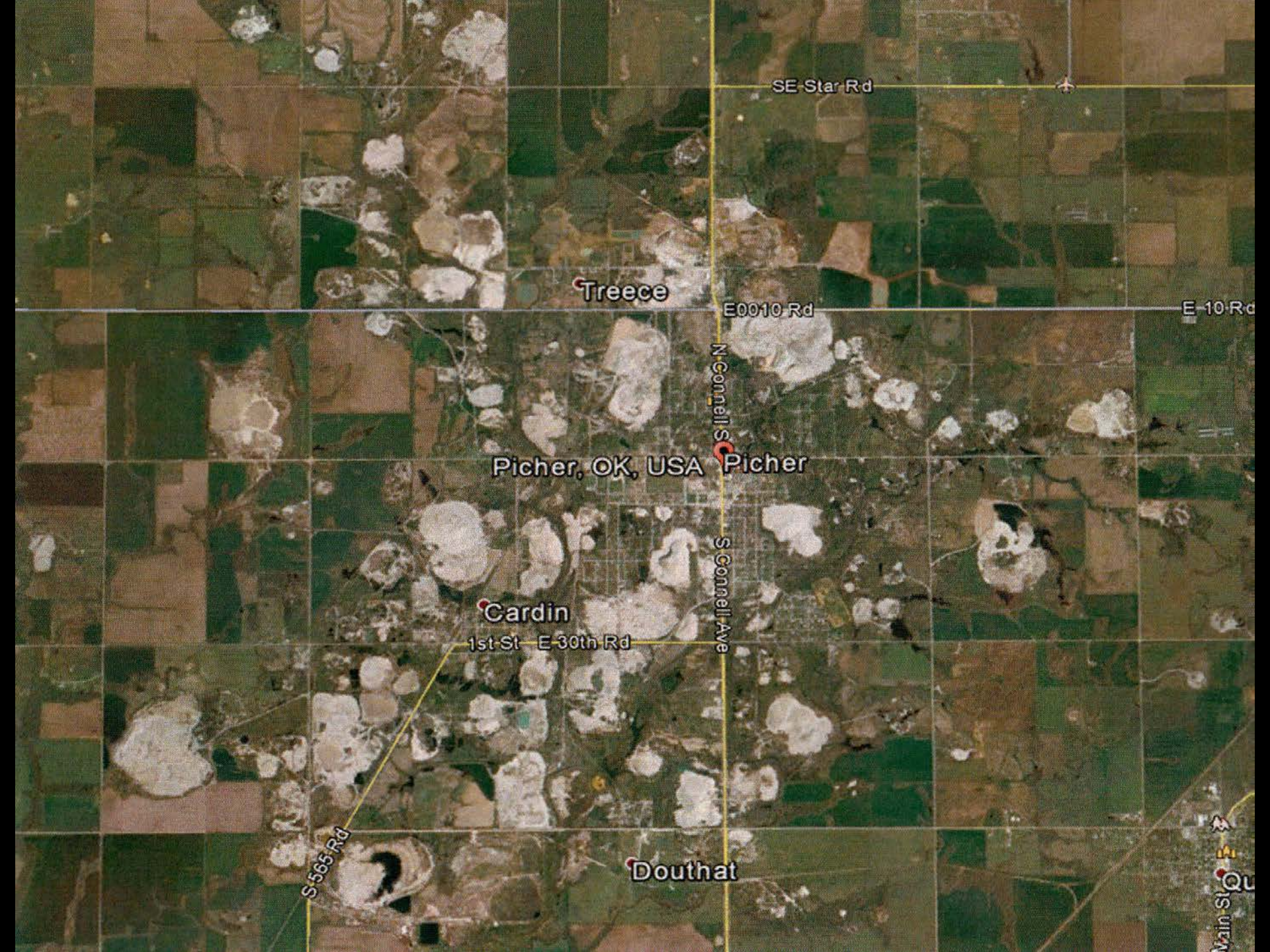


TAR CREEK



SE Star Rd

Treece

E0010 Rd

E-10 Rd

N Connell S

Picher, OK, USA Picher

S Connell Ave

Cardin

1st St E 30th Rd

S 565 Rd

Douthat

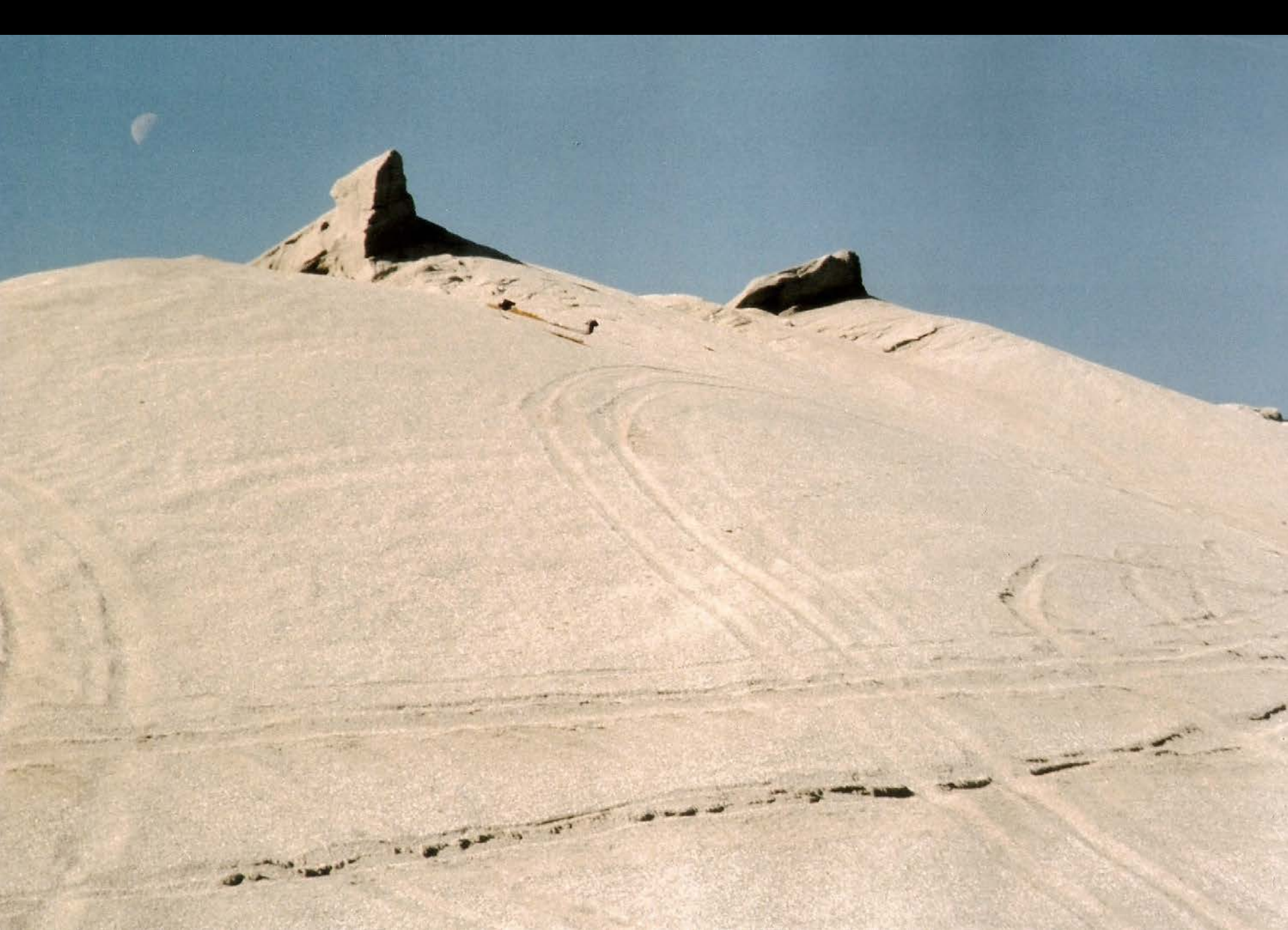
Main St Qu















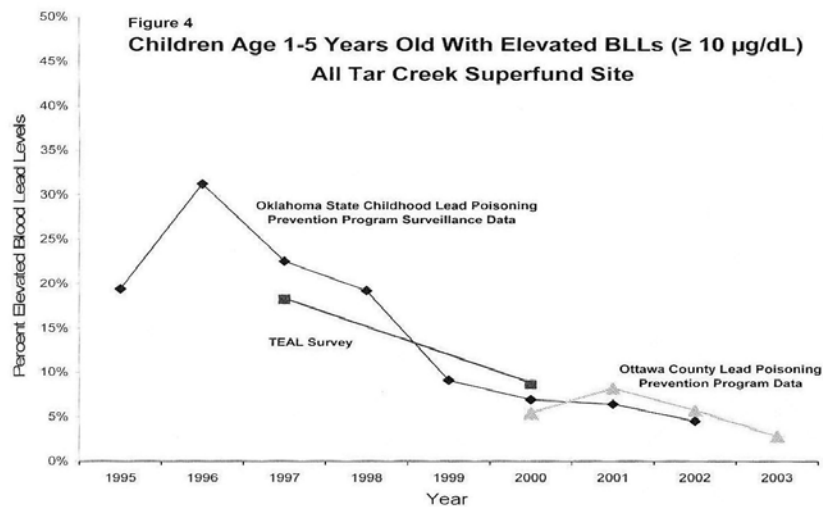




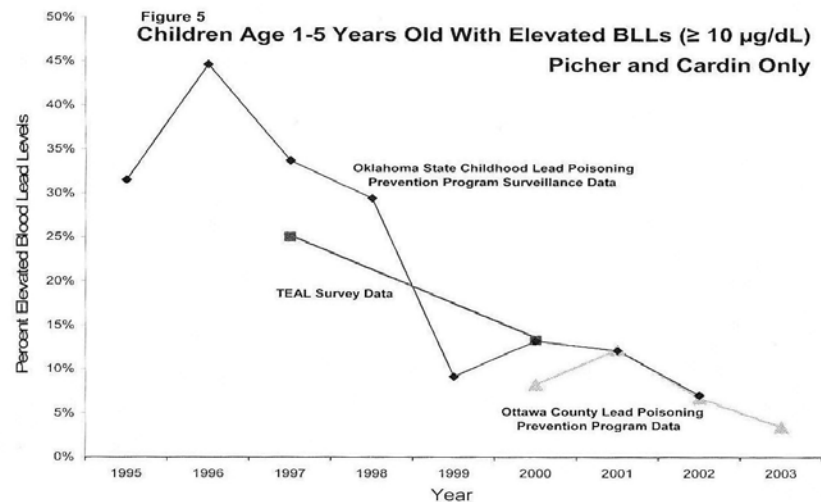




Children's Blood Lead Levels (ATSDR)



Children's Blood Lead Levels (ATSDR)





STATE BUYOUT 2005

- State Beneficiary Trust
- Lead Impacted Communities Relocation Assistance Trust (LICRAT)
- Trustees appointed by Governor
- Majority must be from outside the affected area

- Authorized to make offers to Families with Children under six years of age
- Focused on those at risk for pediatric lead poisoning
- Provided for property purchase and renter relocation
- Involved 52 families at a cost of \$3 million

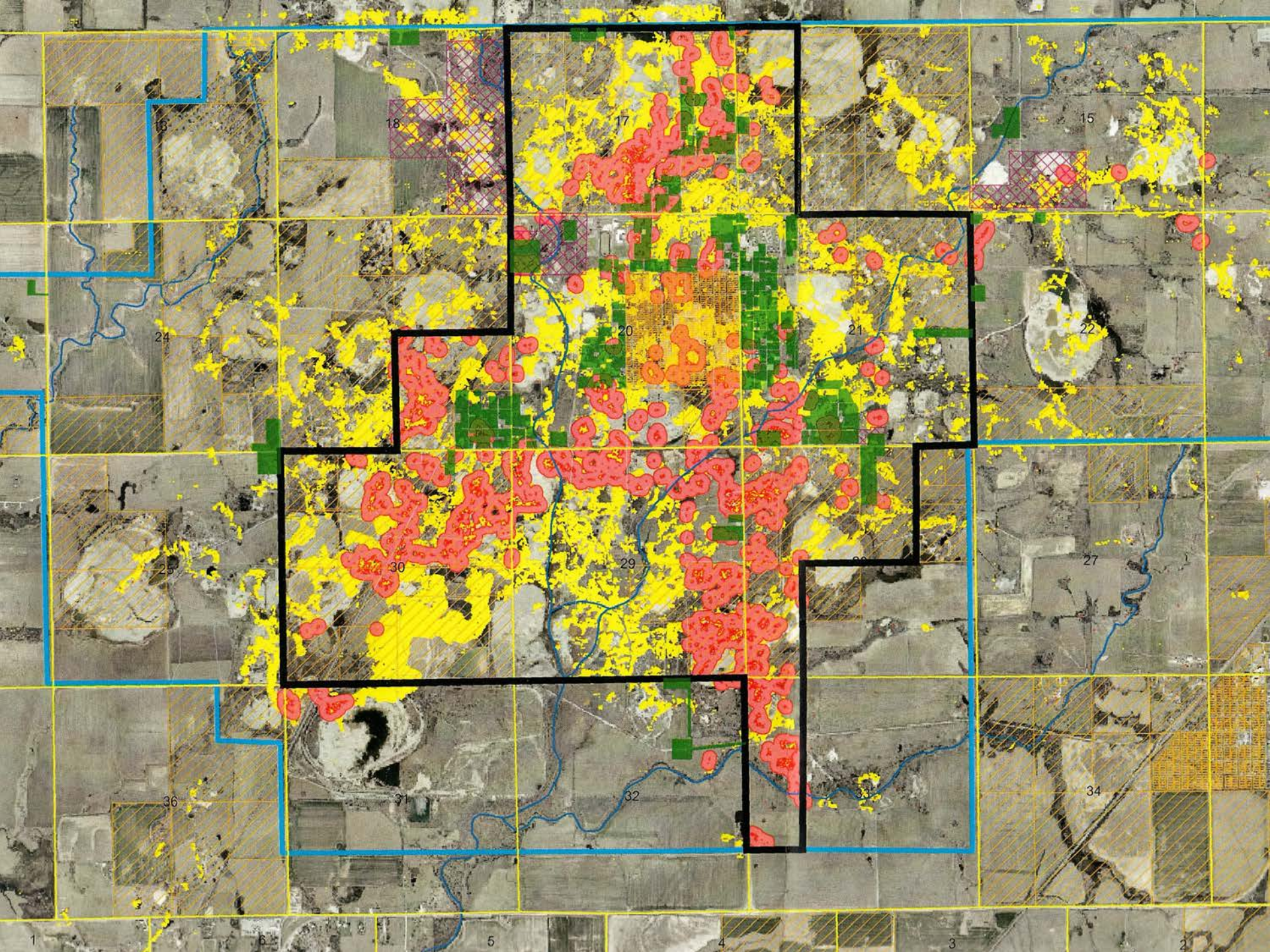
- Homes purchased at “an amount equal to the average cost of comparable housing elsewhere in the county.”
- Agreed to not reside within ½ mile of the defined area until area declared safe by OK State Commissioner of Health.

PICHER MINING FIELD
NORTHEAST OKLAHOMA
SUBSIDENCE EVALUATION



December 2005
COMPLIANCE DRAFT

- 34% of the town of Picher is undermined
- 50 locations under or within 150 of residences or structures
- 13 locations under or within 150 feet of major transportation corridors
- 49 locations under or within 150 feet of the communities streets
- 3 locations under or within 150 feet of public parks or playgrounds





Federal Buyout 2006

- Based on imminent subsidence risk not lead exposure
- Limited to “Most affected area”
- Funded initially by reallocation of funds from the “Oklahoma Plan”
- Overseen by existing LICRA trust
- ODEQ authorized to make grants to LICRAT

- Original funds available less than 40% of eventual need
- Involved Remaining
 - Homes
 - Owned
 - Leased on Indian trust property
 - Landlords
 - Renters
 - Business
 - Churches and Civic clubs

- Prioritized by
 - Proximity to area of subsidence risk
 - Age
 - Health status

Appraisal Process

- Appraisal followed by reappraisal
- Each offer was approved by the trust
- Allowed subsequent reappraisal for disputes
- Trust only approved or asked that a property be reappraised.
- We never adjusted offers in executive session

SEC. 3135. OTTAWA COUNTY, OKLAHOMA.

(a) *In General-* There is authorized to be appropriated \$30,000,000 for the purposes set forth in subsection (b).

(b) *Purposes-* Notwithstanding any other provision of law, funds appropriated under subsection (a) may be used for the purpose of--

(1) the buyout of properties and permanently relocating residents and businesses in or near Picher, Cardin, and Hockerville, Oklahoma, from areas determined by the State of Oklahoma to be at risk of damage caused by land subsidence and remaining properties; and

(2) providing funding to the State of Oklahoma to buyout properties and permanently relocate residents and businesses of Picher, Cardin, and Hockerville, Oklahoma, from areas determined by the State of Oklahoma to be at risk of damage caused by land subsidence and remaining properties.

(c) *Limitation-* The use of funds in accordance with subsection (b) shall not be considered to be part of a federally assisted program or project for purposes of Public Law 91-646 (42 U.S.C. 4601 et seq.), consistent with section 2301 of Public Law 109-234 (120 Stat. 455).

(d) *Consistency With State Program-* Any actions taken under subsection (b) shall be consistent with the relocation program in the State of Oklahoma under 27A O.S. Supp. 2006, sections 2201 et seq.

(e) *Consideration of Remedial Action-* The Administrator of the Environmental Protection Agency shall consider, without delay, a remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for the Tar Creek, Oklahoma, National Priorities List site that includes permanent relocation of residents consistent with the program currently being administered by the State of Oklahoma.

Such relocation shall not be subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(f) *Estimating Costs-* In estimating and comparing the cost of a remedial alternative for the Tar Creek Oklahoma, National Priorities List site that includes the permanent relocation of residents, the Administrator shall not include the cost of compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(g) *Effect of Certain Remedies-* Inclusion of subsidence remedies, such as permanent relocation within any remedial action, shall not preempt, alter, or delay the right of any sovereign entity, including any State or tribal government, to seek remedies, including abatement, for land subsidence and subsidence risks under State law.







- Senate Bill 1190
 - Guaranteed Property Valuation as of the start of the Buyout
 - Subtracted any Private Insurance Payments from the Offer
 - Required Forensic Appraisals

	BO1 Avg Closing Price	BO1 Avg SqFt	BO1 Avg Price/SqFt	BO2 Avg Closing Price	BO2 Avg SqFt	BO2 Avg Price/SqFt
Frame Homes	\$ 54,029.63	1,405.22	\$ 37.32	\$ 65,624.57	1,252.98	\$ 52.37
Manuf Homes	\$ 38,462.95	1,190.36	\$ 38.10	\$ 45,951.49	1,055.48	\$ 43.54
Commercial	NA	NA	NA	\$ 114,992.61	3,788.20	\$ 30.36
Tenants	\$ 5,214.12	NA	NA	\$ 4,906.77	NA	NA
Lots only	NA	NA	NA	\$ 6,596.20	NA	NA

	BO1 Avg Closing Price	BO1 Avg SqFt	BO1 Avg Price/SqFt	BO2 Avg Closing Price	BO2 Avg SqFt	BO2 Avg Price/SqFt
Frame Homes	\$ 54,029.63	1,405.22	\$ 37.32	\$ 65,624.57	1,252.98	\$ 52.37
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Lots only	NA	NA	NA	\$ 6,596.20	NA	NA

MEMORANDUM

TO: Dr. Mark Osborn, Chairman

FROM: William S. Bacon, Project Manager
Cinnabar Service Company

SUBJECT: Lead-Impacted Communities Relocation Assistance Trust
Final Report – Executive Summary

DATE: August 30, 2010

A. Appraisals:		878
Residential Structures	628	
Business Structures	74	
Renter Relocation	125	
Adjacent Lots	51	
B. Offers Made		878
Offers Rejected	20	
Offers Rescinded	<u>7</u>	
Offers Declined (accepted insurance)	9	
C. Offers Accepted (closed)		842
D. Percentage Acceptance (offers rejected and rescinded ÷ offers made)		97%

Federal Relocation Summary

- Nine years
- 842 Transactions
- 50 Million Dollars
- < 1 % overhead

Lessons

- We need an EPA
- And a DEQ
- State and Federal Government is filled with Talented and Honorable People
- Make Sure the Ground is Stable
- A Reliable Cost-Benefit Analysis Requires that All Factors be Considered

Lessons

- Community Involvement Matters
- Hire Your Expertise Up Front
- You Can Not Overestimate the Emotional Cost to Residents of the Loss of Their Homes and Community