

OUTREACH

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AWARENESS



VISION

**MUNICIPAL IMPLEMENTATION TOOL # 10 :
RECLAIMING BROWNFIELDS**



Delaware Valley Regional
Planning Commission

AUGUST 2006

The U.S. Environmental Protection Agency (EPA) defines brownfields 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." Brownfield sites can take many forms, ranging from abandoned factories and rail yards, to gas stations, parking lots, and even residential properties.

The EPA estimates that more than 450,000 brownfields are located across the country. Local governments, property owners, and developers can recapture the often substantial value of these sites by utilizing the resources and tools available to return them to productive use.

Why does DVRPC care about the remediation and redevelopment of brownfields?

This brochure is part of a series in support of *Destination 2030*, DVRPC's long-range land use and transportation plan. *Destination 2030* provides an integrated vision for the region's future and specifically seeks to encourage core city revitalization, the stabilization of older townships and

boroughs, growth management in developing suburbs, and the preservation of rural communities and natural areas. In Pennsylvania and New Jersey, municipalities have the primary authority and responsibility to implement policies that address these issues. With this series of brochures, DVRPC hopes to connect local officials and citizens to useful planning tools that will benefit their communities.

The Delaware Valley region is home to hundreds of previously developed, underutilized properties that may be classified as brownfields. Many of these sites are located near rail lines, established commercial areas, and major highways - ideal settings for many forms of new development. In addition to maintaining an environmental planning practice, DVRPC has published several reports that advocate for the clean-up and reuse of brownfield properties as a means of supporting community revitalization and infill construction strategies. For more details on the topics summarized in this brochure, consult the resources listed on pages 10 and 11.

Facilitating and investing in brownfield redevelopment projects can benefit municipalities in myriad ways, among them:

- Stimulating new investment in underutilized properties;
- Replacing blighted buildings and landscapes with more attractive forms of development;
- Elevating the economic and social well-being of an area through the creation of housing, jobs, recreation space, and new sources of tax revenue;
- Encouraging efficient land use by targeting new construction to previously developed areas;
- Enhancing public and environmental health through the remediation of contaminated properties;
- Conserving public capital by directing new construction to areas that are already served by existing infrastructure, including roadways and utility lines; and
- Improving public safety by replacing abandoned and unmonitored sites with more dynamic uses and spaces.



In Marcus Hook, Pennsylvania, an opportunity exists to redevelop a large site along the rail line as a mixed-use and transit-oriented community. *Source: Kise Straw and Kolodner.*



The U.S. EPA is the federal agency most actively involved in the remediation and reuse of brownfields. The EPA works with state agencies, municipal governments, and other stakeholders to assess and redevelop contaminated properties in a safe, responsible, and sustainable manner.

The EPA's Brownfields Program is currently funded under the terms of the Small Business Liability Relief and Brownfields Revitalization Act, which was signed into law by President Bush in early 2002. Sometimes referred to as "the Brownfields Law," the Act provides liability relief to small businesses and certain property owners, enhances state and tribal brownfield response programs, and authorizes a number of grant and technical assistance initiatives that support the clean-up activities of public and quasi-governmental agencies.

Liability Relief: The Brownfields Law provides liability relief to landowners that did not contribute to their property's contamination and had no knowledge that the site was polluted at the time they purchased it. The law also protects innocent contiguous property owners and prospective purchasers that are unaffiliated with a site's polluter.

State and Tribal Response Program: Authorized under the federal Brownfields Law, this \$50 million noncompetitive grant program provides a flexible source of funding for state and tribal governments that may be used to support activities such as site assessment and clean-up, policy development, risk management, and loan fund capitalization.

Grant and Technical Assistance Initiatives: The EPA also administers programs to enhance the remediation efforts of public and quasi-governmental agencies. These initiatives support many of the same activities as the State and Tribal Response Program. In addition, the EPA funds a job training program that links brownfield reuse and environmental vocational education, and oversees a Targeted Brownfield Assessment (TBA) effort that can help to offset the costs of Phase I and Phase II environmental screenings.

Additional funding opportunities managed by the EPA and other federal agencies include grants for water quality enhancement, economic development, and environmental justice activities. The Historic Preservation and Low Income Housing tax credits have also helped finance the reuse of contaminated properties. The federal Brownfields Tax Credit expired at the end of 2005 but may be reauthorized.

Pennsylvania

In 1995, the Pennsylvania legislature passed three laws that collectively established the Commonwealth's Land Recycling Program: The Land Recycling and Environmental Remediation Standards Act (also referred to as "Act 2"); The Economic Development Agency, Fiduciary and Lender Environmental Liability Protection Act; and The Industrial Sites Assessment Act (expanded in 2000).

The key components of Pennsylvania's Land Recycling Program include the provision of uniform clean-up standards, liability relief, financial incentives, and standardized review procedures and time limits. The program is administered by the Department of Environmental Protection (PA DEP) and has assisted with thousands of site remediation efforts in communities across the state.

Pennsylvania also offers a wide range of financial and technical assistance initiatives that target state resources to facilitate brownfield redevelopment. See page 5 for an overview of some of these programs.

New Jersey

Passed into law in 1998 and amended in 2002, the Brownfield and Contaminated Site Remediation Act ("the Brownfield Act") laid the groundwork for what has since evolved into a comprehensive, interagency effort to promote and implement land reclamation and reuse efforts in communities across New Jersey.

Among other things, the Brownfield Act created the Brownfield Site Reimbursement Fund, which helps developers cover site remediation costs. The Act also led to the creation of several statewide programs designed to support the clean-up and reuse of brownfield properties. Several of these initiatives are summarized on page 6.

In addition, the Brownfield Act established a statewide Brownfield Redevelopment Task Force. Comprised of public members (appointed by the governor) and representatives from New Jersey State agencies, the responsibilities of the Task Force include the coordination of state policies related to brownfield redevelopment. The Task Force also inventories and prioritizes contaminated properties.

STATE-LEVEL PROGRAMS

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Pennsylvania Statewide financing and technical assistance programs include, but are not limited to, the initiatives described below. To learn more, contact PA DEP's Brownfields Office at 717-783-1566.

Pennsylvania Department of Environmental Protection (PA DEP)

www.depweb.state.pa.us

Brownfield Action Team	This team of brownfield specialists at PA DEP coordinates funding, remediation program development, and permitting procedures for high priority projects. Municipalities seeking the assistance of the Brownfield Action Team must submit an application to PA DEP.
One Clean-up Program	Under an agreement between the EPA and PA DEP, property owners may satisfy federal cleanup obligations as they pursue a release from liability under Pennsylvania's Act 2.
Energy Harvest and PA Energy Development Authority Programs	These funding programs provide support for development projects that incorporate renewable energy and green building technologies.

Pennsylvania Department of Community and Economic Development (DCED)

www.newpa.com

Business in Our Sites Program	Offers flexible loans and grants to facilitate future business growth through the acquisition and preparation of key development sites.
Industrial Sites Reuse Program	Provides developers with grants and loans for site remediation, clearance, and new construction; loan maximum of \$1,250,000 per project with 3 percent interest and a 15-year term.
Infrastructure and Facilities Improvement Program	Provides up to \$11 million in loan funds for project sites in a single municipality, and up to \$20 million for multi-municipal efforts. Interest rates vary by county and carry a 20-year term.

Pennsylvania Infrastructure Investment Authority

www.pennvest.state.pa.us

Brownfield Remediation Loan Program	Provides grants to certain issuers of debt in order to assist with the payment of debt service.
Tax Incentives	
Brownfield Remediation Loan Program	Provides grants to certain issuers of debt in order to assist with the payment of debt service.
Tax Increment Financing	Allows communities to borrow funds for projects that will redevelop blighted areas, and then repay those monies with the tax revenues generated by the new development.

STATE-LEVEL PROGRAMS

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New Jersey Statewide financing and technical assistance programs include, but are not limited to, the initiatives described below.

To learn more, contact NJ DEP's brownfield specialist for southern New Jersey at 609-292-1251.

New Jersey Department of Environmental Protection (NJ DEP)

www.state.nj.us/dep

Brownfield Development Area Program	Assigns case managers to communities impacted by multiple brownfield sites.
Hazardous Discharge Site Remediation Fund	Provides grants and low-interest loans to support clean-up activities.
Petroleum Underground Storage Tank Remediation Upgrade and Closure Program	Provides loans and grants to business owners, homeowners, and municipalities to upgrade, close, and remediate discharges associated with underground storage tanks.

New Jersey Department of Community Affairs (DCA)

www.state.nj.us/dca

Brownfields Redevelopment Interagency Team	Connects municipalities and development entities with state agencies and resources.
Smart Future Planning Grants	Supports planning initiatives that meet smart growth objectives and are consistent with statewide and regional planning precepts. In general, these grants range from about \$20,000 to \$200,000.

New Jersey Economic Development Authority (EDA)

www.njeda.com

Brownfields Redevelopment Loan Program	Provides business owners and developers low-cost, interim financing to help cover remediation costs.
Fund for Community Economic Development	Helps finance feasibility studies and other pre-development efforts to assess the viability of real estate-based economic development projects involving for-profit or nonprofit organizations.
Redevelopment Area Bond Financing	Provides long-term, low-interest bonds for predevelopment costs, including remediation.
Revenue Allocation District Funding	Assists municipalities in encouraging revenue-generating development projects in a revenue allocation district as part of a locally approved redevelopment plan.

New Jersey Commerce, Economic Growth & Tourism Commission

www.state.nj.us/commerce

Brownfields and Contaminated Site Remediation Reimbursement Program	Allows developers to obtain reimbursements for up to 75 percent of approved remediation costs. Reimbursements funds come from new tax revenues associated with completed projects.
Urban Enterprise Zones	Promotes the economic development of designated areas by providing financial incentives and other benefits to businesses that locate within specified boundaries.

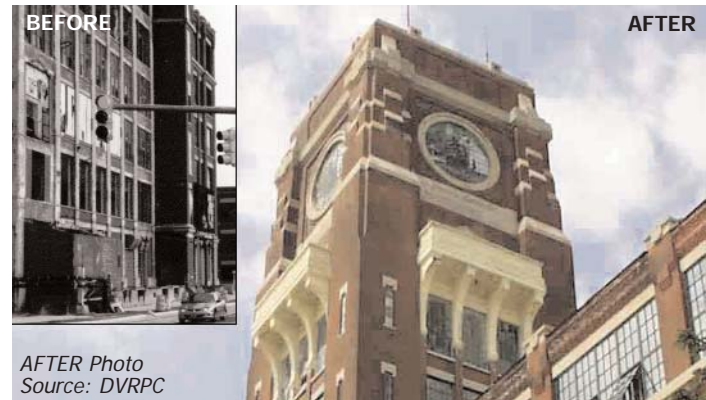
Barry Bridge Park, City of Chester, PA

Just south of the Commodore Barry Bridge in Chester, Pennsylvania, a former brownfield (a portion of which was part of a designated Superfund site) is now the location of Barry Bridge Park. The development of the park was overseen by the City of Chester's Economic Development Authority, which generated the necessary funding from several different sources. Today, Barry Bridge Park provides the residents of Chester with attractive recreational space and a direct link to the Delaware River waterfront.



RCA Victor Building, City of Camden, NJ

The RCA Victor Building, once an underutilized industrial property in downtown Camden, New Jersey, now holds 341 luxury apartments. Completed by Dranoff Properties in 2004, these units were the first market-rate housing developed in Camden in more than 40 years. Partners in this effort included the Cooper's Ferry Development Assoc., the Delaware River Port Authority, the Office of the Mayor, and state agencies including the Governor's Office, the Casino Redevelopment Authority, NJ DEP, DCA, and EDA.



The state governments of Pennsylvania and New Jersey both maintain online databases of contaminated properties that are available for remediation and redevelopment. These websites help connect developers and other investors with the tools and resources they need to acquire and clean-up brownfields.

PA SiteFinder

www.pasitefinder.state.pa.us

PA SiteFinder lists previously developed properties that are available for purchase and reuse. The site also links potential buyers to information about public financing initiatives and other redevelopment programs.

New Jersey Brownfields Site Mart

www.njsitemart.com

Similar to PA SiteFinder, this website connects buyers and sellers of contaminated properties in order to encourage the remediation and reuse of polluted land in New Jersey.

Known Contaminated Sites in New Jersey

www.state.nj.us/dep/srp/kcs-nj

Managed by the New Jersey Department of Environmental Protection, this online report provides basic information on approximately 13,700 sites where the contamination of soil or ground water has been confirmed. The website is a good first stop for anyone interested in collecting basic information about a specific property.



Vacant shopping centers are often located on ideal sites for infill redevelopment projects. *Source: DVRPC*

The following are some of the steps that local governments can take to encourage the revitalization of existing brownfield properties:

- Utilize PA SiteFinder and / or New Jersey Brownfields Site Mart by listing publicly-controlled brownfields that are available for redevelopment. Private owners of contaminated properties should be encouraged to sell or improve their properties as well.
- Develop and maintain municipal brownfield inventories as part of local comprehensive planning efforts.
- Provide local tax incentives (abatements, tax increment finance districts, etc) that make the remediation and reuse of brownfield properties more attractive to developers.
- Create a strong and coordinated messaging campaign to communicate the local government's interest in brownfield redevelopment to potential investors. This may include the preparation of professional real estate listings to attract private capital.
- Work with developers to leverage public resources that may be available for brownfield remediation projects at the federal and state levels.
- Assist developers in establishing public support for their projects.
- Revise existing zoning in order to allow for additional, appropriate forms of development on existing brownfields.
- Streamline permit review processes in order to facilitate the completion of costly predevelopment and clean-up tasks.

U.S. Environmental Protection Agency (EPA) - Brownfields Program

The EPA's Brownfields Program provides financial and technical assistance for clean-up and redevelopment activities. *To reach the EPA's Brownfields Coordinator for Pennsylvania, call 215.814.3129. In New Jersey, call 212.637.4314. www.epa.gov/swerosps/bf/*

Pennsylvania Department of Environmental Protection (PA DEP) - Land Recycling and Brownfield Redevelopment Programs

Through its Land Recycling and Brownfield Redevelopment programs, PA DEP works with municipalities and developers to return underutilized sites to productive use. *To reach the Brownfields Office, call 717.783.1566. www.depweb.state.pa.us*

New Jersey Department of Environmental Protection (NJ DEP) - Office of Brownfield Reuse

The Office of Brownfield Reuse at NJ DEP coordinates remediation and reuse efforts across the state, and pilots innovative approaches to redevelopment. *To reach the brownfield specialist for southern New Jersey, call 609.292.1251. www.state.nj.us/dep/srp/brownfields/*

National Association of Local Government Environmental Professionals (NALGEP)

NALGEP represents local government professionals that are responsible for environmental compliance, and the development and implementation of related programs in their communities. *For more information, call 202.638.6254. www.nalgep.org*

International City / County Management Association (ICMA)

By enhancing the capacity of local governments to redevelop contaminated properties, ICMA promotes community and economic revitalization, social equity, public health, and environmental quality. ICMA also cosponsors the annual National Brownfields Conference together with the EPA. *For more information, call 202.289.4262. www.icma.org*

The Northeast-Midwest Institute

This policy research and advocacy organization has published numerous reports on all aspects of brownfields, including dozens of redevelopment case studies. *For more information, call 202.544.5200. www.nemw.org/brownfields.htm*

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U.S. Environmental Protection Agency. 2005.

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State Brownfields and Voluntary Response Programs.
U.S. Environmental Protection Agency. February 2005.

Vacant Properties: The True Costs to Communities.
National Vacant Properties Campaign. 2005.

VanLandingham, H. Wade and Peter B. Meyer.
Public Strategies for Cost-Effective Community Brownfield Redevelopment. Center for Environmental Policy and Management, University of Louisville. 2002.

Created in 1965, the **Delaware Valley Regional Planning Commission (DVRPC)** is an interstate, intercounty, and intercity agency that provides continuing, comprehensive, and coordinated planning to shape a vision for the future growth of the Delaware Valley region. The region includes Bucks, Chester, Delaware, and Montgomery counties, as well as the City of Philadelphia, in Pennsylvania; and Burlington, Camden, Gloucester and Mercer counties in New Jersey. DVRPC provides technical assistance and services; conducts high priority studies that respond to the requests and demands of member state and local governments; fosters cooperation among various constituents to forge a consensus on diverse regional issues; determines and meets the needs of the private sector; and practices public outreach efforts to promote two-way communication and public awareness of regional issues and the Commission.



Delaware Valley Regional Planning Commission

190 N. Independence Mall West, 8th Floor
Philadelphia, PA 19106

Staff contact: Sara Belz, Regional Planner
Direct Phone: 215-238-2930
Email: sbelz@dvrpc.org
Web: www.dvrpc.org