

Fiscal Year 2009-10 Capital Construction Request

Public Health and Environment

Brownfields Cleanup Program (aka HB 00-1306 Site Cleanups)

PROGRAM PLAN STATUS

2001-208

Approved Program Plan? Date Approved:

Cash-funded requests from state departments that cost less than \$500,000 do not require a program plan. The project is in conformance with the most recently approved Department Strategic Plan dated July 2008.

PRIORITY NUMBERS

Prioritized By	Priority	
Dept/Inst	1 of 1	
OSP	6 of 44	OSP recommends that all cash projects be funded, but also assigned cash priorities.

PRIOR APPROPRIATION AND REQUEST INFORMATION

Fund Source	Prior Approp.	FY 2009-10	FY 2010-11	Future Requests	Total Cost
CF	\$1,000,000	\$250,000	\$250,000	\$750,000	\$2,250,000
CFE	\$1,250,000	\$0	\$0	\$0	\$1,250,000
FF	\$2,925,000	\$0	\$0	\$0	\$2,925,000
Total	\$5,175,000	\$250,000	\$250,000	\$750,000	\$6,425,000

EMIZED COST INFORMATION

Cost Item	Prior Approp.	FY 2009-10	FY 2010-11	Future Requests	Total Cost
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Professional Services	\$0	\$0	\$0	\$0	\$0
Construction	\$5,175,000	\$250,000	\$250,000	\$750,000	\$6,425,000
Equipment	\$0	\$0	\$0	\$0	\$0
Miscellaneous	\$0	\$0	\$0	\$0	\$0
Contingency	\$0	\$0	\$0	\$0	\$0
Total	\$5,175,000	\$250,000	\$250,000	\$750,000	\$6,425,000

PROJECT DESCRIPTION / SCOPE OF WORK

The Department of Public Health and Environment is requesting cash funds spending authority for the Brownfields Cleanup Program. House Bill 00-1306 authorized the program, and provided for an annual appropriation of \$250,000 from the state Hazardous Substance Response Fund to perform cleanup on properties: (1) that do not have a responsible party to perform remediation; (2) that have been determined to present a threat to human health or the environment; and (3) where remediation will facilitate redevelopment of the property for the public good. Site costs are highly variable, with some costing as little as \$20,000, and one as much as \$450,000. The department says this year's request will allow it to continue planned projects and complete projects already underway.

PROJECT JUSTIFICATION

According to the department, the intent of the program is to fund cleanup projects that otherwise could not be funded. If the request is not approved, persons living close to the sites, as well as terrestrial and aquatic organisms, risk continued exposure to hazardous contaminants. In addition, failure to redevelop these sites potentially results in lost revenue, tax income, and jobs associated with new uses under redevelopment.

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PROGRAM INFORMATION

This program generally serves local governments seeking to eliminate contamination in their communities and redevelop sites to produce public amenities or income. The program operates within the three-year window of the capital construction spending authority to screen sites, and plan and implement cleanups. However, projects typically take more time to put a cleanup package together, due to various issues with landowners and local governments. A scoring process is used to evaluate and select brownfield sites. This evaluation tool focuses on impacts to human health and environment and has a redevelopment factor that accounts for about 25 percent of the overall site score.

LEED CERTIFICATION INFORMATION

The project is not required to comply with the provisions of Senate Bill 07-051 regarding LEED certification because it does not involve the construction or renovation of a physical facility.

PROJECT STATUS

This is an ongoing project. To date, the program has evaluated 30 sites and has committed funding to 18 of those sites. As of May 31, 2008, 8 sites have been completed, work has begun at 5 sites, and work is being planned at 17 sites, including 7 projects estimated to be completed in FY 2009-10.

Projects completed to date include a former mine site, a contaminated creek, a former tree farm contaminated with pesticides, a former shooting range, and households with contaminated wells. The projects have eliminated human exposure to contamination, helped restore a fishery, supplied potable drinking water, provided revitalization for housing and commerce, and provided additional recreational resources in the form of public parks.

18-month encumbrance deadline. Senate Bill 08-037 changed the encumbrance deadline for this project from 6 months to 18 months. If funds are not encumbered within the first 18 months, the department will request a waiver at that time.

SOURCE OF CASH FUNDS

The source of cash funds for the project is the Hazardous Substance Response Fund. The fund is financed through a fee on municipal solid waste landfills. As of June 30, 2008, the balance of the fund was \$39.2 million.

STAFF QUESTIONS AND ISSUES

1. Will this year's request involve any new projects? If so, please identify and briefly describe each anticipated project.

Attachment A is a table listing potential projects that will be reviewed by the panel. Any new projects will be selected from this list.

IMPACT ON OPERATING BUDGET

	1st Year	2nd Year	3rd Year	Total
Personnel Services	The project has no impact on state operating costs.			
Maintenance				
Utilities				
Supplies/Equipment				
Other				

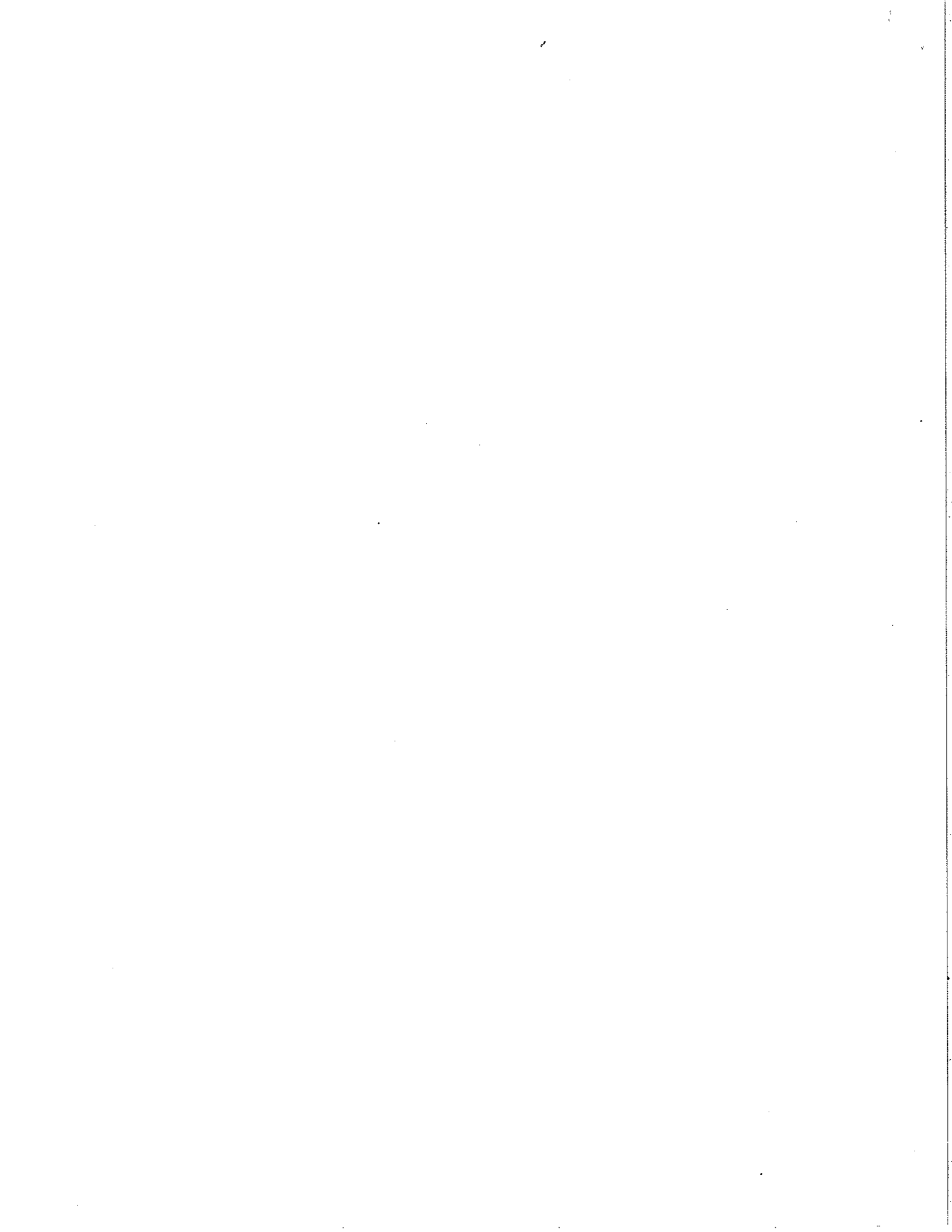
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PROJECT SCHEDULE

	Start Date	Completion Date
Physical Planning Construction Equipment Occupancy	A project schedule is not applicable to this request. Each site is at a different stage. Some sites are ready for the actual clean-up to start, while at other sites, the clean-up plan is still being determined, funding is still being secured, or the department is working with the community to plan the site's final use.	



**Department of Public Health and Environment
Brownfields Cleanup Program**

POTENTIAL PROJECTS SUBMITTED FOR PANEL EVALUATION

Site Name	County	Estimated HB1306 Funding Need	Purpose
Genoa Asbestos	Lincoln	\$200,000	Former school contaminated with asbestos. Uncontained.
Paris Mill	Park	\$95,000	Heavy-metals and mercury contamination. Heritage tourist destination.
Alamosa Railroad Development	Alamosa	\$50,000	Polyaromatic hydrocarbon contaminated soil. Renovation of former train depot.
Clear Creek Renewable Energy	Clear Creek	\$50,000	Solar and wind energy sited on abandoned mined lands.
Chaffee County Smelertown	Chaffee	\$25,000	Historic tourist destination and surrounding commercial/industrial park. Metals-contaminated soil from historic smelter.
Fort Collins Bulk Oil	Larimer	\$50,000	Hydrocarbon contamination. City building construction and possible public park.
Fort Collins Children Museum	Larimer	\$25,000	Railroad property acquisition for children's museum. Polyaromatic hydrocarbon contaminated soil.
Kit Carson Site	Cheyenne	\$25,000	Former underground storage tank/contaminated soil. Asbestos. Redevelopment for grocery store.
Leadville Renewable Energy	Lake	\$10,000	Mining impacted site. Reuse for manufacturing of wood pellets from beetle-kill trees.
Monte Vista Boys and Girls Club	Rio Grande	\$25,000	Groundwater and soil contamination from previous uses as rail yard and fertilizer warehouse. Donated to Boys and Girls Club.
Creede Floodplain	Mineral	\$250,000	140-acre mining-impacted floodplain at town entrance. Reuse plan under development.

