

Brownfield Opportunity Area Program

The BOA Programs Fund Planning & Economic Development Efforts

by Chris Round, Senior Planner, The Chazen Companies

Looking for planning funds to develop an economic development strategy for revitalizing your downtown or commercial/industrial corridor? Need funds to supplement the update of your community's comprehensive plan? The Brownfield Opportunity Area program may be a good source of funds depending on the current (or suspected) environmental conditions of your focus area. Initially described as a program to assist communities in assessing suspected environmental conditions, the real strength of the program lies in mobilizing communities to action.

The word "brownfield" is a ubiquitous term. Communities are sometimes confused as to the real meaning of the term as well as the purpose of the Brownfield Opportunity Area (BOA) program itself. We hope to demystify this program and provide you with some food for thought regardless of whether you have received BOA funds or you are contemplating a funding request for the 2006-2007 cycle.

The BOA program is administered through an alliance between the New York State Department of Environmental Conservation (DEC) and the NYS Department of State (DOS). The State intends to award between eight to ten million dollars annually to NYS communities meeting the grant criteria. To date, the program has awarded 53 communities over 9 million dollars in aid. Individual awards for this first funding cycle ranged from \$22,000 to \$475,000. Communities are required to provide a 10% match of the award and may use other outside funding sources for the match.

The program provides planning funds to communities who demonstrate that their target area includes multiple environmentally distressed properties (brownfield properties). The funds can be utilized to gather and analyze data, develop a strategic/community vision, and craft an implementation plan to redevelop the designated Brownfield Opportunity Area. The State's goal is to revitalize distressed or otherwise underutilized properties and clean up environmental contamination.

The program should not be confused with the NYS Environmental Restoration Program (ERP) or the Brownfield Cleanup Program both of which were developed by the State to focus on investigating and mitigating individual contaminated properties.

The BOA Programs Fund Planning Efforts — NYS utilizes a three step process for funding BOA initiatives. A wealth of information on the programs can be found on the DEC and DOS websites. Rather than reiterate the State's description of the Phases of the program, we will illustrate the how each phase translates to conventional planning terms.

A Pre-Nomination study is analogous to the research and inventory phase of a comprehensive plan/economic development plan. It also incorporates the development of a community vision and some conceptual strategies for re-development. The BOA programs can return valuable information to a community for use in its comprehensive planning process:

BOA Reference	Comprehensive Plan Reference
Step 1 Pre-Nomination Study	Background Existing Conditions Resource Mapping
Step 2 Nomination	Data Analysis Demographics Fiscal Impact Analysis
	Buildout Analysis Goals & Objectives
Step 3 Site Assessments and/or Implementation	Implementation Plan

Typically communities enter the BOA program with a suspicion that they have an environmental problem in a portion of their town, village, city or county. As described, the first step or phase of the BOA Program is the "Pre-Nomination Study". It is not necessary to document the suspected contamination, but you should be able to demonstrate the negative impacts (e.g. depressed property values, vacant property) of the suspected brownfield(s)

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when making a request for funding.

Upon completion, a Pre-Nomination Study should answer the question: "Is there a geographic area within the community with a number of perceived brownfield problems?" The goal of the study is to demonstrate that a brownfield problem (or opportunity) exists, thus allowing a community to advance to Phase II of the funding program.

Communities can progress to Phase II of BOA program by completing the Pre-Nomination Study and petitioning the State to enter that phase. Funding requests for those communities successfully completing Phase I come in the form of a contract modification. Funding is competitive.

Creative Use of Funds — Some communities are utilizing the data gathered

during the three Phases of BOA study to develop Generic Environmental Impact Statements (GEIS) for their redevelopment plans. As communities begin to conceptualize a redevelopment strategy, the data gathering and analysis conducted during Phases I and II can be incorporated into a GEIS. Compliance with the environmental review process required by the State Environmental Quality Review Act (SEQRA) can be completed concurrently with the BOA program.

If successfully scoped and executed the GEIS can be a powerful planning and redevelopment tool. Work completed under the BOA program will assist a community describing the existing physical and environmental conditions of the study area, fully evaluate alternative scenarios/plans, and build a consensus in support of a preferred redevelopment plan. Many of the components of a

GEIS can be developed during the study phase. It may be necessary to supplement the data gathering and analysis that is fundable through the BOA program to complete a GEIS.

The development community is well aware of the time and cost to comply with SEQRA. A GEIS can effectively provide a "blanket SEQRA approval" for future redevelopment activities. Former industrial areas can become catalyst redevelopment projects that return underutilized lands to productive use in the form of mixed use developments, commercial or industrial complexes. A GEIS that successfully addresses compliance with SEQRA can entice public and private investment to your target area.

Complementary Funding Sources — When you begin to scope your project be sure to take advantage of all of New York States economic development

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initiatives. Examine the Build Now NY, Shovel Ready and Environmental Protection Funds programs. In fact NYS has packaged a "Financial Resources Manual" that outlines sources of private, State, and Federal funding to complement your project. Several of our client communities have used the complementary program funds to redevelop former industrial areas to active waterfront recreation/public access sites.

The DOS BOA website:

http://www.nyswaterfronts.com/grantopps_BOA.asp

The DEC BOA website

<http://www.dec.state.ny.us/website/der/bfield/boa.html>

The DEC Brownfield "Financial Resources Manual":

<http://www.dec.state.ny.us/website/der/bfield/brownmanual.pdf>



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548 Main Street - PO Box 610
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Mark P. Millspaugh, P.E., President

24 WADE ROAD • LATHAM • NEW YORK 12110

PHONE: 518-456-4900 • FAX: 518-456-3532

website: www.sterlingenvironmental.com

email: info@sterlingenvironmental.com