



BENTON-FRANKLIN COUNCIL OF GOVERNMENTS

587 Stevens Dr. • Richland, WA 99352
bfcog.us

Ph: (509)943-9185
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R10-21-A-012

RE: FY2021 EPA Brownfields Assessment Grant Application

The Benton-Franklin Council of Governments and its Coalition Members (the Cities of Richland, Kennewick and Pasco) are pleased to submit this proposal for FY2021 Brownfields Assessment Grant funding. Below we provide the information requested.

1. Applicant Identification:

Benton-Franklin Council of Governments
587 Stevens Drive
Richland, WA 99352

2. Federal Funds Requested:

- (a) Assessment Grant Type: Coalition
- (b) Federal Funds Requested:
 - (i) Requested Amount: \$600,000
 - (ii) Site-specific Assessment Grant Waiver: *not applicable*

3. Location:

- (a) City: Kennewick, Pasco, and Richland
- (b) County: Benton and Franklin Counties
- (c) State or Reservation: Washington

4. Property Information for Site-Specific Applications: *not applicable*

5. Contacts:

- (a) Project Director:
Name: Davin Diaz, Executive Director
Phone: 509-943-9185 | Email: ddiaz@bfcog.us
Mailing Address: 587 Stevens Dr, Richland, WA 99352
- (b) Chief Executive/Highest Ranking Elected Official:
Name: Skip Novakovich, Board President
Phone: 509-943-9185 | Email: skip@portofkennewick.org
Mailing Address: 587 Stevens Dr, Richland, WA 99352

6. Population: Benton and Franklin Counties: 307,532

- City of Kennewick: 86,101
- City of Pasco: 77,540
- City of Richland: 60,475

7. Other Factors Checklist:

Other Factors	Page #
Community population is 10,000 or less.	<i>not applicable</i>
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	<i>not applicable</i>
The priority brownfield site(s) is impacted by mine-scarred land.	<i>not applicable</i>
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).	1, 2
The priority brownfield site(s) is in a federally designated flood plain.	2*
The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.	3
30% or more of the overall project budget will be spent on eligible reuse planning activities for priority brownfield site(s) within the target area.	<i>not applicable</i>

**Riverfront areas described in application are in floodplain.*

8. Letter from the State or Tribal Environmental Authority: A letter of acknowledgement from the Washington State Department of Ecology is attached.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

October 20, 2020

Terri Griffith
EPA Region 10
1200 Sixth Avenue, Suite 155
Mailstop: ECL-133
Seattle, WA 98101

Re: Ecology Support for Benton-Franklin Council of Government's Application for a Coalition Assessment Grant

Dear Ms. Griffith:

I understand that the Benton-Franklin Council of Government (BFCOG) will submit an application to the U.S Environmental Protection Agency (EPA) for a Coalition Assessment Grant under the Fiscal Year 2021 Brownfields Program grant cycle. If awarded, BFCOG and their coalition partners, the Cities of Richland, Kennewick, and Pasco, intend to use the funds to conduct assessments on properties within Opportunity Zones and other redevelopment priority areas within the coalition jurisdictions as well as the small surrounding communities of West Richland, Prosser, and Connell.

As a requirement of the application, BFCOG has informed Ecology of their plans to apply for this Coalition Assessment grant. Ecology is very supportive of these efforts and this letter is provided to recognize that BFCOG has fulfilled their notification requirement. The Ecology contact for Benton County sites is Valerie Bound at the Central Regional Office:

Valerie.bound@ecy.wa.gov. The contact for Franklin County sites is Kathy Falconer, at the Eastern Regional Office: Kathy.falconer@ecy.wa.gov. For questions regarding this letter or general Brownfields questions, please contact me at (509) 655-0538.

Sincerely,

A handwritten signature in blue ink that reads "Ali Furmall".

Ali Furmall
Small & Rural Communities Brownfields Specialist
WA State Department of Ecology

cc: Magdelyn Monroy, BFCOG
Susan Morales, EPA Region 10
Richelle Perez, Ecology
Kathy Falconer, Ecology
Valerie Bound, Ecology

NARRATIVE PROPOSAL

1. PROJECT AREA DESCRIPTION & PLANS FOR REVITALIZATION:

1.a.i. Background & Description of Target Area: The “Tri-Cities” of Kennewick, Pasco and Richland are located at the confluence of the Yakima, Snake and Columbia Rivers in Eastern Washington. With its semi-arid climate and rich Palouse soils, the agricultural industry has flourished here with major produce that includes wheat, apples, and grapes. With the arrival of the Northern Pacific Railway, the Tri-Cities slowly grew into a quiet agricultural production and shipping hub. That abruptly changed with World War II, and the immense military and industrial activity that ensued. Founded in 1943, the 586 square mile Hanford Nuclear Reservation housed the world’s first plutonium reactor, used to manufacture the first nuclear bombs. During the Cold War, the population increased by 80,000 as Hanford was expanded to include nine nuclear reactors and five processing complexes employing up to 45,000 workers. In 1987 the last reactor was decommissioned, and the largest remediation project in the world began. Many feared the closing of Hanford would turn the Tri-Cities into ghost towns, however, despite major economic shifts and environmental challenges, the Tri-Cities Metro Area (TCMA) has grown to include over 300,000 residents.

The **Tri-Cities target areas** include three Opportunity Zones (OZs) in Kennewick [Census Tracts (CTs) 109.01 and 113] and Pasco (CT 201), as well as Richland’s Central Business District (CBD; CTs 105 and 106):

- **Kennewick:** Located on the Columbia River in Benton County, Kennewick is the most populous of the Tri-Cities. The City grew around the railroad and its inland seaport. Despite booms and busts in military employment, it’s steady growth has been anchored by the agricultural industry and serving as a regional center for retail. Economic shifts and urban sprawl, however, have left their mark, as abandoned sites proliferate the riverfront, and strip malls and empty lots dominate major thoroughfares. This is most prevalent in Kennewick’s **OZs target area**, which includes the former “Vista Field” airport on the west side of the City, and the riverfront and Columbia Drive corridors between the Pioneer Memorial and Ed Hendler bridges. These areas include over 10,000 residents who suffer from the highest poverty rates (29.6% = >2X Washington (WA)/US averages) in the Tri-Cities. Funding will support plans for the new Vista Field town center and revitalizing the local economy with artisan trades, retail and recreation.
- **Pasco:** Located directly north of Kennewick across the Columbia River, Pasco is the Seat of Franklin County, and the oldest and fastest-growing of the Tri-Cities. It too grew up alongside the railroad and its port, and later established itself as a complete transportation hub with the Tri-Cities Airport and its position along the US 395 truck corridor. Pasco’s **OZ target area** includes “East Pasco”, stretching from the river to the airport. Brownfields range from the port’s vacant industrial lands on the river, to smaller empty lots and buildings along commercial corridors. This area was established by minorities who were forced to live “east of the tracks”. Today, it remains over 90% minority (mostly Hispanic and Latino), and the 11,000 residents suffer double WA/US unemployment rates and extremely low per capita incomes.
- **Richland:** Located less than 10 miles west of Kennewick on the Columbia River, before WWII Richland was a rural farming community. With the siting of Hanford, residents were relocated to a new master planned community. In a few years, its population exploded from 247 to 21,809 residents. Richland’s **CBD target area** has much higher poverty rates and lower per capita incomes than the rest of the City. Brownfields include a former riverfront landfill and an underutilized mall with a groundwater plume.

The **target areas** suffer from the highest rates of poverty in the TCMA, and activities at Hanford have resulted in the highest rates of thyroid cancer in the state. To improve these conditions, the **Benton-Franklin Council of Governments (BFCG)**, the regional economic development agency, has partnered with **Kennewick, Pasco and Richland** to establish the **Tri-Cities Brownfield Coalition**. The Coalition will leverage \$600,000 of funding in a collaborative effort to restore brownfields to accommodate growth, enhance economic vitality, and strengthen the area’s appeal as thriving, healthy and livable communities.

1.a.ii. Description of Priority Brownfields: In support of this grant application, the Coalition completed a preliminary inventory of brownfields in the historic port and riverfront areas, rail corridors, and aging commercial corridors throughout the **Tri-Cities target areas**. With a legacy of over 130 years of industrial activity associated with the agricultural production, storage, and shipping industries, as well as the closure of dozens of former chemical production and manufacturing facilities related to Hanford, a total of 186 suspect brownfields were identified. A summary of the initial inventory results are as follows:

- The target areas cover 26 square miles; ~54% (~9,000 acres) is classified as vacant or underutilized.
- 453 Sites were identified in the Washington State Department of Ecology’s (Ecology’s) databases.
- 421 Sites were identified in the EPA’s Facility Registration System (FRS) databases.
- **Kennewick OZs Target Area** – 93 Suspected brownfields were identified. Types of brownfields include a former airport, former auto dealership/repair/salvage lots, a former mobile home park, and vacant and underutilized buildings and empty lots along W. Columbia Drive and the Columbia River.

- **Pasco OZ Target Area** – 50 Suspected brownfields were identified. Types of brownfields include industrial land on the river (incl. the marine terminal/former bulk fuel), warehouses, materials and equipment storage, former gas stations, agricultural land, and vacant commercial buildings/empty lots.
- **Richland CBD Target Area** – 43 Suspected brownfields were identified. Types of brownfields include a former landfill on the Columbia River, an aging/underutilized shopping mall with a groundwater plume, former gas stations/auto repairs/car lots, drycleaners, and vacant commercial buildings and empty lots.

The Coalition has identified an initial **six priority brownfields** with near-term redevelopment opportunities that will help address the area's needs. Reuse plans/strategies are discussed in **Section 1.b.i.**

	Priority Brownfields	Description	Location	Former/Current Use	Environmental Concerns (EC)/Contaminants of Concern (COCs)	Funding Needs
Kennewick	Former Vista Field Airport	6 Parcels (100 Acres)	Area bounded by Kellogg, Deschutes, Young & Rio Grande	Former airfield; closed in 2013; planned mixed-use town center	<u>ECs</u> : Former airport, UST, GW impacts. <u>COCs</u> : Petro, Metals, PAHs, PFAs	Phase I/II ESAs
	Empty Blocks on Columbia Drive	17 Parcels (26 Acres)	N Side of W. Columbia Drive, SE of US 395 bridge	Former mobile home park & auto businesses; now vacant	<u>ECs</u> : Salvage yard, HWG, USTs. <u>COCs</u> : Petro, auto fluids, metals	Phase II ESA; CAP
Pasco	Marine Terminal	35 Parcels (56 Acres)	Area bounded by Ainsworth, railroad, Columbia & 10 th	Vacant/underutilized former industrial land at Port of Pasco	<u>ECs</u> : Bulk fuel, substation, cement, USTs. <u>COCs</u> : Petro, metals, PAHs	Phase I/II ESAs
	Gas Station on Lewis Street	1 Parcel (0.72 Acres)	1211 E. Lewis Street	Former gas station near Lewis St. overpass; currently vacant	<u>ECs</u> : Former gas station, USTs. <u>COCs</u> : Petroleum, auto fluids	Phase I/II ESA; Reuse Plan
Richland	Columbia River Landfill Site	4 Parcels (12.1 Acres)	SE of Riverfront Hotel (between Bradley Blvd. & Trail)	Former landfill; currently vacant; planned recreation	<u>ECs</u> : Former landfill. <u>COCs</u> : Refuse, methane, HazSub	Phase II ESA; Reuse Plan
	Uptown Shopping Center	31 Parcels (26.7 Acres)	Area bounded by Symons, G. Washington, Williams & Jadwin	Formerly/currently a 289,717 SF underutilized shopping mall with over 10 acres of parking	<u>ECs</u> : Gas stations, drycleaners, GW plume. <u>COCs</u> : Petro, solvents, RBM.	RBM Survey; Area-Wide Plan (AWP)

USTs = Underground Storage Tanks; GW = Groundwater; Petro = Petroleum. PAHs = Polycyclic Aromatic Hydrocarbons; PFAs = Per- & Polyfluoroalkyl Substances; RBM = Regulated Building Materials; HWG = Hazardous Waste Generator; CAP = Cleanup Action Plan; HazSub = Hazardous Substances.

1.b.i. Overall Plan for Revitalization: The Coalition members have explored revitalization opportunities in the **Tri-Cities target areas** and have developed reuse plans and strategies to transform priority brownfields into vibrant destinations that can support a mix of jobs, housing, recreation, and commerce.

Kennewick OZs Target Area: The City and Port have created plans for each of the target area OZs:

- **Vista Field Master Plan (2017):** This Plan establishes the vision and strategy to redevelop the former airfield into a mixed-use town center with multi-family housing, office/retail space, a performing arts center, parks, and recreation. The project will knit together the street grid to interlink with the adjacent neighborhoods. The Port has begun improvements and the City has adopted flexible mixed-use zoning.
- **Bridge-to-Bridge/River-to-Rail Revitalization Plan (BB/RR; 2010):** The City and Port adopted the BB/RR Plan in 2010 to identify and create redevelopment opportunities for the waterfront and put abandoned sites into productive use. The BB/RR includes capital improvements and catalyst projects to commence redevelopment and reconnect the City with the riverfront. The catalyst projects are underway and include forming public-private partnerships to attract businesses in artisan trades, retail and recreational sectors.

Pasco OZ Target Area: The City and Port have created plans for the target area to accommodate the City's explosive growth and deliver jobs, housing, and sufficient space for industrial/commercial development:

- **Marine Terminal:** This prime riverfront property is planned for future office, multi-family housing, a hotel, and retail arranged as a town center. In 2010 the City completed a master plan to identify the desired urban design and land uses for the property (including a central park and new urban street grid). Plans for the Port's Columbia River Trail are also supported by the City's *Bicycle & Pedestrian Master Plan*.
- **Lewis Street Overpass:** The City's Comprehensive Plan (2007) included plans for an overpass to interconnect downtown and East Pasco with increased freight capacity, pedestrian access, and bicycle lanes. The project will aid revitalization of industrial/commercial sites once hindered by roadway geometry.

Richland CBD Target Area: The City's Comprehensive Plan (2017) established goals to transition its 1950s era auto-centric CBD into a compact, walkable destination. The City is also developing a **Downtown Connectivity Study** with strategies to unite the various subdistricts and catalyst projects, including:

- **Uptown Mall:** The City envisions infill and adaptive reuse of the surface parking lots and empty spaces. Diverse ownership and groundwater contamination have complicated this effort. A Brownfields AWP Study is needed to prepare feasible site reuse plans and strategies supported by the ownership group.
- **Waterfront:** The City envisions connecting the waterfront and CBD with lodging, recreation, and retail. The City is investing in street and utility improvements as well as planning for a new *Cruise Ship Dock*.

In alignment with the plans and goals, site-specific plans/strategies for the **six priority brownfields** include:

	Brownfields	Site-Specific Reuse Plans/Strategies
Kennewick	Former Vista Field Airport	Master planning has been completed to transform the 100-acre former airfield into a mixed-use town center. Construction of roads, utilities, and parks are underway. EPA funding will be used for Phase I/II ESAs and CAPs to support public-private partnerships necessary to complete full-scale revitalization.
	Empty Blocks on Columbia Drive	A developer purchased and cleared the land, however environmental issues have delayed plans for mixed-use development (multi-family, office & retail). EPA funding will be used for Phase II ESAs and a CAP to support a public-private partnership necessary to complete cleanup and redevelopment.
Pasco	Marine Terminal	Master planning has been completed to transform this former riverfront industrial area into a mixed-use town center. Several properties have undergone cleanup and received "No Further Action" status from Ecology. EPA funding will support property acquisitions and plans necessary to complete redevelopment.
	Gas Station on Lewis Street	This site is located near the new Lewis St Overpass – an enhanced gateway into downtown. EPA funding will be used to assess and plan cleanup/reuse of this vacant historic gas station with compliance issues.
Richland	Columbia River Landfill Site	Reuse plans include recreational amenities along the Riverfront Trail. EPA funding will be used to complete a Phase II ESA and address redevelopment constraints associated with its historic use as a landfill.
	Uptown Shopping Center	EPA funding will be used for a Brownfields AWP Study that will identify the areas highest and best use and develop strategies to support infill and adaptive reuse projects necessary for revitalization.

1.b.ii. Outcomes & Benefits of Reuse Strategy. Economic:

The project will spur economic growth in **three opportunity zones** located entirely within the **Tri-Cities target areas**. An estimated **3,593 long-term jobs** (non-construction) could be generated by reuse of Kennewick's Vista Field and Pasco's Marine Terminal alone, which represent 160 acres of redevelopment. The project will also generate significant **tax-based revenue**. Reuse of these two properties alone could generate up to **\$5,270,000/year in property taxes**.

Project	Est. Size/Type	Est. New Jobs ^a
Vista Field Town Center	1,100 Multi-Family 320,000 SF of Office 290,000 SF of Retail	1,056
Marine Terminal	267 Multi-Family 975,744 SF of Office 177,725 SF of Retail	2,537
Estimated Totals	1,367 Res. Units 1.76M SF Other	3,593 Jobs

Non-Economic: Redevelopment will also result in significant non-economic benefits in the target areas:

- **Housing:** Vista Field town center and the Marine Terminal could create up to **1,367** housing units.
- **Sustainable Reuse:** Uptown Shopping Mall alone will include reuse of **289,717 SF of existing structures**.
- **Energy Efficiency:** All projects will meet the International Energy Conservation Code efficiency standards for various features including building envelope, air conditioning, mechanical and lighting, and water service.
- **Parks/Recreation:** Reuse plans for the priority sites include **19.3 acres of parks** and **0.5 miles of riverfront trails**. Further, plans for Richland's landfill include a soccer field, lacrosse fields, skateboard/bike park, and an off-leash dog park; and plans for Vista Field include an 800-seat Performing Arts Center.

1.c.i. Resources Needed for Site Reuse: The Coalition members have an impressive track-record of collaborating to draw upon multiple resources to complete redevelopment projects. For example, the City of Kennewick recently partnered with the Port to develop the 4.2-acre *Columbia Gardens Urban Wine & Artisan Village* (including retail, a food truck plaza, and event spaces) along the river/Columbia Drive, in **Kennewick OZs target area**. Public funding for the project included \$1.1M from the Rural County Capital Fund, \$150,000 from Hanford recovery funds and \$200,000 of the City's general funds. Similarly, for this project the Coalition will draw upon their collective resources to leverage EPA funding with an array of:

- **Supplemental Assessment/Cleanup/Planning:** The Coalition will seek assistance from the following Washington State resources: Ecology's Remedial Action Grants (RAGs) and Integrated Planning Grants (IPGs); Commerce's Brownfield Revolving Loan Fund (BRLF); the Pollution Liability Insurance Agency's (PLIA's) Underground Storage Tank (UST) Loan and Grants; and claims from historic insurance policies.
- **Redevelopment:** The Coalition has and/or will assemble the following resources for redevelopment:
 - **Municipal Bonds:** For large projects, like Vista Field, the Coalition and project partners have a strong history of securing community support for bonds to support infrastructure and redevelopment.
 - **EDA CARES Act Revolving Loan Fund (RLF):** BFCG recently received \$1.54M from the EDA to provide loan and grant funding for businesses significantly impacted by the COVID-19 pandemic. If possible, BFCG will look to support these businesses with opportunities for reusing target area brownfields.
 - **Special Designations:** All or portions of the Tri-Cities target areas have been designated as:
 - **Federal Opportunity Zones (OZs):** Developers can receive tax breaks for capital gains in the BIOZ.
 - **Local Improvement Districts:** The target areas include LIDS, which generate funding for improvements to streets, sidewalks, and utilities, and in turn help attract private investments.

^a Job estimates based on the USEIA's 2016 employment estimates for different amounts/types of development. Number of multi-family jobs based on estimate of 1 job for every 20 units.

- **Business Improvement Districts (BIDs):** Local BIDs (like Richland’s Uptown and Downtown BIDs) assess additional fees to provide enhanced services, which can help attract private investments.
- **Tax Revenue Sharing:** Property/business/utility taxes are set aside for revitalization projects.
- **Public-Private Partnerships:** The Coalition members will continue to leverage public funding to form public-private partnerships to complete redevelopment. Private investments can then leverage an impressive array of resources and redevelopment incentives in the target areas, including:
 - **Historic Investment Tax Credits:** Federal tax and local valuation credits for historic preservation.
 - **Richland Historic Façade Improvement:** Provides up to \$10,000 to rehabilitate historic facades.
 - **Pasco Commercial/Industrial Incentive:** Reimbursement of 2% of project value for projects in the OZ.

1.c.ii. Use of Existing Infrastructure: The target areas are located within fully developed urban areas and the **six priority brownfields** are connected with existing infrastructure, including roads, sidewalks/trails and utilities (sewer, water, power and communications). The project will also focus on sustainable reuse of vacant and underutilized structures like the Uptown Shopping Center. Where demolition of buildings is necessary, the City will establish salvage goals to divert landfill waste and maximize recycling. Finally, the project will leverage the following recent and/or planned improvements within the target areas:

	Name	Description	Status
Kennewick	Vista Field Town Center	\$5M Bond for improvements (roads and utilities) to support reuse	Underway
	Columbia Park Trail	\$800K Interlocal Agreement with Richland for Columbia Park Trail	Completed
Pasco	Marine Terminal Improvements	Master Plan, utilities, and remediation to prepare site for reuse	Completed
	Lewis Street Overpass	\$25.1M Bridge connection between East Pasco and downtown	Underway
Richland	Downtown Connectivity	\$16.6M to reduce congestion, encourage walkability and enhance CBD	Underway
	George Washington Way	\$10.4M for improvements to major N/S thoroughfare through CBD	Complete
	Duportail Bridge	\$40.1M Bridge to connect downtown with shopping district	Nearly Complete

2. COMMUNITY NEED & COMMUNITY ENGAGEMENT:

2.a.i. Community’s Need for Funding: The **Tri-Cities target areas** include 30,000 of the most economically distressed residents in the region, suffering from high poverty rates (as high as 29.6% in Kennewick = double WA/US averages) & low per capita incomes (as low as \$15,793 in Pasco = <50% WA/US averages).

Data Type ¹	Tri-Cities Target Areas			City of Kennewick	City of Pasco	City of Richland	Benton County	Franklin County	Washington State	United States
	Kennewick OZs (CTs 109, 113)	Pasco OZ (CT 201)	Richland (CTs 105, 106)							
Total Population	11,030	10,979	7,887	86,101 ²	77,540 ²	60,475 ²	208,725 ²	98,807 ²	7.3M	323M
5-yr Unemployment	5.2%	6.9%	2.9%	3.4%	3.8%	3.2%	3.2%	3.7%	3.4%	3.7%
Poverty Rate	29.6%	12.6%	16.8%	16.9%	16.5%	8.5%	12.8%	15.7%	11.5%	14.1%
Per Capita Income	\$20,288	\$15,793	\$25,971	\$26,366	\$23,159	\$39,242	\$31,580	\$23,373	\$36,888	\$32,621
Households with FS/SNAP	28.1%	33.0%	18.9%	17.8%	19.7%	9.8%	13.5%	18.7%	12.5%	12.2%
Minority Population	47.5%	91.4%	28.2%	34.6%	61.4%	22.5%	29.1%	59.3%	30.9%	38.9%
%Hispanic or Latino	38.9%	87.5%	19.3%	26.4%	55.1%	11.1%	21.3%	52.8%	12.5%	17.8%
High School Graduate	79.8%	43.9%	95.1%	87.5%	74.4%	95.9%	90.1%	74.8%	91.1%	87.7%
Bachelor’s Degree	14.5%	4.5%	24.0%	23.5%	18.3%	43.0%	30.0%	17.3%	35.3%	31.5%
Land Area (sq. miles)	7.9	13.4	4.7	26.9	30.5	35.7	1,700	1,242	66,455	3.53M

¹2014-2018 American Community Survey; ²2020 Estimate. **Bold/shading** indicates results that are greater than or less than the State and/or national averages, depending on factor; OZ = Opportunity Zone(s); CT = Census Tract; FS = Food Stamp; SNAP = Supplemental Nutrition Assistance Program.

Despite being the third largest metro area in WA by population, the TCMA lags considerably in terms of wealth. The statistics for the TCMA highlight the result of decades of unequal growth. Besides work in research and remediation at Hanford, major regional employment sectors include lower paying jobs in food processing and retail^b, resulting in a large disparity in incomes. The **Tri-Cities target areas** have suffered from disinvestment for decades, making the financial viability of redevelopment challenging. Property values are significantly depressed, and rental projections are not high enough to provide a sufficient return on investment for new construction. The Coalition members are improving the real estate fundamentals through investments in infrastructure and redevelopment incentives, however, the costs/challenges of addressing legacy contamination make many brownfield projects “pencil in the red.” The Coalition must take a lead role in providing assistance in overcoming environmental conditions to

^b Tri-City Development Council (<https://www.tridec.org/major-employers/>)

catalyze revitalization, however, they lack the resources to fund the assessment/planning activities requested in this application. \$600,000 of EPA funding will provide community stakeholders with access to critical funding they would otherwise not have capacity to apply for or manage on their own, and will serve as the foundation for initiating a collaborative effort to restore brownfields throughout the region.

2.a.ii. Threats to Sensitive Populations: (1) Welfare: As noted in Section 2.a.i, the **Tri-Cities target areas** include some of the highest concentrations of low income and minority populations in the TCMA. Further, as shown in the table, EPA's Environmental Justice Screening Tool (EJSCREEN), reports that the target areas also exceed the 75th percentile in WA State for concentrations of overall/combined sensitive populations, linguistically isolated populations, those with less than a High School (HS) education, and children under 5 years old. As noted in Section 1.b.ii, redevelopment of the **six priority brownfields**

Sensitive Population Categories ^c	Tri-Cities Target Areas (Percentile in WA State)		
	Kennewick	Pasco	Richland
Overall	86	97	69
Low Income	76	98	54
Minority	88	92	77
Linguistically	81	99	43
< HS Education	90	99	37
Children Under 5	70	88	86
Bold/Shaded indicates factors ≥ 75th %tile.			

will bring much needed **economic relief** by attracting new businesses that will provide short-term (construction) and long-term (non-construction) employment opportunities. This will create a positive feedback loop that will reduce poverty and demand for welfare assistance, and dramatically improve the outlook for the next generation. Aside from poverty, the 2nd biggest welfare issue in the target areas is **lack of quality/affordable housing**. For example, Pasco is the fastest growing of the Tri-Cities, and one of the fastest growing areas in WA. From 2000-2020, the City's population more than doubled, from 32,066 to 77,540. As a result, according to the 2014-2018 American Community Survey 5-year data, the housing vacancy rate in Pasco is only 2.6% (< 1/4 the US average), whereas the average household size is 4.2 (>1.5X the US. Average). The exploding population, lack of housing inventory and extremely low incomes are compounding factors in the housing crisis. As noted in Section 1.b.ii, redevelopment of Pasco's Marine Terminal, Kennewick's Vista Field town center, and several other priority brownfields will provide a substantial amount of multi-family housing units and aid in accommodating the incredible growth.

(2) Greater Than Normal Incidence of Disease & Health Conditions: The Tri-Cities boomed as a result of being located next to Hanford, referred to as "the most toxic place in America." Ongoing releases of radioactive material, including airborne releases of Iodine-131, a thyroid toxicant, have resulted in Benton & Franklin Counties having the 1st and 2nd highest rates of thyroid cancer in WA^e. Although remediation is occurring to address radionuclides and the carcinogen hexavalent chromium, the Dept. of Energy's 2019 report indicates that pollution is still being measured in water seeping into the Columbia River^f.

Benton and Franklin Counties are ranked 34th and 38th out of WA's 39 counties for physical environment issues that impact health; and for clinical care they rank 23rd and 38th. Among regional environmental stressors impacting residents is airborne particulate matter (PM), which is found at above average levels in

Health Factors & Outcomes ^d	Rankings			
	Benton County	Franklin County	WA State	Top U.S. Performers
Individuals in Poor Health	16%	21%	16%	12%
Physicians per Resident	1:1,470	1:4,190	1:1,180	1:1,030
Air Pollution (Avg. PM2.5)	9.2	9.4	7.4	6.1
Hospital Stays (per 100K)	4,336	3,843	2,969	2,761

Benton and Franklin Counties when compared to WA. PM inhalation is associated with respiratory issues including increased asthma diagnoses and shortened life expectancy; Benton and Franklin Counties rank 15th and 5th, respectively, for asthma-related hospitalizations in the state^g. Residents of the Tri-Cities are challenged with cumulative health impacts related to both regional contamination and poor air quality, as well as localized contamination such as asbestos and lead-based paint in aging boomtime era buildings. Reducing the burden of contamination associated with exposures will improve health outcomes, and new development will not only improve the economic outlook, it will also improve health with building design features and smart planning for walkable urban centers, riverfront trails, parks and other amenities.

(3) Disproportionately Impacted Populations: As demonstrated in the Environmental Justice Indicators table, sensitive populations within the **Tri-Cities target areas** are above the 75th percentile in WA for

^c Generated using EPA Environmental Justice Screening (EJSCREEN) Tool on 10/14/20.

^d Robert Wood Johnson Foundation. County Health Rankings & Roadmaps. 2020 County Health Rankings, Washington

^e National Cancer Institute. State Cancer Profiles. *Incidence Rate Report for Washington by County: Thyroid (2013-2017), All Races, Both Sexes, All Ages* (<https://statecancerprofiles.cancer.gov/map/map.withimage.php?53&county&001&080&00&0&01&0&1&5&0#results>)

^f Department of Energy, 2020. Hanford Annual Site Environmental Report For Calendar Year 2019. DOE/RL-2020-26 Rev 0. September.

^g WA Dept. of Health. *The Burden of Asthma in Washington State, 2013 Update*.

disproportionate burden and exposure to nearly all air quality and other sources of pollution. The past governmental policies that lead to placing minority and low-income communities into areas with unrestricted land use and siting of highways, have resulted not only in legacy soil and groundwater contamination, but also ongoing air pollution. Minority neighborhoods have been burdened with high traffic/industrial arterials, and thoughtfully planned infill development – like the property town centers at Vista Field and the Marine Terminal, is necessary to alleviate the impacts of industry and vehicles. Through assessment and cleanup planning activities, the project will help reduce health threats to area residents:

- **Air Pollutants:** One of the primary health issues in the target area is asthma and other respiratory ailments associated with exposure to air pollutants from major sources like vehicle emissions. Infill development will help reduce urban sprawl and facilitating “town center” and transit-oriented development (TOD) will provide opportunities for residents to live closer to public transit options and living wage jobs, further reducing reliance of vehicles and overall emissions.
- **Hazardous Substances:** The grant will be used to identify legacy soil/groundwater contamination associated with brownfields in the target areas, and to identify remedial measures necessary to address those threats at priority brownfields. For example, grant funds will be used to complete RBM Surveys to remove asbestos/lead-based paint from historic structures in support of sustainable reuse projects, such as the revitalization of Richland’s Uptown Mall.

Environmental Justice Indicators ^h	Tri-Cities Target Areas (Percentile in WA State)		
	Kennewick	Pasco	Richland
Particulate Matter (PM)	88	99	68
Ozone	87	99	68
Diesel PM	82	96	67
Air Toxics Cancer Risk	83	98	69
Respiratory Hazard	83	98	69
Lead Paint Indicator	91	94	44
Superfund Proximity	84	99	67
Hazardous Waste	79	94	71
Wastewater Discharge	97	98	97
Bold/Shaded indicates factors ≥ 75th %tile.			

2.b.i. Project Involvement & 2.b.ii. Project Roles: The Coalition has identified numerous community partners to help guide grant implementation and bring important community voices to the table. The following partners will be consulted for input on site prioritization, selection and reuse planning, participation on the Brownfield Advisory Committee (BAC), stakeholder outreach, and/or to help connect projects to additional funding sources. Additional partners will be recruited during the project as needed.

Organization	Contact Name & Info	Organization Purpose & Project Role
City of Kennewick	Evelyn Lusignan, Gov’t Affairs Director 509-585-4265 evelyn.lusignan@ci.kennewick.wa.us	Purpose: Coalition partners and local gov’ts; provide public services, review/approve development permits, & planning. Role: As Coalition members, each city will support all phases of the project. Support community & property-owner outreach; facilitate planning activities; promote grant benefits to property owners; provide property data; integrate project outcomes into local policy.
City of Pasco	Rick White, Community Development Director 509-545-3441 whiter@pasco-wa.gov	
City of Richland	Joe Jacobs, Economic Development Manager 509-942-7583 jjacobs@ci.richland.wa.us	
Port of Kennewick	Larry Peterson, Director of Planning & Dev. 509-586-1186 lpeterson@portofkennewick.org	Purpose: Facilitate redevelopment for housing, industry, & jobs; improve infrastructure; recruit tenants Role: Key partner on projects in Kennewick and Pasco.
Port of Pasco	Myra Reyna, Director of Properties 509-547-3378 mreyna@portofpasco.org	
Washington State Dept. of Ecology	Valerie Bound, Central Regional Office 509-454-7886 valerie.bound@ecy.wa.gov Kathy Falconer, Eastern Regional Office 509-329-3568 kathy.falconer@ecy.wa.gov	Purpose: Protect human health and the environment. Role: Provide technical advising, petroleum eligibility, & funding support. Valerie will oversee sites in Benton County and Kathy will oversee sites in Franklin County.
Washington State Dept. of Commerce	Tina Hochwender, Managing Director of Community Assistance & Research Unit 360-725-3087 tina.hochwender@commerce.wa.gov	Purpose: Enhance WA business climate & manage state growth management act (GMA) land use activities. Role: Provide funding support for brownfield cleanup/reuse.
Benton-Franklin Health District	Jason Zaccaria, District Administrator 509-460-4200 jasonz@bfhd.wa.gov	Purpose: Protect health & facilitate disease prevention. Role: Support community outreach; advise on health issues.
Tri-City Develop. Council (TRIDEC)	Traci Jao, Director of Business Recruitment 509-735-1000 tjao@tridec.org	Purpose: Promote tourism/business recruitment. Role: Serve on the BAC; liaison with owners/tenants.
Downtown Pasco Dev. Authority	Gustavo Gomez, Director 509-546-1304 ggomez@downtownpasco.com	Purpose: Facilitate business recruitment/retention. Role: Serve on the BAC; inform site selection; advise on reuse.
Uptown Business Imp. District (BID)	Gus Sako, President 509-946-0077	Purpose: Manages local maintenance & capital projects. Role: Serve on BAC; site selection; inform mall planning effort.
Historic Downtown Kennewick	Stephanie Button 509-582-7221 stephanie@historickennewick.org	Purpose: Promotes vitality & redevelopment in downtown. Role: Advise the BAC on site prioritization & reuse, support stakeholder outreach; inform planning efforts in downtown.
Tri-Cities Regional Chamber of Commerce	Laurie Mattson, President & CEO, 509-736-0510 lori.mattson@tricityregionalchamber.com	Purpose: Promote & advocate for regional businesses. Role: Serve on the BAC; support economic development strategies; promote grant; business outreach.
Tri-Cities Hispanic Chamber of Commerce	Martin Valadez, President 509-542-0933 mvaladez@columbiabasin.edu	Purpose: Promote & advocate for Hispanic-owned businesses Role: Serve on the BAC; assist with outreach to the Hispanic community; liaison with property-owners/tenants.

^h Generated using EPA Environmental Justice Screening (EJSCREEN) Tool on 10/14/20.

Sustainable Tri-Cities	James Wise, President alscboard@alsctc.org	Purpose: Advocates for sustainable solutions for the region. Role: Advise the BAC on reuse projects that promote mixed-use & ped/bike mobility; advise on env. restoration.
Housing Authorities of Benton/Franklin	Kathy Jones, 509-547-3581, kjones@hacpfc.org Lona Hammer, 509 586-8576, lhammer@kennewickha.org	Purpose: Provide/support affordable housing programs. Role: Serve on the BAC; Inform site prioritization and planning efforts to provide diverse, quality housing in the target areas.

2.b.iii. Incorporating Community Input: The Coalition prides itself on its robust outreach program that uses diverse methods of communication. This approach provides equal access to project info for sensitive populations (including non-English populations) and residents of all generations. Typical forms of communication include public notice boards, postcard mailings, factsheets, comment cards, neighborhood meetings, public service announcements (PSAs) on radio stations, articles in local newspapers and online journals, electronic newsletters/e-blasts, and social media. Project updates and info will also be relayed via a project-specific webpage created on the BFCG's website. All outreach materials (webpage content, public notices, fact sheets, posters, site nomination form, etc.) will be developed in both English and Spanish to support outreach to the large Hispanic community. When safe to do so (and in alignment with COVID-19 protocols), additional engagement strategies proven successful on past projects will be used, including walking tours, bus tours, and pop up stands at parks and libraries.

Project fact sheets and other reference materials will be created for the project webpage and distributed at public facilities (e.g. libraries, community centers, churches, transit stations) and all public literature will include a statement that citizens may request alternative formats or special accommodations. Community meetings will be accessible to those who rely on public transit and will be held at ADA-compliant facilities in the target areas to ensure equal access to sensitive populations and residents. Special outreach efforts (e.g. translation services for non-English speaking and hearing impaired) will be also be used as needed to provide equal access to project info. To reach the broadest audience possible, the Coalition 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, the Coalition anticipates hosting 3-4 BAC meetings/year and 2-3 neighborhood meetings/year as well as sharing project information at the BFCG's monthly Board meetings and other outreach events hosted in support of relevant projects. In response to the COVID-19 pandemic, initial BAC and other outreach meetings may be held via teleconference and/or on-line video conferencing platforms such as Zoom. Once in-person meetings are deemed safe, the Coalition will use appropriate social distancing practices and host meetings outdoors when feasible. These meetings will still be made available via Zoom for those who are unable to attend in-person or prefer to participate virtually. This thoughtful "information out, feedback in" process will continue throughout the redevelopment process.

3. TASK DESCRIPTIONS, COST ESTIMATES & MEASURING PROGRESS:

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

Task 1 – Project Management, Reporting & Other Eligible Activities
i. Project Implementation: BFCG will oversee contractor activities and manage all aspects of the project in accordance with the Cooperative Agreement (CA). At BFCG's direction, the consultant [a/k/a Qualified Environmental Professional (QEP)] may assist with reporting (quarterly/final reports, ACRES updates, annual DBE and Financial Reports, etc.) and other activities identified in the Work Plan. BFCG will facilitate monthly check-in meetings with the Coalition. Up to 4 Coalition staff will attend one regional & one national brownfields conference.
ii. Anticipated Project Schedule: Activities will be ongoing throughout the 3-year project period.
iii. Task/Activity Lead(s): BFCG with support from the consultant.
iv. Output(s): 12 Quarterly Reports; 1 Final Performance Report; 3 DBE Utilization Reports; 3 Federal Financial Reports; prompt ACRES updates; 2 conferences attended by up to 4 Coalition personnel; and monthly meetings.
Task 2 – Community Engagement & Site Selection
i. Project Implementation: As detailed in Section 2.b, community engagement will include establishing a diverse Brownfield Advisory Committee (BAC) comprised of the Coalition, project partners, property/business owners and residents. A project webpage will be created on BFCG's website and fact sheets will be developed. The BAC will review and prioritize sites nominated for grant funding. An inventory of sites will be developed for the Columbia Drive (Kennewick) and Pasco OZ areas. Inventory data, combined with a focused AWP (part of Task 4), will be leveraged to identify catalyst projects that are most likely to spur reinvestment in this area. The inventory will be linked to the Coalition's geographic info system (GIS) to maximize its long-term value as a planning resource.
ii. Anticipated Project Schedule: The project webpage and fact sheets will be developed during the first quarter (1Q). The BAC will be convened quarterly with the first meeting during 1Q. The inventory will be completed by 3Q.
iii. Task/Activity Lead(s): The BFCG will lead outreach with support from the consultant, Coalition and project partners. The Coalition and BAC will lead site prioritization efforts. The consultant will maintain the inventory.

iv. Output(s): Updated project webpage, fact sheets & site nomination form; ~10 BAC meetings; ~12 other stakeholder meetings; 2 Brownfield inventories (Kennewick & Pasco); List of all sites nominated/approved.

Task 3 – Phase I/II ESAs & RBM Surveys

i. Project Implementation: At least one priority site will be selected by each Coalition member. The QEP will prepare Eligibility Determination (ED) requests for sites prioritized by the Coalition and BAC. The QEP will conduct Phase I ESAs for ~12 sites in accordance with the AAI Final Rule and the ASTM E1527-13 Phase I ESA Process. The QEP will complete Phase II ESAs for ~8 sites and RBM Surveys for ~5 sites. Prior to initiating sampling or other field activities, the QEP will develop a Master Quality Assurance Project Plan (QAPP) for EPA and Ecology approval. The QEP will also prepare Sampling and Analysis Plans (SAPs) and Health and Safety Plans (HASPs) for each site selected for a Phase II ESA/RBM Survey. The SAPs will be submitted to EPA and Ecology for approval prior to fieldwork.

ii. Anticipated Project Schedule: Year 1: Master QAPP, 4 Phase I ESAs, 3 Phase II ESAs, 2 RBM Surveys
Year 2: 6 Phase I ESAs, 4 Phase II ESAs, 3 RBM Surveys | Year 3: 2 Phase I ESA, 1 Phase II ESA

iii. Task/Activity Lead(s): The QEP will lead technical work at the direction of BFCG. Property Access Agreements will be secured by BFCG. The QEP will assist with EDs with assistance from the Coalition members as needed.

iv. Output(s): 12-18 EDs; 1 Master QAPP; 12 Phase I ESAs; 8 Phase II ESAs; 5 RBM Surveys; Access Agreements

Task 4 – Cleanup/Reuse Plans & AWP

i. Project Implementation: The QEP will prepare Analysis of Brownfield Cleanup Alternatives/Corrective Action Plans (ABCAs/CAPs) for ~4 sites. The QEP will develop reuse plans/ feasibility studies for ~4 catalyst sites and one AWP for the **Uptown Shopping Mall** in Richland in support redevelopment and adaptive reuse goals.

ii. Anticipated Project Schedule: Year 1: 1 ABCA/CAP | Years 2/3: 3 ABCAs/CAPs, 4 Reuse Plans, 1 AWP

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

iv. Output(s): 4 ABCAs/CAPs; 4 Site Reuse Plans; 1 AWP deliverable

3.b. Cost Estimates: The table below provides a breakdown of estimated costs by task. An average rate of \$150/hour was used for QEP services and \$50/hour was used for BFCG staff (\$35/hr for personnel + \$15/hr for fringe benefits). **Over 50% of grant funds (\$335,000 of QEP services) are allocated for ESAs.**

Task 1: Project Mgmt., Reporting & Other Eligible Activities (Total = \$37,750 Direct Costs)
Personnel & Fringe Total: \$8,750 (\$6,125 personnel + \$2,625 fringe benefits) • 36 monthly check-in meetings: \$4,000 (40 hours x \$50/hr [= \$35/hr personnel + \$15/hr fringe] x 2 staff) • CA Management & Reporting Activities: \$4,750 (95 hours x \$50/hr) Contractual Total: \$21,000 • 36 monthly check-in meetings: \$12,000 (40 hours x \$150/hr x 2 staff); Reporting: \$9,000 (60 hrs x \$150/hr) Travel Total: \$6,400 • National Brownfields Conference: \$4,000 (\$1,000/person x 4 Coalition staff) • Regional/State Brownfields Conference: \$2,400 (\$600/person x 4 Coalition staff) Other Total: \$1,600 • Conference Registration Fees: \$1,600 (\$200/person/event x 4 Coalition staff x 2 events)
Task 2: Community Engagement & Selection (Total = \$50,750 Direct Costs)
Personnel & Fringe Total: \$8,750 (\$6,125 personnel + \$2,625 fringe benefits) • BAC & Stakeholder Meetings: \$5,000 (50 hours x \$50/hr x 2 staff) • Create/Maintain Project Website: \$2,500 (50 hours x \$50/hr); Inventory: \$1,250 (25 hours x \$50/hr) Contractual Total: \$42,000 • BAC & Stakeholder Meetings: \$18,000 (60 hours x \$150/hr x 2 staff) • Develop Project Fact Sheets, Site Nomination Form & Webpage Content: \$6,000 (40 hours x \$150/hr) • Develop site inventories for Columbia Drive (Kennewick) & Pasco OZ areas: \$18,000 (120 hours x \$150/hr)
Task 3 – Phase I/II ESAs & RBM Surveys (Total = \$354,250 Direct Costs)
Personnel & Fringe Total: \$6,250 (\$4,375 personnel + \$1,875 fringe benefits) • Site Eligibility Requests, Property Access Agreements & Deliverable Review: \$6,250 (125 hours x \$50/hr) Contractual Total: \$348,000 • Site eligibility requests: \$6,000 (12 sites x \$500/site) • Phase II ESAs: \$240,000 (8 sites x \$30,000/site) • Master QAPP: \$7,000 (1 QAPP x \$7,000/QAPP) • RBM Surveys: \$35,000 (5 sites x \$7,000/site) • Phase I ESAs: \$60,000 (12 sites x \$5,000/site)
Task 4 – Cleanup/Reuse Plans & AWP (Total = \$157,250 Direct Costs)
Personnel & Fringe Total: \$6,250 (\$4,375 personnel + \$1,875 fringe benefits) • AWP Activities & Deliverable Review: \$6,250 (125 hours x \$50/hr) Contractual Total: \$151,000 • ABCAs/CAPs: \$32,000 (4 sites x \$8,000/site); Site Reuse Plans: \$40,000 (4 site x \$10,000/site) • Brownfield AWP for the Uptown Shopping Center (Richland) : \$79,000 (1 area x \$79,000/area)

A summary of the proposed budget for grant funded activities is provided in the following table. Grant funds are not requested for equipment, supplies, or indirect costs and these categories are not included.

Budget Categories	Task 1: Project Mgmt, Reporting & Other	Task 2: Engagement & Site Selection	Task 3: Phase I/II ESAs & RBM Surveys	Task 4: Cleanup/Reuse Plans & AWP	Total
Personnel	\$6,125	\$6,125	\$4,375	\$4,375	\$21,000
Fringe Benefits	\$2,625	\$2,625	\$1,875	\$1,875	\$9,000
Travel*	\$6,400	-	-	-	\$6,400
Contractual	\$21,000	\$42,000	\$348,000	\$151,000	\$562,000
Other**	\$1,600	-	-	-	\$1,600
Total (Direct Costs)	\$37,750	\$50,750	\$354,250	\$157,250	\$600,000

*4 Coalition staff will attend one regional & one national brownfields conference. **Registration fees for 4 Coalition staff to attend 2 events.

3.c. Measuring Environmental Results: The status and estimated completion dates for **outputs** will be tracked and reported to EPA via calls with the Project Officer, Performance Reports and ACRES updates. Between meetings and reports, the following **outputs** will be tracked on a spreadsheet maintained by BFCG: (1) # of sites nominated; (2) # of sites prioritized for funding; (3) # of Phase I ESAs; (4) # of Phase II ESAs; (5) # of RBM Surveys; (6) # of ABCAs/CAPs; (7) # of site reuse plans; and (8) # of community meetings. The anticipated **short- and long-term outcomes** identified in Section 1.b.ii will also be tracked and reported to EPA. Additionally, BFCG will update ACRES property profiles beyond the life of the grant to fully capture long-term outcomes and successes. BFCG will track and evaluate the following outcomes: (1) # of sites cleaned up and # No Further Action (NFA) determinations; (2) # of property title transfers; (3) # of sites and acres redeveloped; (4) private investment and other funding leveraged; (5) # of jobs created; (6) property tax revenue generated; and (7) # of in-kind hours contributed to the project. By using the detailed tracking mechanisms described above, BFCG will be able to confirm the project is progressing as planned and monitor key performance indicators to ensure the project progresses on schedule and addresses EPA objectives and community goals.

4. PROGRAMMATIC CAPABILITY & PAST PERFORMANCE:

4.a.i. Organizational Structure / 4.a.ii. Description of Key Staff: As the Coalition lead, the Benton-Franklin Council of Governments (BFCG) will administer the grant and be accountable to EPA for management of the CA and compliance with grant terms and conditions. BFCG will oversee the consultant/contractor who will implement technical activities. BFCG will use a four-person management team that will oversee all aspects of the project to ensure timely completion of key milestones. **Governance Structure:** Immediately following notice of grant award, the Coalition will execute a Memorandum of Agreement (MOA) with the Coalition members – the Cities of Kennewick, Pasco and Richland. The MOA will document the roles and responsibilities of each Coalition member and specify that grant funds will be used to conduct assessments at a minimum of one priority site within the jurisdiction of each member. BFCG will use a collective governance that includes facilitating monthly check-in calls with all Coalition members to ensure each community is meaningfully involved in all aspects of the project and clear internal objectives are established in support of successful expenditure of grant funds. The Brownfield Advisory Committee (BAC; see Section 2.b) will include each Coalition member as well as other project partners that will guide the site prioritization process and assist with stakeholder outreach. Descriptions of the roles/responsibilities of BFCG staff include:

- **Davin Diaz, Economic Development Manager, BFCG:** Davin began his career working in the Environmental Justice sector where he learned about the important intersection of environmental policy and the community. He has 15+ years in project management, community revitalization, downtown and creative district planning. Davin has extensive experience in grant management, policy making, and is particularly skilled in government and community relations. *As Project Director, Davin will oversee all phases of the program and be responsible for ensuring successful completion of the project.*
- **Fatima Traore, Economic Development Coordinator & Loan Officer, BFCG:** Fatima has 17 years of experience and is a Certified Economic Development Finance Professional. She is responsible for administering the Regional Revolving Loan Fund (RRLF) and the Columbia Regional Economic Development Trust (CREDiT) loan portfolios, and preparing documentation to support development of contracts, including loan agreements and contracts with federal, state and local agencies. *As the Brownfield Grant Project Manager, Fatima will manage project financials, participate in BAC meetings, inform site inventory/prioritization and AWP efforts, and assist with review of technical deliverables.*
- **Magdelyn Monroy, Project Coordinator & Office Manager, BFCG:** Magdelyn is responsible for yearly updates to the Comprehensive Economic Development Strategy (CEDS) and developing outreach materials including updates to the website, flyers, social media updates in addition to communications with local City content managers to further community outreach efforts. *Magdelyn will support day-to-day project activities, coordinate site access, develop outreach materials, and complete reporting.*

Additionally, each Coalition member has assigned a lead staff person to support grant-funded activities:

- ***Evelyn Lusignan, Public Relations & Government Affairs Director, City of Kennewick:*** For the past 8 years, Evelyn has been responsible for public relations, managing communications, developing public involvement strategies, and providing leadership and direction to the Customer Service Division and the cross-functional Economic Development team. *She will participate in monthly meetings with the Coalition, serve on the BAC, inform site prioritization, and lead stakeholder outreach for Kennewick.*
- ***Rick White, Community & Economic Development Director, City of Pasco:*** Rick has worked in Community Planning for over 30 years. Prior to serving in his current role in Pasco, he worked for the City of Kennewick. He has a special interest in community development and provision of public infrastructure that enables commercial and industrial growth. *Rick will participate in monthly meetings with the Coalition, serve on the BAC, inform site prioritization, support outreach and review deliverables.*
- ***Joe Jacobs, Economic Development Manager, City of Richland:*** Joe has extensive experience developing plans, development codes and implementation measures. As the City's Project Manager for all phases of the grant project, he will oversee assessment and planning activities for sites in Richland and ensure tasks are performed as defined in the work plan. *Role: Participate in monthly meetings with the Coalition, serve on the BAC, inform site prioritization, support outreach and review technical deliverables.*

4.a.iii. Acquiring Additional Resources: The BFCG and its Coalition members have additional planning, business development, and support staff in Richland, Kennewick and Pasco to assist with the project. The BFCG also has proactive succession planning should unforeseen events take place. The BFCG's Board will lead the recruiting process and provide interim staff resources to support efficient transitions. Succession plans will eliminate project delays and ensure staff who may be reassigned to the project have appropriate qualifications and experience. **Contractor Procurement:** The BFCG routinely procures contractor services and has procedures in place to acquire these services through a competitive qualifications-based process. In 2020, BFCG completed a procurement process in conformance with 2 CFR 200.317 - 200.326 to select a team of consultants to assist with grant implementation activities. The contractor will support reporting activities and complete all technical and planning deliverables. Advanced contractor procurement will allow the Coalition to commence implementation activities immediately upon execution of the MOA and CA.

4.b.ii. Has Not Received EPA Brownfield Grants but Has Received Other Assistance: (1) Accomplishments:

(1.) 2015-2016 US Dept. of Commerce Economic Development Administration (EDA), Planning Partnership Investment Grant: BFCG was awarded \$75K to prepare and implement the annual Comprehensive Economic Development Strategy (CEDS) for Benton and Franklin Counties. Accomplishments included assisting local cities, counties, ports and community-wide development organizations with the implementation of their strategic economic development programs; work with rural communities to implement economic strategies that are consistent with their respective comprehensive and capital facilities plan; serve as a financial liaison between local businesses and lending partners by providing lending/funding support; continue to improve technical and business planning assistance to area businesses; collect, analyze and distribute information regarding the economic climate (e.g. census data, updates and forecasts); and partner with public and private sector entities to provide relevant business training throughout the region.

(2.) 2019 US Dept. of Transportation (DOT) Unified Planning Work Program Assistance: BFCG received a \$73K grant to develop a travel demand model and data forecasts for future demand for roadway and transit facilities. The model is a critical tool for serving BFCG's member agencies for land use development initiatives and evaluation of potential projects with regional impacts. The model also calculates the share of trips completed by a combined bicycle/pedestrian mode. The demand model developed using DOT funds has been a critical tool for BFCG and its partner agencies in ongoing planning for a transportation system that serves the future needs of the region and aids in reducing sprawl and associated vehicle emissions.

(3.) 2020 EDA, CARES Act RLF: BFCG was awarded a \$1.54M RLF to help businesses rebound from the effects of COVID-19. The RLF is currently accepting applications from businesses who have been impacted by the pandemic and may need help to restart/reopen as business restrictions are eased. BFCG is evaluating funding applications received to date and working with other economic development agencies for targeted outreach to businesses who may need loan funds, particularly micro business - many of which are minority- and women-owned. BFCG anticipates providing loans and subgrants ranging from \$100K up to \$500K.

4.b.ii.(2) Compliance with Grant Requirements: The grants identified above are the three most recent awarded to the BFCG by the EDA and DOT. The BFCG has successfully complied with the terms and conditions of the grant-funded projects identified above. Due to BFCG's excellent project and grant management efforts, no corrective measures were required. All deliverables have been completed on time and the expected results were achieved (or are currently on track to be achieved for the 2020 EDA Grant). Further, the BFCG has an excellent track record of adhering to project work plans, schedules, budgets, and terms/conditions on projects they manage. Through careful administration and oversight of grant funds, **BFCG has met or exceeded the project goals**, and is on target to meet all metrics defined for the 2020 Grant.

ATTACHMENT A

Threshold Criteria Responses

Threshold Criteria for Assessment Grants

1. APPLICANT ELIGIBILITY: All four Coalition members are eligible applicants for EPA Brownfields Assessment Grants. Detailed eligibility information is provided below.

(a) Eligibility of Lead Entity: The Benton-Franklin Governmental Conference was established as a voluntary association of the units of local government in the two-county region in 1966. The official name was changed to Benton-Franklin Regional Council (BFRC) in May 1991 and to the Benton-Franklin Council of Governments (BFCG) in 1998. The Benton-Franklin Council of Governments is structured under state law as a regional planning commission (RCW 36.70.060), a council of governments (RCW 36.64.080), and a Regional Transportation Planning Organization (RTPO) (RCW 47.80.020).

Eligibility documentation for the BFCG is provided as **Attachment B** and includes the following:

- Governmental Code confirming the Agency's authority and eligibility to receive grant funding (RCW 36.70.060).
- Interlocal Agreement (Approved September 18, 2020)
- Bylaws (Amended September 18, 2020)
- Resolution No. 12-20 authorizing adoption of the bylaws and interlocal agreement.

(b) Eligibility of Coalition Members: The Cities of Kennewick, Richland and Pasco are each defined as a "general purpose unit of local government" as that term is defined under 2 CFR 200.64. Therefore, all the coalition members are eligible to receive EPA Brownfields Assessment Grant funding. Letters of commitment are provided as **Attachment C**.

2. COMMUNITY INVOLVEMENT: The Coalition prides itself on its robust outreach program that uses diverse methods of communication. This approach provides equal access to project info for sensitive populations (including non-English populations) and residents of all generations. Typical forms of communication include public notice boards, postcard mailings, factsheets, comment cards, neighborhood meetings, public service announcements (PSAs) on radio stations, articles in local newspapers and online journals, electronic newsletters/e-blasts, and social media. Project updates and info will also be relayed via a project-specific webpage created on the BFCG's website. All outreach materials (webpage content, public notices, fact sheets, posters, site nomination form, etc.) will be developed in both English and Spanish to support outreach to the large Hispanic community. When safe to do so (and in alignment with COVID-19 protocols), additional engagement strategies proven successful on past projects will be used, including walking tours, bus tours, and pop up stands at parks and libraries.

Project fact sheets and other reference materials will be created for the project webpage and distributed at public facilities (e.g. libraries, community centers, churches, transit stations) and all public literature will include a statement that citizens may request alternative formats or special accommodations. Community meetings will be accessible to those who rely on public transit and will be held at ADA-compliant facilities in the target areas to ensure equal access to sensitive populations and residents. Special outreach efforts (e.g. translation services for non-English speaking and hearing impaired) will be also be used as needed to provide equal access to project info. To reach the broadest audience possible, the Coalition 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, the Coalition anticipates hosting 3-4 Brownfield Advisory Committee (BAC) meetings/year and 2-3 neighborhood meetings/year as well as sharing project information at the BFCG's monthly Board meetings and other outreach events hosted in support of relevant projects. In response to the COVID-19 pandemic, initial BAC and other outreach meetings may be held via teleconference and/or on-line video conferencing platforms such as Zoom. Once in-person meetings are deemed safe, the Coalition will use appropriate social distancing practices and host meetings outdoors when feasible. These meetings will still be made available via Zoom for those who are unable to attend in-person or prefer to participate virtually. This thoughtful "information out, feedback in" process will continue throughout the redevelopment process.

3. EXPENDITURE OF ASSESSMENT GRANT FUNDS: Not applicable. (BFCG has never received an EPA Brownfields Assessment Grant.)

ATTACHMENT B

Documentation of Applicant Eligibility

Eligibility Documentation for the COG includes the following:

- Governmental Code
- Interlocal Agreement (Approved September 18, 2020)
- Bylaws (Amended September 18, 2020)
- Resolution No. 12-20 (Authorizes adoption of bylaws and interlocal agreement.)

RCW 36.70.060

Regional planning commission — Appointment and powers.

A county or a city may join with one or more other counties, cities and towns, and/or with one or more school districts, public utility districts, private utilities, housing authorities, port districts, or any other private or public organizations interested in regional planning to form and organize a regional planning commission and provide for the administration of its affairs. Such regional planning commission may carry on a planning program involving the same subjects and procedures provided by this chapter for planning by counties, provided this authority shall not include enacting official controls other than by the individual participating municipal corporations. The authority to initiate a regional planning program, define the boundaries of the regional planning district, specify the number, method of appointment and terms of office of members of the regional planning commission and provide for allocating the cost of financing the work shall be vested individually in the governing bodies of the participating municipal corporations.

Any regional planning commission or municipal corporation participating in any regional planning district is authorized to receive grants-in-aid from, or enter into reasonable agreement with any department or agency of the government of the United States or of the state of Washington to arrange for the receipt of federal funds and state funds for planning in the interests of furthering the planning program.

[1963 c 4 § **36.70.060**. Prior: 1961 c 232 § 1; 1959 c 201 § 6.]

Notes:

Commission as employer for retirement system purposes: RCW **41.40.010**.

INTERLOCAL AGREEMENT
BENTON-FRANKLIN COUNCIL OF GOVERNMENTS
(As Approved on September 18, 2020)

This Interlocal Agreement is made by and among Ben Franklin Transit, Benton County, Benton PUD, City of Benton City, City of Connell, City of Kahlottus, City of Kennewick, City of Mesa, City of Pasco, City of Prosser, City of Richland, City of West Richland, Franklin County, Port of Benton, Port of Kennewick, Port of Pasco, Walla Walla County, and the Washington State Department of Transportation (WSDOT), each hereafter referred to as a Member or collectively, as Members.

WHEREAS, the Members acknowledge the need to engage in cooperative planning and decision making on transportation and economic development issues and the benefits to be derived therefrom as demonstrated by the attached signature pages and;

WHEREAS, each of the Members hereto is a "public agency" pursuant to the terms of the Revised Code of Washington (RCW 39.34), and it is the intent and purpose of the Members to exercise their powers and authority in accordance with the provisions of the Revised Code of Washington Title 39, Chapter 34 - "Interlocal Cooperation Act;" and

WHEREAS, Federal Transportation legislation (Title 23 United States Code 134 and Title 49 United States Code 5303) requires the establishment, by agreement, between the Governor of the State of Washington and units of general purpose local government, of a Metropolitan Planning Organization (MPO), which, in cooperation with the State of Washington, is to develop transportation plans and programs for urbanized areas of Washington State; and

WHEREAS, 23 CFR §450 sets forth the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including development of a metropolitan transportation plan (MTP) and a transportation improvement program (TIP); and

WHEREAS, the Washington State Growth Management Act, Chapter 36.70A RCW requires local Governments to adopt transportation plans that are consistent with comprehensive land use plans; and

WHEREAS, Chapter 47.80 RCW authorizes the formation of a Regional Transportation Planning Organization (RTPO) by the voluntary association of local governments within a county; provided each RTPO shall have as members all counties within the RTPO's boundaries and at least sixty percent of the cities and towns collectively, representing a minimum of seventy-five percent of the population of all incorporated municipalities; and

WHEREAS, pursuant to RCW 47.80.023(7) the Benton-Franklin Council of Governments is designated as the lead planning agency and governing body for the Metropolitan Planning Organization and the Regional Transportation Planning Organization; and

WHEREAS, the Members acknowledge the need to provide regional economic development planning and have established the Benton-Franklin Economic Development District for these purposes, which will provide these services through the Department of Commerce Economic Development Administration's Planning Programs and CEDS process; and

WHEREAS, the Members acknowledge the need to provide and administer loan funds for the region and have established the Benton-Franklin Economic Development District for these purposes, and to provide these services as promulgated by the U.S. Department of Commerce Economic Development Administration, U.S. Department of Agriculture, and other funding sources available to the region; and

WHEREAS, pursuant to the provisions of Chapter 39.34 RCW, two or more public agencies may jointly cooperate to perform functions which each may individually perform. Therefore, Members enter into this Interlocal Cooperation Agreement to provide for the joint and/or cooperative exercise of their powers, privileges and authorities for the purpose of comprehensive transportation planning; and

WHEREAS, the Members executing this Agreement agree that each of the Members has previously adopted one or more resolutions authorizing the execution of this Agreement, and that such resolutions are in all ways valid and binding;

NOW, THEREFORE, pursuant to the above recitals that are incorporated into this Interlocal Cooperation Agreement as if included below, and in consideration of the terms and conditions set forth below, it is hereby agreed as follows:

ARTICLE 1 NAME

The name of the Council of Governments so organized and established shall be the Benton-Franklin Council of Governments (BFCG) and is referred to in this document as the Agency.

ARTICLE 2 PURPOSE

It shall be the purpose of the Agency to (a) maintain a continuing, cooperative and coordinated transportation planning/program process, (b) adopt a metropolitan/regional transportation plan for Benton County, Franklin County, and a portion of Walla Walla County, (c) prioritize and select federally funded projects, (d) carrying out all responsibilities and duties required by current and future federal state and local transportation planning and coordination law, (e) and other applicable federal transportation legislation and federal and state Clean Air and Growth Management Act requirements, (f) strengthen the regional economy through planning, program development, and economic diversification , (g) for the accomplishment of the duties and responsibilities imposed upon the BFCG by the laws of the State of Washington, federal laws and by BFCG's Bylaws. The Agency is the designated Metropolitan Planning Organization (MPO) for the Tri-Cities Urbanized Area (CFR 23 and 49) and Regional Transportation Planning Organization (RTPO) for Benton County, Franklin County, and a portion of Walla Walla County (RCW 47.80). The Agency also

provides the services of an Economic Development District (EDD) as promulgated by the Economic Development Administration of the U.S. Department of Commerce. The Agency may also administer other functions and agencies of regional concern as determined by its Board of Directors.

ARTICLE 3 BOUNDARIES

The Agency may include any local, county, or state governmental jurisdiction located within Benton County, Franklin County, and a portion of Walla Walla County known as Burbank. As boundaries are redefined or changed, the boundaries of the Agency may change.

ARTICLE 4 MEMBERSHIP

Membership to the Agency shall be general and special units of government and include voting members, associate members, and ex-officio members. Voting members of the Agency include the following jurisdictions: Ben Franklin Transit, Benton County, Benton PUD, City of Benton City, City of Connell, City of Kahlotus, City of Kennewick, City of Mesa, City of Pasco, City of Prosser, City of Richland, City of West Richland, Franklin County, Port of Benton, Port of Kennewick, Port of Pasco, Walla Walla County, and Washington State Department of Transportation South Central Region.

Associate members are not subject to annual dues of the Agency and are non-voting members of the Agency. Community organizations and public agencies not part of a voting member of the Agency may become associate members upon the approval of the Agency and payment of annual fees. Representatives of Associate Members are not eligible to be officers of the Agency.

Ex-officio members of the Agency consist of the Nine (9) state legislative members of the 8th, 9th, and 16th districts that are wholly or partly within the Agency's planning boundaries. Ex-officio members are non-voting members and are not eligible to be officers of the Agency. As future boundaries are adjusted, the legislative members within the Agency's planning boundaries will be eligible to be included as the ex-officio members.

ARTICLE 5 OFFICERS

The officers of the Council of Governments shall consist of Chair, Vice Chair and Past Chair.

ARTICLE 6 REPRESENTATION

Each voting member shall be represented by a representative who will be appointed by the elected body of the jurisdiction. Appointees of jurisdictions with elected bodies will appoint one of their members to be their representative with the Agency.

Each voting member shall also select an alternate, who will also be from the elected body of the jurisdiction.

Representatives to the Board of the Agency shall constitute the voting body of the Agency.

ARTICLE 7 AGENCY'S BOARD OF DIRECTORS

The representatives designated to represent voting members of the Agency shall comprise the Agency's Board. The Agency's Board shall establish the Bylaws of the Agency, policies of the Agency, approve budgets, adopt plans and act upon all matters not formally delegated to the Executive Director.

ARTICLE 8 MEETINGS

Meetings of the Agency shall be held at such times and places as the Agency shall determine and specify in its Bylaws.

ARTICLE 9 ALLOCATION OF COSTS

Voting members in the Agency shall contribute to the expense of the Agency in amounts as established annually by the Agency and agreed to by participating jurisdictions pursuant to the budgetary laws set forth in the Revised Code of Washington (RCW).

Associate members, while not contributing to the pro-rated expenses of the Agency, shall be charged an annual service fee which shall be established annually by the Agency at the same time voting members' contributions are established.

ARTICLE 10 ADMINISTRATION AND CONSULTANTS

The Agency may employ and discharge an Executive Director and any consultants as the Agency deems necessary to carry out the purpose and function of the Agency.

ARTICLE 11 CONTRACTS AND CONTRACTUAL SERVICES

The Agency may enter into any contract or reasonable agreement with a private or corporate individual, a private firm or association, the Federal government, the State, or any other governmental jurisdictions for the purpose of planning or conducting studies of area-wide problems of mutual concern and may receive grants and gifts in furtherance of such programs.

ARTICLE 12 BYLAWS

The Agency shall adopt Bylaws to carry out the purposes set forth in this Interlocal Agreement.

ARTICLE 13 INVALID PROVISIONS

If any portion of this Agreement, or its application to any person or circumstances, is held or determined to be invalid, such holding or determination shall not affect the validity or enforceability of any other term or provision and the application of this Agreement to other persons or circumstances shall not be affected.

ARTICLE 14 COMMENCEMENT AND TERMINATION OF AGREEMENT

The Term of this Agreement shall be ten (10) years. The member jurisdictions agree that this Agreement shall be extended for successive ten (10) year periods until terminated or upon re-designation according to federal law or amended as required by changes in federal law, state law, rule or regulation.

The Agreement may be terminated by the action of not less than a majority of the total Member Agencies, unless participation is required by federal law. 5.03. Withdrawal. Any Member Agency may withdraw and terminate this Agreement to that Member Agency on six (6) months prior written notice to the Agency. A withdrawing Member Agency shall remain liable for its share of the remaining fiscal year's contributions to the Agency annual operating budget. Since the formation of the MPO is based on the population of the metropolitan planning area, withdrawal by any member could put the existence of the MPO at risk. As a result, the area would likely lose federal funding for transportation projects. Withdrawal of member jurisdictions could impact the organization with respect to its designation and funding as an RTPO under Washington State law.

ARTICLE 15 FILING AND STATE APPROVAL

Pursuant to RCW 39.34.040, this Agreement shall be on the Agency website or other electronically retrievable public source. To the extent any state officer or agency has control over the operations which may be the subject of this Agreement, then this Agreement shall be submitted to such state officer or agency for approval pursuant to RCW 39.34.050 prior to its entry into force.

ARTICLE 16 AMENDMENTS

This Interlocal Agreement may be amended by a majority vote of all voting members of the Agency. Any proposal to amend the Interlocal Agreement may be initiated by a voting Board

Member in writing to the Chair and be considered after providing notice to the Board to be addressed at a Board meeting.

Adopted by motion and passed by the Benton-Franklin Council of Governments at a meeting duly called and held on the 18th day of September 2020, and signed in authentication of its approval on the dates listed below.

Ben Franklin Transit

Signature: 
Name, Bob Koch Title, Commissioner


Date: 9/28/20

Benton County

Signature: 
Name, Jim Beaver Title, Commissioner


Date: 10-15-2020

Benton PUD

Signature: 
Name, Lori Sanders Title, Commissioner

Date: 10/12/20

City of Benton, City

Signature: 
Name, Linda Lehman Title, Mayor

Date: 9/28/20

City of Connell

Signature: _____
Name, Lee Barrow Title, Mayor

Date: _____

City of Kahlotus

Signature: _____
Name, Chad Davis Title, Mayor

Date: _____

City of Kennewick

Signature: 
Name, Chuck Torelli Title, Council Member

Date: 9/25/2020

City of Mesa

Signature: _____

Date: _____

Name, Gayle Carrasoo Title, City Clerk

City of Pasco

Signature: _____

Date: _____

Name, Ruben Alvarado Title, Council Member

City of Prosser

Signature: Mary Ruth Edwards

Date: 10/7/2020

Name, Mary Ruth Edwards Title, Council Member

City of Richland

Signature: _____

Date: _____

Name, Ryan Lukson Title, Council Member

City of West Richland

Signature: _____

Date: _____

Name, Kate Moran Title, Council Member

Franklin County

Signature: Brad Peck

Date: 9-29-20

Name, Brad Peck Title, Commissioner

Port of Benton

Signature: _____

Date: _____

Name, Robert Larson Title, Commissioner

Port of Kennewick

Signature: Skip Novakovich

Date: 9/29/2020

Name, Skip Novakovich Title, Commissioner

Port of Pasco

Signature: _____

Date: _____

Name, Viki Gordon Title, Commissioner

Walla Walla County

Signature: _____

Date: _____

Name, Greg Tompkins Title, Commissioner

Washington State Department of Transportation

Signature: _____

Date: _____

Name, Todd Trepanier Title, Regional Administrator

**BYLAWS OF THE
BENTON-FRANKLIN COUNCIL OF GOVERNMENTS**

AMENDED: September 18, 2020

BYLAWS OF THE BENTON-FRANKLIN COUNCIL OF GOVERNMENTS

AMENDED: September 18, 2020

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BYLAWS OF THE BENTON-FRANKLIN COUNCIL OF GOVERNMENTS

ARTICLE 1: NAME AND PURPOSE

These Bylaws are for the Benton-Franklin Council of Governments (BFCG) hereafter referred to as the “Agency” as so named in the separate Interlocal Agreement of member agencies (and modified by amendments thereto). The Agency serves as the Metropolitan Planning Organization (MPO), Regional Transportation Planning Organization (RTPO), and Economic Development District (EDD) as established by the Interlocal Agreement. The Agency’s activities are conducted in Benton and Franklin Counties and a portion of Walla Walla County with respect to its MPO and RTPO responsibilities. With respect to EDD responsibilities, the Agency’s area of jurisdiction includes only Benton and Franklin Counties.

ARTICLE 2 PRINCIPAL OFFICE

The Agency shall maintain offices within the Agency’s planning area in the State of Washington of such nature and at such locations as the Board of Directors, hereinafter called the Board, shall determine.

ARTICLE 3 FUNCTIONS

The purpose of the Agency shall be as prescribed in the Interlocal Agreement, and generally, to do all other things incidental, necessary, convenient or expedient for the attainment of the purposes therein set forth, including maintaining a continuing, cooperative and coordinated transportation planning/program process, adopting a metropolitan/regional transportation plan for Benton County, Franklin County, and a portion of Walla Walla County, prioritizing and selecting federally funded projects, carrying out all responsibilities and duties required by current and future federal, state, and local transportation planning and coordination law; and other applicable federal transportation legislation and federal and state Clean Air and state Growth Management Act requirements, and for the accomplishment of the duties and responsibilities imposed upon the Agency by the laws of the United States of America, the State of Washington, and by these Bylaws. The Agency is the designated Metropolitan Planning Organization working with the United States Department of Transportation through its Federal Highway Administration and Federal Transit Administration and the Regional Transportation Planning Organization under state law. The portion of Walla Walla County outside of the Tri-Cities urbanized area is in the planning area of the Walla Walla Valley Metropolitan Planning Organization and the agencies coordinate activities through a separate agreement. The Agency also provides the services of an Economic

Development District as promulgated by the Economic Development Administration of the U.S. Department of Commerce. A separate Interlocal Agreement further establishes relationships between the Agency and its jurisdictional partners.

ARTICLE 4

BOARD OF DIRECTORS

4.1 Powers. The property and business affairs of the Agency shall be managed by its Board of Directors, also known simply as the Board and serving the capacity of the policy board per federal requirements. All powers shall be vested in and may be exercised by the Board of Directors, except those powers these Bylaws or the laws of the State of Washington reserve or delegate to groups other than the Board. The Board may hold meetings at such times and places as it shall deem appropriate according to law; appoint committees on particular subjects; carry on correspondences and communicate with other entities interested in the same purposes for which the Agency has been organized; and devise and carry into execution such other measures as it deems proper and expedient to promote the purposes of the Agency and to best protect the interests and welfare of the Agency. The powers and duties of the Board shall also include, but not be limited to, the following items:

- To determine the amount of annual contributions payable to the Agency by the member agencies for the succeeding fiscal year.
- To collect, use and expend the fees and other moneys collected to generally carry out the Agency's purposes.
- To approve expenditures of the Agency.
- To employ an Executive Director and to administer operations of the Agency subject to Board oversight and approval, as per the terms of adopted policies and the Bylaws.

4.2 Representation. The parties to the Interlocal Agreement shall be represented on the Board of Directors as voting members. Except for the Washington State Department of Transportation, such Board Members shall represent any general purpose government, special purpose district, governmental agency, or political subdivision which is a party or becomes a party to the Interlocal Agreement or whose representation on the Agency Board is provided for by federal or state law and agrees to fund the Agency pursuant to the Interlocal Agreement and these Bylaws. If any Native American Tribes possess trust or reservation land in the Agency's regional transportation planning organization planning area in the future, they will be offered voting membership on the Board in accordance with law in addition to the aforementioned entities. In such a case, amendments will be required to these Bylaws and the Interlocal Agreement at the earliest convenience.

4.2.1 Voting Members. The Board of Directors shall be comprised of eighteen (18) Voting Members representing jurisdictions as provided in the Interlocal Agreement creating the Agency, as follows:

- Ben Franklin Transit
- Benton County
- Benton PUD
- City of Benton City
- City of Connell
- City of Kahlotus
- City of Kennewick
- City of Mesa
- City of Pasco
- City of Prosser
- City of Richland
- City of West Richland
- Franklin County
- Port of Benton
- Port of Kennewick
- Port of Pasco
- Walla Walla County
- Washington State Department of Transportation

4.2.2 Associate Members. Associate Members are authorized and shall be subject to annual fees in an amount to be determined annually by the Agency. Associate Members are non-voting members of the Board. Community organizations and public agencies not part of the voting membership of the Agency may become Associate Members upon the approval of the Agency and payment of annual fees. Representatives of Associate Members are not eligible to be officers of the Agency.

4.2.3 Ex-officio Members. The nine (9) state legislative members of the 8th, 9th, and 16th districts that are wholly or partly within the Agency's planning boundaries are ex-officio non-voting members of the Board. Ex-Officio Board Members are not eligible to be officers of the Agency. As future boundaries are adjusted, the legislative members within the Agency's planning boundaries will be eligible to be included as the ex-officio members.

4.2.4 Term as Board Member. In the event a Board Member is a member of the Board by being appointed by a participating jurisdiction, such Board Member shall serve on the Board as long as he or she holds that position as determined by that participating jurisdiction's governing body.

Annual representation on the Board shall be communicated in writing to the Agency's Executive Director by January 31 of each year by each participating jurisdiction.

4.2.5 Alternates. Alternates will be allowed for Agency Board voting members only. A single alternate for each voting jurisdiction shall be appointed annually. Jurisdictions that have an elected official on the Board may appoint a single elected official as their alternate. Agencies who have a non-elected official on the Board may appoint a single non-elected official as the alternate.

4.3 Resignation. Should any jurisdiction, on behalf of whom a Board Member is serving as a representative to the Board, withdraw from the Interlocal Agreement, the Board Member shall be deemed to have resigned from the Board effective as of the date of withdrawal. Should an individual Board Member resign, the jurisdiction that they represented will be responsible to appoint a new individual to represent that jurisdiction.

4.4 Compensation. Board Members shall receive no compensation for their service as a Board Member, but may be eligible to receive reimbursement for approved expenditures incurred on behalf of the Board when representing the Agency in an official capacity, consistent with practices used to reimburse Agency staff incurring similar expenses.

4.5 Contracts and Services. Should any Board Member or Officer of the Agency have a personal financial interest either directly or indirectly in any contract, transaction or issue relating to the operations of the Corporation, the Board Member or Officer must ensure that he or she is in compliance with the Agency Procurement Policy and with all applicable conflict of interest and related provisions of federal and state law.

4.6 Commitment. The Board leads the Agency in accordance with the Interlocal Agreement and these Bylaws. This responsibility can best be accomplished through a local board comprised of members representing varied and diverse interests. Toward these ends, it is expected that members will commit themselves to the Board's responsibility and to understanding each member's interests and concerns, as well as those expressed by the technical advisory committee and the public; and to using this understanding to innovatively and effectively implement the Agency's programs.

4.7 Participation. The ability of the Board to operate effectively depends on the regular and active participation of its members. Board Members, at a minimum, are expected to prepare for and participate in regularly scheduled meetings of the Board. They are strongly encouraged to participate in the Board's committees as time allows. It is recognized that unavoidable events or commitments may prevent Board Members from attending a regular Board meeting periodically. However, if a Board Member has more than three (3) consecutive absences at regular Board meetings, and the Board Member's alternate has not been present at those meetings, nor voted, nor

participated in the meetings, then the Board may request the appropriate appointing authority to replace that Board Member.

4.8 Board Acting as a Body. The members of the Board shall act as a body in making its decisions and announcing them. No member shall speak or act for the Board without the prior authorization of the Board, except as otherwise provided for in these Bylaws.

ARTICLE 5 OFFICERS

5.1 Designation. The Officers of the Agency shall be a Chair and a Vice Chair elected by the Board. The previous Chair serves as Past Chair. An employee of the Agency appointed by the Board serves as Secretary and Treasurer to the Board.

5.2 Authority and Duties. Officers, as between themselves and the Agency, shall have such authority and perform such duties in the management of the Agency as may be provided in these Bylaws and Interlocal Agreement.

5.3 Nomination and Election. The Chair will be selected by the voting Board Members. Board Members may each nominate one person for Chair. Nominations require a second. Each Board Member shall be given the opportunity to submit a nomination for Chair. After all nominations are made, the Chair will call for a vote on the nominations in the order they were made. Voting will be by a recorded vote as determined by the Chair. As soon as one nominee receives a majority vote of the entire 18-member Board, that Board Member will be declared the Chair. No votes will be taken on the remaining nominees. The same process shall be followed for the Vice Chair. Only Board Members who are elected officials may serve as the Chair or Vice Chair. To be eligible for the Chair position, the Board Member shall have served on the Board for at least one (1) year. The newly elected officers take office at the close of the meeting at which they were elected. Associate and Ex-Officio Members cannot serve as officers of the Agency. Elections of officers will be scheduled in February of each year to allow for representatives of member jurisdictions to assume their roles with the Agency after appointment in January of each year.

5.4 Chair. The Chair shall: 1) preside at all meetings of the Agency and Executive Committee; 2) be authorized to call special meetings; 3) set the time and place of meetings unless otherwise directed by the membership; 4) work with the Board to establish committees and appoint members to committees; 5) officially represent the Agency before other groups and agencies; and 6) perform other duties as the membership shall direct. Following completion of acting in the role of Chair and the election of a new Chair, the previous Chair will serve as Past Chair until such time as a subsequent election of a Chair.

5.5 Vice-Chair. The Vice Chair shall act in the Chair's place in his/her absence.

5.6 Secretary. An employee of the Agency shall be the Secretary. The Secretary shall in general perform all the duties incident to the office of Secretary. This includes ensuring that meeting agenda materials, meeting notices, and meeting minutes are available to the public including to all populations including through appropriate translation services as needed. The Secretary shall compile and keep up to date at the principal office of the Agency the following:

- Current Bylaws;
- A record of the members of committees, including addresses, and the jurisdiction they represent, if any;
- Correct and adequate records of accounts and finances;
- A record of Officers and Board Members; names and addresses;
- Minutes of the proceedings of the Board, and any minutes, which may be maintained by committees of the Board.

5.7 Treasurer. The Treasurer shall have the custody of all funds, property, and securities of the Agency subject to such regulations as may be imposed by the Board. An employee of the Agency shall be the Treasurer. He/she may be required to give bond for the faithful performance of the Treasurer's duties, in such sum and with such sureties as the Board may require. When necessary or proper, he/she may endorse on behalf of the Agency for collection checks, notes, and other obligations, and shall deposit the same to the credit of the Agency at such banks, trust companies, or other depositories as the Board may designate. The Treasurer shall enter regularly on the books of the Agency, to be kept by the Treasurer for that purpose, a full and accurate account of all monies and obligations received and paid or incurred by him or her for or on account of the Agency, and shall exhibit such books at all reasonable times to any Board Member or other member of the general public on application at the offices of the Agency. He/she shall, in general, perform all the duties incident to the office of Treasurer, subject to the control of the Board. The Treasurer shall work in conjunction with the County Treasurer of Franklin County or Benton County in carrying out these duties.

5.8 Term Limits of Officers. Board members servings as officers – the positions of Chair and Vice-Chair - may serve no more than two consecutive one-year terms in the same office.

5.9 Removal. Upon an affirmative vote of a majority of the entire membership of the Board, any Officer may be removed. His/her successor shall be elected at any annual or regular meeting of the Board, or at any special meeting of the Board called for such purpose.

5.10 Resignation. Any officer may resign at any time by giving notice in writing to the Board of Directors. Unless otherwise specified, such written notice of such resignation shall take effect upon receipt of the notice by the Board.

5.11 Vacancies. In case any office becomes vacant by death, resignation, retirement, disqualification, or any other cause, an Officer shall be elected by the Board to fill such vacancy. The Officer so elected shall hold office and serve until the next annual meeting of the Board, and until the election and qualification of his or her successor. Service in a partial term due to a vacancy will not constitute a term in office with respect to the term limits for officers.

ARTICLE 6 MEETINGS

6.1 Place of Meetings. All meetings of the Agency shall be held at a place determined by the Board and identified in the notice of the meeting. All meetings of the Agency's Board and Committees shall be held in locations that comply with the Americans Disability Act and the Civil Rights Act of 1964 and the Open Public Meeting Act of the State of Washington. In addition, all meetings of the Board and Committees shall provide for public access and participation and inclusivity except executive sessions.

6.2 Annual Meetings. The annual meeting of the Board shall be held on the February meeting of each year, for the purposes of electing Officers and transacting such business as may properly come before the meeting. Meetings and notices, therefore, shall be conducted in accordance with the Open Public Meetings Act.

6.3 Regular Meetings. A list of regular meeting dates for the succeeding calendar year shall be adopted at a meeting prior to the end of each calendar year and posted on the Agency's website upon adoption and throughout the entire calendar year. To ensure appropriate notice, public involvement and effective regional decision-making, all meetings and notices will comply with the requirements of the State Open Public Meetings Act. Only business or purposes mentioned in the notice shall be transacted at meetings, with the exception of routine items which are not deemed significant or controversial in nature.

6.4 Special Meetings. Special meetings of the Board may be called by the Chair or at the request of at least twenty-five percent (25%) of the voting members of the Board. Written notice stating the place, day, hour and reason of any special meeting shall be delivered personally or by e-mail to each Board Member not less than three (3) nor more than ten (10) days before the date of such meeting. Meetings and notices shall be conducted in accordance with the Open Public Meetings Act and any other applicable laws. Only business or purposes mentioned in the notice shall be transacted at any such special meeting.

6.5 Study Sessions or Workshops. The Board may meet in study sessions or workshops. The purpose is to review and discuss current or proposed matters including the receipt of information from Staff or others. Final Board action shall not occur at a study session or workshop and shall be held in conformance with the Open Public Meeting Act requirements at a regular or special meeting.

6.6 Executive Sessions. The Board may hold an executive session during a regular or special meeting and shall convene and conduct such sessions in conformance with Open Public Meeting Act requirements. Participation in Executive Sessions may be conducted remotely using communications equipment if the meeting within which it is being held is being held entirely in such a manner or if Board members cannot attend a meeting held in-person.

The Board may discuss in executive session the matters specified in RCW 42.30.110, and exempt sessions, the matters specified in RCW 42.30.140, as now codified or hereafter amended. No Board Member or any other person present during the executive session or exempt session of the Board, shall disclose to any person the content or substance of any discussion which took place during said executive session. Executive sessions may be held during the regular or special meeting for the purposes listed in RCW 42.30.110, and RCW 42.30.140, respectively, and as hereafter amended. Before convening an executive session the Chair shall publicly announce the purpose for excluding the public and the time when the executive or exempt session will be concluded. The announced time limit for executive sessions may be extended by announcement from the Chair. The Chair shall state whether or not action is anticipated at the conclusion of such session. The executive session may be extended to a stated date and time by announcement of the Chair.

6.7 Meeting Procedures and Process. Meetings shall be conducted in general accordance with Robert's Rules of Order Newly Revised or adopted supplementary Board rules governing procedural and process questions.

6.8 Chair. At all meetings of the Board of Directors, the Chair, or in the absence of the Chair, the Vice Chair, or in their absence, a member of the Board chosen by the Board Members present, shall preside as Chair.

6.9 Quorum. At least a majority of voting Board Members, no less than ten (10) total Board Members of the Agency, shall be present at a meeting to constitute a quorum for the transaction of business at all meetings of the Board.

6.10 Decision Making. Each Board Member shall be entitled to one vote. At any duly called meeting at which a quorum is present, a vote of a majority of the Board Members present shall be required to decide any question except the following, which require an affirmative vote of a majority of the full voting membership to decide questions pertaining to these specific issues:

- Approval of and amendments to the annual budget;
- Membership dues assessments;
- Amendment of these Bylaws or the Interlocal Agreement;
- Election and removal of officers; and
- Hiring or terminating the employment of the Executive Director.

6.11 Participation by Communications Equipment. A member or alternate may participate in a meeting by telephone conference or other electronic communications media so long as all members may simultaneously hear each other and participate during the meeting. Participation by such means shall constitute presence in person at a meeting for purposes of establishing a quorum, voting, and for all other purposes. Remote meeting participation shall be limited to instances where a member or alternate is unable to participate in person due to adverse weather conditions, illness, unavoidable conflicts, inability to travel to the meeting location, or other similar situations. Names of all those participating in the meeting by telephone or other electronic communications must be announced and their presence noted in the minutes of the meeting. If Board meetings may be held exclusively by communications equipment, the public will be able to attend and participate remotely via communications equipment.

6.12 Meeting Minutes. The Executive Director sees that official minutes are taken for each meeting and that they are signed by the Chair and the Executive Director after review and approval by the Board. Minutes of each Board meeting will be posted on the Agency website after adoption by the Board at a subsequent meeting.

6.13 Absence. When a member, or a designated alternate, is unable to attend a Board meeting he or she should make an effort to advise the Executive Director of any Board business issues which are of concern or of special interest to such member.

6.14 Conflicts. In accordance with Washington's Code of Ethics for Municipal Officers, Board Members may not engage in any act that is in conflict with the proper discharge of their official duties. Such conflicts of interest include, but are not limited to, holding a financial interest in a matter before the board. In the event of a conflict of interest, a Board member must identify the conflict and recuse himself or herself from voting or taking any other action on the matter. Board Members are bound by and shall comply with RCW 42.23, as amended. They shall not use their position on the Board for personal gain. Even where no conflict of interest exists under law, Board Members are encouraged to disclose *ex parte* contacts or exposure they have had regarding a matter before the board and recuse themselves from voting on measures relating to such a matter when they believe that such *ex parte* contact would prevent them from giving the measure fair consideration or would injure the credibility of the Board.

6.15 Public Participation

6.15.1 Meeting Participation. The public is welcome at all Board meetings and is encouraged to attend and participate. Recognition of a speaker by the Chair is a prerequisite for an orderly and effective meeting. It is expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the subject under consideration. Translation services, if needed, will be provided by the Agency at scheduled Board if requested at least three business days prior to the meetings. Agency public participation is outlined in the Public Participation Plan available on the agency's website and upon request.

6.15.2 Subjects Not on the Current Agenda. Under agenda item "Public Comments" persons may address any item they wish to discuss with the Board. They shall first obtain recognition by the Chair, state their name, address and subject of their comments. The Chair shall then allow the comments, subject to a maximum of three (3) minute limitation per speaker or other limitations as the Chair or Board may deem necessary. Comments may also be submitted in writing prior to the meeting or at the meeting to be included in the record of public comment for consideration by the Board. Following such comments, if action is required or has been requested, the Chair may place the matter on a future agenda or refer the matter to staff or a Board Committee for action or investigation and a report at a future meeting.

6.15.3 Subjects on the Current Agenda. Any member of the public who wishes to address the Board on an item on the current agenda shall make such request to the Chair.

ARTICLE 7

AGENCY WIDE AND TRANSPORTATION COMMITTEES

The committees addressed under this article operate in service to the Agency Board with respect to Agency wide matters and to transportation planning and programming activities under state and federal law. A subsequent article addresses all economic development related committees and activities.

7.1 Executive Committee. The Executive Committee shall be comprised of the Chair, Vice Chair, and Past Chair. The Executive Committee shall be responsible for coordinating with the BFCG Executive Director in carrying out the business affairs of the Agency, including developing recommendations for Agency policies, review of budget and personnel matters, administration of the Executive Director's performance evaluations and compensation, and other matters as the Board may delegate, for consideration by the full Board.

Executive Committee meetings are not conducted in a public forum. As determined by the Board, the Executive Committee may take action on behalf of the Board for emergency situations. In such

cases, the Board will be notified of the actions of the Executive Committee in a timely manner as the emergency situation allows and information will be included on the agenda of the next Board meeting to report on the action(s) taken by the Executive Committee with action requested of the Board to affirm the action(s) of the Executive Committee. Should the Past Chair no longer be a member of the Board, the Board will take action at a regular Board meeting to appoint another member of the Board to be the replacement member of the Executive Committee until such time there is an election of officers which provides a Past Chair to serve in this capacity.

7.2 Other Committees. The Board may establish other committees as necessary to provide input and recommendations to the full Board in order to carry out the duties of the Agency.

7.3 Technical Advisory Committee (TAC). The Technical Advisory Committee (TAC) helps Board Members understand complex engineering and planning concepts by providing advisory recommendations and advice on how Board decisions on projects and programs of a technical nature are likely to impact local and regional constituencies. TAC members are typically professional and technical individuals from member agencies appointed by each of the member agencies which are parties to Interlocal Agreement. The TAC shall have the authority to elect its own officers, set their own meeting schedules, and determine times and locations of meetings. All meetings shall be held in locations that comply with the Americans Disability Act and the Civil Rights Act of 1964 and the Open Public Meeting Act of the State of Washington. In addition, all meetings shall provide for public access and participation and inclusivity.

The TAC facilitates the movement of information between member agencies and the BFCG staff by providing important direction and insight, allowing staff to make recommendations to the Board for final actions and approval. The TAC shall provide the Board with minutes of each meeting but shall have no authority to act on any matters nor make any decisions that may affect member agencies. Only Board action allows for the implementation of matters considered by the TAC.

The TAC shall have the responsibility of reviewing and recommending approval of:

- An annual Unified Planning Work Program (UPWP);
- Transportation Improvement Program (TIP) actions related to projects and programs in the planning area consistent with the interests of member agencies;
- Long-range regional transportation plan;
- Coordinated Public Transit Human Services Transportation Plan;
- Policies and programs as may be directed by the Board;
- Work products as identified in the UPWP, including but not limited to criteria for project prioritization and selection, and performance measurement.

While Board Members are welcome to attend TAC meetings, Board Members do not serve on the TAC. The TAC shall include one member and one alternate member from each jurisdiction represented on the Board.

ARTICLE 8

ECONOMIC DEVELOPMENT DISTRICT BOARD AND COMMITTEES

The Agency is responsible for carrying-out economic development duties. In order to carry-out these duties, the Agency will have a Benton Franklin Economic Development District (BFEDD) Board which has the authority to act only on economic development matters of the Agency. Those economic development matters include the appointment of committees which serve various economic development related roles. The BFEDD and associated committees are described below.

With respect to the BFEDD Board and all related committees, in accordance with Washington's Code of Ethics for Municipal Officers, voting members may not engage in any act that is in conflict with the proper discharge of their official duties. Such conflicts of interest include, but are not limited to, holding a financial interest in a matter before the voting body. In the event of a conflict of interest, a member must identify the conflict and recuse himself or herself from voting or taking any other action on the matter. Members are bound by and shall comply with RCW 42.23, as amended. They shall not use their position on the Board or committee for personal gain. Even where no conflict of interest exists under law, members are encouraged to disclose *ex parte* contacts or exposure they have had regarding a matter before the board and recuse themselves from voting on measures relating to such a matter when they believe that such *ex parte* contact would prevent them from giving the measure fair consideration or would injure the credibility of the Board or committee.

8.1 Benton-Franklin Economic Development District. The Benton-Franklin Economic Development District (BFEDD) is a distinct entity operated by the Agency. It is responsible for discussions and actions pertinent to the District.

The governing board of the District is the BFEDD Board. The BFEDD Board consists of the following membership:

- Voting members of the BFCG Board – with the exception of the representatives of Walla Walla County and the Washington State Department of Transportation
- Up to eight private citizens appointed by the BFCG Board members (with the exception of the representatives of Walla Walla County and the Washington State Department of Transportation). Appointees shall be private citizens who are neither full-time elected officials nor employees of a taxing district within Benton or Franklin County.

A majority of the full voting body of the BFEDD Board constitutes a quorum. A majority of members present at a meeting at which a quorum is present is required to act upon economic development matters.

The principal activities of the BFEDD Board, with respect to the Regional Revolving Loan Fund (RRLF), are as follows:

- Acts as the loan administration Board.
- Accepts and applies for RRLF grants and sub-grants.
- Reviews, amends, and adopts RRLF Management Plan.
- Provides overall policy guidance to the RRLF Loan Committee and staff.
- Appoints and/or replaces members of the RRLF Loan Committee.
- Approves RRLF working arrangements with third parties, specifically private lenders, the fund attorney, and the fund auditor.
- Makes final decisions on all loans, including loan approvals, modifications, and foreclosure actions.

The principal activities of the BFEDD Board, with respect to the Community Economic Development Strategy (CEDS) Committee, are as follows:

- Appoints and/or replaces members of the CEDS Committee.
- Acts to approve and amend the Community Economic Development Strategy for Benton and Franklin Counties

8.2 Revolving Loan Fund Committee. The BFEDD Board will appoint the RRLF Loan Committee, to provide oversight and direction to the revolving loan fund program with primary activities as follows:

- Makes recommendations to the BFEDD Board on applications for loans.
- Makes recommendations to the BFEDD Board regarding whether to call delinquent loans.
- Makes recommendations to BFEDD Board regarding whether to liquidate assets held by fund as collateral.
- Reports quarterly to BFEDD Board, summarizing fund activities based upon reports from staff (EDD staff may make this report).
- Initiates and approves all procedural changes in day-to-day fund operations and paperwork.

The RRLF Loan Committee will be comprised of a maximum of twelve members. Of these, three participating communities (Richland, Kennewick, and Pasco) will be represented by one member each; the two counties (Benton and Franklin) will each have one member or a designated alternate; and the BFEDD Committee will appoint six members-at-large, three of whom will be selected for their commercial lending experience/legal acumen and experience, and three of whom will have small business ownership/management experience. Participating communities and counties shall appoint an alternate representative in addition to their primary representative.

8.3 Community Economic Development Strategy (CEDS) Committee. The BFEDD Board will appoint the CEDS Committee, to provide oversight and direction to the Economic Development Administration's Comprehensive Economic Development Strategy. The CEDS Committee will be broadly representative of the principal economic interests of the region, which may include the private sector, public officials, community leaders, representatives of workforce development boards, institutions of higher education, minority and labor groups, and private individuals.

ARTICLE 9

GENERAL PROVISIONS

9.1 Executive Director. The Executive Director shall be appointed or removed by the Agency Board. The Executive Director is responsible for the general supervision and management of the affairs of the Agency under the direction of the Board of Directors, and shall perform the duties and responsibilities as directed by the Board. The Executive Director is authorized to enter into funding agreements on behalf of the Agency as delegated and authorized by Board action when the scope of work is part of the Agency's normal operations and within the approved budget and contracts as authorized by the Board.

9.2 Books and Records. The Agency shall, through the Secretary and Treasurer roles fulfilled by a member of staff, keep correct and complete books and records of account and, specifically, shall keep all books and records of the Agency provided for in the foregoing provisions of these Bylaws.

9.3 Execution of Documents. Unless otherwise authorized by the Board, all contracts, leases, deeds, deeds of trust, mortgages, powers of attorney, and all other documents executed on behalf of the Agency shall be executed for and on behalf of the Agency by the Chair or Vice Chair and the Secretary of the Agency.

9.4 Fiscal Year and Budget. The fiscal year of the Agency shall be January 1 through December 31. The preliminary budget shall be prepared by staff with guidance of the Executive Committee and submitted to the Board no later than the November meeting of each year. The Board adopts a consolidated Agency operating budget each year no later than the regular December meeting. Following the adoption of the budget, the request for dues assessments shall be submitted to Members for payment no later than January 31st of each year. The work program and budget shall be consistent with other budgets and work programs required by Federal and State oversight entities.

9.5 Member Dues Assessments. At each November meeting of the Board, the Board shall determine the total amount of annual dues assessments payable to the Agency by the member agencies for the succeeding fiscal year. In setting the total contribution, the Board shall consider all relevant circumstances, including: a review of the Agency's written budget for the next fiscal

year, the amount of reserves on hand, the Agency's Work Plan for the current and projected next fiscal year, and the anticipated receipts from all funding sources including grants. The Board shall determine the allocation on the total dues assessments for each member jurisdiction.

9.6 Procurement. Administration and procurement of contracts and services and enforcement of ethical obligations of Board Members and Agency staff shall be overseen by the Board.

9.7 Conflict. In the case of any conflict between the Interlocal Agreement and these Bylaws, the Interlocal Agreement shall control. Should it be determined that conflict exists, the Board will address the conflict through revision of the appropriate document(s)

9.8 Severability. Should any of the covenants, terms or provisions imposed in these Bylaws be or become unenforceable at law or in equity, the remaining provisions of these Bylaws shall, nevertheless, be and remain in full force and effect.

9.9 Legal Services. The Agency shall obtain legal services as needed from appropriate private legal counsel.

9.10 Personal Liability. No Director or any uncompensated officer of the Agency shall be personally liable to the Agency or its members, if any, for monetary damages for conduct as a Director or uncompensated officer provided that this Article shall not eliminate the liability of a Director or uncompensated officer for any act or omission occurring prior to the date when these Bylaws becomes effective and for any act or omission for which elimination of liability is not permitted under the RCWs of the State of Washington. Any Director or uncompensated officer shall be entitled to indemnification for any expenses or liability incurred in his or her capacity as a Director or uncompensated officer, in accordance with and as provided by the laws of the State of Washington and the U.S. federal government under which the Agency is governed.

9.11 Compliance with Civil Rights and Associated Requirements. The Benton-Franklin Council of Governments (BFCG) assures that the agency is in full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which BFCG receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with BFCG. Any such complaint must be in writing and filed with the BFCG Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. BFCG continues to search and participate in Title VI training opportunities, actively pursue best practices regarding Title VI data and public participation, and consider the impacts on all populations in all BFCG planning and programming.

ARTICLE 10
AMENDMENTS

10.1 General Provisions. These Bylaws may be amended, repealed or altered, in whole or in part, at any regular or special meeting of the Board as provided herein. The Board meeting packet shall contain a full statement of the proposed amendment.

10.2 Procedures. Any proposal to amend the Bylaws may be initiated by a voting Board Member in writing to the Chair and be considered after providing notice to the Board to be addressed at a Board meeting.

10.2.1 Proposals. Proposals to amend the Bylaws will be forwarded to a Bylaws Committee which will consist of 3 to 5 members of the Board to be appointed by the Chair and chaired by the Vice Chair. The Bylaws Committee shall provide a written recommendation to the Board regarding any proposal to amend the Bylaws. The Board shall not vote upon any Bylaws amendment proposal which has not been considered by the Bylaws Committee and been subject to review by legal counsel.

10.2.2 Approval of Amendment. Approval of a Bylaws amendment shall require an affirmative vote of a majority of all Board Members in order to pass – not simply a majority of members present even if that represents a quorum.

AMENDED by the Board of the Benton-Franklin Council of Governments on the 18th day of September, 2020.

Ben Franklin Transit

Signature: _____



Date: _____

9/28/20

Name, Bob Koch Title, Commissioner

Benton County

Signature: _____



Date: _____

10-15-2020

Name, Jim Beaver Title, Commissioner

Benton PUD

Signature: _____




Date: _____

10/12/20

Name, Lori Sanders Title, Commissioner

City of Benton City

Signature: _____


Name, Linda Lehman Title, Mayor

Date: 9/28/20

City of Connell

Signature: _____

Name, Lee Barrow Title, Mayor

Date: _____

City of Kahlotus

Signature: _____

Name, Chad Davis Title, Mayor

Date: _____

City of Kennewick

Signature: _____


Name, Chuck Torelli Title, Council Member

Date: 9/25/2020

City of Mesa

Signature: _____

Name, Gayle Carrasoo Title, City Clerk

Date: _____

City of Pasco

Signature: _____

Name, Ruben Alvarado Title, Council Member

Date: _____

City of Prosser

Signature: _____


Name, Mary Ruth Edwards Title, Council Member

Date: 10/9/2020

City of Richland

Signature: _____

Name, Ryan Lukson Title, Council Member

Date: _____

City of West Richland

Signature: _____

Date: _____

Name, Kate Moran Title, Council Member

Franklin County

Signature:  _____

Date: 9-29-20

Name, Brad Peck Title, Commissioner

Port of Benton

Signature: _____

Date: _____

Name, Robert Larson Title, Commissioner

Port of Kennewick

Signature:  _____

Date: 9/29/2020

Name, Skip Novakovich Title, Commissioner

Port of Pasco

Signature: _____

Date: _____

Name, Viki Gordon Title, Commissioner

Walla Walla County

Signature: _____

Date: _____

Name, Greg Tompkins Title, Commissioner

Washington State Department of Transportation

Signature: _____

Date: _____

Name, Todd Trepanier Title, Regional Administrator



BENTON-FRANKLIN COUNCIL OF GOVERNMENTS

587 Stevens Dr. • Richland, WA 99352
bfcog.us

Ph: (509)543-9185
Fax: (509)943-6756

RESOLUTION 12-20

A RESOLUTION OF THE BOARD OF THE BENTON-FRANKLIN COUNCIL OF GOVERNMENTS TO AUTHORIZE THE ADOPTION OF BENTON-FRANKLIN COUNCIL OF GOVERNMENTS BYLAWS AND INTERLOCAL AGREEMENT

WHEREAS; the Benton-Franklin Council of Governments (BFCG) provides a vital forum for regional discussions and decision making; AND

WHEREAS; the Benton-Franklin Council of Governments (BFCG) is the designated Metropolitan Planning Organization, and the Regional Transportation Planning Organization for Benton County, Franklin County, and a portion of Walla Walla Counties; AND


WHEREAS; the Benton-Franklin Council of Governments is the designated Economic Development District for Benton and Franklin Counties, which is governed by the BFCG Benton-Franklin Economic Development District's (BFEDD) Board; AND

WHEREAS; the BFCG Board and staff have worked to develop a comprehensive set of Bylaws and an Interlocal Agreement that gives more guidance and clarity to the BFCG's Board, the BFEDD Board, advisory committees, staff and regulatory agencies; NOW THEREFORE,

BE IT RESOLVED that the Board of the Benton-Franklin Council of Governments approves the attached Bylaws (Exhibit 1) and Interlocal Agreement (Exhibit 2) and authorize their signatures by the membership of BFCG.

ADOPTED by the Benton-Franklin Council of Governments Board by affirmative vote at the regular scheduled Board meeting held on the 18th day of September 2020.

By: ; and
NICHOLAS (SKIP) NOVAKOVICH, President

By:  9-29-20
BRAD PECK, Vice President

Exhibits: Exhibit 1 Bylaws
Exhibit 2 Interlocal Agreement

ATTACHMENT C

Letters of Commitment from Coalition Members

A Letter of Commitment is enclosed from each Coalition member:

- City of Kennewick
- City of Pasco
- City of Richland



Economic Development

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4532

business@ci.kennewick.wa.us

October 6, 2020

Magdelyn Monroy
Benton-Franklin Council of Governments
587 Stevens Drive
Richland, WA 99352

RE: Letter of Commitment for the Benton-Franklin Council of Governments EPA Brownfield Assessment Coalition Grant Application

Dear Magdelyn:

The City of Kennewick appreciates the opportunity to join the Coalition led by the Benton-Franklin COG and offers our full support for this EPA Brownfield Assessment Grant application.

The City of Kennewick and Benton-Franklin COG have a strong partnership and share a vision for revitalizing our Tri-Cities Metropolitan Area. We are supportive of efforts that encourage investment, reduce environmental contamination, encourage reuse, support the long-term well-being of our community, and provide new employment opportunities to our community members.

This grant funding will allow our team to support economic development while encouraging historic renovation and adaptive reuse projects in our community. Our region will not only benefit from the identification and assessment of potential brownfield sites, but also from the plans created to guide future redevelopment. If our application is selected and funds are awarded, our staff will participate as a member of the Coalition and the Brownfield Advisory Committee to assist with creating the process to identify brownfield sites, select high-impact brownfield sites for assessment and cleanup/reuse planning, and help with other important tasks related to the successful implementation of our proposed projects.

We estimate our in-kind contributions to support this project at 25 hours of staff time per year, at an estimate of \$98 per hour. Over the three year grant period, our estimated contribution equals \$7,350 (25 hours per year x \$98 per hour x 3 years).

We encourage EPA to fund this important project. If you would like any additional information, please contact our office by email at Rohana.carmichael@ci.kennewick.wa.us or by phone at (509) 585-4532. We look forward to collaborating with the Benton-Franklin COG on this endeavor.

Sincerely,

A handwritten signature in black ink, appearing to read "Evelyn Lusignan". The script is fluid and cursive, with the first name "Evelyn" written in a larger, more prominent style than the last name "Lusignan".

Evelyn Lusignan

Public Relations and Government Affairs Director



Community Development Department
PO Box 293, 525 N 3rd Ave, Pasco, WA 99301
P: 509.545.3441 / F: 509.545.3499

September 28, 2020

Attn: Magdelyn Monroy
Benton-Franklin Council of Governments
587 Stevens Drive
Richland, WA 99352

RE: Letter of Commitment for EPA Brownfield Assessment Grant Application

Dear Ms. Monroy:

This letter confirms the City of Pasco membership in the Benton-Franklin Council of Governments Coalition. We appreciate the opportunity to join your Coalition and support efforts to secure \$600,000 of EPA Brownfield Assessment Grant funds.

We understand grant funding will be used to inventory, prioritize, assess and plan for cleanup and reuse of vacant and underutilized commercial and industrial sites throughout the Tri-Cities Metropolitan Area. We believe this project will serve as an anchor for enhancing economic development opportunities by attracting new investment to our community, establishing new partnerships, and restoring the environment.

Our staff look forward to collaborating with the COG and its Coalition partners to plan community outreach efforts, provide input in the site selection process, and help guide assessment and reuse planning activities. We anticipate our in-kind contributions will include 30 hours of staff time per year. Over the 3-year grant period, our estimated contribution equals **\$4,950** (30 hours x \$55/hour for personnel and fringe benefit costs x 3 years).

If you need further information, please contact me using the information provided below.

Sincerely,

Rick White, Director
Community & Economic Development
509-545-3441
whiter@pasco-wa.gov



CITY OF RICHLAND
ECONOMIC DEVELOPMENT DEPARTMENT
625 Swift Boulevard, MS-##
Richland, WA 99352
Telephone (509) 509-942-7583
Fax (509) 509-942-7764

CI.RICHLAND.WA.US · 509-942-7390

October 6, 2020

Magdelyn Monroy
Benton-Franklin Council of Governments
587 Stevens Drive
Richland, WA 99352

RE: Letter of Commitment for EPA Brownfield Assessment Coalition Grant

Dear Magdelyn:

I am pleased to confirm the City of Richland will be a member of the Coalition led by the Benton-Franklin Council of Governments and supports this Brownfield Assessment Grant application to secure funding from EPA.

The City of Richland works closely with the COG to encourage investment in our community. We meet regularly to address transportation improvement issues, the small business revolving loan fund, and our shared economic development visions.

By allowing the Coalition to identify and assess brownfield sites and plan for their future redevelopment, the EPA Grant will support the long-term economic well-being of our community by encouraging reinvestment and economic development opportunities. Grant funding will allow the Coalition to identify and assess brownfield sites along prime commercial and industrial corridors and will support our long-term community vision to revitalize our neighborhoods and economy. Creating usable properties will complement the existing efforts already set forth and encourage much-needed reinvestment, economic development, and job creation opportunities.

We anticipate our in-kind contributions for participating as a member of the Coalition and the Brownfield Advisory Committee will be 36 hours of staff time per year. Over the 3-year grant period, our estimated contribution equals **\$7,722** (36 hours x \$71.50/hour for personnel and fringe benefit costs x 3 years).

We appreciate this opportunity to collaborate with the COG and its Coalition partners to revitalize our community. If you require additional information, please contact me at 509-942-7725 or jjacobs@ci.richland.wa.us

Sincerely,

Joe Jacobs, Economic Development Manager

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

10/28/2020

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Benton-Franklin Council of Governments

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

* c. Organizational DUNS:

6092024110000

d. Address:

* Street1:

587 Stevens Drive

Street2:

* City:

Richland

County/Parish:

* State:

WA: Washington

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

99352-4182

e. Organizational Unit:

Department Name:

Division Name:

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

Prefix:

* First Name:

Davin

Middle Name:

* Last Name:

Diaz

Suffix:

Title: Community & Economic Development Manager

Organizational Affiliation:

* Telephone Number: (509) 943-9185

Fax Number:

* Email: ddiaz@bfcog.us

Application for Federal Assistance SF-424

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

E: Regional Organization

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-20-06

* Title:

FY21 GUIDELINES FOR BROWNFIELD ASSESSMENT GRANTS

13. Competition Identification Number:

Title:

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

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Benton-Franklin Council of Government's Brownfield Assessment Grant Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

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

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="600,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="600,000.00"/>

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

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

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

☒ ** I AGREE

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

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email: * Signature of Authorized Representative: * Date Signed: