



Florida Department of Environmental Protection

Key Information on the Florida Brownfields Program

Southeast District Open House
September 27, 2018



What are Brownfields?

Brownfield site means real property, the expansion, redevelopment or reuse of which may be complicated by *actual or perceived* environmental contamination.

Section 376.79(3) Florida Statutes



What is a Brownfield Area?

Brownfield Area means a contiguous area of one or more brownfield sites (*some of which may not be contaminated*), and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and EPA-designated brownfield pilot projects.

Section 376.79(4) Florida Statutes



Florida's Brownfields Redevelopment Program Benefits

Florida's Program helps to promote:

- Economic development
 - Community development
 - Residential projects
 - Open-Space/ Green-Space projects
- and*
- Reduction of public health and environmental hazards
 - Removal of stigma
 - Effective use of community resources





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Florida's Brownfields Redevelopment Program

Who are the "Brownfields" people at
DEP and how are they organized?



Florida's Brownfields Redevelopment Program

The Program is managed by DEP staff in Tallahassee who act as liaisons between Brownfield Coordinators in the:

- **Six (6) DEP Districts across the State**
- **Three (3) Designated Local Program Counties (Broward, Miami-Dade, and Hillsborough).**



DEP Brownfield's Contacts

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Voluntary Cleanup Tax Credit Program
Manager
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Designated Local Program

Local Program Brownfield Coordinators

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Hillsborough County

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Sandra Rezola

Miami-Dade County

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Other Important Brownfields Contacts

Which other agencies can help?



Other Important Brownfields Contacts

JOB BONUS REFUND

Enterprise Florida, Inc.

Orlando Headquarters (407) 956-5696

www.enterpriseflorida.com

LOAN GUARANTEE

Department of Economic Opportunity

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SALES TAX REFUND

Department of Revenue

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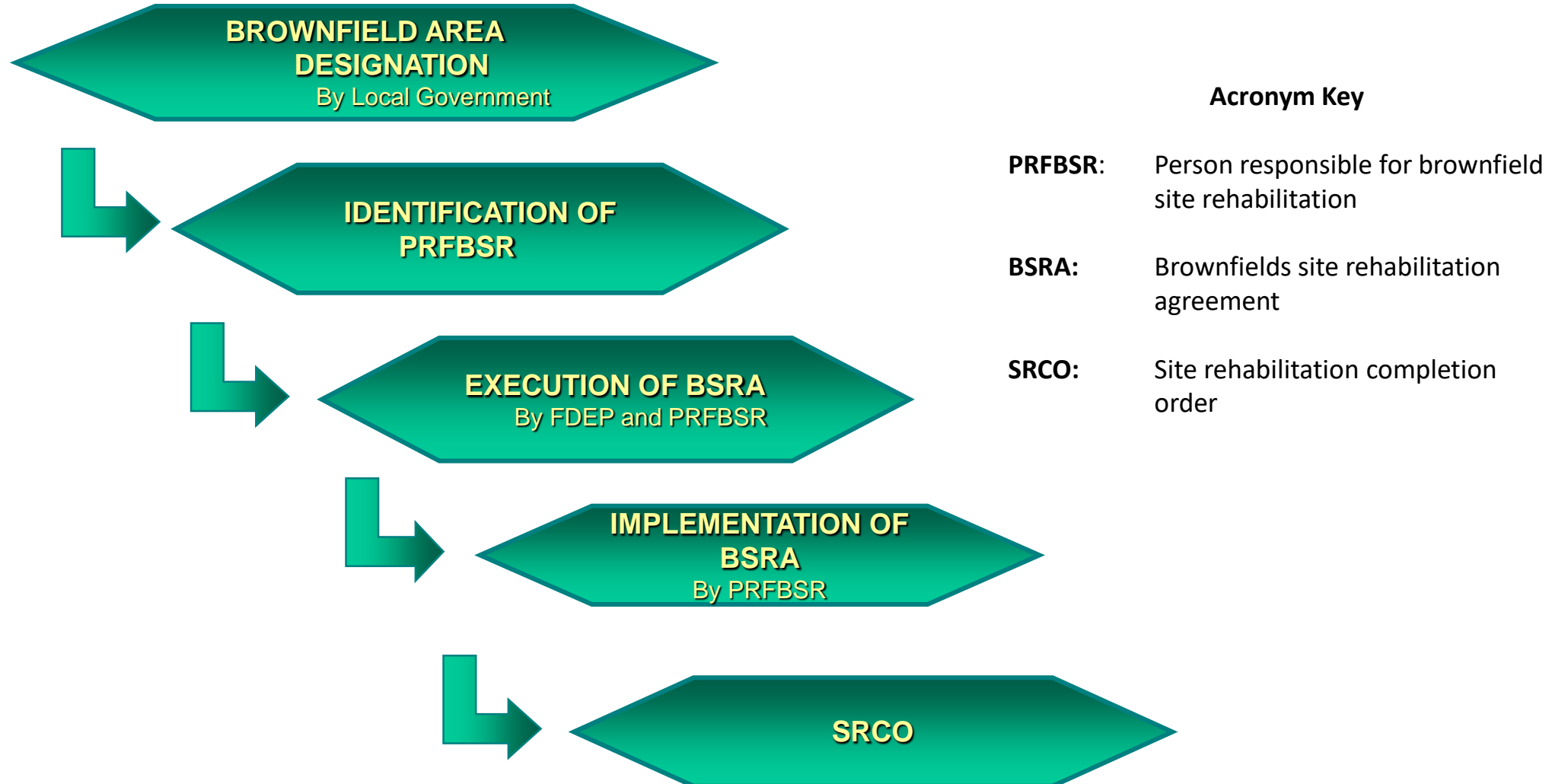
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Florida's Brownfields Redevelopment Program

What is the Brownfields Process in Florida?



Florida's Brownfields Process





Brownfield Area Designation

by Local Government – *Outside* Specified Redevelopment Areas

Local government must consider whether the area:

- Warrants economic development and has a reasonable potential for such activities;
- To be designated represents a reasonably focused approach and is not overly large in geographic coverage;
- Has potential to interest the private sector in participating in rehabilitation; and
- Contains sites or parts of sites suitable for limited recreational open space, cultural or historical preservation purposes.



Brownfield Area Designation

by Local Government – *Inside* Specified Redevelopment Areas

**Local governments can propose
Brownfield Area designations inside:**

- Community Redevelopment Areas (CRA)
- Enterprise Zones (*No new EZs as of 2015*)



Brownfield Area Designation

Requested by Individual

Local government shall designate if:

- Owner/controller agrees to site rehabilitation
- 5 new permanent jobs will be created
- Redevelopment is consistent with comprehensive plan
- Designation is properly noticed
- Reasonable assurance of financial viability



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State vs. Federal Program Comparison

What are the differences between the State and Federal Brownfields Programs?



State vs. Federal Program Comparison

State Program	Federal Program
<ul style="list-style-type: none">• Incentive based	<ul style="list-style-type: none">• Grant based
<ul style="list-style-type: none">• Can be in association with an EPA grant	<ul style="list-style-type: none">• Subject to state cleanup rules
<ul style="list-style-type: none">• Available to public sector and private sector	<ul style="list-style-type: none">• No requirement to participate in State program
<ul style="list-style-type: none">• Incentives encourage reuse and redevelopment	<ul style="list-style-type: none">• Funded “seed” amount to emphasize leveraging



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Florida's Brownfields Redevelopment Program

Why participate in the Program?



Brownfields Program Benefits

Brownfield Sites (executed BSRA)

- Regulatory framework for cleanup
(Rules 62-780 and 62-777, F.A.C.)
- Dedicated staff – expedited technical review
- Liability protection
- Voluntary Cleanup Tax Credits (*for eligible costs*)
- All benefits of the Memorandum of Agreement (MOA) with EPA



Voluntary Cleanup Tax Credits

- Credits used to offset Florida corporate income taxes
- May be transferred once; must be used/transferred within a 5-year period (time resets upon transfer)
- \$10M annual cap as of July 1, 2017
 - If exhausted, first-come, first-served prioritized backlog rolls over to next year's authorization
- One-time add'l \$8.5M as of July 1, 2018 to help clear backlog
- Credits awarded for eligible work
 - Site rehabilitation
 - Solid waste removal, transport, and disposal
- Bonus credits only awarded for:
 - Site rehabilitation (NFA/SRSCO)
 - Affordable housing
 - Healthcare provider/facilities

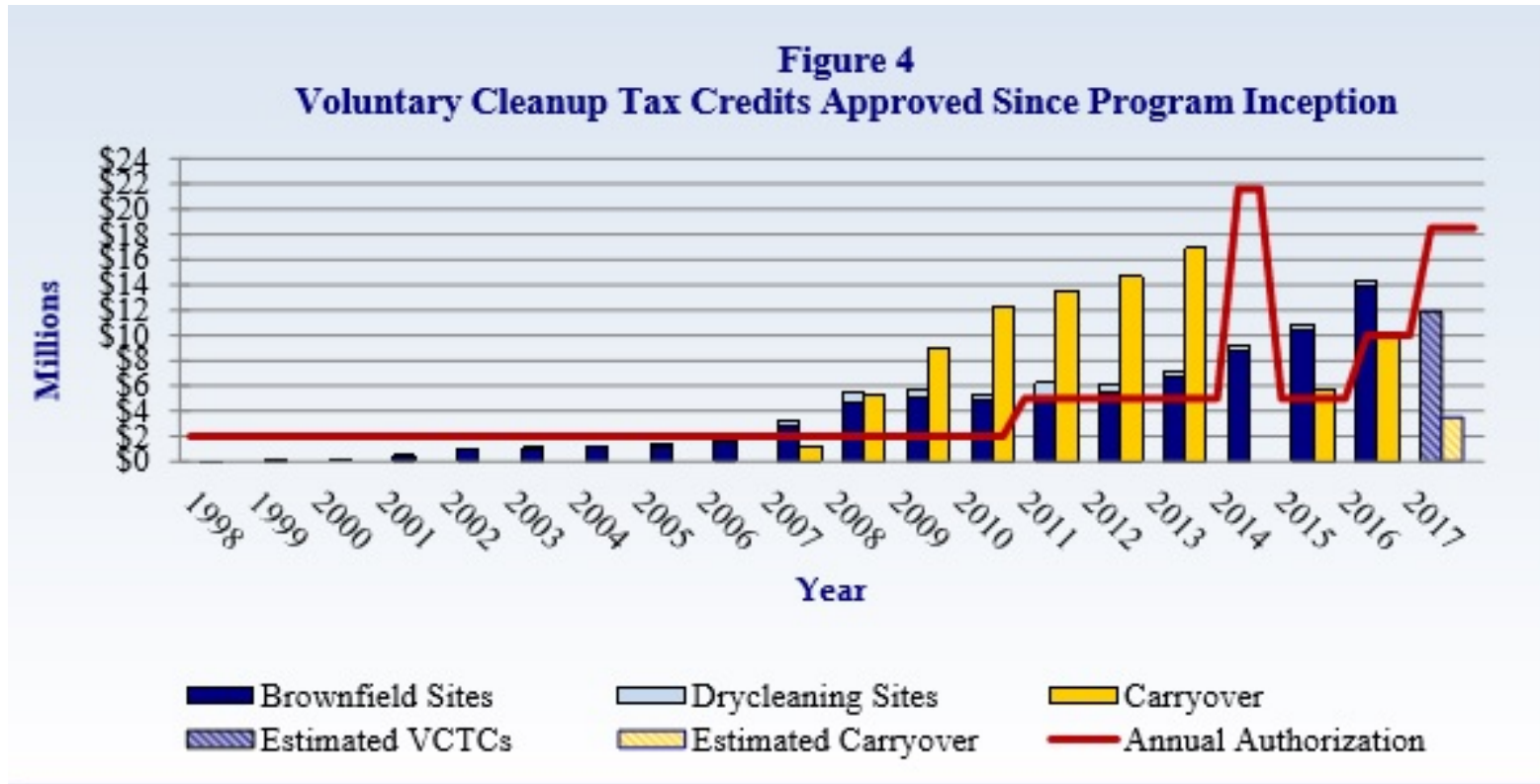


Voluntary Cleanup Tax Credits

Tax Credit Type	Application Frequency	% Allowed / Maximum Credit for Costs Incurred and Paid after 12/31/07	
Site Rehabilitation	Annually	50%	\$500,000
No Further Action Bonus (i.e., SRCO)	Once	25%	\$500,000
Affordable Housing Bonus	Once	25%	\$500,000
Health Care Facility Bonus	Once	25%	\$500,000
Solid Waste	Once	50%	\$500,000



Voluntary Cleanup Tax Credits



Note: Effective July 1, 2017, the annual authorization was increased from \$5 million to \$10 million.



Brownfields Economic Incentive Options from Others

- Loan guarantee program
 - Up to 50% of primary lender's loan on site rehabilitation and development
 - Up to 75% for affordable housing/health care facility/providers
 - Max of \$5M available

Effective July 1, 2013 – In order to be eligible for the following incentives, the site must also have an executed BSRA or adjoin/about a property with an executed BSRA

- Job Bonus Refund for job creation
 - Up to \$2,500 per job
- Sales Tax Credit on building materials for affordable housing or mixed-use affordable housing projects on or abutting a site with a BSRA.



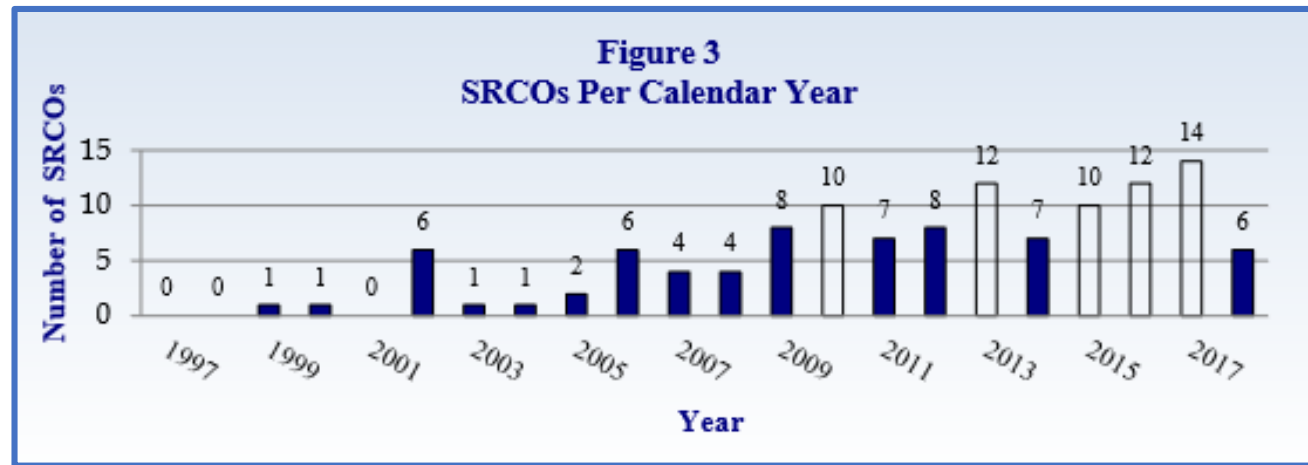
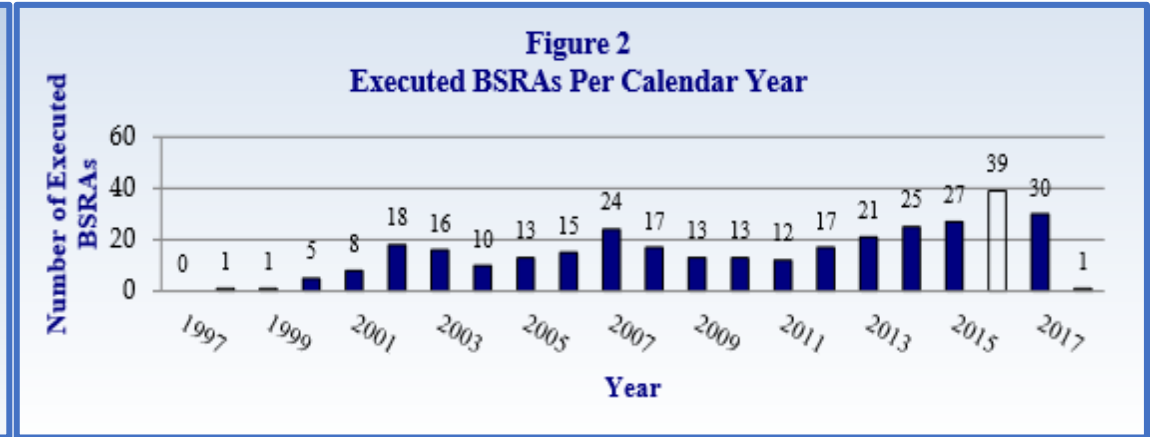
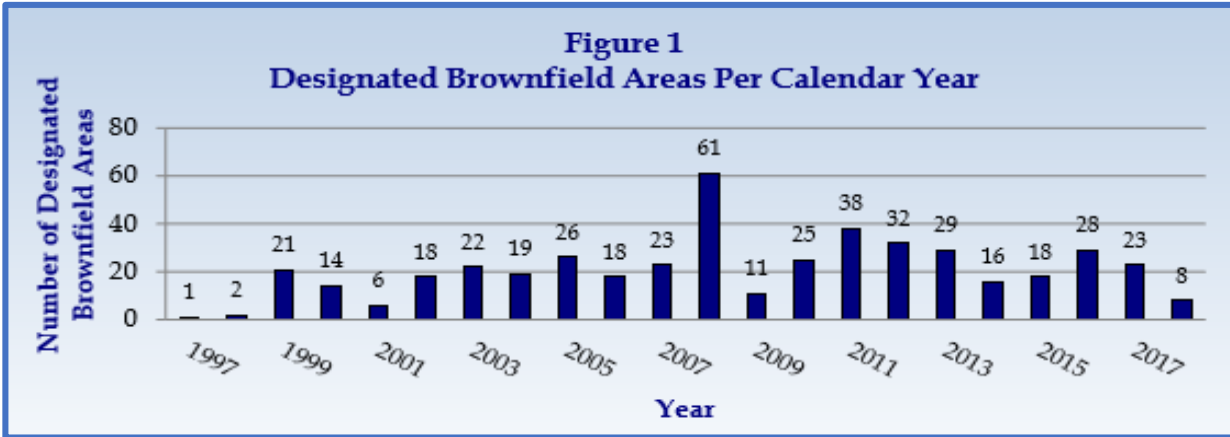
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Florida's Brownfields Redevelopment Program

Status of Program as of August 2018



Status of Program – FY2018, and Jan- June 2018





Program Highlights 1997-2018

- 120 brownfield sites have received SRCOs.
- The total number of designated Brownfield Areas statewide is 460.
- The total number of executed BSRAs since 1997 is 326.
- DEP has received 139 tax credit applications and approved more than \$11.4 million in tax credits for site rehabilitation work completed at 124 brownfield sites in 2017.



SED Brownfield Sites - 2018

**Former H.D. King Power Plant (Ft. Pierce) –
Future Waterfront Development - TBD**



Henrietta Bridge Project (WPB)





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Another Brownfield Resource



State and Tribal Response Program Grant

State and Tribal Response Program (SRP) Grant

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



Brownfields BUILD Act

The Brownfields Utilization, Investment, and Local Development Act amends the Brownfields provisions of CERCLA.

March 2018

[BUILD ACT FACT SHEET](#)



Visit Us on the Web

- Brownfields
 - <https://floridadep.gov/waste/waste-cleanup/content/brownfields-program>
- VCTC
 - <https://floridadep.gov/waste/waste-cleanup/content/voluntary-cleanup-tax-credit>
- 2017-2018 Brownfields Annual Report
 - <https://floridadep.gov/waste/waste-cleanup/documents/2017-2018-brownfield-redevelopment-program-annual-report>



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Questions?

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