

# Downtown Environmental Alliance

[Month, Day], 2021

[Property Owner Name]  
[Property Owner Company]  
[Property Owner Address]  
[City, State, Zip Code]

RE: Property(ies) in the Downtown Montgomery Area

Dear [Property Owner Name],

On behalf of the Downtown Environmental Alliance (DEA)<sup>1</sup>, I am writing today regarding the [Property Owner Company] purchase of properties in the Downtown Montgomery Area, as they relate to the ongoing Capital City Plume Project (also known as the Downtown Environmental Assessment Project (DEAP)). The Properties addressed in this letter (hereafter referred to as the "Properties") are as follows:

- [Property Street Addresses – add more bullets if needed]

As you are aware, the Properties are in the boundary of the Capital City Plume study area, however, the DEA has not individually evaluated the environmental condition of the specific properties listed above or the suitability of the Properties for your intended use. That is a matter to be determined solely by you.

While the DEA is not responsible for the means and methods of any environmental review, there is information available regarding the Montgomery DEAP to conduct your own review and interpretation. However, you are encouraged to perform your own environmental due diligence as you progress in your project. Specifically, information regarding the current status of the investigation can be reviewed at [www.capitalcityplume.org](http://www.capitalcityplume.org). However, [Property Owner Company] should conduct its own assessment and should not rely on any statement or information contained in these reports. These reports were not prepared for any specific property, government entity, or business within the site boundary.

This letter is also intended to inform you of City Ordinance 36-2019, Chapter 5, Article III, Section 5-483 of the Code of Ordinances for the City of Montgomery, as recorded in RLPY Book 5287, Page 560 in the Office of the Judge of Probate of Montgomery County, Alabama (hereafter referred to as the "Ordinance"). The Ordinance was developed based on the results of the Capital City Plume investigation and evaluation.

The following information outlines how the Ordinance relates to your properties:

- **Groundwater Use Restrictions:** Per Section 2 of the Ordinance, it is unlawful to install any groundwater wells *or use any existing wells* on your property. If there is an existing well on your property, you are required to decommission and close it, in accordance with ADEM guidelines. (Guidelines for decommissioning a well are found in Appendix B at <http://www.adem.state.al.us/programs/land/landforms/AEIRGINvestigation.pdf>.)
- **Construction Requirements:** Per Section 3 of the Ordinance, any new foundations being installed on the property will require installation of a vapor barrier in accordance with the International Building Code and applicable Environmental Protection Agency vapor intrusion guidelines.

Please note that although the Ordinance addresses groundwater use restrictions, the Capital City Plume does not affect the quality or useability of the City of Montgomery's public drinking water supply. Potable water supplied for the City of Montgomery originates from other water sources (i.e., the Tallapoosa River

<sup>1</sup> The Downtown Environmental Alliance consists of the City of Montgomery, Montgomery County Commission, Montgomery Advertiser, The Montgomery Water Works and Sanitary Sewer Board, the Alabama Law Enforcement Agency, the Alabama Department of Education, the Alabama Community College System, and the Alabama Department of Transportation.

and/or well fields in West and South Montgomery) distant from downtown, thus, there is no exposure to workers, employees, visitors, or downtown residents.

All properties within the boundary are also eligible for an environmental covenant from ADEM. You are encouraged to place an environmental covenant on your property to provide notice of the Ordinance to subsequent property owners, and to provide some protection for your property through acknowledgement and adherence to the Ordinance. By using this environmental covenant, the normal ADEM administration fee will be waived. If you, as an eligible property owner, would like to explore this option, please review the information (including the ADEM Frequently Asked Questions) located at <https://www.montgomeryal.gov/live/capital-city-plume-information/institutional-controls>. Also please review ADEM Regulation 335-5-1 as it is related to the environmental covenant program.

Let me know if you have any questions and I will answer them to the best of my ability. We would also be available for a conference call to discuss these items and provide a better understanding of the current site conditions.

Sincerely,

Glen S. Davis. P.E.  
Jacobs Engineering Group, Inc.  
Consultant to the Downtown Environmental Alliance

cc: DEA Members