

Brownfields Working Group Meeting Notes - May 4, 2001

On Friday May 4, 2001 at 8:00 AM, the Brownfields Working Group met for third time. This subcommittee was established as part of a larger effort to streamline the site remediation regulatory processes.

The meeting agenda focused on a discussion of a "typical" construction/property development timeline, a mission/policy statement on Brownfields, and "Getting Off on the Right Foot" on Brownfields projects. The following points were discussed at the meeting:

The group began by discussing a typical schedule for a redevelopment project (see attached). The schedule had been developed and distributed by Mike Corso of the Cornish and Associates based on his and his company's experiences. It was clear based on this discussion that environmental issues, including the identification and resolution of issues related to contamination, were on the critical path of the project in the early stages. The three main reasons for this were:

- 1) the buyer typically wants protection from liability related to existing contamination,
- 2) financing may be dependent on defining the extent and cost of addressing the problems, and,
- 3) development plans have to be synchronized, and potentially adjusted, based on the environmental conditions and associated limitations on construction.

The group then discussed a draft mission statement prepared by Rich Hittinger that set out the mission of the Brownfields Working Group. The group felt that the mission statement should be more directed towards the program, rather than the working group, and should be geared towards both external (stakeholders) and internal (staff) audiences. DEM agreed to redraft the mission statement based on the group's feedback and present an alternative at the next meeting.

The concept of "Getting Off on the Right Foot" for a Brownfields project was then discussed. An "ideal process" was developed by the group. Critical to the ideal process was a pre-application meeting. Any parties considering a project on a Brownfields site should be encouraged to attend a pre-application meeting. It was suggested that a checklist should be developed that outlines the types of information that should be discussed at the pre-application meeting to make sure that meeting is productive. The person planning the project (the applicant) should be clear about the future use of the property, a realistic timeline for their project, and what environmental information they had collected and issues they had identified. It was stated that applicants will get from the process what they put into it, so solid information should lead to a productive discussion. During the meeting, the Department should:

- 1) identify any issues that DEM feels are critical, or priorities,
- 2) identify any program preferences on how certain issues are addressed where the regulations allow latitude and discretion, and,
- 3) clearly communicate what DEM expects in the next submittal.

Notes from the meeting should be written up and disseminated within 10 days following the meeting so that any miscommunications or misunderstandings can be identified before the project progresses further. This pre-project, or pre-application, meeting should be scheduled following the initial notification on the site.

The group then discussed some possible outreach materials. For dealing with people who are not knowledgeable of the program, simple brochures covering such topics as "What are Brownfields?" and "How to address Environmental Contamination" should be developed. These types of brochures would be helpful for stakeholders in that sometimes they are approached for information on how to proceed and they don't have clear, simple guidance materials to hand out. This would also help stakeholders promote the program.

It was also suggested that the process should be outlined in a series of web pages, including a pre-project meeting page, that explains the types of information, discussion points, and outcomes for each step in the process.

There was also discussion that some broad guidance on "How to hire a consultant" may be helpful. The group may explore this in more depth in the future.

The meeting adjourned at 9:30 AM.