



Brownfield Resources in Georgia

Brownfields: Environmental Challenge and Economic Opportunity

The US Environmental Protection Agency defines a brownfield to be “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant and includes land contaminated by petroleum or petroleum products, a controlled substance as defined in the Controlled Substances Act, or mine-scarred land.”

Often, a brownfield is abandoned, idle, or underutilized property that is or was occupied by such operations as heavy manufacturing, paint shops, gas stations, oil or chemical storage facilities, dry cleaning stores, agribusiness operations, wood treatment plants, and railroads. Economic activity that once thrived on these sites has moved on to other locations for a variety of reasons, e.g. changing markets, global competition, technological innovations, and corporate downsizing.

A major challenge in reuse of these sites is uncertainty – uncertainty associated with the extent of contamination, current and future liability for environmental damage, cleanup standards, regulatory requirements, and the amount of time and money required for cleanup. Other challenges include cost, difficulties with land assembly, reluctance to invest in distressed areas, and the availability of competitive greenfield space.

Federal, state, and local governments have increasingly focused on achieving the economic and environmental benefits of brownfields redevelopment: creation of productive assets that revitalize neighborhoods, provide new job opportunities, enlarge and diversify community tax base, reduce urban sprawl by stimulating in-fill development, improve quality of life, and – of course – protect human health and the environment. Therefore, a variety of public sector programs are now in place to assist both private sector and public sector redevelopment projects. Because of the potential range of site-specific and project-specific details, some programs have different eligibility criteria. Creative use of multiple sources of assistance can be a key to successful brownfields redevelopment.

Federal Brownfield Programs

Federal redevelopment policy places high priority on local projects that feature thorough planning, involvement of multiple stakeholders, strong commitment of local leadership, and broad public input. Federal programs provide funding for a wide variety of brownfield related activities including research, education, and technical assistance as well as direct financial assistance for specific local projects.

- The Environmental Protection Agency provides grants to communities and non-profits up to \$200,000 per site for brownfield assessment and up to \$200,000 for cleanup. Communities that have received assessment or clean-up grants may obtain additional grant funding for brownfield-related job training. Grants are also available to capitalize revolving loan funds that provide financial assistance for cleanup of privately and publicly owned sites.
- The Department of Housing & Urban Development Brownfield Economic Development Initiative provides grants to communities for brownfield redevelopment projects; the funds may be transferred to non-profit or for-profit entities.
- Over twenty federal agencies are committed to help communities redevelop brownfields, though their programs are not dedicated specifically to brownfields projects. Listed below are examples of potential sources of additional funding for redevelopment activities.
 - Dept. of Housing & Urban Development, Empowerment Zone/Enterprise Community program and Section 108 Loan Guarantees;
 - Dept. of Transportation, Livable Communities program;
 - Economic Development Administration, Public Works & Development Facilities program and the Economic Adjustment Program;
 - Dept. of the Interior, Historic Preservation Fund and Urban Park & Recreation Recovery program;
 - Army Corps of Engineers, Urban Rivers Program;
 - Dept. of Agriculture, Rural Development Community Facilities program and Rural Economic Development Loans & Grants program; and
 - National Oceanographic & Atmospheric Administration, Portfields Initiative.

For a comprehensive agency listing, program descriptions, and contact information visit web site www2.icma.org/upload/library/2003-05/{3E52F1FD-02D1-45FC-A3E1-5ED8D7C055B7}.pdf or www.epa.gov/brownfields/partnr.htm#fpart



Georgia Brownfield Program

States are implementing “voluntary compliance programs” that feature flexible cleanup standards, liability relief, regulatory finality, tax abatements, and other measures to encourage more market-based redevelopment projects. States are also implementing programs to provide environmental technical guidance to property owners and prospective purchasers in a confidential and anonymous atmosphere.

- Since 2002, the Georgia Legislature has enacted two laws to encourage brownfields redevelopment, O.C.G.A. 12-8-200 to provide for liability limitations and O.C.G.A. 48-5-1 to provide for property tax abatements. The Georgia Environmental Protection Division administers the program to provide liability limitations for “new” purchasers of brownfield properties. The purchaser or prospective purchaser submits to EPD a site assessment and a clean-up plan appropriate to the specifics of the site and the ultimate use of the property. Upon EPD’s approval, and subsequent verification of cleanup, the purchaser or prospective purchaser can be granted a limitation of liability for lawsuits arising from past contamination – that is the new owner will not be held liable for damage resulting from prior contamination. The new owner may then obtain a partial property tax abatement (a property tax “freeze” for up to 10 years) in order to help recoup the site assessment and cleanup costs.
- Redevelopment projects that “eliminate slum and blight” (including brownfields) can qualify for financial assistance under programs funded by Community Development Block Grants, such as the Georgia Employee Incentive Program and the Georgia Downtown Development Revolving Loan Fund.
- Confidential technical assistance on a variety of environmental issues (including regulatory requirements, pollution clean-up, and specialized help) is available to private enterprises through the Georgia Department of Natural Resources’ Small Business Assistance Program.

Community Brownfield Programs

Communities (large and small, urban and rural) have long known the challenges of having run down and contaminated property in their neighborhoods, in their business districts, and on their property tax rolls. And, community leaders have a great deal of leverage to guide and to pursue brownfields redevelopment. Many aspects of community brownfield initiatives are much the same as conventional development and redevelopment. Local factors that are especially important for brownfield project success are

- Commitment: high-level leadership, dedicated staff support, and assembling the “right” team.
- Maintaining public engagement in all phases: planning, site inventory, site assessment, clean-up, & redevelopment.
- Targeting and selecting property with strategic public value for attaining economic & community development goals.
- Coordinating resources from a wide variety of private and public sources.
- Capability to use many administrative tools, e.g. redevelopment laws, development authorities, special tax districts, regional partnerships, etc.
- Land use policies and other institutional controls that support rather than restrict redevelopment projects.
- Economic development practices, e.g. site inventory database, expedited processes, incentives, “one-stop-shop.”

Contacts for Further Information

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