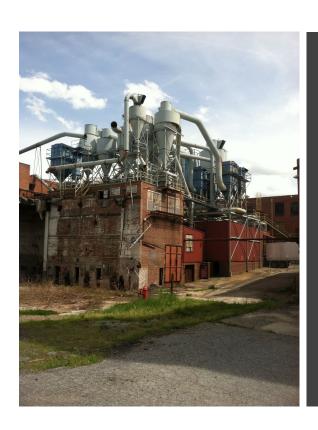
Welcome to the Brownfield 101 Webinar

HOUSEKEEPING

- All will be muted during presentation.
- Submit questions via Q &A to "All"
- ➤ The presentation slides will be made available after the webinar.

Brownfield 101 Webinar Agenda

Session	Speaker	
Welcome / Introduction Piedmont Triad Regional Brownfield Program	Jesse Day, PTRC	
Brownfield Overview Steps for Assessment, Cleanup & Redevelopment	Gary White, NJIT TAB	
	0' 1 504	
EPA Brownfields Program	Cindy Nolan, EPA	
NCDEQ Brownfields Program	Jordan Thompson & Hayley Irick, NCDEQ	
Opportunity Zones	David Putnam, PTRC	
Brownfield Redevelopment Success Story	Brad Buschur, Groundworks USA	
Closing & Questions	Jesse Day, PTRC	



Regional Brownfield Program Overview

Jesse Day, Planning Director
Piedmont Triad Regional Council



Who We Are

- Association of local governments
 - 12 counties covered

Current Program Funding

- \$600,000 EPA Grant
- 3-Year Grant | Oct 2018 Sept 2021

Program Goals & Objectives

Brownfield Site Inventory & Prioritization

Community Outreach & Education (Including Brokers & Developers)

Site Assessment (Phase I & Phase II ESAs)

Post Assessment (Site Specific Cleanup Plans)

Support Redevelopment Efforts







BROWNFIELDS PROGRAM



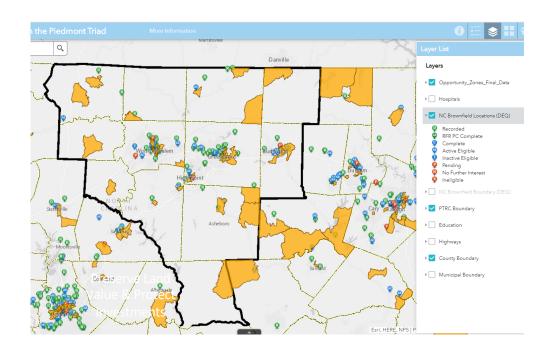
Piedmont Triad Program Accomplishments

Activities to Date

- 31 Phase I Assessments
- 10 Phase II Assessments
- Spurred millions of \$ of private investment

Ongoing Program Goals

- Pursue strategic investments in catalyst areas
- Stimulate redevelopment
- Improve quality of life & health
- Increase tax base
- Create jobs
- Provide housing and transportation choices



Coalition Partners – Current Grant





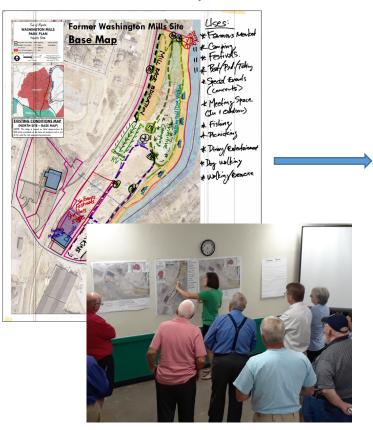


- Expanded to other members to provide support: Liberty, Mount Airy, Elkin, Lexington, Eden and High Point
- Identify prospective developers through community meetings, attending real estate association meetings, area and master planning efforts, etc.
- Partnerships with CDCs can also be beneficial (e.g. Waughtown Neighborhood Assoc.)

Former Textile Mill | Mayodan



Washington Mills Redevelopment Concept





KEY FEATURES:

- 1. Beach access
- 2. River Trail
- 3. Camping
- 4. Amphitheater
- 5. Tot lot and playground
- Multi-Purpose Building (Park & Café);
- 7. Picnic Pavillion

Project Utilized the Technical Assistance Grant program – submitted to EPA by NCDEQ Brownfields on behalf of the Town of Mayodan

Take Aways







- Communities need a reminder that there are funds (loans/grants) that can support their re-development efforts
- State Brownfield program is a key partner at every level
- Use different strategies to get communities interested (meetings, events, opportunity zones, fliers, phone calls to Towns)
- How does re-development inform community/area master planning and vice versa

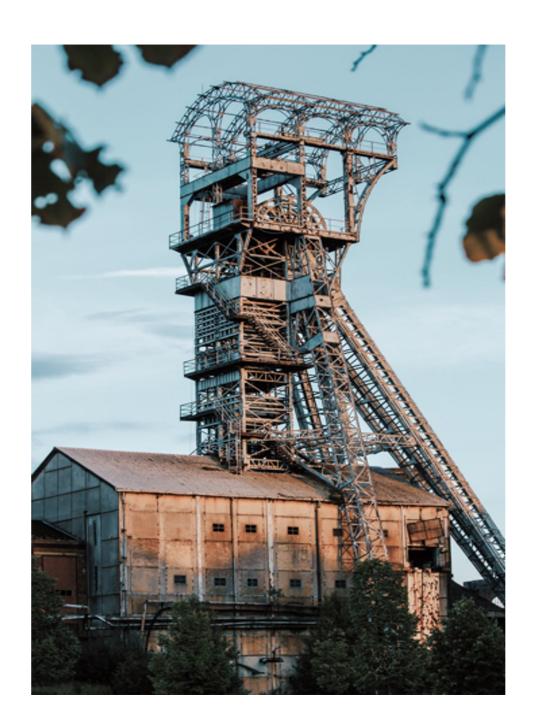
What is a Brownfield?

Federal Definition

"A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant."

Commercial Real Estate Deal With an Environmental Twist









What is **NOT** a Brownfield?



What is **NOT** a Brownfield?



Source: Gray Construction

How many brownfield sites are there?

>500,000 in USA

Benefits

Brownfield Benefits are benefits you can S.E.E.

Social

Economic

Environment

Social

- Removes health and safety hazards
- Removes eye sore; improves community appearances
- Alleviates community fears and worries
- Reduces area crime





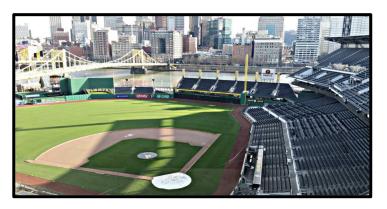
- a variety of housing options
- recreation and open space
- commercial and retail space; employment options
- schools



Economic



- Spurs economic development
- Creates jobs
- ❖ Increases tax revenues
- Provides diverse economic base





Environment







- Removal of contaminants and pollutants
- Improved air quality, water quality, natural habitats







Steps in the Brownfield Redevelopment Process

Planning & Community Engagement

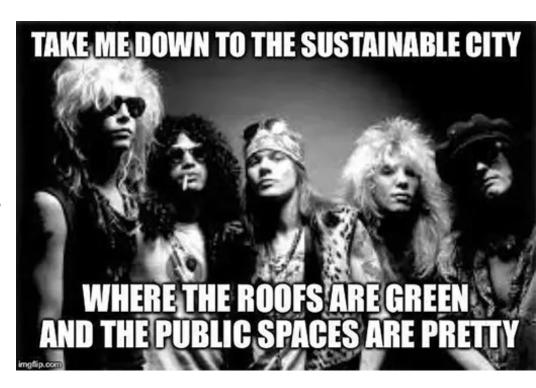
Environmental Investigation

Environmental Remediation

Redevelopment

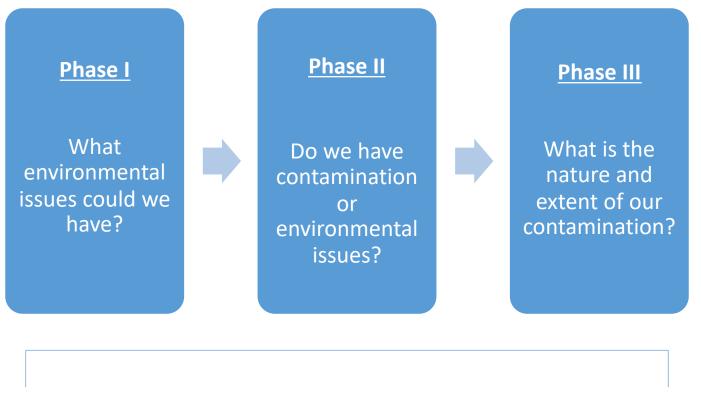
Site Identification, Community Involvement & Planning

- Compiling a brownfield inventory
- Conducting community meetings
- Performing assets & needs study
- Form partnerships
- Develop a plan for reuse
- Target funding sources



Environmental Investigation

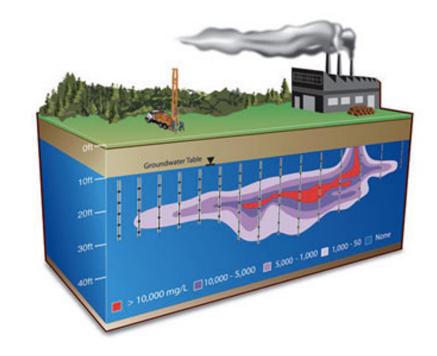
Always Do your Due Diligence BEFORE purchasing!!!



High Risk Low Risk

Environmental Remediation

- Take ownership of the site (EPA)
- Remediate using NCDEQ standards
- Coordinate construction improvements w/ remediation



Redevelopment

- Honor your continuing obligations
- Deed Restrictions / Site Control
- Obtain permits before construction
- Execute plans developed early on in the process



Technical Assistance to Brownfield Communities (TAB)

TAB is a technical assistance program created by EPA and funded through cooperative agreements with three TAB providers.

TAB providers serve as independent resources to: state, regional, county, tribal, and local government entities, and nonprofits attempting to cleanup and reclaim brownfields.

> Assistance is *free* of charge!



Need Help? Call NJIT TAB

TAB provides assistance* throughout the entire brownfields redevelopment process.

Assistance is provided through...

- ❖ Resource Center
- Educational Forums
- One-on-one Technical Assistance

NJIT Technical Assistance to Brownfield Communities (TAB)

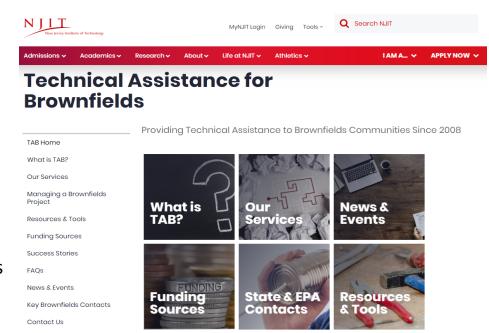
NJIT TAB Resource Center

www.njit.edu/tab

- info on all aspects of assessing and cleaning up a brownfield site
- news and upcoming events

Resources and Tools

- Federal and state funding sources
- state brownfield programs
- state and EPA contacts
- previously recorded webinars
- downloads of workshop and seminar presentations
- PCBs brochures; GI decision tree
- how-to videos



NJIT Technical Assistance to Brownfield Communities (TAB)

NJIT TAB Educational Forums

Conferences: pre-conference workshops, learning labs, panel sessions, office hours

Workshops: 2 to 4 hour interactive sessions on brownfield related topics

Seminars: deeper dive into specific brownfield related topics

Brownfield Boot Camps: 4 to 7 hour more intensive, deep dive into specific brownfield related topics

Webinars: range from introducing the TAB program to specific brownfield topics

All-Grantee Meetings: work with state agencies &

EPA

NJIT TAB

NJIT TAB helped communities win \$12.5 million in EPA grant funding through our:

Direct technical assistance
Grant writing workshops
Educational Forums



Types and Amounts of EPA Brownfields Grants





Brownfields Multipurpose, Assessment, Revolving Loan Fund, and Cleanup (MARC) Grants

- Multi-Purpose
- Assessment
- **R**evolving Loan Fund (RLF)
- Cleanup
- Grant types listed above commonly referred to as MARC Grants



Multi-Purpose Grants – 5 year grant

- Combines assessment and cleanup grants in one
 - Up to \$800,000
 - 70% must be spent on site-specific activities
 - At least \$200,000 must be spent on cleanup activities
 - \$40,000 cost share
 - 5 years



Assessment Applicant Options – 3 year grant

An applicant applying for an assessment grant can do the following options for assessing sites (phase I – All Appropriate Inquiry); phase II (site sampling); and/or site specific redevelopment planning – including some area wide planning tasks such as market options development. NO COST SHARE

Community Wide	Site Specific	Coalitions
Up to 300,000 for hazardous substances <i>and/or</i> for petroleum sites.	Up to \$200,000 for petroleum or hazardous substances	Up to \$600,000 per coalition.
	May request a waiver for up to \$350,000	Minimum of 3 partners & 5 sites
May also apply for a site- specific grant; may not apply as a coalition member	May also apply for Community Wide; may not apply as a coalition member	May not apply for the other assessment grants.



Cleanup Grant Program – 3 year grant

- To carry out cleanup activities at brownfield sites
- Up to \$500,000 per property
- Hazardous substances or petroleum contamination; one site or multiple sites
- Cost share requirement of 20%
- Community Notification (Threshold Criteria Only) & phase
 II data and draft ABCA required
- Must have FEE SIMPLE TITLE by date of application



Revolving Loan Fund – max 15 year grant

- Provides fund to capitalize a revolving loanand to make loans and subgrants to carry out cleanup activities at Brownfield sites. Up to \$1,000,000
 - Makes loans or subgrants
 - Cleanup grant limitations generally apply
 - 40/60 or 50/50 grants to loans
 - 5- 15 years, plus tracking until all funds used up
 - High performing funds can request supplemental funds annually.



Other EPA Brownfields Programs

Brownfields Job Training Grant Program

www.epa.gov/brownfields/job.htm

Targeted Brownfields Assessment (TBA) Program*

www.epa.gov/brownfields/tba.htm

*non-grant program that provides direct EPA assessment assistance to communities



Brownfields Competitive Grant Program

EPA Brownfields ARC grants are very competitive. Applicants should be prepared to put time and effort into constructing a winning proposal.



So You Want a Brownfields Grant....

- Are you "ready"?
 - Do you have a brownfields champion?
 - Do you have a diverse support team?
 - Is there political support?
 - Do you have a target area?
 - Have you engaged the community yet?
 - Have you done any redevelopment planning?
 - Do you know where you are going and how to get there?



For More Information

Cindy Nolan

Brownfields & Redevelopment Section Chief

U. S. EPA Region 4

Nolan.Cindyj@epa.gov

404-562-8425

epa.gov/brownfields/region4



May 13, 2020
Department of Environmental Quality
Brownfields Program Introduction
Hayley Irick and Jordan Thompson



What is a Brownfields Property?



NC DEQ retains standard definition: "Abandoned, idled, or underused property where redevelopment is hindered by real or perceived environmental contamination."

As a voluntary program, Perspective Developers (PDs) must apply into the program

- Sites can be made safe for reuse Land Recycling
- Reuse brings public benefit Jobs and Local Tax Base
- Can compete with "greenfields" Reduces Sprawl



Federal & State Brownfields Roles



Federal Role

- Funding to States:
 - NC Brownfields Program \$750K (2017-2018)
 - Moving to 5-Year Grant Cycle
- Competitive Funding to Local/Regional Gov't
 - \$3,395,000 to NC 2018/+Job Training Grant

State Role

- Liability Protection to PD Covenant Not to Sue
- Guidance for Safe Redevelopment
 - · Brownfields redevelopment/public benefits
 - · Deed recordation runs with land
- Tax Incentives to PD



NC DEQ Brownfields Agreements

- Does not affect State's ability to enforce against responsible party
- Available ONLY to those who:
 - Did not cause or contribute to site contamination
 - Follow the Brownfields Agreement to make the site suitable for reuse and protect public health and the environment
 - Can be completed in anticipation of redevelopment/sale to third party developer
- As of 1/1/2020, 548 recorded agreements across the state



Components of a Brownfields Agreement

- Work to be performed
 - As required to protect public health
 - Completed by Prospective Developer (PD)
 - Can be funded using EPA Assessment/Cleanup Grants
- Land Use Restrictions
 - Determined based on site specific risk assessment
 - Apply to all future owners
 - Allows for greater municipal control of end land use
- Liability Protection Great Attraction for Developers
- Statutory Reopeners
 - · Violation of a land use restriction
 - Accurate information was not given to Program
 - New information raises risk to unacceptable levels



Before and After - Shops on Innes

Brownfields Project # 20029-16-080





DEQ Community Outreach Contacts

Additional Resources

Project Tracking

https://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=7dd59be2750b40bebebfa49fc383f68 8

How to Apply

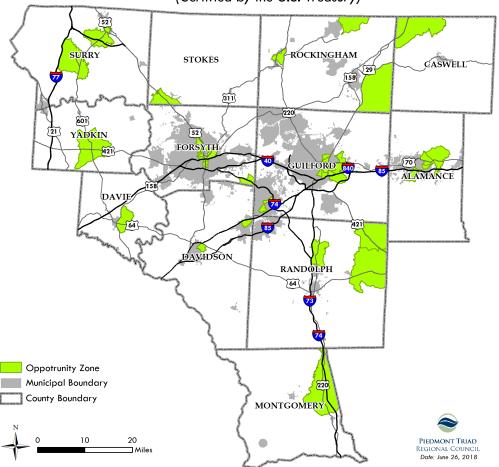
https://deq.nc.gov/about/divisions/waste-management/brownfields-program/how-apply-entry

Department of Environmental Quality / Brownfields Program



Piedmont Triad Regional Council Opportunity Zones

(Certified by the U.S. Treasury)





Brownfields & Opportunity Zones

Safe Harbor



The oral discussion and documents presented during this Opportunity Zone Finance Educational Keynote (or directly accessible from) e-mail or web pages hosted by presenters may contain forward-looking statements. These statements relate to future events or future financial performance. Any statements that are not statements of historical fact (including without limitation statements to the effect that the presenters or the presenters' organizations "believe", "expect", "anticipate", "plan" (and similar expressions) should be considered forward looking statements. There are a number of important factors that could cause actual activities and results to differ materially from those indicated by the forward looking statements. The presenters and their representative organizations disclaim any obligation to update any forward looking statement. This presentation nor the oral conversation do not provide financial or legal advice each party should consult their own professional legal and accounting advisors before entering into any agreements.

We are neither lawyers nor accountants.

The Basics



- Qualified Opportunity Zones are tied to census tracts and added to the Internal Revenue Code by the 2017 Tax Cuts and Jobs Act.
 - o There are 252 QOZs in North Carolina
 - There are 43 QOZs in the Piedmont Triad
- The **goal** is to encourage long-term investments in communities
- Three core principles of the Opportunity Zone Incentive Program:
 - **Deferral**: Investors may defer capital gains taxes until <u>December 31, 2026</u> by utilizing Qualified Opportunity Zone Funds (QOF) as an investment tool.
 - **Reduction**: If an investor utilizes a QOF for 5 years, 10% of the original gain is excluded; if the investment is for 7 years, an additional 5% (15%) will be excluded.
 - **Exclusion**: If an investor utilizes a QOF for 10 years, any capital gains made on investments through the Fund accrue *tax-free*.

Qualified Opportunity Zone Funds



- Qualified Opportunity Zone Funds (QOF) are the instruments of investment
- A QOF is a corporation or partnership organized for the purpose of investing in QOZs and hold at least 90% of its investment asset in the Zone
 - This will be audited **twice a year** for compliance
- Must self-certify to the IRS
- Many shapes and sizes
 - o National; Local; Few investors; Many investors; Asset class; Desired Project; Etc.
- Carried Interest does not qualify for Opportunity Zone benefits
- Taxpayers can make equity investments in a QOF by contributing property in a non-recognition transaction

The "Must Know"



Types of Investment

o Stock:

 Holding stock of a qualified opportunity zone corporation. (Qualified Opportunity Zone Business)

o Interest:

 Interest in a qualified opportunity zone partnership (QOZB)

o Tangible Property:

 Property used in the QOZ (Qualified Opportunity Zone Property)

Opportunity Zone Dates

12/31/2019

• Investments must be made for 15% reduction to capital gains

12/31/2021

• Investments must be made for 10% reduction to capital gains

12/31/2026

• Deferred gain must be recognized by

12/31/2028

• QOZ expire; no more investments

12/31/2047

• Sale of QOZ Investment type must be made

The "Must Know" Continued



Timing

- Funds have six (6) months to invest the capital received from investors.
 - cash, cash equivalents, or debt with terms of 18 months or less.
- Twelve (12) months to reinvest in new opportunity zone properties if previous investment does not sustain



Debt financed distributions
 within the first two (2) years of
 Fund investment is 'disguised
 sale' and triggers deferred gain.

Brownfields & QOZs



Final IRS Regulations include provisions to support QOF investments in brownfields assessments, cleanup, and redevelopment. [LINK]

 QOF investment in a brownfield or in a property that was involuntarily transferred to local government can satisfy the IRS requirement for commencing an "original use." (i.e. bypassing time constraints of "substantial improvement")

For a site within an OZ purchased after December 2017	Satisfies "original use" requirement	Must "substantially improve" property
Site is bare land (including land purchased with buildings to be demolished for new development)	Х	
Brownfield site (including the land and structures thereon) if within a reasonable period the owner makes investments to ensure that the site meets basic safety standards for both human health and the environment	x	
Site is vacant prior to and on the date of publication of the OZ designation and was vacant for at least 1 year prior to purchase of site	Х	
Site not vacant at the time of the OZ designation but later became vacant and remained vacant for at least 3 years	Х	
Non-brownfield site that does not meet vacancy requirements		Х

Brownfields & QOZs Continued



- Expenses for site assessment and remediation qualify as eligible costs that demonstrate "substantial improvement" at an QOZ property (if improved in 30months).
- Permitting delays caused by the government that would otherwise cause the QOF to fail the IRS requirement to deploy QOF capital within 31 months will be tolled [delayed/suspended/held-off] for a duration equal to the permitting delay.

EPA Opportunity Zone Landing Page
IRS Opportunity Zone Landing Page
PTRC Opportunity Zone Landing Page



Census Tract 370810**143**00

Guilford County - SW High Point

Population: 3,155

Median Household Income: 23,359

Households in Poverty: 46%

Total Jobs: 4,996
Total Businesses: 309

Community Development

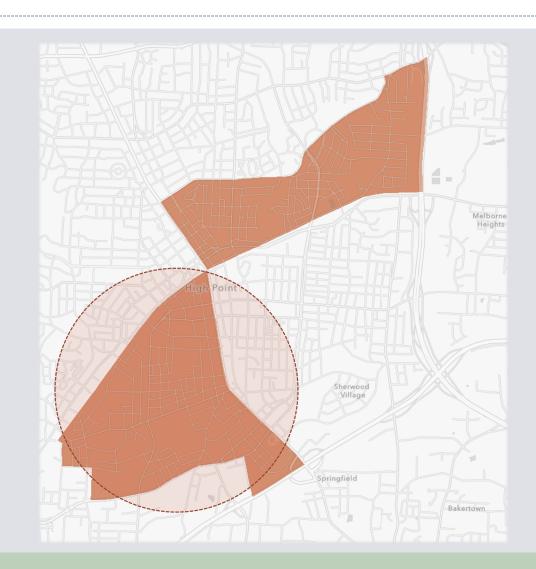
Developers are align federal programs like US EPA Brownfields with the OZ to attract investors.

Coordinating workforce development and small-scale manufacturing placemaking planning

Focusing on: synergy and balance, social equity, impact investing, partnerships, and transparency

More Information

Proximity to transportation resources
Proximity to major metro areas





Scarito Park
Brad Buschur, Groundwork Lawrence





Groundwork Lawrence - Mission





- To bring about the sustained regeneration, improvement and management of the physical environment
- by developing community-based
 partnerships which
- empower people, businesses and organizations to
- promote environmental,
 economic and social
 well-being



CHANGING PLACES CHANGING PLACES CHANGING LIVES



- Cleanups
- · Healthy Living Workshops
- Community Planning

- Parks & Playgrounds
- · Rivers & Canals
- Tree Canopy
- Trails & Greenways
- Stewardship

- Service Learning
- Youth Employment
- Schoolyard Gardens
- · Environmental Educ.
- STEM Education

- Active Spaces
- Community Gardens
- Urban Farming
- Farmers Markets
- Veggie Rx & Incentives

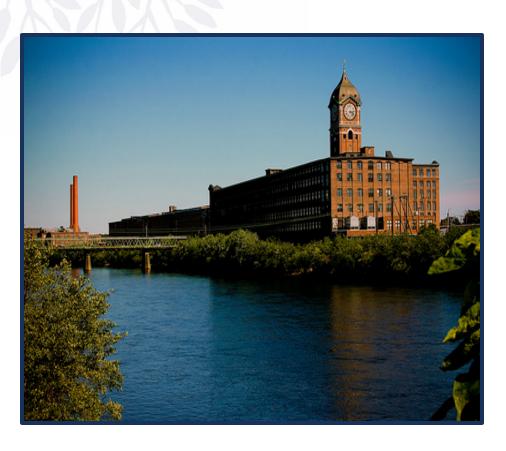
Lawrence, MA





Lawrence, Massachusetts

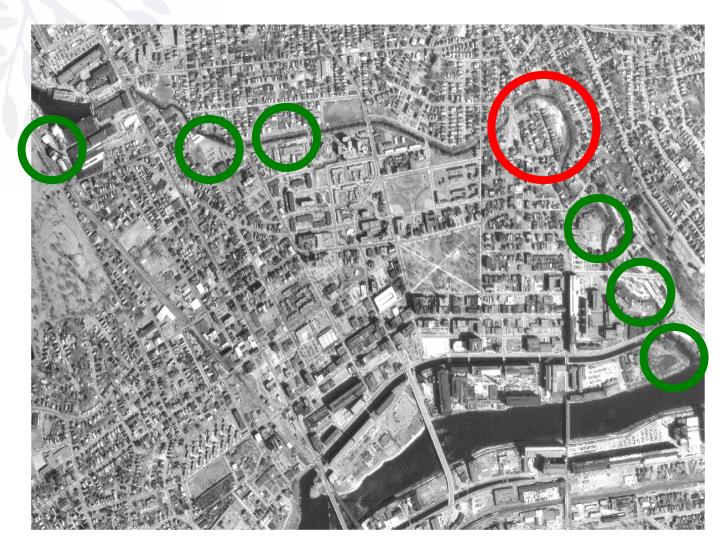




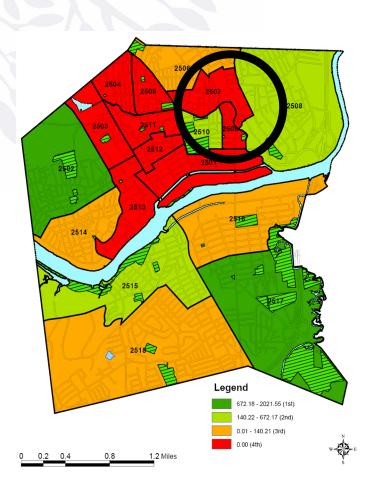
- 74% Latino
- 38% foreign born
- 29% under 18 years old
- 29% below poverty line
- 30% homeownership
- \$32,851 median household income

Brownfields as Catalysts

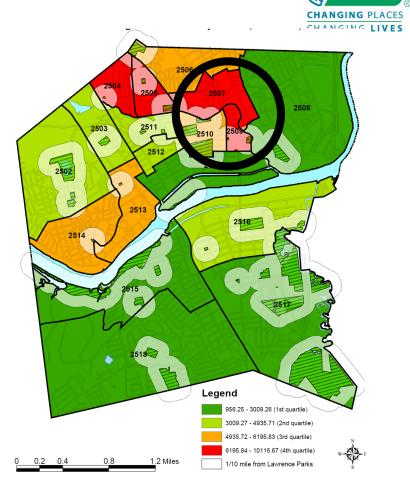




Brownfields as Catalysts



Open Space Per Capita



Population Density of Youth Under the Age of 18

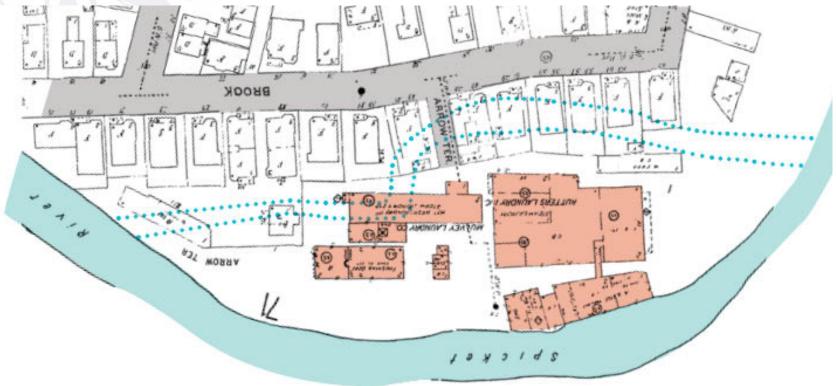
Scarito Park Context



- 2.7 acre site was the largest contiguous parcel of open space in the neighborhood.
- Site located adjacent to densely-packed multi-family housing.
- Few lots in the neighborhood can accommodate more than the dwelling footprint; no yards means kids played in the streets.
- Site was vacant and "mothballed" by private owner for nearly 20 years.

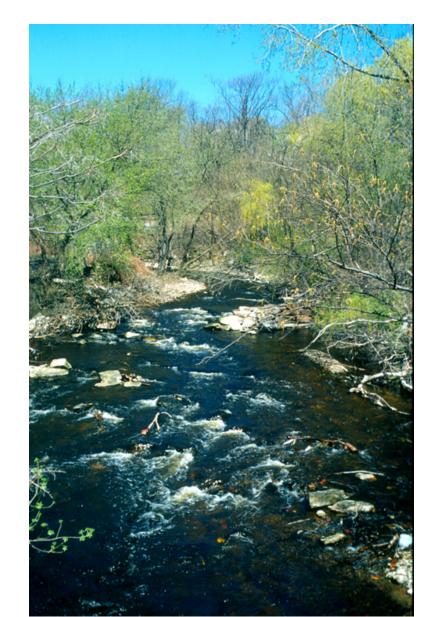
Scarito Park in 1888 & 1956





1888: Mill with raceway for power

1956: Two Laundries, raceway replaced with housing







Sarito Park History



- 1986: **\$1.8 million in back taxes** owed on the property.
- 1990: Owner begins assessment and cleanup
- 2000: Site identified as priority for redevelopment by neighborhood residents and a CDC, Lawrence CommintyWorks.



Transformational Strategy: Community Engagement



2002: First annual Groundwork Spicket River Cleanup; 15 tons of trash removed from riverbanks by hundreds of local volunteers.



Transformational Strategy: Neighborhood Planning



2002-2003:

Groundwork and project team works with neighborhood residents to create a concept plan for a new riverfront park on the site.



Transformational Strategy: Park Concept





Transformational Strategy: Park Concept





Path to Transformation



- 2003: Owner settles back taxes through the Mayor's Tax Amnesty Program
- 2004: Bank of America acquires the site through a corporate merger
- 2004: Significant community advocacy leads Bank of America pledges to donate the land for the park.
- 2004: final assessment and remediation.
- 2004: Groundwork leads development of city's open space plan (first in 20 years).

Path to Transformation



- 2005: State awards City a grant to transform the brownfield into a park (25% local match required)
- 2005: Coalition works one-on-one with City Councilors to build political support to accept the grant and protect the site in perpetuity
- 2006: State and Bank of America sign covenant not to sue
- 2006: City Council votes to accept the land for the park
- 2006: Ribbon Cutting













Lessons learned: Challenges are Opportunities



Challenges

- Negative Mentality
- Brownfields
- Vacant lots
- Illegal dumping
- Low capacity at City Hall
- Inequitable distribution of resources

Opportunities

- Neighborhood Leadership
- Emerging nonprofit capacity
- Mapping and Planning
- Relationship building
- Changing the narrative
- Improved Public Health



CHANGING PLACES CHANGING PLACES CHANGING LIVES



- Cleanups
- · Healthy Living Workshops
- Community Planning

- Parks & Playgrounds
- · Rivers & Canals
- Tree Canopy
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- Youth Employment
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- Active Spaces
- Community Gardens
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- Farmers Markets
- Veggie Rx & Incentives

Thank You



Brad Buschur Groundwork Lawrence

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THANK YOU FOR ATTENDING THE WEBINAR!

How can NJIT TAB assist you?



Hotline: 973-642-4165

tab@njit.edu

www.njit.edu/tab



Follow Us @NJITTAB

Informal Process for assistance – just call or email us – there is no contract to sign. All assistance is free to eligible entities.











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PIEDMONT TRIAD



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