



ECONOMIC DEVELOPMENT



**Daniel Stevenson**  
Economic Development Director  
**Demetria Pellegrino**  
Economic Development Deputy Director  
**Robyn Saunders**  
Project Manager  
2 York Street Westbrook, ME 04092  
Phone: 207-591-8101

R01-24-C-018

TO: USEPA Brownfield Cleanup Grant Application Reviewers  
FROM: Robyn Saunders, City of Westbrook Project Manager  
CC: Daniel Stevenson, Economic + Community Development Director  
Jerre Bryant, City Administrator  
DATE: November 13, 2023  
RE: EPA-I-OLEM-OBLR-23-15  
River Walk North: Downtown Pedestrian Connectivity Project  
Mentor Street to Bridge Street  
Westbrook, Maine

1. **Applicant Identification:**

**River Walk North: Downtown Pedestrian Connectivity Project**

City of Westbrook | 2 York Street | Westbrook, ME 04092

EIN: 016000038

UEI: UESDJLMLFH45

2. **Funding Requested:**

- a. Grant Type: Single Site Cleanup
- b. Federal Funds Requested: \$4,000,000

3. **Location:** Westbrook, Cumberland County, Maine.

4. **Property Information:** River Walk North site located on 12 Water Street (Map 39 Lot 31) and Bridge Steet (Map 32 Lot 223) in Westbrook, Maine 04092 (there are no street #s for these parcels). The site for this Project includes two parcels along the northern riverbank of the Presumpscot River. The Project/site starts in the west at One Riverfront Plaza in the heart of downtown Westbrook, and spans to the pedestrian bridge (under the railroad bridge) beside 74 Brown Street.

The two parcels comprising the Project/site were recently acquired from SAPPI Fine Paper (the owner of the local pulp + paper mill in downtown Westbrook) as a result of a unique multi-party agreement that included the City of Westbrook, SAPPI Fine Paper, State + Federal agencies, and environmental NGOs. This multi-agency partnership will continue to be leveraged to successfully complete this proposed project, called River Walk North, to transform the former pulp + paper mill holdings

into a two-mile pedestrian loop around the heart of downtown Westbrook, Maine (04092).

5. **Contacts:**

- a. **Project Director:**        **Robyn Saunders, Project Manager**  
[rsaunders@westbrook.me.us](mailto:rsaunders@westbrook.me.us)  
2 York Street, Westbrook, ME 04092  
Cell (preferred): (207) 233-6305     Office: (207) 854-0660  
x3014
- b. **Chief Executive:**        **Jerre Bryant, City Administrator**    **Michael Foley, Mayor**  
[jbryant@westbrook.me.us](mailto:jbryant@westbrook.me.us)                    [mfoley@westbrook.me.us](mailto:mfoley@westbrook.me.us)  
City Hall, 2 York Street, Westbrook, ME 04092  
(207) 854-9105

6. **Population:**                    City of Westbrook’s population = 20,572

7. **Other Factors:**

<b>Other favorable USEPA Factors</b>	<b>Page #</b>
a. Community population is 10,000 or less	N/A
b. The applicant assists federally recognized Indian tribe or United States Territory.	N/A
c. The proposed brownfield site(s) is impacted by mine-scarred land	N/A
d. Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the	4
e. The proposed site(s) is adjacent to a body of water (i.e., the border of the 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
f. The proposed site is in a federally designated flood plain.	2-3
g. The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	N/A
h. The reuse of the proposed cleanup site(s) incorporates energy efficiency.	N/A
i. The reuse strategy or project reuse of the proposed site(s) considers climate adaptation and/or mitigation measures.	3
j. Project is located within a community w/recently closed coal-fired power plant.	N/A

8. **Releasing Copies of Application:** N/A - No confidential, privileged, or sensitive information included.



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

November 1, 2023

City of Westbrook  
Attn: Robyn Saunders  
2 York Street  
Westbrook, ME 04092

Dear Robyn Saunders:

The Maine Department of Environmental Protection (Department) acknowledges that the City of Westbrook plans to conduct the cleanup of a brownfield site and is applying for an FY24 Environmental Protection Agency (EPA) Brownfields Cleanup Grant.

The City of Westbrook has developed an application requesting site-specific federal Brownfields Cleanup funding for the Riverwalk North Site, located on multiple properties adjacent to the Presumpscot River in Westbrook, Maine (Site).

The Department affirms that the Site:

- i. Is eligible to be enrolled in the Department’s voluntary response program;
- ii. Is not currently enrolled, but the City of Westbrook intends to enroll the Site in the voluntary response program; and
- iii. Has had a sufficient level of site characterization from the environmental site assessments performed to date for the remediation work to begin on the Site.

For any questions regarding this letter, please contact me at 207-215-8597.

Sincerely,

Christopher Redmond  
Department Brownfields Coordinator  
Voluntary Response Action Program Manager  
Bureau of Remediation and Waste Management, Division of Remediation  
Maine Department of Environmental Protection

cc: Katy Deng, EPA Brownfields Region 1

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143

## **PROJECT AREA DESCRIPTION & PLANS FOR REVITALIZATION**

### **1.a. Target Area and Brownfields**

#### **1.a.i. Overview of Brownfield Challenges and Description of Target Area**

Ask residents of Southern Maine about Westbrook and two images inevitably come to mind – towering industrial smokestacks and “that horrible smell.” Situated in the southern coastal section of Maine, Westbrook is a small, historic “mill town” struggling with the legacies of its industrial heritage and falling short in its efforts to reclaim lost retail business from the region’s ever-expanding strip malls. The Presumpscot River, which flows through the City’s center, fueled Westbrook’s mill economy for more than two hundred years. Like so many older industrial communities, most of Westbrook’s lumber, textile, and pulp + paper mills have shut down in recent years, leaving a string of derelict, contaminated sites behind. The most significant of these closings is that of the SAPPI Fine Paper’s mill (also known as the S.D. Warren Mill), which had long served as the City’s largest employer. Initially started in the 1730s, the mill represented 50% of the municipal tax revenue base at one time. In April 1999, SAPPI Fine Paper of North America announced that it would cease all pulp operations and dramatically reduce its paper manufacturing capacity. This closure has had tremendous impacts on the local economy, including the elimination of approximately 3,500 jobs, the reduction in local tax revenue (from 50% in 1900s to less than 5% today), and the significant downsizing of more than 140 acres of prime industrial land situated in the heart of downtown Westbrook. In addition to the mills, there are numerous other hazardous waste sites in Westbrook, many of which are Brownfields. The Maine DEP has over 30 sites in their Remedial Sites database, while EnviroAtlas shows 32 Inactive RCRA sites and 46 EPA UST sites. This, together with the mill closures, demonstrates the extent of Brownfield challenges in our community, which have a host of economic, environmental and health impacts to its residents.

The Target Area for this grant is the City’s Downtown along the northern banks of the Presumpscot River (Census Tract 002700). This census tract is designated as both disadvantaged and an environmental justice community based on EJScreen and the socioeconomic threshold set in the CEJST Tool. This River Walk North project originated from former SAPPI paper mill land along the northern bank of the Presumpscot River and will be transformed into a pedestrian thoroughfare connecting the western downtown trails to the main SAPPI mill lands on the eastern end of the 2-mile continuous pedestrian loop. This project will directly benefit the target community by: (1) bringing more people to the downtown for a multitude of opportunities; (2) creating greater, and safer, pedestrian access + mobility throughout the heart of downtown Westbrook; (3) providing recreational activities to the environmentally challenged Target Area; and (4) ultimately helping make downtown Westbrook a destination to live, work and play thus benefiting the downtown businesses and the communities that surround it.

#### **1.a.ii. Description of the Proposed Brownfields Site**

The River Walk North Site consists of roughly 5 acres along the northern bank of the Presumpscot River between two pedestrian bridges: one in the western downtown and one in the eastern end of Westbrook. Prior to colonial settlements, the Site was originally settled by the Abenaki people that occupied the area for thousands of years due to the rich fishing grounds and lands for hunting that sustained their people. With colonization, the first dams in the 1730s were logging dams. The lands around the Presumpscot River (including the Site) were then developed with a sawmill and mill dams dating back to 1793 and had multiple industrial uses including an iron wire manufacturer and lumber manufacturer (1871), and the Dana Warp Mill (textiles) and SD Warren Power station (1885-1977) an island in the river, and the remainder of the Site was used to transport electrical lines from the power plant to the SD Warren paper mill at the eastern end of the Site. The dam and associated power plant were removed from 2019 to 2021 and the Site is currently undeveloped – resulting in an unparalleled opportunity to transform these areas into green space to be enjoyed for the ages.

The over 200 years of industrial history have left contamination including polycyclic aromatic hydrocarbons (PAHs) and metals in exceedance of applicable regulatory standards. Surficial soils were characterized as part of multiple Phase I/II Environmental Site Assessments (ESAs) completed between 2020 and 2023. Due to shallow bedrock, the contamination is confined to shallow surface soils along the Presumpscot River and has not impacted groundwater. The most recent Phase II ESA concluded that recognizing the locations of the regulatory exceedances did not have any observable difference in soil type compared to other samples along the river walk area; it is likely that these concentrations are not exclusive. Concentrations of PAHs across the river walk are highly heterogenous ranging from non-detect to above the Remedial Action Guidelines (RAGs) with no observable difference in material. Based on this, Benzo(a)pyrene (BaP) and other detected PAHs below the RAGs are conservatively considered ubiquitous across the western portion of the trail. This contamination must be remediated in order to safely redevelop the site into the River Walk North public trail.

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

### **1.b.i. Reuse Strategy and Alignment with Revitalization Plans**

This project, River Walk North, is aligned with several City-approved revitalization plans. Dating back to 2000, the City's Riverfront Master Plan set out to create walkable loop of trails and boardwalk "*to create a new vibrant area for shopping, eating, gathering and strolling along the River's edge.*" By 2003, the City had invested \$16M in the first River Walk Trail on the southside of the Presumpscot River, which included an 800-ft long, raised, wooden boardwalk and over 10,000 ft of at-grade trails. In 2007, the Downtown Westbrook Study Revitalization Plan echoed the need to continue to improve the livability and increase pedestrian connectivity around the City, including a companion River Walk Trail on the northern shore of the Presumpscot River.

The City's Comprehensive Plan was developed in 2012 built off the above plans including significant input from residents in the Target Area as well as with key partners like Westbrook Environmental Improvement Corporation (WEIC), the Presumpscot Regional Land Trust (PRLT), and other partners. One of the outcomes of the public process (that included members of the target community and our partners) was to "*promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters.*" One of the strategies for implementation of the plan is to "*continue to work with local and regional partners, including landowners, to extend and maintain a network of trails for motorized and non-motorized uses, where appropriate.*" To date, the City has focused on achieving this goal and has already added 11,600 feet of river walk along the south side of the Presumpscot River. Through continued community involvement of the Target Area and community partners, it has been made clear, the residents want more access to recreational opportunities and water access. In 2019, due to dam removal and fish passage restoration, the City reached an agreement with SAPPI to purchase these parcels on the northern riverbank. The transaction was finalized in 2023, which transferred the property to the City of Westbrook for redevelopment as River Walk North.

The redevelopment of River Walk North is a direct response from public input and will be redeveloped into a 2,500-foot riverwalk walking path which directly supports the goals of the City's Comprehensive Plan. An initial design for River Walk North was completed in 2015, but refined in 2024 to: (1) improve the access points to ensure ADA standards are met along River Walk North; (2) address environmental permitting requirements, including Maine standards (shoreland zone) and Federal considerations (i.e., EO 11988 Floodplain Management); and (3) incorporate the Analysis of Brownfields Cleanup Alternatives (ABCA). To mitigate any environmental concerns, the design + construction methods for River Walk North are expected to utilize less intrusive techniques, such as a boardwalk-type platform walkway with helical piers to minimize impacts along the riverbank. ADA access will be provided in multiple locations along the riverbank trail in some of the most densely populated neighborhoods of Westbrook.

Because the Site is located within the 100-year floodplain, permitting with multiple agencies is underway. The City is scheduling pre-application meetings in early 2024 to address floodplain management, natural resource protections, and other environmental concerns with local, State, and Federal agencies. An interagency meeting will be scheduled to ensure that holistic design and construction methods are detailed for the Project within the Target Area in 2024. In summary, the City's Reuse Strategy will directly align with a number of existing revitalization plans, as well as a host of environmental considerations.

### **1.b.ii. Outcomes and Benefits of Reuse Strategy:**

Located within the regulatory floodway, a successful cleanup will help decrease the fear of contamination along our river system and ensure the safety of our freshwater system within the City. Due to concerns from a changing environment and impacts on the shoreline, the City is revising the 2015 previous design to better adapt to a changing climate by reducing the invasiveness of river walk construction, minimizing disturbance of soils, and providing more robust long-term erosion and sedimentation control. Based on our evaluation of remedial alternatives, it is impractical and not cost effective to remove all contaminated soil from within the shoreline; therefore, an engineered soil cover system will be designed to prevent exposure to contaminated soils by future greenspace users and to protect the Presumpscot River. Providing a soil stabilizing cover system will also help the City adapt to climate change by preventing erosion of contaminants in soil to the surface water, and most importantly for this site, to prevent disturbance and erosion of contaminated soil under changing climate conditions. Once the soil is covered, the final site restoration will be completed as a greenspace and a constructed River Walk. The River Walk itself will consist of a combination of hardscape applications that will be resilient in the face of a changing climate. Creating this greenspace will help the City adapt to climate change, encourage positive environmental awareness, increase our outdoor recreation retention in our community, and simultaneously boost economic vitality.

It is well known that the presence of a river in a community is a key driver of economic revitalization. In fact, in the City's Comprehensive Plan, the Presumpscot River was specifically highlighted as a great asset to the community, its scenic environment, and its economic development. With this cleanup project, the City will be able to further capitalize on a great and valued resource. The river was critical to the lives of the Abenaki people that lived along it and cared for it for a millennium or more. While industry has not been kind to the river, a new era of understanding, stewardship, and engagement relative to the river exists.

Our project to clean and create greenspace within the Target Area will facilitate the creation of a modern, resilient river walk for both citizens and tourists alike, as well as bring more people to downtown and increase the overall livability + quality of life in Westbrook, Maine. Redeveloping the Site will encourage community engagement involving recreational activities, promote environmental stewardship, encourage conservation efforts for our river system, and will offer other indirect economic benefits through ecological + historic awareness, increase tourism and access to our downtown. Specifically, with the added greenspace, this area will strengthen community vitality by diversifying the City's overall health and wellness initiatives and encourage green exercise.

### **1.c. Strategy for Leveraging Resources**

#### **1.c.i. Resources Needed for Site Characterization**

Additional site characterization is not anticipated;

#### **1.c.ii. Resources Needed for Site Remediation**

It is anticipated that the Brownfields Cleanup grant (\$4M) will be sufficient to complete the remediation of the Site.

#### **1.c.iii. Resources Needed for Site Reuse**

The following resources will be leveraged as part of the project:

Name of Resource	Is the Resource for (1.c.i.) Assessment, (1.c.ii.) Remediation, or (1.c.iii.) Reuse Activities?	Is the Resource Secured or Unsecured?	Additional Details or Information About the Resource
Cornelia Warren Community Association	\$100,000 for Acquisition	Secured (See <b>Attachment 5</b> )	Used to fund the purchase of the parcels that were obtained from SAPPI Fine Paper as a result of a unique multi-party agreement among SAPPI, the City, NGOs, and State + Federal agencies
Westbrook Environmental Improvement Corp.	\$550,000 for Land Acquisition, Assessment, and Reuse Activity	Secured (See <b>Attachment 5</b> )	Used for land acquisition, assessment (due diligence via ESAs), and reuse activity, including funding design modification to incorporate environmental + ABCA
City Funds	\$4M for Reuse Activities	Semi-secured (See <b>Attach 5</b> Letter of Intent from Mayor)	Upon notification of grant award, the City has voted to secure \$4M to match this USEPA Brownfields Cleanup Grant to complete this project, River Walk North.

**1.c.iv. Use of Existing Infrastructure**

With the proposed cleanup and creation of a community park and river walk at this site, all existing infrastructure are utilized and minimal infrastructure improvements are required. The at-grade ADA compliant entrances from neighborhood streets will be further expanded on including new signage, clear pathways to and from the river, and accommodations for visitors using the park, the fishing access, and the River Walk.

**2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT**

**2.a. Community Need**

**2.a.i. The Community’s Need for Funding**

Westbrook is a struggling former mill town adjacent to the state’s largest City (Portland). All census tracts within the City of Westbrook are all designated LMI (low-to-moderate income). Specifically, the residents in the target area (Census Tract 002700) struggle with high poverty (16.07% vs. 13.9% for ME), low wages (\$38k median household income vs. \$49k for ME), low education attainment (25.6% have achieved Bachelor’s degree or higher vs. 28.3% for ME), and a high percentage of children (88<sup>th</sup> percentile in Maine and 81<sup>st</sup> percentile US). The housing stock in the Target Area is aging rapidly (median year built is 1958 vs 1973 for rest of Maine) and has an aging population (median age of 39 vs median age of 37 in US). The S. D. Warren Paper Mill (now SAPPI) was once the city's largest employer and taxpayer, employing over 3,000 people and representing over 50% of the city's tax base. However, foreign competition and the age of the mill have drastically reduced its workforce and production and it now only represents 2.3% of the tax base which has stressed the remaining tax base of our community.

In the face of these challenges, the City struggles to maintain core services of police and fire protection for a diverse, underserved population while the older home stock and aging demographics in our target areas create more demand for these services (i.e. ambulance, medical response, vandalism, fires, crime, etc.). Westbrook is already relying on several sources of funding to create economic opportunity in the City that will utilize any remaining general fund dollars. These cleanup funds are necessary for this project to move forward and there are no additional funds from which we can draw upon.

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

**(1) Health or Welfare of Sensitive Populations:** According to EJSCREEN, the City of Westbrook Target Area (Census Tract 002700) has higher percentages of disadvantaged populations, including low income and children (see stats above), as well as one of the highest percentages of People of Color in the state of Maine (93<sup>th</sup> percentile) and Limited English Speaking (93<sup>rd</sup> percentile in state, 72<sup>nd</sup> in nation). Lastly there is an obesity epidemic throughout the state of Maine which has increased from 12% in 1990 to over 30% in 2020 (MaineHealth 2020). Data from America’s Health Rankings (2019) indicate that in Maine,

non-Hispanic Black adults had the highest age-adjusted prevalence of obesity (34.8%), and data also suggests that those with lower incomes tend to be at higher risk for having obesity. While no data is available for the target community, it is expected to follow the same trend with obesity being a major health deterrent to the target community due to lower income and higher percentage of people of color. This highlights how the health and welfare of our sensitive populations are adversely impacted.

Within the past three years, the City has invested over \$5M in recreational opportunities to address obesity. This redevelopment (along with our other greenspace investments) will provide a greenspace for people to gather, exercise, and have fun at no cost. These investments also bring more people to the downtown and contribute to increased tourism. This investment (including this proposed project) combined with the City's growing and diverse community helps to reverse these health trends in the immediate and long-term future by providing vital health services as well as environmental services; reducing socioeconomic health inequalities, facilitating healthy activities, and promoting better mental and physical health.

**(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions:** According to CEJST, our Site is located within a disadvantaged census tract for purposes of Justice40 due to it meeting both a burden threshold (**asthma** at 91st percentile) AND the associated socioeconomic threshold (low income at 66th percentile). While scientists continue to explore the causes of asthma, it is known that both obesity and air pollution are important contributors. In addition, **cancer** is the leading cause of death in Maine and has been since 2002. For the past 20 years, cancer death rates in Maine have been significantly higher than the U.S. rate. Currently, obesity and being overweight are associated with numerous cancers. Given socioeconomic circumstances of target area, cancer is inferred to also disproportionately impacting the target area. Many cancers can be avoided by modifying risk factors such as exercise and staying active.

This River Walk North project will address both asthma and cancer by providing recreation opportunities right within the Target Area that will lead to increased recreational opportunities for exercise and spending more time outdoors to lower obesity, and lower likelihood of asthma and cancer. In addition, this grant will clean up the PAHs and metals at the Site that will directly reduce these environmental threats to our low income, sensitive populations. While improving the health and welfare of our target community by providing recreational opportunities for exercise, reduce obesity and improve overall health of the target community (and Presumpscot River).

**(3) Environmental Justice: (a) Identification:** As stated above, per CEJST our Site is located within a disadvantaged census tract for purposes of Justice40 due to it meeting both a burden threshold (asthma at 91<sup>st</sup> percentile, as well as proximity to Risk Management Plan facilities at 85<sup>th</sup> percentile, and housing cost at 84<sup>th</sup> percentile) AND the associated socioeconomic threshold (low income at 66<sup>th</sup> percentile, as well as poverty at 84<sup>th</sup> percentile, high minority populations at 18%, and high percentage of children under 10 at 17%). Census Tract 002700 is the 84<sup>th</sup> national percentile for asthma and 54<sup>th</sup> percentile for cancer, **indicating a disproportionate incidence compared to national averages. Exposure to contaminants found at the site, including PAHs + metals, increases the burdens associated with these conditions.** According to EJSCREEN, the target community exceeds the 80<sup>th</sup> percentile for ten (10) environmental justice (EJ) indexes, and exceeds the 90<sup>th</sup> percentile for four (4), including particulate matter (91st percentile in ME), Superfund Proximity, and RMP Facility Proximity (both 91st percentile in ME). This illustrates that residents in Census Tract 002700 both experience a significantly higher prevalence of environmental burdens, and are disproportionately low-income, people of color, no high school education, and/or Limited English proficiency (LEP).

**(b) Advancing Environmental Justice:** It is not the target community's fault our industrial past is still affecting them today. This project will create: (1) recreational opportunities in the target area, making this area more desirable for investment, leading to improved health outcomes as well as improved property values within the target area; and (2) community engagement to capitalize on the new era of



understanding, stewardship, and awareness relative to the river/Target Area and these inherent injustices, both environmental and socioeconomic in nature. Located within the regulatory floodplain, a successful cleanup will also help decrease the worry of contamination along our river system and ensure the safety of our freshwater system in the City. In addition, significant efforts have been taken by the City to increase workforce housing within the City including the addition of hundreds of new units of workforce housing in the past five years and hundreds more are planned to be built in next five years. This is being done to stabilize the housing market in the area and prevent target area residents from being displaced, ensuring that native and new populations are able to remain living in the Target Area.

**2.b. Community Engagement**

**2.b.i. Project Involvement and 2.b.ii Project Roles**

In addition to the programmatic and technical support provided by the Maine DEP, USEPA and Army Corps of Engineers the following project partners will also be leveraged:

<u>Partner Name</u>	<u>Point of Contact</u>	<u>Specific Role in the Project</u>
Westbrook Environmental Improvement Corporation	Stephen Noyes [REDACTED] 207-831-1999	Community outreach, Brownfields Advisory Committee (BAC) participant, input on final design
Discover Downtown Westbrook	Amy Grommes Pulaski <a href="mailto:amy@downtwonwestbrook.com">amy@downtwonwestbrook.com</a> 207-272-7336	Community outreach, BAC participant, input on final design
Presumpscot Regional Land Trust	Rachelle Curran Apse <a href="mailto:rachelle@prlt.org">rachelle@prlt.org</a> 207-839-4633	Community outreach, BAC participant, input on final design
Friends of Presumpscot River	Councilor Michael Shaugnessy <a href="mailto:mshaugnessy@westbrook.me.us">mshaugnessy@westbrook.me.us</a> 207-329-5042	Community outreach, BAC participant, input on final design
Westbrook Recreation + Conservation Commission	Paul Drinan [REDACTED] 207-615-5202	Community outreach, BAC participant, input on final design

**2.b.iii. Incorporating Community Input**

Community outreach continued on November 6, 2023, when a discussion of this project + grant application occurred as an agenda item at the Westbrook City Council meeting. Both Councilors and members of the public were present and provided a number of comments on this application by both Councilors and the public. All questions, where applicable, were responded to on the spot and the input was used to inform this application, including feedback to ensure our Abenaki tribal heritage was included in community background. A virtual option for the public meeting was also provided via Zoom. The public meeting, by virtue of being held during a City Council meeting, was transmitted live and recorded on Facebook and community access TV, and is available to be viewed on both platforms. In addition to the public meeting, public notice was posted on the City’s website, and physically on the bulletin board in the most visible, highly trafficked location at City Hall.

Westbrook intends to develop a Community Relations Plan (CRP) and will continually incorporate community input into the project from beginning to end. The CRP will consist of quarterly BAC meetings, monthly updates to the City Council, as well as two public meetings to be held as part of the project. The first meeting will be held during the 30-day comment period on the Analysis of Brownfields Cleanup Alternatives (ABCA) in order to introduce the full scope of the cleanup project to the public, review the alternatives evaluated and chosen, and solicit feedback on the conclusions and recommendations for the

cleanup. Any feedback received will be addressed and changes will be made accordingly. The second meeting will be during implementation of the cleanup to update the community on the progress of the project's cleanup and ensure that any public concerns are understood and addressed.

Any translation of materials will be done upon request in cooperation with the City's Diversity Equity and Inclusion Coordinator. Public meetings will be both in person and virtual (zoom links to be provided). A multimedia approach will be employed to advertise meetings, encourage community participation and provide responses to community concerns, including announcements via local newspaper, e-mail, and City's website. Recordings of these public meetings, like others, are available for viewing on Facebook, community access TV, and through online links through the City's website. In addition, any other special needs (handicap, hearing or vision impaired, etc.) will be accommodated during the meeting as has been done in the past.

### **3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS**

#### **3.a. Proposed Cleanup Plan**

The City is ready to start working immediately upon award of the grant. The first step in the cleanup plan is to contract a Qualified Environmental Professional (QEP) which will be completed within first 2 months of the grant period. Remediation of the Site will consist of preparing a final ABCA for approval by the Maine DEP/USEPA, submitting the site into the Maine DEP Voluntary Response Action Program (Voluntary Cleanup Program), and then developing bidding documents and implementing soil remediation activities. Due to the riverfront nature of the Site, removal of contaminated soil from the Site is not feasible; therefore, an engineered soil cover system including robust vegetation and/or erosion and sedimentation control measures will be designed, in consultation with local/State/Federal agencies, to prevent exposure to contaminated soils by future greenspace users and to protect the Presumpscot River considering climate change and floodplain management considerations. Providing a cover system will also help to prevent disturbance and erosion of contaminated soil into the river. A long-term cover system maintenance plan will be developed in order to ensure continued effectiveness of the system. During cleanup and reuse, temporary fencing and engineering controls including dust suppression and erosion/sedimentation best management practices (BMPs) during site work be utilized to protect the public and site workers.

#### **3.b. Description of Tasks/Activities and Outputs**

##### **3.b.i, ii, iii, iv Project Implementation, Anticipated Project Schedule, Task/Activity Lead, & Outputs**

<p><b>Task Activity: 1. Cooperative Agreement Oversight</b></p> <ul style="list-style-type: none"><li>i. Project Implementation: EPA-funded activities (no non-EPA activities): a) Form Brownfields Advisory Committee (BAC), b) Competitively Procure Qualified Environmental Professional (QEP)-With direction from the BAC, c) ACRES updates and Annual MBE/WBE Reports, d) Attend Brownfields Conference</li><li>ii. Anticipated Project Schedule: Fall 2024 (and ongoing)</li><li>iii. Task/Activity Lead(s): Robyn Saunders (Westbrook)</li><li>iv. Outputs: EPA Quarterly Reports, MBE/WBE Reports, RFP/RFQ, QEP contract</li></ul>
<p><b>Task Activity: 2. Community Involvement</b></p> <ul style="list-style-type: none"><li>i. Project Implementation: EPA Funded Activities (no non-EPA activities): a) Enroll the Site in the Maine DEP VRAP Program and obtain No Action Assurance Letter, b) Draft Community Relations Plan (CRP), c) Facilitate Quarterly Brownfield Advisory Committee Meetings, d) Host Public Meeting for Draft ABCA and Host Public Meeting during Cleanup e)Monthly Updates to City Council</li><li>ii. Anticipated Project Schedule: Ongoing through Fall 2025 or project completion</li><li>iii. Task/Activity Lead(s): Robyn Saunders (Westbrook)</li></ul>

iv. Outputs: CRP, Advertisements, Sign in Sheets, Meeting Minutes, News Articles
<b>Task Activity: 3. Cleanup Activities</b>
i. Project Implementation: EPA-funded activities: a) Finalize ABCA plan, b) Prepare Site-Specific Quality Assurance Project Plan (SSQAPP), c) Finalize Bid Plans and Specifications, d) Installation of Engineered cover system. Non EPA Activities: Permitting (including, but not limited to, FEMA-flood hazards, ACOE permit, MEDEP/local shoreland zone, etc.) and Design Modification of River Walk project
ii. Anticipated Project Schedule: Spring 2025 – Summer 2026
iii. Task/Activity Lead(s): QEP with support from the City
iv. Outputs: ABCA, SSQAPP, Bid Plans Specifications, Daily Cleanup Reports, Certified Payrolls, Davis-Bacon Interviews, Disposal Documentation,
<b>Task Activity: 4. Coordination and Final Reporting</b>
i. Project Implementation: EPA-funded activities (no non-EPA activities): a) Coordinate with regulatory agencies, b) Submit Remediation Summary Report for DEP VRAP Certificate of Completion, c) Prepare a long-term Environmental Media Management Plan (EMMP) to support institutional controls and long-term maintenance of the project’s controls + infrastructure, d) Prepare and implement institutional controls (i.e., deed covenant)
ii. Anticipated Project Schedule: Fall/Winter 2026
iii. Task/Activity Lead(s): QEP – With direction from the City
iv. Outputs: Remediation Summary Report, EMMP, Certificate of Completion, Deed Covenant

**3.c Cost Estimates**

The proposed tasks/budgets are included in the following table and the basis for these budgets is summarized below:

Budget Categories		Project Tasks (\$)				Total
		Coop. Agreement Oversight	Community Involvement	Cleanup Activities	Coordination and Final Reporting	
Direct Costs	Personnel	5,500	4,000	5,000	2,000	16,500
	Fringe Benefits	0	0	0	0	0
	Travel	3,500	0	0	0	3,500
	Equipment	0	0	0	0	0
	Supplies	0	1,000	0	0	1,000
	Contractual	0	15,000	104,000	15,000	134,000
	Construction			3,845,000		3,845,000
<b>Total Direct Costs</b>		<b>9,000</b>	<b>20,000</b>	<b>3,954,000</b>	<b>17,000</b>	<b>4,000,000</b>
<b>Indirect Costs</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Budget</b>		<b>9,000</b>	<b>20,000</b>	<b>3,954,000</b>	<b>17,000</b>	<b>4,000,000</b>

Task I: Cooperative Agreement Oversight: This task will include \$5,000 for programmatic management of the grant including procuring a QEP, quarterly reports, ACRES updates, and MBE/WBE reporting (110 hours at \$50 per hour staff), \$3,500 for travel for 2 people to the EPA Brownfields Conference (\$1,500 airfare, \$1,000 for 3 nights lodging, \$600 for 3 days per diem, \$400 for registration and other fees). Additional City staff time will be in-kind match for the project.

Task II: Community Involvement: It is estimated that \$4,000 will be necessary for Town personnel to facilitate BAC, public, and community volunteer/partner meetings (80 hours at \$50 per hour), \$15,000 for

QEP time to finalize the ABCA and prepare the Community Relations Plan, assist in community outreach, and participate at the BAC/public meetings (125 hours at \$120/hour); \$1,000 in supplies that will comprise a project sign, newspaper advertising, and presentation materials.

*Task III: Cleanup Activities:* Westbrook will coordinate with the QEP and facilitate a public bidding process at an estimated cost of \$5,000 (100 hours at \$50 per hour). Preliminary estimates for the installation of an engineered barrier system at \$3.845M and \$104,000 contractual for preparing a RAP, SSQAPP, engineering, design, bidding, and performing on-site oversight and documentation (790 hours at \$120 per hour QEP plus \$9,000 in laboratory and other expenses).

*Task IV: Coordination and Final Reporting:* Westbrook will provide coordination and communications with the EPA and DEP and coordinate with the QEP to prepare a remediation summary report at an estimated amount of \$2,000 (40 hours at \$50 per hour). This task estimates \$15,000 contractual for QEP time for preparing the remediation summary report, EMMP, and coordinating with DEP to prepare a deed restriction and receive a COC (125 hours at \$120 per hour).

### **3.d. Measuring Environmental Results**

The QEP will be responsible for ensuring that all work conducted is compliant with State and Federal guidelines including Davis-Bacon compliance. The QEP, the cleanup contractor and the City will be in constant contact throughout this project. The mechanism for tracking, measuring, and evaluating progress and achieving our program outcomes (short and long-term) will be measured through our quarterly EPA reports which are updated on a quarterly basis in the EPA ACRES database. Upon notification of award, the City will prepare the required Cooperative Agreement Work Plan with EPA that will outline the overall project schedule, project budget, identify various work tasks, benchmarks, and milestones that will be tracked and measured during grant implementation. Progress will be evaluated as part of our quarterly BAC meetings and modifications to the Work Plan will be completed if needed. Connecting the outputs to our work plan will provide a link to the results of grant funding within EPA's strategic plan as well as demonstrate to Congress the tangible results of the Brownfields grant program.

## **4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**

### **4.a. Programmatic Capability**

**4.a.i. Organizational Structure:** With nearly 200 full-time municipal employees and an annual budget of over \$44 million, the City has sufficient staff capacity and experience to continue to implement a successful Brownfields program. The City provides a full range of municipal services ranging from Police, Fire, and emergency communication services, to health and welfare assistance, to planning and economic development opportunities. The City receives roughly \$2 million each year in grants from State and Federal agencies, including HUD, FAA, DOT, DOI and others. There are well defined and stringent management protocols, systems and oversight in place. Both procurement and payment systems are formal and structured. The City has a strong history of smart and effective competitive procurement of technical, professional and creative services, including engineering, legal, research, marketing and planning services.

**4.a.ii Description of Key Staff:** The City of Westbrook's team includes the following key staff:

- Project Director, Robyn Saunders, is a Project Manager with 25+ years' experience in engineering and environmental consulting. In her 3.5 years with the City of Westbrook, she has implemented City-led projects totaling roughly \$30M. She meets weekly with the following members of City Administration to maintain momentum on all City-related matters:
  - Daniel Stevenson, Economic Development Director, her direct supervisor.
  - Jerre Bryant, City Administrator, and Mayor Michael T. Foley, who communicate regularly with all seven (7) City Councilors.

- Eric Dudley, P.E., the City Engineer and Director of Engineering and Public Services, to coordinate long-term operation + maintenance of facilities and infrastructure.
- Jennie Franceschi, P.E., the City Planner and Director of Planning, Code Enforcement, and Assessing, to ensure that all local ordinances, permitting, and other considerations are properly applied to City projects.
- Tressina Germani, the Finance Director and City Treasurer, oversees all local/State/Federal funding requirements are satisfied. She ensures there are no outstanding or adverse comments for the City's annual audit reports.

Key staff will be augmented with other City staff, as needed, as well as the QEP, community partners, State + Federal agencies, and others to ensure the project fulfills all requirements.

**iii. Acquiring Additional Resources:** Westbrook believes in a competitive procurement process and will issue a Request for Proposals/Request for Qualifications (RFP/RFQs) to solicit QEP responses. The RFP/RFQs are reviewed by City staff/DEP/EPA and interviews of the top submittals/qualified firms are generally conducted. All bidding will comply with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500.27 and other applicable rules governing labor and contracting. The selection of a QEP will provide Westbrook with the technical expertise and resources to achieve success and complete this wonderful project to complete the river walk trail. In addition, the specific cleanup work (e.g., surveying, remediation services, construction activities, etc.) will be publicly bid by the QEP. If other resources are needed, such as legal support in the development of institutional controls, the City retains legal representation on a contract basis and other qualified vendors that can be utilized (as in-kind).

#### **4.b. Past Performance and Accomplishments**

**i. Currently Has or Previously Received an EPA Brownfields Grant; (1) Accomplishments:** The City of Westbrook has received 6 separate EPA Brownfields grants from 2000 through 2007 including three assessment grants, two RLF grants, and one cleanup grant totaling \$2,050,000 in EPA funds. Our three most recent grants include the 2007 Cleanup of Haskell Silk site, the 2006 Community wide petroleum assessment grant and the 2005 Brownfields Cleanup Revolving Loan fund. The 2005 RLF funds were used to clean up the former Foye Mill site in Westbrook (adjoining the River Walk North Site) to include a 139,588-SF office building and 300-space parking garage. This project leveraged \$16 million in private investment, created 326 jobs in our downtown, and \$300,000 in annual property taxes to the City. The 2006 Assessment grant included the assessment of two petroleum sites including the Larson's Junkyard and the Saccarappa Park (Former Haskel Silk) site. The Larsons junkyard Site has since been acquired and redeveloped into the BD Solar Properties, Inc. for solar sales and installation. The Saccarappa Park site is scheduled to be redeveloped in 2024 into a four-season pavilion to be used by the public. The Site will include a roughly 6,000 s.f. slab on grade pavilion that will be capable of being an ice rink in winter and open air event space in summer. The remainder of the parcel will be paved parking (estimated at 6,000 s.f.) and greenspace (including an extension of the Westbrook River Walk).

Unfortunately, the 2007 Haskell Silk Cleanup grant was cancelled by the City since the redevelopment fell through and the cleanup was linked to the overall redevelopment resulting in minimal drawdown of funds. Each of the above accomplishments were accurately reflected in ACRES.

**(2) Compliance with Grant Requirements:** For each of our grants the City has consistently followed our Cooperative Grant Agreement terms and conditions as well as our Work Plan commitments, and we have successfully completed financial status reports, Quarterly Reports, MBE/WBE reports on time as well as regularly updated ACRES. Except the Haskell Silk Cleanup grant (which was cancelled due to development not moving forward), all other expected results have been achieved and reported in ACRES.

## **ATTACHMENT 1 - THRESHOLD DOCUMENTATION**

### 1. Applicant Eligibility

Eligible Entity: The City of Westbrook is a City and therefore an eligible entity

### 2. Previously Awarded Cleanup Grants

We affirm that this site has not received funding from a previously awarded cleanup grant.

### 3. Expenditure of Existing Multipurpose Grant Funds

We affirm it does not have an open EPA Brownfields Multipurpose Grant.

### 4. Site Ownership

The City of Westbrook obtained ownership of the Site via fee simple title on April 3, 2023

### 5. Basic Site Information

(a) Name of Site: River Walk North

(b) Address of Site: Bridge Street and 12 Water Street, Westbrook, Maine 040912

### 6. Status and History of Contamination at the Site

(a) Type of Contamination: Hazardous Substances

(b) Operational History and Current Uses: The River Walk North Site consists of roughly 5 acres along the northern bank of the Presumpscot River between two pedestrian bridges: one in the western downtown and one in the eastern end of Westbrook. Prior to colonial settlements, the Site was originally settled by the Abenaki people that occupied the area for thousands of years due to the rich fishing grounds and lands for hunting that sustained their people. With colonization, the first dams in the 1730s were logging dams. The lands around the Presumpscot River (including the Site) were then developed with a sawmill and mill dams dating back to 1793 and had multiple industrial uses including an iron wire manufacturer and lumber manufacturer (1871), and the Dana Warp Mill (textiles) and SD Warren Power station (1885-1977) an island in the river, and the remainder of the Site was used to transport electrical lines from the power plant to the SD Warren paper mill at the eastern end of the Site. The dam and associated power plant were removed from 2019 to 2021 and the Site is currently undeveloped – resulting in an unparalleled opportunity to transform these areas into green space to be enjoyed for the ages.

(c) Environmental Concerns: The over 200 years of industrial history have left contamination including polycyclic aromatic hydrocarbons (PAHs) and metals in exceedance of applicable regulatory standards. Surficial soils were characterized as part of multiple Phase I/II Environmental Site Assessments (ESAs) completed between 2020 and 2023. Due to shallow bedrock, the contamination is confined to shallow surface soils along the Presumpscot River and has not impacted groundwater. The most recent Phase II ESA concluded that recognizing the locations of the regulatory exceedances did not have any observable difference in soil type compared to other samples along the river walk area; it is likely that these concentrations are not exclusive. Concentrations of PAHs across the river walk are highly heterogenous ranging from non-detect to above the Remedial Action Guidelines (RAGs) with no observable difference in material. Based on this, Benzo(a)pyrene (BaP) and other detected PAHs below the RAGs are conservatively considered ubiquitous across the western portion of the trail. This contamination must be remediated in order to safely redevelop the site into the River Walk North public trail.

- (d) How the Site Became Contaminated: Specific sources of contamination have not been identified however the Site is assumed to have been contaminated by its long history of industrial use of the Site as well as upgradient industrial sources within the Presumpscot River watershed.

#### 7. Brownfields Site Definition

- (a) The Site is not listed or proposed to be listed on the National Priority List
- (b) The Site is not currently subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA
- (c) The Site is not subject to jurisdiction, custody, or control of the United States Government

#### 8. Environmental Assessment Required for Cleanup Grant Applications

Several Environmental Assessment have been completed at the Site including the following:

- July 30, 2018, Phase I Environmental Site Assessment prepared by Credere Associates, LLC
- February 1, 2023, Phase I Environmental Site Assessment prepared by Credere Associates, LLC
- October 30, 2023, Phase II Environmental Site Assessment prepared by Credere Associates, LLC

#### 9. Site Characterization

The Site has been adequately characterized and is eligible for, and an application is intended to be submitted to, the Maine DEP Voluntary Response Action Program (VRAP) for Maine DEP's approval, if awarded the grant. A letter from the Maine DEP is included as **Attachment 2**. A sufficient level of characterization has been performed to allow for remediation work to begin on the site following VRAP approval.

#### 10. Enforcement or Other Actions

We affirm there are no known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought.

#### 11. Sites Requiring a Property-Specific Determination

The Site does not require a property-specific determination. This Site is not considered part of a special class as defined below:

- properties subject to planned or ongoing removal actions under CERCLA
- properties with facilities that have been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or judicial consent decree or to which a permit has been issued by the United States or an authorized state under the Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA)
- properties with facilities subject to RCRA corrective action (§3004(u) or §3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures
- properties that are land disposal units that have submitted a RCRA closure notification or that are subject to closure requirements specified in a closure plan or permit

- properties where there has been a release of PCBs and all or part of the property is subject to TSCA remediation
- properties that include facilities receiving monies for cleanup from the Leaking Underground Storage Tank (LUST) Trust Fund (see Appendix 1 for a definition of LUST Trust Fund sites)

## 12. Threshold Criteria Related to CERCLA/Petroleum Liability

### (a) Property Ownership Eligibility - Hazardous Substance Sites

#### *iii. Landowner Protections from CERCLA Liability*

##### **(1) *Bona Fide Prospective Purchaser Liability Protection***

- a. Information on the Property Acquisition: The City of Westbrook acquired the property by negotiated purchase from a private entity, SAPPI North America, Inc., by fee simple title on April 3, 2023. The City has no familial, contractual, corporate, or financial relationship or affiliations with SAPPI North America, Inc.
- b. Pre-Purchase Inquiry: The City of Westbrook procured an Environmental Professional to perform an ASTM E1527-21 Phase I Environmental Site Assessment. The Phase I ESA was completed by Credere Associates, LLC and dated February 1, 2023.
- c. Timing and/or Contributions toward Hazardous Substance Disposal: All hazardous substance disposal occurred prior to the City acquiring the property.
- d. Post Acquisition User: The Site has not been used since acquisition and will not be used until redeveloped.
- e. Continuing Obligation: There are no continuing releases known to be occurring at the Site. The Site will otherwise remain unoccupied until redevelopment occurs. To prevent the spread of contamination during redevelopment, construction will follow approved plans and specifically an Environmental Media Management Plan to be prepared as part of finalization of the ABCA and application to the Maine DEP VRAP. The City confirms they will:
  - i. Comply with any land use restrictions and not impede the effectiveness or integrity of any institutional controls;
  - ii. Assist and cooperate with those performing the cleanup and provide access to the property;
  - iii. Comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and
  - iv. Provide all legally required notices.

### (b) Petroleum Sites: Not Applicable

## 13. Cleanup Authority and Oversight Structure

- (a) Cleanup Oversight: Per Criteria 9 above, through participation in the Maine DEP VRAP, Maine DEP will provide technical review and comment on all plans, reports, and activities pertaining to cleanup of the Site. If awarded, EPA will also have substantial involvement in the approval process and review of technical documents including the ABCA and any Quality Assurance Project Plans (QAPPs) The City will competitively procure a Qualified Environmental Professional (QEP) according to provisions of 2 CFR §§ 200.317 through 200.327 as one of the first steps in the grant process prior to implementing remediation activities at the Site. The QEP will prepare programmatic plans including the ABCA, VRAP Application, QAPPs, and



Community Involvement Plans (CIPs), supporting preparation of bid documents, obtain and evaluate remediation contractor bids, coordinate and oversee remediation activities, perform any confirmatory/clearance sampling, and document the remedial actions pertinent to the VRAP No Action Assurance Letter and Brownfields Program, ABCA/RAP, and other cleanup documents.

- (b) Adjacent Property Access: The site is bordered on three sides (west, north and east) by residential/commercial properties and the Presumpscot River to the south. The Site has sufficient road access to be able to access all areas of the Site for remedial activities without access to adjacent properties.

#### 14. Community Notification

- (a) Draft ABCA: A draft Analysis of Brownfields Cleanup Alternatives (ABCA) has been prepared for public review and is included in **Attachment 3**.
- (b) Community Notification Ad: A Public Notice was posted on the home page of the City's Web Site ([www.westbrookmaine.com](http://www.westbrookmaine.com)) under "Westbrook Events" (the normal means of advertising public meetings for the City) from October 30<sup>th</sup> through November 13<sup>th</sup>. It notified the public that a copy of the grant proposal and draft ABCA were available for public review and comment, how to comment on the drafts, where the drafts could be reviewed, and the date and time of the public meeting.
- (c) Public Meeting: Community outreach continued on November 6, 2023, when a discussion of this project + grant application occurred as an agenda item at the Westbrook City Council meeting. Both Councilors and members of the public were present and provided a number of comments on this application by both Councilors and the public. All questions, where applicable, were responded to on the spot and the input was used to inform this application, including feedback to ensure our Abenaki tribal heritage was included in community background. A virtual option for the public meeting was also provided via Zoom. The public meeting, by virtue of being held during a City Council meeting, was transmitted live and recorded on Facebook and community access TV, and is available to be viewed on both platforms. In addition to the public meeting, public notice was posted on the City's website, and physically on the bulletin board in the most visible, highly trafficked location at City Hall.
- (d) Submission of Community Notification Documents: The required documentation including a copy of the Public Notice, a meeting sign in sheet, and meeting minutes are included in **Attachment 4**.

#### 15. Contractors and Named Subrecipients

N/A – a contractor has not been procured and no subrecipients are planned.