



Florida Department of Environmental Protection

Division of Waste Management

FLORIDA'S BROWNFIELDS REDEVELOPMENT PROGRAM

Brownfields 101





Agenda

- What are Brownfields?
- Who are the Brownfields people?
- What is the Florida Brownfields program process?
- Why participate?
- Current Florida Program Status
- What are the differences between the state and federal programs?
- Other resources
- Where are the success stories?



What Are Brownfields?

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



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. Section 376.79(4) Florida Statutes*



What are Brownfields?

- Redevelopment tool that results in:

- Economic development
- Community development
- Residential projects, and
- Open-Space/ Green-Space projects

and

- Reduction of public health and environmental hazards
- Removal of stigma
- Promoting effective use of community resources



*IKEA,
Tampa*





**Who are the “Brownfields” people
at DEP and how are they
organized?**



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**Who are the “Brownfields” people
outside of DEP that might help
me?**



Other Important Brownfields Contacts

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LOAN GUARANTY

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SALES TAX REFUND

Department of Revenue

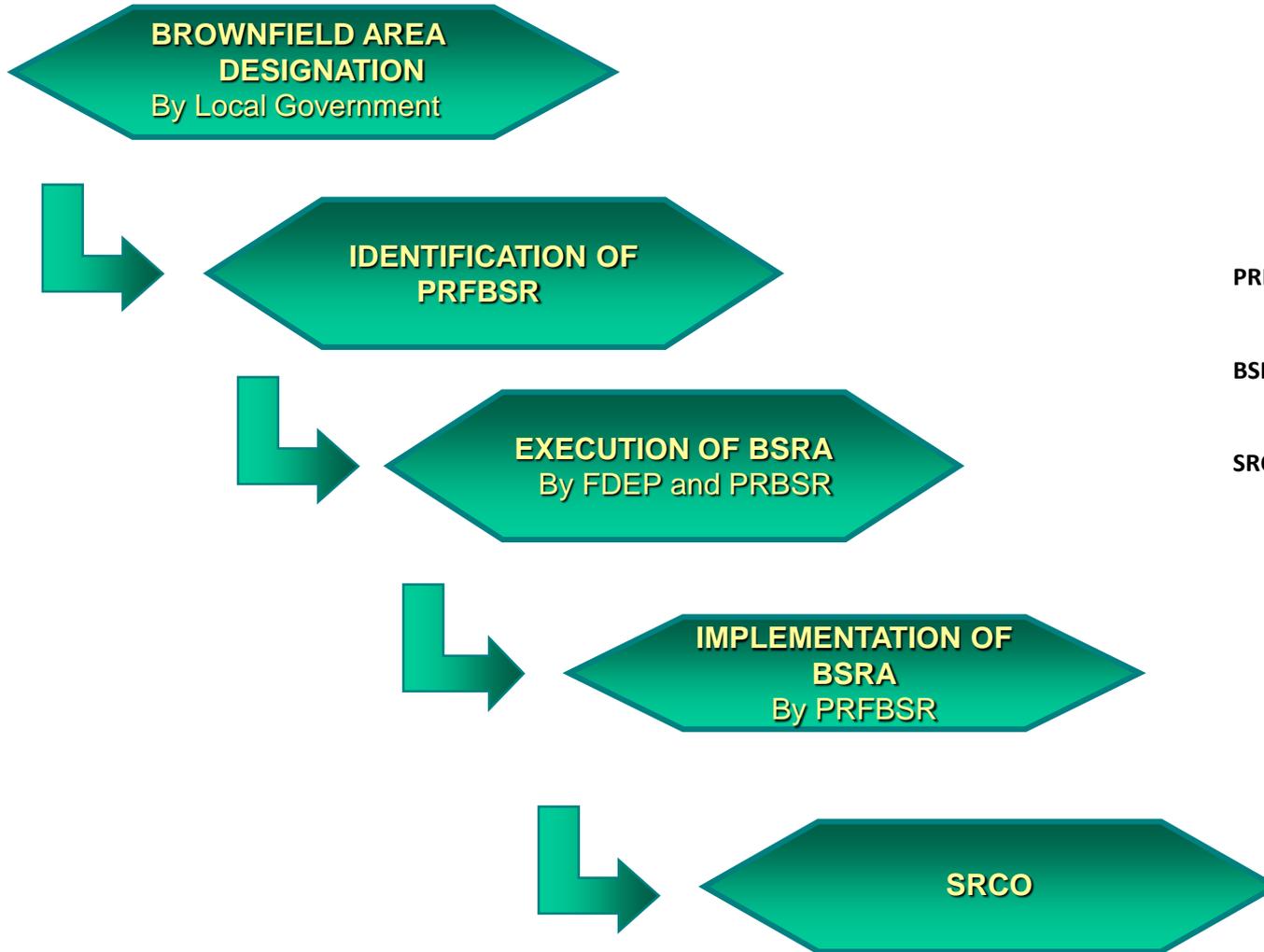
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What is Florida's Brownfields Process and When should I enter It?



Florida Brownfields Process



Acronym Key

- PRFBSR** Person responsible for brownfield site rehabilitation
- BSRA** Brownfield site rehabilitation agreement
- SRCO** Site rehabilitation completion order



Why participate in the Florida Brownfields Program?



Brownfields Program Benefits

- Brownfield Sites (executed BSRA)
 - All benefits of Brownfield area
 - Regulatory Framework for Cleanup (Rules 62-780 and 62-777, F.A.C.)
 - Dedicated staff – expedited technical review
 - Liability Protection
 - Voluntary cleanup tax credits
 - Memorandum of Understanding with EPA





Brownfield Area Economic Incentives

- Bonus refund for job creation
 - up to \$2,500 per job
- Sales/use tax exemption on building materials for affordable housing projects

Effective July 1, 2013 – Development must have an executed BSRA or abut a property with an executed BSRA

- Loan guarantee program
 - 50% loan guarantee on site rehabilitation and development
 - 75% for affordable housing/health care providers



Applicable to any property within a designated brownfield area provided eligibility criteria for each incentive are met



BSRA Liability Protections

- Owners and Redevelopers (PRFBSRs)
 - Relief from further liability for site rehabilitation and property damage Section 376.82(2)(a), F.S.
 - Does not limit third party rights for personal injury damages Section 376.82(2)(b), F.S.
 - Available if BSRA terms met
- Lenders
 - Serving in fiduciary capacity - loan
 - Did not
 - Cause/contribute to contamination
 - Control/manage site rehabilitation
 - Economic incentives do not apply during the lender's ownership
- Government, non-profit, charitable organizations





Voluntary Cleanup Tax Credits

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

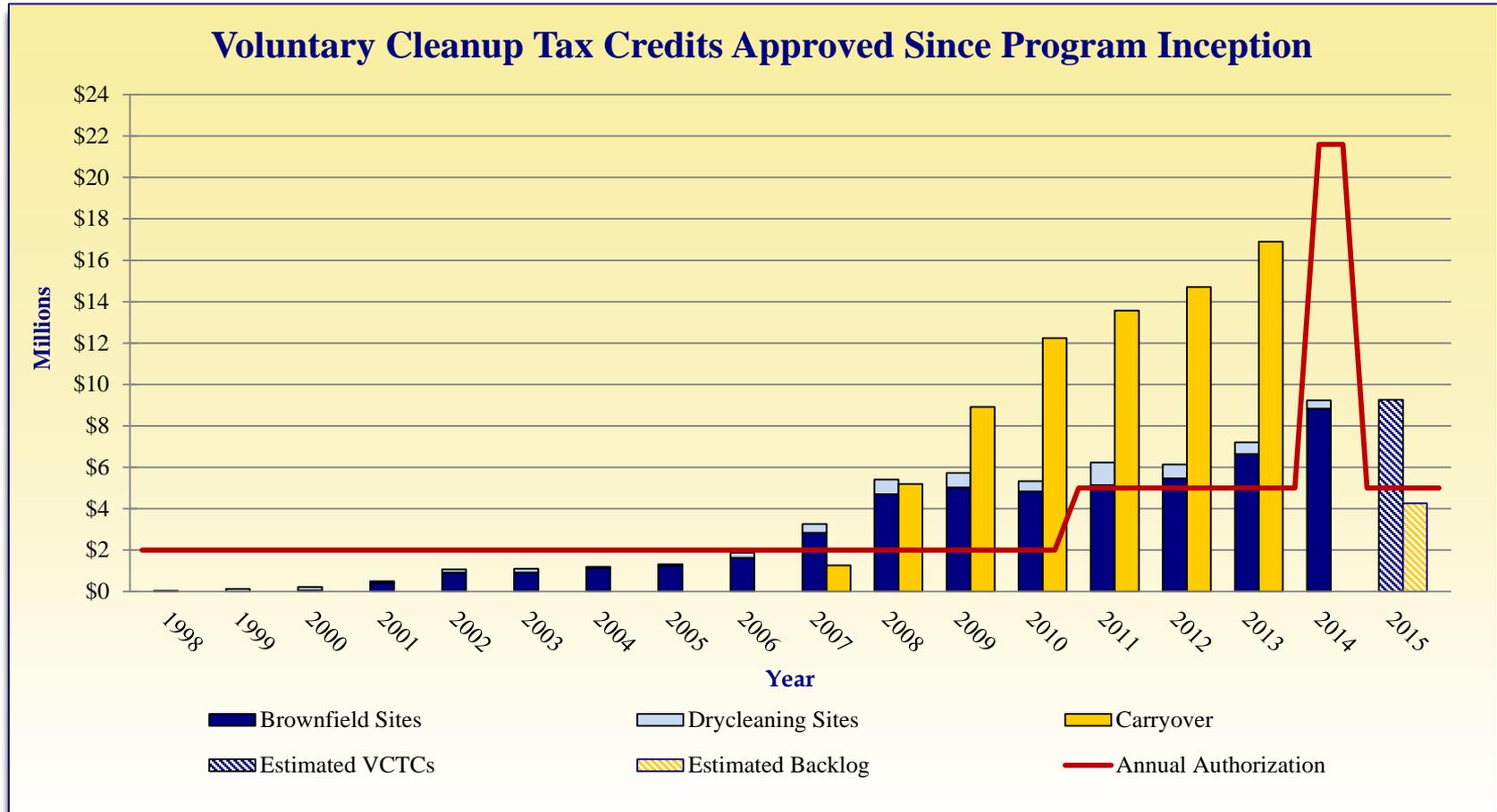


Voluntary Cleanup Tax Credits

- Credits on Florida corporate income tax
- May be transferred once
- \$5 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



Voluntary Cleanup Tax Credits



Note: Effective July 1, 2011, the annual authorization was increased from \$2 million to \$5 million.



Current Status



Current Status of Program

Figure 1

Designated Brownfield Areas Per Calendar Year

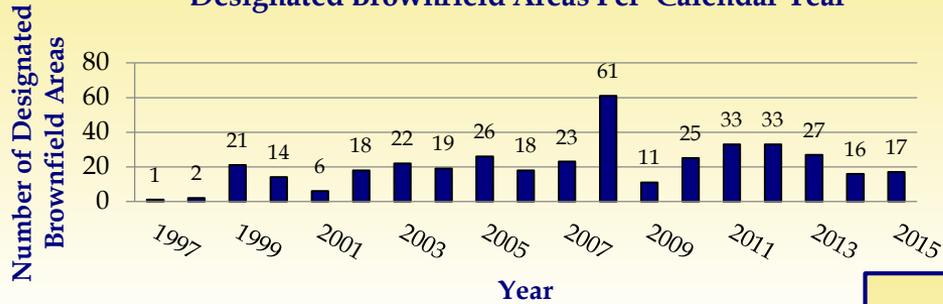


Figure 2

Executed BSRAs Per Calendar Year

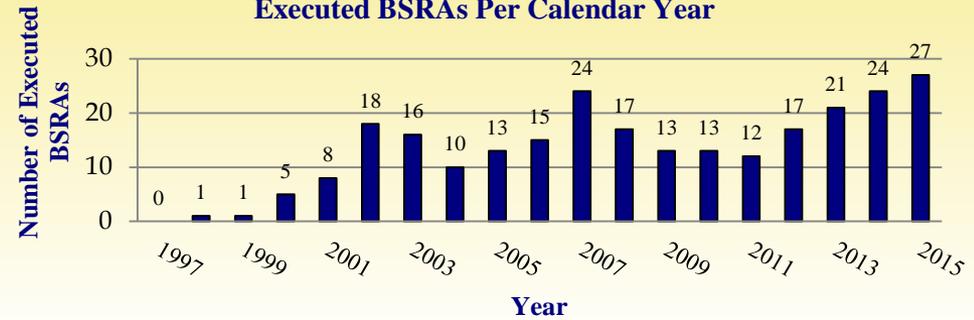
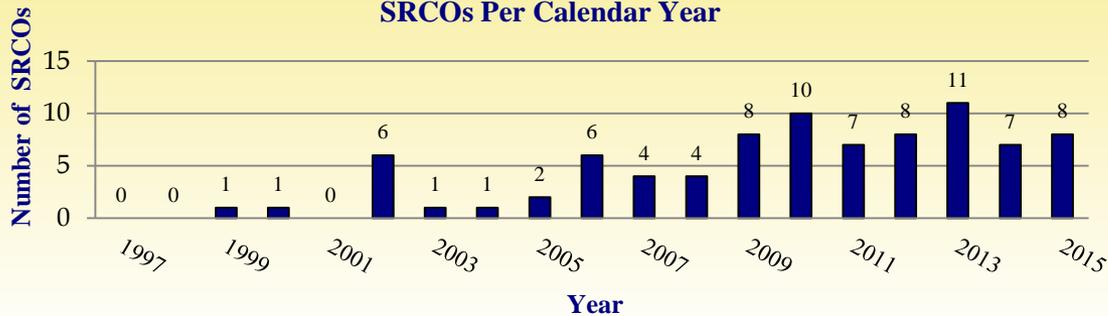


Figure 3

SRCOs Per Calendar Year



Data as of December 31, 2015



Current Status of Program

Brownfields Redevelopment Bonus Refund					
Period	New Direct Jobs Projected	Indirect Jobs Projected	Investment Projected	Confirmed Net New Direct Jobs	Investment Confirmed to Date
January 1, 2014 - December 31, 2014	280	423	\$11,563,995		
January 1, 2015 - June 30, 2015	84	311	\$17,441,850		
1997 - June 30, 2015	20,744	32,178	\$2,692,759,098		
1997 - December 31, 2013**				10,563	\$155,051,505

**Applicants for job bonus refund submit their requests in the January following the year the jobs were created. Applications for 2014 jobs were received in January 2015 and are currently being evaluated and confirmed. Therefore the most recent confirmed jobs data us for the period ending December 31, 2013.



What are the Differences Between the State and Federal Brownfields Programs?



State vs. Federal Program Comparison

- Florida Brownfields – Incentive based
 - Can be used with EPA grant
 - Available to public sector and private sector
 - Incentives encourage reuse and redevelopment
- EPA Brownfields – Grant based
 - Subject to state cleanup rules
 - Don't need to participate in state program
 - Funding amount emphasizes leveraging



State and Federal Programs – Things to Know



Common Questions and Misconceptions

- Do I need a State Brownfield Area Designation before I implement my EPA grant?
 - No
 - Participation in the state brownfields program is not a requirement if you have an EPA grant
 - However, you still must comply with state rules



Common Questions and Misconceptions

- If I am working with EPA on assessment or cleanup, I don't need to involve DEP, right?
 - In most cases this is not true
 - Exceptions would be Phase I and maybe Phase II projects
 - If you are conducting assessment and cleanup in Florida, you are obligated to comply with state rules
 - EPA cannot provide you with a no further action order



Common Questions and Misconceptions

- Can the state and federal brownfields programs be used together?
 - Yes
 - Example sites
 - Tallahassee Residence Inn – Complete
 - Clearwater Auto – Complete
 - Dansville project – In progress
 - Tallahassee Gaines Street Corridor Projects – In progress



Other Brownfields Resources

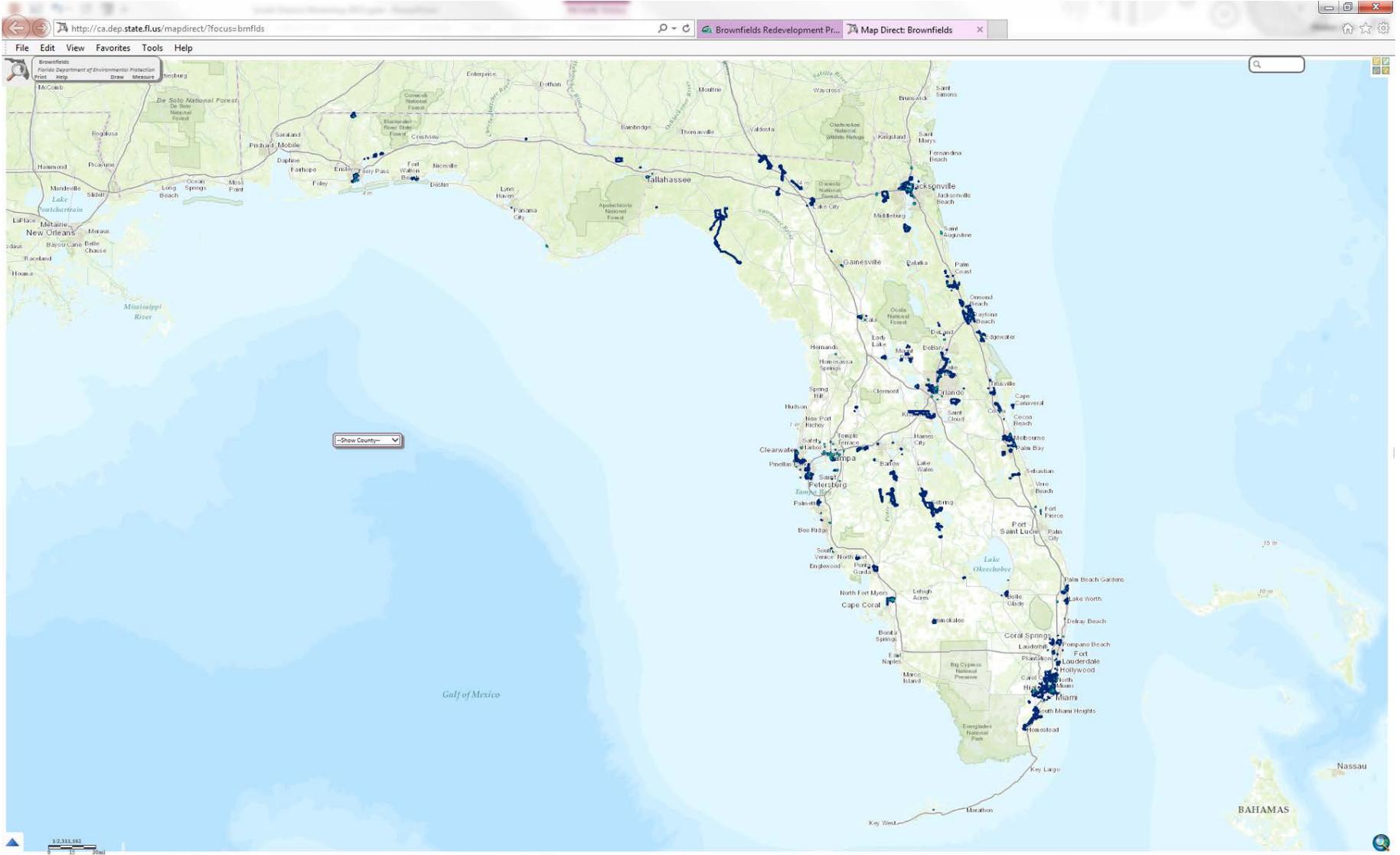


State and Tribal Response Grant

- State and Tribal Response (SRP) Grant
 - EPA funding
 - Administered by DEP
- Independent of the Florida Brownfields Program
- Grant of services, performed by DEP 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



Brownfields Geoviewer





Where are the Brownfield Success Stories?



Mahogany Mill, Escambia County



- Historical use
 - Saw mill and wood treating facility
- Contaminants/concerns
 - volatile and semi-volatile organic compounds, and petroleum contaminants
- Brownfields activity
 - BSRA 2013
 - Conditional closure 2015
- Status
 - Transformed into a public boat ramp with parking and restroom facilities
 - Reconstruction of Mahogany Mill Road with drainage improvements, sidewalks, sewer expansion, landscaping improvements and a 2.32-acre marine park



Matt's Casbah, Melbourne



- Historical use
 - Service station
- Contaminants/concerns
 - Petroleum contamination
- Brownfields activity
 - Removal of 9 tanks
 - SRCO December 2008
- Status
 - Transformed into a must-eat dining destination
 - Catalyst for revitalization of downtown Melbourne



Former St. Joe Paper Mill

- Historical use:
 - Paper mill since 1934
- Contaminants
 - Metals, PAHs, PCBs, solvents
 - Soils
 - Groundwater contamination in one well
- Status
 - Facility razed
 - 80% of site meets residential criteria
 - Remainder meets industrial
 - Soil caps in four locations
 - Planned mixed use
 - SRCO timing based on business deal





Dr. Phillips Performing Arts Center, Orlando



- Historical use
 - Multiple parcels
 - Drycleaner, bank, church
- Contaminants/Concerns
 - PAHs
- Brownfields activity
 - Removal of 7,200 tons of contaminated soil
 - SRCO issued January 2011
- Status
 - 330,00 square feet for performance space, arts education and administration
 - Planned development will include retail and public spaces
 - The construction project supported approximately 3,000 jobs
 - Projected economic impact of \$430M



Vision Construction, Pensacola



- 2500 block of Palafox
- Historical use:
 - Dry cleaner drop off
 - Automotive repair
 - Store
- Contaminants
 - Arsenic in soil
 - No groundwater contamination
- Status
 - Conditional SRCO soon
 - Building and parking lot are engineering controls



Hampton Inn, Bradenton

- Historical use
 - 1920s hotel
 - Retirement housing
- Contaminants
 - Petroleum related
- Brownfield activity
 - BSRA December 2011
 - Assessment and removal
 - Conditional SRCO January 2014
- Community benefits
 - Reuse of foreclosed building in the heart of downtown
 - \$21 million renovation
 - Reopened as Hampton Inn
 - Projected \$2.5 million in economic impact the first year
 - Estimated \$500,00 in sales tax
 - Positive impact on nearby property values





Summary



In Summary

- Florida Brownfields Program
 - Located in a Brownfield Area
 - Execute a BSRA (voluntary agreement)
 - Provides incentives and liability protections
- SRP Grant – Administered by DEP
 - Grant of services using DEP contractors
 - Limited to assessment and source removal tasks
 - Applications accepted anytime
 - Work completed on a funding available basis
- EPA Brownfields Grant Program
 - Grants available to government and quasi-government agencies
 - Annual application period
 - DO NOT have to be in the state program
 - Modest funds to leverage other investment



Visit Us 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>



Where are the Brownfield Additional Success Stories?



Baskerville-Donovan

- Main Street
- Historical use:
 - Port facility warehouse
- Contaminants
 - Arsenic in soil
 - No groundwater contamination
- Status
 - Development planned for waterfront portion
 - Remediation in process
 - Building and parking lot are engineering controls





Baratta ROCC, Apopka



- Historical use
 - Empty lot for over 20 years
 - Storage for Used Tires
- Contaminants/concerns
 - 88,000 buried tires
 - No groundwater contamination
- Brownfield activity
 - Tires removed and disposed
 - SRCO issued May 2008
 - Collected solid waste incentive
- Status
 - 2002 property value \$210,000
 - Construction of 22,000 sq. ft. flex warehousing space
 - Current value \$1,560,000



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





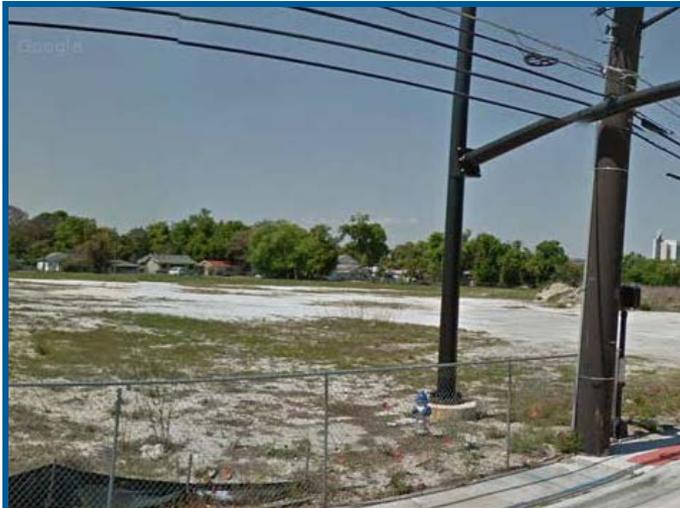
Willa Carson Health Resource Center

- Historical Use/challenges
 - Abandoned gas station
 - Low income/minority community
 - Drugs/crime location
- Tools
 - Brownfields assessment grant
 - Community Development Block grant
 - Florida Tobacco settlement funds
- Results
 - Created health facility in underserved community
 - National model for brownfields to healthcare
 - Stimulated additional redevelopment in area





Mills Park, Orlando



- Historical use
 - 12 acre Lumber Yard
- Contaminants/Concerns
 - PAHs
 - Arsenic
- Brownfields activity
 - Removal of 11,000 tons of contaminated soil
 - SRCO issued December 2012
- Status
 - Mixed Use Development
 - 348,000 Sq Ft of retail, restaurant, medical, general office and residential space
 - A Fresh Market opened in Spring 2014



Centro Asturiano, Tampa



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



Amway Center, Orlando



- Historical Use/contaminants
 - Empty lot for over 20 years
 - Storage for used tires
 - Chlorinated solvents, petroleum
- Brownfield activity
 - Largest public/private partnership in Orlando history
 - BSRA signed 2007
 - Source area remediated, assessment /cleanup ongoing
- Status
 - Home of the Orlando Magic
 - Sustainable building design
 - \$380 million capital investment
 - 900 new jobs created



Imaginarium, Ft. Myers



- Historical use
 - Coal gasification plant
- Contaminants
 - Petroleum constituents
- Brownfield activity
 - Contaminated soil removal
 - Groundwater treatment
 - Conditional SRCO 2011
- Community benefits
 - State of the art hands-on museum
 - Adaptive re-use of old plant structures
 - Multi-purpose civic campus that will also house the emergency operations center
 - Collateral development resulting from these improvements



IKEA, Tampa

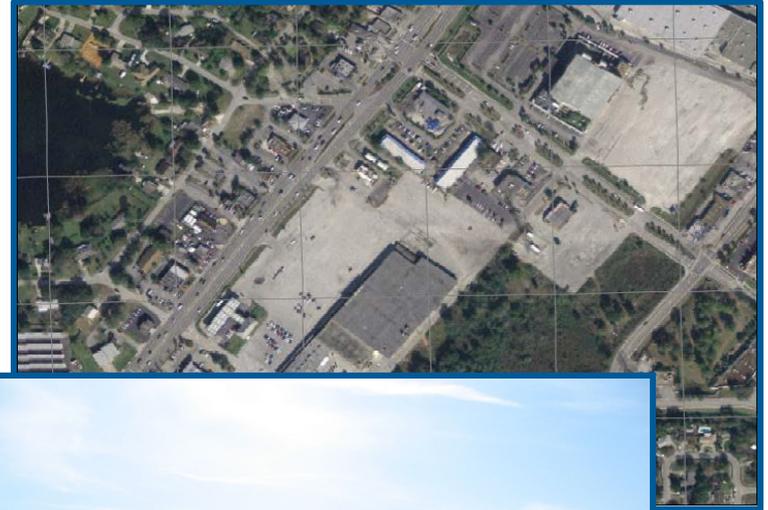
- Historical use
 - Cannery
- Contaminants
 - Arsenic, petroleum, PAHs
- Brownfield activity
 - BSRA December 2007
 - Assessment and removal
 - Conditional SRCO June 2009
- Community benefits
 - 2009 taxable value \$4.5M
 - 2010 taxable value \$15M
 - 500 construction jobs
 - 400 new, in-store jobs
 - Key project for Ybor City and Adamo corridor 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 March 2008
 - Lowes opened 2007
 - \$225,000 for job creation





Jacksonville Raceway

- Historical use
 - Motorsports facility
- Contaminants
 - Arsenic, BaPs, and PCBs in soil
 - No groundwater contamination
- Brownfield activity
 - Developer executed BSRA in 2008
 - Assessment and source removal were conducted
 - 1,176 tons concrete and debris
 - 52,500 tires
 - 52,448 tons of soil
 - SRCO in September 2010
- Status
 - Property ready for reuse
 - At build out planned development will:
 - Create 1,495 jobs
 - Generate \$520,000/yr in property taxes





Steel House Apartments, Orlando



- Historical Use
 - Former Gas Station
- Contaminants/Concerns
 - Petroleum
- Brownfield Activity
 - 407 tons of soil excavated
 - Groundwater monitoring ongoing
- Status
 - Construction of apartments complete
 - Apartments are being leased and occupied

