

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.
- We will begin the webinar at 11:05 AM



Brownfield 101 Webinar Agenda

Session	Speaker
Welcome / Introduction	Alana Keegan, TJCOG
Brownfield Overview Steps for Assessment, Cleanup & Redevelopment	Gary White, NJIT TAB
EPA Brownfields Program	Sara Janovitz, EPA Region 4
NCDEQ Brownfields Program	Hayley Irick, NCDEQ
Closing & Questions	Gary White & Alana Keegan, TJCOG



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







Flamsteads



Shirts, Laundering, Alterations & Repairs



Dry Cleaners

CLOSED



DOORS
FROM £14.95



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

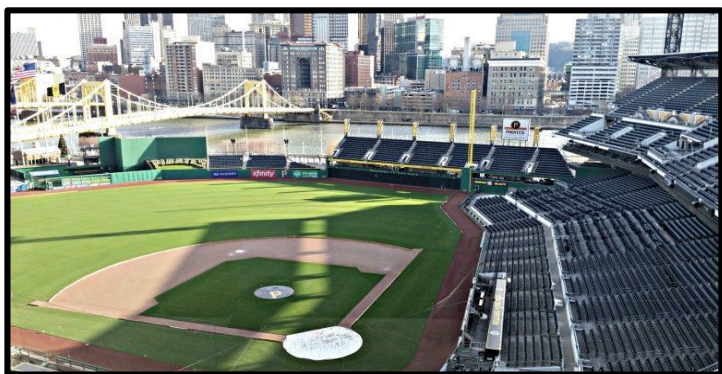
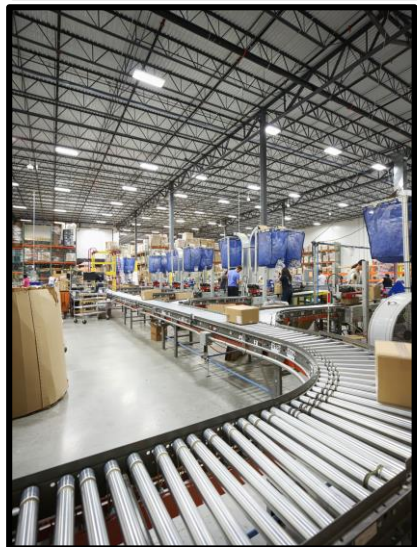


- Create
- ❖ a variety of housing options
 - ❖ recreation and open space
 - ❖ commercial and retail space; employment options
 - ❖ schools



Economic

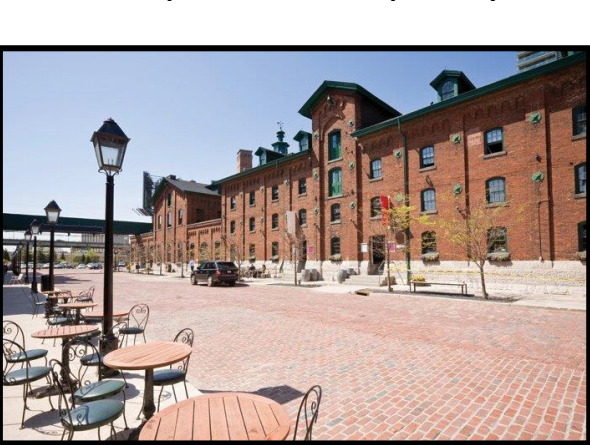
- ❖ Spurs economic development
- ❖ Creates jobs
- ❖ Increases tax revenues
- ❖ Provides diverse economic base



Environment



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



Steps in the Brownfield Redevelopment Process

Planning & Community Engagement



Environmental Investigation



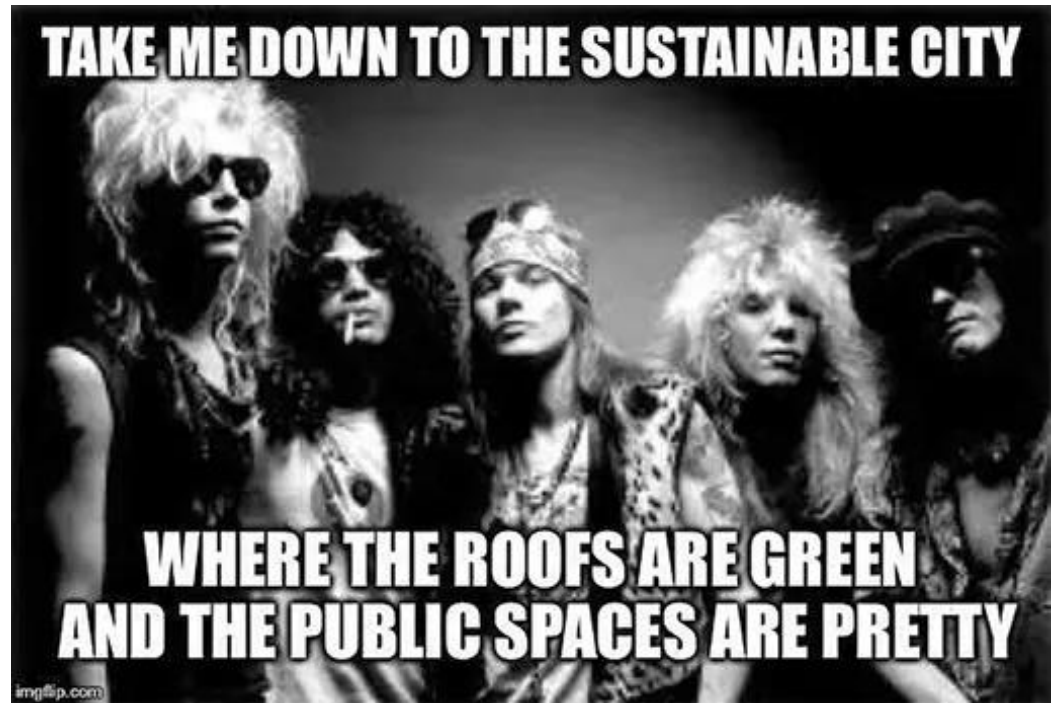
Environmental Remediation



Redevelopment

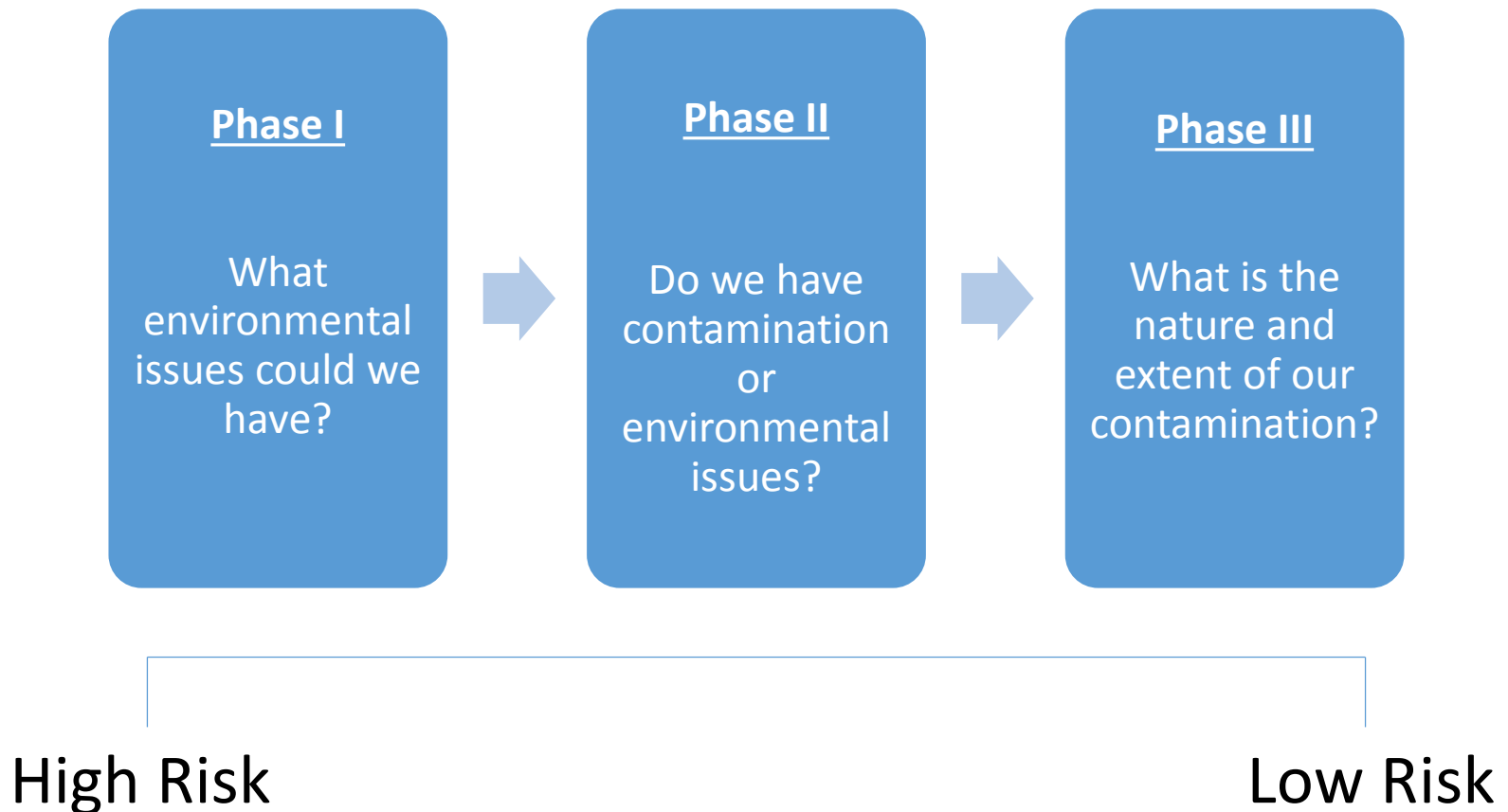
Site Identification, Community Involvement & Planning

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



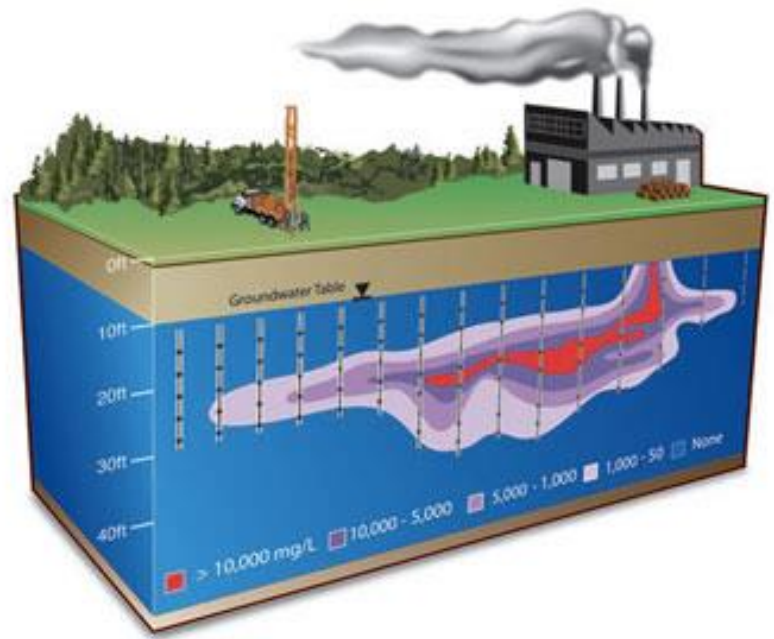
Environmental Investigation

Always Do your Due Diligence BEFORE purchasing!!!



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)

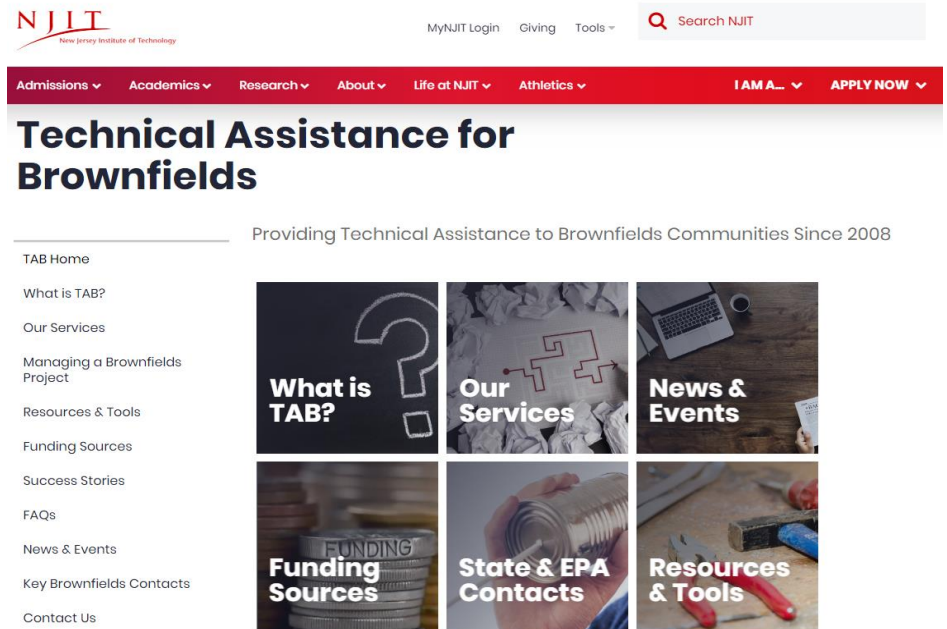
NJIT TAB Resource Center

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

25



Presented by Sara Janovitz, EPA Region 4 Atlanta, GA



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

26

- **M**ulti-Purpose
- **A**ssessment
- **R**evolving Loan Fund (RLF)
- **C**leanup
- ❖ Grant types listed above commonly referred to as **MARCC** Grants



Multi-Purpose Grants – 5 year grant

27

- 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

28

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 <i>and/or</i> 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

29

- To carry out cleanup activities at brownfield sites
- Up to \$500,000 per application
- 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

30

- Provides fund to capitalize a revolving loan and 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
 - 50/50 grants to loans
 - 5-year grant (extendable to up to 15 years)
 - High performing funds can request supplemental funds annually.



Other EPA Brownfields Programs

31

Brownfields Job Training Grant Program

- www.epa.gov/brownfields/job.htm

Targeted Brownfields Assessment (TBA) Program*

- www.epa.gov/brownfields/tba.htm

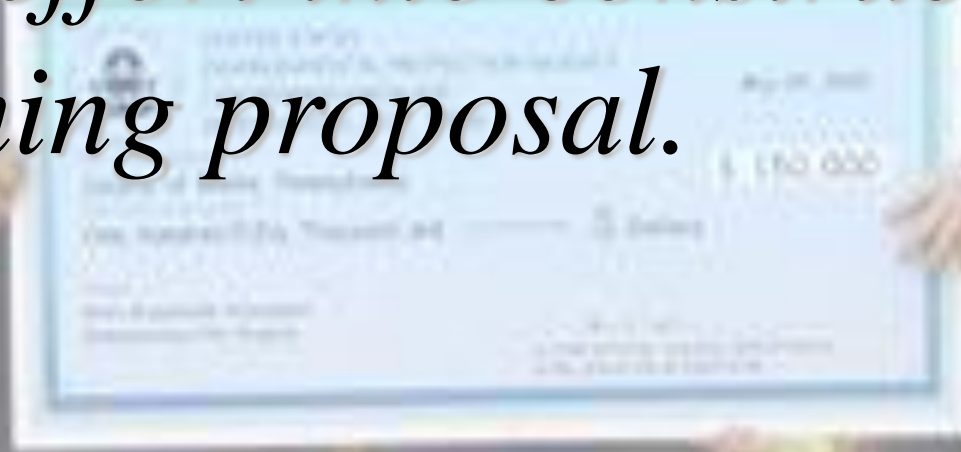
**non-grant program that provides direct
EPA assessment assistance to communities*



Brownfields Competitive Grant Program

32

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





Additional EPA Programs & Technical Assistance

EPA Grant Program	Type of EPA Assistance/Grants	Website
Environmental Justice	Empower communities as they develop and implement solutions that significantly address environmental and/or public health issues at the local level.	https://www.epa.gov/grants/open-announcements-competitive-grant-opportunities
Urban Waters	Support to communities make water quality restoration relevant to public health, social, economic, and livability goals.	https://www.epa.gov/urbanwaters/urban-waters-small-grants
Brownfields	<ul style="list-style-type: none">Land Revitalization tech assistanceEmployment Workforce Development and Job Training Grant (EWDJTG)Technical Assistance to Brownfield (TAB) New Jersey Institute of TechnologyGroundwork USACouncil of Development Finance	https://www.epa.gov/land-revitalization/land-revitalization-technical-assistance-projects https://www.epa.gov/brownfields/fy-2021-environmental-workforce-development-and-job-training-ewdjtg-grants-0 HTTP://WWW.NJIT.EDU/TAB/ http://groundworkusa.org/ http://www.cdfa.net/



Layering Funding

Agency	Federal Funding	Website
HUD	CDBG, HOPE VI, Choice Neighborhoods and Technical Assistance	http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail
DOT	TIGER (Transportation Investment Generating Economic Recovery), Livability	https://www.transportation.gov/tiger https://www.transportation.gov/livability/grants-programs
USDA	Community Food Projects, Planning Projects, Technical Assistance, Infrastructure	http://www.rd.usda.gov/programs-services/all-programs
NEA , National Endowment for the Arts	Our Town, Challenge America and Art Works	https://www.arts.gov/grants/apply-grant/grants-organizations
HHS , Department of Health and Human Services		https://forecast.grantsolutions.gov/
DOL , Department of Labor	Job training, Adult and Youth Reentry	http://www.dol.gov/general/grants/funding-ops
EDA , Economic Development Administration	Competitive- merit-basis to support economic development, foster job creation, and attract private investment	https://www.eda.gov/funding-opportunities/index.htm



So You Want a Brownfields Grant....

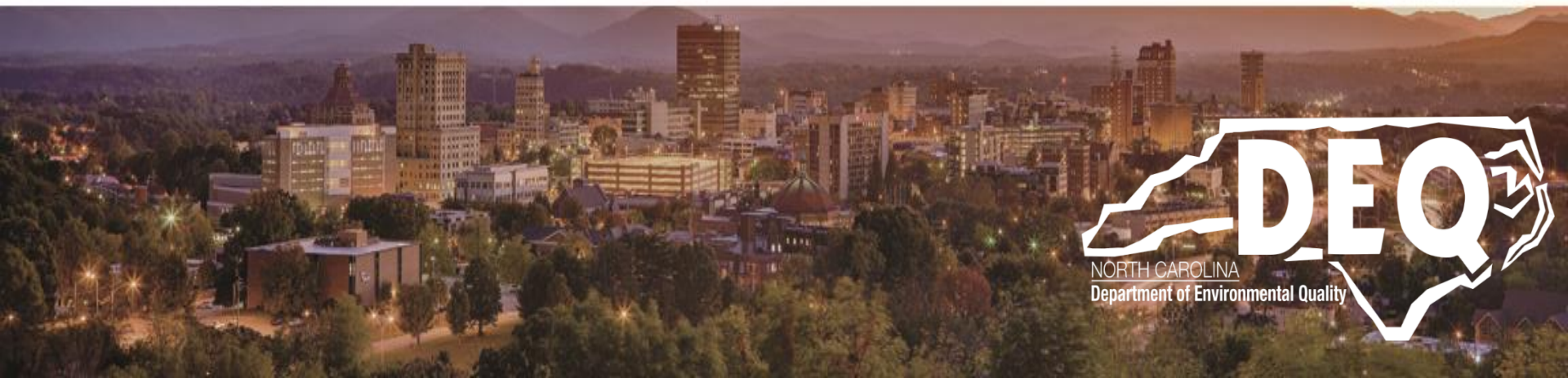
35

- 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?
- Check out the links at the end of the presentation for some helpful tips.



*Department of Environmental Quality
Brownfields Program Introduction
Hayley Irick*

September 29, 2020



What is a Brownfields Property?

- NC DEQ retains the standard definition: “Abandoned, idled, or underused property where redevelopment is hindered by real or perceived environmental contamination.”
- The NCBP is a voluntary program: Prospective Developers (PDs) must apply into the program
 - Sites are made safe for reuse – Land Recycling
 - Reuse brings public benefits – Jobs and Local Tax Base
 - Avoids development of “greenfields” – Reduces Sprawl
 - Job creation and economic development

Department of Environmental Quality



Brownfields Property Reuse Act of 1997



- Established the NC Brownfields Program (NCBP) as a voluntary program
- Program process ensures full protection of public health and the environment
- Outcome: Brownfields Agreement (BFA) negotiated with PD
- Provides the following significant benefits:
 - Liability Protection
 - Risk-based decision making to include land use restrictions and reasonable mitigation and possible cleanup measures
 - Property Tax Incentives on improvements
- NCBP is funded through a mixture of fees from PDs and federal EPA grants.
- NCBP's economic development benefits have come at no appropriated cost to the state.

Department of Environmental Quality



NC DEQ Brownfields Agreements

- Does not affect the State's ability to enforce against any responsible party
- Available ONLY to PDs 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
 - This is a GREAT marketing tool to attract private development \$\$\$
- By the Numbers:
 - Nearly 600 BFAs across the state
 - Over 200 BFAs in progress
 - Over \$17 billion dollars in economic development since NCBP's inception

Department of Environmental Quality



Components of a BFA

- Work to be performed
 - As required to protect public health & the environment
 - Completed by Prospective Developer (PD)
 - Can be funded using EPA 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

Department of Environmental Quality



Liability Protection

- A BFA is designed as a tool for developers to remove uncertainties in environmental liability. Properties with BFAs in place can be viewed as assets for investment rather than uncertain environmental liabilities.
- Some specific benefits:
 - The BFA provides strong liability protection in the form of a covenant not-to-sue that can be shown to a lender in order to obtain project financing;
 - The liability protection in the BFA passes on to all new owners so long as they adhere to the land use restrictions (e.g. don't use the groundwater). This can be a selling point for the property;



Liability Protection

Continued...

- The site remedies under the program are designed to prevent exposure and make the site suitable for reuse, not to meet environmental standards required of the site polluter in traditional cleanup programs. Thus, they are less costly and less time consuming, particularly with respect to groundwater remedies;
- Since remedies are put in the agreement up-front and therefore represent known costs, a business decision can be made with much reduced uncertainty;
- A BFA can be obtained reasonably quickly, typically in much less time than closure for most other cleanup programs.



Tax Incentives

- Local (City and County) Property Tax Partial Exclusion on Improvements (NCGS §105-277.13)
- Phased in over 5 Year Period
 - Year 1 - Assessed at 10% of improved value
 - Year 2 - 25%
 - Year 3 - 50%
 - Year 4 - 75%
 - Year 5 - 90%
- Each qualifying Brownfields improvement (each development phase) has its own five-year partial tax exclusionary period.
- This benefit typically more than pays for (or at least offsets) site environmental assessment, risk mitigation, or cleanup activities that the developer may need to conduct under the agreement.

Department of Environmental Quality



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**



Regulatory Coordination NC DEQ & EPA Brownfields

- NCBP presence at EPA workshops & training events
- EPA preference that brownfields sites enter the NCBP
- Separate eligibility process for State & EPA
- NCBP reviews assessment/QAPP documents – NCBP acts as a technical resource
- NCBP provides input to Phase II ESA Scope of Work
- NCBP negotiates with PD & coordinates with EPA on assessment & cleanup issues
- EPA grants have spurred redevelopment on numerous brownfields properties in both rural and urban communities; however, obtaining a grant is not necessary to participate in the NCBP.

Department of Environmental Quality



EPA Grants and Other Resources

- EPA's Colleges/Underserved Community Partnership Program (CUPP) that provides technical assistance from learning institutions. You can learn more about CUPP through the attached information packet that includes information about CUPP and some example community projects and at <https://www.epa.gov/environmentaljustice/collegeunderserved-community-partnership-program>.
- EPA small Technical Assistance Grants (TAG) to communities through the state Brownfields Programs, currently, one grant is awarded per state, in the amount of \$20,000 and is intended for technical advisory support or market research funding. Last year's TAG community in North Carolina was the Town of Mayodan, and the state submitted an application on its behalf. If your community has need for such assistance as outlined on the EPA website, please contact us or go to <https://www.epa.gov/superfund/technical-assistance-grant-tag-program>.



EPA Grants and Other Resources

- NJIT TAB - <https://www.njit.edu/tab/new-homepage>
- Support Letters – [Section IV.D.8 of the EPA Assessment Grant Application Guidelines](#) requires that an application be submitted with a current letter from the state “environmental authority acknowledging that the applicant plans to conduct assessment activities and is planning to apply for FY20 federal brownfields grant funds.” Please contact one of the EPA liaisons listed below to request your support letter prior to application submittal to EPA.
- View recent [Successful Grant Applications](#) to see downloadable samples of recent successful grant applications.



Raleigh's Warehouse & Historic Depot District Redevelopment Area



- 15 Brownfields Redevelopment Sites
- Raleigh Historic Warehouse and Depot District, the city's industrial and commercial railroad and warehouse distribution hub from the 1850s to 1950s.
- Investment of more than \$1 B and Brownfields Tax Exclusion value of over of \$25 M
- Transformation of blighted warehouses and underutilized properties to a regional mass transit hub, growing concentration of galleries, studios, restaurants, nightlife, innovative businesses and residences



Raleigh's Warehouse & Historic Depot District Redevelopment Area

- **Contemporary Art Museum (CAM) Raleigh**
- **BFA, recorded in 2011, critically important to address liability concerns**
- **Funding the redevelopment effort:**
 - 2005: City of Raleigh commits \$1 million
 - 2006: CAM joins NC State's College of Design "Art + Design in the Community" Initiative, Clearscapes and Pugh + Scarpa begin design
 - 2007: Slick Family Foundation - \$600,000 grant
 - 2008: Goodnight Educational Foundation - \$500,000 grant
 - \$3.5 million – representing over 50% of the cost -- through a combination of NC & federal historic and New Markets tax credits.



Raleigh's Warehouse & Historic Depot District Redevelopment Area



The Dillon extraordinary \$200 million mixed use development

- Completed in 2018: 18-story office tower with retail space and two six-story apartment buildings. The Dillon makes up an entire, 2.5-acre city block in the historic warehouse depot district.
- The site was a machinery service shop and rail yard. In the early 1950's, the site was improved with the large Dillon Supply warehouse building. The warehouse was used for equipment repair, boiler fabrication, steel and paint storage, and other industrial operations.
- BFA recorded in Sept 2016
- Brownfields Tax Exclusion value of over \$5 million



Raleigh's Warehouse & Historic Depot District Redevelopment Area



Raleigh Union Station

- Raleigh Union Station is a new intermodal train and transit station in Raleigh. Train service began in July 2018
- Replaced the old Amtrak Station on Cabarrus St, whose size and location could not accommodate mass transit ridership demand or expected growth
- RUS Project Cost: \$88.8 million (Local \$25.9M, State \$9M, Federal \$53.9M)
- Reasonable, risk-based cleanup requirements, land use restrictions and brownfields liability protections all contributed to the project's viability
- The BFA was recorded in March 2020



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](https://twitter.com/NJITTAB)

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



Contact Us



Gary White
gwhite@njit.edu
973-596-5506



Alana Keegan
akeegan@tjcog.org
919-558-2706



Cindy Nolan
Nolan.CindyJ@epa.gov
404-562-8425



Hayley Irick
Hayley.Irick@ncdenr.gov
(919) 707-8294

DEQ Community Outreach Contacts

Hayley Irick
Hayley.Irick@ncdenr.gov
(919) 609-1650 mobile
(919) 707-8294 office

Bruce Nicholson
Bruce.Nicholson@ncdenr.gov
(919) 441-2504 mobile
(919) 707-8330 office

Additional Resources

Brownfields Website
<https://ncbrownfields.org>

Project Tracking
<https://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=7dd59be2750b40bebebf49fc383f688>

How to Apply
<https://deq.nc.gov/about/divisions/waste-management/brownfields-program/how-apply-entry>

EPA Region 4 Tip Sheet
<https://www.epa.gov/brownfields/fy21-brownfields-assessment-grant-application-tip-sheet>

EPA Application Information
<https://www.epa.gov/brownfields/fy-2021-multipurpose-assessment-and-cleanup-grant-application-resources>

