the Authorities Budget Office and the Office of the State Comptroller (OSC), as required by law. The WCLB has met all use and reporting requirements for the grants noted above and interim monitoring reports have not identified any discrepancies with associated regulations.

# **ATTACHMENT A**

## **Threshold Criteria Responses**



# WAYNE COUNTY REGIONAL LAND BANK CORPORATION

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## Threshold Criteria for Multipurpose Grants

**1. APPLICANT ELIGIBILITY:** The Wayne County Regional Land Bank (WCLB) is an intergovernmental agency established by the authority of the New York State (NYS) Land Bank Act signed into law in 2011 under Article 16 of the NYS Not-for-Profit Corporation Law. Article 16 allows municipalities to establish land banks as a local public authority for the purpose of acquiring real property that is tax delinquent, tax foreclosed, vacant, or abandoned. Once they establish a land bank, municipalities can then design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, and otherwise improve upon banked real property. ***Pursuant to Article 16, Section 1610, a land bank may receive funding from the federal government.***

The WCLB was established by Wayne County in 2018 (under the name of the Wayne County Regional Land Bank) as a minor government district. Pursuant to Article 16 and agreement among its members, the WCLB has all the rights and privileges granted to a “general purpose unit of local government” as defined in 2 CFR 200.64.

Eligibility documentation for the Land Bank is provided in [Attachment B](#) and includes:

1. Bylaws of Wayne Economic Development Corporation
2. Governmental Code (Article 18-A of NYS General Municipal Law)

**2. COMMUNITY INVOLVEMENT:** The Town of Lyons 2021 Comprehensive Plan identifies Canalside Properties and the Central Business District as key geographic focus areas for revitalization. Both are identified as historic preservation areas and are within the established Target Area for this MPG. In 2020 Wayne County began work on their EPA Brownfield Community-Wide Assessment (CWA) Coalition Grant and multiple cluster brownfield sites along the Canal Geneva Street Corridor underwent Phase I and II ESAs, reuse planning and an ABCA. As original coalition members for the CWA, the Town of Lyons and the WCLB have been involved in ongoing community involvement through monthly meetings, a project website, fact sheets, and newsletters. Public engagement for the Comprehensive Plan has been ongoing for two years and has included three phases of community input on community historic preservation, vision, and approach to obtain success. Lyons, WCLB, and Wayne County have also had numerous discussions with local property owners and developers regarding our overall approach to revitalization of the Target Area and other nearby areas. The WCLB is pursuing an EPA Multi-Purpose Grant to address assessment, reuse planning and cleanup of multiple “cluster” brownfield properties they own in the TA.

Our participation with Wayne County’s existing EPA CWA grant has provided an excellent public outreach campaign model that we will use to put us in excellent position to keep citizens of the Target Area informed of our brownfield initiatives and to provide them with a means to provide input. Fact sheets and other reference materials will be created and posted on a project specific tab on the WCLB’s webpage and distributed at public facilities (e.g., libraries, community centers, churches, transit stations). Literature will include a statement that citizens may request alternative formats or special accommodations. The webpage will also include a mechanism for soliciting project input on the MPG. We will also collaborate with the County to integrate project information on their webpage. The WCLB will also use media outlets including local daily and weekly newspapers, cable access television, public libraries in the Target Area, the County Economic Development and Planning Committee, and regularly scheduled Town Board meetings to seek public input on our brownfield revitalization program and the use of the MPG. The WCLB will also utilize social media accounts to provide the public real time information about the project. Community meetings will be held during all phases of the project and will be accessible to those who rely on public transportation and will be held at ADA-compliant facilities in the Target Area to ensure equal access to sensitive populations and Target Area residents. Special outreach efforts (e.g., translation services for non-English speaking and hearing impaired) will also be used to provide equal access to project information. These community input methods offer viable alternatives to in-person meetings and promote overall safety to minimize the impacts of COVID-19.

The WCLB will also use the support of project partners to assist with distributing project-related information on their websites, social media pages, newsletters and other avenues offered. Furthermore, we anticipate hosting 2-3 project advisory committee (PAC) meetings/year and 3-4 neighborhood

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meetings/year. These items will provide an “information out, feedback in” process that will continue throughout the project and redevelopment processes. We will also compile community input on a quarterly basis and circulate the summary to the PAC to develop response options. Public input and our response will be summarized in quarterly project progress reports and on the project webpage.

### **3. TARGET AREA:**

The Canal/Geneva Street Corridor (the Target Area, census tract 214), has been identified in the Town’s 2021 Comprehensive Plan (the Plan) as a catalytic geographic area to revitalize our historic downtown district. The Plan identifies two key focus areas: Lyon’s Central Business and Canalside districts which are located within our Target Area (TA). The geographic boundaries of our TA have been established by the WCLB and our strategic partners and cover approximately 97 acres anchored by the intersection of major regional routes NY 31 and Route 14 (Geneva Street). The TA is bounded by Queen Street on the north, the Erie Canal to the south and Phelps and Butternut Streets to the east and west, respectively. The TA is a historically significant business district located on the Erie Canal with a unique blend of traditional urban architecture, residential neighborhoods and small businesses that fuel the local economy. Situated between the greater Rochester and Syracuse areas, the TA serves Wayne County, northern Ontario, western Seneca, and eastern Monroe Counties. Significant recent planning efforts completed in 2021 have positioned the TA to be positively impacted by regional growth. Major challenges to the community’s vision and growth includes multiple brownfields, including clusters of vacant, underutilized brownfields, identified within the TA and socio-economic factors.

The WCLB owns 42 - 50 Canal Street and 58 – 66 Canal Street located in the TA. The following brownfield sites have been identified by the WCLB and our strategic partners as priorities for this multi-purpose grant:

- 42 Canal Street, Lyons, New York 14489
- 46 Canal Street, Lyons, New York 14489
- 50 Canal Street, Lyons, New York 14489
- 52-54 Canal Street, Lyons, New York 14489
- 58 - 66 Canal Street, Lyons, New York 14489
- 30 Geneva Street, Lyons, New York 14489
- 1 Clyde Road, Lyons, New York 14489

These properties are currently vacant and underutilized contributing to blight, safety concerns and environmental impacts in the heart of the TA and community’s proposed revitalization area. The WCLB has worked extensively with Lyons and other PAC partners to develop their Comprehensive plan and using the MPG to address properties we own in the Town’s central business district is vital to the success of its implementation.

### **4. AFFIRM BROWNFIELD SITE OWNERSHIP:**

The WCLB is the legal owner of the following properties located in the TA. The WCLB took ownership prior to November 22, 2022 and is not liable for any contamination at the properties. All of these sites meet the definition of a brownfield in CERCLA § 101(39).

- 42 Canal Street, Lyons, New York 14489
- 46 Canal Street, Lyons, New York 14489
- 50 Canal Street, Lyons, New York 14489
- 58 - 66 Canal Street, Lyons, New York 14489

Proof of WCLB ownership of these sites is included in [Attachment C](#).

### **5. USE OF GRANT FUNDS:**

MPG funds will only be used for sites within the TA with a prime focus on the WCLB’s currently owned Canal Street properties. The sites we own have all undergone Phase I and II Environmental Site Assessments, regulated building surveys (RBM), a draft Analysis of Brownfield Cleanup Alternatives (ABCA) and reuse planning. These are key to jumpstarting the revitalization process in the TA and are positioned to undergo cleanup using MPG funding when awarded. The WCLB estimates that all 4 of our Canal Street owned sites will undergo RBM and vapor intrusion abatement and

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our draft ABCA prepared for those properties has given us a budget allowing us to accurately project those fees. Based on a history of use as fueling stations, we also project vapor mitigation system installation at 2 additional sites (52-54 Canal Street and 30 Geneva Street). This will be evaluated when Phase I and II ESAs are completed for those properties.

Overall, we anticipate that another 6 sites will be assessed (the final total will depend on the number of sites for which more than one type of activity is performed) in addition to the Canal Street sites we currently own. A consultant will conduct Phase I ESAs for ~6 sites in accordance with the AAI Final Rule and the ASTM E1527-21 and E1527-13 Phase I ESA Process. The consultant will complete Phase II ESAs for ~4 sites (2 standard and 2 large), vapor intrusion surveys at 2 sites, and RBM Surveys for ~6 sites. Since several of the priority sites identified for this project are contiguous parcels (30 Geneva Street and 52-54 Canal Street), our plan is to include multiple properties in each Phase II ESA field event to reduce mobilization costs and maximize assessment activities. Prior to initiating sampling or other field investigation activities, the consultant will update the existing Master Quality Assurance Project Plan (QAPP) for EPA approval. The consultant will also prepare Sampling and Analysis Plans (SAPs) and Health and Safety Plans (HASPs) for each site selected for a Phase II ESA and/or RBM Survey. The SAPs will be submitted to EPA for approval prior to fieldwork. The consultant will prepare ABCA/RAP Reports for ~2 sites where contamination is confirmed. We are also projecting reuse plans for 1 site.

The following table indicates the page numbers of the proposal where additional details are provided.

Threshold Criteria Requirement	Proposal Page #	Notes
Complete at least one Phase II ESA.	2, 9	WCLB will conduct Phase II ESAs at the properties located at 30 Geneva Street and 52-54 Canal Street.
Remediate at least one site.	2,9	WCLB will remediate the properties located at 42, 46, and 50 Canal Street and 58 – 66 Canal Street.
Develop an overall plan for revitalization of the TA that includes a feasible reuse strategy for at least on priority brownfield site.	2,3,9	WCLB will build on the existing 2021 Comprehensive Plan prepared by the Town of Lyons and our existing Canal Street Area Wide Plan (draft concepts in place) to develop/refine a feasible reuse strategy for the priority sites located at 42, 46, and 50 Canal Street and 58 – 66 Canal Street.

## **6. Expenditure of Existing Grant Funds:**

The WCLB affirms that it does not have an open EPA Multipurpose Grant or Assessment grant.

## **7. Contractors and Named Subrecipients:**

**(a) Contractors:** Prior to submitting this grant application, WCLB completed a qualifications-based procurement process to select a consultant team to provide comprehensive services (grant writing and implementation assistance). The procurement process was completed in accordance the *Best Practice Guide for Procuring Services Under EPA Assistance Agreements*. The Request for Qualifications (RFQ) was published August 7, 2022 and advertised via New York State Contract Reporter- a public outreach platform by New York State) with responses due on September 7, 2022 (providing a response period of 30 days). There was one response received and considered. The proposal was scored by a team of board members from the Wayne County Land Bank.

**(b) Subrecipients:** There are no named subrecipients in the proposal.