



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: June 5, 2018

Subject: Brownfield Assessment Coalition Memorandum of Agreement

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a Memorandum of Agreement with the Association of Bay Area Governments, the City of El Cerrito, and the City of Richmond to cooperatively conduct environmental assessments of selected brownfield sites using federal grant funds awarded under U.S. EPA Cooperative Agreement No. BF-99T61501-0.

FISCAL IMPACT:

None to the general fund. Costs for brownfield assessments will come from various grant funds.

BACKGROUND:

In 2015, the Association of Bay Area Governments (ABAG) in partnership with fifteen member jurisdictions entered into a Memorandum of Understanding (2015 MOU) to form the East Bay Corridor Initiative (EBCI). EBCI is an implementation strategy for realizing sustainable, resilient, equitable growth and development in communities between Pinole and Fremont, with a focus on Priority Development Areas (PDAs).

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **06/05/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor

Candace Andersen, District II
Supervisor

Diane Burgis, District III Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 5, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Maureen Toms (925)
674-7878

cc:

The 2015 MOU defined and formalized the working

BACKGROUND: (CONT'D)

relationship among the participants. The proposed activities of the EBCI participants include:

1. Continue to coordinate with Planning and Community Development Directors the development of multi-jurisdictional strategies to create a network of thriving neighborhoods and downtowns in Corridor Priority Development Areas,
2. Identify and develop funding sources to implement agreed upon strategies, and
3. Endorse joint applications by Participants for grants and other funding that support agreed upon multi-jurisdictional strategies.

To advance the activities of the EBCI as described in the 2015 MOU, ABAG applied for a Brownfields Community Wide Assessment Grant--with assistance from the Cities El Cerrito and Richmond and Contra Costa County--to conduct Phase I and Phase II environmental assessments on a network of transit corridors, greenways, and adjacent industrial areas identified as PDAs. On June 6, 2017, the U.S. Environmental Protection Agency (EPA) approved a Cooperative Agreement with ABAG to award the grant. The grant period is through September 30, 2019.

The proposed Memorandum of Agreement between ABAG, Contra Costa County and the Cities of El Cerrito and Richmond (Proposed MOA) sets forth the roles and responsibilities of the parties with respect to implementing the EPA grant. ABAG is responsible to the EPA for management of the Cooperative Agreement and compliance with the statutes, regulations, and terms and conditions of the award, and ensures that all members of the coalition are in compliance with the terms and conditions.

Activities funded through the Cooperative Agreement may include inventory preparation, site selection criteria development, assessments, planning (including cleanup planning) relating to brownfield sites, outreach material and implementation, and other eligible activities. ABAG may retain consultant(s) and contractors under 40 CFR 30.36 to undertake various activities funded through the cooperative agreement and may award subgrants to other parties to the Proposed MOA under 40 CFR 33.37 for assessment projects in their geographic areas. Subgrantees are accountable to ABAG for proper expenditure of funds. ABAG will coordinate with other parties to the Proposed MOA regarding issues such as site selection and consultant recruitment. The County and other parties to Proposed MOA will assist ABAG with securing access and permits for sites within their jurisdiction.

CONSEQUENCE OF NEGATIVE ACTION:

Grant funding will not be available to assess brownfields in the unincorporated area.

ATTACHMENTS

Memorandum of Agreement