1. **Applicant Identification:** Fargo Housing and Redevelopment Authority  
   325 Broadway N.  
   Fargo, ND 58102

2. **Funding Requested:**
   a. **Grant Type:** Single Site Cleanup
   b. **Federal Funds Requested:**
      i. $650,000
      ii. No request to waive the cost-share requirement
      iii. Waiver of the $500,000 limit is requested

3. **Location:** Fargo, Cass County, North Dakota

4. **Property Information:** 101 2nd St. South  
   Fargo, ND 58103

5. **Contacts:**
   a. **Project Director**  
      Chris Brungardt  
      Deputy Director, Fargo Housing and Redevelopment Authority  
      Address: 325 Broadway N., Fargo, ND 58102  
      Phone: 701-293-6262  
      Email: chrisb@fargohousing.org
   
   b. **Chief Executive/Highest Ranking Elected Official**  
      Who: Dr. Tim Mahoney  
      Title: Mayor, City of Fargo  
      Address: 225 4th St. North, Fargo, ND 58102  
      Phone: 701-241-8572  
      Email: TMahoney@FargoND.gov; mredlinger@fargond.gov

6. **Population:** Fargo, North Dakota - 124,662 (U.S. Census Bureau Population Estimates July 1, 2019)

7. **Other Factors**
<table>
<thead>
<tr>
<th>Other Factors</th>
<th>Page #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community population is 10,000 or less</td>
<td></td>
</tr>
<tr>
<td>The applicant is, or will assist, a federally recognized Indian tribe or United States territory.</td>
<td></td>
</tr>
<tr>
<td>The proposed brownfield site(s) is impacted by mine-scarred land.</td>
<td></td>
</tr>
<tr>
<td>Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.</td>
<td>3</td>
</tr>
<tr>
<td>The proposed site(s) is adjacent to a body of water</td>
<td></td>
</tr>
<tr>
<td>The proposed site(s) is in a federally designated flood plain.</td>
<td></td>
</tr>
<tr>
<td>The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy.</td>
<td></td>
</tr>
<tr>
<td>The reuse of the proposed cleanup site(s) will incorporate energy efficiency measures.</td>
<td>3</td>
</tr>
<tr>
<td>The target area(s) is located within a community in which a coal-fired power plant has recently closed (2011 or later) or is closing.</td>
<td></td>
</tr>
</tbody>
</table>

8. **Letter from the State Environmental Authority:** Attached

9. **Releasing Copies of Applications:** Not Applicable.
Brownfields Sites – Fargo Housing and Redevelopment Authority

November 8, 2021

Chris Brungardt
Fargo Housing and Redevelopment Authority
325 Broadway N.
Fargo, ND 58102

Subject: Letter of Acknowledgement

Dear Mr. Brungardt:

This letter is written to acknowledge the Fargo Housing and Redevelopment Authority’s (the Housing Authority) intent to obtain a U.S. Environmental Protection Agency Brownfields Cleanup Grant (Cleanup Grant) for fiscal year 2022. The Housing Authority operates in the city of Fargo in the state of North Dakota, and works to provide safe and affordable homes for the citizens of Fargo.

The North Dakota Department of Environmental Quality (NDDEQ) understands this grant would be used to conduct asbestos abatement activities for the Lashkowitz Highrise building in Fargo. The NDDEQ believes these actions would be beneficial to the citizens of Fargo, and supports the Housing Authority’s application.

Please contact me with any questions or comments at 701-328-5160, or send an email to dkannenberg@nd.gov.

Sincerely,

Derek Kannenberg, Manager
Hazardous Waste Program
Division of Waste Management
Narrative/Ranking Criteria
1) Project Area Description and Plans for Revitalization
   a) Target Area and Brownfields
      i) **Background and Description of Target Area:** The Lashkowitz Highrise is located in the quickly redeveloping southern section of downtown Fargo. This property lies on 2 acres of property overlooking the red river, regional parks, walking paths, and farmers markets. However, this area preceding the construction of the Lashkowitz High-rise contained blacksmith and carpenter shops, repair garages, and City maintenance yard. Additionally, a short distance to the northeast is the currently Mid-America Steel (Fargo Foundry) which was created for the Case Tractor assembly building.
      ii) **Description of Brownfields site:** The Lashkowitz was originally, a 22 story 248 unit constructed to house low-income senior citizens. Through the many years of operations, the age restriction was lifted. Because of its small unit size, spartan design, and lacking the principles of Universal Design the building became less desirable and started to house more difficult persons in the need of stable housing.

      Major building systems have failed, and several analyses were completed. it was determined to demolish the existing building and replace with 110 units of affordable housing. Would be a substantial cost saving (over $9M) over rehabilitation of the existing building. With the construction of a new Amazon distribution center and construction of $1+ billion red river flood diversion the need for affordable housing is on the upmost concerns of the Fargo metro area. Which these proposed 110 units would substantially address this shortage.

      Fargo Housing and Redevelopment Authority (FHRA), located in the city of Fargo, Cass County, North Dakota, is requesting $650,000 to assist with the abatement of asbestos at the Lashkowitz Highrise building. The Lashkowitz Highrise was completed in 1970 with the pervasive amounts of asbestos in the building materials used throughout the project, typical for the industry at the time of construction.

      For informational purposes a Phase I and a CFR part 58 Environmental Assessment has been completed on this property and are available for review. It should be noted that besides the asbestos, it was identified that an underground fuel tank was previously removed and abated, and glycol used in the boiler systems was identified.

   b) **Revitalization of the Target Area**
      i) **Reuse Strategy and Alignment with Revitalization Plans:** Fargo Housing and Redevelopment Authority has a reuse plan for the Lashkowitz Highrise which aligns with the City of Fargo’s Renewal Plan for Tax Increment Financing District No. 2021-01, published in January 2021. This plan developed with public input creates the Renewal Area and establishes a Tax Increment Financing District authorized by Urban Renewal Law of which the current site is within the boundaries of. The plan specifies four phases of renewal and economic development and in 2022 specifically lists partnering with Fargo Housing and Redevelopment Authority to develop or redevelop the public housing project at 101 2nd Street South (Lashkowitz Highrise site).
Additionally, the Go2030 Fargo Comprehensive Plan issued in 2012 specifically outlines a recommendation to continue to support and accommodate affordable housing choices in all neighborhoods to increase equity for residents in Initiative 6 of the report which directly aligns with the reuse plan of this site, once cleanup is complete.

ii) Outcomes and Benefits of Reuse Strategy: The current building will be demolished and rebuilt as Lashkowitz Riverfront, a 110-unit affordable, deed and income-restricted, rental apartment building. This project will create affordable rental housing for 290+ persons. The newly constructed building will charge rents at 30%-50% of Area Median Income (AMI), thus benefiting low-income households in the Fargo community. Beyond this, the inventory created will assist housing cost-burdened residents and those affected by substandard housing.

Besides, the $30 M development impact of this new building, it will also create or maintain an estimated 100 + jobs and infusing over $25M of wages and services into the local and regional economy; all associated with the overall development, with at least 10 jobs and nearly $3M in wages specifically associated with the cleanup. But it will also be housing 110 households of affordable housing for area business, construction companies, and distributors. The Lashkowitz Riverfront will place a new property on the tax rolls where the predecessor was tax and specials exempt property. An incremental change for $2.5 Million nontaxable to an estimated $25 Million taxable property.

As part of the Low-Income Housing Tax Credit application process, the new construction of Lashkowitz Riverfront has committed to incorporate energy efficient measures by following Enterprise Green Communities green building standards, the only national green building program created for the affordable housing sector.

These cleanup funds leverage a $30M project which contributes to economic development in the City of Fargo, adds homes for nearly 300 persons, and supports reconstruction of an aging downtown building which, in turn, will encourage further redevelopment and economic investment in this particular area of Fargo.

c) Strategy for Leveraging Resources
i. Resources Needed for Site Ruse: The asbestos removal in the existing building is expected to cost $2,850,000 based on estimates and recent discussions with remediation companies. Committed funding sources are $1.0 Million from FHRA, $650K EPA Brownfields Grant, and the remainder from a commercial loan or bonds. The funds requested with this grant would make up 22.8% of the funding required for the remediation alone. Post-removal and testing, the remaining funding required to complete the demolition, new construction, and all associated costs and fees is $26,981,482 for a project total of $29,831,482. The Brownfields Cleanup would contribute 2.17% of the total project cost. An application for Low-Income Housing Tax Credits has been submitted to North Dakota Housing Finance Agency. Fargo Housing and

Narrative/Ranking Criteria – Lashkowitz Highrise - Fargo Housing and Redevelopment Authority Cleanup Grant
Redevelopment Authority has contributed $1,000,000 in Capital Disposition Funds (FHRA Board of Commissioners Resolution #2021-9-6, threshold criteria Attachment E).

2) ii. Use of Existing Infrastructure: The site is located within Fargo city limits and has adequate existing infrastructure including adjacent sewer, water, storm drainage, utilities and roads which will be reused. Community Need and Engagement

   a) Community Need

   i) The Community’s Need for Funding: In order to continue to provide the City of Fargo a solid core it is imperative to remediate the asbestos and demolish the Lashkowitz Highrise. There exists a need for workforce housing in the core area of Fargo. FHRA has approached Local, State and Federal agencies for assistance to no avail.

   Redeveloping a brownfields site is inherently more expensive than development on a greenfield. Not only do all environmental hazards need to be abated. But existing structures need to be demolished and the site prepared for new construction. If no action is taken it will become a blighted property. Along with the drop in property values, blighted properties tend to show an increase in call for service from the police and fire departments.

   Being a redevelopment site, would be eligible for City of Fargo Tax Increment Financing (TIF) district and has been included in such a district. However, the district is newly formed and has not generated necessary funds to finance the asbestos abatement. Nor do City officials expect the district to have such a balance in the near future. Applications were submitted for State funding using the 2022 Housing Trust Fund and Housing Incentive Funding through North Dakota Housing Finance Agency (NDHFA) Based on a follow up meeting with NDHFA, it was a very competitive year for these sources and Fargo Housing and Redevelopment Authority scored well, missing funding by one spot and only a few points in both categories. Senators Hoeven’s office was contacted for the possibility of a federal set aside, along with additional funding requests to HUD’s Office of Capital Improvements along with HUD’s Office of the Deputy Assistant Secretary for Public Housing Investments. However, FHRA has encumbered $1.0 Million in existing Capital Funds to aid in the abatement. Additional Capital Funds are not available. If used other public housing properties would be at risk of deferred maintenance.

   ii) Threats to Sensitive Populations

   (1) Health or Welfare of Sensitive Populations: Abating the asbestos at Lashkowitz Riverfront will reduce the threat of harmful exposure to the low-income population this building served (children, elderly, infirmed). All former tenants have been relocated at the time of application; however, remediating will address the threat of any exposure to future residents and area residents, workers, and travelers. Asbestos fibers may be released into the air by the disturbance of asbestos-containing material during demolition work, if not properly abated. In general, exposure may occur only when the asbestos-
containing material is disturbed or damaged in some way to release particles and fibers into the air. This grant will assist in the abatement of asbestos containing materials prior to the demolition of the Lashkowitz. Thus, eliminating the potential of errant asbestos fibers. This project was evaluated for rehabilitation versus abatement and demolition however the current layout as-built in 1970 does not meet the needs of today’s families; to meet the need of today’s families, remediation is inevitable despite the direction of the reuse of the site.

(2) Greater Than Normal incidence of Disease and Adverse Health Conditions: The contaminant of concern at the site is asbestos. Exposure to asbestos increases your risk of developing lung disease. That risk is made worse by smoking. In general, the greater the exposure to asbestos, the greater the chance of developing harmful health effects. Three of the major health effects associated with asbestos exposure are:

- Lung cancer
- Mesothelioma, a rate form of cancer that is found in the thin lining of the lung, chest, abdomen, and heart,
- Asbestosis, a serious progressive, long-term, non-cancer disease of the lungs.

If the asbestos is not remediated properly, it will cause major health concerns for the surrounding community due to the correlation between asbestos and these health effects.

(3) Promoting Environmental Justice: The effort to remediate the asbestos in Lashkowitz Highrise is a critical first step to a new, equitable development in its place; an affordable rental development that will create 110-units for 290+ low-income residents. The proposed action will be beneficial for persons with disabilities and low-income populations as it provides needed housing. Moreover, the Site is located near the edge of downtown Fargo and the immediate surrounding area consists primarily of commercial properties, greenspace, and parks. Due to the location and character of the Site and surrounding properties, the parcel likely would be developed for commercial use in the absence of the proposed project. Lastly, this parcel has been identified as belonging to an Environmental Justice population as shown in the 2045 Fargo-Moorhead Metropolitan Transportation Plan

b) Community Engagement

i and ii. Project Involvement and Project Roles: Several partners have been identified and committed for this project and are included in the table below:

<table>
<thead>
<tr>
<th>Pre-Cleanup and Cleanup Orgs</th>
<th>Point of Contact</th>
<th>Specific Involvement in the project/assistance provided</th>
</tr>
</thead>
</table>

Narrative/Ranking Criteria – Lashkowitz Highrise - Fargo Housing and Redevelopment Authority Cleanup Grant
### Narrative/Ranking Criteria – Lashkowitz Highrise - Fargo Housing and Redevelopment Authority Cleanup Grant

<table>
<thead>
<tr>
<th>Organization</th>
<th>Contact Person</th>
<th>Role</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fargo Housing and Redevelopment Authority</td>
<td>Chris Burghardt, Deputy Director <a href="mailto:chrisb@fargohousing.org">chrisb@fargohousing.org</a> 701-293-6262</td>
<td>Own and manage current and future Lashkowitz Highrise; Grant Administration; facilitate public meetings/awareness of project through web, newsletter, social media</td>
<td></td>
</tr>
<tr>
<td>BlueLine Development, Inc.</td>
<td>Christian Pritchett, Development Director <a href="mailto:Christian@Bluelinedevelopment.com">Christian@Bluelinedevelopment.com</a> 406-2142052</td>
<td>Developer consultant for the project; will participate in public meetings, site visits, facilitation of remediation, demo, and construction</td>
<td></td>
</tr>
<tr>
<td>City of Fargo</td>
<td>Jim Gilmour, Director of Strategic Planning and Research <a href="mailto:Jgilmour@FargoND.gov">Jgilmour@FargoND.gov</a> 701-241-1476</td>
<td>Identify neighborhood needs through Renewal and Revitalization Plans,</td>
<td></td>
</tr>
<tr>
<td>YHR Partners</td>
<td>Margaret <a href="mailto:Follingstad@yhr.com">Follingstad@yhr.com</a> 218-233-4422</td>
<td>Architect consultant on energy efficient designs/Enterprise Green Communities for redevelopment plan</td>
<td></td>
</tr>
</tbody>
</table>

### Post-cleanup and rebuild process

<table>
<thead>
<tr>
<th>Organization</th>
<th>Contact Person</th>
<th>Role</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specialty Finance Group</td>
<td>Tim White, SVP of Business Development <a href="mailto:twhite@crbt.com">twhite@crbt.com</a> 319-862-2728</td>
<td>Potential construction and permanent mortgage lender with a signed Letter of Interest provided to the owner</td>
<td></td>
</tr>
<tr>
<td>North Dakota Housing Finance Agency</td>
<td>Jennifer Henderson, <a href="mailto:jhenderson@nd.gov">jhenderson@nd.gov</a>, 701-328-8085</td>
<td>Allocating agency of 4% tax credits, application pending</td>
<td></td>
</tr>
<tr>
<td>TBD Tax Credit Investor</td>
<td>TBD</td>
<td>Equity provider pending 4% tax credit application</td>
<td></td>
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</tbody>
</table>

### Incorporating Community Input:
Community involvement is crucial to the proposed abatement and redevelopment of the Lashkowitz Highrise. The Fargo Housing and Redevelopment Authority (FHRA) held a public community meeting on November 17, 2021 at the FHRA office. There was no public comment. This meeting was advertised in the Fargo Forum newspaper twice in the month of November (11/9 and 11/17) and has been shared multiple times to Fargo Housing social media pages. Additionally, the FHRA website manager published a blog feature about the pursuit of the Brownfields Cleanup Grant which included...
the request for public input. The community was given Chris Brungardt’s direct email and phone number for discussion as well as to provide a covid-safe way to provide comment.

FHRA will use its social media platform and press releases to inform the public on issues and progress of the project. Additionally, since we regularly interact with persons who speak languages other than English, we have full access to language translators and interpreters.

3) Task Descriptions, Cost Estimates, and Measuring Progress

a) Proposed Cleanup Plan: Several reports have been completed regarding asbestos in the Lashkowitz. They are dated March 16, 2007, April 11, 2012, January 28, 2016, and May 21, 2018. The 2012 and 2018 reports indicate asbestos is present in substantial quantities, in both friable (easily reduced to crumbly particles) and non-friable. The following items were identified to contain asbestos.

- Asbestos pipe insulation and asbestos block insulation on facility components, such as boilers and hotwater tanks, if the materials are either pre-formed and friable or wet-applied and friable after drying.
- Floor tile and mastic,
- Black sink undercoating,
- Spray on ceiling texture,
- Fireproofing on structural beams
- Dry wall joint compound.

<table>
<thead>
<tr>
<th>Location</th>
<th>Ceiling Spray-on (sq. ft.)</th>
<th>Floor Tile &amp; Mastic (sq. ft.)</th>
<th>Pipe Fitting (Each)</th>
<th>Spray on Fireproofing Structural Steel (sq. ft.)</th>
<th>Gypsum Wallboard Joint Compound</th>
<th>Sinks with Black Undercoating (Each)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor</td>
<td>None</td>
<td>3,474</td>
<td>101</td>
<td>1,304</td>
<td>None</td>
<td>3</td>
</tr>
<tr>
<td>2nd Floor North Half</td>
<td>2,785</td>
<td>2,700</td>
<td>113</td>
<td>1,472</td>
<td>7,700</td>
<td>5</td>
</tr>
<tr>
<td>3-21 (19 Floors)</td>
<td>105,830</td>
<td>102,500</td>
<td>3,195</td>
<td>55,936</td>
<td>277,400</td>
<td>190</td>
</tr>
<tr>
<td>22nd Floor</td>
<td>5,608</td>
<td>5,432</td>
<td>140</td>
<td>2,944</td>
<td>14,600</td>
<td>10</td>
</tr>
<tr>
<td>Penthouse &amp; Stairwell</td>
<td>None</td>
<td>None</td>
<td>15</td>
<td>224</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

Narrative/Ranking Criteria – Lashkowitz Highrise - Fargo Housing and Redevelopment Authority Cleanup Grant
If the abatement is not completed it will result in the loss of affordable homes in the growing community. The building is aging and maintaining it for occupancy and/or brining it up to compliance is not feasible.

b) **Description of Tasks/Activities and Outputs:** Being that time is of the essence many tasks are being coordinated prior to the grant award timeframe. The cost of these tasks is being absorbed by the development team and will not be included in the grant request. All grant dollars will be used for abatement activities. The following tasks and activities are intended to be conducted and completed in a 12-month period, approximately from May 2022-May 2023. FHRA acknowledges that costs incurred more than 90 days prior to award are not eligible for funding.

**Task 1:** Community Outreach and Engagement – *Jill Elliott and Chris Brungardt & FHRA Executive Assistant*

*Timeline: Monthly May 2022 through May 2023*

This is intended to conduct community meetings and engagement on the Lashkowitz Highrise cleanup plan, gather community, neighbors, and other stakeholders’ input and feedback. This will include newspaper notices, social media posts, public meetings, regular meetings with the involved entities. *Output:* Public meetings, materials for public meetings and request for community input, 12-18 development team meetings, CIP, Administrative Record, Responsiveness Summary.

**Task 2:** Program Management/Contract Oversight – *Chris Brungardt (FHRA), BlueLine Development, Inc.*

*Timeline: Starting May 2022, ending with project completion May 2023*

FHRA will manage the grant, complete reporting, issue a Request for Proposals (RFP) from qualified remediation professionals to complete the asbestos abatement at Lashkowitz Highrise and contractor oversight. This team will review and select the organization based on submitted RFPs. *Output:* Quarterly Reports, FFR, MBE/WBE, ACRES entries, Abatement contractor selection

**Task 3:** Cleanup Planning and oversite - *Chris Brungardt (FHRA), BlueLine Development, Inc., Abatement Professional; Timeline: June-July 2022*

Before work is initiated, the development and abatement team will meet regularly and draft a Quality Assurance Project Plan (QAPP). Additionally, the draft ABCA will be finalized, a project bid manual will be created. *Output:* Final ABCA, final project bid, final QAPP.
**Task 4:** Asbestos Abatement — *Abatement Professional; Timeline: August 2022 ending with project completion estimated to be May 2023*

A qualified, licensed asbestos professional will remove asbestos-containing materials, decontaminate, and clean. *Output: Asbestos abated*

**Task 5:** Site Reuse - *Jill Elliott and Chris Brungardt (FHRA), BlueLine Development, Inc., YHR Partners, City of Fargo, North Dakota Housing Finance Agency, Tax Credit Investor, Finance Group; Timeline: August 2022-February 2024*

Redevelopment of the site will begin as soon as cleanup is complete – planning, design, demolition, construction will continue or begin (demolition and construction). *Output: Final architectural plans, redevelopment plan, investor commitment, construction commencement, pre-leasing, certificate of occupancy, and tenant move-ins.*

c) **Cost Estimates**

The following table outlines the cost estimates associated with the abatement of this building which are based on a LEGEND Technical Services, an Environmental Professional, assessment of the remediation.

<table>
<thead>
<tr>
<th>Budget Categories</th>
<th>Project Tasks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Community Outreach and Engagement</td>
</tr>
<tr>
<td>Personnel</td>
<td>$ -</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$ -</td>
</tr>
<tr>
<td>Travel</td>
<td>$ -</td>
</tr>
<tr>
<td>Equipment</td>
<td>$ -</td>
</tr>
<tr>
<td>Supplies</td>
<td>$ -</td>
</tr>
<tr>
<td>Contractual</td>
<td>$ -</td>
</tr>
<tr>
<td>Other</td>
<td>$ -</td>
</tr>
<tr>
<td>Total Direct Costs</td>
<td>$ -</td>
</tr>
<tr>
<td>Indirect Costs</td>
<td>$ -</td>
</tr>
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</table>
**d) Measuring Environmental Results:** Fargo Housing and Redevelopment Authority each quarter completed project deliverables and outputs will be compared to our quarterly schedule for the grant and be reported in our quarterly report and with a final report at the end of the cooperative agreement. All outputs will also be reported in ACRES quarterly. If any obstacles arise in completing a deliverable, we will discuss the situation with our EPA project officer and develop a plan to achieve the output in our workplan. Anticipated outputs: public meetings, 1 ABCA, 1 QAPP, a fully abated 22-story building on 2 acres downtown Fargo. Anticipated outcomes include Asbestos removal to ensure the health and safety of residents and neighbors, 110 units of affordable, deed-restricted housing for low-income persons, the removal of a dated downtown building, a new Lashkowitz building downtown Fargo.

### 4. Programmatic Capability and Past Performance

**a. Programmatic Capability**

i. **Organizational Structure:** Fargo Housing and Redevelopment Authority has an Authorized Organization Representative for grant-management purposes. The development team (FHRA, BlueLine Development) meet regularly to facilitate all facets of this project which will include the expenditure and management of these funds, if awarded.

ii. **Description of Key Staff:** Jill Elliott Executive Director FHRA has over 40 years’ experience working in Public Housing; Chris Brungardt, Deputy Director FHRA, has over 20 years’ experience working on large ($98 M) and small public works projects including previous EPA brownfields projects; Tom Keller, Director of Finance - Public Housing FHRA and Jill Liebelt Director of Finance – Affordable Housing FHRA; Christian Pritchett, Development Director of BlueLine Development has over 10 years of experience in affordable housing projects and has completed over 40 projects utilizing local, state, and federal funding sources.

iii. **Acquiring Additional Resources:** FHRA will be responsible for the management of the grant and be the main point of contact for project information and scheduling of forthcoming processes. FHRA will contract the services of a qualified licensed asbestos abatement contractor to carry out the asbestos abatement. Additionally, an environmental engineering consultant will be used to advise the project team. All federal procurement regulations will be utilized.

**b. Past Performance**

i. **Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements:**

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```
<table>
<thead>
<tr>
<th>Federal Funding</th>
<th>$ -</th>
<th>$ -</th>
<th>$ -</th>
<th>$ -</th>
<th>$650,000</th>
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<td>Cost Share</td>
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<td>$ -</td>
<td>$ -</td>
<td>$130,000</td>
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<td>$ -</td>
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<tr>
<td>Total Budget</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$780,000</td>
<td>$ -</td>
<td>$ -</td>
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</tbody>
</table>
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(1) Purpose and Accomplishments: The FHRA receives and administers numerous large federal grants each year. Following is a list of significant federal grants and award value administered by FHRA:

- Public Housing Capital Fund Program – CFDA 14.872
  - Yearly grant ranging between $980,000 to $1,100,000 annually,
- Public and Indian Housing (Operating Fund) – CFDA 14.850
  - Yearly grant ranging between $1,000,000 to $1,400,000 annually,
- Public Housing CARES Act Funding – CFDDA 14.PHC
  - One time grant $141,000
- Housing Choice Vouchers Program – CFDA 14.871
  - Yearly grant ranging between $5,500,000 to $8,000,000 annually,
- Housing Choice Vouchers CARES Act Funding – CFDA 14.HCC
  - One time grant $428,000
- Mainstream Vouchers Program – CFDA 14.879
  - 2021 grant funding $700,000
- Resident Opportunity & Supportive Services – CFDA 14.870
  - Yearly grant ranging between $190,000 to $246,000 annually,
- Family Self-Sufficiency Program – CFDA 14.896
  - Yearly grant ranging between $100,000 to $124,000 annually,

(2) Compliance with Grant Requirements: FHRA was in compliance with all grant requirements and terms and conditions and consistently reported in a timely manner. Additionally, FHRA is audited each year by an outside firm and all results are forwarded to our state and federal partners. Moreover, FHRA’s major federal programs are evaluated HUD for completeness, financial stability, compliance to federal regulations and policies, and strategic planning.
Threshold Criteria Response

Lashkowitz Highrise – Fargo, North Dakota
1. Applicant Eligibility: Fargo Housing and Redevelopment Authority (FHRA) is a General Purpose Unit of Local Government as a Local Public Authority and an instrumentality of the city of Fargo, therefore, is an eligible entity for funding. Attachment A

2. Previously Awarded Cleanup Grants: No previous EPA Cleanup Grant or Assessment Funds have been awarded to this site.

3. Expenditure of Existing Multipurpose Grant Funds: This site nor FHRA have any open EPA Brownfields Multipurpose Grants.

4. Site Ownership: Fargo Housing and Redevelopment Authority (referenced in deed as Housing Authority of the City of Fargo) has an unbroken chain of title in the form a Quitclaim Deed dated January 18, 1971, as confirmed by the Affidavit of Ownership and Possession. Attachment B

5. Basic Site Information:
   a. Lashkowitz Highrise
   b. 101 2nd Street South, Fargo North Dakota 58103
   c. Current owner: Fargo Housing and Redevelopment Authority

6. Status and History of the Contamination:
   a. Hazardous Substance or Petroleum: The site is contaminated by hazardous substances.
   b. Operational History and Current use of Site: The Lashkowitz Riverfront property, was used commercially prior to 1970 as the site of a carpenter shop, two contractor machinery storage buildings, a blacksmith, and a city street garage. From 1971 until present, it has been a 22-story rental apartment complex.
   c. Environmental Concerns: Asbestos-containing materials have been identified inside the building; lead-based paint may have been in the 1970 construction of the Highrise.
   d. How the Site Became Contaminated and Extent of Contamination: Due to construction and materials practices at the time of most recent construction (1970), the use of asbestos-containing materials was common practice. In 2012, a contained asbestos abatement occurred in select gypsum wallboard taping compound, ceiling texture, and black mastic associated with 12” floor tile was abated in all of the electrical/tub rooms, by a qualified remediation contractor, per requirements, and the remediation was done to accommodate building maintenance and upkeep, but additional areas of contamination remain. In 2019, an appraisal on the property compiled reports of previous surveys of asbestos-containing materials in the building.

7. Brownfields Site Definition: The site is (a) not listed or proposed for listing on the National Priorities List; (b) not subject to unilateral administrative orders, court orders, administrative
orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and (c) not subject to the jurisdiction, custody, or control of the U.S. government.

8. **Environmental Assessment Required for Cleanup Grant Applications:** Asbestos survey reports were completed on March 12 & 13, 2007, March 13, 2012, and these reports were updated January 28, 2016.

9. **Enforcement or Other Actions:** Fargo Housing and Redevelopment Authority is unaware of any ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfield Grant funding is sought.

10. **Sites Requiring a Property-Specific Determination:** This site does not require a Property-Specific Determination.

11. **Threshold Criteria related to CERCLA/Petroleum Liability:**
   
a. **Property Ownership Eligibility – Hazardous Substance Sites:** The site is contaminated with asbestos containing materials, therefore Fargo Housing and Redevelopment Authority’s (FHRA) Lashkowitz Highrise qualifies for the EPA Brownfields Grant - due to the following requirements for a Publicly Owned Site Acquired Prior to January 11, 2002:
   
   ii. (1) a. The property was acquired by the City of Fargo Urban Renewal Agency through a Sale of Land from John T. Jones Construction Company.
   
   
c. No Environmental due diligence was performed due to the dates of acquisition and construction, this was customary at the time.
   
d. FHRA has no knowledge of any disposal of hazardous substances at the site occurred before FHRA acquired the property
   
e. FHRA has not caused or contributed to the release of hazardous substances at the site – the building is contained (all doors, walls, windows, roof, etc.). Residents were recently relocated and the building is currently vacated and secured to prohibit entry from unauthorized personnel

12. **Cleanup Authority and Oversight Structure:**
   
a. FHRA is committed to hiring a qualified, licensed abatement contractor to oversee the remediation; an abatement plan will be provided prior to beginning and completing the work. Any questions or concerns will be vetted with an Environmental Professional. North Dakota DEQ suggested that the state does not have a voluntary cleanup program. Consultation with the EPA will be incorporated into the cleanup plan.
b. The cleanup response activities of asbestos abatement at Lashkowitz Riverfront will not impact adjacent or neighboring properties, as it will be done by a license remediation contractor and contained with in the building and property itself, therefore no plan to access relevant properties is required.

13. Community Notification
   a. Draft Analysis of Brownfield Cleanup Alternative – Attachment C
   b. Community Notification Ad: Fargo Forum 11/10 and 11/17; Fargo Housing social media page 11/5 and 11/15 – Attachment D
   c. Public Meeting: A public meeting was held November 17, 2021 – Attachment D
   d. Submission of Community Notification Documents – Attachment D

14. Statutory Cost Share:
   a. The Fargo Housing and Redevelopment Authority intends to commit a minimum contribution of $1,000,000 their own funds and secure a $1,174,800 loan to meet and exceed the statutory cost share of 20% on the $650,000 request – Attachment E

15. Waiver of the $500,000 Limit: FHRA is requesting a waiver of the $500,000 limit please see the Waiver Request - Attachment F

16. Named Contractors and Subrecipients: Fargo Housing and Redevelopment Authority has not identified a procurement contractor(s) or subrecipient(s) to conduct work proposed in this application. FHRA has not contracted with a cleanup company or contractor for the work proposed. Procurement will be completed in accordance with 2 CFR Part 200 to ensure fair and open competition occurs in the selection of a qualified firm to perform the work.

   - Contractors: Not applicable
   - Subrecipients: Not applicable