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!

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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:

Carrie Martin
Environmental Sustainability Planner, NJIT TAB
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Phone: 973-642-7044

Lesley Zlatev
Revitalization Specialist for New York Department of State’s Office of Planning, Development, & Community Infrastructure
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Phone: 518-474-1843
Tell us about you!

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

- Overview of the Benefits of BOA Designation
- Where You Are in The Brownfield Revitalization Process
- Maintaining Champions and Partners
- Refining the Site Reuse Vision and Conducting Site Assessments
- Identifying and Applying for Additional Funding Sources
- How NJIT TAB Can Help
Brownfield Opportunity Areas Program
Opportunities After BOA Designation

Lesley Zlatev, Revitalization Specialist
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
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**

1. **Pre-Planning**
   - County-wide inventory and analysis to identify areas of potential brownfield concentration

2. **Planning**
   - Community-driven process to develop a vision and strategy for redevelopment. Potential for DOS technical and financial assistance

3. **Designation**
   - BOA Plan finalized and submitted to Secretary of State for BOA Designation.

4. **Implementation**
   - BCP tax credits
   - BOA pre-development grants
   - Priority for additional NYS grants
   - Private investment
   - Phase II ESA

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**BOA Program: A Multi-Step Process for Revitalization**

1. Pre-Planning
2. Planning
3. Designation
4. Implementation
## 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

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

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

Concept rendering of Chandler Street
Where You Are in The Brownfield Revitalization Process

Your Next Steps

- Engage the community
- Build Partnerships
- Site Characterization and Investigation
- Remedial Action
- Funding sources

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

<table>
<thead>
<tr>
<th>Brownfield Manager</th>
<th>Local Officials</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Responsible for:</strong></td>
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<tr>
<td>• Leading the brownfield team</td>
<td>• Publicly advocating for revitalization</td>
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<tr>
<td>• Coordinating communications</td>
<td>• Liaising between partners</td>
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<tr>
<td>• Working with partners</td>
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<tr>
<td>• Tracking progress</td>
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Source: Setting the Stage for Leveraging Resources for Brownfields Revitalization
Maintaining Champions and Partners

Champion in Action: Mayor DeSantis

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

Source: Setting the Stage for Leveraging Resources for Brownfields Revitalization
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

Source: Setting the Stage for Leveraging Resources for Brownfields Revitalization
PPP in Action: Mohawk Valley EDGE

Public-private partnerships play a key role in economic development

Source: Daily Sentinel

Source: Mohawk Valley EDGE
### Pre-Development Activities: The Key to Refining Your Site Reuse Vision

<table>
<thead>
<tr>
<th>Pre-Development Activities Funded by the BOA Program*</th>
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<tr>
<td>• Development and Implementation of Marketing Strategies</td>
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<td>• Infrastructure Analyses</td>
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<td>• Zoning And Regulatory Updates; Environmental, Housing And Economic Studies, Analyses And Reports</td>
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<tr>
<td>• Public Outreach</td>
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<tr>
<td>• Renewable Energy Feasibility Studies</td>
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<td>• Legal and Financial Services</td>
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* Projects must be located within a State-Designated BOA. A list of designated BOAs is available at: [dos.ny.gov/brownfield-redevelopment](dos.ny.gov/brownfield-redevelopment)

The EPA also funds pre-development studies, analyses, and reports. Fact sheets on 13 eligible activities are available at [epa.gov/brownfield/eligible-planning-activities](epa.gov/brownfield/eligible-planning-activities).
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

Source: Plan for Brownfields Redevelopment Success: Market Study
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

Source: Plan for Brownfields Redevelopment Success: Market Study
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

Source: Plan for Brownfields Redevelopment Success: Market Study
Site Characterization and Investigation

- **Assessment**
  - Site Characterization ≈ 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

- 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
Identifying and Applying for Additional Funding Sources

Funding Sources by Phase

**Planning**
- U.S. EPA
  - Multipurpose Grant
  - Assessment Grant
- NYS DOS
  - Brownfield Opportunity Area (BOA) Program Grant

**Site Characterization and Investigation**
- 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

**Remedial Action**
- U.S. EPA
  - Revolving Loan Fund
  - Cleanup Grant
- NYS DEC
  - Environmental Restoration Program

**Redevelopment**
- U.S. HUD
  - Community Development Block Grant (CDBG)
- USDA Rural Development
- NYS DOS
  - Downtown Revitalization Initiative (DRI)
  - Local Waterfront Revitalization Program (LWRP)

Prior property owners and responsible parties can also provide funding.
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
## Brownfield Grant Solicitation Cycle

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

## Grant Type Funding Performance Period Cost Share Eligible Activities

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

Source: The Role of the DOS Brownfield Opportunity Area Program in the Success of DRI Communities
What is TAB?

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

• 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.
Contact Information

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

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For questions to the BOA program before the CFA opens:

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Office: 518.474.1843 | Cell: 618-200-1069

For questions to the BOA program after the CFA opens:

opd@dos.ny.gov
Thank you for attending today’s webinar!

Questions and Comments?

Ask questions here!

Share your thoughts here!
Upcoming Events 2024

EPA Region 2

MOHAWK VALLEY
BROWNFIELDS
DEVELOPER
SUMMIT
NETWORK. EXPLORE. INVEST.

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

TAB In Your Area
If you’d like NJIT TAB to visit your area, feel free to contact us!
In Case You Missed It

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

Brownfield Contaminants and Human Health

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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