"LIFE AFTER THE GRANT"

SUSTAINING A COMMUNITY BROWNFIELDS INITIATIVE

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"**LIFE AFTER THE GRANT**"  
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INTRODUCTION

What will be the fate of the more than 350 Brownfields pilot programs after their two-year funding periods expire? Will these programs, typically seeded with $200,000 in funding by the United States Environmental Protection Agency (EPA) fade away? Or will they remain as viable, long-term local efforts to clean up and develop abandoned, contaminated properties? Will some pilot initiatives fare better than others in terms of staying power, and if so what will be seen as the key factors of this sustainability? At the end of the pilot period, what factors - such as the vision of the community, the characteristics of the participants, and the way in which the brownfields process was carried out - will be seen as key contributors to any successes they tally?

Program leaders at EPA Region 2 deemed answers to these questions important enough to learn and share with pilot communities, within the region and nationally - both mature pilots and those that were newly designated. EPA officials believed that it would be especially useful if new pilots could recognize and try to incorporate these key factors in the early stages of their planning, as they develop their process for Brownfields revitalization that will extend beyond the pilot period. Region 2 funded the Northeast Hazardous Substance Research Center (NHSRC) at the New Jersey Institute of Technology to conduct a study to gain and share insights into these questions. The NHSRC partnered with EPA Region 2 brownfields staff, the Northeast-Midwest Institute (NEMW) and the Institute for Responsible Management (IRM) to conduct a study and write this report on their findings.

This report has drawn on a number of sources. Following the development of an interview questionnaire, the study team visited seven pilots that were maturing and close to completion - Buffalo, Rome, Rochester and New York City in New York; and Camden, Trenton and Newark in New Jersey. A compilation of responses and tentative analysis was prepared by the team for use at a "life after" conference on April 1 and 2, 1998, in Newark, attended by nearly 100 representatives from most of the Region 2 pilots. At this facilitated conference, the representatives provided significant input on what they saw as critical program components for the sustainability of a Brownfields initiative. Finally, members of the study team, who
had extensive knowledge of reuse strategies and activities being carried out in dozens of additional pilot communities, contributed their own expertise to this analysis.

This report summarizes the details of the research effort - thematic overviews as well as specifics concerning the seven key components of Brownfields program sustainability that the project team identified. In addition, it provides the team's analysis of each component, implementation considerations, and recommendations on Brownfields program sustainability.

"LIFE AFTER" PROJECT B IMPLEMENTATION ROADMAP

Brownfields program sustainability is a common goal shared by a diverse community of pilots. They range from cities to non-profits to Indian tribes and have identified many different strategies to pursue ongoing Brownfields revitalization efforts.

EPA has recognized the importance of Brownfields program sustainability and continuity, as evidenced by its award of supplemental grants to some of the older pilots. The agency has also stepped up its support of Brownfields activities with technical assistance grants and additional resources for site assessments. Nevertheless, many pilots still have programmatic needs that will affect "life after" their initial grant.

Therefore, the project team's overall goal for the project was to identify and pass along to developing Region 2 pilot program grantees an understanding of the key factors that both constitute a brownfields redevelopment program and assure a sustainable brownfields effort for future years. The team also wished to convey to pilots - especially the newer ones - ideas about how to incorporate these important factors into Brownfields program designs. In a larger context, the project team also intended for study results to assist the national EPA brownfields program staff members as they look towards the agency's future efforts to support revitalization.

A steering committee, which also served as the study team, was set up to meet regularly to plan and execute all steps of the project. The team members all had considerable and varied experience in Brownfields. They included Larry D=Andrea and Chelsea Albucher from EPA Region 2; William Librizzi, Gerard McKenna, and Helen Gramcko from the New Jersey Institute of Technology; Charles Bartsch from the Northeast-Midwest Institute; and Charles Powers, Frances Hoffman, and Deborah Brown from the Institute for Responsible Management. In
addition, a number of Brownfields experts, especially program managers from some of the more innovative pilot programs, provided advice on the design and execution of the project, and ideas and observations as it proceeded.

The project was carried out in three stages. First, interview workshops were conducted with stakeholders at the seven targeted mature pilot cities. These allowed the project team to listen to and understand what each pilot saw as critical factors for sustainability of their Brownfields programs. Before each field workshop, the team prepared and sent a set of draft interview questions for the pilot stakeholders to review. The stakeholders attending included pilot managers, staff from municipal departments, mayors and other elected officials, members of the business community, state officials, community residents, and environmental advocates.

The second stage centered around a large two day EPA Region 2/NHSRC conference held in Newark, New Jersey on April 1 and 2, 1998. This conference, "Life After the Grant: From Establishing a Brownfields Pilot to Developing a Long Term Program," provided a forum for the team to further explore its preliminary findings on elements of a sustained brownfields reuse effort - this time with a much larger and broader audience. All Region 2 pilots were invited to the conference, which had as goals:

- Empowering brownfields pilot managers by informing them on the development of the brownfields program;

- Highlighting and interactively discussing the program components that led (or could lead) to sustained Brownfields redevelopment, as initially identified by the team through the field visits;

- Promoting the exchange of information, particularly lessons learned, between the Region 2 pilots; and

- Identifying future needs of brownfields pilots to assure sustained brownfields redevelopment.

For the conference, the team prepared oral presentations and written handouts covering the tentative conclusions reached during the pilot visitations. (Appendix A contains a copy of the handouts used for the conference.) These conclusions were presented as seven major components recognized as being important for sustaining long-term Brownfields programs:

- COMMUNITY VISION;
COMMUNITY INVOLVEMENT;

PUBLIC-PRIVATE PARTNERSHIPS;

INSTITUTIONALIZATION OF BROWNFIELDS STRATEGIES;

REUSE INCENTIVES;

TECHNICAL EXPERTISE; AND

FEDERAL/STATE PROGRAM PARTICIPATION.

Team members discussed each component, in terms of context and definition, key issues raised, and lessons learned. Each is discussed in more detail in the following sections.

During the conference, pilot representatives were split into three groups to further discuss and explore the preliminary findings. Facilitators supplied by EPA (Chelsea Albucher, Melinda Holland and Paul de Morgan) assisted the groups in their discussions and in recording key discussion points on the proposed factors. The specific focus questions directed at the three breakout groups were:

- **What makes a brownfields pilot work?**
- **What are the critical elements for successful redevelopment on a site specific and regional scale?**
- **What are the key steps needed to put these elements into place, and to sustain a continuing Brownfields redevelopment program?**
- **What critical issues affect implementation?**
- **What are the barriers to moving beyond the pilot stage in implementing a long-term brownfields redevelopment program?**
- **What assistance is needed to assure that Brownfields redevelopment continues?**

Representatives from each of the groups summarized their discussions on the focus questions and their opinions about the sustainability factors proposed by the
team, and described them for the conference as a whole during a plenary session following the breakouts. (Appendix B provides a summary of the breakout discussions). Finally, several speakers and a panel discussion provided the pilot representatives information on other federal resources that might be available to them for their programs. The panel included representatives from several federal agencies - the Economic Development Administration, the Department of Housing and Urban Development, the United States Army Corps of Engineers, and the Federal Home Loan Bank. The "life after" team incorporated all of this information during the third stage of this project, preparing this final report.

OVERVIEW OF THE BROWNFIELDS PILOT PROCESS AND "LIFE AFTER" PROCESS IN REGION 2

Region 2 has successfully built on the U.S. EPA national Brownfields pilot initiative that began in late 1993. At that time, the agency took a small step towards the rapidly emerging and complex issue of reusing contaminated "Brownfields" sites - as EPA viewed them, abandoned or underused industrial or commercial sites where traditional economic development strategies were complicated by little understood environmental issues. EPA's first step in the Brownfields process was to enable a single pilot demonstration community - Cuyahoga County, in northeast Ohio - to test an approach that linked cleanup and real estate reuse at moribund properties. Two more pilots were added in 1994, and soon after another 10 were designated. Now, more than 350 jurisdictions have been designated as Brownfields assessment pilot communities, and given grant money to carry out assessments of contaminated properties and to generate a "place" in the structure of government and in the imagination of citizens and other stakeholders for a Brownfields initiative. But what will keep this initiative going after the initial EPA funds are spent, and the fresh feel of a new effort becomes part of the routine fabric of city or country life?

Under the leadership of Region 2's Brownfields team, New York, New Jersey, and Puerto Rico jurisdictions have been effective in garnering pilot program support, mapping out a number of innovative approaches to reuse. Now, EPA leaders and local officials throughout the region are beginning to contemplate the next steps - how can these Brownfields pilot successes be built upon, and how can they be sustained after the seed money is gone? What will encourage the initial interest and enthusiasm for the cleanup and reuse of contaminated properties to last over the long haul, and how can pilot communities build the sustainable capacity to guide and coalesce the diverse parties whose decisions and involvement are needed to complete brownfields transactions?
As indicated at the outset of this report, this analysis attempts to identify the key elements needed to generate a capacity to stimulate action at Brownfields sites and subsequently sustain it through bureaucratic and resource commitments. What follows is a detailed analysis of the seven components the project team identified as key to Brownfields program sustainability. These include:

- **community vision** - presence of a community view as to where revitalization is going, the necessary commitment to carry it out, and a project champion to move the process forward at key junctures.

- **community involvement** - mechanisms to ensure that viable, appropriate communication and outreach programs are in place; evidence of active and effective stakeholder involvement early in the process, that includes a broad and balanced representation of public, private, and neighborhood players.

- **public-private partnerships** - joint efforts to streamline the process (and make the most of available resources) that feature municipalities with financial/development players; municipalities with regulatory entities, as well as site owners and potentially liable parties; and state and federal entities with cities, owners, developers, community leaders, and lenders.

- **institutionalization of Brownfields redevelopment strategies and process** - capacity to make brownfields part of the local government process, with staff or a point person assigned to brownfields activities; codified local commitment to the brownfields reuse process that includes acceptance of innovative tools (such as institutional controls or insurance) that can help promote reuse; and a state or regional approach to brownfields.

- **reuse incentives** - several types, such as financial (loans and grants, tax credits and similar incentives), incentives for community involvement (such as planning or training resources), incentives to promote private financial market involvement (such as loan guarantees); process incentives (facilitated permitting, streamlined reviews); and non monetary assistance (such as staff support to access incentives and facilitate reuse).
• technical expertise - notably, in-house ability to direct or manage environmental assessments tasks and interpret results; this typically involves dedicated support for various elements of Brownfields reuse.

• state and federal program participation and roles - which feature, at the state level, voluntary cleanup programs (VCPs), rapid reviews, and technical and financial incentives; at the federal level, these include memoranda of agreement (MOAs), technical assistance, outreach and education.

Each of the following sections focuses on one of these components. The analysis includes an overview and background of key facets of the components, a discussion of key issues, and lessons learned from the site visits, conference deliberations, and other research.
ANALYSIS OF COMPONENTS FOR SUSTAINABLE BROWNFIELDS REDEVELOPMENT PROCESS

COMMUNITY VISION

BACKGROUND/OVERVIEW

Community vision may be defined as the existence of an understanding of how a neighborhood, city or town as a whole should look and function. In the Brownfields context, this vision focuses on addressing the local challenges of revitalizing contaminated sites. It also involves an awareness by all players with a stake in the reuse process for both the potential of reuse and the basic path being pursued at the municipal and community level for successfully meeting its challenges. Articulating that vision, gathering support for it, formalizing it, and relating it to the concrete work of Brownfields development in a community are not just "good things to do"; in fact, they are crucial to successful and sustainable Brownfields development.

ISSUES

Cities benefit in the long term from fostering a visioning process within their communities. This process needs to be designed to help all involved and affected parties imagine both the possibilities and the obstacles involved in making the jurisdiction's brownfields program successful. Where a community vision about brownfields exists, it plays a catalytic role in the reuse process. But creating a shared community vision can be difficult and time consuming. It will not be achieved without a significant commitment of both resources and skilled management. A shared community vision is usually achieved only when local leaders are able to convene a participatory planning process. It begins by articulating and then building on and improving a vision statement - working with it until the statement eventually captures the essence of the challenge and the goals that "fit" the community and its problems, resources, and constituencies. If such a vision can be defined, it can serve as the foundation from which a base of broad support can be built that fosters commitments of the key parties who are needed to sustain a viable brownfields effort.
But two other matters were not clear at the outset of the "life after" project:

- whether the leadership of brownfields pilots - confronted with a diverse and formidable set of tasks as they start their programs - would see the specific task of generating a community vision as a priority concern; and

- whether defining such a community vision would be seen to be - and/or would in fact prove to be - a key component in making brownfields a sustained institutional initiative.

In fact, developing an acceptable community vision proved to be a key issue, according to project leaders at the seven Region 2 pilots visited by the "life after" team. They found that players such as developers and investors gained more comfort with the reuse process, and were more likely to participate in redevelopment partnerships, when a common vision was in place. Moreover, the newer pilots view creation of a community vision as even more critical than did the earliest pilots. The second wave see generating an effective community vision as a central test of brownfields leadership, and yet emphasize that achieving a community vision is exceedingly complicated.

LESSONS LEARNED

With the multiple pressures of launching Brownfields offices and programs, cities differ dramatically in the way they view the focus and scope of a community vision process, at least during the early stages of a reuse strategy. As the following examples show, when cities do put some emphasis on vision, they do it in diverse ways.

Rochester's original work plan was very focused. The city sought simply to establish a city-run brownfields revolving loan fund to support site assessment and cleanup. Hence, the focus of the city's efforts made the context within which public-sector Brownfields activities were being pursued relatively narrow. Local events dictated that the city's focus evolve beyond the revolving loan fund, however. An astute pilot leader responded, and - drawing on a supportive stakeholder network - changed its focus.

The broad community vision which now plays an important role in the life and vitality of Rochester and its Brownfields initiative began to emerge in response to two simultaneous events. First, an emotional intensity and commitment developed when neighborhood residents became energized by the findings from
their investigation of the errant environmental practices of a local land owner. Second, the mayor established a new network of neighborhood action centers to identify and respond to local concerns more directly. City department heads were instructed to act quickly on issues that concerned communities, as identified by the neighborhood centers. These issues included the environmental concerns noted above; they were promptly directed to the city's Brownfields pilot staff.

In Buffalo, by contrast, a major visioning, planning and public involvement initiative occurred prior to the city's receipt of its pilot grant. That vision evolved as a strong, optimistic, and galvanizing concept in the eyes of a few city officials. It was largely generated by the city's search for a new recovery path; Buffalo had been devastated by a severe economic downturn in the previous decade. When Buffalo began to implement its broad brownfields vision, the city focused initially on the revitalization of part of the South Buffalo area. This specific neighborhood-focused vision was strongly supported by both the city administration and extensive public participation. As the vision was more broadly embraced, expectations evolved. But then the vision was challenged by a dearth of resources. The difficulties encountered in trying to replicate the early brownfields successes in South Buffalo forced a re-examination of the vision. A search ensued for a vision which would both be applicable to the entire city and realistic in terms of the pace of economic revitalization on contaminated properties especially in a city whose economic opportunities remained limited. The vision, though still publicly supported by elected officials and city department heads, again needs wider public support, a continuing flow of new projects and successes, and an administrative structure capable of nurturing a city-wide vision and bringing it to fruition. The Buffalo story is, then, a story about the importance of rooting a community vision in a realistic picture of the constraints as well as the possibilities inherent in successful brownfields development.

Finally, Camden's search for a brownfields community vision finally began to take shape and be shared when the city's leadership aligned its focus and activity with the visions being persistently pursued by community leaders who had identified a future of cleanup and reuse for specific abandoned properties in a single Camden neighborhood. The synergism between the pilot and this community, then, gave life to the brownfields concept more broadly, in the eyes of the city's elected and appointed officials. In this case, then, the vision was driven first by the community, then adopted by the pilot leadership, and was given strength and resources by a new mayor and his new team of city officials (although it is unclear at the moment how the specific local neighborhood focus can be broadened to affect the whole community).
Overall, specific lessons learned with respect to community vision could be reduced to the following two themes:

- **COMMUNITY VISION IS KEY**, though its role in Brownfields pilots differs radically, and plays itself out quite differently over time as the vision interacts with other activities and events.

The source and breadth of a brownfields community vision differs from place to place. It will likely be catalyzed by specific people - often energetic or charismatic individuals - who bring specific initiatives to life, or by organizational coalitions that embody a community-wide vision. The role of the municipality is key to the successful articulation of this vision. It often serves to initiate and guide brownfields redevelopment efforts, but it can also emerge from specific efforts of persistent advocates.

- **COMMUNITY VISION AND SUSTAINABLE DEVELOPMENT ARE INTERDEPENDENT.**

It is hard to build a sustainable vision, which is sufficiently concrete to galvanize commitment unless it is exemplified by one or several redevelopment successes - each of which can take a long time. Site-specific or neighborhood visions may not bring about a sustainable city-wide or regional vision. Therefore, the challenge lays in enabling a local or neighborhood-based vision to inform a broader vision, which realistically promotes sustainable redevelopment. The task of bringing a specific site or neighborhood vision to a full community is a complicated one. In addition, the coalitions needed to sustain a broad vision, city-wide vision or regional vision may not spring readily from a neighborhood focus. A community vision should reflect both local and regional elements. Similarly, while Brownfields work plans will typically begin with specific sites, area-wide elements are needed if the vision is to guide sustainable Brownfields reuse on a long-term basis.

In a broader sense, the project team identified seven overarching lessons (noted below) within the context of the two themes mentioned that make up the form and substance of a successful community vision, one that can help sustain the Brownfields reuse process. Both the effort to form a vision and a careful focus on the process and content of the vision were seen as fundamental, essential elements of a brownfields program.

**Needs must be formalized.** Public authorities need to adopt and officially embrace a vision statement. In fact, one conference break-out group exclaimed: "Formalize the Brownfields program and vision and related community plans, have
them adopted by City Council." In addition, strong support was expressed for institutionalization of the process, through zoning, land use, urban renewal. Finally, whether the vision should be one for the county or the city depends on the local structure, but it is essential that a public body acts officially to endorse it and ratify the fact that it is shared.

**Vision needs the support of everyone.** Formalization must arise out of a process that assures very broad participation among the diverse groups and interests in the community B respected leaders and a diverse cross section of interests.

**Determining that support exists requires careful attention.** The pilots visited were especially sensitive to the fact that local officials should not assume that diverse support exists in all parts of the jurisdiction just because there is broad interest in brownfields revitalization. They urged that careful thought be given to validating that the vision is correctly articulated. In particular, localities need good mechanisms to determine whether they have achieved the appropriate community vision. Ongoing checks with the community are necessary, to make sure that the vision remains correctly reflected in local processes. And, a key piece of advice from "life after" conference participants - be careful not to assume that there is one view in the community before actually discovering it.

**Still, a vision has to be articulated - but by whom?** In some cases, the city itself should propose a draft vision for the community to work with. In other cases, the initial drafts should come from more grassroots sources, but the city can help to keep the vision realistic and achievable. Clearly, there is no one single best approach to this question of "who."

**Determine whether the vision should be Brownfields specific, or broader in nature.** Generally, the pilot cities visited argued that defining a vision for brownfields was tough enough, and that brownfields would get lost if the program were simply folded into a broader community vision. But there was not consensus on that; some communities thought that brownfields should be just a part of the overall "community vision" for an area. This approach would be more sympathetic to quality of life issues that are of great concern to those areas.

**Vision, sustainability, and success.** In many places, it will prove essential to tie the brownfields vision to other related environmental and development goals and actually build data about those other factors into the vision itself. Many practitioners interviewed felt that, to sustain community vision, the program needs to show actual benefits - like jobs for local residents. Vision is very important to long-term sustainability, with its focus on quality of life. In this regard, communities
need to know how they can benefit from and take advantage of a redevelopment project or an area-wide plan; this includes the integration of the environmental and development processes in the context of realistic timing and with adequate funding.

**Need for outside help.** Sometime, communities will need outside assistance to create some aspects of their vision. Professional facilitation services can help develop process and consensus, and help to rally community support around a Brownfields vision.

**Surviving political turnover.** Experienced Brownfields practitioners noted that visions are essential to help sustain a Brownfields program in the midst of political change. Transitions can be enhanced if a vision is in place when a key local leader is lost. Once the community has endorsed the plan, it may be more difficult for a new city official to tamper with it. In addition, institutionalization of the plan would likewise make changes in an accepted plan difficult to carry out.

In short, achieving commitment from the full complement of political leadership and stakeholders within a local jurisdiction provides the cohesion and excitement about a brownfields reuse initiative which will sustain it through the short-term changes in organization, tactics, and specific focus.
COMMUNITY INVOLVEMENT

BACKGROUND/OVERVIEW

Effective, sustained brownfields reuse requires more community stakeholder involvement and coordination than typical "greenfields" real estate transactions. This initially demands more effort in re-thinking the redevelopment process and effectively engaging a broad range of stakeholders. But community participation in the reuse process has clearly shown itself to be worth the effort. It is one of the best ways to identify workable strategies to overcome common barriers to brownfields redevelopment. Often, active stakeholder coordination and participation in site redevelopment planning can ameliorate a number of reuse barriers, such as:

- disagreement of the involved or affected stakeholders over land use decisions and development outcomes;
- fears of uncertainty that may be held by current and potential land owners and developers, which can affect future land use;
- reluctance of lenders to assume higher levels of risk associated with contaminated land;
- isolation or lack of interest in mustering resources for revitalization purposes; and
- distrust, hopelessness, and outrage felt by those living and working in brownfields areas.

Community involvement is often the path from which comprehensive revitalization strategies can be launched. Solid, meaningful participation can drive Brownfields reuse, serving as a key element that sustains it over time. In addition, local involvement can help municipalities and other entities use existing resources more efficiently, and generate new resources that can be devoted to Brownfields activities.
ISSUES

The full range of stakeholders who define the community must be identified, based upon the local situation. They should be selected because of the roles they play in the community, and invited to participate in an open, inclusive Brownfields revitalization process. In addition to the immediate municipal staff, these stakeholders may include the following key players: civic, business, and other community leaders; representatives of financial and real estate development institutions; citizens active in local community development and betterment organizations; and elected officials. In all cases, stakeholders should be associated with and impacted by redevelopment plans.

Once the stakeholder network is established, participants - generally led by Brownfields project redevelopment managers - should develop a viable and accountable framework for community involvement. This framework may consider whether or not an in-house brownfields team should exist, and/or identify a point person who would coordinate and facilitate the outreach effort. How this effort unfolds will be influenced by a variety of factors, such as city size and availability of in-house expertise in the site reuse arena. The point person, depending upon the scope of the program, may be a full-time local government brownfields coordinator or a department head or project manager with a partial time commitment to brownfields redevelopment projects.

The composition and framework for community involvement - the role and functions of the brownfields "team" and point person - should be re-examined periodically for effectiveness and inclusiveness. Given the rapidly evolving public and private sector dynamics of brownfields redevelopment - both in any given community and nationally - such re-evaluations may be needed frequently. Clearly, changing situations may require different approaches to and levels of community involvement.

Establishing and maintaining the right level of community outreach through communication and involvement mechanisms is vitally important and must be carefully developed as early in the process as possible. Proper planning can lead to excitement, commitment and leadership; this can be greatly enhanced with links to the mayor or other key public officials, and all municipalities should try to establish them. For example, standing meetings are likely to strengthen these links and clearly demonstrate political commitment to community involvement. Other mechanisms include general community-wide meetings; smaller, focused meetings; neighborhood walk-throughs; and similar efforts. Activities in Trenton, for instance,
suggest that neighborhood-based not-for-profit organizations can be effective in attaining meaningful community involvement.

In short, the experience of those involved in the Brownfields pilot field studies and the "life after" workshop underscored that determining the "right" community involvement mechanism for any area should be based on consideration of several factors. These will vary depending on the jurisdiction, and include:

- relevance and effectiveness of existing community involvement processes and organizations;
- size of municipality or pilot jurisdiction;
- organization and knowledge of the community;
- specific project needs;
- complexity of the redevelopment process;
- degree of trust between the municipality and other stakeholders, especially in the affected neighborhood;
- municipal commitment to the program;
- demonstrated successes; and
- progress toward integrating brownfields redevelopment into the broader revitalization program of the municipality.

Workshop participants also reiterated three specific aspects of community involvement that were brought into focus through discussions with several pilots: (1) the need for proactive, carefully designed communication and outreach strategies; (2) lively and effective interaction of public, private, and neighborhood sectors; and (3) collaborative efforts among representatives of different stakeholder groups arising from their interaction.

LESSONS LEARNED

While most Brownfields practitioners will agree on the overall statement and the three aspects of community involvement mentioned above, the actual form that
community involvement takes in each jurisdiction will vary widely. That form evolves in response to the different culture and regulatory framework in each municipality and it is dependent on various characteristics of that area’s particular Brownfields focus - such as project location, site history, proximity to different types of neighboring land uses, and so on. How these characteristics are addressed will influence community involvement approaches based on factors like size of the jurisdiction and past development successes.

During pilot site visits, the "life after" team identified several approaches that merit mention:

- city with few stakeholders beyond the immediate municipal staff assigned to the project;
- city that builds on the network of stakeholders associated with redevelopment plans that had been designed prior to the pilot grant;
- city that relies on a close in-house administrative brownfields team that is guided by input obtained through an aggressive stakeholder outreach and education strategy; and
- city with a central brownfields stakeholder committee, as well as a contractual relationship with a grassroots organization to assist in certain aspects of stakeholder outreach.

No community participation formula or standard protocol works universally. Each of the seven pilot cities visited indicated, however, that stakeholder or community involvement was extremely important - if not essential - to successful brownfields redevelopment. Moreover, the "life after" team can confirm this from its own project experiences.

In addition to the specific lessons cited below, municipal project managers and community stakeholders offered the following advice based on their own experiences with brownfields. First, localities seeking to promote sustainable Brownfields redevelopment need to push themselves to broaden stakeholder involvement to help overcome old redevelopment patterns that work against Brownfields reuse.

Second, Brownfields players must know their communities and their leadership at all levels. Getting out, going door-to-door, searching for the critical stakeholders, and nurturing those relationships are essential parts of this process.
Interaction among local officials, and state and federal regulatory agencies will continue to be critical in conducting work and enhancing resources. Even in places boasting previous Brownfields successes, localities still found it important to tend to the stakeholders and involve them as much as reasonably possible to benefit from the contacts, references, and collaboration that can facilitate brownfields-related redevelopment. Stakeholders can help keep the reuse process moving, and sustain interest and support for such revitalization efforts even in situations when the municipality cannot effectively or appropriately lead. As several pilot "graduates" emphasized, promotion of successful tasks - even the seemingly small ones - helps build the image for and interest in brownfields redevelopment.

Based on the examples provided during the breakout sessions at the "life after" conference, pilot practitioners discussed aspects of community involvement that they felt were critical to sustaining brownfields redevelopment within the context of their own communities and their own reuse processes. These deliberations yielded the following "lessons learned."

**A new decision-making process is needed.** Clearly B at the maturing pilots a new kind of interaction was taking place between municipalities (or other grantee jurisdictions such as counties) and other brownfields stakeholders. Pilot leaders suggested that this new interaction was bringing a higher level of understanding of reuse issues to communities. City government representatives were described as no longer just telling their constituents what developments were occurring, but were engaging a broad range of stakeholders in identifying concerns and in designing strategies for resolving them. Stakeholders were being asked to give their voice in the development process as some conference participants noted, "for the first time."

In several of the pilot communities, this new decision-making process takes the form of shared support of and accountability for brownfields activities; it helps to empower communities and their residents. Stakeholders joined the municipal representatives in following-up on projects and generating change themselves. They sensed that, with this new decision-making process in place, better long-term results would be achieved for the municipality, and that the projects would be better for everyone, including the developer. In particular, a public involvement process encouraged through public/private partnerships was considered a very important factor in determining the ultimate success and longevity of a community's brownfields redevelopment efforts.

**Adequate staffing to support community involvement is critical.** Lack of staff resources can be a significant barrier to brownfields redevelopment. The
amount of effort required to initiate and maintain proactive and effective stakeholder involvement is substantial and typically under-estimated. Brownfields "veterans" at the workshop felt that the resources generally available for staffing purposes ran far short of what was needed, even with additional or in-kind commitments from the pilot grantees. Many felt that funding for the pilot should take into account this critical aspect of building a sustainable approach to brownfields redevelopment. Designating and supporting a full-time brownfields "point person" or "ombudsman" could be one way to effectively coordinate, facilitate, implement, and maintain the jurisdiction’s work plan - including the community involvement strategy.

**Communication with political leadership can enhance the level of public participation.** Close communication links with the mayor or other high-ranking municipal officials are needed to keep political involvement, interest, and support for sustainable Brownfields initiatives and strategies at a high level. Frequent meetings between the mayor and various stakeholders, in which the priorities and action items for each stakeholder group are shared, can be key.

**Getting the word out can keep interest levels high.** Newsletters, articles in local, regional and national newspapers, radio and television broadcasts, and informational pamphlets can all be important methods of keeping stakeholders informed of the progress of projects, and of reminding the mayor and other stakeholders of their respective commitments to brownfields redevelopment. As workshop participants emphasized, a constant feed of such information can be critical to stimulate and maintain interest.

The content and credibility of this information will enhance its effectiveness in maintaining interest in an ongoing Brownfields revitalization process. For example, developing criteria or indicators for measuring success can help everyone recognize how the process is working and what progress is being made. These measures can also serve as a tool for keeping tasks focused, and can assist in determining when to publicize information about the project. The redevelopment process can extend over a long period of time, and maintaining support from stakeholders and the community at-large throughout this work is important both for the specific project at hand, but also for familiarizing people and institutions with brownfields revitalization as a whole. A successful information and outreach strategy will enhance the likelihood that Brownfields reuse will become part of the business of the community.

Closely related to identifying indicators of success is the notion of documenting the milestones or guideposts along the revitalization path where the indicators of success are attained. Moreover, as the milestones are recorded, the
commitments made by people and institutions that made them possible B in particular, pinpointing who was responsible for the collaboration that resulted in the Brownfields success B should be noted. "Life after" conference participants reiterated that such recognition could be very important for sustaining interest and support for an ongoing Brownfields redevelopment process within a community.

Building on this lesson, participants also stressed the importance of establishing initial excitement about the project and then using various outreach approaches to maintain a commitment by community members and other stakeholders. In several of the pilot cities visited, efforts spent in this work were rewarded by increased dollars, time, in-kind services, and other resources shifted to brownfields redevelopment. The larger the number of people involved, the more that their participation enhanced the success of the project. A number of strategies for attaining effective community involvement emerged from the "life after" research effort. They include:

- involving different people in different ways, suitable to their interest, skills and familiarity (for example, having high school chemistry teachers "translate" technical information on contaminants for community dissemination);

- focusing on both educating and listening to concerns, in an attempt to establish a relationship in the first contact with a stakeholder group;

- holding smaller, focused meetings with different stakeholder groups

- rather than larger, more general meetings (to better identify the entire range of community concerns);

- going door-to-door and talking with members of neighborhood organizations to both obtain important information from them as well as to establish a base for trust;

- working out a method for representatives of stakeholder groups to assume responsibility for continuing maintenance and oversight of projects;

- working out an acceptable method of ensuring stakeholder accountability; and
• encouraging members of the community and other stakeholders who have been active in the process to support the new land use (by using the new facility or promoting whatever land use is established), once a brownfields project has been completed.

**Let the stakeholders lead.** A primary benefit of bringing a wide range of stakeholders into the brownfields redevelopment process is the value they bring to the process once equipped with solid knowledge of Brownfields issues. As stakeholders become familiar with the potential for new uses of Brownfields sites, they are more knowledgeable and selectively less fearful of the uncertainties; and able to deal with such issues. The city (and the brownfields pilot staff) need to know when to get out of the way and let the community lead. The best results may come from the bottom up, not from the top down. The project team identified several examples of this approach, such as local business leaders establishing a Business improvement district self tax to raise funds targeted for improvements to a specific area of the city, and residents setting up a self-policing network for their neighborhoods.

**Develop the ability to move from one project to the next, consistent with the community vision.** Project managers need to learn how to move public interest from a project that has been completed to the next project underway. Clearly, extending community involvement from one successful Brownfields redevelopment project to another can help a community accumulate familiarity with brownfields work, strengthen the acceptance of the community's Brownfields revitalization vision, and sustain a municipality's commitment to revitalizing stigmatized land within its jurisdiction.

**Use governmental powers to promote maintenance of sites.** Cities and other governments can use their powers to encourage site owners or developers to maintain the improvements on their Brownfields sites, perhaps by requiring that they set aside funds for this purpose. Many local governments have the authority to make this stipulation. Such action can help assure that community gains from the redevelopment of each Brownfields site can be retained and extended.

Finally, the brownfields practitioners at the Alife after workshops raised thought-provoking questions that helped bring some context to these lessons, and articulated the crossover relationship that may influence community involvement strategies. In particular, they asked:

• *Does the size of a community affect whether or not, and how, you would carry our community development?*; and
• How do you integrate and balance competing stances by different representatives of the "public community"?

Municipal size is often an indicator of the breadth and abundance of resources that are available for brownfields redevelopment. Smaller jurisdictions may not have staff time and/or skills to implement a brownfields project - let alone define and sustain a brownfields reuse strategy. They must rely on strong, broad-based support and volunteer efforts by local residents or people from outside the locality who have an important stake in Brownfields redevelopment there. Larger municipalities, on the other hand, can draw on more resources and are likely to have the time and expertise to manage the redevelopment project. Community involvement in larger cities is likely to focus more on leaders of organizations and representatives of certain stakeholders groups, rather than on the grass roots involvement. However, reuse of specific individual sites will usually draw grass-roots involvement from those immediately impacted by the proposed redevelopment. Therefore, several basic aspects of community involvement that can help sustain brownfields redevelopment - regardless of city size - are political leadership, adequate staffing, and trust and commitment to empowerment.
PUBLIC- PRIVATE PARTNERSHIPS

BACKGROUND/OVERVIEW

Partnerships are vital to a sustainable redevelopment program because they foster communications and the building of cooperation and trust between relevant stakeholders. Public-private partnerships also provide the mechanism to identify and apply available resources to meet the needs of Brownfields redevelopment efforts either broadly or site specific. By their nature, successful Brownfields public-private partnerships are closely linked to several other components of program sustainability - in particular, community involvement and state and federal program participation. Therefore, initiating such partnerships as early in the process as possible recognizing the characteristics of the particular Brownfields situation - can contribute to the achievement of other critical components and provide the framework that addresses the barriers associated with implementing the local brownfields initiative. Most important, these partnerships will ensure that the interests and concerns of the involved stakeholders will be identified - and ultimately met. Therefore, they must be supported at the local, state and federal levels.

ISSUES

Defining and launching "public-private partnerships". A successful and sustainable brownfields redevelopment effort within a community will involve a variety of stakeholders, who have specific interests and capabilities which contribute to the program achievements. The stakeholders in a brownfields context include bankers, elected officials, investors, developers, private business owners, lawyers, environmental professionals, local agency staff and private practitioners in several areas (such as economic development, engineering, or technology services), insurance providers, state and federal government officials, community representatives, and university experts - basically, anyone with an interest in reviving a distressed area. In addition, groups of these stakeholders such as community development organizations, chambers of commerce, or business councils - can contribute to the process. For example, the New Jersey Coordinating Council provides community representatives with assistance on local plans. Such broader partnerships, however, need teeth to be more effective - they need adequate funding and technical resources to operate.
It was clear from the site visits and the discussions at the "life after" conference that Brownfields redevelopment partnerships must both be pursued according to the particular local situation and also supported by the state and federal government. Partnerships are important because they foster communications and build bridges between the relevant stakeholders. They assure a cooperative effort that can provide an effective mechanism for achieving other critical strategic redevelopment components.

Initiating such partnerships as early in the Brownfields reuse process as possible is a valuable step to the successful completion of a project or strategic plan. They are critical to the successful development of trust among the various players. Public-private partnerships can help in the establishment of priorities, especially for committing financial resources made available through a stronger federal and state role. They can also identify ways to streamline the reuse process, and provide an opportunity for positive connections between private and public sector resources that can serve as incentives for redevelopment.

Accordingly, an initial step in redevelopment should include the identification of the potentially involved stakeholders and the projected timing for their respective involvement. This step would be facilitated by the recognition of a vision for the property under consideration and an understanding of various stakeholder goals. To this end, a "core group" should be established - which will probably change as the redevelopment process proceeds. The core group, once convened, should receive appropriate training in the various aspects of redevelopment and environmental remediation. The development of the training program should be guided by what the core group deems useful and necessary for them to serve their role. Establishing a core group will enhance early outreach planning, and help the various partners identify potential barriers to site reuse and timing requirements, as well as establishing the framework and support that encourages "team" work - the ultimate structure of the partnership in the longer term.

Partnerships can be developed at different levels, between different stakeholders (as indicated earlier), and according to the specific redevelopment strategy (such as site specific, neighborhood-wide, or city-wide), by anticipated barriers, different agendas, marketability, financial requirements, environmental concerns, etc. Furthermore, such partnerships can change as the redevelopment strategy proceeds forward. New stakeholders, as they are added to the team, should be educated quickly to avoid delays.

The "life after" team identified several characteristics of public-private partnership efforts that could contribute to program sustainability.
Partnerships that are site specific (i.e., between government, developers, lenders and community groups) can be the framework to develop trust, as well as focus financial and technical resources and eliminate regulatory barriers and inconsistencies.

Partnerships that can lead to cooperative efforts, ones that define local revitalization plans both city-wide and by neighborhood. In this regard, the involvement of the community is critically important.

Partnerships that provide stronger financial support with less stringent requirements; in other words, partnerships that help link resources to Brownfields sites in ways that do not penalize them because of the presence or perception of contamination.

Partnerships that are programmatic (i.e., between government) should try to identify the need for regulatory change and facilitate the timely resolution of broad regulatory policy issues that impede redevelopment.

For example, partnerships can effect a framework that treats Brownfields sites not as superfund sites but as properties where the focus of reuse is more toward the integration of economic redevelopment with environmental protection. In particular, such relationships can establish new directions in the regulatory process that support Brownfields in a consistent way at all levels of government.

**Determining how partnerships benefit marginal value site reuse efforts.**
Partnerships may be particularly useful for marginal market sites where cooperation and collaboration between government and developers or lenders can "level the playing field" by facilitating:

- The timely up-front determination of environmental issues, i.e., cleanup strategies and cost (this may require that municipalities have capability in-house or consultant support to conduct site assessment and/or cleanup for cost-clarified and/or shovel ready sites);

- A mix and match of various approaches and resources that integrate both redevelopment and environmental requirements; and

- An early definition of regulatory requirements and process uncertainties.
**Identifying alternatives to enforcement.** The overall regulatory and liability process mandated by federal Superfund and state laws can be a barrier to Brownfields redevelopment. The federal EPA Superfund process is slow, inflexible, and generally perceived as not in tandem with the Brownfields program - in fact, it is considered a barrier to redevelopment. State programs are similarly problematic but progress is being made. For example, pilot experience in cities like Rome suggests that state enforcement tools can help public-private partnerships stay together and focused. In this regard, partnerships can be an alternative to enforcement, which is considered time consuming and costly.

**Articulating a community role in partnerships and sustainable development.** The frequently stated community interest and concern in short- and long-term Brownfield reuse issues highlights the importance of revitalization in changing the conditions within the local community (to generate new jobs, a stronger tax base, and an improved environment). It also accentuates the benefit of government agency partnerships with communities. Such partnerships provide opportunity to develop shared community vision, site specific community involvement, and an opportunity for addressing redevelopment in the context of quality of life and social well-being. In particular, such partnerships can lead to the development of an integrated and consistent development agenda, infrastructure planning, or use of financing capabilities and the identification of project specific joint ventures.

**Recognizing the range of responses for instituting partnerships.** It is important to recognize that there are different levels of partnerships and "appropriate times" to initiate partnerships based upon the particular community situation. However, experiences captured by this project and from other sources indicate that early planning that includes outreach to various stakeholders can be an excellent step toward strategically defining the need for and timing of those partnerships needed for a sustainable redevelopment program. For example, the Rochester pilot experience suggested that public-private partnerships were vital to establishing their revolving loan fund and up-front definitions of environmental issues.

**LESSONS LEARNED**

Overall, the site visits and conference discussions showed the "life after" team that partnerships such as university with community, and/or local state, federal government municipal with financial/development community municipality with regulatory agencies, owners and potentially liable parties, state and/or federal agencies with municipalities, owners, developers lenders and municipalities can
address critical barriers to Brownfields redevelopment, such as regulatory process uncertainty, liability, cost of environment cleanup, and lack of redevelopment financing. Some of the specific lessons include the following.

The strategy for carrying out public-private partnerships will be affected by the size of the municipality, magnitude of the redevelopment program (including the available inventory of Brownfields sites), and local leadership and commitment. Large municipalities should consider a wide spectrum of options that cover both program and site specific issues. Moderately sized municipalities - depending on their inventory of sites and anticipated level of activity - could effectively use partnerships through standing committee or project specific groups. Small municipalities would probably benefit by a core group that would be expanded as needed. In all situations, though, leadership and commitment are critical. Larger municipalities will require a higher level of leadership to ensure consistency in outreach, full participation in decision-making, and accountability. Such leadership could be at the mayoral level or at high levels of the city administration, such as at the division director level. Designation of a Brownfields coordinator, who has been given sufficient authority to act, can be an important action. Moderate-sized to small municipalities could rely on a suitably empowered Brownfields coordinator to provide the leadership needed for partnerships.

Implementation of partnerships can be achieved through a strategy that may, based upon the specific community situation, include the following components.

**Define program-based partnerships.** Critical barriers related to regulatory process, redevelopment financing and liability may need redirection or change at the policy or procedural level. Therefore, the municipal redevelopment program should, based upon its experience, define the need and relationship between government and other players on the local Brownfields scene that can address these barriers in a timely manner and ultimately avoid site-specific delay or impediments. These relationships, promoted through local, state and federal government partnerships, can deal with the broad regulatory issues and establish consistency between all levels of government. The initiative should be made at the local level.

**Work within the existing municipal administrative infrastructure.** Efforts to promote stakeholder partnerships must recognize and be responsive to the premise that they are cooperative, multi-disciplinary, and require a proactive effort. Therefore, the municipality should establish by policy and/or procedure the mechanisms for establishing and supporting partnerships on a timely basis. Such a policy could establish as a municipal goal partnerships that achieve the broadest participating structure that meets the municipality's Brownfields agenda.
**Identify the local elements that lead to successful partnerships.**
Communities need to decide what elements will contribute to successful partnerships, those that provide positive impact on the municipality's sustainable program. In particular, this includes the development of other critical sustainability components; this will not only require early planning but also effective outreach. In this regard, the goal of such outreach should be:

- **educational** - ensuring that the various stakeholders who may ultimately be part of the partnership are adequately informed and involved in the overall municipal redevelopment program.

  This includes participation in determining a community's vision, priorities, institutional framework, assistance available, issues, barriers, and so forth. It will require thoughtful planning that meets stakeholder needs that may be different, and local commitment of resources. The critical components relating to community involvement and federal and state program participation are particularly relevant.

- **building of trust** - the municipality, regardless of size should develop relationships with its various stakeholder groups to ensure interactive dialogue, responsiveness and accountability to lead to the building of trust.

  This will facilitate the establishment and implementation of partnerships when needed, and should also help promote the advancement of the local sustainable program - either broadly based or project-specific.

**Build and carry out sustainable partnerships.** Interactive dialogue and the building of trust is a critical need for the sustainable program. Experience suggests that either a formal or informal structure can achieve this building of relationships between the appropriate stakeholders. The selection of the structure best suited for the municipal program can be site-specific or programmatic. The successful application of the other components will also contribute to the selection of the best structure. Therefore, the municipality should establish its mechanism as early as practical. There are several potentially viable methods that can help institute the right partnerships.

- **informed collaborative relationships** - municipalities, no matter what their size, should strive to develop and maintain relationships with stakeholders who are or may eventually be involved in revitalization.
This involves strong program outreach and, as discussed in the community involvement section, a strategy that leads to frequent contact with political leadership and key municipal officials; it must also encourage stakeholder interaction. In the case of large municipalities, this may also require the designation of a key contact (such as a Brownfields coordinator) who can be accessible, responsive, and proactive in advancing collaboration.

- **institutional stakeholder groups** - the municipality should, based upon the anticipated scope of its redevelopment program, establish a standing organization that can serve as an advisory board or steering committee.

The steps that should be considered in forming this type of stakeholder groups include: (a) defining its purpose (through guidance and advice on public policy), as well as an approach to program evaluation, needs definition, and creative solutions; (b) identifying group representation and potential leadership; (c) initiating formation of the group and providing appropriate resources to allow it to operate; and (d) institutionalizing the organization through appropriate local action.

- **task forces** - such groups representing the range of stakeholders can help identify issues and potential solutions and develop useful materials for the overall program.

As an example of the latter, a task force in Buffalo designed a step-by-step instruction booklet for use by Brownfields developers. In general, the size of the task force will be dependent on the issue and specific local situation, especially the number of stakeholders involved. This decision should be strategically made and should receive careful consideration, with roles, responsibilities and expectations/outputs clearly defined early in the process. These areas should be re-evaluated as the program matures into sustainability. In this regard, the stakeholder membership might also vary with the nature of the program B recognizing that time and resources will be needed to educate new participants in the process. To this end, is important to minimize the number of AJohnny-come-lately\(\equiv\) stakeholders who will need to be brought up to speed.

- **advisory boards** B boards representing a council of professionals can be formed to provide advice and guidance to the municipality on those major aspects of the redevelopment program.

For example, the Trenton pilot formed the ABrownfields Environmental Solutions for Trenton\(\equiv\) (BEST) advisory council to examine public policy issues and
changes, review city products, and provide guidance on an action plan for future redevelopment in the city. BEST included representatives from New Jersey DEP, federal EPA, city and county officials, academia, environmental engineering firms, financial institutions, non-profit organizations, local residents, and business owners.

- **working groups** - can be used to conduct specific activities associated with individual sites and programmatic issues or requirements.

The working group in Rochester was involved in ranking sites for their potential investigation and planning (based upon redevelopment opportunities), providing guidance on specific parcel selection, and participating in the community involvement effort.

- **steering committees** - can be used to oversee the performance of the program in terms of defined measures.

Steering committees can evaluate proposals, review progress, and organize subcommittees to address specific and technical programs needs. The city of Newark, for example, formed a Steering Committee to translate pilot objectives into measurable performance parameters. Subcommittees were formed to address legislative, technical and community involvement activities. Committee members included city engineering and development officials, the Newark Economic Development Corporation, the Regional Plan Association, Greater Newark Conservancy, academia, and private business and community organizations.

When successfully developed and used as a cooperative, multi-disciplinary and proactive effort, public-private partnerships can significantly contribute to the successful establishment of the other components discussed throughout this Alife after analysis. As the research team has discovered, several aspects of the impact that partnerships can have on these other components are:

- providing an effective forum for stakeholders, to help develop the vision that is critical to a sustainable program;

- contributing to the development of measures of success and accountability, both of which are important to community involvement;

- improving government cooperation and interrelationships that can optimize the availability of federal and state assistance through an integrated approach advanced by the partnership;
• involving stakeholders to implement institutionalization requirements such as formal business plans, comprehensive masterplans, etc.

In addition, partnerships are important to incentives. They can place the proper emphasis on the economic significance of Brownfields redevelopment to the local community, and help to level the playing field especially for marginally viable sites by identifying and focusing available resources. Those partnerships that enhance federal and state program participation will provide additional benefits, such as strategies for liability relief, coordinated education and outreach, integrated assistance for problem resolution and technical assistance) and the promotion of successful approaches. Partnerships can be used in the development of a detailed strategy needed to guide stakeholder involvement.
INSTITUTIONALIZATION OF BROWNFIELDS STRATEGIES

BACKGROUND/OVERVIEW

If Brownfields reuse processes are to be sustained within a community, then strategies to promote reuse must be institutionalized - Brownfields redevelopment must go beyond the one-time or ad hoc approach to become a real part of the ongoing local economic development process. Accordingly, the "life after" team discussed institutionalization with several maturing pilot cities, who identified five key components that supported the institutionalization of a brownfields program: (1) making brownfields part of the jurisdiction's routine way to doing business; (2) dedicating a staff person (or naming a point person) to support brownfields work; (3) articulating a policy (or formally codifying) that commits local officials to actively promoting Brownfields reuse; (4) responding to the state's or region's approach to Brownfields/greenfield tradeoffs; and (5) establishing an institutional controls strategy.

ISSUES

Institutionalizing the Brownfields process within local government organizations is an important step to take if communities want to be sure of success in developing a long-term approach to Brownfields development. It ensures sustainability and predictability, and provides a reliable framework and context for the use of redevelopment incentives that may be available. Both the seven pilot cities visited and others represented at the "life after" conference recognized that dealing with Brownfields could be easier and done more efficiently if the process was integrated into the normal business operation of the local government. Also, they believed the Brownfields program could run more smoothly, meet with less resistance, and accommodate more easily the potentially drastic impact of key personnel changes.

The pilot cities and conference participants identified a number of actions, which they believed were directly related to program sustainability. These actions include adopting local redevelopment laws that drive the Brownfields process and providing timely and accurate information for all directions of that process. In addition, communities must create - and stick to - a workable planning process, which includes business and economic planning. Finally, localities must involve the
public in a continuing way during the Brownfields reuse process, including cultivating and maintaining dedicated leaders and champions.

In short, to successfully sustain a Brownfields process, cities need to establish a routine way of responding to Brownfields issues. According to the pilot cities visited, such a routine involves characterizing the environmental aspects of a redevelopment project as just that, one of many factors necessary to complete a project. To achieve such an objective, Brownfields need to be assimilated into a city's overall redevelopment processes, with adequate legal authority to create and carry out policies that encourage Brownfields redevelopment. In addition, jurisdictions need to develop the necessary technical expertise to implement a Brownfields initiative. The pilots indicated that it could take from 2 to 5 years to normalize or institutionalize a Brownfields program within their municipal operating structure.

LESSONS LEARNED

**Laws are needed to foster redevelopment.** A legal infrastructure is needed to create and implement a successful Brownfields program. This includes a variety of elements, which may need to be enacted as local ordinances all of which fit into the legal framework.

- Codifying municipal development plans and procedures, and including necessary authorities within them (such as giving a local government the authority to take property when necessary for redevelopment);

- Providing sufficient levels of tax incentives, such as tax abatements, to encourage developers;

- Creating "environmental opportunity zones" - as New Jersey has done to target resources and incentives to contaminated areas with potential for redevelopment; and

- Responding to the fear of future liability, which at the local level will translate into indemnifications and similar tactics.

**Timely and accurate information can support institutionalization of the reuse process.** Clearly, the need to quickly get accurate information - data bases, GIS maps, etc. -to various stakeholders is critical. Specific pilot cities, and conference participants, raised the issue in several different ways. They identified a wide variety of informational needs, as noted below.
• linkages between federal, state, and local programs and the necessary approvals required to properly complete a Brownfields task;

• points of entry into the process, as well as how governments could provide one-stop-shopping;

• how to streamline the Brownfields process to make it quicker;

• how to give developers realistic time lines so they can plan appropriately manage their expectations;

• ways to simplify tax lien sales;

• how to designate a site as a Brownfields, and then move it into a specified process/pipeline - and how to make this clearly defined and understood.

One of the related Alessons learned to these is simply that no clear set of guidelines or solutions exists to respond to these concerns. Communities need to be able to function swiftly and address impediments quickly, so that a pattern of opportunities lost does not take hold.

Creating and adhering to a thoughtful planning process. Several sources described a staffing attitudinal factor that appears to be key to program institutionalization, one that can best be described as "getting out of the grant mode or approach." Clearly, many practitioners think that projects need an infusion of public and private dollars. Thus, they may need to move from a "grants mode" to something more akin to a developer's mentality or steward. This can be done in various ways.

• with a formal "business plan" for cities, that involves locating and working with the necessary players, authorities, funding sources, permitting authorities;

• through developing economic studies to demonstrate the potential for redevelopment this would require local governments to calculate their rates of return on an investment (such as abatements or local cash transfers) and compare it to the demonstrated jobs created, tax benefits, and other potential tradeoffs that communities have come to expect;
by refining their decision making strategies relative to privately owned sites; and

by fostering a greater recognition of the needs and opportunities of Brownfields revitalization in the local planning process.

From the vantage point of the conference participants, the planning focus tended to be on factors that would drive a specific project, rather than planning for an overall revitalization effort. It would appear that stakeholder involvement is even more significant when selecting projects. For example, Newark touts its neighborhood participation process. Major planning issues are developed on a city-wide basis. From there, many of the decisions are made at the neighborhood level, based on what the neighborhood perceives as solutions to its growth needs.

**Leadership is critical to encouraging process institutionalization.** Necessary leadership can come from a variety of sources within city government, including mayors, department heads, and Brownfields coordinators. In particular, a well-informed mayor can be an extremely zealous and effective advocate when properly advised by knowledgeable staff. Community leaders can also emerge to play a critical role.

Some of the pilot cities, during the site visits, pointed out that two types of expertise are needed to establish and maintain a successful program, which may require two persons - a program creator with a strong entrepreneurial spirit; and a program manager who will be less of a "rebel" and more of a decision-maker and implementer. In addition, a key premise of the link between leadership and institutionalization is that the leadership needs to transcend the individual; if the person leaves, then the Brownfields initiative runs the risk of losing much of its programmatic expertise, access to other departments, and momentum.

- Other issues related to leadership include the following:
  - complexities involved in convincing elected officials to adopt changes needed to institutionalize a program;
  - need for programmatic support in the form of "back-ups" or mentoring programs within institutions; and
  - acknowledgment that government is not always prepared to take advantage of expertise available.
Public involvement is critical to continuity. External, out-of-government institutionalization can play a significant role in Brownfields redevelopment. To this end, several issues were identified during site visits and subsequent discussions.

- Communities drive Brownfields redevelopment, and therefore need continuity at the "grassroots" level;

- Long-term sustainability requires "community" support; and

- Institutionalization requires engagement of all stakeholders over the long-term.

Across all of these issues and lessons, leadership still seems to be a key component for success, and the concepts of what leadership is in a Brownfields program context took various forms. In some situations, it could involve the ability to give sound answers quickly. In other cases, it might take the form of "one stop shopping" to meet Brownfields needs, or assigning a state environmental person to a community. Finally, the relationship between EPA, the states and the local governments is proving to be a significant structural factor that has to be normalized.
INCENTIVES

BACKGROUND/OVERVIEW

In nearly every community, different types of incentives play a role in determining whether or not Brownfields redevelopment projects are undertaken. In many places, Brownfields sites are - economically - at a competitive disadvantage compared to undeveloped greenfield locations, at least initially. The costs of site testing, remediation planning, and actual cleanup (not to mention increased project transaction costs related to contamination) can tip development choices toward greenfield sites that do not have to bear such expenses. Therefore, incentives - grants, loans or loan guarantees, financial or technical assistance services, or liability relief - are often needed to level the economic playing field for specific local projects, to make previously used sites as attractive for development as pristine sites. Moreover, to promote Brownfields program sustainability, local officials will need to determine what needs to be in place to enhance the prospects that the Brownfields initiative will continue beyond the term of EPA’s initial grant.

ISSUES

For communities, determining the best way to access and use incentives is a key issue. In general, the overall pursuit of incentives will be relatively consistent from city to city, although - reflecting the diversity of Brownfields themselves - different places will identify different types of incentives that seem best suited to local needs. For example, most communities will find that financial or technical assistance incentives will play an important role in achieving success. In other cases, cities may choose to focus on legal or regulatory incentives that bring certainty to businesses and investors, in terms of project implementation time and risk. Still others may use incentives to market renewed Brownfields properties, helping to establish their desirability.

Brownfields reuse strategies work best when communities can establish a "normalcy" apparent to prospective site purchasers, developers, and financiers that contributes to the comfort level needed to attract new users and investors to Brownfields sites. And incentives - financial, technical assistance, or procedural - can play an important role in that "normalcy." Incentive strategies can be broken into the following three broad categories.
Financial. Municipalities must be able to offer various types of direct financial assistance to promote site assessment, marketing, and other reuse-related activities. Clearly, local governments often need support from other levels of government - notably the states and federal agencies - to be able to offer these incentives, which may be critical to ensuring a sustainable Brownfields program. Many developers are seeking "shovel ready" sites that have already been tested for and cleaned of contamination - activities that usually cannot be done without public-sector investment. In addition, local officials should consider tax incentives that can be used to make sites more attractive to prospective developers; these, too, may be packaged from programs available from different levels of government. They include initiatives such as accelerated depreciation linked to Brownfields investment; corporate or personal income tax benefits for job-creating redevelopment activities; abatements or rebates tied to cleanup expenditures; and "environmental opportunity" and similar types of designated zones with incentives in place to spark private investment in Brownfields.

Technical assistance and information. Providing information - on site reuse issues, cleanup technologies, Brownfields financing issues, and public programs and regulations - is a critical strategy for any locality to pursue. Communities need, for example, clear and usable information on the "how-to" aspects of Brownfields reuse process and financing financial tools - such as manuals targeted both to local governments as well as prospective site developers and the companies (especially small businesses) that might locate on Brownfields sites. Communities can use this type of information to promote Brownfields program sustainability by clarifying what help is out there, how it can work in a Brownfields context, the types of situations for which it is best suited, and who is eligible for it. In other cases, municipalities can use federally sponsored programs such as Technical Outreach Services to Communities (TOSC) or Technical Assistance for Brownfields (TAB) to support their community involvement strategies. Cities - working with their states and federal EPA - can link developers and other prospective site reusers to information on innovative technologies, which can be instrumental in bringing project costs down to a level that site reuse is viable.

Procedural. Procedural incentives can be critical; particularly those available through a state VCP that help bring certainty and finality to the Brownfields redevelopment process. They are available from all levels of government, but often local officials must provide guidance on them and help package them. Some procedural incentives encourage current owners to move forward with cleanup and redevelopment. Others ease the process once that decision is made, such as site testing assistance or the availability of "one-stop shopping" for permits. Overall, procedural incentives can help maintain developer interest in Brownfields projects -
they can offer regulatory flexibility, liability relief, and a clear and conclusive oversight process. And in many communities, the availability of liability relief through a state VCP has made lenders more comfortable with the Brownfields redevelopment process, and more willing to lend on such projects. As part of this strategy, communities need to promote a single state point of contact and "rewards" such as a covenant-not-to-sue; these incentives can help streamline the Brownfields revitalization process and encourage program sustainability.

**LESSONS LEARNED**

As the "life after" team has discovered through its research, local officials can pursue a number of incentive strategies to meet key Brownfields needs. For example, a number of localities are pursuing process-oriented incentive strategies, such as:

- adopting zoning initiatives and capital improvements to increase the market value of Brownfields sites;
- targeting relevant program resources, such as public works and training initiatives, to activities and projects that further Brownfields reuse strategies;
- reviewing the programs and processes associated with portfolios of city-owned property, to see how Brownfields reuse can be stimulated within these operations; and
- promoting more cooperative relationships among city agencies that can play a part in Brownfields reuse projects, such as planning, economic development, public health, legal, and permitting offices.

In general, cities should pursue incentives that can enhance business - and market-friendly policies and procedures; to this end, certain types of tax incentives, loan and other capital investment programs, and suitable infrastructure can promote Brownfields reuse. In particular, some communities are launching initiatives that will make the reuse process simpler - believing that this will make Brownfields sites more competitive. Such a strategy will help reduce some of the cost uncertainties that deter Brownfields from becoming a part of the traditional real estate development process, which relies on carefully prescribed cost pro formas and predictable returns on investments.
A wide range of other strategies exists that cities can pursue to better allow incentives to be used to their maximum benefit. For example, cities can:

- facilitate a shared community vision to provide a common perspective on what should be done and common ideas on how to do it;
- play a direct, catalyst role in promoting effective use of incentives if they have the ability to offer or conduct Phase I and II assessments;
- link developers with services such as loan packaging, which drive down the amount of out-of-pocket resources needed to take on a Brownfields site, as well as serve as liaison between site reusers and financial institutions;
- promote site marketing, throughout various state, non-profit, and private organizations; and
- identify or offer funding for pre-development for innovative technology applications, like bioremediation.

The issue of incentives plays out in the context of numerous inter-relations between agencies at different levels of government, as well as different private-sector participants in the Brownfields reuse process. These locally-driven relationships can play out in different ways, depending on the level of government. Some are more prominent in smaller cities that lack staffing resources of their own to pursue Brownfields opportunities. For example, most cities - when developing their Brownfields revitalization strategies - point to liability relief as a key incentive; clearly, strong state voluntary cleanup programs and federal EPA support enhance the sustainability potential of their efforts. Similarly, communities rely strongly on their states to provide financing support for local efforts, and they need eligibility provisions and cleanup conditions that don't constrain program applicability. As cities work to develop and offer the right blend of incentives to meet local Brownfields project needs, they need to consider the interests of various neighborhood stakeholders, as well as links to developers and those who can provide remediation technology services. And key issues for federal agency partners revolve around strategies to better link federal incentives (such as HUD programs and the Brownfields expensing tax incentive) with state and local incentives.

Financing issues are universal in the Brownfields arena, and different cities have pointed out varying financing needs that they would like to see addressed. Most prominent of these are resources to cover the costs of site assessments and/or
cleanups. For example, within EPA Region 2, New Jersey cities are counting on the benefits pegged to the state's Environmental Opportunity Zone tax incentives, which can be used to offset cleanup costs. They also depend on state financing for remediation planning. New York communities can take advantage of the state's bond act resources and the role they are taking in Brownfields projects, although local officials have identified several problems with this incentive that undermine its usefulness - bond fund monies were not available for privately owned properties, and eligibility provisions and cleanup conditions constrain their applicability in many situations.

More broadly, every local government already uses a variety of financial assistance programs and incentives to promote economic development; like federal and state programs, local offerings can be more explicitly packaged and promoted for potential developers and lenders to use to clean and rehabilitate Brownfields sites. A growing number of cities are examining ways to do this; cities could think about incentive alternatives just now being discussed in some places, which include:

- earmarking water, sewer, and wastewater charges for Brownfields cleanup activities;
- earmarking some portion of grant, loan, or loan guarantee program funds to applicants proposing site characterization or cleanup projects;
- developing a municipal "linked deposit" program targeted to Brownfields borrowers;
- channeling some portion of loan repayments from existing city programs to Brownfields projects;
- devoting monies raised from fines or fees to a Brownfields financing or insurance pool; or
- using small amounts of public funds to "seed" a private, shared-risk financing pool devoted to Brownfields redevelopment.

Finally, other concerns are relevant to the issue of incentives. For example, local officials need to be cognizant of the traditional "but/for" measure of the merit of incentives (but for availability of the incentive, the desired activity would not go forward). Cities are discovering that cross-cutting environmental and economic development needs are bringing a new perspective to the "but/for" test. Such analyses need to emphasize incentives' economic significance to local communities.
(in terms of new jobs and business activity) as well as how they can assist in leveling the economic playing field of marginally viable sites and lead to needed environmental improvements. To this end, for example, local officials are considering incentives such as long-term institutional controls and publicly-supported insurance, which they see as playing a role in garnering maximum benefit from public/private partnerships aimed at Brownfields restoration. Similarly, community involvement discussions centering on barriers to such involvement pointed to the lack of resources to ensure community participation, and federal mandates for such involvement - again, concerns that influence the effectiveness of incentives. And, a growing number of local leaders are recognizing that a community visioning process could help define, work with, and build on different types of incentives to make Brownfields reuse more viable in their areas.
TECHNICAL EXPERTISE

BACKGROUND/OVERVIEW

Concerns about environmental contamination often create serious impediments to the redevelopment of properties. Dealing with these concerns requires the efforts of highly specialized environmental personnel who are able to direct and carry out a variety of activities aimed at alleviating both the perception and problems associated with the contamination. Without these experts, Brownfields program staff cannot manage the redevelopment of these sites. Unless necessary experts are accessible to the local Brownfields project team, it is unlikely that long-term Brownfields programs can continue to operate in a timely and cost-effective manner.

Buyers or sellers of previously used land may occasionally find that their properties are clean, even if they were suspected of being contaminated. Determining as quickly as possible that properties are clean is important. However, this rarely happens. Dealing with environmental contamination has become a significant part of urban property transactions, and this requires input from environmental specialists. So when the "life after" team began to consider what factors contribute to Brownfields pilot process sustainability, they quickly suggested that accessible, affordable technical expertise was an important component.

The term "technical expertise" - applied to redevelopment of previously used properties - can suggest knowledge and involvement of people from many diverse disciplines, such as policy development, planning, financial, legal, engineering, environmental, public affairs, economic development, and education. However, the team considered that most of these are already available in local government offices and function as part of the city's normal way of doing business. But it was the environmental part - unleashed by the Brownfields movement - that brought forward new issues which were much less understood.

Therefore, the "life after" team defined technical expertise in the narrower, environmental sense, as trained personnel who could plan, manage, coordinate, and carry out a number of different environmental activities. These include phase I and phase II site assessments and remedy selections. A phase I assessment identifies to the extent possible potential environmental conditions in connection with those properties. It is a screening process and includes a background and historical investigation and a preliminary inspection of a site. Phase II more fully completes...
the site assessment and includes actual sampling activities to identify the types and quantities of contaminants that need to be cleaned.

Following these assessments, site owners or prospective purchasers often focus their attention on understanding and explaining the assessment recommendations, and determine how to bring the site into suitable condition for redevelopment. This may require dealing with regulatory organizations either for voluntary cleanup actions, or for carrying out more extensive studies for delineating the extent of contamination, or even looking at the best cleanup options and their associated costs. These activities can be carried out by consultants or local Brownfields program staff. If consultants are used, the municipality will have to manage the entire contractual process from development of a scope of work, through drafting a request for proposal, proposal evaluation and award, and ending with contract oversight. Throughout this process, information and findings will have to be communicated to other municipal officials, county, state and federal regulators, prospective developers, lenders, and local residents.

ISSUES

As the "life after" project team met with the maturing Region II pilots, they became more and more convinced that Brownfields initiatives need to include technical experts familiar with environmental issues. A number of advantages come from having this expertise in the program. One of the major ones was the cost savings over time, and the fact that an environmental person would be more concerned about the "end points" of studies, cleanups and movement of properties in a timely way. Another advantage concerned "ownership" of the Brownfields program, and the credibility that this expertise brought to the local government organization engaged in Brownfields activities. Technical experts can also be helpful in explaining technical findings and plans - both inside government and outside to the community stakeholders.

Technical experts can also be an essential part of the management team, available for both site-specific as well as overall program development decision making, from the standpoint of environmental issues. Throughout the pilot site visits and the "life after" conference, considerable differences of opinion were expressed over whether these experts would be employees of the local government, or hired from outside consulting firms, and whether environmental tasks should be carried out with personnel from local government or from out-sourcing.
Representatives from larger cities tended to prefer direct in-house support rather than procuring resources from consulting firms. Smaller communities, with only a few Brownfields sites, or jurisdictions with no environmental personnel on staff may not find it effective to hire environmental experts and must bring in this talent in other cost-effective and strategic ways. The latter requires careful consideration on how to work effectively with consultants, and how to make good use of partnerships and free, available resources to carry out environmental activities.

Technical experts need to provide a number of important services, to help set the stage for a sustainable Brownfields effort within a community. These include:

- document preparation and packaging;
- RFP preparation and solicitation for environmental services;
- contractor oversight;
- review and interpretation of data and other findings;
- phase I and II environmental site assessment activities;
- remediation design;
- estimation of cost and time required to assess and remediate sites;
- identification of remediation technologies and their site-specific applications B including innovative assessment and remediation technologies and approaches;
- identification and knowledge of engineering and institutional controls; and
- delivery of presentations to the public on environmental matters.

Whether or not a community considers in-house technical services or outsourcing depends on the specific jurisdiction and situation, and needs to consider not only the size of the municipal organization but also on the age of its Brownfields program, in-house capabilities in other departments, numbers of brownfields sites, and overall reuse strategy. One pilot expressed success in gradually phasing in internal expertise over a period of time, relying less on consultants. Others had found success with complementary arrangements between in-house experts and
consultants, and found that they could work effectively in a balanced partnership. Many communities saw consultants as invaluable and found it useful to build a "stable" of consultants, overseen by in-house staff. They felt in certain situations that only consultants could bring the needed legitimacy to the environmental process.

Some communities saw the potential for leveraging other technical expertise. For example, the federal government, especially EPA, has resources that can help with many aspects of the redevelopment process. One example was that they could assist in developing scopes of work and RFP's which could bring out the best of the contractual effort. Pilot representatives from both New York and New Jersey noted the helpfulness of state DEC/DEP representatives in providing guidance on both technical matters and the regulatory process; state agencies also have proven useful in identifying funding opportunities for site assessment and remediation. State voluntary cleanup programs can also help access technical assistance.

The pilot representatives also cited a number of suggestions for meeting their technical needs in dealing with the environmental process. One is to have a list of pre-qualified consultants whom they could rely on for providing their technical work. No such mechanisms exist in either New York, New Jersey or Puerto Rico, although several other states such as Massachusetts and Connecticut have addressed this. Another suggestion was that the states provide the equivalent of a "circuit rider" to go around and provide assistance on technical issues. In addition to being another resource, this individual could transfer around the states information on "what works." In addition, communities would like better tools to screen and make quick assessments of sites in order to understand their potential for redevelopment and the priority for which they should be given attention. They noted the work being done by NJIT on the Expert System Development Model as having potential applicability in this regard.

One question that most Brownfields program officials have pondered is whether or not to obtain and maintain their own Geographic Information Systems (GIS), which can maintain technical information as part of the local property inventory. These systems are believed by many to be useful for mapping site related data, including overlays of environmental information. Consistent with the issue of internal versus outside technical personnel, the choice for having directly owned and operated GIS seems locality dependent, with larger cities and counties preferring their own systems. Issues related to the viability of GIS for any given community include:
• need for a substantial commitment of dollar, time and availability of trained personnel to operate and use the system; and

• possible incrimination of parcels by labeling them as ABrownfields sites during the GIS process.

The potential for implementing GIS depends on the overall city interest for these types of applications and what they can yield, in terms of new insights and graphic pictures for managing and marketing Brownfields properties. GIS can also be helpful for showing available parcels, along with information on zoning, infrastructure, ownership, building codes, and tax information. Ideally it could be staffed by planning departments or other agencies, whose personnel could be trained on the environmental aspects. In other cases, bringing in contractors to build and maintain the system might be most cost effective and appropriate.

LESSONS LEARNED

To ensure sustainability, Brownfields programs need to include readily available environmental experts as part of their team. Clearly, having experts directly involved increases the effectiveness of the Brownfields initiative, in terms of both cost and timeliness. The program also gains more credibility with the direct involvement of these experts, both within government and with the public.

All communities should assess their level of technical expertise to assure that it is adequate to properly carry out present environmental activities as well as capable of supporting a long-term Brownfields revitalization process. In doing this, cities need to consider a number of factors:

• determine the present and anticipated size of your Brownfields process; are there a large number of sites, and will there continue to be a significant level of activity over the next 5 years? Cities need to compare the cost of supporting an internal staff person versus the cost of taking on contractual services for that function.

• evaluate the city’s experience using consultants; can the community retain a dedicated consultant who works well with the Brownfields team? What relationships exist with that consultant and the community?

• decide what works best for the city; one option is hiring internal personnel that can conduct the inventory, investigate sites, carry out sampling activities,
oversee remedial efforts, and communicate all of this information to the local community players.

- consider having these activities undertaken by consultants.

- assuring cost-effective, quality consulting services with better prepared requests for proposals, bidding documents and contracts, along with as well-managed oversight of projects and deliverables.

- consider innovative, cost-effective technologies for site assessment and remediation.

- in the case of internal hires, make sure that candidates have a broader technical interest and an ability to work with and communicate with many different stakeholders with varying backgrounds and professional disciplines.

In addition, technical expertise can be obtained by securing grants and loans available under the state and federal programs. One example is the Intergovernmental Personnel Agreement (IPA), which allows federal employees to be assigned to state or local government. Such an arrangement exists now where EPA Region II employees are working for specific cities in the region to promote Brownfields development. Government can also provide training opportunities to further develop technical, environmental staffing expertise and increase knowledge of state voluntary cleanup programs. In addition, both federal and state levels have designated site assessment teams and technical assistance centers to help cities and state governments address Brownfield sites.
STATE AND FEDERAL PROGRAM PARTICIPATION

BACKGROUND/OVERVIEW

Public-sector support is needed to overcome the inherent disadvantages of Brownfields sites - those tied to the costs and uncertainties of dealing with real or perceived contamination. Therefore, states and the federal government have targeted financial and technical assistance program resources to help jump-start local Brownfields initiatives. State and federal program participation has proven essential in many local Brownfields project situations; these efforts will need to continue if broader scale Brownfields reuse activity is to be sustained over time. Much of the federal support has been delivered through EPA's pilot program, although other federal agencies such as HUD and EDA now offer critical resources to local governments. In addition, the states of New Jersey and New York each have support programs in place.

While the nature and scope of state and federal financial and technical assistance varies, depending on the program, their common goal is making Brownfields reuse viable by helping to level the economic playing field between previously used Brownfields and new greenfield sites. The issue that both communities and their partners in other levels of government face now is this - how can the impacts of these initial program efforts be maximized, and what program changes are needed to better sustain the pilot process in the future?

ISSUES

Numerous issues surround state and federal programs and their role in local Brownfields revitalization strategies. These include differing views on the most suitable regulatory role for EPA in this process. Some communities feel that the Superfund law features a much needed "hammer" to bring responsible parties to the table and move the Brownfields redevelopment process along; others, in contrast, welcome the agency becoming more of a colleague in reuse, and less the "agency with the club." Still others would like greater EPA/state cooperation and coordination involving voluntary cleanup programs and related initiatives.

Officials in most cities agree that relationships with federal and state programs can play a critical role in advancing the scale of Brownfields reuse in their communities. Sites in many cities have taken advantage of one or more of these resources. Some cities have emphasized that federal program assistance can play an important role in terms of giving legitimacy to their Brownfields reuse efforts, from
the vantage point of potential private sector players. But numerous issues remain; in some cases, they are within the purview of local leaders, who must decide how they will address them. In other instances, federal or state agencies will need to initiate the changes, and then community officials will be able to get better use from state and federal programs. In both situations, resolving these issues will help streamline and institutionalize program use in a broader Brownfields context. At the federal level, these issues and relationships include the following.

- The technical assistance and support provided by the IPAs assigned to selected cities is proving to be quite valuable; some of these cities are concerned about what will happen when the IPA term of service expires.

- Several Brownfields pilot cities have mentioned that they are having administrative difficulties as they are planning to use EPA’s revolving loan fund resources, although these constraints largely result from the CERCLA statute and are beyond EPA’s control.

- Some EPA pilot cities feel that they are constrained because of the two-year time frame of the program, and would like EPA participation to extend for a longer period of time.

- Since no single federal program can take a Brownfields site through its full redevelopment cycle - from site assessment to final construction - the federal government needs to devise a more comprehensive approach to Brownfields financing, in order to speed the reuse process and help attract greater levels of private sector involvement to these projects.

- Cost issues exist related to specific federal program tools, such as the reimbursable services provided by the Army Corps of engineers, loan repayment and collateral issues with some HUD programs, etc.

- Some agencies, like SBA, could play a much greater role in promoting Brownfields reuse, but have not chosen to do so; they need to be brought into the Brownfields fold.

In addition, numerous cities and project reusers have emphasized that liability relief is a key activity that can support Brownfields redevelopment, by bringing more certainty to the lending community. Most communities have stated (or implied) that the sustainability potential of the Brownfields reuse process needs to include a strong and focused state program. From a state-level perspective, the nature and extent of public assistance in Region 2 is clearly defined by state lines.
In general, New Jersey cities were pleased with the array of state program resources available, as well as with the responsiveness of state agency representatives, although some stakeholders are concerned about the trade-off between taking general state financial assistance and being forced to take on perceived problems that other communities do not want, such as low-income housing. Other cities would like their states to be more up-front with the information they gather on Brownfields sites.

In the context of state programs, though, New York is not at the same level as New Jersey in some respects, and the issues being considered reflect this. While New York has established, through its bond act, one of the largest Brownfields financing pools in the country, most New York cities cited the limitations of the state bond fund resources. In particular, they noted that bond fund monies were not available for privately owned properties, and had eligibility provisions and cleanup conditions that constrained their applicability in many situations and limited their usefulness in promoting economic redevelopment projects.

In short, public support is critical to a sustainable Brownfields program, as numerous community participants emphasized. Virtually all cities feel that some type of ongoing federal and state presence will be needed in all pilot communities until the programs become better institutionalized in their host communities, and better recognized and accepted by local private sector partners in Brownfields redevelopment efforts.

LESSONS LEARNED

Federal and state-level programs play a key role in local efforts to promote Brownfields reuse, especially financing assistance. Therefore, to ensure their continuation, local officials must build on these efforts, and the extent to which local projects use tap federal and state program resources concurrent with other resources will only strengthen these efforts. Therefore, as part of their implementation strategies, local Brownfields reuse advocates must:

- ensure more widespread use of state voluntary clean-up programs (VCPs), and work to strengthen them and make them more responsive to local needs - including the types and conditions of liability relief they offer;

- tap into existing state and federal financial assistance programs, and work to make them better suited to meet the specific financing gaps that the private sector will not bridge (such as covering site assessment costs);
• coordinate and enhance education and outreach efforts - especially to affected communities and similar stakeholders - using state and federal technical assistance and informational resources; and

• promote success stories, to demonstrate the value of these initiatives;

At the federal level, local developers and community leaders can consider a variety of financial support programs already in place - revolving loan funds and cleanup assistance from EPA; CDBG, Section 108 loan guarantee, and EDI/BEDI money from HUD; specific project financing through a couple of EDA programs; and resources for specific types of projects or activities from agencies such as the Army Corps of Engineers, DOT, the National Park Service, and others. Virtually all communities welcome federal program assistance and view it as critical to their individual Brownfields revitalization efforts. Most see the financial, informational (in terms of regulations or guidance), and technical assistance support available from EPA and other federal agencies playing an important role in achieving success. At the state level, New York and New Jersey offer dozens of programs that might fit their Brownfields reuse approaches.

Local officials must remember, though, that they often will have to define their Brownfields project needs to fit the specific eligibility and award criteria of these programs. As they consider the role of federal and state programs in local Brownfields revitalization, they also must recognize that no single source of financing is likely to be able to take a site through its the full reuse cycle, from assessment to remediation to redevelopment.

Communities are mapping out a variety of strategies to link Brownfields projects with needed financial assistance; this is key to ongoing Brownfields program efforts. These include:

• flexible, up-front funding for site characterization, for both publicly and privately owned property;

• resources to leverage or supplement private efforts aimed at site remediation, or participation in a state VCP;

• funding for pre-development phase bio-remediation applications, as well as resources for necessary infrastructure upgrades to accommodate new types of uses for old Brownfields sites;
- funding for staff and computer resources to enhance Brownfields efforts, such as GIS personnel and financial advisers.

For these strategies to succeed, communities must work closely with their states - to help take sites through the VCP, to link site reusers and prospective purchasers with financial and technical assistance resources, and so forth. Accordingly, states need to focus their programs to provide more flexibility to meet diverse local needs, as well as make sure that they have adequate information resources at hand to allow community stakeholders and others to make informed decisions on Brownfields reuse. States also need to make sure that their financial tools are better suited to meeting Brownfields needs; common tools include TIF, tax abatements, environmentally related tax incentives (such as EOZs), and programs targeted to distressed areas.

Other strategies revolve around information - providing and sharing it. Some cities are working with their states to provide education and outreach about the Brownfields redevelopment process to stakeholders. Some community leaders work with organizations like community groups, colleges, and churches to facilitate periodic - often monthly - meetings of parties interested in Brownfields issues. In terms of financing concerns, more localities are embarking on strategies to make tools such as tax increment financing, tax abatements, or environmentally-related tax incentives more Brownfields friendly. Similarly, some are working to make programs aimed at distressed areas in general - like enterprise zone initiatives - more useful in Brownfields situations, both to existing owners as well as prospective new users.
RECOMMENDATIONS

In the end, how can a local Brownfields redevelopment initiative be sustained over time, to become a local process rather than a one-time project effort? Just as Brownfields issues and opportunities differ from place to place and depend on various factors, so too will the most appropriate strategies for program sustainability differ. Recognizing this, the "life after" study team would like to lay out the following recommendations, pegged to the categories of analysis already presented, based on their work and experience.

Community Vision

- Public authorities need to encourage development and ultimately embrace a vision statement that formalizes community Brownfields redevelopment needs. This may tie together a number of local government functions, such as zoning, land use planning, and targeted development areas.

- To make the vision best fit - and best work for - the community, local officials and residents need to determine whether it should be project specific, or area-wide in nature and scope.

- To sustain the Brownfields/community revitalization vision over time, local leaders will need to tie it to other related environmental and economic development goals; they will also need to link it to benefits and successes - such as jobs created and sites brought back to productive use.

- Communities will need to recognize that they may need outside assistance - such as professional facilitation - to tie the threads of need and opportunity into a complete vision. They also need to realize that resources may need to be earmarked to make this happen.

- Visions must be made strong enough - through ongoing outreach and consensus building - to make the transition from staff to staff and survive political change.

- Municipalities embarked on revitalization should convene a planning process that allows all involved and affected parties to develop a
community vision statement - one that is realistic, taking into account desires, possibilities, and constraints - which may be either city-wide or neighborhood specific. Communities must recognize that undertaking this effort will require significant commitment of both resources and expertise.

Community Involvement

- Community involvement in a Brownfields redevelopment must be approached as "not business as usual." It does require an approach as equally effective in securing benefits for various stakeholders, and involves a paradigm change in practices and attitudes. Community involvement is not just public entities "telling what is happening;" rather, it is extending horizons and engaging stakeholders in identifying concerns and designing strategies for resolving those concerns. It typically requires additional staff resources.

- Officials can not assume that stakeholder wants and needs are known. Proactive strategies are needed to bring their concerns and visions to light, and to move the various stakeholders towards consensus. In practice, effective strategies involve leg work; getting out, door-to-door, in the business, financial and residential communities is essential.

- Brownfields redevelopment project managers need to acknowledge that cookie cutter involvement structures do not work, and routine public hearings and comment periods do not suffice. They should really get to know the communities impacted by Brownfields and the associated stakeholder groups, so they are better able to promote meaningful community involvement approaches. Existing participation mechanisms may be used, but they will likely need to be expanded and adapted to fit the circumstances, particularly by bringing people from all stakeholder groups together early and frequently in the process.

- Project champions need to elicit, demand, and nurture the active support of as many key public officials as possible. Mayors and congressional representatives can be key players in facilitating and sustaining Brownfields redevelopment.

- Adequate staffing and resources to facilitate community involvement is critical, and cities and other interested parties must work to provide them.
States and federal agencies need to be flexible in allowing their program resources to be used for these purposes.

- Promote, celebrate, and publicize successes, even "little" ones. Get the word out; build interest, and keep it high by establishing good relationships with the news media, community-based outreach publications, and other information conveyors. This enhances Brownfields program staffs, ability to move from one project to the next.

- Target outreach and education strategies to local officials and the various stakeholders; this can be a critical component of successful community involvement practices. Efforts should be made to develop basic educational "modules" that can meet the needs of the local situation. Federal and state resources should be made available to provide educational opportunities in an efficient manner.

- Policy makers should make an effort at selected Brownfields pilot communities (perhaps at three to six that represent small, medium, and large sized municipalities) to develop criteria or indicators for measuring success in the Brownfields reuse process.

**Public-Private Partnerships**

- Municipalities should adopt policies that promote the formation of cooperative, multi-disciplinary stakeholder partnerships.

- Model education and training curricula should be developed for municipalities to use with a variety of potential redevelopment partners, since it can prove vital for capacity building and effective involvement. These efforts could build on EPA's funded Technical Assistance for Brownfields (TAB) program; other resources should be considered. Innovative ways to deliver such training should be explored and developed, such as through universities, community colleges, and the Internet.

- All parties interested in Brownfields reuse should work to identify the local elements that lead to successful partnerships - especially those that lead to greater understanding of, and trust in, the reuse process.
• Workable public-private partnership should be enhanced by working with current owners, local lenders and developers, community organizations, local agencies, and existing trade and professional groups to show each how they can benefit from Brownfields redevelopment - and in ways that matter from them (ranging from increased profits to cleaned up nuisance sites).

• Cities and community organizations should help determine how partnerships can benefit marginal value sites, helping to level the playing field by promoting creative use of incentives - including new tools such as institutional controls and environmental insurance - and alternatives to enforcement, such as voluntary cleanup program processes.

• Encourage specific training and promote the use of services and expertise such as facilitation, negotiation and conflict resolution. These can greatly enhance the public-private partnership process because they can provide a way to work through actual or perceived differences. This is especially important early in the partnership effort, since the players involved will include a variety of stakeholders with different perceptions, goals and objectives.

• Structure public-private partnerships to use private-sector expertise and advantages to enhance the community role in redevelopment. Such partnerships should be encouraged (and linked) through federal, state and local programs.

**Incentives**

• Municipalities must develop a suite of incentives specific to their characteristics and situation, to encourage program sustainability. They should explore several types of incentive - financial, legal/regulatory and technical assistance. In addition, these incentive programs must be institutionalized to maximize their impact on redevelopment opportunities.

• Federal and state government should consider innovative ways to provide procedural incentives such as tax or liability relief, one-stop shopping for permits and regulatory flexibility.
• Federal and state government should undertake initiatives that better link available incentives and enhance the identification of new ways to encourage redevelopment.

• State government should continue to provide financial support for Brownfields activities, and make necessary adjustments to existing programs to make them more eligible to a wider audience of potential Brownfields redevelopers.

**Brownfields Strategy/Program Institutionalization**

• Since integration of urban redevelopment program and environmental law is critical to a sustainable program, existing federal and state law should expeditiously be reviewed in the context of local efforts and appropriate revisions made to support institutionalization. This includes authority and liability associated with property "take over"; tax incentives and abatements; environmental opportunity zones; and future liability.

• Municipalities must develop a suitable system for Brownfields information management and distribution, to better provide it to interested stakeholders. System policies and procedures must be integrated and consistent with the federal and state systems.

• Municipalities should prepare, as early in the process as possible, a formal Brownfields redevelopment business plan - and realize that stakeholder involvement, public-private partnerships and federal support are important contributors to the successful development of such a plan. Brownfields planning should be integrated this process as part of an overall community planning and economic development strategy, and consider factors such as economic rates of return, jobs, aesthetics, and other community benefits stemming from potential redevelopment activities.

• Congress, state legislatures, and local government should continue to develop innovative financial incentives that encourage long-term institutionalization of Brownfields redevelopment strategies.

• Municipalities need laws that provide a redevelopment infrastructure that prescribes how the Brownfields redevelopment process can be carried out within a locality. These include laws dealing with property acquisition,
permitting, tax and other incentives (such as environmental opportunity zones), and liability.

- Local entities should develop clear, accurate, and accessible systems of information about Brownfields sites and processes - including components such as mapping, information dissemination, one-stop shops, and information linkages.

- Sustainable Brownfields programs should recruit, develop, and maintain leadership, technical expertise and staff skilled in their own technical field, with knowledge of the specific community, and with some sense of how to improve the overall quality of life within the community.

**Technical Expertise**

- Municipalities must assess their level of technical expertise to assure that is adequate to properly carry out environmental activities and support a sustainable process. As they do so, local officials should consider factors such as size of the Brownfields problem (i.e. number of sites); reuse experience and on-going relationship with consultants; and the process for selecting quality consulting services appropriate to Brownfields scenarios.

- Local officials should consider the viability of a process that phases in internal staff as the Brownfields program expands, and staff grows in Brownfields reuse knowledge, training and experience. This would be a particularly useful approach for medium and large cities, with the staff capacity to dedicate to a Brownfields initiative.

- Municipalities should ensure that their governmental infrastructure makes available expertise in various agencies that can be tapped to support site revitalization; this is particularly relevant to inter-departmental agreements that govern development and maintenance of GIS.

- When local governments recruit environmental technical expertise and Brownfields program staff, they should seek candidates that have only technical interest, but also the ability to work and communicate with many different stakeholders having various backgrounds and from different professional disciplines.
As they package necessary technical resources, local governments and community organizations need to remember that technical expertise can be obtained through state and federal grants and loans that are available through environmental programs and other initiatives. In addition, Brownfields program practitioners should work to identify related efforts from federal agencies, states, and academia that can provide technical teams to carry out site assessments and provide technical review evaluation and advice to communities.

State and Federal Program Participation

- The federal and state long-term presence in redevelopment - critical to sustainability - should take a holistic approach that facilitates coordinated funding and technical assistance that allows projects to proceed from site assessment through remediation, and ultimately, redevelopment.

- Municipal sustainable redevelopment programs (pilots and non-pilots) should be provided education and outreach to build local capacity among the various stakeholders. EPA's outreach efforts could focus on facilitating problem resolution, providing sufficient funding and technical assistance.

- EPA - working through the federal Brownfields National Partnership and regional efforts - should encourage and support other federal agencies in their efforts to make their financial and technical assistance programs more applicable to Brownfields situations.

- EPA and the states should build on their initial foundation of cooperation and further strengthen their cooperation and coordination relative to Brownfields activities; in particular, these efforts should focus on voluntary cleanup programs, education and outreach, liability relief, financial assistance and information transfer, especially success stories.

- EPA should consider expanding its use of IPAs to assist and support the development of sustainable Brownfields programs; cities that define an "exit strategy" for federal resources as they build a sustainable program should be rewarded with extended IPA support.

- Agencies like SBA - which could play a much greater role in promoting Brownfields reuse but have not done so to date - need to be brought into
the Brownfields partnership in a substantive way. Cities, states, and other federal agencies need to encourage their active participation.

- Strategies that promote better information access and sharing should be cooperatively developed by EPA, the states and local agencies and organizations.

- Cities should explore establishing a communication link between their state agencies and local program by asking the state to assign a state environmental person (who would function like a federal IPA) to the city.
Life After the Grant: 
From Establishing a Brownfields 
To 
Developing a Long Term Program

Framing the issues for discussion

Issues

Community Vision

Involvement of Communities

Public/Private Partnerships

Incentives

Technical Expertise

Institutionalization of Program

Federal/state roles

Other

Life After the Grant is a joint project of the U.S. Environmental Protection Agency (EPA); New Jersey Institute of Technology (NJIT); The Northeast/Midwest Institute (NE/MW); and The Institute for Responsible Management (IRM)
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Stakeholders and coordinators from seven Brownfield Pilots informed these findings and helped the research team identify the key elements and issue areas that contribute to a pilot’s success and the establishment of an on-going brownfield program after the EPA grant term. Their frank discussion and the insights offered are greatly appreciated.

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Establishing a Brownfields Pilot to Developing a Long Term Program

Introduction

Environmental Protection Agency Region 2 which serves New York, New Jersey, Puerto Rico and the U.S. Virgin Islands currently supports 26 Brownfield Assessment Demonstration Pilots which are funded for a two-year period. While there is no one right way to implement a pilot and institute a brownfield redevelopment program, there are valuable lessons to be learned from all of these efforts.

The overarching goal of the ‘Life After the Grant’: Establishing a Brownfields Pilots to Developing a Long Term Program’ effort is to support the creation of sustainable brownfield redevelopment programs.

At the workshop, panels and breakout discussion sessions will explore:

- What makes a brownfield pilot work?
- What are the critical elements for successful redevelopment on a site specific and regional scale?
- What are the key steps needed to put these elements into place, and the sustain a continuing program?
- What critical issues effect implementation?
- What are the barriers to move beyond the pilot stage and implementing a long term brownfield redevelopment program? What assistance is needed?

The workshop is intended to allow new brownfield pilots to benefit from the experience of established pilots and will provide a forum for participants to learn from one another. The results should empower pilot management and brownfield program development efforts, as well as allow federal and state agencies greater understanding of local issues and how to better match resources to local brownfield reuse efforts.

As preparation for the workshop, a team was created to interview key pilot personnel and stakeholders from seven ‘older’ pilots in the region. The research team includes members from the New Jersey Institute of Technology, the Institute for Responsible Management, and the Northeast/Midwest Institute and Environmental Protection Agency Region 2. Interview findings suggest that there are seven broad issues areas that are critical for brownfield program:

- Community Vision
- Involvement of Communities
- Public/Private Partnership
- Incentives
- Technical Expertise
- Institutionalization of Program
- Federal/State roles

These issues are presented here for further discussion. We hope these research findings will provoke valuable discussion and new insights. The team will be producing a final report after the workshop.
Community Vision

Defining ‘community vision’

Community vision is defined as the existence of a shared vision of the brownfields task and potential at the municipal and community level. The visioning process allows all involved and affected parties to imagine the possibilities and grasp the relevance of the pilot’s brownfields program and work plan. A shared community vision is often achieved by leadership capable of convening a participatory planning process, articulating the vision and engendering a base of broad support and commitments. Achieving commitment from the full complement of political leadership and stakeholders in the pilot’s jurisdiction provides the cohesion and excitement about the program, which will sustain it through short-term changes in organization, tactics and specific focus. Community vision often serves to initiate, guide and maintain brownfield redevelopment efforts.

Findings

Examples: How visions emerge

- **Rochester:** although it initially struggled to find a vision broad enough to support a full program, as it expanded beyond a concentration on a revolving loan fund, this pilot’s leader and its supportive stakeholder network gathered strength and focus as the vision began to be fleshed out by two simultaneous events (1) the emotional force of neighborhood residents energized by their investigation of environmental practices by a local land owner that became the catalyst to action and spread a sense of resolute purpose across the community, (2) the city-wide impetus created when the Mayor’s neighborhood councils were enhanced by well-publicized municipal commitment rigorously to pursue issues raised by council members. In sum, a pilot’s struggle to establish itself got its legs from grass-roots energy (anger) and adoption by the city of a sustainable vision.

- **Buffalo:** a major visioning, planning, and public involvement occurred prior to pilot grant and established a strong early vision focused on the revitalization of the South Buffalo area. The vision was strongly supported by both the administration and extensive public participation. This shared support helped move localized brownfield success. The challenge is moving beyond the local to citywide. The vision, though still publicly supported by elected officials and department heads, needs wider public support, a continuing flow of new projects and an administrative structure committed to convening a city wide vision and bringing it to fruition.

- **Camden:** though it moved slowly at first and searched for a vision amidst a sense of blight, within and outside government, the pilot began to take off when it aligned its focus and activity with the visions being persistently pursued by community leaders who had identified a future of cleanup and reuse for specific abandoned properties in a single Camden neighborhood. In this case, the vision was driven by the community, and then adopted by the pilot leadership, and given strength and resources by the new mayor and his team. It is likely that the community leadership will continue to sustain the vision for the specific area but it is unclear at the moment how the specific local neighborhood focus can be broadened to affect the whole community.
Lessons:

- **the role of community vision in Brownfields Pilots**

  Pilots illustrate that the source and breadth of a brownfields community vision differs and will likely be catalyzed by particular charismatic people who energize specific initiatives or by organizational coalitions that embody the community-wide vision. Our Pilot’s indicate that community vision often serves to initiate, guide and maintain brownfield redevelopment efforts.

- **community vision and sustainable development**

  It is hard to build a sustainable vision, which is sufficiently concrete to galvanize commitment unless it is exampled by a redevelopment success, which can take a long, sometimes a very long, time. Site specific or neighborhood vision may not engender a sustainable regional vision. The challenge lays in enabling a local vision to inform a broader vision, which promotes sustainable development. It is a complicated task to broaden to a full community a vision, which was initially narrowly focused on a single project or neighborhood since the coalitions needed to sustain a broad, city-wide, or regional vision may not spring readily from the local focus. A community vision should reflect both local and regional elements. Similarly, we have found that the pilot work plan will typically begin with one focus and evolve toward the other. Efforts to include both site-specific and city or county-wide elements are needed if the vision is to guide a long-term sustainable brownfield redevelopment program.
Involvement of the Community

- Communication plan and outreach strategies in place and proactive
- Active and effective stakeholder involvement – private and public sectors neighborhood
- Collaborative efforts with affected stakeholder groups

Effective, sustained brownfields redevelopment requires more stakeholder coordination and involvement than the typical “greenfields” real estate transaction efforts. One of the most potent methods for overcoming common barriers to brownfield redevelopment is community involvement. Active stakeholder coordination and involvement has proved to address barriers such as fears of uncertainty of land owners and future land users, the reluctance of assuming higher levels of risk associated with contaminated land by lenders, the isolation or lack of interests in revitalizing areas fraught with neglect, the lack of immediately identifiable resources for revitalization purposes, and the distrust, hopelessness, and outrage felt by those living and working in brownfields areas. Stakeholder involvement is often how comprehensive programs begin and is what will sustain effort, utilize existing resources more efficiently, and generate new resources.

Defining ‘community involvement’

Involving the community means consciously designing a communication plan and construction outreach strategies that will bring in people, institutions, and organizations that are likely to be most affected by existing and future conditions, those who are needed to help bring about change, and those who have more indirect, but strong stake in the issues. The plans and strategies acquaint stakeholders with the complexities of brownfields revitalization, convey the importance of stakeholder support and involvement to success, and create and facilitate opportunities for meaningful and respectful involvement.

Categories of stakeholders typically include:

- local planning and economic development entities,
- county agencies,
- political/civic/business/religious leaders and groups
- developers and business owners,
- the lending community,
- technical and legal experts,
- environmental activists,
- state government
- academic institutions

Findings:

- a range of approaches to community involvement

All pilots indicated that stakeholder, or community involvement was extremely important, if not essential to successful brownfields redevelopment. However, the emphasis on
developing communication plans and strategies, and the breadth and depth of involvement of different stakeholders varied substantially among the pilots. For example:

**Trenton, NJ** designed an extensive community involvement strategy, selecting membership for its BEST Advisory Committee to represent a broad spectrum of stakeholders, involving them in pilot decision-making, and in addition, contracted with an established community organization, Isles, Inc. to conduct a neighborhood outreach program.

**Newark, NJ** focused on developing communication and outreach to the target area’s three predominant ethnic groups. Three non-profit community organizations were engaged to devise community involvement plan. However, integration of the three plans requires a strong central vision and drive, an element for which the pilot is striving.

**Rome, NY** considered its mandate to redevelop their target area, so strong that no broad advisory group was formed to guide the pilot activities. Residents in the immediate vicinity of the brownfields sites had been demanding city action for so long, and so many promises had been made by the city and by aspiring politicians, that the pilot, supported in its view by the city administration, is working to establish credibility by showing results before extensive involvement.

**Buffalo, NY** had conducted extensive community visioning in relation to its South Buffalo efforts, but limited its stakeholder involvement with other sites to a relatively small, business-oriented advisory group that worked with the city’s brownfields officials. It was difficult, they said, to define neighbors and other categories of stakeholders when sites were particularly isolated.

**Camden, NJ** stakeholder involvement is becoming more extensive through focus on a site where redevelopment planning is underway and where various categories of stakeholders are already involved.

**New York City, NY** has involved a wide range of stakeholders in its many task forces and committees, but has not yet moved to the concerns of immediately impacted neighborhoods. Of the local stakeholders, municipal departments and business/real estate interests were most heavily represented. It was rare that neighborhood leaders from brownfields-laden areas were active in the overall pilot steering groups. In almost all cases, however, pilots stepped up the involvement of neighborhood residents and business owners once a particular site was identified as a pilot target.

- **examples of beneficial partnership projects and activities**

  Collaboration among stakeholders has produced innovative projects and activities and address brownfield issues and streamline the investigation and reuse process. Examples include: assessment technology demonstration projects; Brownfields Redevelopment Guide, tie-ins to EPA corrective action resources, closer work with and modification of State permitting processes, increased networking among city departments, guidance and networking assistance through stakeholder colleagues, and increased community understanding.

**Lesson:**

- Pilots need to consciously push themselves to broaden stakeholder involvement. Old patterns of behavior, individual styles, comfort with dealing with people and
organizations that are familiar, heavy work burdens, political circumstances, desire for control of the situation, fear that old animosities will negatively impact new work – all work against the notion of opening up involvement.

- Knowing the stakeholder communities, early and actively recruiting representatives, attending those relationships, and creating a collaborative environment that enhances respect for each of the perspectives brought to the work, has expanded the capabilities of the pilots and their jurisdictions, and has built groundwork for future brownfields revitalization.

- Interaction among local stakeholders and municipal officials with the State and Federal environmental agencies will continue to be critical in conducting work, enhancing resources, and in shaping statutes, policies and practices affecting brownfields redevelopment.

- Pilots initially structured their stakeholder involvement strategy with “getting something started” in mind, rather than “keeping something going”. As pilots reviewed their circumstances and approach during the steering committee visits, a member noted a need to reassess what was needed at this time and toward future, sustained brownfields redevelopment.

- The degree of experience with brownfields work affected the structure of community involvement. For example, in cities where there had already been significant brownfields redevelopment, the financial community was thought to be less likely to avoid investing in redevelopment, and therefore outreach and recruitment of representatives of that stakeholder community was considered unnecessary. However, other pilots, regardless of degree of experience with brownfields, made certain that they involved leaders of all major stakeholder groups. A pilot fitting the former example may not be harmed by not including a particular, seasoned brownfields stakeholder group, but pilot adopting the latter example have benefited substantially from contacts, references, and clarification of that stakeholder group perspective and operating milieu in advancing brownfields redevelopment.

- In addition to educating and establishing working relationships with stakeholder groups, promotion of brownfields efforts – highlights of successes, references to who is involved – through the news media and through speaking engagements helps image building for current and future brownfields redevelopment.

- Stakeholders can keep the work moving and sustain interest and support for the effort, even in situations when the municipality cannot effectively or appropriately lead.

Notable omissions:
- Environmental justices issues did not appear to be a leading concern in the majority of pilots
- Stakeholders from the public health community rarely were associated with brownfields redevelopment efforts.
Public – Private Partnerships

Defining ‘public - private partnerships’

A successful and sustained brownfields redevelopment program will involve a variety of stakeholders. Stakeholders have specific interests and capabilities, which contribute to the program achievements. The stakeholders include bankers, lenders, developers, lawyers, environmental professional, local, state and federal government, community representatives, and the university. Partnerships can address the critical barriers to Brownfield redevelopment such as regulatory process uncertainty, liability, cost of environment cleanup and redevelopment financing.

Partnerships such as:

- university with community, and/or local, state, federal government
- municipal with financial/development and community
- municipality with regulatory agencies, owners and potentially liable parties,
- state and/or federal agencies with municipalities, owners, developers
- lenders and municipalities

Can address critical barriers to brownfield Redevelopment, such as:

- regulatory process uncertainty,
- liability,
- cost of environment
- redevelopment financing.

Findings:

Summary of ‘partnership’ insights and recommendations

Visits to the selected pilot projects provided useful insights about the importance of public-private partnerships in a sustainable redevelopment program. All pilots visited suggested that partnerships are viable. They must be pursued according to the particular situation and must be supported by the State and Federal government. The experience of the selected pilots further suggested that partnerships can be programmatic (i.e. between government) and site specific (i.e. between local government, developers, lenders and community groups). There was consensus that community participation, especially for neighborhood or area-wide planning and site specific actions, is critical. Public-Private Partnerships which reflect a team approach were recommended as essential to success. Several highlights include:

- **partnerships benefit marginal market value site reuse efforts**

Partnerships may be particularly useful for marginal market value sites where cooperation and collaboration between government and developers/lenders can facilitate:

1. timely up-front determination of environmental issues, i.e. cleanup strategies and cost (this may require that municipalities have capability in house or consultant support to conduct site assessment and/or cleanup for cost clarified and/or shovel ready sites)
2. a mix and match of various approaches and resources that integrate both redevelopment and environmental requirements, and
3. an early definition of regulatory requirements and process uncertainties.

- **alternative to enforcement**

  State enforcement tools can help keep public–private partnerships together and focused. In this regard, partnerships can be an alternative to enforcement which is considered time consuming and costly.

- **community role in partnerships and sustainable development**

  The frequently articulated community interest and concern in short and long-term brownfield reuse issues highlights the benefits of government agency partnerships with communities. Partnerships provide opportunity to develop shared community vision, site specific community involvement and an opportunity for addressing redevelopment in the context of quality of life and social well-being. Examples of methods include: Local ordinances can facilitate public–private agreements, city-county partnerships with community involvement can begin the process of eliminating urban (brownfield) and suburban (greenfield) conflict and guide the use of available resources and capabilities. In particular, such partnerships can lead to the development of an integrated/consistent development agenda infrastructure planning, use of financing capabilities and the identification of project specific joint ventures.

- **involve the entire development community**

  Lending institutions and organizations such as community development corporations, and industrial development corporations need to be involved in partnerships for sustainable brownfields redevelopment.

**Lessons:**

- Partnerships are vital to a sustainable Brownfields redevelopment program. Such partnerships link various stakeholders and should set the basis for cooperative team effort that can establish shared vision/objectives, guide the focus of resources, and ensure smooth compliance with regulatory requirements.
- Community involvement in partnerships can significantly contribute to community vision, neighborhood planning and the role redevelopment plays in quality of life issues.
- There has to be a commitment within government to support partnerships.
- Partnerships may be an effective tool to “level the playing field” between brownfields and greenfields.
Incentives

Defining the issue of ‘incentives’

In many places, Brownfield sites are – economically – at a competitive disadvantage compared to undeveloped greenfield locations. The costs of site testing, remediation planning, and actual cleanup (not to mention increased project transaction costs related to contamination) often tips development choices toward greenfield sites that don’t have to bear such expenses. Therefore, incentives – grants, loans, or loan guarantees, financial or technical assistance services, or liability relief – are often needed to level the economic playing field between previously used and pristine sites.

Range of responses/findings

- **why incentives are needed**

  Thematical, the pilot response to the issue of incentives was relatively consistent from city to city, although – reflecting the diversity of brownfields themselves – different places identified different types of incentives that they wanted or used. Several pilots, such as Rochester and Trenton, emphasized that businesses and investors needed certainty, in terms of time and risk, if brownfield reuse strategies are to continue and succeed. Most pilots state that financial, legal/regulatory, and technical assistance incentives played an important role in achieving success. Buffalo took this to the next step, explaining that an important local incentive was helping to establish the desirability of renewed brownfield sites by aggressively marketing such properties.

  Public funding is critical to a sustainable brownfield program, as Trenton emphasized. To this end, Trenton and Camden (among others) suggested that many developers are seeking “shovel ready” sites that have already been tested for and cleaned of contamination.

- **types of incentives identified and in use, and their advantages and shortcomings**

  Most pilots cited liability relief as a key incentive, and implied that stronger state voluntary cleanup programs and federal EPA support would enhance their efforts. Buffalo, among others, noted that liability relief has made area lenders more willing to support brownfield redevelopment projects.

  University, pilots emphasized that some type of financial incentive is key to ongoing brownfield program efforts. Different pilots pointed out paying financing needs that they would like to see addressed – primarily, help paying for site assessments and/or cleanups. Newark is counting on the appeal of New Jersey Environmental Opportunity Zone tax incentives, which can be used to offset cleanup costs. All New York pilots mentioned the state’s bond act resources and the role it is taking in brownfield projects. Several noted that the bond fund may be an important source of capital for brownfield reuse projects, although several problems with this incentive that undermined its usefulness were identified as well. In particular, they noted that bond fund monies were not available for privately owned properties, and had eligibility provisions and cleanup conditions that constrained applicability in many situations. Rochester also mentioned that these requirements, in practice made bond fund resources difficult for small municipalities or for small projects to use because of staff limitations and cost concerns.
A few pilots identified local incentives that they are pursuing – primarily process – oriented. For instance, New York City is considering zoning initiatives and capital improvements that will increase the market value of brownfield sites. As part of this effort, the city is examining its programs and processes associated with the portfolio of city-owned property to see how brownfield reuse can be stimulated within these operations. Rochester is working to streamline its brownfield reuse process by promoting more cooperative relationships among city agencies.

- **what needs to be in place to support suitable incentives**

In general, all pilots noted that business and market-friendly policies and procedures, such as tax incentives, utility incentives, and suitable infrastructure will help promote brownfield reuse. In particular, developers in Camden want incentives that make the reuse process simpler in order to make brownfield sites more competitive. Trenton officials, among others, have recognized that cost uncertainty prevents brownfields from becoming a part of the traditional real estate development process, which relies on carefully prescribed cost pro formas and predictable returns on investments. To this end, Rochester emphasized the importance of up-front assistance for site characterization for the success of brownfield programs.

Pilots also identified other things that – if they were in place – would better allow incentives to be used to their maximum benefit. For example, Camden mentioned a shared city or community vision, which can provide a common perspective on what should be done and common ideas on how to do it. Buffalo explained that cities can play a direct, catalyst role in promoting effective use of incentives if they have the capability to offer or conduct Phase I and II assessments. Cities can also link developers with services such as loan packaging, which help drive down the amount of out-of-pocket resources needed to take on a brownfield site, as well as serve as liaison between site reusers and financial institutions; Camden noted that cities can also promote site marketing. Buffalo stakeholders pointed out the advantage of innovative technology demonstration projects, such as funding for pre-development bio remediation technology applications.

**Lessons:**

In sum, conversations with all of the pilots indicated that some type of incentive – direct financial, regulatory, and/or technical assistance support – is critical if a brownfields program is to be developed and sustained. New Jersey and, to a lesser extent New York, have in place a number of incentives that can be applied to support brownfield investment and redevelopment. These incentives and their proven application are providing a good initial foundation on which to build an ongoing effort. While many incentives have been applied successfully, our pilot survey indicates they could be improved to make them even more applicable and responsive. Strengthened, easier to use or more flexible incentives would give local officials the tools they need to develop and sustain brownfields redevelopment programs.
Technical Expertise

Defining ‘technical expertise’

Technical expertise is being defined as having trained personnel to carry out Phase I and Phase II assessment (PA/SI’s) of properties, to interpret findings and advise on next steps, to coordinate with the state in voluntary cleanup program agreements and to manage the compilation of environmental information and data at sites.

Findings:

All pilots visited were interviewed on the importance of having available technical expertise in their brownfields programs. All pilots identified the capability to conduct Phase I and II site assessments as essential for carrying out municipal Brownfields programs. It still needs to be further defined as to the extent these are done by in-house personnel versus consultants. Rome clearly indicated their reliance on high quality consultants. Rochester and Trenton have developed in-house capabilities. In all cases, the need is for an in-house person who could, as a minimum, carefully manage the contractual process.

This in-house capability was also seen to be needed for understanding the findings of the phase I and II reports and advising the municipality as well as prospective developers on the next environmental steps to be taken for development of properties. This person would also be involved with the state in developing and implementing voluntary cleanup agreements for the municipal owned properties.

All pilots underlined the in-house need to develop an environmental data base around the inventoried Brownfields sites, although not all valued the use of GIS equally. One opinion was that it was more useful in larger cities. This was correlated with both New York City and Newark, having a high level of interest and involvement with implementing the system. Rochester, Rome and Trenton saw the use of GIS as less essential. At any rate, all recognized that GIS required a substantial commitment of dollars, time and availability of trained personnel. The pilots, especially in Newark, Buffalo and New York City used the pilot opportunity to adapt GIS to Brownfields but future support for this is unclear.

Lessons:

In summary, availability of technical expertise is seen to be critical for continuation of municipal level Brownfields programs. Municipalities need to plan for future support and optimize ratios of in-house versus contractual personnel. All municipalities need environmental expertise to manage the environmental assessment, remediation and voluntary cleanup agreements of municipal owned Brownfields properties. A better understanding needs to be had on the benefits of GIS and the means of supporting and training staff for future data base management.
Institutionalizing the Program

Defining ‘institutionalization’

Several pilots quickly associated the term “institutionalization” with creating a routine way of responding to Brownfields issues. This routine involves characterizing the environmental aspects of a redevelopment project as just that, one of many factors necessary to complete a project. To achieve institutionalization, brownfield redevelopment activities and processes need to be integrated into a city’s overall redevelopment process; the political subdivision would need to establish adequate legal authority; create policies that encourage Brownfields redevelopment; and develop the necessary technical expertise and capacity. The pilots indicated that it could take between 2 – 5 years to normalize or institutionalize brownfield redevelopment.

Findings

During the course of the ‘Life After the Pilot’ interviews with the Region 2 Brownfields Pilots, most Pilot leaders shared recommendation and opinions about how to best institutionalize brownfields redevelopment. This document summarizes how the Pilots are addressing institutionalizing brownfields redevelopment activities, as well as institutionalization trends and issue not raised during the discussions.

- **Leadership**

  Institutionalization often requires someone to take charge and be accountable. These individuals are ‘leaders.’ During interviews, leadership came from a variety of sources, including city government and the community. Internal leaders included city mayors, department heads, and Brownfields Coordinators. Some Pilot leaders have devised ways to work with all relevant departments and officials.

- **Expertise**

  There was a split among pilots about the principle sources and types of expertise\(^1\) needed to have a successful program. The base or lead office housing brownfield programs varies among Pilots, hence brownfield programs have found leadership in a variety of municipal offices. Some leaders performed their brownfields responsibilities from base in public works, planning, environmental protection, housing or economic development. While there was no clear consensus about which departments could most effectively lead and institutionalize Brownfields projects, many were located in economic development departments. Finally, some of the pilots made the point that an effective leader should not be confused with program institutionalization. If the person leaves, then the Pilot runs the risk of losing much of its programmatic expertise, access to other departments and momentum.

- **Institutionalizing community involvement**

  In the Pilot phase, institutionalization of community involvement was driven by the age

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\(^1\) There are a variety of experiences that pilots need including: financing, real estate, public works, site assessment and remediation and community relations and outreach to name just a few.
and experience of the community group, CDC or stakeholder group. One pilot hired a
community consultant to better ensure that the community understood the issues driving the
redevelopment of brownfields. Other Pilots relied on internal personnel to help institutionalize
stakeholders participation in the brownfield investigation and reuse process.

- **interagency partnerships**

  Pilot leaders indicated that state and regional agencies (authorities, county government
and state environmental and financing agencies) must also be incorporated into how a City
institutionalizes brownfields processes. These agencies directly impact on a City’s effectiveness.
Several pilots discussed the need to institutionalize a regional or state-wide greenfields strategy.

As long as developers received incentives for developing greenfields, it would be
difficult for a Brownfields community to compete for projects. In addition, state and regional
involvement in local projects can ensure better planning and garner support from some of the
highest levels of government.

- **appropriate decisions and control measures**

  Finally, institutionalization would enable local governments to establish appropriate
institutional controls. Institutional controls are typically legal controls intended to protect persons
from exposure to toxins. Institutional controls can be property controls (deed restrictions,
restrictive, covenants or easements), local government controls (zoning and building permits),
informational devices and consent orders.

**Notable omissions**

There was not a great deal of dialogue about strategic planning for institutionalization,
nor was there much discussion about formally developing the capacity of community
development organizations and neighborhood leaders that serve communities impacted by
brownfield sites.
State and Federal Program Participation

Defining the issue of State and Federal participation

Brownfields are at a competitive disadvantage compared to pristine property because of the costs and uncertainties of dealing with real or perceived contamination. Recognizing that public support is necessary to overcome the competitive disadvantage of brownfield sites, states and the federal government have targeted funding and technical assistance resources to help jump start local brownfield reuse initiatives.

Much of the federal support has been delivered through EPA’s Brownfield Assessment Demonstration Pilot program, although other federal agencies such as the Department of Housing and Urban Development (HUD) and the Economic Development Administration (EDA) are beginning to participate. The states of New Jersey and New York each have financial support programs in place. While the nature and scope of the state and federal assistance varies considerably, a common theme is helping to level the economic playing field between previously used brownfields and new greenfield sites. The issue that both communities and their partners in other levels of government face now is this – how can the impacts of these initial efforts be maximized, and what is needed to sustain the pilot process in the future?

Range of response/findings

- federal – level programs

In general, pilot communities welcomed federal program assistance and viewed it as critical to their individual brownfield revitalization efforts. Most felt that the financial, legal/regulatory, and technical assistance support available from EPA and other federal agencies played an important role in achieving success. Camden, in particular, cited the value of the EPA employee loaned to the city, and was concerned about what would happen when the term of service expired. Some pilots though, raised and few issues about certain aspects of federal support. For instance, a couple of pilots mentioned some of the administrative difficulties they face in using EPA’s revolving loan fund resources, although these constraints largely result from the CERCLA statute and are beyond EPA’s control. Newark mentioned the constraints of the two-year pilot time frame, suggesting that EPA remain involved for up to 5 years

- state – level programs

Pilot views of state program assistance were clearly defined by state lines. In general, New Jersey pilots were pleased with the array of state program resources available, with Newark feeling that the state has addressed the financing issues through Hazardous Waste Site Discharge Remediation Fund support and Economic Opportunity Zone incentives and other resources. As these incentives and resources are applied, the Pilots are identifying issues and forming constructive criticism. A Trenton Pilot stakeholder stated there is an overall improved regulatory climate for brownfields. Trenton would like brownfield site information to be more easily available from the state.

While New York has established, through its Bond Act, one of the largest brownfield financing pools in the country, most New York pilots cited the limitations of the state bond fund resources. In particular, Pilots noted that the Bond Act eligibility provisions and cleanup

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conditions have constrained the applicability these resources in many situations. Pilots expressed concern that bond fund monies are not available for privately owned properties. New York City has found the bond act requirements difficult, and have thus far found it to be of limited utility in promoting economic redevelopment projects. Rochester also mentioned that these requirements, in practice, made bond fund resources difficult for small municipalities or for small projects to use, because of staff limitations and cost concerns. New York City also emphasized that whether pilot efforts develop into an established brownfield program is dependent on a strong and focused state program.

Recommendations

- **liability clarification and relief**

Most pilots cited liability relief as a key federal activity that has supported brownfields by bringing more certainty to the lending community. Most of them also stated (or implied) that stronger state voluntary cleanup programs and federal EPA support would enhance their efforts.

- **role of EPA**

Rochester, in particular, outlined a comprehensive role for EPA that focused on the agency facilitation problem resolution, providing funding and technical assistance to community officials and residents, and promoting success stories. Other pilots echoed these views – for EPA as well as other agency partners. Interesting variation existed on the most suitable regulatory role for EPA in this process. Some Rochester stakeholders felt that the Superfund law provided a much needed “hammer to help bring responsible parties to the table and move the brownfield redevelopment process along”; Buffalo, in contrast, welcomed the agency becoming more of a colleague in reuse, and less the “agency with the club.” Several pilots mentioned greater EPA and state cooperation involving voluntary cleanup programs and other initiatives.

- **financing**

Finally, many of the pilots emphasized that some type of financial assistance is key to ongoing brownfield program efforts, and identified a variety of funding needs that they would like to see states or the federal government address. These include the following examples:

- Rochester mentioned flexible, up-front assistance for site characterization, for both publicly and privately owned property. Buffalo saw a need for continued assessment funding.

- Stakeholders in Buffalo would like to see funding for pre-development phase bio-remediation applications, as well as resources for necessary infrastructure upgrades to accommodate new types of uses for old brownfield sites.

- New York City stakeholders proposed federal funding for staff and computer resources that will support brownfield efforts, such as GIS personnel and financial advisers.

- Nearly all of the New York pilots want to see revisions in state law that would make existing resources easier to use, especially for investigation and cleanup
**Status of Superfund Reauthorization**

Unfortunately given the current budget climate and the lingering delays in reauthorizing Superfund new types of federal brownfield assistance are not likely to be forthcoming in the near term. More than two dozen bills were introduced in the 105th Congress that would have addressed some of the items on this “wish list”, but – with final adjournment only a couple of weeks away – no movement on any of them is likely.

**Lessons:**

Public funding is critical to a brownfield program, as Trenton emphasized. Discussions with all of the pilots indicated that some type of ongoing federal and state presence will be needed in all pilot communities until their programs become better institutionalized, until state and federal resources are more readily applicable to brownfields, and until brownfield reuse is more readily accepted by private sector partners.
Incentives; Fed/State Roles; Technical Expertise

Guidelines Flipchart:
- Term definition (define critical element refer to LAG handout)
- Key steps to putting into place
- Importance to Pilot
- How does element relate to sustaining and program?
- Barriers – during Pilot stage? Long term?
- Assistance/Needs relevant to element
- Recommendations for new pilots

Fed/State Role
What is the best form of interaction between state and pilot? NJ DEP case manager model has worked for Pilot.

Fed/State Recommendations
- Need flexibility from agencies
- Agencies need to help match themselves to local projects (less burden to recreate proj. for each funding source)
- Idea of Industrial Development Authority Revolving Loan Fund (IDAR.F.)
- Help Pilots identify rps
- Glen Cove NPL site is a roadblock – is there regional discretion? Trying to moderate the dual drivers of economic development and risk assessment. Need SF ombudsman to facilitate public health, ED, env., legal interests
- Need legislative reform
- Identify where EDA funded university support cents are and what they can offer BF Pilots
- State contact for Pilot/ city program critical

(see Remediation Funding Options under Incentives)

Incentives
Why is EPA so rigid?
Legislative authority is pre-remedial and site specific – need leg. Reform

Why the R.F. charade?
- forces localities to recreate themselves/waste time
- not at the point where we can convince private sector to borrow for clean-up

CERCLA restrictions on Pb, petroleum & USTs, and asbestos is problematic because these are common urban contaminants

Financing Assessments
- EPA
- States
- CDBG
Financing remediation

- Leverage/package sources:
  Fed: S108, HUD CDBG, BEDI
  EDA
  ACE
  EPA Tax incentive
  State: NY: DEC; NJ EOZ, NJEZ, NJ HWSDRF

“No one source will fully fund remediation”
EOZ noted as unappealing due to decrease in local tax return

City role in Remediation funding

- How do localities go after RPS?
- Sophisticated counsel
- EPA assist Pilots?

Technical Expertise

How to avoid reinventing the wheel?
- Need for tracking and documentation
- What works in context specific
- develop body of institutional knowledge and leave it there after pilot (also in new Pilots rec’s)
- in house or out-source depends on city

Examples:
- Trenton hired a consultant, then developed in house to read reports, evaluate quality, consultants not motivated to bring project to a close, long term money savings from in house
- Glen Cove works with consultants and recommends new Pilots look at experience w/public & private sector, and meeting timelines/how time lines meet project goals

Recommendations for new Pilots

- EDA capacity building/planning resources as preparation – BF program foundation
- utilize EDA sponsored universities
- develop a plan and support
- Comprehensive Planning and prioritized projects is critical
- express Bfs as priority
- municipal inversement (Pas)
  (see site assessment & remedial funding options section)
- use EPA $ to understand conditions identify cleanup cost based on reuse options
- resourceful – help deep pockets make more $ and benefit area at same time,
- identify/create market – labor skill match
- identify institutional and local area barriers
- Package development resources/incentives
- 3rd Ties sites/pocket poverty areas – CDBG and EDA $ can be targeted
- Document success, publicize track record
- team with developers, make developers feel comfortable
- establish mechanisms to ensure that body of technical knowledge is left with city after the Pilot
- long-term money savings from in house technical expertise
- on hiring consultants examine their experience w/public & private sector, meeting time lines, review reports for quality
- National Development Council courses
- Council on Urban Economic Development (CUED) (training/info. Resource)

**Wrap up**
Session participants included three new Pilots, and one older Pilot. Coordination of resources/linking programs and packaging resources; incorporating Bfs into overall development initiatives were identified as the priority/important elements. Financing, learning/sharing success stories/process, and working with banks were also identified as important.
Public/Private Partnerships

- there are different levels of partnerships; “appropriate” times to initiate partnerships; how and when do you look for partnerships?; (2)
- the name, “public/private,” brings baggage;
- key steps: build bridges; need to have a relatively informal “forum” for partners to meet early on (e.g., Newark’s task force); (3)
- potential barriers: getting too big? getting too formal? communication breakdown;
- Barrier: lack of trust → take a while to get through → “up-front” strategies needed; (4)
- Barrier: competing/different agendas for agencies (e.g., searching for same money);
- Barrier: “Johnny-come-lately” stakeholders → 2 steps forward 3 back because always having to bring “new” people up to speed;
- all of the critical elements interconnect → no one stands alone; (1)
- Key step: “reeducate” all the time is necessary; make sure you “publicize” meetings and public involvement opportunities (e.g., certified mail, videotape meetings, through meeting summaries, interactive staff);
- Partnerships → most important results coming out of pilots;
- Involve facilitators when possible to help move discussions and decisions along;
- Early partnerships are very important to long-term success; (1)
- A Key to long-term sustainable program is the need for an urban redevelopment program; (8)
- caution, brownfields are just part of the redevelopment answer; (3)
- environmental liability is only a small part of brownfields as a redevelopment tool;
- partnerships – different levels – the overall framework should include small companies;
- need private partners to get past “first base;”
- public –public and public – private partnerships are essential to long-term sustainability;
- partnership have a big economic impact to local communities (e.g., new jobs, taxes, etc.); (6)
- partnerships (public side) intended to “level playing field” of marginal sites.

Involvement of Communities

- now bringing communities to a higher “level of understanding” before was just “telling them” → benefits from educated public include support of projects; (6)
- different levels at different times;
- community involvement usually results in a better project for everyone including the developer; (1)
- brownfields give communities a voice in redevelopment efforts (“for the first time”); (4)
- Barrier: lack of resources for involvement:
- Barrier: timing of meetings (usually during the work day);
- Key Step: going out to the public (e.g., talking to citizen boards door-to-door); (1)
- Possible Key: smaller focused meetings with the public; (2)
• As with “Partnerships” → community involvement efforts should be initiated early and will resulting long term benefits:
  • First contact with public – education AND listen to concerns (begins to establish a relationship); (2)
  • Brownfields Grant Mandates → assessment and public participation:
    • large versus small communities → does it effect whether/how you do community involvement?
    • communities are “one” partner to participate in the forums or partnerships;
    • how to address competing “public community” representatives?
  • community education → different levels of understanding → have to involve in different ways. (3)

Community Vision

• what is “community vision?” what does it mean…planning, strategic vision of future?
• we are talking about a “shared” vision? (5)
• Vision → often driven by location and/or viability of site; (3)
• who’s involved? everyone? only “public?” developers (mixed experience); it depends;
• no one strategy or approach; (2)
• Long Branch → Visioning started by public – private partnership included local government;
• if you aim low, you’ll hit it; (2)
• outside consultant not there to give vision but rather to pull it out of the community; (4)
• example with Friends of the ______ River → developed papers called “Visions and Strategies” and now “Visions to Reality” → goal of the consultant was to “exceed clients expectations” or at least to “manage clients expectations” meaning need to keep it realistic;
• “community” is a limiting term -> can be anything/anybody but obviously community has to be involved;
• vision is very important to long-term sustainability → agreement breeds excitement…focus on quality of life. (6)

Institutionalization of Program

• examples where “relatively” small changes (e.g., staff leaving) resulted in stalled “pilots” that were previously going well → over reliance on one person → need broader support; (3)
• need to get the “institutions” behind the effort;
• “brownfields” – in essence inserting a “module” in the planning process → have to do a good job of instituting it in the traditional process; (2)
• internal education to institutionalize the program;
• have to set up “back-ups” or mentoring programs within institutions;
• conversely, do want to take advantage of expertise → have to balance the positives and negatives;
• get out of the “grant” mode approach (10)
  → longer term vision/process should be the emphasis
  → the community drives this and therefore need continuity at “grassroots” level;
• long-term sustainability → need “community” support; (1)
• institutionalization requires engagement of all players stakeholders over long-term; (4)
• “Business Plan” required → goes to interconnectedness of these “elements” → needs to be formalize (“institutionalize the institutions”) (7)
Technical Expertise

- what do you need? where do you get it?;
- whether “in-house” or contract, still need ability to interpret the data/findings within the agency (1);
- how information is packaged for the public is very important (2);
- expertise is critical but doesn’t have to be “local”…can be state or federal (7);
- but, “local” level does need enough expertise to talk to state/federal and express needs (2);
- need enough expertise to talk to state/fed and express needs (2);
- need enough expertise to do your RFP (3);
  - this is where you can use state/Fed expertise
  - also building “stable” of consultants (relationships)
- GIS why?, what reasons?
  - mapping
  - barrier – cost
  - benefits – mapping, infrastructure
- usefulness of GIS dependent on size of city (larger the more you can do…can be invaluable) (1);
- GIS is an invaluable tool → many departments can use (brownfields only part of the pie) … way to sell the tool is to package it with the uses of other departments;
- team with consultants to set up database, help with training (3);
- knowing what “contaminants” are on a site → what can you then do with the site (also depends on where it is located) (12);
- consultants should include different clean-up scenarios and include them in the RFP (4);
- Hudson County – 14 different communities – sets up a lot of difficult issues;
- Hudson County – developing a real estate database; concurrently (and related) also funding the brownfields projects → tying multiple goals/efforts together (2);
- GIS – different layers; different information at each level → multiple presentation opportunities (2);
- Hudson County – bout an “off the shelf” program with “limited, site-specific GIS” capabilities;
- long-term – want in house expertise to ensure/encourage a “sustainable” long term program (Trenton going this way) (4);
- Buffalo taking a difficult approach – all consulting but using Brownfield funding to hire an “interpreter” to help the local agency staff to understand and communicate to the public;
- Key Step – ability to explain information and what is going on (or is planned) to the public (10);
- Key Step – cannot rely on “consultants” they can help catalyze – but eventually has to be up to the in-house expertise; in essence these are joint-ventures; consultants can build staff capacity (3);
- conversely at any given time meeting may need “expert” consultant for “legitimacy” (1);
- in-house often more “cost–effective” → in long-term especially (1);
• need “team of people” to sustain a program (8);
• core expertise – document preparation “interpretation,” communication. Etc. – necessary at the beginning (2);

Federal/State Role

• State Brownfield legislation (different states have different approaches) (4);
• NY DEC behind NJ
  → no incentive to partner
  → cost sharing is a disincentive
  → municipality has to own property
• Federal/states – have prior environmental information that the locals can access (10);
• technical expertise!! → ”experts”
• gives legitimacy to partnerships
• $$$ (17);
• who is paying to clean-up? if pilot projects do the assessment then they should be given “points” to prioritize for future money for clean-up (2);
• how to get clean-up money from the feds (8);
• collectively the “pilots” have a strong voice → possibly to use at the state/federal legislature level (9);
• suggest that every 1–2 months representatives of all pilots meet to learn from each other, possibly to suggest legislative changes (8);
• “granting” agencies should assess what they want to accomplish and make changes as appropriate;
• in NJ → all you have to do is ask the state agency reps and they’re willing to assist

Incentives

• incentives for private landowners to test sites;
• relief of responsibility (tax foreclosure, condemnation) (11);
• educate landowner re: liability (1);
• redevelopment of urban areas → profitable → market value incentive;
• legislative incentives to keep greenspaces green (8);
• tax increment funding;
• revitalizing the entire area – quality of life; increasing value of surrounding lands (8);
• incentives – stop subsidizing greenfields development (2);
• has to be incentive for industry to come to places like “Camden/Trenton” -- need “shovel-ready” sites ===> municipalities do pre-remedial work (e.g., Rochester) (4);
• developers --> shying away from risk;
• No further Action letters with consent agreements saying no suing;
• constituency --> need “incentives” so they support the agency/municipality’s brownfield efforts;
• release of liability for municipality (e.g., NJ) – funds available for assessment and clean-up is an incentive for municipalities to take over abandoned sites (99);
• tax incentives to those coming in to clean-up (tax abatements, 75% of clean-up cost repaid) (4);
• communities need incentive to support the “vision” of the property (6);
• incentive for communities to de/revisit long-term plans;
• incentive -> lower cost, lower time of assessment, remediation => all by better technology (2);
• “quality of life” --> improving it in the neighborhood (1);
• incentive --> need one/some for the end-users as well? possibly give brownfield sites some of the same benefits afforded to enterprise zones (e.g., no sales tax for anyone buying the brownfield site) (9);
• NY offers a package of incentives such as job training, technical assistance, etc. for urban redevelopment???
• incentives to pool resources across agencies (2);
• develop “one-stop shopping” for permits, etc. at various governmental levels (7).

Overall Assessment of Themes

• consensus agreement on “critical” themes being “critical;
• add MONEY (finances, funding, etc.) as another theme;
• need to tie clean-up with redevelopment of site--> way to attract more money;
• decision-making processes/timing puts constraints on what can be done;
• real estate implications of sites needs to be recognized;
• need to show communities how they can benefit/take advantage of a redevelopment project
• integrate the environment and development process in realistic timing and with adequate funding.

Community Vision

Need good assessment tools to determine Community Vision, for example Community Polling [7 votes]

see Community Commonality

Determine who represents “the Community”; need those people, the respected leaders [11 votes]

use a visual representation – picture, to get message across

NYC started with existing Community Boards; was too unwieldy, took too long to reach agreement, too many people/groups; Forming Focused subgroups helped.

No “one voice” of Community; City needs to try to build consensus [7 votes]

Should City use existing groups or create new group for BF? [3 votes]

Professional Facilitation helps develop process and consensus; use Facilitators to work between groups and to train participants [1 votes]

County role should be to facilitate between its communities to help all reach consensus [6 votes]

Diversity key element; need diverse interests involved [9 votes]
Issue is how to incorporate community vision with municipal vision when money not available or attainable [4 votes]

Niagara focused on vision for whole community instead of just BF sites – So could incorporate parks etc afresh are part of Community Vision [5 votes]

Ask large developers to pay for additional amenities desired by community [4 votes]

Focus on the areas quality of life goals; BFs are only a part [1 vote]

To sustain community vision show benefits of program like jobs etc. to local residents [4 votes]

create special industrial districts

Formalize BF program and related Community plans, have them adopted by City Council; includes Zoning, land use, urban renewal [13 vote]

City propose a draft vision for community to start working on [7 votes]

City started by identifying its assets ex. Ocean front, developed vision around how to sustain assets [4 votes]

Need ongoing check-in with community to see if correct Vision or need to modify vision [2 votes]

City role may be to keep vision realistic/ achievable [5 votes]

Need ways to keep vision when loose key Leader [2 votes]

Once the Community has endorsed plan, if city leaders change they change the Communities plan at their own peril [4]

Community Involvement

Build a new decision making process which includes all parts of community and has indicators of success for accountability [14 votes]

Need to develop indicators, ways to measure success [Glen Cove now working on][9 votes]

Use community newsletters to remind Mayor of commitments [10 votes]

Document milestones, commitments, who is responsible [6 votes]

Empower stakeholders, business, etc. to see that it gets done give them information and opportunities via community meetings, written information [11 votes]

Empowerment means accountable plus able to create change

Community organization has regular meetings with mayor and list action items for all Players [14 votes]
City needs to know when to get out if the way and let the Community lead; results may not come from top down, instead comes from bottom up [4 votes]

To sustain, when one project is done move interest to new project [5 votes]

Need continuing maintenance and oversight of projects by community [3 votes]

Local “ownership” shop there, use/support the new facility [3 votes]

Government can require developer to set aside resources for maintenance [6 votes]

Give community key info as project progresses, keep it flowing [5 votes]

Business improvement district with self tax; housing with self policing by residents [2 votes]

To maintain initial excitement and commitment by community members get buy-in; dollars; time; in-kind resources, etc. from large number of people; “10,000 lights” [9 votes]

Neighborhood councils with good ties to Munic. govt, keep two way flow of info [2 votes]

Need full time BFs point-person needed in Munic. level for community contact; Need Funding [19 votes]

Ombudsperson needed to move projects along for institutionalization [7 votes]

**Partnerships**

Cooperative effort-local plans get monetary support to plan and implement from state and federal agencies [5 votes]

Private sector resources – state can help bring those resources to local level; making connections [14 votes]

N.J. is creating a state BFs0 inventory and marketing assistance for sites [2 votes]

State guidance/criteria on selecting a good private partner for a site. Also, evaluation of insurance [10 votes]

HUD technical advisor helping Glen Cove list private resources, public resources and help people find right resources [3 votes]

Pre-qualified list of advisors? Can state do this?

State certification of cleanup contractors [like Massachusetts DEP licensed site professional program]

Help with evaluating insurance providers what questions to ask them, etc. [2 votes]
Need stronger financial partnership with state and federal agencies. Also, need less stringent requirements to qualify for state funds. [10 votes]

Federal Superfund enforcement effort not working in tandem with EPA BF program; is often a barrier – may have to get over heads of Superfund enforcement [13 votes]

Superfund “polluter pays,” what if not one is financially viable? [2 votes]

NJ working on a new enforcement strategy, which will incorporate BFs

EPA Superfund process too slow and inflexible [esp. fund lead sites] [5 votes]

May need “political” solution or amendment to CERCLA [2 votes]

NYSDEC treats BF sites like superfund sites, which is a barrier to BF. No formal exist is a site specific decision [13 votes]

NYS lacks economic development interest [5 votes]

Get other state level players ex. Banking, elected, economic development, housing and other stakeholders to press; NYSDEC for change [3 votes]

NJ partners with economic development etc. agencies but not yet consistent [5 votes]

Multi-discipline group would be useful to help set priorities for spending govt. Monies available for BF [example the non-point source dollars available thru state revolving funds] [5 votes]

Community development organizations; universities, private businesses; chamber of commerce; business councils, etc. need to be brought into partnerships [14 votes]

NJ Urban Coordinating Council – community representatives take local plans to this state council but need “teeth” to move things ahead – money and technical resources [8 votes]

Use local schools as partners to create education programs for community [2 votes]

Technology may not be a key partner for some areas

**Institutionalization**

Create environmental opportunity zones [8 votes]

Payment in lieu of taxes [2 votes]

Zoning changes institutionalize program

Issue – how to convince elected officials to adopt changes needed to institutionalize

Tax lien sales is a problem [4 votes]
Glen Cove did economic study to show jobs created, benefits from tax abatement over long term; used results to educate [5 votes]

NJ redevelopment law allows municipality to condemn if site owner won’t negotiate [10 votes]

Designate site as BF, it then goes into a specified process/pipeline. But need definition of what is a BF [3 votes]

Need more tax incentives to encourage developers, ex. Tax abatement [9 votes]

Need to streamline BF process to make it quicker [8 votes]

Developers want to know how many years before they will get a return on investment. Want income to start within 2 years or cannot get funding. Understand that profit may take 5 – 10 years [7 votes]

Issues is how municipalities should get involved when the site is private property [5 votes]

Need longer time for EPA BF grants; 2 years is too short [3 votes]

Institutional controls for future uses are needed

Need insurance for unanticipated problems

Marry Urban Redevelopment Program and law into the BF program [22 votes]

Need a process for a community [state federal] to identify linkages; which organizations and approvals must be involved. What points of entry into the process exist? How get one-stop-shopping? [9 votes]

Once identify all the necessary players authorities, funding, permits, etc., need to develop a relationship to link and integrate these [7 votes]

list milestones for site process

Must catalogue information; use data base; GIS maps etc. so have easy search capability so all stakeholders can find information quickly [11 votes]

**Federal/state role**

Involve in stakeholder activities – as a member of groups, attend meetings and planning activities [4 votes]

Annual meeting with state/federal agencies where set commitments for action with schedule, who does what and have periodic follow up

State role should include education, providing tools, oversight. Include monthly meeting

Need to be accessible and responsive. Have one point of contact
State participation on other committees; ex. Internal stakeholder reuse coordination Committee; site development team, etc. [3 votes]

Pilots do outreach to agencies, bring them into process were can be most effective [3 votes]

State outreach to community stakeholders is important and is also important to be present at meeting; help citizens feel comfortable and resolve disputes, answer questions [2 votes]

State point of contact interprets state requirements for BF group and communicates BF needs back

NJ DEP BF coordinators are a new useful addition; sometimes act as BF advocate [4 votes]

Federal/state need to do more advocating for BF and less enforcement [sometimes] in BF project

NY lacks flexibility in process or law to deal w/unique attributes of BF

NY fear of “relaxing” cleanup standards or perception thereof

Include environmental groups in BF education and process so they can develop trust and support voluntary cleanup and BF standards [3 votes]

HUD shifting to more assistance role; outreach, go to meetings; participate

NJ emphasis is to empower municipalities to take the lead

Guidance and “hand – holding” needed by new pilots; advise what to do when; problem solving; technical assistance [3 votes]

Want long term commitment to keep state/federal BF coordinators; don’t spread them too thin [6 votes]

IRM role is important – share info, conduct workshops, etc. [3 votes]

Continue BF coordinator support after end of 2 year grant [7 votes]

EPA superfund process slows BF reuse; inflexible; not supporting BF

Need 2 track, voluntary cleanup BF and superfund within EPA and NY so can get “waivers” for BF [3 votes]

EPA state work with environmentalists who resist reuse of contaminated sites and resist industrial reuse [5 votes]

Environmental activists who don’t live in the community but impact state decision on BF in that community – should they be involved as stakeholders? Yes, but haven’t been involved enough

Can EPA withhold Federal funds if state doesn’t enable BF program?

Risk education by state on cleanup level is needed
**Incentives** [first went around table and each person listed a favorite or important incentive]

Funding for municipalities to assess, market, etc. sites

Limitation of liability for past contamination [5 votes]

Using the NY bond act; understanding stat legal/funding morass

Create separate agency track to allow BF reuse and eliminate uncertainty [2 votes]

No further action assurance with covenant not-to-sue [both federal and state] [6 votes]

Access to technical expertise from federal state agencies [save $ on consultants] [4 votes]

Tax incentives to make sites more attractive to developers [accelerated depreciation; zones; corporate or personal income tax benefits which can be applied to redevelopment which is used to create employment] [4 votes]

Increased ratable [increase in tax revenue] encourages investment [2 votes]

Tax increment financing; environmental opportunity zones

Consistent grant funding year to year for ongoing work; reduce 50% match for planning phases [2 votes]

Need a guide on how to maximize opportunities in BF; a cookbook for tools and how to incentives BF reuse

Incentives for developer to stay at table [8 votes]
- Flexibility
- Tax relief
- Liability relief
- Funding
- Predictability [is most important]

Define developer needs first then find ways/sources to satisfy

Tax abatement formulas don’t always work well; need to be adjusted based on marketplace

Tax exempt financing for BF [NJ, FL, MI, have]

Need a manual/cookbook esp. for financial issues; tax incentives; due to confusion and lack of knowledge on applicability – esp. for small businesses [4 votes]

Need to know recipes for various situations which may be encountered at a site

Need 2 cookbooks – one for municipalities; another for developer

Institutionalize process to make it easier for developer [5 votes]
Sustain: funding, flexibility, in existing programs

Sustain success at municipal level; show results and program stays

Overcome failures – go forward

How incentives municipality to create and keep a staff position as BF coordinator/ env. Manager? [3 votes]

Need continuing process to define tools; regulations, financing etc.; need ongoing training for these; keep cookbook current [is state /federal role] [2 votes]

Single state point of contact encourages sustainability [6 votes]

Need to change negative perception about our cities; encourage people to move back into cities

**Technical Support**

Need faster cheaper assessment technologies [votes]

GIS use to show available parcels on map w/other relevant information like zoning, ownership, and infrastructure. Need local capability for this via contract or internal [5 votes]

Link building code, tax code info into GIS

Is a BF code or data field needed to sort sites based on that designation?

Could do a string of criteria to sort such as contamination, location, land use, tanks, spills, etc. but don’t label it a BF; is a process not a label

Need innovative technology information; remediation technology info; applicability of technology to your site. Cost and time if use the technology [3 votes]

State regulatory agencies need comfort with a new technology; some states have reciprocity – if one state approves a technology other will do so under a MOU between some eastern states [ITRC group] [2 votes]

Channel project through state voluntary cleanup program; let them oversee

Consultant “over remediation” needs to be identified and stopped; drives costs way up

Circuit rider [state/federal] to help municipalities

Engineering controls/institutional controls; need help in evaluating those

Need method for quick first cut assessment [pre-phase I]. Expert computer systems would help.

Use to screen for decision on moving forward [need internal expertise] [2 votes]
Themes new or redefined

Strict/joint & several liability for past acts; call them “redefining liability” [5 votes]

“Legislative change” [needed for the following] [6 votes]

- re-openers
- joint/several liability
- cleanup standards
- risk based standards
- procedural

“Sustainability of BF program”