

EMERGING ISSUES IN THE RHODE ISLAND BROWNFIELDS PROGRAM

Terrence Gray, RI DEM-Trends and Conditions in RI

Charles Bartech, Vice President, ICF International- Current Trends and Recent Innovations

Elizabeth Stone, RI DEM- Enhanced Communication and Public Involvement

Discussion and Brainstorm

TRENDS IN RHODE ISLAND BROWNFIELDS PROJECTS

1993-2008

EXPECTATIONS- THE EARLY DAYS

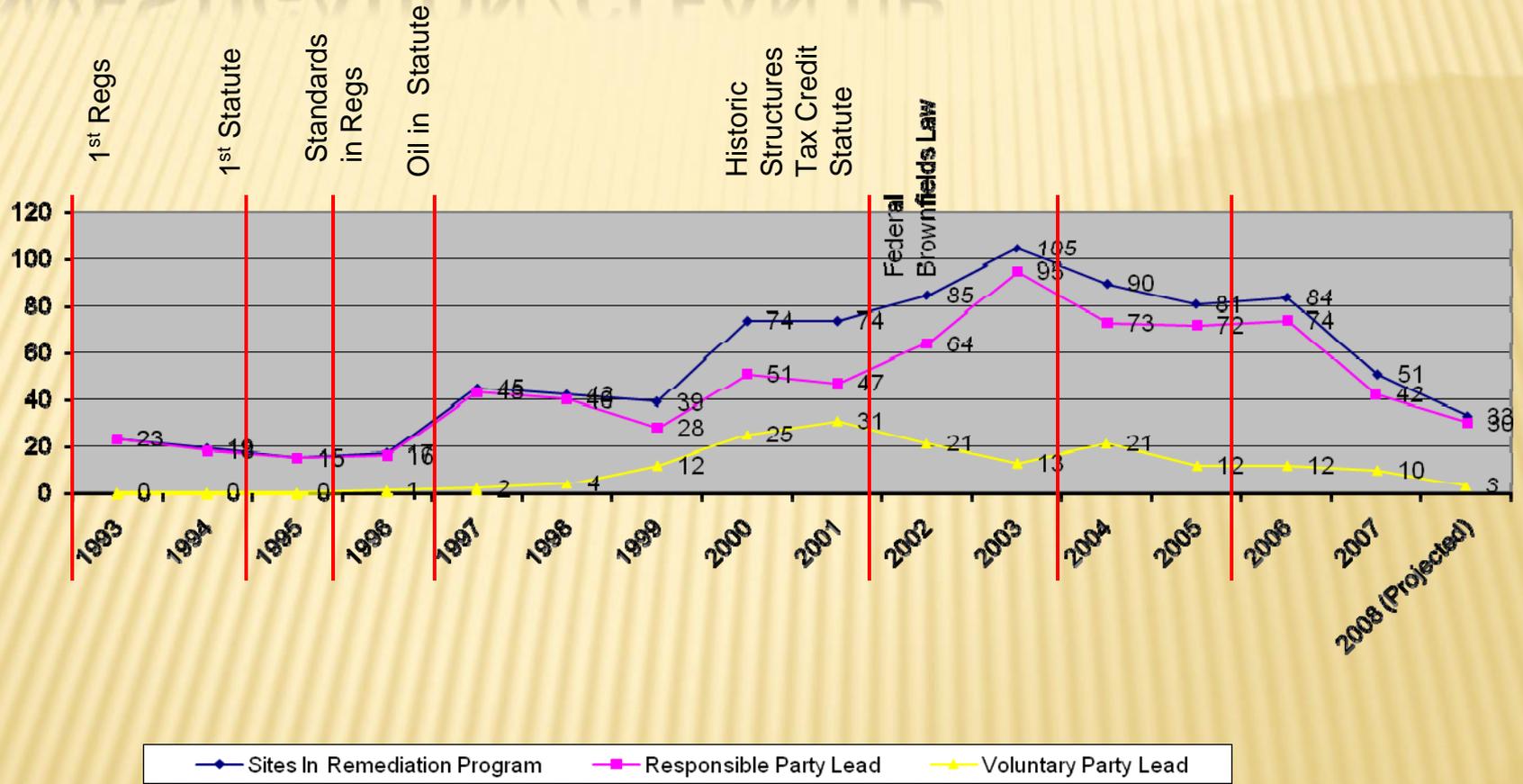
- ✘ Program would be focused on commercial and industrial redevelopment- job retention and creation
- ✘ Brownfields activity would be separate and distinguishable from other site clean up activity- involvement of developers and purchasers would be the difference
- ✘ Although most equated mills with the Brownfields idea- mills would not be a major focus based on economic challenges of rehab/reuse
- ✘ Economic benefits from the program would justify continued investment of State funds to support
- ✘ Brownfields Activity would rise and fall with economy

Let's look at what's happened....

EVOLUTION....KEY PROGRAM MILESTONES

- ✘ 1993-Site Remediation Regulations Promulgated
- ✘ 1995-Passage of the Industrial Property Remediation and Reuse Act
- ✘ 1996-Awarded Brownfields Demonstration Pilot Grant
- ✘ 1996-Amended Site Remediation regs to include clean-up standards
- ✘ 1997-Industrial Property Remediation and Reuse Act Amended to include Petroleum
- ✘ 2002-Federal Brownfields Law
- ✘ 2002-RI Historic Structures Preservation Tax Credit
- ✘ 2004-Amended Site Remediation regs to include address arsenic sites
- ✘ 2006-Industrial Property Remediation and Reuse Act Amended to eliminate settlement agreements

SITES PROPOSED FOR SITE INVESTIGATION/CLEAN UP

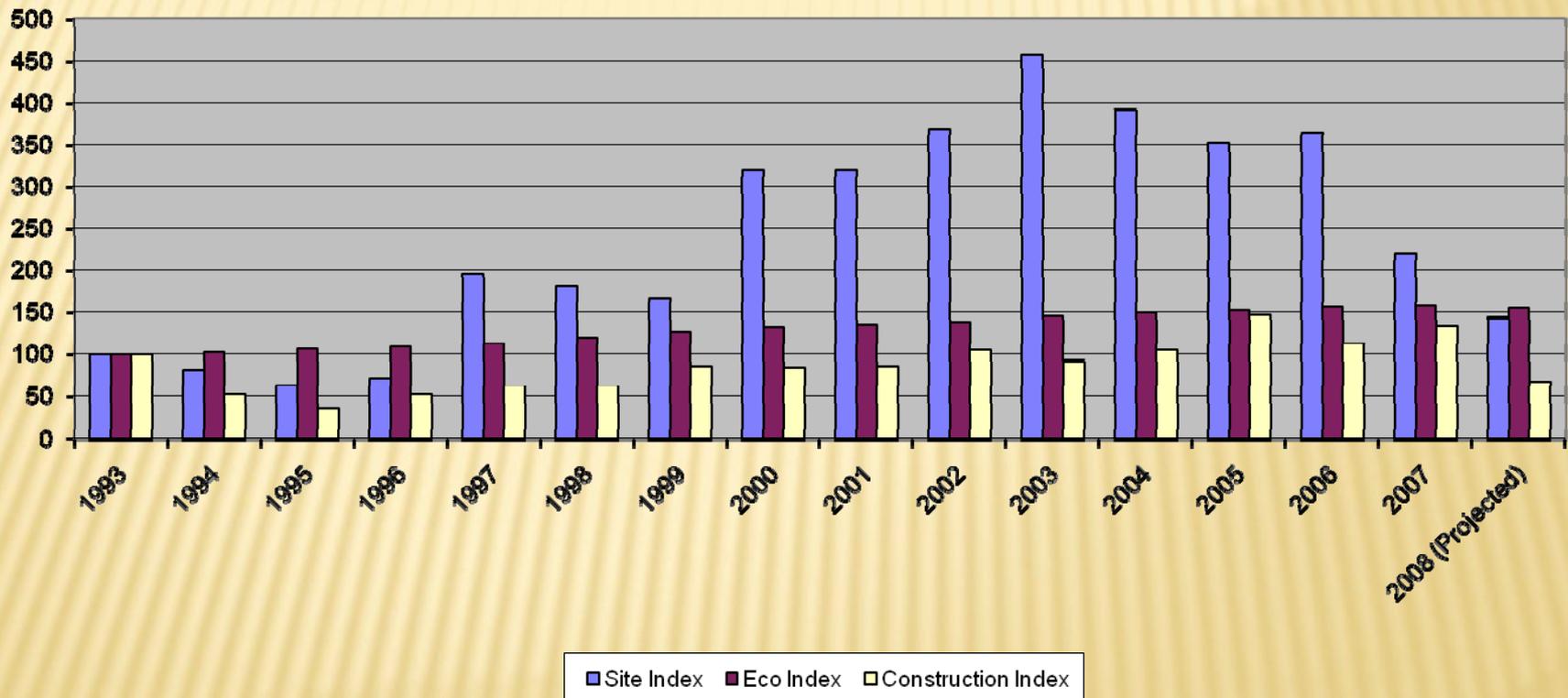


ISSUE

- ✘ Because of scarcity, demand, and public policy related to land use- virtually all notifications of contaminated land is related to some type of property transaction
 - + either ongoing or anticipated
- ✘ Brownfields and site remediation program have been indistinguishable

PROGRAM ACTIVITY AND THE RI ECONOMY

Clean up and RI Economy

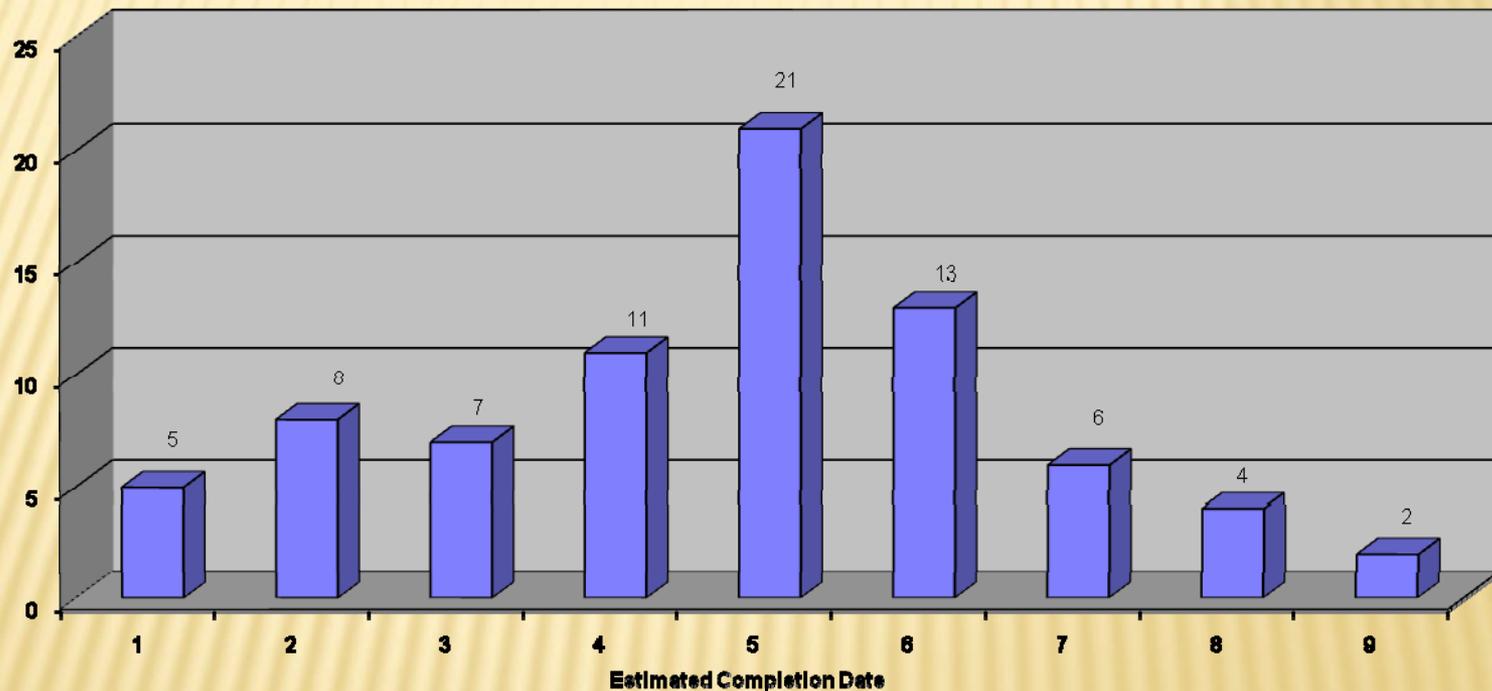


ISSUE

- × Brownfields activity has reacted disproportionately to increase/decrease in the economy
 - + Impacts seem to be amplified

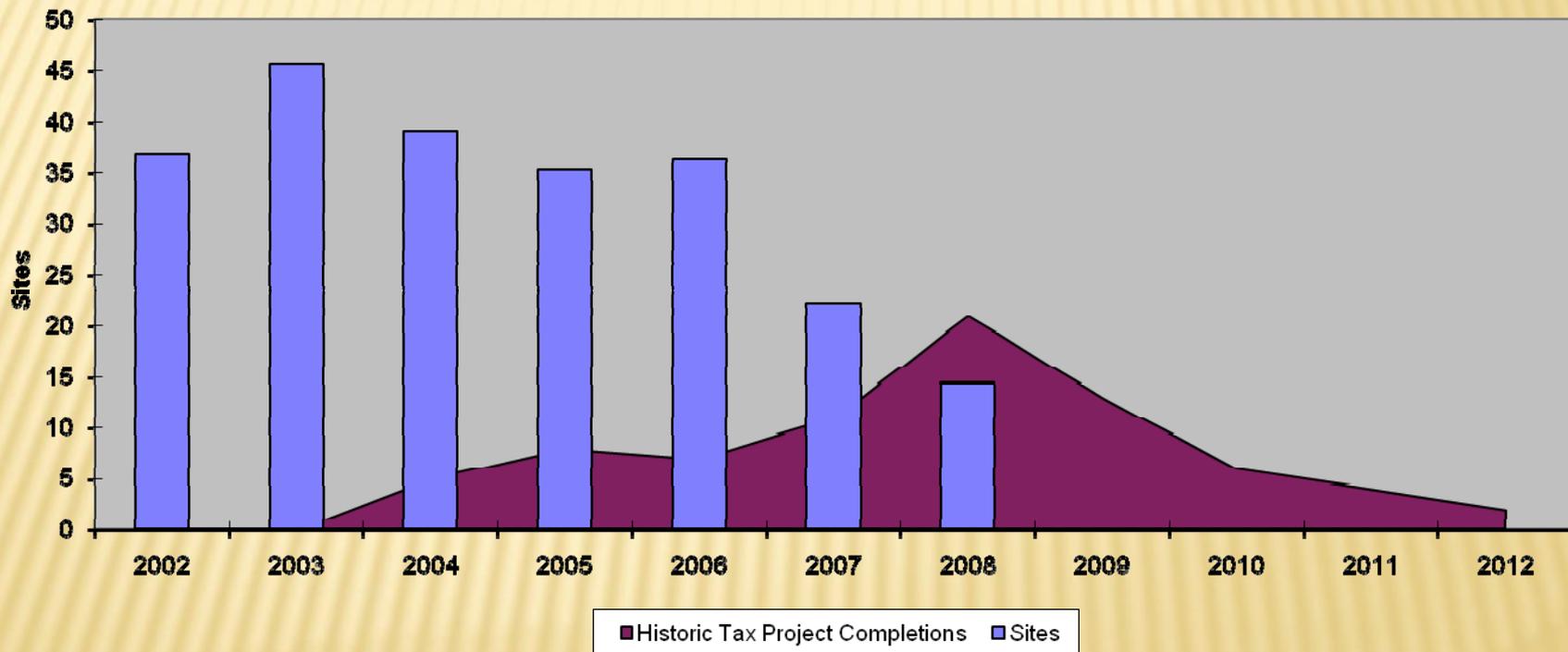
HISTORIC TAX CREDIT SITES WITH ENVIRONMENTAL CONTAMINATION

Historic Tax Credit Sites with Environmental Issues



HISTORIC TAX CREDIT PROGRAM ACTIVITY

Historic Tax Credit Work Flow

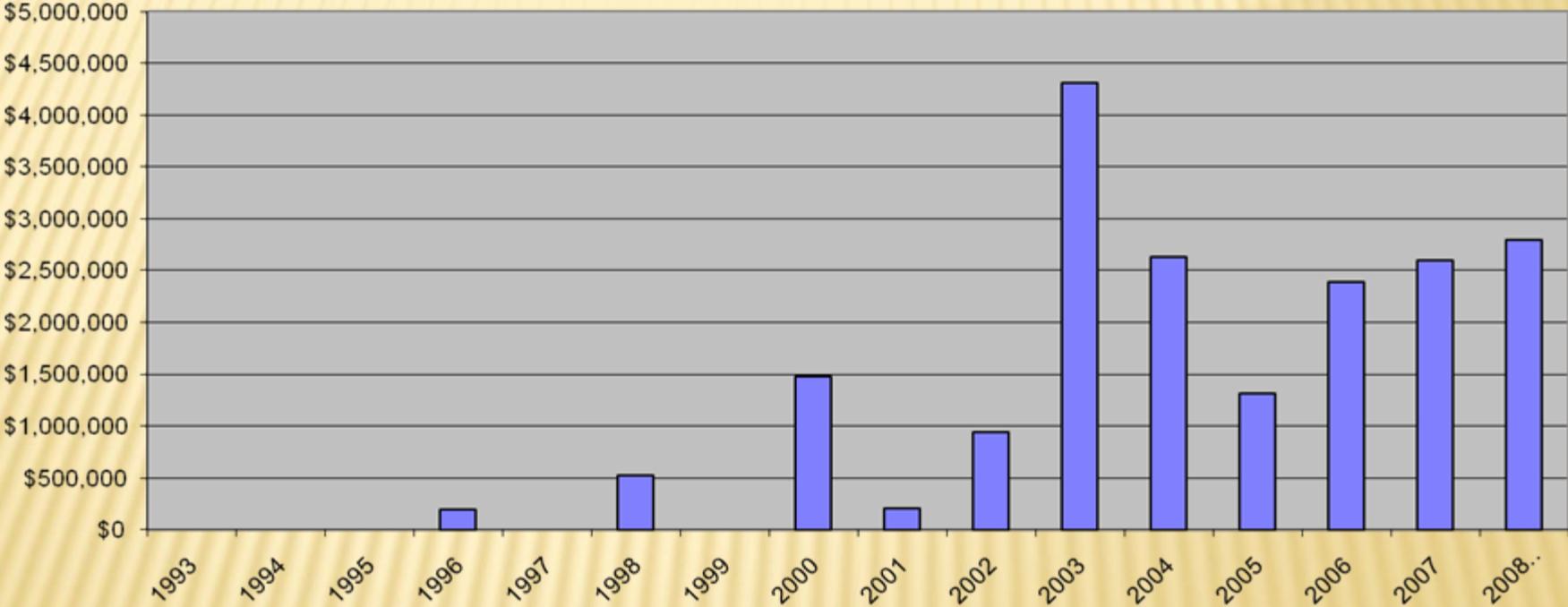


ISSUE

- ✘ Historic Structure Preservation tax Credit was an unanticipated game changer in the Brownfields program
 - + Changed the economics of mill revitalization
 - + Large, urban mill sites became showcase projects
- ✘ Economic incentives are powerful drivers for clean up

FEDERAL INVESTMENT

Federal Brownfields Grants in RI

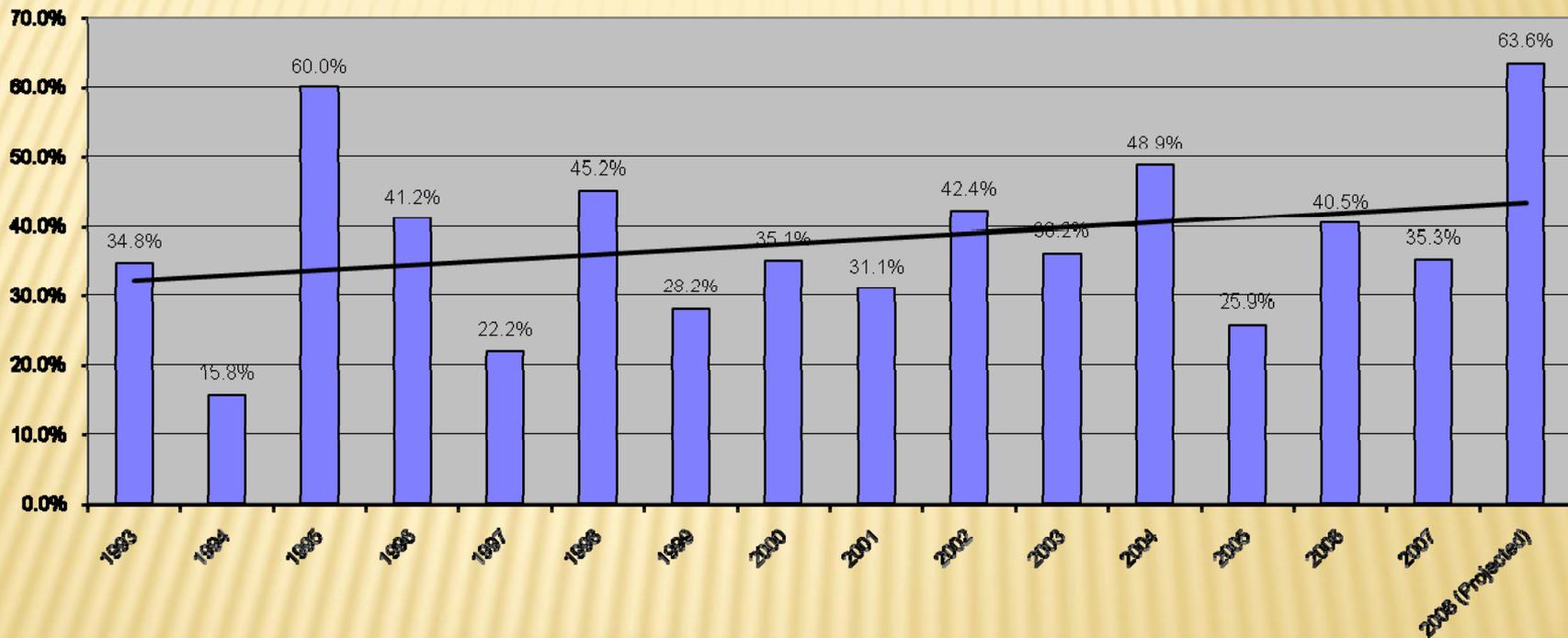


ISSUE

- ✘ Federal Investment in program has buffered it from troubles related to State budget
- ✘ Federal Investment has supported investigation, clean up, and redevelopment of projects, that were not previously commercially viable, by non-profits and municipalities

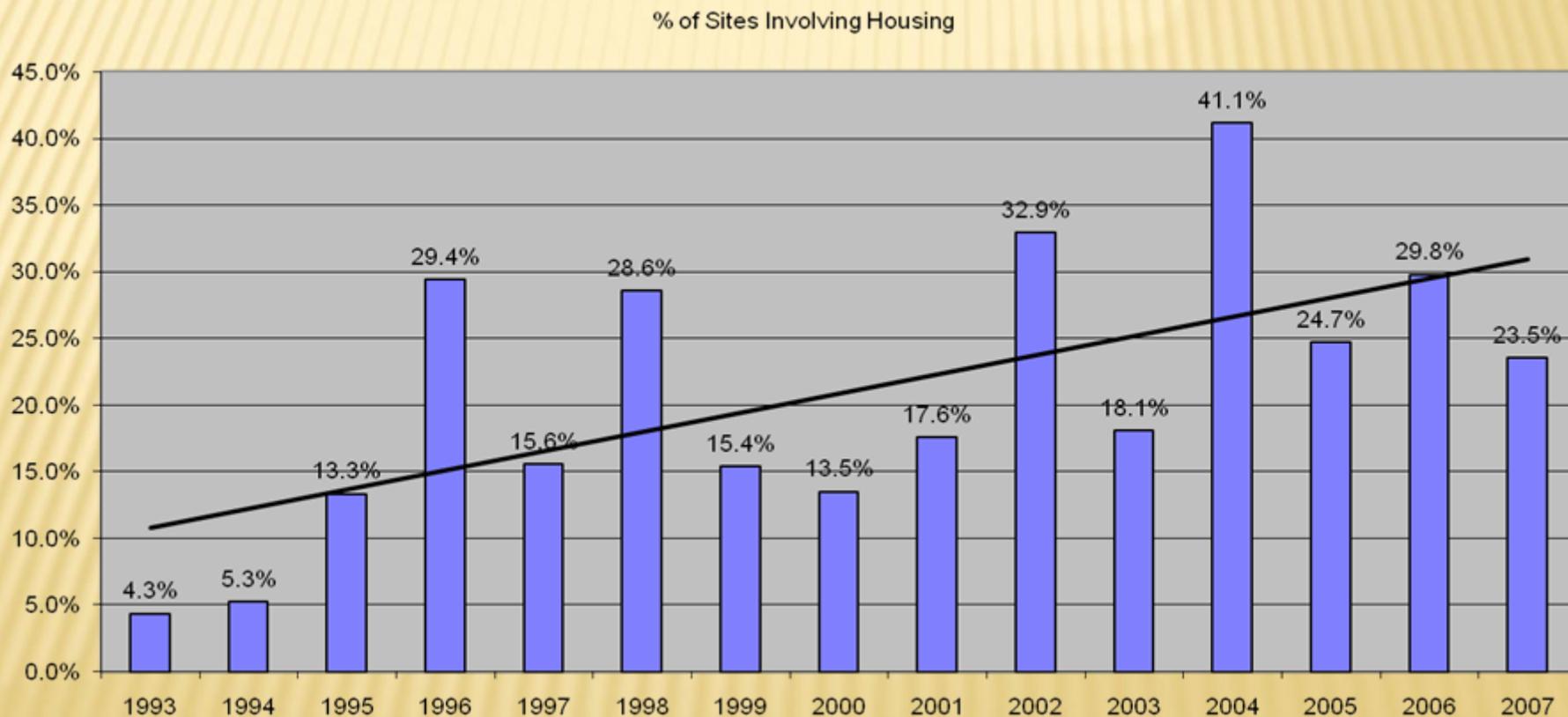
BROWNFIELDS ACTIVITY IN ENVIRONMENTAL JUSTICE COMMUNITIES

% Sites in EJ Communities



HOUSING AS AN END USE FOR BROWNFIELDS SITES

- ✘ Includes hotels and other residential uses



ISSUE

- ✘ Combination of factors:
 - + Substantial activity in urban communities;
 - + Substantial activity focused on sensitive reuses, including housing
 - + Substantial activity, supported by EPA funds, by non-profits and municipalities
- ✘ Substantial need for technical assistance, communication, and community involvement

EMERGING ISSUES

- ✘ Program will be almost totally dependent, and proportionate, to level of federal support
 - + Broad use versus focused money
 - + “soft” competitive money is available- how do we use it effectively?
- ✘ Housing focus will require a more focused look at the surrounding environment-the site may be fine but what we people experience when they move there?
- ✘ Characteristics and numbers of projects will change depending on the fate and evolution of the historic structures tax credit, land use policies, and housing policy and funding strategies
- ✘ Communications and community involvement will be a substantial effort, there will be scheduling implications
- ✘ Lessons learned in past 15 years need to be reflected in regulation