Center for Creative Land Recycling (CCLR)

• Leading provider of technical assistance and training for brownfields revitalization and related land reuse.
• Designated Brownfields Assistance provider for EPA Regions 2, 9, and 10 (TAB Program).
• Leader in the National Brownfields Coalition’s efforts to improve federal policies and funding.
Today’s Presentation

1. Brownfields Policy and Funding Update
   - Implementation of the BUILD Act
   - Federal Brownfields Funding
   - Implementation of Opportunity Zones Program

2. Preparing for National Brownfields Leadership Summit

3. Questions
Today’s Speakers

Ken Brown, NALGEP/CCLR

Matt Ward, Sustainable Strategies DC
National Brownfields Leadership Summit
September 25-26 in Washington, DC

• Roundtable Discussions with federal agencies -- EPA, HUD, DOT, EDA, USDA
• Updates on key federal policies and funding opportunities
• Learn directly about implementation of the new Brownfields law and the Opportunity Zones.
• Congressional briefing with authors of the new brownfields law.
• Capitol Hill Day meetings with key Congressional offices
• Register at www.cclr.org/dc-leadership-summit-092018
Thank you to our sponsors:
CCLR Federal Policy Priorities

• Effective and timely implementation of the new BUILD Brownfields reauthorization law.
• Increase federal funding for programs that support brownfields – EPA, HUD CDBG and 108, EDA, DOT, and USDA.
• Effective and timely implementation of the new Opportunity Zones program.
Congress Passes BUILD Act Brownfields Reauthorization in Spring 2018

- New multi-purpose grants up to $1 million can be used for planning, assessment, clean-up.
- Increases funding level for clean-up grants to $500k.
- Enhances liability protection for public agencies that acquire sites.
- Grant eligibility for sites acquired prior to 2002.
- Non-profits eligible for clean-up grants.
- Allows portion of grant funds to cover administrative costs.
CCLR/National Brownfields Coalition
Recommendations for BUILD Act Implementation

• EPA should maximize flexibility for multipurpose grant recipients to use funds for a variety of sites and eligible activities.
• If no funding increase, EPA should give most clean-up grants at the $200k level, with $500k to most needy and meritorious projects.
• EPA should give stand-alone areawide planning grants.
• Grants to support small and disadvantaged communities should go to states that are establishing long term programs to provide technical assistance.
What We Hear About BUILD Implementation

• Cleanup Grants - $500k grant cost share of 20% waived for localities under 50k
• Multipurpose Grants – will be 10 awards for $800,000 each with $40k cost share
• Next RLF competition in FY2020, with Supplemental RLFs in FY2019
• Next Workforce Grants in FY2020
• No stand-alone Areawide Planning grants (integrated into Assessment grants)
• Grant Guidelines out in mid-October with grants due before Christmas
FY 2019 Brownfields Funding Moves Forward

• Congressional appropriators are moving to wrap up FY 2019 funding bills over the next few weeks.

• EPA, HUD, and EDA funding should be at the same levels as the current year.
## EPA Brownfields Funding

<table>
<thead>
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<th>FY 2018</th>
<th>FY 2019 Budget</th>
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<td><strong>TOTAL</strong></td>
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<td>109.9 M</td>
<td>163.2 M</td>
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</table>
Community Development Block Grants (CDBG) are flexible funds that have supported the redevelopment of thousands of brownfields across the country.

- Funds can be used for planning, assessment, clean-up, infrastructure, and redevelopment.
- Administration proposed elimination of CDBG.
- Both House and Senate are proposing $3.365 billion for FY 2019 – the same as last year.
• EDA Public Works and Infrastructure funding has supported hundreds of brownfields projects.
• EDA funding has supported many small and rural communities.
• President proposed elimination of EDA.
• Both House and Senate have provided $301.5 million – the same as FY 2018
Opportunity Zones

- **Bipartisan legislation** included in Tax Cuts & Jobs Act of 2017
- **Goal:** to encourage long-term private investment in low-income Census tracts through deferrals, reductions & elimination of capital gains tax liability for funds placed in “Opportunity Funds” which are invested in “qualified Opportunity Zone property”. Estimated $6.6 trillion in funding that is eligible for OZ investment.

- **How OZs work:** 8,762 Opportunity Zones were designated by Governors and confirmed by U.S. Treasury. Money otherwise subject to capital gains tax liability receives tax incentives if invested in Opportunity Funds which make real estate & economic development investments in designated Opportunity Zones:
  - Taxes deferred for funds invested at least 5 years
  - At 5 years, basis of investment is stepped up 10%
  - At 7 years, basis of investment is stepped up another 5%
  - At 10 years, permanent exclusion from tax on any capital gain made in the OZ project after initial investment

- **Key OZ Guidance** expected from U.S. Treasury in 4-6 weeks. Guidance will help determine whether “community-targeted” and regional Opportunity Funds can be qualified, in addition to the Funds that are expected to be created by big banks, investment firms, community finance non-profits, philanthropic organizations and others.

- **Key issue** – will environmental remediation and other brownfield costs count as “substantial improvement to property” that is eligible for Opportunity Fund investment and benefits?
Putting Opportunity Zones into Action

• **Communities should urge their federal congressional delegation** to push Treasury for issuance of guidance soon, for flexibility in the kinds of Opportunity Funds that can be created, and for confirmation that brownfield remediation costs can use these funds

• **Identify and package your OZ opportunities** – Communities should inventory their designated OZ assets, identify investment-ready projects with funding gaps, create pitchbooks for your OZs and key projects, and reach out to the Opportunity Fund investment community to recruit funding partners

• Communities should **convene a forum** of landowners, developers, economic officials, chambers, financiers, state officials and other key stakeholders to promote OZ investments

• Your community or region may even wish to form **your own targeted Opportunity Fund**

• **If these OZs are successful** – there could be a congressional backing for more designated tracts
Key Appropriations Leaders

Senate Interior & Environment Subcommittee
   – Lisa Murkowski (R-AK), Chair
   – Tom Udall (D-NM), Ranking Member

House Interior & Environment Subcommittee
   – Ken Calvert (R-CA), Chair
   – Betty McCollum (D-MN), Ranking Member

Senate Transportation, HUD Subcommittee
   – Susan Collins (R-ME), Chair
   – Jack Reed (D-RI), Ranking Member

House Transportation, HUD Subcommittee
   – Mario Diaz-Balart (R-FL), Chair
   – David Price (D-NC), Ranking Member
Key Appropriations Leaders

Senate Commerce, Justice, Science Subcommittee
  – Richard Shelby (R-AL), Chair
  – Jeanne Shaheen (D-NH), Ranking Member

House Commerce, Justice, Science Subcommittee
  – John Culberson (R-TX), Chair
  – Jose Serrano (D-NY), Ranking Member
National Brownfields Leadership Summit
Preparation for Capitol Hill Day
Why Is Education of Policy Makers Important?

• **Builds Your Organization:** Increased visibility, more members, more funding.

• **Advances your Policies:** helps you educate policymakers and influence the debate.

• **Builds Long-term Relationships:** Advocacy promotes your organization with key policymakers.
All Politics is Local

• Educate officials about the value & benefits of clean transportation policies for your area.
  – Provide facts & figures on how brownfields revitalization is creating jobs and benefitting your local area.
  – Provide examples of local projects and programs in action.

• Demonstrate broad-based and bi-partisan support for your issue.
CCLR Assistance for Capitol Hill Day

• Building teams with stakeholders
• Scheduling meetings
• Talking points and hand-outs on federal policies
Meeting Preparation

• Prepare a “1-Pager” with background on your organization and examples of local projects.
• Use examples of local projects in action.
• Visual displays are extremely helpful.
• Business Cards, Pen, Paper.
• Phones on vibrate or silent.
• Wear comfortable shoes.
Meeting Tips

• **Be Brief and to the Point:** Expect meeting to last 15-30 minutes. Keep presentation short & leave time for questions.

• **Focus Specific Requests for Action:** Elected officials want to know how they can help.

• **Consider the office:** Know the elected official’s committees and background and tailor your pitch.

• **Be Factual:** Know the most up-to-date facts about your organization and pertinent issues. Bring a cheat sheet if you need to be precise.

• **Know the Opposition:** There are Pros & Cons to every debate.

• **Be Respectful:** Even if they disagree, you should respect their views. There will be future opportunities to work together.
Sample Meeting Agenda

1. Introduce Team & Overall Message
2. Provide 2-3 Brief Examples of Local Brownfields Projects in Action
3. Requests for Action
4. Questions and Follow-up
There has always been strong bipartisan support for federal brownfields programs and funding.

EPA program produces economic results -- leverages 8,000 jobs and $1.5 billion dollars in redevelopment funding per year; and it increases local tax revenues up to $97 million annually.

Produces environmental results -- assessed 26,405 properties, cleaned up 1,505 properties and made ready for reuse 5,693 properties.

It is money well spent – every EPA dollar leverages $18 in revitalization investment.
Follow Up and Follow Through

• If you don’t know, find the answer and get back to them.
• Send thank you notes.
• Stay in Touch: send reports, newsletters, and regular updates to staff.
• Invite elected officials to local events.
• Identify opportunities for media coverage.
Now is a Very Important Time to Take Action

• New brownfields law is taking effect.
• Opportunity Zones initiative will be launched soon.
• Administration continues to propose cuts to key programs.
• FY 2020 could be a tough budget year.
• Congress will ultimately decide funding levels.
• It is critical that Congress hear from the many supporters of brownfields revitalization.
Thank you to our sponsors:
For More Information

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