



BROWNFIELDS REDEVELOPMENT IN FLORIDA

**Using the State and Federal Brownfields
Programs as Tools for Revitalization**

Presented to:
FLORIDA REDEVELOPMENT ASSOCIATION ANNUAL CONFERENCE

October 2009



Presentation Overview

- What are Brownfields?
- Florida's Brownfields Redevelopment Program
- Federal Brownfields Program
- Success Stories
- Information and Contacts



What Are Brownfields?

What Are Brownfields?

- **Brownfield site** *means real property, the expansion, redevelopment or reuse of which may be complicated by **actual or perceived** environmental contamination.* 376.79(3) F.A.C.



What Are Brownfields?

- **Brownfield area** means a contiguous area of one or more brownfield sites, some of which *may not be contaminated*, and which has been *designated by a local government by resolution*. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprive communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. 376.79(4) F.A.C.



Brownfields provides a tool for site rehabilitation and...



Economic revitalization.



Brownfields Redevelopment can...

- Increase property values and tax revenues
- Decrease urban sprawl and inner city blight
- Reduce or eliminate threats to human health and the environment
- Promote effective use of available infrastructure and resources



Former Robbins Manufacturing Facility



Florida's Brownfields Redevelopment Program



Florida's Brownfields Program Structure

- Incentive based program
- Brownfield Area
 - ◆ Local government designation
 - ◆ Makes tools of Florida program available to properties in the area
- Brownfield Site Rehabilitation Agreement (BSRA)
 - ◆ Voluntary cleanup agreement
 - ◆ Provides initial eligibility for Voluntary Cleanup Tax Credit



Florida Brownfields Process

**BROWNFIELD AREA
DESIGNATION**
By Local Government



**IDENTIFICATION OF
PRFBSR**



EXECUTION OF BSRA
By FDEP and PRFBSR



**IMPLEMENTATION OF
BSRA**
By PRFBSR



SRCO

Key Terms:

- **PRFBSR** = Person Responsible for Brownfield Site Rehabilitation
- **BSRA** = Brownfields Site Rehabilitation Agreement
- **SRCO** = Site Rehabilitation Completion Order



Florida Brownfields Program Incentives

Florida Brownfields Program Incentives

- Brownfield Area
 - ◆ Job bonus refund, up to \$2,500 per job
 - ◆ Loan guaranty program
 - ◆ Limited sales tax refund on building materials
- Brownfield Site Rehabilitation Agreement
 - ◆ Eligible for incentives above, plus...
 - ◆ Liability protection
 - ◆ Voluntary cleanup tax credits
 - Site rehabilitation costs
 - Transferable



Voluntary Cleanup Tax Credits

Tax Credit Type	Application Frequency	Maximum Credit for Costs Incurred after 06/30/06	
Site Rehabilitation	Annually	50%	\$500,000
No Further Action (i.e., SRCO)	Once	25%	\$500,000
Affordable Housing	Once	25%	\$500,000
Health Care Facility or Provider	Once	25%	\$500,000
Solid Waste	Once	50%	\$500,000

In Addition...



SRP Grant

- State and Tribal Response Grant
 - ◆ EPA funding
 - ◆ Administered by FDEP
- Independent of the Florida Brownfields Program
- Grant of services, performed by FDEP contractors
 - ◆ Up to \$200,000 for assessment tasks
 - ◆ Up to \$200,000 for remediation tasks (source removal)
- Eligibility considerations
 - ◆ Meet federal definition of brownfield
 - ◆ Applicant did not cause or contribute to contamination
 - ◆ No viable responsible party
 - ◆ Project provides public benefit
 - ◆ Applicant has willingness and ability to complete project



Federal Brownfields Program



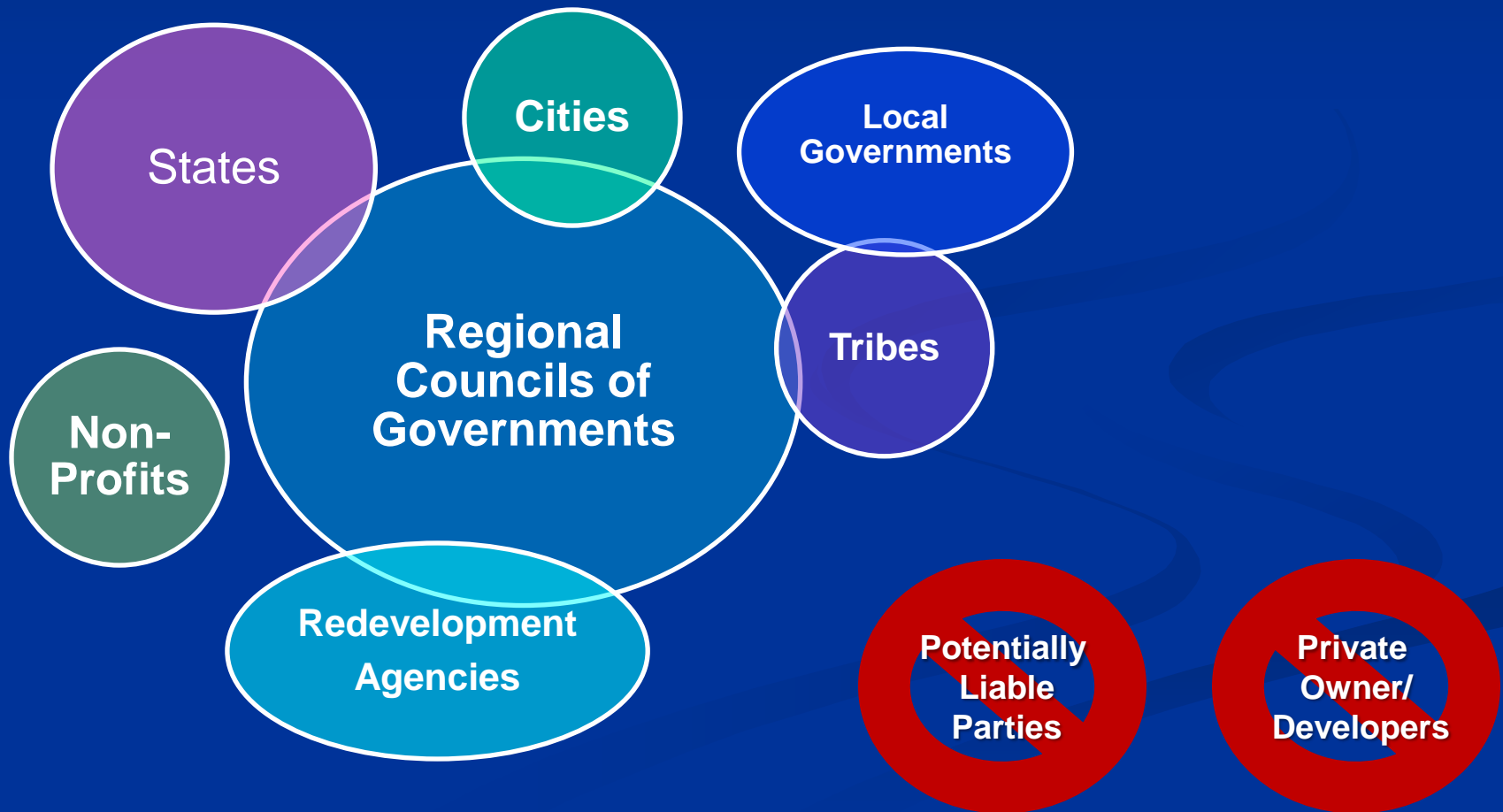
EPA's Brownfields Program Emphasis

- Grant based program
- Voluntary
- Collaborative
- Emphasizes:
 - ◆ Opportunities for leveraging
 - ◆ Partnerships
 - ◆ Community Building
 - ◆ Sustainability



Federal Brownfields Assistance Opportunities

■ Eligible Applicants



Brownfields Assistance Opportunities

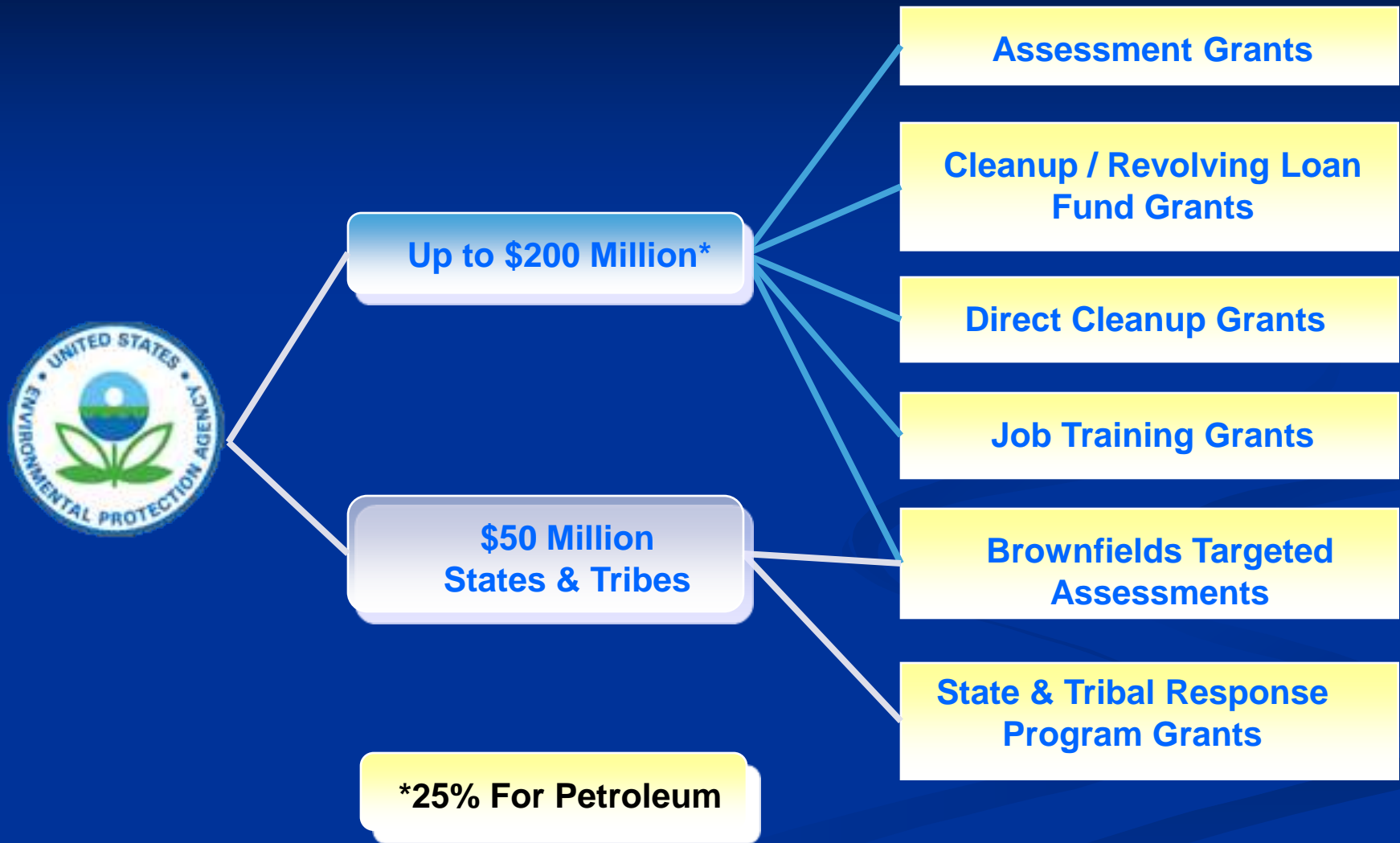
■ Eligible Contaminants



Excluded Sites:

- Facilities listed/proposed on the National Priorities List;
- Facilities subject to CERCLA order or decree; and
- Facilities that are subject to the control of the federal government

Authorized Federal Brownfields Funding



Annual National Competition; approximately \$79M awarded each year

Brownfields Assessment Grants

Community-Wide	Site-Specific	Coalition
Up to \$200,000 for hazardous substances and \$200,000 for petroleum	Up to \$200,000 for hazardous substances or petroleum	Up to \$1,000,000 for hazardous substances and/or petroleum
No waiver of funding limit	May request a waiver for up to \$350,000	No waiver of funding limit
Maximum combined amount \$400,000	Maximum combined amount \$350,000	Maximum combined amount \$1,000,000

- 3 year performance period
- No cost share

Example eligible activities:

- Phase I/II Assessment
- Cleanup / Reuse Plans
- Community and stakeholder outreach
- Inventory brownfields

Brownfields Cleanup Grants

Site-Specific

Up to \$200,000 for hazardous substances and/or petroleum

Applicant must own site at time of proposal

Applicant can not be potentially liable for contamination under CERCLA

Non-profit organizations are eligible to apply

Applicants may apply for funding for up to 3 sites

- **3 year performance period**
- **20% cost share**

Example eligible activities:

- **Cleanup**
- **Cleanup Planning**
- **Confirmatory sampling ONLY**

Brownfields Revolving Loan Fund Grants

Community-Wide

Up to \$1,000,000 per eligible entity

Funding to capitalize a revolving loan fund and provide subgrants for cleanup activities

Applicant and borrower can not be potentially liable for contamination under CERCLA

- 5 year performance period
- 20% cost share

Example eligible activities:

- Cleanup
- Loan Program Implementation
- Confirmatory sampling ONLY

Job Training Grants

- Provides Environmental Remediation Training; certifications
 - ◆ 40hr HAZWOPER
 - ◆ OSHA
 - ◆ Confined Space entry
 - ◆ Lead, Mold, Asbestos
- Targets Under- and Un-Employed
- Partner with Local Educational Institution
- 2 year performance period



Targeted Brownfields Assessments

- Grant of services
 - ◆ EPA Contractors
 - ◆ Services – Phase I & II Assessments
 - ◆ Requests accepted year-round
 - ◆ Funding is limited
- Application:
www.epa.gov/region4/bf/tbaapplication.doc

Success Stories

Residence Inn, Tallahassee

- Historical use
 - ◆ Warehouse
 - ◆ Petroleum storage
- Contaminants
 - ◆ Arsenic, petroleum, dioxin
- Brownfield activity
 - ◆ TBA grant for dioxin removal
 - ◆ BSRA for remaining rehabilitation
- Community Benefits
 - ◆ Previous property value \$588,166
 - ◆ Current property value \$10,139,737
 - ◆ 32-full time and 9 part time jobs
 - ◆ Key redevelopment for the Gaines Street revitalization effort



Lowes - Fern Park

- Historical Use
 - ◆ Kmart – oil change facility
- Contaminants
 - ◆ Petroleum soil and groundwater impacts
- Status
 - ◆ USTs/ Hydraulic Lifts removed
 - ◆ Soil remediated
 - ◆ SRCO issued 3/2008
 - ◆ Lowes opened 2007
 - ◆ \$225,000 for job creation



Centro Asturiano, Tampa



- Historical use:
 - ◆ Hospital
 - ◆ Abandoned in early 1990's
- Contaminants/Concerns
 - ◆ Incinerated hospital waste
 - ◆ Petroleum contamination
 - ◆ Biohazards
 - ◆ Vagrants and vandalism
- Status
 - ◆ SRCO achieved
 - ◆ Redevelopment project
 - Affordable housing
 - Assisted living

Summary

- Florida - Incentive based program
- EPA – Grant based program
- Use together or separately
- Leverage!



EPA Contacts and Resources

- EPA Region 4 Brownfields Website:
www.epa.gov/region4/waste/bf
- EPA Region 4 Land Revitalization and Reuse Website:
www.epa.gov/region4/landrevitalization
- Contacts:
 - ◆ Matt Robbins 404/562-8371
 - ◆ Mike Norman 404/562-8792

Visit DEP on the Web

■ Brownfields

- ◆ <http://www.dep.state.fl.us/waste/categories/brownfields/default.htm>

■ VCTC

- ◆ <http://www.dep.state.fl.us/waste/categories/vctc/default.htm>

■ Rule Development

- ◆ <http://www.dep.state.fl.us/waste/categories/wc/pages/WCRuleDevelopment.htm>



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Voluntary Cleanup Tax Credits

- Credits on Florida corporate income tax
- May be transferred once
- \$2 million annual cap
 - ◆ If exhausted, first priority in next year's allocation
- Credits awarded for eligible work
 - ◆ Site rehabilitation
 - ◆ Solid waste removal, transport and disposal
- Bonus credits awarded for site rehabilitation only
 - ◆ SRCO
 - ◆ Affordable housing

