



Department of Commerce

Utilizing Brownfield Properties for Community Planning & Economic Development Goals

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Session Overview

- Overview of Great Places/Economic Vitality
- Brownfields: opportunities and challenges
- Importance of planning
- Resources



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Building on Success

WHY GREAT PLACES ARE THE FOUNDATION OF ECONOMIC VITALITY

Dave Andersen, AICP
EASTERN REGIONAL MANAGER
GROWTH MANAGEMENT SERVICES





We strengthen communities


The Department of Commerce touches every aspect of community and economic development. We work with local governments, businesses and civic leaders to strengthen communities so all residents may thrive and prosper.



ENERGY



PLANNING




INFRASTRUCTURE



BUSINESS ASSISTANCE



COMMUNITY FACILITIES



HOUSING



SAFETY / CRIME VICTIMS

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Where does land

value come from?



Location

Infrastructure

Resource

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Opportunity: Where Cities Come From

Our findings indicate the fundamental processes behind the emergence of scaling in modern cities have structured human settlement organization throughout human history.

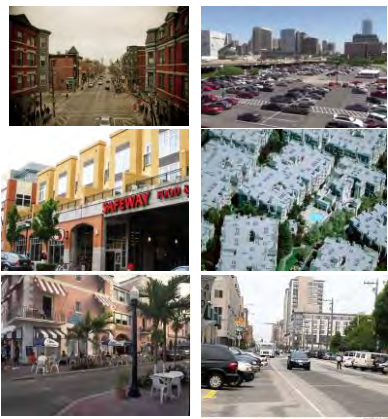
-Scott Ortman, Department of Anthropology, University of Colorado

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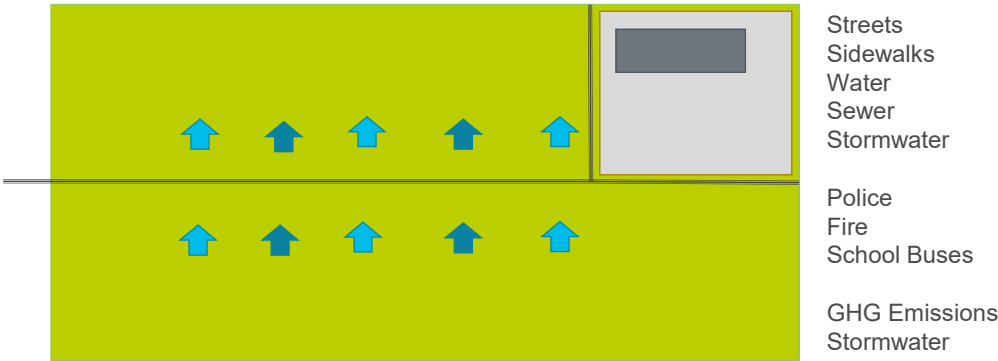
What makes a Great Place?

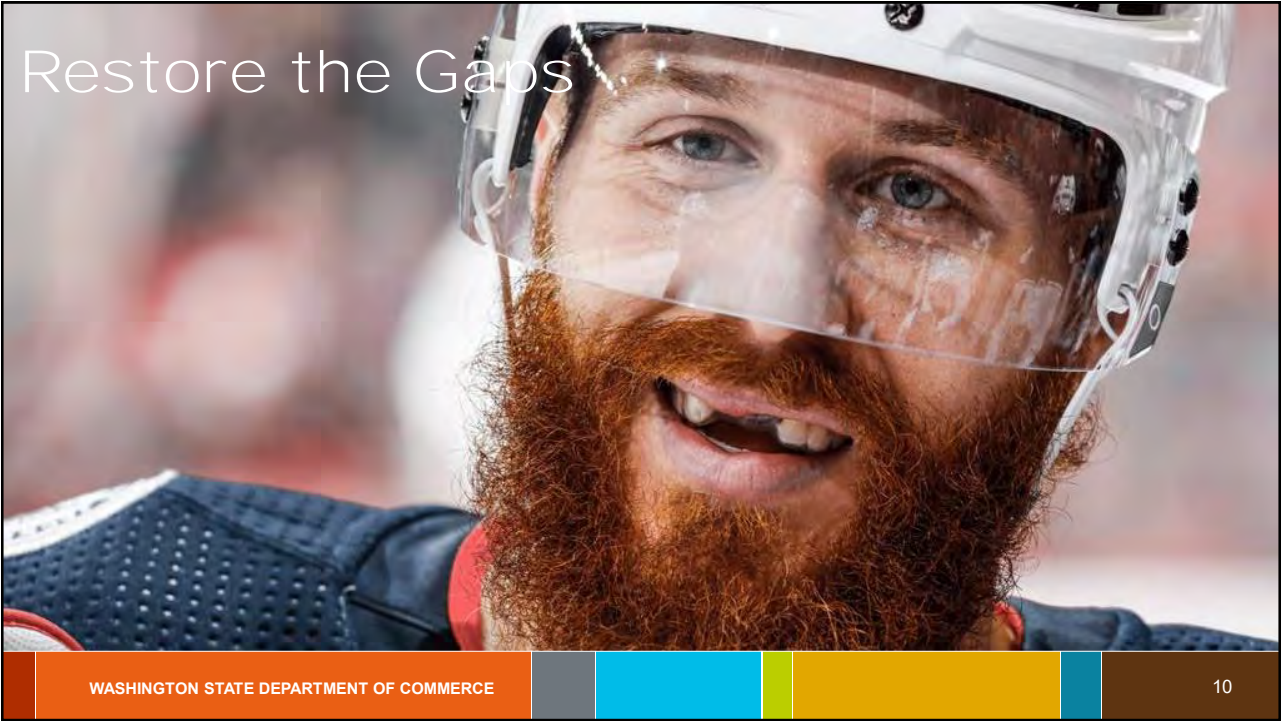



- Intensity: A critical mass of accessible opportunities.
- Variety: Many different opportunities.
- Design: It's a place people want to be.



You buy cities by the foot, not the unit.







What do we do?

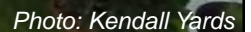
- Think like an equity partner.
- Know your cost structure & ROI.
- Think spatially.
- Use what you've already built first.

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Take care of your investments.

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What are Brownfields?

- **Brownfields**

Abandoned or underutilized properties that may have environmental contamination

- **Land Recycling**

The reuse or redevelopment of abandoned, vacant, or underused properties for redevelopment

What do brownfields look like?



Redevelopment Challenges

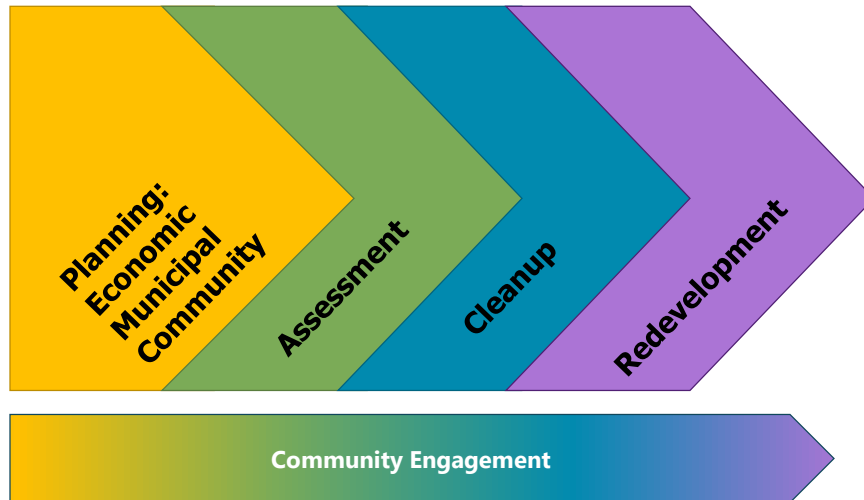


Benefits of Redeveloping Brownfields

- Economic
- Social
- Environmental



Brownfields Redevelopment Process



What we do - Activities Supporting Community Needs

- Inventory brownfield sites
- Phase I Environmental Site Assessments
- Phase II Environmental Site Assessments
- Cleanup Planning (including cost estimates)
- Site Reuse Planning /Finance Planning
- Remediation & Confirmation Sampling
- NHPA/Cultural Resources Assessments
- ESA review
- Visioning/Area-wide Planning
- Encourage Job Training Program Development

Brownfields Resources in Washington

Funding Type	Who Is Eligible?	Planning	Assessment	Cleanup	Cost Share?	Offering	Contact	For More Information
Ecology Standard Integrated Planning Grant (IPG)	Local government	Yes	Yes		No	Continuous, based on available funding	Margo Thompson** 360-407-7336 Margo.Thompson@ecy.wa.gov	https://ecy.wa.gov/about-us/how-we-operate/Grants-loans/Find-a-grant-or-loan/Integrated-planning-grants
Ecology Affordable Housing Integrated Planning Grant (IPG)	Any person	Yes	Yes		No	Continuous, based on available funding	Margo Thompson** 360-407-7336 Margo.Thompson@ecy.wa.gov	https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Integrated-planning-grants
Ecology State Response Program (SRP)	Local government, Tribes, Non-profit	Yes	Yes	Yes *	No	Continuous, based on available funding	Alan Bogner** 360-407-7188 Alan.Bogner@ecy.wa.gov	https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Brownfields
Ecology Remedial Action Grant (RAG)	Local government		Yes	Yes	Yes, 10-50%	Biennial, in budget request	Angie Wirkkala 360-407-7219 Angie.Wirkkala@ecy.wa.gov	https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Oversight-remedial-action-grants-loans
Affordable Housing-Related Cleanup	Local government Non-profit	Yes	Yes	Yes	Contact Ecology	Contact Ecology	Margo Thompson** 360-407-7336 Margo.Thompson@ecy.wa.gov	https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Affordable-housing-related-cleanups
EPA Cleanup Grant	Local government, Tribes, Non-profit			Yes	Yes, 20%	Competitive, annual solicitation in Fall	Susan Morales 206-552-7299 Morales.Susan@epa.gov	https://www.epa.gov/brownfields/types-brownfields-grant-funding#tab-4
EPA Multipurpose Grant	Local government, Tribes, Non-profit	Yes	Yes	Yes	Yes, \$40K	Competitive, annual solicitation in Fall	Susan Morales 206-552-7299 Morales.Susan@epa.gov	https://www.epa.gov/brownfields/types-brownfields-grant-funding#tab-8
EPA Targeted Brownfields Assessment	Local government, Tribes, Non-profit		Yes		No	Continuous, based on available funding	Brandon Perkins 206-553-6396 Perkins.Brandon@epa.gov	https://www.epa.gov/brownfields/targeted-brownfields-assessment-requests-region-10
EPA Assessment Grant	Local government, Tribes, Non-profit	Yes	Yes		No	Competitive, annual solicitation in Fall	Terri Griffith 206-553-8511 Griffith.Terri@epa.gov	https://www.epa.gov/brownfields/types-brownfields-grant-funding#tab-2
Commerce Brownfields Revolving Loan Fund (BRLF) Program Loan	Local government, Tribes, Non-profit, Private Entity		Yes	Yes	No	Continuous, based on available funding	Tina Hochwender 360-725-3087 Tina.Hochwender@commerce.wa.gov	https://www.commerce.wa.gov/serving-communities/current-opportunities-2/brownfields-revolving-loan-fund/
Commerce BRLF Program Grant	Local government, Tribes, Non-profit		Yes	Yes	No	Continuous, based on available funding	Tina Hochwender 360-725-3087 Tina.Hochwender@commerce.wa.gov	https://www.commerce.wa.gov/serving-communities/current-opportunities-2/brownfields-revolving-loan-fund/
Pollution Liability Insurance Agency Loan and Grant Program	Owner/operator of underground storage tanks (including private entities)	Yes	Yes	Yes	Loan or grant	Applications due first business day in March	Jamie Hays (360) 407-0518 Jamie.Hays@plia.wa.gov	https://plia.wa.gov/ust-loan-and-grant-program/

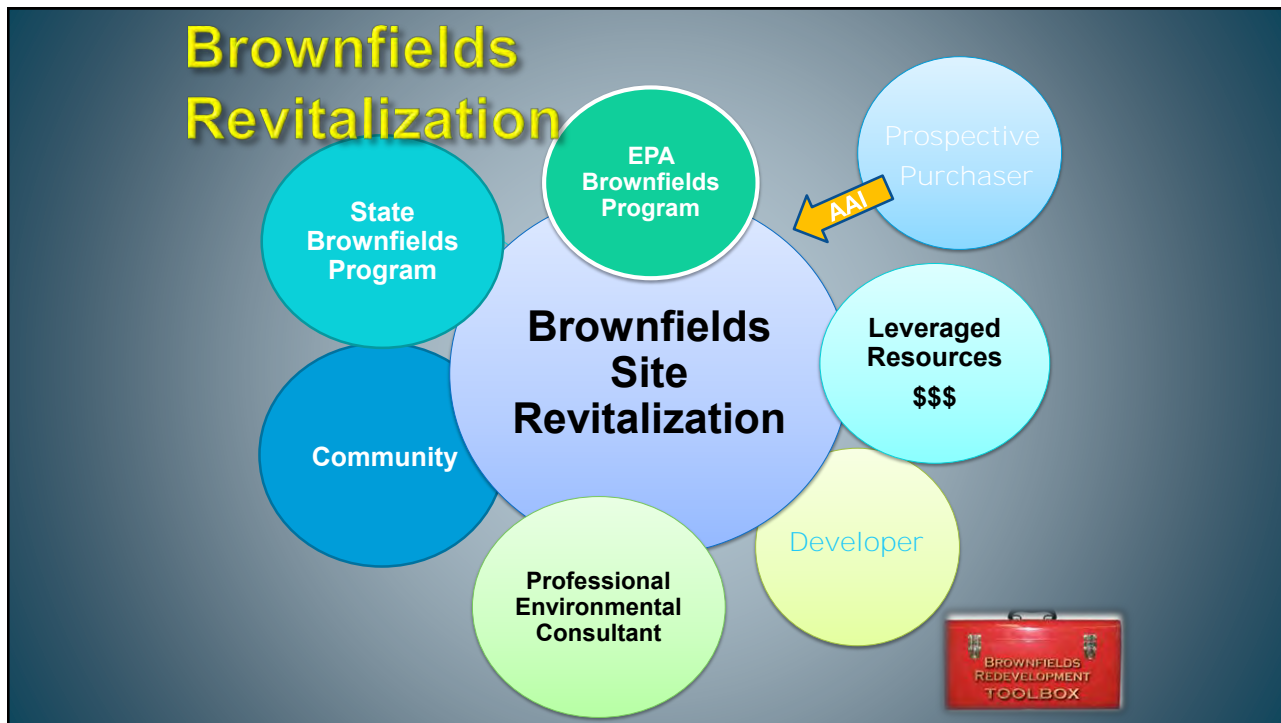
Grants & Technical Assistance

Grant Types:

- Assessment
- Revolving Loan Fund (RLF)
- Cleanup
- Multipurpose (assessment, cleanup, planning)
- Environmental Workforce Development & Job Training (EWDJT)
- State and Tribal Response Program –Capacity Building

Technical Assistance:

- Targeted Brownfields Assessment (TBA)
- Land Revitalization Assistance
- Technical Assistance to Brownfields Communities (TAB)
- Other Technical Assistance Support - EPA Technology Support Center & Innovation Programs, Technical Assistance to Brownfields



What is a Brownfield?

CERCLA defines a brownfield as:

“Real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant.”

- Not an official listing
- Why does the definition matter?
 - “Brownfields” vs “brownfields”

Types of Brownfields

- Vacant, underutilized, blighted parcels

“Hazardous Substances, Pollutants, & Contaminants”

- Hazardous Substances
- Petroleum Contamination
- Asbestos & Lead Paint
- Controlled Substances (e.g., Meth labs)
- Mine-Scarred Lands
- Other environmental contaminants



Not sure? Ask us!

How can planning help?

- ▣ Due diligence & liability
- ▣ Appropriate reuse
- ▣ Community involvement
- ▣ Brownfields property

Brownfields & CERCLA Liability

Exclusion and Defenses to CERCLA Liability

CERCLA protects local governments from liability when:

- the government obtains property involuntarily
- the contamination has been caused by a third party
- the purchaser qualifies as a bona fide prospective purchaser (BFPP)

Brownfields Due Diligence & CERCLA Liability

Requirements for sites acquired after January 11, 2002

BFPPs must meet the following threshold criteria:

- Perform “all appropriate inquiry” (AAI) prior to purchase of property
- Demonstrate “no affiliation” with a liable party

= Phase 1 ESA

BFPPs must also satisfy the following ongoing obligations:

- Comply with land use restrictions and not impede the effectiveness of institutional controls
- Take “reasonable steps” to prevent release of hazardous substances
- Provide cooperation, assistance and access
- Comply with information requests and administrative subpoenas
- Provide legally required notices

Brownfields & CERCLA Liability for sites acquired **before** January 11, 2002

Brownfield Funding Specific per the BUILD Act Section 7

If a property was acquired prior to 2002, they are eligible for Brownfields Grant and may use the funds to address contamination provided they did not cause or contribute to the contamination.

Properties Not Eligible

- Sites proposed or listed on the National Priorities List (Superfund)
- Facilities subject to orders under CERCLA
- Facilities that are subject to the jurisdiction, custody or control of the US government (except land held in trust for Indian Tribes)

Eligibility can be complicated. Contact us.

What Makes a Good Project?

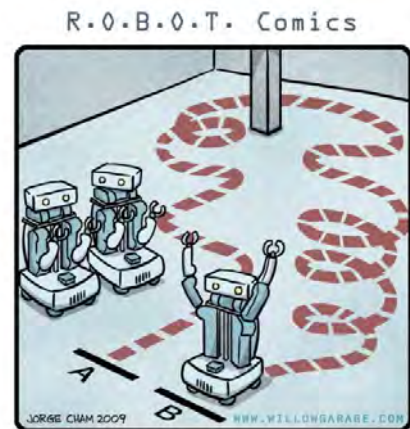
We look for projects with:

- Strong partnerships
- Reuse in mind
- State (or Tribal) environmental program coordination = oversight
- Community is engaged
- Considerations for sustainability and climate change impacts in cleanup and redevelopment

Planning to Plan

How to make the best use of your resources

- Who?
- When?
- What?
- How?
- Why?



"HIS PATH-PLANNING MAY BE SUB-OPTIMAL, BUT IT'S GOT FLAIR."



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