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Life After BOA

Leveraging Your BOA Designation to Complete the Brownfield Revitalization Process

Thursday, March 28, 2024
11:00am - 12:00pm EST



Made possible with funding from the US EPA



Thank you for joining us today!

This webinar will be starting soon.

But first, some helpful information:



Today's session will be recorded.



The recording for this session will be available on our website: <https://www.njit.edu/tab/>



Thank you for joining us today!

This webinar will be starting soon.

But first, some helpful information:



Use the Q&A box to queue up questions. Use the chat to share your thoughts.



We want to know your thoughts! Fill out our feedback survey after today's session.



Continue the conversation on our LinkedIn page! <https://bit.ly/3UYkHPR>



Thank you for joining us today!

This webinar will be starting soon.

But first, some helpful information:



Experiencing technical issues? Know someone who is having trouble hopping on?

Reach out to me via email at fm392@njit.edu

Today's Speakers:



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Tell us about you!

Answer On Screen

Where in New York are you joining us from?

What type of entity do you work for?

How familiar are you with the BOA program?

How long ago did your community receive BOA designation?

Agenda





**Office of Planning
and Development**

Brownfield Opportunity Areas Program Opportunities After BOA Designation

Lesley Zlatev, Revitalization Specialist

An Office of New York Department of State

March 28, 2024

Brownfield Opportunity Areas Program (BOA)

Program provides assistance to communities to develop area-wide community-based plans to redevelop brownfields and abandoned sites, transforming them into catalytic properties that revitalize the area.



BOA Strategic Sites



Proposed streetscape improvements showing an enhanced connection between Gryziec Field and South James Street



Existing street presence of Gryziec Field along South James Street in the City of Rome

BOA Program Empowers Communities

- To address a range of problems posed by multiple known or suspected brownfield sites;
- To build community consensus on the future uses for the area with an emphasis on strategic sites that are known or suspected brownfields;
- To establish sustainable goals and objectives for area-wide revitalization and for redevelopment of strategic sites;
- To identify and establish the multi-agency and private-sector partnerships necessary to leverage assistance and investments to revitalize downtowns, neighborhoods, and communities;
- To address environmental justice concerns and promote environmental equity in areas that may be burdened by negative environmental consequences; and
- To engage in activities to implement the community's vision after BOA designation by Department of State.

BOA by the Numbers

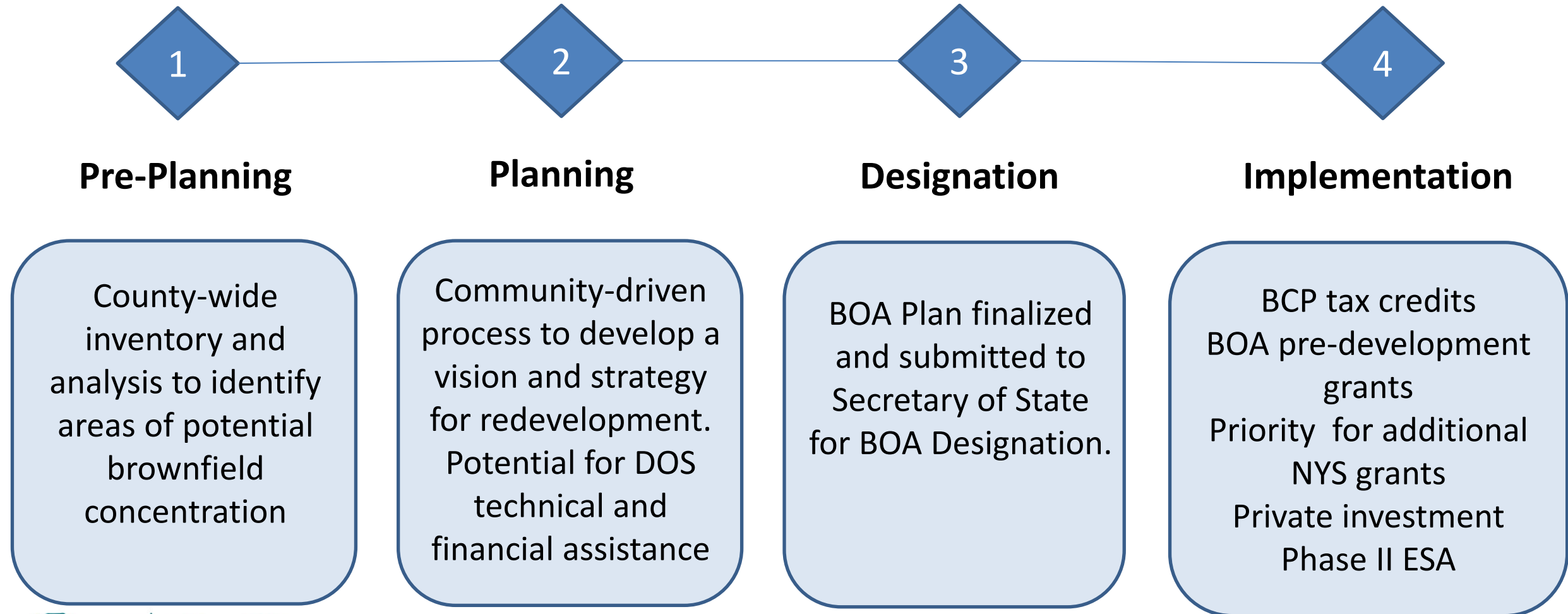
- 200+ BOA grants awarded
- \$58 Million in funding allocated
- 110+ BOA study areas
- 73 Designated BOAs

Brownfield Opportunity Area Program

Provides communities with tools to revitalize neighborhoods affected by known or suspected brownfields



BOA Program: A Multi-Step Process for Revitalization



Eligible Applicants

Municipalities

- Towns/Villages
- Counties
- Local Public Authorities
- Public Benefit Corps
- School Districts
- Special Improvement Districts
- Indian Nations/Tribes

Community-Based Organizations

- Not-For-Profit
- 501(c)(3)
- Mission to promote reuse of brownfield sites or community revitalization
- At least 25% of Board of Directors reside in area
- Community has demonstrated financial need

Community Boards

Defined and described in Section 2800 of the New York City Charter.

Applicants are encouraged to work in partnership & jointly apply for funding

BOA Eligible Grant Activities

Pre-Planning: Area Inventory and Analysis

Complete a Brownfield affected site inventory and preliminary analysis to advance future BOA Planning

Planning

Develop a community-supported plan for revitalization culminating in designation by the Secretary of State

Predevelopment Activities

Targeted activities that help move projects from concept to completion in State-Designated Brownfield Opportunity Areas.

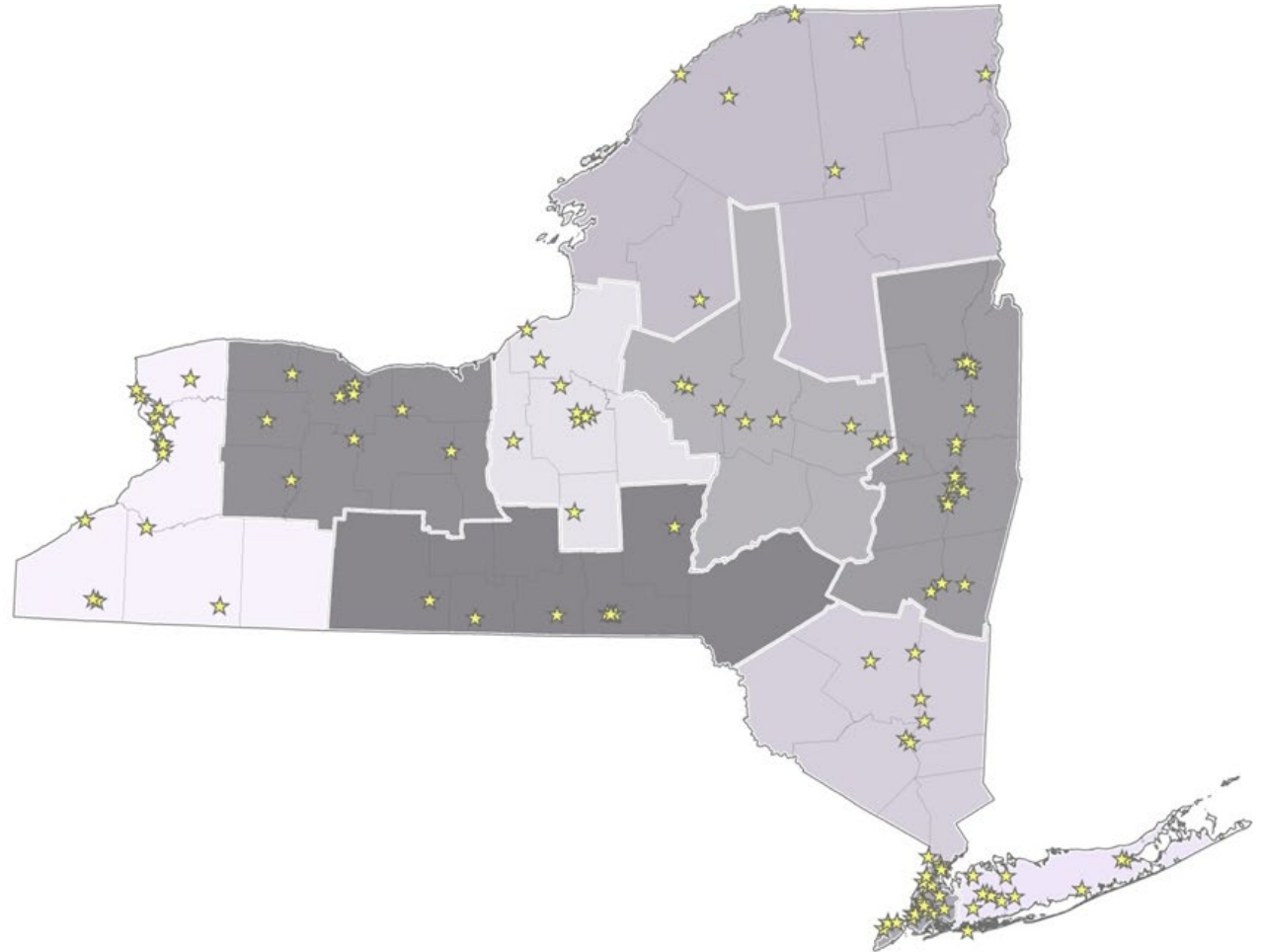
Phase II Environmental Site Assessments

Formal assessment of a property's environmental condition in order to guide future land use decisions under the BOA Program within a State-Designated BOA.

BOA Designation

Benefits of BOA Designation

- Priority and preference for other grant programs (*General Municipal Law 18-C-970-r*)
- Eligibility for BOA Predevelopment activities and Phase II site assessment funding
- DOS technical support
- Brownfield remediation tax credits

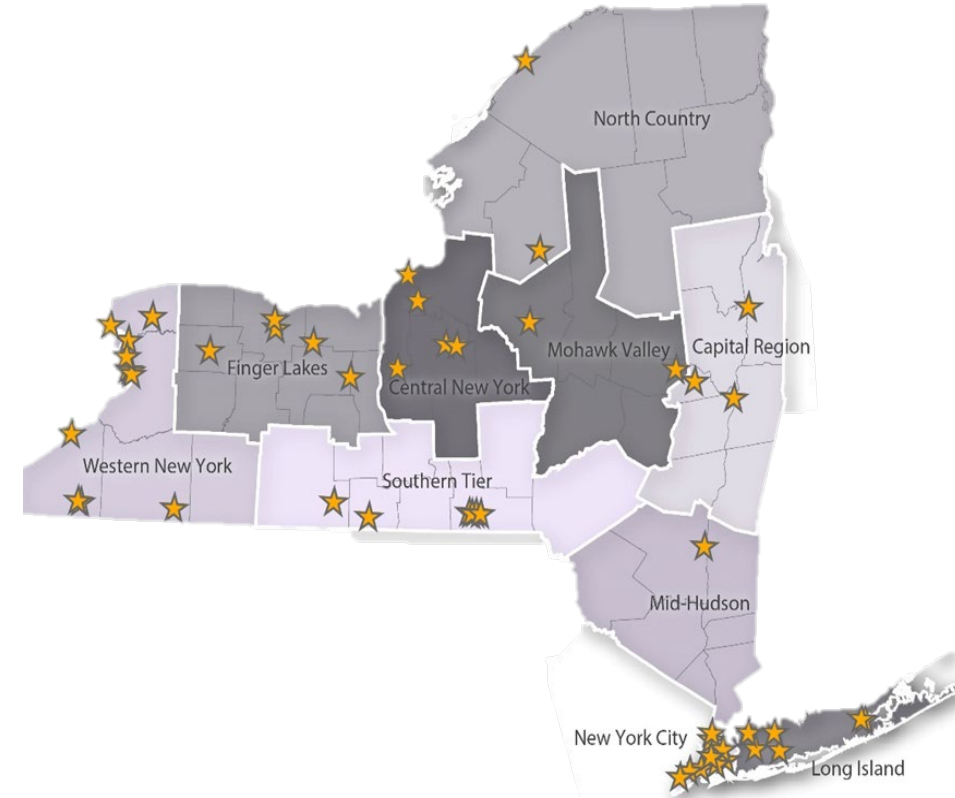


Steps for BOA Designation

1. Letter of request from a BOA Program Applicant requesting consideration by the Secretary of State for a determination to designated a Brownfield Opportunity Area.
2. Public Notice and Presentation of Supporting Documentation- Documentation demonstrating required public participation has been completed. |
3. Complete BOA Nomination- A complete Nomination document submitted in a three-ring binder organized with a cover sheet and tabs delineating the required elements as per GML §970-R

Predevelopment Activities*

- Development and implementation of marketing strategies
- Development of plans and specifications
- Real estate services
- Building condition studies
- Infrastructure analyses
- Zoning and regulatory updates; Environmental, housing and economic studies, analyses and reports
- Public outreach
- Renewable energy feasibility studies
- Legal and financial services



Phase II Environmental Site Assessments (SA)*

- Site is one or more areas of environmental concern and may include more than one contiguous tax parcel.
- Site must have definitive and identifiable boundaries.
- Must meet the criteria and conditions stated in the *BOA Site Assessments: Guidance for Applicants*.
- SA must advance the goals and priorities for revitalization and redevelopment of the BOA area.



Opportunities Beyond the BOA Program

DEC Brownfield Cleanup Program (BCP) Tax Credits

- Goal of the BCP is to encourage private-sector cleanups of confirmed brownfields. (*Sites that are consistent w/DEC definition of Brownfield site, “any real property where a contaminant is present at levels exceeding the soil cleanup objectives, etc.. Adopted by DEC”)
- Promote their redevelopment as a means to revitalize economically disadvantage communities.
- Provide beneficia; tax incentives for, the redevelopment of urban brownfields.

Priority for Additional State Grant Opportunities

- Including, but not limited to : Downtown Revitalization Initiative, (DRI), New York Forward (NYF) Local Waterfront Revitalization Program (LWRP)

Recent BOA Program Allocations: NYS Consolidated Funding Application (CFA) Allocation

- In the past few years, approximately \$2-4 Million has been awarded annually for the BOA Program through the Consolidated Funding Application (CFA)
- Communities can apply for more than one award.
- CFA Released in early May.
- CFA Applications Due late July
- State assistance awarded and paid to a grant recipient will not exceed 90% of the total eligible project cost. Local Match is 10% of total project cost.

Wyandanch Rising (LI)



New York's First BOA/BCP Tax Credit Project

River's Edge Development, North Tonawanda, Niagara County



- Former Tonawanda Iron Works site on the Niagara River
- Remediated under BCP
- Redeveloped for mixed uses

Leveraging State Investment in Rome, NY



Image of the Downtown Rome BOA



View of the Rome-Turney Building

Adaptive Reuse in Buffalo, NY

Niagara Street Conceptual Rendering



Niagara Street Conceptual Rendering



Concept rendering of Chandler Street

Engage the
community

YOU ARE
HERE

Build
Partnerships

Funding
sources

Planning

*BOA Plan +
Nomination*

- Assemble a task force
- Create a Brownfield Inventory and prioritize sites
- Community vision and strategy

Site Characterization and Investigation

- Site Characterization (Phase I and II ESA)
- Remedial Investigation
- Remedy Selection + Design

Remedial Action

Redevelopment

- Site management

EPA Assessment

EPA Cleanup

NYSDEC - BCP, ERP, Superfund

NYS DOS BOA

Site reuse vision

Your Next Steps



Maintain champions for and partners in the brownfield revitalization process.



Refine the site reuse vision with additional pre-development activities. Conduct site assessment and remediation.



Identify and apply for additional funding sources.

(Re)build Your Brownfield Team

Brownfield Manager



Responsible for:

- Leading the brownfield team
- Coordinating communications
- Working with partners
- Tracking progress

Provides briefings to

Local Officials



Responsible for:

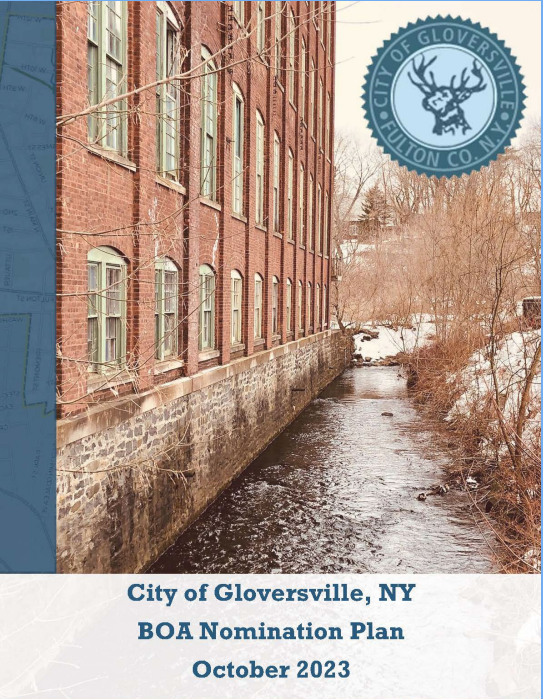
- Publicly advocating for revitalization
- Liaising between partners

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Champion in Action: Mayor DeSantis



Mayor DeSantis at the Mohawk Valley Brownfield Developer Summit



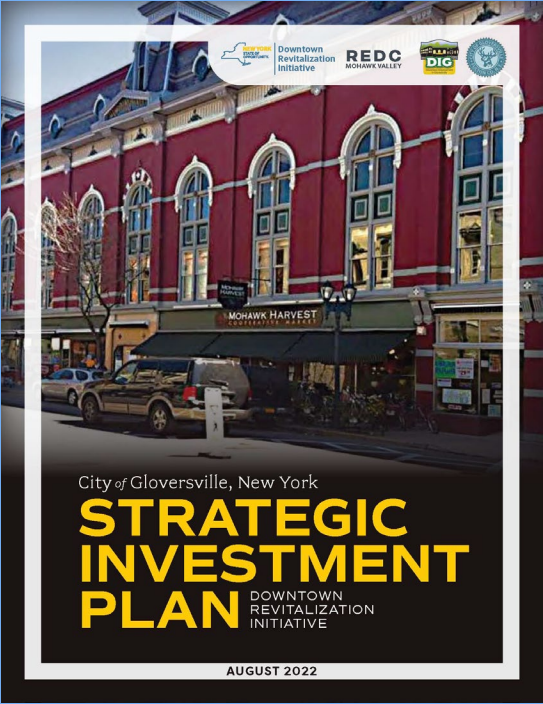
City of Gloversville

2021 – Received funding for a BOA Nomination Plan

2022 – Received **\$10 million** from the NYS Downtown Revitalization Initiative (DRI)

2023 – Proposed BOA Nomination Plan completed

Sources: [City of Gloversville BOA Nomination Plan](#), [Strategic Investment Plan](#)



Reengage Past Partners

Brownfield teams made up of strong partnerships can guide community-informed decision making, strengthen funding applications and build capacity to tackle complex brownfield site challenges.

Strong partnerships benefit from:

- Public, Private and Nonprofit Entities With In-Kind Resources and Specialized Knowledge
 - Real Estate Professionals
 - Universities & Colleges
 - Technical Experts
- Engaging Different Populations In Your Community
 - Community-Based Organizations
 - Local Arts & Culture Groups

Partners in Action: Mohawk Valley



The brownfield team in Mohawk Valley, NY consists of Economic and Industrial Development leaders from 6 counties, the Mayor of Gloversville, the U.S. EPA, NYS DOS, NJIT TAB, and private consultants.

Engaging Stakeholders & Citizens

Consistent stakeholder and public engagement is key for brownfield revitalization success; broad community buy-in can make projects more attractive to investors as well as public and private funders.



- Consider creating a Brownfield Task Force
- Build Public-Private Partnership (PPP)
- Engage with Congressional Representation

PPP in Action: Mohawk Valley EDGE

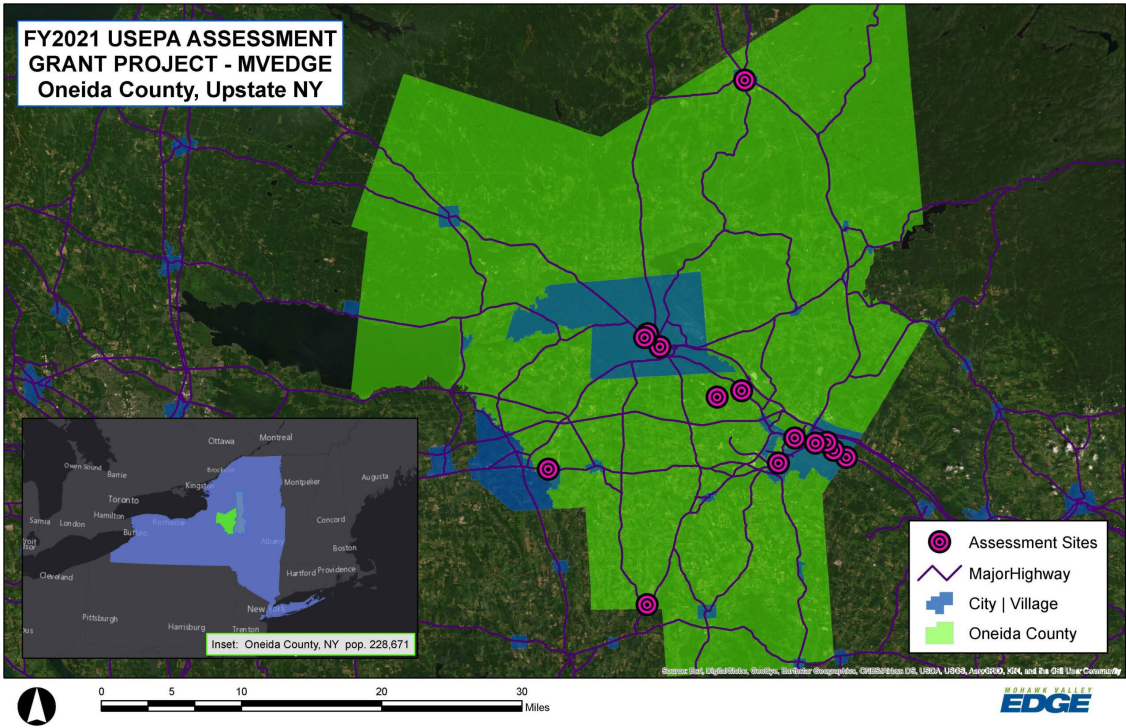
DAILY SENTINEL

FEATURED

Public-private partnerships play a key role in economic development

By Alexis Manore | Staff writer | AManore@RNYmedia.com Feb 23, 2024 1

Source: Daily Sentinel



Pre-Development Activities: The Key to Refining Your Site Reuse Vision

Pre-Development Activities Funded by the BOA Program*

- Development and Implementation of Marketing Strategies
- Development of Plans and Specifications
- Real Estate Services
- Building Condition Studies
- Infrastructure Analyses
- Zoning And Regulatory Updates; Environmental, Housing And Economic Studies, Analyses And Reports
- Public Outreach
- Renewable Energy Feasibility Studies
- Legal and Financial Services

* Projects *must* be located within a State-Designated BOA.
A list of designated BOAs is available at: dos.ny.gov/brownfield-redevelopment

Market Study

Pre-Development Activities: The Key to Refining Your Site Reuse Vision

A market study is critical for the long-term viability of your redevelopment. Use a market study to determine if residential, commercial, and/or industrial uses are supported on your site. What uses are feasible will inform site assessment and cleanup.

- Purpose: Understand economic feasibility of site reuse options
- Potential Cost (2022): \$20–50K
- Expertise Needed: Real estate professional, market analyst or planner



Infrastructure Evaluation

Pre-Development Activities: The Key to Refining Your Site Reuse Vision

Infrastructure evaluation assesses utilities, roads, transit, and on-site improvements servicing the brownfield site.

- Conditions Assessment:
 - Visual inspection
 - Document review
 - Utility and site personnel interviews
- Potential Cost (2022): \$10–20K
- Expertise Needed: Multidisciplinary consulting team



Infrastructure Evaluation

Pre-Development Activities: The Key to Refining Your Site Reuse Vision

Your site reuse options can be limited or expanded based on what nearby infrastructure is available. Onsite infrastructure will also inform site preparation, assessment, and cleanup.



- Infrastructure Condition and Capacity Study:
 - A specialized study which may be needed to determine the feasibility of a specific site reuse option
 - For large, high-value reuse opportunities
- Potential Cost (2022): \$40K+
- Expertise Needed: Utility company; Licensed Professional Engineer



Site Characterization and Investigation

- **Assessment**

- Site Characterization \approx Phase I + II ESAs
- Remedial Investigation (RI)
- Remedy Selection & Design

- **Cleanup**

- Remedial Action Work Plan (RAWP)
- Remediation (RA)
- Final Engineering Report (FER)
- Site Management Plan (SMP)



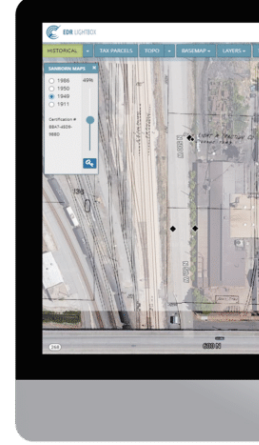
Site Assessment

NYSDEC DER-10 Regulations

- **Site Characterization**
 - Records search & sampling
 - Determine if contamination is present (samples above screening objectives)

Federal Regulations

- **Phase I ESA**
 - Records search & site visit to inspect for environmental conditions
- **Phase II ESA**
 - Collect samples, determine if contamination is present at Recognized Environmental Conditions (RECs)



Remedial Investigation

Remedial Investigation

- Defines nature & extent of contamination
- Delineates 'clean' vs. 'dirty'
- Evaluate actual & potential threats to public health & the environment

Remedy Selection & Design

- Evaluate options for addressing contamination
- Determine the Remedial Action Objectives (RAOs)
- Formal design process, reporting to NYSDEC



Site Cleanup

Remediation Process

- Remedial Action Work Plan (RAWP)
- Perform remediation activities
- Final Engineering Report (FER)
- Site Management Plan (SMP)
 - ✓ Engineering Controls
 - ✓ Monitoring & Inspections
 - ✓ Periodic Review Reports
 - ✓ Change-of-Use Notifications

Remedial Actions

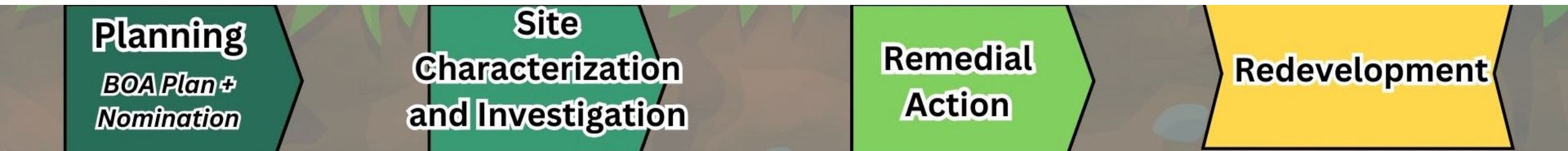
- Soil excavation & off-site disposal
- *In-situ* chemical treatment
- Extraction & treatment

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Prior property owners and responsible parties can also provide funding.

Funding Sources by Phase



U.S. EPA

- Multipurpose Grant
- Assessment Grant

NYS DOS

- Brownfield Opportunity Area (BOA) Program Grant

U.S. EPA

- Targeted Brownfield Assessment
- Multipurpose Grant
- Assessment Grant

NYS DOS

- BOA Program Grant

NYS DEC

- Environmental Restoration Program
- Brownfield Cleanup Program Tax Credit

U.S. EPA

- Revolving Loan Fund
- Cleanup Grant

NYS DEC

- Environmental Restoration Program

U.S. HUD

- Community Development Block Grant (CDBG)

USDA Rural Development

NYS DOS

- Downtown Revitalization Initiative (DRI)
- Local Waterfront Revitalization Program (LWRP)

Leveraging Your BOA Plan: NYS Grants

BOA planning helps you meet additional NYS grant criteria

Local Waterfront Revitalization Program

- Provides funding to prepare a Local Waterfront Revitalization Plan (LWRP), update an existing LWRP for climate resilience or implement a Watershed Management Plan from the NYS DOS
- Points are awarded to applications that advance the goals and address the issues identified in BOA Plans.

Downtown Revitalization Initiative (DRI)

- Provides funding to transform New York's downtown neighborhoods
- Planning from the BOA Nomination Plan informs the projects funded by DRI.

Leveraging Your BOA Plan: EPA Grants

Use your BOA Nomination to Meet EPA's Narrative/Ranking Criteria

BOA Nomination Plan

1. Brownfield Opportunity Area Boundary
2. Identified Brownfield Sites
3. Potential Development
4. Community Support

EPA Brownfields Grants

1. Project Area Description and Plans For Revitalization
2. Community Need and Community Engagement
3. Task Descriptions, Cost Estimates, and Measuring Progress
4. Programmatic Capability and Past Performance



Multipurpose, Assessment, RLF, & Cleanup (MARC) Grants

Brownfield Grant Solicitation Cycle

- Request for Applications: **Fall**
- Due Date: **mid-November**
- Announcement of Successful Grant Applicants: **Spring**
- Funding available: **Late Summer**

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Grant Type	Funding	Performance Period	Cost Share	Eligible Activities
Multipurpose	Up to \$1,000,000	5 years	N/A	Site assessment ; Site cleanup ; Various planning activities
Assessment				
• Community-wide	Up to \$500,000	4 years	N/A	Site inventory; Prioritizing sites; Phase I & II assessments ; Community Outreach & Involvement; Cleanup planning ; Brownfields planning ; Site reuse planning
• Coalition	Up to \$1,500,000	4 years	N/A	
• State & Tribe Community-wide	Up to \$2,000,000	5 years	N/A	
Revolving Loan Fund (RLF)	Up to \$1,000,000	5 years	N/A	Provides funding to make low-interest loans and/or subgrants for cleanup activities at brownfields sites.
Cleanup	Up to \$5,000,000	4 years	N/A	Supports cleanup activities at a specific site or multiple sites owned by the applicant.

Success Story: Batavia, NY

City Centre Funding Stack

\$1M (DRI)

\$193K (BOA Pre-Development)

\$20K (Empire State Development Strategic Planning & Feasibility Study)

\$40K (National Grid Urban Center/Commercial District Revitalization)

\$1,253,000 in Grants + Historic Preservation Developer Tax Credit + BOA Developer Tax Credit



City Centre before improvements



rendering of completed City Centre and Harvester 56 Theater

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TAB TECHNICAL
ASSISTANCE TO
BROWNFIELD
COMMUNITIES

EPA REGION 2

New Jersey
New York
Puerto Rico
U.S. Virgin Islands
8 Tribal Nations



What is **TAB** TECHNICAL ASSISTANCE TO BROWNFIELD COMMUNITIES ?

NJIT provides free technical assistance to state, regional, county, tribal, and local government entities and nonprofit organizations interested in learning about, identifying, assessing, cleaning up, and redeveloping brownfield sites in EPA Regions 2 & 4.

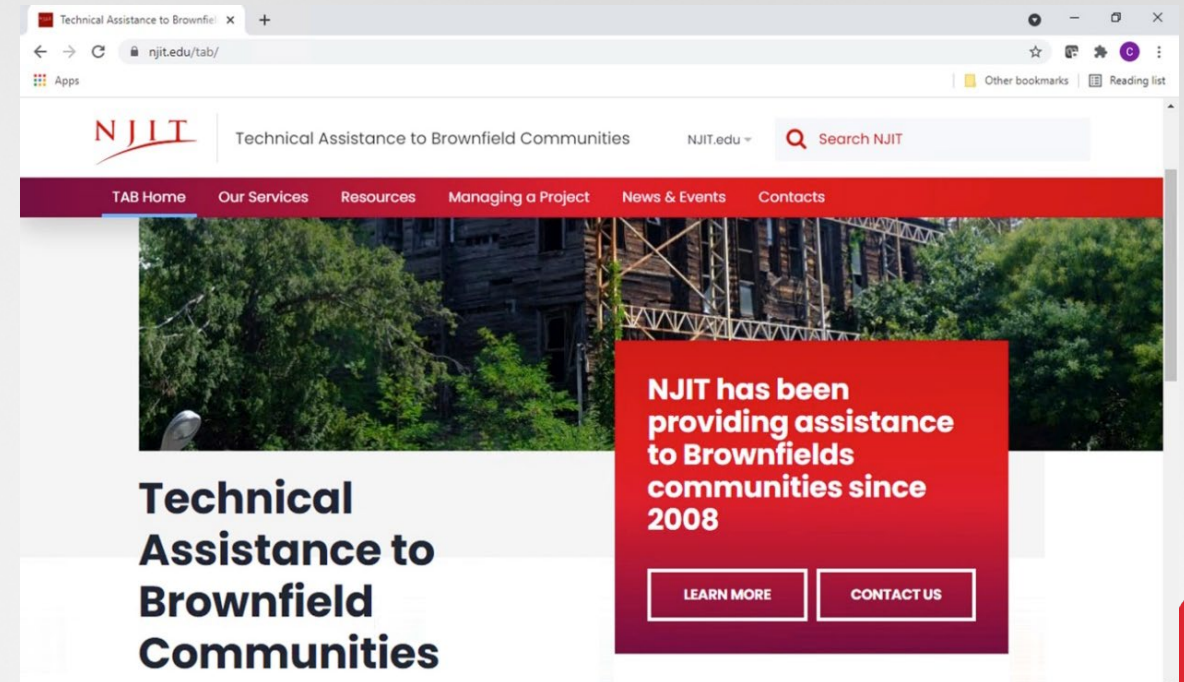
We provide assistance through our:

- ▶ Brownfields Academy
- ▶ Brownfield Community Engagement and Educational Forums
- ▶ One-on-one Technical Assistance

NJIT TAB Brownfields Academy

www.njit.edu/tab

- How-To Videos
- Infographics
- Success Stories
- News and Upcoming Events
- Federal and State Funding Sources
- EPA And State Contacts
- Previously Recorded Webinars
- Downloads of Workshop and Seminar Presentations
- Successful Grant Applications





Community Engagement and Educational Forums

- **Breaking Brownfields:** an event where a government entity or nonprofit presents their specific brownfields redevelopment challenge to an audience of private sector representatives and obtains feedback on how to overcome those challenges.
- **Brownfield Basics Workshops:** brownfield redevelopment process.
- **Brownfield Summits:** Full day event that may include peer-to-peer sessions, success stories, and sessions on brownfield-related topics relevant to the specific locations, their needs, and their challenges.
- **Community Workshops:** on brownfield-specific topics.
- **Grant Writing Workshops:** getting started on your MAC grant applications; tips and tricks for preparing an EPA brownfields grant application.

One-on-One Technical Assistance

Tailored to your specific needs

- Identify funding sources
- Review draft grant applications
- Develop redevelopment strategy
- Participate in the consultant solicitation process
- Explain the regulatory programs
- Guidance on developing brownfield inventories
- Explain clean-up technologies
- Create project prioritization processes
- Develop strategies on marketing brownfields sites
- Develop Assets and Needs Studies
- Design and conduct community workshops

Help During the Open CFA Period

New York State's Consolidated Funding Application (CFA) opens the first week of May 2024 and will close in July 2024.

- While the CFA is open, New York State is unable to provide direct technical assistance.
- NJIT TAB can provide one-on-one technical assistance during this time:
 - Answer questions on the BOA program
 - Provide free grant application review
- Note: there will be a Q&A during New York State's CFA webinars.
- **In addition to directing questions to NJIT TAB during the CFA application period, you can direct formal questions to New York State via email (opd@dos.ny.gov) or postal mail for approx. 1 month after the CFA opens.**

For questions on today's presentation and technical assistance from NJIT TAB:

Carrie Martin, AICP
Environmental Sustainability Planner
NJIT TAB
carrie.martin@njit.edu
(973) 642-7044

**For questions to the BOA program
before the CFA opens:**

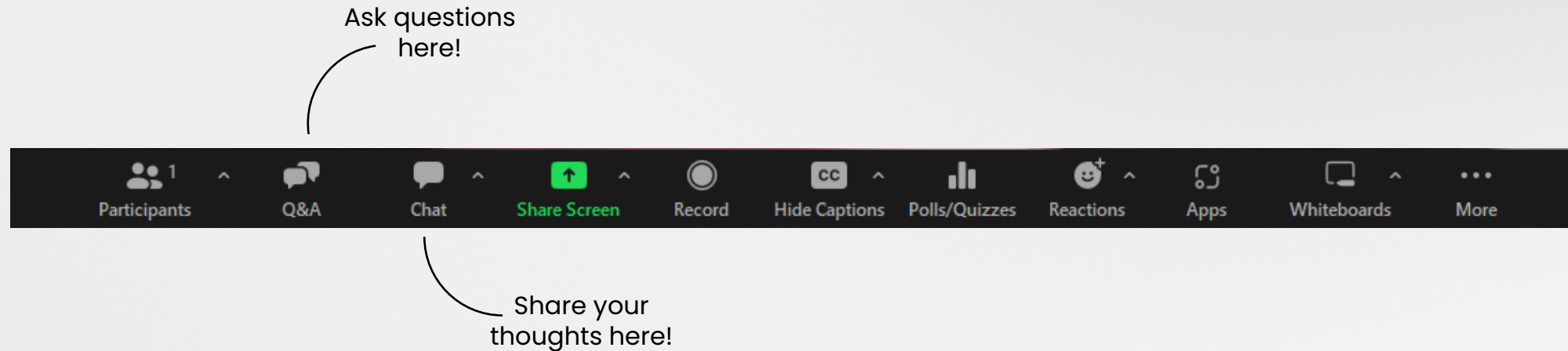
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**For questions to the BOA program
after the CFA opens:**

opd@dos.ny.gov

Thank you for attending today's webinar!

Questions and Comments?



Upcoming Events 2024

TAB In Your Area

If you'd like NJIT TAB to visit your area, feel free to contact us!

EPA Region 2



**Herkimer College
Herkimer, NY**

Mohawk Valley
Brownfield Basics
April 10, 2024

Mohawk Valley
Brownfield Developers Summit
April 23 & 24, 2024

EPA Region 4



**University of Kentucky – CEDIK
Lexington, KY**

Scott County Extension Office
Brownfields Grant Writing
Bootcamp
April 1 & 2, 2024

In Case You Missed It

Pop-Up Progress: Unveiling the Temporary Magic of Temporary Brownfield Makeovers

Presented By:



Caitlyn Bruno, PG, LSRP
NJIT Technical Assistance to Brownfield Communities



Spencer Gober, AICP
Delaware Valley Regional Planning Commission



**Pop-Up Progress: Unveiling
the Magic of Temporary
Brownfield Makeovers**

Brownfield Contaminants and Human Health

Thursday, February 29, 2024
1:00pm - 2:00pm EST

Made possible with funding from the US EPA

**Brownfield Contaminants and
Human Health**

Climate Change and Brownfields 101

Thursday, March 7, 2024
12:00pm - 1:00pm EST

Made possible with funding from the US EPA

**Climate Change and
Brownfields 101**

**Both these webinars with associated presentations and
resource links can be found on our website!**

www.njit.edu/tab/webinars



NJIT provides free technical assistance to state, regional, county, tribal, and local government entities and nonprofit organizations interested in learning about, identifying, assessing, cleaning up, and redeveloping brownfield sites in EPA Regions 2 & 4.

Contact Us



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www.njit.edu/tab



<https://www.linkedin.com/company/njit-tab/>