

Brownfields

*Transform the Past
Build for the Future*



Financial Resources Manual

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

George E. Pataki, Governor



Erin M. Crotty, Commissioner

**BROWNFIELDS
FINANCIAL RESOURCES MANUAL**

Prepared For

**NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

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GEORGE E. PATAKI, *Governor*

ERIN M. CROTTY, *Commissioner*

**BROWNFIELDS
FINANCIAL RESOURCES MANUAL**

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1 INTRODUCTION

Brownfields are 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. These sites typically are former industrial or commercial properties where operations may have resulted in environmental impairment. Brownfields often pose not only environmental concerns, but also legal and financial burdens, and blights on communities. Left vacant, contaminated sites can diminish property values of surrounding sites and threaten the economic viability of adjoining properties.

Federal, state and local governments have come to view the redevelopment of brownfields as a unique opportunity to solve many problems concurrently. Projects that target blighted communities increase employment opportunities, expand the tax base and reduce costs associated with preventing crime in these areas. Redevelopment also reduces exposure to hazardous chemicals on idle properties, curbs sprawl development by making more efficient reuse of land resources, improves air quality, reduces traffic congestion, and preserves open space and farmland. In short, brownfield redevelopment offers a cost-effective, environmentally beneficial approach to stimulating economic revitalization in communities throughout New York State.

The New York State Department of Environmental Conservation commissioned the preparation of this manual to provide assistance to municipalities and the private sector in the redevelopment of brownfield sites in New York State. This manual provides information on state, federal and private funding and financial incentives, as well as technical assistance and liability protection available for the cleanup and redevelopment of brownfield sites in New York State.

This manual also provides case studies that demonstrate how various funding sources, including grants and no- or low-interest loans, have been used to redevelop brownfield sites in New York State. These case studies identify state, federal and private sector entities involved in providing financial resources. The case studies also identify the incentives and programs that

provided funding for both project development and implementation, including development of master plans, inventories of brownfield sites and community participation programs, and assessment, remediation and redevelopment of brownfield sites. The case studies include project description and history, difficulties encountered and solutions developed, with emphasis on financing issues.

The manual also identifies insurance products that are available to reduce financial liability, which, in addition to securing funding, is often critical in the redevelopment of brownfield sites.

Questions pertaining to this manual, and requests for additional information and assistance, can be directed to:

Brownfields Coordination Section
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233
Telephone: (518) 402-9711
Fax: (518) 402-9722

Website: <http://www.dec.state.ny.us>

2 FINANCIAL ASSISTANCE AND INCENTIVES

Information on various funding sources is available for cleanup and redevelopment of brownfield sites in New York State. These sources include New York State, the federal government, regional and local entities, and the private sector. Funding is available for planning, environmental site assessment, investigation and remediation, as well as activities, such as training, community outreach, and research and development to support redevelopment. Also included are programs that, while not providing financial assistance, provide technical assistance and liability protection for brownfields redevelopment. This section provides an overview of each program's funding opportunities, including grants, no- or low-interest loans, and tax incentives available from each of the sources. This section also provides details regarding these programs, including a brief description, how to apply for funding, eligibility requirements, how the funds can be used, availability of funding, and contacts for additional information and funding applications.

It should be noted that the information contained in this manual is relative to information available at the time it was prepared. The programs and initiatives involved with the cleanup and redevelopment of brownfields is constantly evolving and the contact for each of the entities and programs provided in this section should be contacted to obtain the most recent information regarding the programs and initiatives contained in this manual, as well as new programs/initiatives.

2.1 New York State

New York State, as a result of its commitment to environmental protection, and economic revitalization and growth in the State, has created an array of programs and resources to help clean up and reuse brownfield sites. New York State agencies/entities offer programs that provide financial assistance, as well as technical assistance and liability protection, for investigation, remediation and redevelopment of brownfield sites.

Legislation signed into law by Governor George Pataki on October 7, 2003 amended and refinanced the State Superfund Program and created or enhanced the following brownfield-related programs:

- The Brownfield Cleanup Program (BCP), successor to the Voluntary Cleanup Program, enhances private-sector remediation of brownfields and reduces development pressure on “greenfields.” This program encourages a cooperative approach among the New York State Department of Environmental Conservation (NYSDEC), current property owners, lenders, developers and prospective purchasers to investigate and/or remediate contaminated sites and return these sites to productive use. The BCP addresses the environmental, legal liability and financial barriers that often hinder the redevelopment and reuse of contaminated properties. This program provides brownfield investment incentives, including business and personal tax credits for remediation and development, real property taxes and environmental insurance tax credit.
- The Brownfield Opportunity Areas (BOA) Program provides technical and financial assistance to municipalities and community-based organizations to conduct redevelopment planning and site assessments for designated areas containing brownfield sites. Funding is available to cover 90 percent of the costs to complete BOA pre-nomination studies, nomination documents and site assessments. Projects in the Brownfield Opportunity Area Program may receive a priority and preference when considered for financial assistance pursuant to any other state, federal or local law.
- The 1996 Clean Water/Clean Air Bond Act’s Environmental Restoration Program (ERP) was amended and enhanced to provide increased financial assistance and incentives to municipalities for investigation and cleanup at eligible brownfield sites. Under the ERP, New York State provides grants to municipalities for reimbursement of a portion (up to 90 percent on-site and 100 percent off-site) of eligible costs for site investigation and remediation. A municipal cost share is required. Remediation may include cleanup of contamination in environmental media, such as soil and groundwater, and may also include building demolition and asbestos removal for

which reimbursement up to 50 percent of eligible costs is available. In addition, the ERP provides liability protection, including an indemnification for any claims and defense by New York State for claims made against the funding recipient.

Additional information on these three brownfield programs can be found under programs administered by the New York State Department of Environmental Conservation in this section.

To further foster redevelopment of brownfields, partnerships have been established among a number of State entities. Provided below are the entities and programs involved in this partnership available at the time of preparation of this manual.

NEW YORK STATE AGENCIES AND INCENTIVE PROGRAMS

Department of Environmental Conservation

Brownfield Cleanup Program
Brownfield Opportunity Areas Program
Environmental Restoration Program
Hudson River Estuary Grants Program
Water Quality Improvement Projects

Department of Health

Drinking Water State Revolving Fund

Department of Labor - Division of Safety and Health

Occupational Safety and Health Training and Education Grants

Department of Motor Vehicles - Governor's Traffic Safety Committee

Highway Safety Grant Program

Department of State – Division of Coastal Resources

Local Waterfront Revitalization Program

Department of Transportation

Industrial Access Program
Transportation and Community and System Preservation Pilot Program
Transportation Enhancements Program

Division of Housing and Community Renewal

Housing Development Fund
Senior Housing Initiative

Education Department

Local Government Records Management Improvement Fund

Empire State Development

New York State Incentive Programs

Energy Research and Development Authority

New York Energy Smart New Construction Program

Environmental Facilities Corporation

Clean Water State Revolving Fund Program

Industrial Finance Program

Governor's Office of Regulatory Reform

Permit Assistance Program

Governor's Office of Small Cities

Community Development Strategic Plan Technical Assistance Grant Program

Small Cities Community Development Block Grants Program

Housing Finance Agency

New York State Affordable Housing Corporation Affordable Home Ownership
Development Program

Secured Loan Rental Housing Program

Housing Trust Fund Corporation

HOME Program

Homes for Working Families Program

Low-Income Housing Trust Fund Program

Hudson River Valley Greenway

Communities Council Planning Grants

Greenway Compact Grant Program

Greenway Water and Land Trail Grants

Office of Parks, Recreation and Historic Preservation

Acquisition Program

Heritage Areas System

Historic Preservation Program

Parks Program

Thruway Authority Canal Corporation

Canal Revitalization Program

The matrix in this section lists the programs administered by each of these State entities and indicates the elements of brownfield redevelopment that they address and the types of assistance available. A summary of each of these programs is provided.

In addition to the entities and programs listed above, several other entities provide assistance for redevelopment of brownfield sites. These include the following:

Quality Communities Interagency Task Force - Studies community growth in New York State and develops measures to assist communities in implementing effective land development, preservation and rehabilitation strategies that promote economic development and environmental protection.

Website: <http://www.dos.state.ny.us/qcp/qcp2.html>.

Interstate Technology and Regulatory Council (ITRC) - State-led coalition of regulators, industry experts, citizen stakeholders, academia and federal partners who work to achieve regulatory acceptance of environmental technologies. New York State is recognized for routinely considering innovative solutions for cleaning up brownfields. The NYSDEC is the lead state agency on ITRC's brownfields team, keeping New York State on the cutting edge of technology and policy issues relating to brownfields.

Website: <http://www.itrcweb.org>

University of Buffalo Center for Integrated Waste Management/Brownfield Action Project (BAP) - University personnel from several disciplines critical to successful remediation and redevelopment of brownfields focus on: 1) increasing research opportunities in site remediation; 2) providing technical assistance to municipalities seeking to redevelop environmentally contaminated properties; and 3) expanding local workforce training opportunities in environmental restoration. Website: <http://www.ciwn.buffalo.edu>.

State University of New York (SUNY) Center for Brownfield Studies - The SUNY Center provides students, industries and municipal governments with expertise, disciplines, and skills necessary for redeveloping brownfields. Website: http://www.sunyit.edu/pdf_files/brownfield_studies.pdf.

National Brownfields Association - A non-profit organization that promotes the responsible redevelopment of brownfields through its New York Chapter by providing a state forum for the brownfield community to meet, exchange ideas, disseminate information and resolve brownfield redevelopment issues at the local level to bring brownfields redevelopment projects from concept to reality. Website: <http://brownfieldassociation.org>.

SUMMARY OF NEW YORK STATE ASSISTANCE AND INCENTIVE PROGRAMS

Page Number	NEW YORK STATE AGENCY AND PROGRAM	Planning, Engineering and Community Development ¹	Site Investigation and Remediation	Real Estate Purchase	Site Preparation and Improvement	Industrial, Affordable Housing and Waterfront Redevelopment ²	Transportation Construction and Rehabilitation ³	Recreational Facility Construction	Water Supply and Waste Facility Construction and Improvements ⁵	Historic Preservation and Habitat Restoration ⁶	Training and Product Development ⁷	Other Programs ⁸
GRANTS/REIMBURSEMENTS/CONTRACTUAL FUNDING												
	Department of Environmental Conservation											
2-17	Brownfield Opportunity Areas Program	•	•									
2-19	Environmental Restoration Program		•									
2-21	Hudson River Estuary Grants Program	•		•				•				
2-25	Water Quality Improvement Projects	•				•		•				•
	Department of Health											
2-29	Drinking Water State Revolving Fund Program							•				
	Department of Labor - Division of Safety and Health											
2-31	Occupational Safety and Health Training and Education Grants										•	
	Department of Motor Vehicles - Governor's Traffic Safety Committee											
2-33	Highway Safety Grant Program	•										
	Department of State – Division of Coastal Resources											
2-35	Local Waterfront Revitalization Program	•				•						
	Department of Transportation											
2-37	Industrial Access Program	•	•	•		•						
2-41	Transportation and Community and System Preservation Pilot Program	•				•						
2-43	Transportation Enhancements Program	•	•	•	•	•	•		•			
	Education Department											
2-49	Local Government Records Management Improvement Fund	•										
	Empire State Development											
2-51	New York State Incentive Programs	•	•	•	•			•		•		
	Energy Research and Development Authority											
2-61	New York Energy Smart New Construction Program	•		•	•							
	Governor's Office of Small Cities											
2-71	Community Development Strategic Plan Technical Assistance Grant Program	•										
2-73	Small Cities Community Development Block Grants Program	•		•	•	•						
	Housing Finance Agency											
2-77	New York State Affordable Housing Corporation Affordable Home Ownership Development Program		•		•							
	Housing Trust Fund Corporation											
2-81	HOME Program	•	•	•	•							
2-85	Low-Income Housing Trust Fund Program	•		•	•							

SUMMARY OF NEW YORK STATE ASSISTANCE AND INCENTIVE PROGRAMS

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	Hudson River Valley Greenway											
2-87	Communities Council Planning Grants	•										
2-89	Greenway Compact Grant Program	•				•			•			
2-91	Greenway Water and Land Trail Grants	•				•	•		•			
	Office of Parks, Recreation and Historic Preservation											
2-93	Acquisition Program		•									
2-97	Heritage Areas Program				•				•			
2-101	Historic Preservation Program				•		•		•			
2-105	Parks Program		•		•		•		•			
	LOANS/LOAN GUARANTEES											
	Department of Health											
2-29	Drinking Water State Revolving Fund Program							•				
	Department of Transportation											
2-37	Industrial Access Program	•	•	•		•						
	Division of Housing and Community Renewal											
2-45	Housing Development Fund		•	•	•							
2-47	Senior Housing Initiative				•							
	Empire State Development											
2-51	New York State Incentive Programs	•	•	•	•			•		•		
	Environmental Facilities Corporation											
2-65	Clean Water State Revolving Fund Program	•	•					•				•
2-67	Industrial Finance Program	•	•					•				•
	Housing Finance Agency											
2-79	Secured Loan Rental Housing Program		•	•	•							
	Housing Trust Fund Corporation											
2-81	HOME Program	•	•	•	•							
2-83	Homes for Working Families Program				•							
2-85	Low-Income Housing Trust Fund Program	•			•	•						
	TAX INCENTIVES											
	Department of Environmental Conservation											
2-13	Brownfield Cleanup Program		•									
	Empire State Development											
2-51	New York State Incentive Programs	•	•	•	•			•		•		

SUMMARY OF NEW YORK STATE ASSISTANCE AND INCENTIVE PROGRAMS

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LIABILITY PROTECTION													
Department of Environmental Conservation													
2-13	Brownfield Cleanup Program		•										
2-19	Environmental Restoration Program		•										
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Department of Environmental Conservation													
2-13	Brownfield Cleanup Program		•										
2-17	Brownfield Opportunity Areas Program	•	•										
2-19	Environmental Restoration Program		•										
Department of State – Division of Coastal Resources													
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Energy Research and Development Authority													
2-61	New York Energy Smart New Construction Program	•			•	•							
Governor's Office of Regulatory Reform													
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Hudson River Valley Greenway													
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Thruway Authority Canal Corporation													
2-109	Canal Revitalization Program	•											

Notes:

1. Includes Design and Records Management
2. Includes Access Road Construction and Rehabilitation, Infrastructure Rehabilitation, Storm Water Mitigation and Other Site Improvements (curbing, lighting, signage)
3. Includes Industrial Development and Redevelopment and Affordable Housing Construction and Rehabilitation
4. Includes Outdoor Advertising Controls and Removal
5. Includes Drinking Water Supply Improvements, Wastewater Treatment Improvements, Solid Waste Facility Construction, Sewerage Treatment Facility and Associated Appurtenances Construction, and Hazardous Waste Facility Construction
6. Includes Wildlife Environmental Mitigation
7. Includes Environmental Technology Product Development
8. Includes Machinery and Equipment Purchase, Pollution Prevention and Dredge Material Innovative Use

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SUPPORTING BROWNFIELD REDEVELOPMENT**

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD CLEANUP PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Liability release, technical assistance and tax incentives

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Brownfield Cleanup Program (BCP) is a cooperative approach among the New York State Department of Environmental Conservation (Department), lenders, developers and prospective purchasers to investigate and/or remediate contaminated sites, and return these sites to productive use. Under the Brownfield Cleanup Program, an applicant enters into a Brownfield Cleanup Agreement and performs remedial activities pursuant to one or more Department-approved work plans. The applicant agrees to use a multi-track approach to remediate the site to a level which is protective of public health and the environment for the present or intended use of the property. Investigation and remediation is carried out under the oversight of the Department and the New York State Department of Health (NYSDOH). When the applicant completes the work, a release from liability from New York State is provided, with standard reservations. If the applicant is a volunteer and the off-site contamination is a significant threat, the State will pursue the potentially responsible party or clean up the off-site contamination. If the applicant is a responsible party participant, the participant is responsible for off-site cleanup. The applicant pays the State's oversight costs.

ELIGIBILITY REQUIREMENTS

Program applicants include "participants" and "volunteers."

- A participant either was the owner or operator of the site at the time of disposal of hazardous waste or discharge of petroleum or is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.
- A volunteer is an applicant other than a participant, including an applicant whose liability arises solely as the result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum. Further, to qualify as a volunteer, a party must have taken "reasonable steps" relative to the site's contamination.

The Department will use the information provided on the Brownfield Cleanup Program application form, as well as any other relevant information in its files, to determine an applicant's eligibility for participation in the program. It also serves as an initial summary of the site conditions.

Eligible Sites - All sites are eligible for the BCP, **except** the following:

- Federal National Priority List (NPL) sites;
- Class 1 New York State Registry sites;
- Class 2 New York State Registry sites (note: sites owned by volunteers are eligible through July 1, 2005);
- Permitted RCRA sites (note: interim status sites are eligible);
- Sites subject to an enforcement action;
- Sites subject to a cleanup order under Article 12 of the Navigation Law; and
- Sites subject to any other federal or state environmental enforcement action.

Eligible Parties - All parties are eligible to participate, unless:

- There is an action or proceeding related to the site against a person requesting participation that is pending in any civil or criminal court in any jurisdiction, or before any state or federal administrative agency or body, where the state or federal government seeks the investigation, removal or remediation of hazardous wastes or petroleum.
- The person requesting participation is subject to an outstanding claim by the New York Environmental Protection and Spill Compensation Fund (the "Oil Spill Fund").
- Also, the Department may reject a request for participation if the Department determines that the public's interest would not be served.

HOW THE FUNDS CAN BE USED

Financial assistance is not available under this program.

AVAILABILITY OF FUNDING

Although financial assistance is not available under this program, a comprehensive package of tax incentives

are available to parties cleaning up sites under the BCP. These incentives will offset costs associated with site preparation and property improvements, and include tax credits for real property taxes and the purchase of environmental insurance. The components of the brownfield redevelopment tax credit are site preparation credits, tangible property credits and on-site groundwater remediation credits. For each component, the law allows credits of 12% for business taxes and 10% for personal taxes, which increases to 14% and 12%, respectively, if remediation is conducted for unrestricted site use. The applicable percentage will be increased by 8% if at least half of the qualified site is located in an "environmental zone" identified by the Commissioner of Economic Development as having a poverty rate of at least 20% and an unemployment rate at least one-and-a-quarter times the statewide average.

The remediated brownfield tax credit for real property taxes is structured to foster economic development by rewarding developers that employ a significant number of employees, up to the maximum credit based upon 100 employees. It is further designed to encourage such development in designated environmental zones which are low income/high unemployment areas that most need job creation. The amount of the real property tax credit is 25% of the product of the employment factor times eligible real property taxes; or for properties within a designated environmental zone, the credit is simply the product of the employment factor times eligible real property taxes. The employment factor is based upon the number of jobs ranging from 25 (resulting in a factor of .25) to 100 (resulting in a factor of 1.0).

Environmental insurance provides a method to quantify economic risks associated with brownfields, which assists in the investment decision making for developers and other equity investors and helps to give lenders justification for providing investors easier access to debt capital. The innovative environmental remediation insurance tax credit will help to offset the costs developers incur when purchasing environmental insurance. The credit is equal to \$30,000 or 50% of the premium paid, whichever is less.

In order to be eligible for any of these tax incentives, a certificate of completion stating that remediation requirements have been achieved for the site must be received from the NYSDEC. The incentives will be effective for tax years beginning on or after April 1, 2005.

LIABILITY PROTECTION PROVIDED

Once the Department has issued a certificate of completion, the party is entitled to an environmental liability limitation that would be binding on the State for any liability including future liability or claim for further remediation of hazardous waste and/or petroleum at or emanating from the site that was subject to the brownfield cleanup agreement. The liability limitation extends to successors and assigns except a responsible party, unless that person was party to the brownfield cleanup agreement.

Liability reopens/reservations would include:

- Environmental contamination at, on, under or migrating from the site, if in light of such conditions, the site is no longer protective of public health or the environment.
- Failure to comply with the terms of the agreement, remedial work plan and the certificate of completion.
- Fraud.
- Change in standard, factor or criteria upon which the remedial work plan or no further action determination was based, which renders the remedial program no longer protective of public health or the environment.
- Change in land use unless remedial action is taken as needed to meet the standard of protection of public health and the environment for the site's new use.
- Following certification of completion, the failure of an applicant to make substantial progress toward completion of its proposed development of the site within 3 years, or the applicant engages in unreasonable delay, and fails to complete its proposed development of the site in a reasonable time considering the size, scope and nature of the development.

Release Transfer: The release would be transferable to future owners and developers and occupiers of the site provided that such persons act in good faith to adhere to the requirements of the agreement.

Natural Resource Damages: Volunteers would be released from liability for natural resource damages under CERCLA; however, participants would not be released.

CONTACT

Brownfields Coordination Section
New York State Department of
Environmental Conservation
625 Broadway
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Website: <http://www.dec.state.ny.us>

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BROWNFIELD OPPORTUNITY AREAS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grants (up to 90%) and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Brownfield Opportunity Areas (BOA) program was established under an amendment of the general municipal law to provide assistance to municipalities and/or community based organizations to complete area-wide approaches to brownfields redevelopment planning. In consultation with the New York State Department of State, the program will allow municipalities and community-based organizations to address a range of problems posed by multiple brownfield sites, build consensus on the future uses of priority brownfield sites and establish multi-agency and private-sector partnerships necessary to leverage assistance and investments to revitalize neighborhoods and communities. Sites within a designated BOA receive a priority when considered for financial assistance under the 1986 Environmental Quality Bond Act and 1996 Clean Water/Clean Air Bond Act funding programs.

ELIGIBILITY REQUIREMENTS

Municipalities, community-based organizations or municipalities and community-based organizations acting in cooperation are eligible. Community-based organization must be a not-for-profit corporation incorporated under Section 501(c)(3) of the Internal Revenue Code whose stated mission is to promote reuse of brownfield sites within a specified geographic area in which the organization is located, must have at least 25% of its board of directors residing in the community and must represent a community with a demonstrated financial need. Priority brownfield sites within a designated BOA eligible for financial assistance must be owned by a municipality or volunteer. A volunteer is a party whose liability is based only on post-contamination ownership of sites provided that they did not cause additional contamination.

HOW THE FUNDS CAN BE USED	Funds can be utilized for: <ul style="list-style-type: none"> • Development of pre-nomination studies; • Development of nomination documents; • Conducting site assessments at priority brownfield sites.
AVAILABILITY OF FUNDING	Funding is provided on an annual basis.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p> Brownfields Coordination Section New York State Department of Environmental Conservation 625 Broadway Albany, New York 12233 Telephone: (518) 402-9711 Fax: (518) 402-9722 </p> <p> Website: http://www.dec.state.ny.us </p> <p> Division of Coastal Resources New York State Department of State 41 State Street Albany, NY 12231-0001 Telephone: (518) 474-6000 Fax: (518) 473-2464 </p> <p> Website: http://www.dos.state.ny.us/cstl/cstlwww.html </p>

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

ENVIRONMENTAL RESTORATION PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Reimbursement grant (up to 90% on-site and 100% off-site), liability protection and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

As part of the \$1.75 billion 1996 Clean Water/Clean Air Bond Act, a fund of \$200 million was created for the Environmental Restoration Program (ERP). Under the ERP, the State provides grants to municipalities for reimbursement of up to 90% of eligible costs for on-site investigation and remediation activities, and 100% for off-site remediation if required by NYSDEC. The property may then be used for commercial, industrial, residential or public use, depending on the level of cleanup.

ELIGIBILITY REQUIREMENTS

New York State municipalities are eligible. The term “municipality” includes counties, cities, towns and villages, as well as local public authorities, public benefit corporations, school and supervisory districts, district corporation, improvement districts, and Indian nations or tribes within New York State. The term “municipality” also includes a municipality acting in partnership with a community-based organization. The term “community-based organization” shall mean a not-for-profit corporation that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, whose stated mission is promoting reuse of brownfield sites within a specified geographic area in which the organization is located, which has 25% or more of its board of directors residing in the community in such area and represents a community with a demonstrated financial need.

The purpose must be to investigate or remediate hazardous substances including petroleum on property held in title by the municipality. A municipality may obtain “temporary incidents of ownership” during a fax foreclosure proceeding for a property in order to conduct a site investigation.

The property cannot be listed as a Class 1 or 2 site on the New York State Registry of Inactive Hazardous Waste Disposal Sites.

Remediation projects are evaluated based upon five criteria:

- Benefit to the environment;
- Economic benefit to the State;
- Potential for public or recreational use of the remediated property;
- Real property in a designated brownfield opportunity area;
- Availability of other funding sources to pay for the project.

HOW THE FUNDS CAN BE USED

- Investigation Grants
 - The purpose is to determine the nature and extent of contamination, and then determine the appropriate remedy.
 - Includes public input on the selection of the cleanup remedy and ends with a Record of Decision (ROD).
- Remediation Grants
 - Remediation includes the design and construction of the cleanup selected in the ROD.
 - Projects are prioritized using a priority ranking score based on the five criteria listed above.

AVAILABILITY OF FUNDING

There is no limit on the project or grant amount.

LIABILITY PROTECTION PROVIDED

- The municipality and all successors in title, lessees and lenders are released from liability by New York State for hazardous substances, including petroleum, that were on the property prior to the grant.
- New York State indemnifies these same persons in the amount of any settlements/judgments obtained regarding an action relating to hazardous substances that were on the property prior to the grant.
- These same persons are entitled to representation by the State Attorney General.

CONTACT

Brownfields Coordination Section
New York State Department of Environmental
Conservation
625 Broadway
Albany, New York 12233
Telephone: (518) 402-9711
Fax: (518) 402-9722

Website: <http://www.dec.state.ny.us>

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

HUDSON RIVER ESTUARY GRANTS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Reimbursement grant (up to 75%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Hudson River Estuary Grants Program is intended to implement the priorities of the Hudson River Estuary Action Plan. The goals of the Plan are to conserve natural resources, promote use and enjoyment of the river, and clean up pollution. Projects must help achieve or support the goals of the Estuary Action Plan.
ELIGIBILITY REQUIREMENTS	Eligible applicants include municipalities and not-for-profit corporations whose projects are located within the geographic boundaries of the Hudson River estuary and associated shore lands. Hudson River estuary refers to the legislatively designated Hudson River Estuarine District established in the Environmental Conservation Law Section 11-0306, which includes the tidal waters of the Hudson River, including the tidal waters of its tributaries and wetlands from the federal lock and dam at Troy to the Verrazano Narrows and associated shore lands, with consideration to the remainder of the Hudson River estuary, in order to protect, preserve and, where possible, restore and enhance the Hudson River Estuarine District.

For purposes of protecting tributaries and upland habitat, the area eligible for estuary grants includes the counties bordering the Hudson River from the Verrazano Narrows to the Troy dam (or portions thereof that are within the Hudson River estuary watershed). Tributaries include all New York State waters that flow into the Hudson from the federal lock and dam at Troy to the Verrazano Narrows, including the East River to Hell Gate, the Harlem River and the Kill Van Kull.

Projects eligible for state assistance are limited to the following five categories:

1. Community Interpretive Centers and Education Projects;
2. Open Space Acquisition of Habitat, Scenery or River Access;
3. Community Conservation and River Stewardship;
4. Watersheds and Tributary Conservation; and
5. River Access: Boating, Fishing and Swimming.

HOW THE FUNDS CAN BE USED

The following costs are eligible for reimbursement:

- Engineering and architectural services, surveys, plans and specifications, research, design and development of a project;
- Directly related consultant and legal services;
- Land acquisition, to the extent the lands are used for project site;
- Land acquisition costs directly related to the grant application, appraisals by a certified appraiser, surveys and legal fees;
- Facility construction and/or upgrade, feasibility studies for facilities and other approved directly related expenses;
- Archaeological field work, report preparation, curation of artifacts and interpretation;
- Staff time/municipal work force time directly devoted to the project;
- Special equipment (purchase/rental) and materials required to execute the project; and
- Publicity, promotion and public education directly related to an operating or functioning project.

Administration

Grant administration costs are not reimbursable, but can be used as match once a grant is awarded. Administration costs should not exceed 10% of the grant amount and are defined as those costs associated with the following:

- Preparation of the project agreement (contract);
- Preparation of equal employment opportunity documentation;
- Preparation of women and minority business enterprises documentation;
- Preparation of a payment request documentation;
- Preparation of a project completion report;
- Advertisement of construction contract bids; and
- The project sign noting the state's assistance (purchased through New York State Department of Corrections).

Ineligible Costs

The following costs incurred as part of the planning, construction or implementation of a Hudson River Estuary Grant project will not be eligible for funding:

- Grant application preparation;
- Costs incurred prior to the award of the grant; and
- Costs defrayed by federal or other outside funding.

AVAILABILITY OF FUNDING

Requests for funds should range from \$2,500 to \$100,000. Applicants are encouraged to submit grant applications well below the \$100,000 maximum. Feasibility studies or planning grants that will lead to capital projects are allowed up to \$25,000. Implementation grants are allowed up to \$100,000. Cost effectiveness will be given priority in the selection of projects.

Total funds allocated for 2003-2004 are \$1,000,000. Total funds allocated will be determined each year depending on the state budget process. The New York State Department of Environmental Conservation reserves the right to allocate funding among project categories to assure the best total selection of projects meeting Estuary Action Plan priorities.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

Hudson River Estuary Program
New York State Department of
Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561
Telephone: (845) 256-3016
Fax: 845-255-3649
E-mail: hrep@gw.dec.state.ny.us

Website: <http://www.dec.state.ny.us/website/udson>

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WATER QUALITY IMPROVEMENT PROJECTS

TYPE OF ASSISTANCE OR INCENTIVE

Contractual funding (local match required)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

Funding available from the Clean Water/Clean Air Bond Act, Environmental Protection Fund (EPF), the federal Performance Partnership Grant (PPG), the Federal Safe Drinking Water Act (SDWA) and the Federal Long Island Sound Restoration Act (LISRA) are to be used for projects that demonstrate direct environmental benefits. The Department of Environmental Conservation, the Department of State, the Department of Agriculture and Markets, and the Environmental Facilities Corporation have formed an interagency Bond Act implementation group to integrate their respective administrative responsibilities for funding projects under the Bond Act and to coordinate related funding programs.

ELIGIBILITY REQUIREMENTS

Municipalities, municipal corporations, soil and water conservation districts are eligible. In some instances, New York colleges and universities, 501(c)(3) organizations, or State Pollution Discharge Elimination System permit holders may also be eligible, dependent upon the funding source. See application for specific eligibility.

State assistance payments will fund up to 50% to 85% of the project cost, depending on the project type and funding source. A local match varying from 15% to 50% is required, according to the project type and funding source.

HOW THE FUNDS CAN BE USED

Funding provided under this program are to be used for water quality improvement projects to implement management programs, plans or projects for the following:

- Peconic Estuary and South Shore Estuary Reserve
- Statewide Nonpoint Source Abatement and Control
- Hudson River Estuary Phase I Long-term Control Plan for Combined Sewer Overflows (CSOs)
- Municipal Separate Storm Sewer Systems (MS4s) Phase II Storm Water Permit implementation

- New York City Watershed
- Long Island Sound
- Onondaga Lake

Water quality improvement projects consist of the following:

- Wastewater treatment improvement;
- Non-agricultural non-point source abatement and control;
- Aquatic habitat restoration;
- New York City Watershed protection;
- Phase II Storm Water implementation;
- Hudson River Phase I Long-term control plan for CSOs;
- Planning and assessment;
- Education and outreach; and
- Pollution prevention.

AVAILABILITY OF FUNDING	<p>For fiscal year 2003-2004:</p> <ul style="list-style-type: none"> • Peconic Estuary and South Shore Estuary Reserve - \$10 million • Peconic Estuary - \$65,000 • Municipal Separate Storm Sewer Systems (MS4s) Phase II Storm Water Permit implementation - \$3.4 million • Hudson River Estuary Phase I Long-term Control Plan for combined sewer overflows (CSOs) - \$2 million • New York City Watershed - \$7.4 million • Long Island Sound - \$1.8 million • Onondaga Lake - \$10 million
LIABILITY PROTECTION PROVIDED	<p>Liability protection is not available under this program.</p>
CONTACT	<p>Water Quality Improvement Projects NYSDEC Division of Water 4th Floor 625 Broadway Albany, NY 12233-3500</p> <p>Website: http://www.dec.state.ny.us/website/bondact</p> <ul style="list-style-type: none"> • Peconic Estuary NYSDEC, Division of Water Tony Leung (631) 444-0405 NYSDEC, Division of Fish, Wildlife and Marine Resources, Karen Chytalo (631) 444-0430

- South Shore Reserve Estuary Reserve NYSDOS, Coastal Zone and Waterfront Revitalization
Jeffrey Zappieri (518) 474-6000
Kenneth Smith (518) 474-6000
- Statewide Nonpoint Source Abatement and Control Estuary NYSDEC
Gerry Chartier (518) 402-8244
- Hudson River Estuary Phase I Long-term Control Plan for Combined Sewer Overflows (CSOs) NYSDEC, Division of Water
Joe DiMura (518) 402-8117
- Municipal Separate Storm Sewer Systems (MS4s) Phase II Storm Water Permit implementation NYSDEC, Division of Water
Lois New (518) 402-8232
- New York City Watershed NYSDEC, Division of Water
Kenneth Markussen (518) 402-8177
- Long Island Sound NYSDEC, Division of Water
Dick Draper (518) 402-8251
NYSDEC, Division of Fish, Wildlife and Marine Resources,
Karen Chytalo (631) 444-0430
- Onondaga Lake NYSDEC, Division of Water
Steve Eidt (315) 426-7506

NEW YORK STATE DEPARTMENT OF HEALTH

DRINKING WATER STATE REVOLVING FUND

TYPE OF ASSISTANCE OR INCENTIVE

Limited grants available to hardship communities. Short-term financing (interest free for up to 3years), leveraged loans, regular reduced rate direct loans and emergency financing.

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Drinking Water State Revolving Fund (DWSRF) provides a financial incentive for public and private water systems to undertake drinking water infrastructure improvements. For communities with demonstrated financial hardship, interest rates can be reduced to zero.

ELIGIBILITY REQUIREMENTS

Drinking water systems that are eligible for project funding are community water systems, both public and privately owned, and non-profit, non-community water systems.

The DWSRF loan application requires the submittal of a pre-application form to the Department of Health in order to rank and list the project in the Intended Use Plan (IUP). Once listed, a complete application form would be submitted to the New York State Environmental Facilities Corporation. Listing does not guarantee funding in a particular IUP period.

Limited grant funds are available to hardship communities with a project cost less than \$10,000,000 and a median household income (MHI) less than the State average MHI. Communities which qualify for grant dollars, but have a MHI greater than NY State average MHI, will get 0% loans only. Grants are limited to \$2,000,000 or 75% of the total project cost for the hardship eligible projects.

HOW THE FUNDS CAN BE USED

Projects eligible for DWSRF financing include investments to upgrade or replace infrastructure needed to achieve or maintain compliance with federal or state drinking water standards, meet treatment/performance criteria, prevent contamination, provide adequate delivery pressures, replace contaminated supplies and provide the public with safe affordable drinking water. Examples of such projects are:

- Construction of new and/or rehabilitation of treatment facilities, transmission and distribution mains, interconnections, pumping stations and drinking water sources, including finished water reservoirs;
- Funding and/or construction to promote the consolidation of water supply services, particularly in circumstances where individual homes or water systems generally have an inadequate quantity of water, the water supply is contaminated, or the system is unable to maintain adequate compliance for financial or managerial reasons;
- Capital investments made to improve the security of drinking water systems;
- The purchase of a portion of another system if the purchase is part of a consolidation plan to bring the system(s) into compliance; and
- Any of the above listed project types which are publicly owned and were previously financed after July 1, 1993, may be eligible for refinancing.

Projects submitted by systems lacking technical, managerial or financial capacity, or are in significant non-compliance are not eligible for funding unless the proposed project will improve capacity or compliance. Also, projects whose primary purpose is fire protection or growth/development, dams and reservoirs, or acquisition of land not integral to an eligible project, are not eligible.

AVAILABILITY OF FUNDING	If the total amount of requests for DWSRF loans during an IUP period is greater than the loan dollars available, an eligible project will be included for the next IUP. No one single project can draw more than 50% of the total available funds in an IUP.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this fund.
CONTACTS	<p>NYS Environmental Facilities Corporation 625 Broadway Albany, NY 12207-2997 (800) 882-9721 (within NYS) (518) 402-7086 Fax (518) 402-7086</p> <p>General InformationPaul Valente</p> <p>NYS Department of Health Bureau of Water Supply Protection Flanigan Square, 547 River Street, Rm. 400 Troy, NY 12180-2216 (800) 458-1158 (within NYS) (518) 402-7650 Fax (518) 402-7599 http://www.health.state.ny.us</p> <p>General InformationCharles Amento</p>

NEW YORK STATE DEPARTMENT OF LABOR DIVISION OF SAFETY AND HEALTH

<h2>OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION GRANTS</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Grant (up to 100%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The New York State Department of Labor's Division of Safety and Health, Hazard Abatement Board is a five-member board appointed by the Governor that awards grants for programs that provide safety and health training.
ELIGIBILITY REQUIREMENTS	<p>Public and private employers, labor organizations or their federations, educational institutions, non-profit organizations and trade associations.</p> <p>Applications are typically due in February. Awards are made in the Spring and grants are typically awarded for a 12-month contract term beginning August 1.</p>
HOW THE FUNDS CAN BE USED	<p>Eligible programs must train and educate workers, supervisors and/or employers, and must promote workplace accident and injury prevention. Typical training and educational activities that can be funded under the grant program include, but are not limited to, the following:</p> <ul style="list-style-type: none">• General or hazard-specific training on how to identify, evaluate and control employee exposure to workplace hazards;• Programs designed specifically to reduce workplace accidents by teaching lockout/tagout procedures, safe electrical work practices, methods of working safely in confined spaces, etc;• Programs emphasizing disease prevention through control of carcinogens and other toxic chemicals, physical hazards, such as noise, heat and vibration, or biological hazards such as hepatitis B virus and tuberculosis bacteria;• Programs which help resolve unique and unusually difficult job safety and health problems, such as the threat of assault on the job; and

- Instruction of employees and employers on their rights and responsibilities under the New York State Right-to-Know Law and Occupational Safety and Health Administration/Public Employee Safety and Health Bureau standards on Hazard Communication, chemical hazards in laboratories and specific substances.

AVAILABILITY OF FUNDING

No set limit on the availability of funding.

Approximately \$6,000,000 is available on a yearly basis.

LIABILITY PROTECTION PROVIDED

Liability protection is not available under this program.

CONTACT

David Hoy
 New York State Department of Labor
 Hazard Abatement Board
 Room 166
 Building 12 State Campus
 Albany, NY 12240
 Telephone: (518) 457-7629
 Fax: (518) 485-6082
 E-mail: usadjh@labor.state.ny.us

Website: <http://www.labor.state.ny.us/hab>

NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES GOVERNOR'S TRAFFIC SAFETY COMMITTEE

HIGHWAY SAFETY GRANT PROGRAM

**TYPE OF ASSISTANCE OR
INCENTIVE**

Grant (up to 100%)

**SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE**

The funding for the Highway Safety Grant Program comes from the National Highway Traffic Safety Administration (NHTSA), which the federal agency that has the responsibility for reducing deaths and injuries resulting from motor vehicle crashes. The Federal Highway Safety program is intended to support state and local efforts by providing start up money for new programs directed at identified highway safety problems.

ELIGIBILITY REQUIREMENTS

To qualify for funding, communities within a county must cooperatively develop a plan which identifies and documents the county's highway safety problems, establishes performance goals, objectives and measures, and proposes strategies that target the problems identified. An agency within the county can submit a proposal for funding to the county Traffic Safety Board, which in turn submits all funding applications to the Governor's Traffic Safety Committee.

A project that goes beyond three years requires matching funds. In the fourth year, a 35% match is required and in the fifth year a 50% match is required.

HOW THE FUNDS CAN BE USED	Projects funded must fall within an area identified as a priority in the Highway Safety Strategic Plan. These priorities include impaired driving, police traffic services, pedestrian, occupant protection or community safety programs. Projects must address a documented traffic safety problem and propose an effective or innovative strategy for solving the problem.
AVAILABILITY OF FUNDING	<p>There is no limit on the funding available. In recent years, \$20 million has been allocated annually for the program.</p> <p>Applications are typically submitted to Governors' Traffic Safety Committee in May and funds are awarded to coincide with the Federal Fiscal Year, which starts October 1 each year.</p>
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Governor's Traffic Safety Committee New York State Department of Motor Vehicles 6 Empire State Plaza Room 414 Albany, NY 12228 Telephone: (518) 474-5111 Fax: (518) 473-6946 E-mail: e-mail@nysgtsc.state.ny</p> <p>Website: http://www.nysgtsc.state.ny.us</p>

NEW YORK STATE DEPARTMENT OF STATE – DIVISION OF COASTAL RESOURCES

LOCAL WATERFRONT REVITALIZATION PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Matching grant (50%) and technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	New York State Department of State – Division of Coastal Resources provides grants through monies available from the Environmental Protection Fund for waterfront revitalization. In addition, the Division of Coastal Resources provides technical assistance and reviews proposed projects in coastal areas to ensure conformity with New York State’s Coastal Management Program.
ELIGIBILITY REQUIREMENTS	Any municipality located on the New York States’ coastal waters or on a designated inland waterway is eligible.
HOW THE FUNDS CAN BE USED	<p>Grants are typically available for the following:</p> <ul style="list-style-type: none"> • Urban Waterfront Redevelopment; • Preparing or implementing a water body management plan; • Coastal education programs; • Making the most of your waterfront – community visioning and development of revitalization strategies; • Completing or implementing a Local Waterfront Revitalization Program; and • Creating a Blueway Trail. <p>Within these grant categories, proposals which plan for and/or redevelop urban waterfronts, implement the recommendations of the Long Island South Shore Estuary Reserve Comprehensive Interagency Task Force, advance resource management and planning in eligible Adirondack communities, implement the New</p>

York State Coastal Resources Interpretive Program, implement a New York State Blueway Trail, or include community participation in planning and design will be a high priority for the 2003 grant awards.

AVAILABILITY OF FUNDING

There is no limit on the project or grant amount. Funding priority is established by the Division of Coastal Resources. Typically, approximately \$5 million per year is available under this grant program.

LIABILITY PROTECTION PROVIDED

Liability protection is not available under this program.

CONTACT

Stephen Ridler
Division of Coastal Resources
New York State Department of State
41 State Street
Albany, NY 12231-0001
Telephone: (518) 473-3942
Fax: (518) 473-2464
E-mail: sridler@dos.state.ny.us

Website:
<http://www.dos.state.ny.us/cstl/cstlwww.html>

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

INDUSTRIAL ACCESS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grant up to 60% and no interest loan for remaining 40%.

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The New York State Industrial Access Program has been designed to complement economic development projects throughout New York State where transportation access poses a problem or may offer a unique opportunity to the viability of a project. Chapter 54 of the Laws of 1985, and of subsequent years, established the Industrial Access Program to provide State funding for necessary highway and bridge improvements, which facilitate economic development and result in the creation and/or retention of jobs. Rail access projects were made eligible under the Laws of 1998.

ELIGIBILITY REQUIREMENTS

Municipalities, industrial development agencies or other governmental agencies involved in promotion economic development are eligible Industrial Access Program applicants. In the case of a private corporation, a State agency, municipality or industrial development agency must sponsor the project and file an application with the New York State Department of Transportation (NYSDOT) Regional Director on behalf of the non-governmental entity. Eligible projects must be an integral part of an economic development effort which seeks to retain, attract, expand or revitalize an industrial facility. Operations which are primarily retail in nature are not eligible.

There are no specific dates for the submission of applications inasmuch as the Department expects to make project awards throughout the year subject to continued availability of funds.

HOW THE FUNDS CAN BE USED

Eligible work includes design, acquisition of property, public access road/rail construction or reconstruction, curbing, sidewalks, traffic control and safety devices, drainage systems, landscaping and similar work that may facilitate industrial access.

Municipal in-house costs, such as engineering and related non-personal service expenditures, are eligible charges provided that they are not of a regular and recurring nature and if they can be demonstrated to be related specifically to the project. Approved municipal in-house costs do not constitute a service in kind match and must be included in the total project cost upon which the 40% repayment schedule is based.

AVAILABILITY OF FUNDING

Awards made under the Industrial Access Program are made on a 60% grant, 40% interest free loan basis, up to a maximum of \$1 million. As specified by law, the loan portion must be paid back within 5 years after the acceptance of the project by the department. Repayment terms are negotiable.

Appropriations for the Industrial Access Program are to be used where existing funding programs are not available or appropriate due to funding availability, timing or program constraints.

Industrial Access Program funds are not a substitute for private financing. Funds will only be made available in cases where attempts to obtain conventional (government and private) financing do not result in the necessary support on a timely basis.

Industrial Access Program projects with estimated costs exceeding \$50,000 must be let to contract by competitive bid. Projects under this ceiling may be built by municipal work forces.

LIABILITY PROTECTION PROVIDED

Liability protection is not available under this program.

CONTACTS

Main Office

Greg Knox or
Jack Earl
New York State Department of Transportation
Industrial Access Program
W. Averill Harriman State Office Campus
Building 7A, Room 300
Albany, NY 12232-0875
Telephone: (518) 457-7331
Fax: (518) 485-5688
Email: gknox@dot.state.ny.us
jearl@dot.state.ny.us

Region 1 - Albany, Essex, Greene, Rensselaer, Saratoga, Schenectady, Warren and Washington Counties
Ted Thompson
Telephone: (518) 388-0443

Region 2 - Fulton, Hamilton, Herkimer, Madison, Montgomery and Oneida Counties
Bob Jakubowski
Telephone: (518) 793-2690

Region 3 - Cayuga, Cortland, Onondaga, Oswego, Seneca, Tompkins and Wayne Counties
Salvatore Rizzo
Telephone: (315) 428-3234

Region 4 - Genesee, Livingston, Monroe, Ontario, Orleans and Wyoming Counties
Charlie McGarry
Telephone: (716) 272-3425

Region 5 - Cattaraugus, Chautauqua, Erie and Niagara Counties
Kurt Felgemacher
Telephone: (716) 847-3382

Region 6 - Allegany, Chemung, Schuyler, Steuben, Tioga and Yates Counties
Richard Rauber
Telephone: (607) 324-8415

Region 7 - Clinton, Franklin, Lewis, Jefferson and Saint Lawrence Counties
Anna Forbes
Telephone: (315) 785-2237

Region 8 - Columbia, Dutchess, Orange, Putnam, Rockland, Ulster and Westchester Counties
Akter Shareef
Telephone: (845) 431-5793

Region 9 - Broome, Chenango, Delaware, Otsego, Schoharie and Sullivan Counties
John Pioch
Telephone: (607) 721-8270

Region 10 - Nassau and Suffolk Counties
Nancy O'Connell
Telephone: (631) 952-6007

Region 11 - Bronx, Kings, New York, Queens and Richmond Counties
Ian Francis
Telephone: (718) 482-4559

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

<h2>TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%) and technical assistance
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Transportation and Community and System Preservation Pilot (TCSP) Program provides funding for surface transportation projects. Funding can be used to examine transportation strategies that relate to brownfields redevelopment, such as planning access to redeveloped brownfield sites, upgrading existing urban transportation systems and connecting local community members to new brownfield-related jobs. In addition, technical assistance is available to local governments and municipal planning organizations to assist in accessing funding and ensuring that brownfields are included in transportation planning.
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ELIGIBILITY REQUIREMENTS	Local and tribal governments and metropolitan planning organizations are eligible. Only surface transportation projects are eligible. Innovative solutions to transportation and community preservation issues are encouraged.
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Applications are typically submitted in January and awards are made in the fall.

HOW THE FUNDS CAN BE USED	Funds can be used for planning and implementation grants that :
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- Improve the efficiency of transportation systems;
- Reduce impacts of transportation on the environment;
- Ensure efficient access to jobs, services and centers of trade; and
- Examine and encourage private sector development patterns which meet these purposes.

AVAILABILITY OF FUNDING

There are no limits on the amount of a grant award. Approximately \$25,000,000 is available yearly under this program.

Continuation of this program is contingent upon its inclusion within the next Federal Transportation Act.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

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Website: <http://www.dot.state.ny.us>

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

<h2>TRANSPORTATION ENHANCEMENTS PROGRAM</h2>
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TYPE OF ASSISTANCE OR INCENTIVE	Grant (reimbursement of up to 80%)
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Transportation Enhancements Program is designed to implement the federal program established within the Intermodal Surface Transportation and Efficiency Act and continued in the Transportation Equity Act for the 21st Century (TEA-21). It provides federal reimbursement for non-traditional projects that add value to the transportation system by relating to human and environmental aspects.
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ELIGIBILITY REQUIREMENTS	All projects in this program must be sponsored by governmental bodies, but may be undertaken by teams of governmental and non-governmental entities. Governmental bodies include, state, county or city governments and agencies, boards or commissions created by state or local legislative enactment. Applications for funding may be developed by a non-profit incorporated group; however, all applications must be sponsored by a governmental body.
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HOW THE FUNDS CAN BE USED	The following is a list of the eligible Transportation Enhancement Program categories:
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- Provision of facilities for bicycles and pedestrians, including safety and educational activities for bicyclists and pedestrians;
- Acquisition of scenic easements and scenic or historic sites;
- Scenic or historic highway programs and provision of tourist and welcome center facilities;
- Landscaping and other scenic beautification;
- Historic preservation;
- Rehabilitation and operation of historic transportation buildings, structures or facilities;
- Establishment of transportation-related museums;

- Preservation of abandoned railway corridors, including conversion and use for pedestrian and bicycle trails;
- Control and removal of outdoor advertising;
- Archeological planning and research;
- Mitigation of water pollution due to highway runoff; and
- Environmental mitigation to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.

AVAILABILITY OF FUNDING

The Federal Highway Administration, through New York State Department of Transportation, will provide reimbursement up to 80% of the eligible approved project costs. All projects must be valued at least at \$50,000. A maximum of \$2 million can be allotted to any one project.

Continuation of this program is contingent upon its inclusion within the next Federal Transportation Act.

LIABILITY PROTECTION PROVIDED

Liability protection is not available under this program.

CONTACT

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 Program Management
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 Fax: (518) 457-7659
 E-mail: bviti@dot.state.ny.us

Website: <http://www.dot.state.ny.us>

NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

HOUSING DEVELOPMENT FUND

TYPE OF ASSISTANCE OR INCENTIVE	Loan (no or low interest)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The New York State Division of Housing and Community Renewal (HDCR) administers the Housing Development Fund, which is a revolving loan fund to provide loans to non-profit organizations to develop low-income housing projects.
ELIGIBILITY REQUIREMENTS	Eligible applicants include Housing Development Fund (HDF) Companies incorporated pursuant to Article 11 of Private Housing Finance Law, not-for-profit and charitable corporations, and their wholly owned subsidiaries, which have the improvement of housing for persons of low income as a primary purpose.
<p>Funding is available on a Statewide basis. To be eligible for HDF funding, a housing project must serve persons of low-income. Occupant eligibility is determined and regulated by the permanent government funding provider. When the project financing is not government-aided occupancy in a project assisted by a housing development fund loan is restricted to households with incomes not exceeding six times the total housing cost (rent and utilities), except that for households with three or more dependents, the income must not exceed seven times the total housing cost.</p>	
HOW THE FUNDS CAN BE USED	Housing development funds may be used for pre-development costs, site acquisition, construction/rehabilitation financing and other mortgageable project development costs. Housing development fund loans may also be used to provide short term financing repaid from equity contributed by investors in Low-Income Housing Credit projects. Because projects developed with housing development fund loans must provide housing for low-income residents, the permanent financing is generally state, federal or municipal government-aided. However, the project may be privately financed as long as it provides permanent housing for low-income persons.

AVAILABILITY OF FUNDING	Generally, housing development fund applications for construction financing are accepted from applicants who plan to request permanent financing from the New York State HOME Program to repay the housing development fund loan.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	New York State Division of Housing and Community Renewal Hampton Plaza 38-40 State Street Albany, NY 12207 Telephone: 518-486-5044 Fax: 518-486-3410 E-mail: cdInfo@dhcr.state.ny.us Website: http://www.dhcr.state.ny.us

NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

SENIOR HOUSING INITIATIVE

TYPE OF ASSISTANCE OR INCENTIVE Loan (no interest)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

Funding provided through the New York State Low Income Housing Trust Fund (HTF) or HOME Programs for the new construction or substantial rehabilitation of senior rental projects for which the primary source of financing is Section 501 (c)(3) bonds (also known as civic facility bonds) issued by a public authority serving as issuer.

ELIGIBILITY REQUIREMENTS

As an initiative administered by the New York State Housing Trust Fund Corporation (HTFC), the Senior Housing Initiative is subject to the eligibility requirements of either the HTF or HOME Programs pertaining to eligible applicant, area, project, costs and occupants.

In addition:

- Occupancy is limited to seniors, defined as households in which at least one of the members is a person 55 years of age or older.
- A minimum of 20% of HTFC-assisted units must be affordable to seniors with incomes of 50% or less of area median income. Projects may also include market rent units.

HOW THE FUNDS CAN BE USED

Funding for this initiative must be used for projects that include substantial rehabilitation or new construction of affordable rental housing. Funding can be used for construction or rehabilitation of cooperative, condominium, owner-occupied or rental housing for occupancy by low-income persons or households, including related acquisition and soft costs. Projects must be primarily for residential use, but loans may be used for non-residential space provided such space is incidental or appurtenant to the residential property.

HTFC will provide awards of up to \$25,000 (\$35,000 in New York City) or less per assisted unit.

AVAILABILITY OF FUNDING

If both HTFC-regulated and unregulated units are proposed, the amount of HTF or HOME Program assistance provided by HTFC will be based upon the financing necessary to support units which are affordable to persons or households with incomes of 90% (80% in New York City) or less of area median income.

HTFC will provide the HTF or HOME assistance under this initiative in the form of a 30-year, 0% interest loan repaid from 50% of project cash flow. Applicants must secure 501(c)(3) bond financing through a public authority serving as issuer. Such issuers include the New York State Housing Finance Agency, the New York City Housing Development Corporation, local industrial development agencies and local public housing authorities.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

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NEW YORK STATE EDUCATION DEPARTMENT

<h2>LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND</h2>

TYPE OF ASSISTANCE OR
INCENTIVE

Grant (up to 100%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The State Archives of the New York State Education Department administers the Local Government Records Management Improvement Fund program to help local governments establish records management programs or develop new program components. The grants are intended to help local governments provide access to information, such as building permits, local ordinances or survey maps and other records created and maintained by local governments.

ELIGIBILITY REQUIREMENTS

Every local government in New York State is eligible to apply for a grant if it has appointed a Records Management Officer, and if it has adopted the appropriate records retention and disposition schedule issued by the State Archives.

The following local governments are not required to have a Records Management Officer and/or adopt State Archives and Records Administration (SARA) records retention and disposition schedules: The City of New York and its five county clerks and five district attorneys; community school districts in New York City; housing authorities; and the Utica Transportation Authority. However, State Archives encourages these local governments to assign primary records management responsibility to a particular employee.

Applications are typically due in February and project selections are made during the summer.

HOW THE FUNDS CAN BE USED

Funds can be utilized for one of the following project category descriptions:

- Inventory and planning;
- Active records;
- Inactive records;
- Microfilming;
- Historical records; and
- Educational uses of local government records.

AVAILABILITY OF FUNDING

Applicants may apply for a maximum of two grants (two individual, or one individual and one cooperative), but only one per department or unit of the local government. If a local government submits two applications, each application must be able to stand and allow implementation on its own. The Records Management Officer must sign both applications. Local governments applying for a complex grant are limited to one application.

- **Individual Projects** involve a single local government. The applicant may request up to \$75,000.
- **Cooperative Projects** involve two or more local governments acting together on one activity. One local government must be the designated leader. The applicant may request up to \$125,000.
 - Cooperative project applications go through the same review and evaluation process as all others.
 - The application must explain how the project will be managed, and describe the involvement and contributions of each participant. The application must prove how the cooperative project will produce better results than a number of individual projects functioning separately.
 - Each participant in a cooperative project must meet Local Government Records Management Improvement Fund eligibility requirements.
- **Complex Projects** involve just one local government and must address problems involving an exceptionally large quantity of records or a complicated records management problem. The records management problem must be of such size and complexity that more than \$75,000 is necessary to establish or develop a new component of the local government's records management program.
 - Local governments must request at least \$75,001 but no more than \$125,000 for complex grants. In evaluating a complex project grant application, the grant reviewers may recommend funding it as an individual grant instead of as a complex project, at an amount of \$75,000 or less.
 - The grant may be in any project category except educational uses of local government records.

In 2002, \$6 million was available in grant funds and 454 out of 708 proposals received partial or full funding.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

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EMPIRE STATE DEVELOPMENT

NEW YORK STATE INCENTIVE PROGRAMS

LOW-COST FINANCING ASSISTANCE

Through Empire State Development (ESD), New York State can provide direct loans, loan guarantees and grants that can help companies reduce the costs of undertaking a job creation or retention project in the State. Funds are available to help defray capital expenses, such as the acquisition, renovation or improvement of real estate, including land and buildings, the acquisition of machinery and equipment, and related soft costs. Some companies may also qualify for working capital assistance. Types of assistance include:

- **Direct loans** at below-market rates to provide a lower overall blended rate with conventional sources;
- **Interest subsidy grants** that reduce the cost of borrowing from a conventional or State lender;
- **Loan guarantees** that encourage private lenders to participate in a project;
- **Job creation grants*** that partially defray employee-related corporate tax expenses; and
- **Capital grants*** that reduce the costs of acquiring or improving hard assets.

Eligible recipients for ESD funds include:

- Manufacturers;
- Assemblers;
- Distributors and materials handling firms;
- Research and development and high technology firms;
- Non-retail service and commercial firms;
- Retail firms located in an economically distressed area;
- Headquarters facilities for a broad spectrum of businesses; and
- Local development entities and other not-for-profits on behalf of an eligible business.

In addition to the above, ESD will often work with a municipality or county where the project is located to access local incentives that can coordinate with State resources and significantly lower project costs. For example, a project can be partially or wholly financed with Industrial Development Agency (IDA) bonds. In such a case, an ESD interest subsidy grant may be used to lower the cost of the bonds or a direct loan can be provided in conjunction with bonds. The participation of an IDA in the project can confer many financial advantages, including:

- Eligibility for a real property tax abatement through a Payment-in-Lieu-of-Tax (PILOT) agreement;
- Exemption from sales tax on construction materials and certain capital equipment purchased in connection with the project; and
- Exemption from the mortgage recording tax.

These benefits can be specifically quantified once the project budget and financing structure have been determined.

*These grants are available to companies that create at least 300 new jobs within New York State within a 5-year period and meet other criteria.

COMPETITIVENESS IMPROVEMENT ASSISTANCE

Training Assistance

New York State can provide training assistance in the form of grants and other financial assistance to partially defray the costs associated with recruiting and/or training new employees and upgrading the skills of current workers. Grant funds and technical assistance are available from a variety of State sources. ESD staff can also access federal dollars to augment these sources.

Funds from these sources can be used for classroom or, in certain circumstances, on-the-job training for new hires, including the cost of materials and supplies used directly in training and the cost of hiring outside instructors to train employees. Training can be provided both for specific job skills and high performance work organization techniques, as well as advanced

technologies and equipment. ESD staff can also help by providing references to local networks of training providers in the area where the project is located, and will help assemble the most comprehensive and appropriate type of training assistance in each case.

Industrial Effectiveness Program/Manufacturing Extension Partnership

These programs can provide direct technical assistance for the identification, development and implementation of improved management and production processes to improve efficiency, expand market share, and promote job growth and retention in New York State. In addition, the programs can provide grants to pay the cost of feasibility studies and the development of strategies by consultants to improve management and productivity.

INFRASTRUCTURE LOANS AND GRANTS

Through a variety of sources, New York State can provide assistance for construction, modification or improvements in the infrastructure serving an eligible company. Infrastructure improvements include, but are not limited to, site clearance, water and sewer lines, access roads, paving, docks, wharves, rail spur enhancements and other site-related work outside of the walls of any existing or proposed building.

Assistance is generally provided in the form of a combination of very low cost loans and grants from a variety of sources. ESD staff will work with a company to assemble the most beneficial financing package possible from State, local and federal programs.

TAX INCENTIVES

New York offers an array of incentives to encourage business investment and economic development within the Empire State. In addition, unlike many other states which tax both real and tangible personal property, New York State has no personal property tax. New York's tax incentives, which take the form of credits, deductions or allocation formula changes, can help reduce a company's overall effective tax burden to as low as the statutory minimum tax.

Companies can realize significantly enhanced tax benefits if they choose to locate in an Empire Zone. There are currently 72 designated Empire Zones located throughout the State. State staff can provide a list of such sites and help identify the optimum location for a project, if desired.

Following is a summary of New York State's major tax incentive programs relating to economic development projects. Specific estimates of tax savings can be made by ESD staff once the details of the project's financial structure are known. All business may carry forward unused credits for up to 15 years. New businesses may elect to receive as a refund certain unused parts of credits earned.

Investment Tax Credit

New York State offers one of the most generous investment tax credit programs in the nation. Benefits include:

- A 5-percent credit against the corporate franchise tax on new capital invested in buildings and/or depreciable tangible personal property used primarily in the production of goods by manufacturing, processing, assembling and certain other types of activities.
- A 4-percent credit to personal income taxpayers and corporations investing more than \$350 million.
- A 9-percent credit against the corporate franchise tax (7 percent against the personal income tax) for investment in qualified research and development property.
- Unused credits can be carried forward for 15 years.
- New business may elect to receive a refund of unused credits.

Pollution Control Credit for State Taxes on Business Income

Expenditures for the construction or improvement of industrial waste or air pollution facilities are eligible for the investment tax credit in the year the expenditures are made or incurred, provided the facilities are certified as being in compliance with applicable New York State laws, codes and regulations.

Employment Incentive Tax Credit

Benefits include:

- Up to 2.5 percent of the same capital investment is available in each of the 2 years following the investment if employment in those years reaches specified levels.

Real Property Tax Business Improvement Exemption

Benefits include:

- Commercial and industrial facilities that are constructed or reconstructed outside of New York City at a cost of more than \$10,000 are eligible for up to a 50 percent exemption from the real property tax levied by counties, cities, towns, villages and/or school districts. The exemption declines by 5 percent in each of the succeeding 9 years.
- Industrial or commercial construction or reconstruction in designated areas of New York City may be exempt from real property taxes. Exemption rates and terms vary with the area and type of business facility.
- Pollution control facilities are exempt from local real property taxes and ad valorem levies (upon application by taxpayer to local taxing authorities) to the extent of any increase in value resulting from the construction or reconstruction of such facilities to comply with New York State environmental conservation and/or health laws, codes and regulations.

Emerging Industries Jobs Act

Credits for emerging technology companies include:

- **Qualified Emerging Technology Employment Credit**—A credit of \$1,000 per new full-time employee (employees in excess of 100% of base year employment level) is available for one 3-year period (the year the credit is first claimed and in each of the next 2 years) provided minimum employment levels are maintained. Unused credits can be carried forward indefinitely. New businesses (New York taxpayers for less than 6 years or 8 years if business is subject to federal regulatory approval) can take a refund of unused credits.

- **Qualified Emerging Technology Company Capital Tax Credit**—A taxpayer is allowed a credit equal to a percentage of each qualified investment in a qualified emerging technology company and certified by the Commissioner of Taxation and Finance as follows:
 - 10 percent of qualified investments, provided the taxpayer certifies that the qualified investment will not be sold, transferred, traded or disposed of during the 4 years following the year in which the credit is first claimed; or
 - 20 percent of qualified investments, provided the taxpayer certifies that the qualified investment will not be sold, transferred, traded or disposed of during the 9 years following the year in which the credit is first claimed.

Investments made by or on behalf of an owner of the business, including, but not limited to a stockholder, partner or sole proprietor, or any related person, are not eligible for this credit. The total amount of credit allowable to a taxpayer for all years, taken in the aggregate, cannot exceed \$150,000 (at the 10-percent rate) and \$300,000 (at the 20-percent rate). The use of credit is limited to 50 percent of the tax otherwise due. Unused credits can be carried forward indefinitely (no refund provision). Provides for the recapture of a pro rata share of the credit in the event the qualified investment is not held for the requisite period.

Credit for Hiring Persons with Disabilities

A credit is available for employers who employ individuals with disabilities.

- The credit equals 35 percent of the first \$6,000 of first-year wages paid to the disabled employee (maximum of \$2,100 per employee).
- If the first-year wages qualify for the federal work opportunity tax credit, the New York credit will apply to second-year wages.

Investment Tax Credit in an Empire Zone

Benefits include:

- A 10-percent credit against the corporate franchise tax (8 percent against the personal income tax) for business investing new capital and/or depreciable tangible personal property in designated Empire Zones:

- Unused credits may be carried forward indefinitely;
- 50 percent of the unused credit may be taken as a refund by new businesses; and
- an additional credit equal to 30 percent of the Empire Zone investment tax credit is available to corporations in the next 3 succeeding years if employment is at least 101 percent of that immediately prior to the Empire Zone investment.

Wage Tax Credit in an Empire Zone

Businesses creating full-time jobs in Empire Zones may take credits against their taxes based on the average number of newly hired employees.

Benefits include:

- A \$3,000 credit for targeted (low income) employees in the first year and for each of the 4 succeeding taxable years;
- 50 percent of the targeted employee credit (\$1,500) for non-targeted employees; and
- 50 percent of the unused credit may be taken as a refund by new businesses.

Capital Credit in an Empire Zone

Benefits include:

- A 25-percent credit for investments in Empire Zone capital corporations, direct equity investments in certified Empire Zone businesses and contributions to community development projects in Empire Zones. The credit equals 25 percent of the sum of each type of investment and cannot exceed \$300,000 in aggregate or \$100,000 in each of the qualifying investment categories.

Real Property Tax Exemptions in an Empire Zone

Benefits include:

- Businesses or homeowners constructing, reconstructing or improving real property located within an Empire Zone may be eligible for a partial exemption from real property taxes for up to 10 years. The exemption begins as a total exemption of the improvement of real property for up to 7 years, and is reduced by 25 percent per year

for the next 3 years (a 10-year average exemption of 85 percent). The credit is offered at local option, and cannot be combined with any other available property tax abatement.

Qualified Empire Zone Enterprises

Qualified Empire Zone Enterprises (QEZE)—Businesses increasing employment in Empire Zones may be eligible for enhanced sales, property and business tax benefits (Tax Law Section 14). The intended effect of the QEZE Program is to give companies increasing employment the opportunity to operate on an almost tax-free basis for up to 10 years in designated areas of New York State, with additional savings available on a declining basis in years 11 through 15.

Enhanced benefits include:

- QEZE Sales Tax Exemptions – Qualified Empire Zone Enterprises (QEZE) are granted a 10-year exemption from sales tax on purchases of goods and services used predominantly in such zone (effective March 1, 2001). (Tax Law Section 1115[z])
- QEZE Credit for Real Property Taxes – Qualified Empire Zone Enterprises are allowed a credit against business tax equal to a percentage of real property taxes paid in the zone (effective for taxable years beginning on or after January 1, 2001). This credit is available for 15 years. (Tax Law Section 15)
- QEZE Tax Reduction Credit – Qualified Empire Zone Enterprises are allowed a credit against tax equal to a percentage of taxes attributable to the zone enterprise (effective for taxable years beginning on or after January 1, 2001). This credit is available for 15 years. (Tax Law Section 16)

OTHER AREAS OF ASSISTANCE

Given the wide range of programs and services offered by New York State to its business community, it is impossible to describe all the areas of assistance which might be important to a company seeking to locate or expand in the State. However, just as a sampling, other areas of assistance include:

- Recycling market assistance;

- Government procurement; and
- International trade.

Note: These areas of assistance are described in summary form for information only. Any specific offer of assistance will be made after discussions with New York State economic development staff.

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NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

<h2>NEW YORK ENERGY \$MARTSM NEW CONSTRUCTION PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE Financial and technical assistance

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The New York State Energy Research and Development Authority (NYSERDA) provides funding to eligible building owners to improve the energy efficiency of new and substantially renovated buildings. The New Construction Program provides incentive to implement permanent energy efficient improvements in new building envelopes and major systems at the time of renovation or construction.

ELIGIBILITY REQUIREMENTS

Building owners, tenant/leaseholder with at least 5 years remaining on the lease, nonresidential condominium owners occupying and holding title to space within the subject building or nonresidential co-operative shareholders having the right to occupy the space within the subject building, and are in the following utility service areas are eligible: Central Hudson Gas & Electric Corporation; Consolidated Edison Company of New York, Inc.; New York State Electric & Gas Corporation; Niagara Mohawk Power Corporation; Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation. Only electric energy efficiency measures are eligible for direct capital cost incentives. The focus of the New Construction Program is to improve electric energy efficiency in new buildings and substantial renovation projects.

Applications for the year 2003 are accepted up to December 31.

HOW THE FUNDS CAN BE USED

The following types of building projects are eligible for the program:

- New Construction - Defined as a new building or portion within a new building. (One to four-family dwellings currently are not eligible. A specific program to target this sector is under development);
- Substantial Renovations - Defined as one or more of the following projects where a licensed professional architect or engineer has prepared and certified the building plans:
 - change of use and reconstruction of an existing building or space within;
 - construction work of nature requiring that the building or space within be unoccupied for at least 30 consecutive days; or,
 - reconstruction of a vacant structure or space within; and
- Technical Assistance - NYSERDA can provide the energy analysis required to determine the feasibility of measures, to assist design teams and to cover commissioning services.

AVAILABILITY OF FUNDING

Incentive offers will be calculated by NYSERDA based upon the energy-savings opportunities identified for each specific project. Incentives are capped at 70% of the incremental cost. NYSERDA will not reduce a participant's costs to less than a one-year simple payback.

Pre-Qualified Equipment Incentives

This participation option is designed for small- and medium-sized new construction and substantial renovation projects where the applicant elects to apply for set incentives for pre-qualified equipment categories. Incentives for pre-qualified motors, lighting, HVAC equipment, transformers and variable speed drives.

Custom Measure Incentives

This participation option is designed for applicants who elect to pursue energy efficiency opportunities beyond simple equipment upgrades and to focus on building energy system performance improvements. Qualified geothermal heat pumps systems are eligible for an incentive of \$800 per ton of installed cooling capacity to maximum of \$250,000 per project.

Whole Building Design Incentives

This participation option is designed for very large or complex projects where the applicant elects to examine the interactions between energy efficiency improvements throughout the entire building, and their effect on the overall energy needs. Bonus incentives of an additional 5% for projects that meet Energy Star® certification or an additional 10% for those that qualify as a Green Building are available. Qualified geothermal heat pumps systems are eligible for an incentive of \$800 per ton of installed cooling capacity to maximum of \$250,000 per project.

Building-Integrated Photovoltaic, Advanced Solar and Daylighting Incentives

NYSERDA will provide incentives of up to \$300,000 per project for design and installation of building-integrated photovoltaics, and up to \$100,000 per project for design and installation of advanced solar and daylighting technologies only in Custom and Whole Building Design projects.

Technical Assistance Incentives

Applicants may request that NYSERDA provide expert Technical Assistance (TA) services to applicants and their design teams to assess opportunities to participate through Custom Measure and Whole Building Design approaches and to identify eligible capital cost incentives. Applicants may be eligible for up to \$10,000 of technical assistance provided by consultants retained by NYSERDA. For projects with greater technical assistance needs, NYSERDA will cost-share 50% of the assistance costs in excess of \$10,000, up to a maximum contribution of \$100,000.

Building Commissioning Services

NYSERDA will provide incentives for conducting commissioning in participating projects where incentive awards exceed \$100,000 or as otherwise determined by NYSERDA. Applicants may be eligible for up to \$10,000 of commissioning services provided by TA providers retained by NYSERDA. NYSERDA will cost-share 50% of the commissioning services costs in excess of \$10,000, up to a maximum contribution of \$50,000.

Green Buildings Services

NYSERDA will provide Green Buildings Technical Assistance incentives for eligible projects on a 50% cost-shared basis, up to a maximum contribution per project of \$50,000.

Applicant Design Team Incentives

Applicants are eligible for an incentive of either \$500 or \$1,000 to offset additional design and engineering work provided by their own design teams (Architects and Engineers) in support of an application under the Custom/Whole Building approaches.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

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NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION

<h2>CLEAN WATER STATE REVOLVING FUND PROGRAM</h2>

TYPE OF ASSISTANCE OR
INCENTIVE

Loan (interest-free short-term loans and/or low-interest,
long-term financing)

SUMMARY DESCRIPTION
OF THE PROGRAM OR
INCENTIVE

Under the Clean Water State Revolving Fund (CWSRF), applicants can obtain interest-free short-term, or low-interest long-term financing for facilities that reduce or prevent water pollution. Water quality protection portions of brownfield projects generally are eligible for CWSRF financing.

ELIGIBILITY REQUIREMENTS

New York State municipalities are eligible. The term “municipality” includes counties, cities, towns and villages, as well as local public authorities, public benefit corporations and improvement districts. Not-For-Profit organizations with land acquisition projects for water quality protection are also eligible.

The CWSRF application process involves two major steps: first, listing the project in the Intended Use Plan (IUP); and second, submitting a complete CWSRF financing application. The IUP contains a prioritized list of projects expected to apply for funding in the current IUP financing period. The IUP is prepared annually by the Environmental Facilities Corporation (EFC) in conjunction with the Department of Environmental Conservation. In prior years sufficient funds have been available for all listed projects. However, the total amount of requests for CWSRF financing during the next IUP period may be greater than the amount of CWSRF dollars available. To list a project, a municipality must provide a completed Project Listing Form which includes a project description, estimated project cost, estimated construction start date, and certain additional information to enable EFC to evaluate and rank the water quality merits of the project. A municipality must also have an approvable Engineering or Technical Report to be listed for a long-term loan in the IUP Annual Project Priority List. A Not-For-Profit organization must submit a Land Acquisition Project Listing Form and must also provide a Land Acquisition Plan.

HOW THE FUNDS CAN BE USED

- The CWSRF can prefinance eligible design and construction costs prior to reimbursement of the State share from the 1996 Clean Water/Clean Air Bond Act.
- CWSRF interest-free, short-term loans allow municipalities to design and initiate construction without the interest expense associated with bond anticipation notes.
- The CWSRF can finance the local share (non-grant portion) of eligible brownfields investigation and remediation projects with long-term, low-interest financing for up to 30 years. The current 50 percent interest rate subsidy can save the municipality substantial interest costs over the life of the loan.
- Some costs which are ineligible for the 1996 Bond Act Brownfields Restoration Program may be eligible for funding through the CWSRF.

AVAILABILITY OF FUNDING

There is no limit on the amount of long-term financing that a project can be listed for in the IUP. However, if the total amount of requests for CWSRF financing during an IUP period is greater than the financing dollars available, a funding line will be established. Projects below the funding line may be reachable later in the IUP period following project bypassing or will be included on the next IUP.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

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Fax: (518) 402-7456
E-mail: available through website
<http://www.nysefc.org>

Website: <http://www.nysefc.org/cleanwater>

NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION

INDUSTRIAL FINANCE PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Low-interest loan

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The New York State Environmental Facilities Corporation (EFC), a state public benefit corporation, through its Industrial Finance Program (IFP) has helped private businesses manage wastes, control pollution, build and improve environmental and drinking water facilities, and comply with environmental regulations. The IFP's conduit financing program provides loans to New York businesses enabling the borrowing of money at lower cost than conventional financing options.

ELIGIBILITY REQUIREMENTS

Private businesses in New York State may be eligible for loans. Eligible costs for an IFP loan may include: purchase of land, construction or acquisition of buildings, equipment purchase and installation, appurtenant facilities, other capital costs, project design and engineering, legal fees and other related costs. Several environmental projects at one or more locations owned by a client can be financed with a single bond issue.

HOW THE FUNDS CAN BE USED

The IFP can finance the following types of facilities on a tax-exempt basis:

- Solid Waste Facilities - includes facilities for the handling, disposal, transport and recycling of solid waste, such as municipal solid waste and construction and demolition landfills (including landfill gas facilities), ashfills and transfer stations; resource recovery facilities, such as incinerators; medical waste management facilities; and capital costs associated Brownfield site remediation. This category may also encompass certain limited types of air pollution control facilities.
- Sewage Treatment Facilities - includes limited industrial or other wastewater treatment including sewers, piping, force mains, pumps, clarifiers and sludge handling facilities.
- Public Drinking Water Supply and Management Facilities - includes mains, piping, wells, treatment works, treated water reservoirs and sludge handling facilities.

- Limited Hazardous Waste Disposal Facilities - includes facilities for entombment and incineration of hazardous waste.

In addition, the IFP can finance the privatization of any facilities of the above types owned by federal, state or local governments. Other types of environmental facilities can be financed with taxable IFP bonds.

AVAILABILITY OF FUNDING	Minimum cost-effective IFP financing for any one project is approximately \$1.5 million.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Erick McCandless New York State Environmental Facilities Corporation 625 Broadway Albany, NY 12207-2997 Telephone: (518) 402-6924 1-800-882-9721 (In NYS) Fax: (518) 586-9248 E-mail: available through website http://www.nysefc.org</p> <p>Website: http://www.nysefc.org</p>

GOVERNOR'S OFFICE OF REGULATORY REFORM

PERMIT ASSISTANCE PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance.
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Governor's Office of Regulatory Reform's Permit Assistance Program provides comprehensive permit and licensing assistance for New York State's new and expanding businesses. Permit assistance is available online using the Online Permit Assistance and Licensing (OPAL) website. OPAL is a comprehensive database of New York State business permit information with over 1,200 business permits organized to serve over 275 different business types. OPAL allows applicants to fill out one common data form used by several agencies to pre-fill online applications. OPAL users can track the progress of submitted permits, pay for permits online with one fee, and execute legal documents through the use of electronic digital signatures. Some of the New York State agencies participating in OPAL are the Department of Taxation and Finance, the Department of Labor and the Department of Motor Vehicles.
ELIGIBILITY REQUIREMENTS	There are no eligibility requirements.
HOW THE FUNDS CAN BE USED	Financial assistance is not available through the Governor's Office of Regulatory Reform.
AVAILABILITY OF FUNDING	Financial assistance is not available through the Governor's Office of Regulatory Reform.
LIABILITY PROTECTION PROVIDED	Not applicable.

CONTACTS

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or
<http://www.nys-permits.org>

GOVERNOR'S OFFICE FOR SMALL CITIES

COMMUNITY DEVELOPMENT STRATEGIC PLAN TECHNICAL ASSISTANCE GRANT PROGRAM
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TYPE OF ASSISTANCE OR INCENTIVE	Grant (up to 60%)
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Federal Community Development Block Grant (CDBG) Program provides annual grants to states, and eligible metropolitan cities and urban counties for community improvement activities. The New York State Small Cities CDBG program utilizes the grants provided to the State of New York and is responsible for administering the program for nonentitlement areas within their jurisdiction. New York State is allowed to set aside one percent of its annual award for technical assistance.
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ELIGIBILITY REQUIREMENTS	Eligible applicants are units of general purpose local government. Those metropolitan cities, urban counties and units of government eligible to participate in the CDBG Entitlement Program of the United States Department of Housing and Urban Development (HUD) are not eligible for funding under this program. Indian tribes eligible for assistance under Section 106 of the Housing and Community Development (HCD) Act are also not eligible. Generally, municipalities with fewer than 50,000 residents (except certain central cities) and non-urban communities (generally those with populations of 200,000 or fewer) are eligible.
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HOW THE FUNDS CAN BE USED	Community Development Strategic Plan Technical Assistance Grants will enable communities to obtain assistance in developing a Strategic Plan that will be used to identify implementation steps to achieve specific community development goals and objectives. The Strategic Plan will serve as a basis and foundation for selecting eligible projects and for subsequent application to the funding sources identified above.
AVAILABILITY OF FUNDING	<p>Grant awards for non-entitlement communities are \$25,000.</p> <p>Non-federal matching funding of 40 percent of the total project cost is required.</p> <p>The funds available for fiscal year 2000 are approximately \$250,000.</p> <p>Program year assistance may vary in type, amount and timing.</p>
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Kenneth Flood Governor's Office of Small Cities Agency Building 4 6th Floor Empire State Plaza Albany, NY 12223-1350 Telephone: (518) 474-2057 Fax: (518) 474-5247 E-mail: info@ny.smallcities.com</p> <p>Website: http://www.nysmallcities.com</p>

**GOVERNOR'S OFFICE
FOR SMALL CITIES
NEW YORK STATE HOUSING
TRUST FUND**

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANTS PROGRAM
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**TYPE OF ASSISTANCE OR
INCENTIVE**

Grant (100%)

**SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE**

The Federal Community Development Block Grant (CDBG) Program provides annual grants to states and eligible metropolitan cities and urban counties for community improvement activities. The New York State Small Cities CDBG program utilizes the grants provided to the State of New York and is responsible for administering the program for nonentitlement areas within the state.

ELIGIBILITY REQUIREMENTS

Eligible applicants are units of general purpose local government. Those metropolitan cities, urban counties and units of government eligible to participate in the CDBG Entitlement Program of the United States Department of Housing and Urban Development (HUD) are not eligible for funding under this program. Indian tribes eligible for assistance under Section 106 of the Housing and Community Development (HCD) Act are also not eligible. Generally, municipalities with fewer than 50,000 residents (except certain central cities) and non-urban communities (generally those with populations of 200,000 or fewer) are eligible.

Approximately \$52 million is available for 2003 for the Single Purpose and Comprehensive Program and the 2003 Economic Development Program. Applications were due by mid-April.

HOW THE FUNDS CAN BE USED

Projects funded by the CDBG Program must benefit low to moderate income individuals, and the prevention or elimination of slums and address blight in the community, or meet community development needs having a particular urgency.

Single Purpose and Comprehensive Grants

Funding under the 2003 Annual Single Purpose and Comprehensive Competitive Round may be used by municipalities for projects in three categories: Housing (rehabilitation, construction of new affordable housing or home ownership), Public Facilities and MicroEnterprise programs. A community may propose a program that is “single purpose” in nature, addressing only a particular area of need, or that community may propose to undertake a strategy that deals comprehensively with the problems of a particular area. Governor’s Office for Small Cities (GOSC) encourages communities to propose programs that are creative and innovative in addressing their needs.

Economic Development Grants

Funding under the 2003 Economic Development Open Round may be used by municipalities for general economic development activities that create and/or retain permanent, private sector job opportunities principally for low- and moderate-income persons, through the expansion and retention of business and industry in New York State.

Under the Economic Development Program, the GOSC provides grant funds to eligible units of general local government for the following purposes:

1. To provide financial assistance to a business for an identified CDBG eligible activity which will result in the creation or retention of permanent, private sector job opportunities principally for low- and moderate-income persons; or
2. To construct publicly owned infrastructure improvements which are necessary to accommodate the creation, expansion or retention of a business which will result in the creation or retention of permanent, private sector job opportunities principally for low- and moderate-income persons.

Typical eligible activities are:

1. Grants for publicly owned infrastructure/off-site improvements.
2. Financial assistance to businesses.
3. Any justifiable and eligible business purpose.

AVAILABILITY OF FUNDING

Single Purpose and Comprehensive Grants

The maximum grant amount for a Single Purpose grant is \$400,000 for towns, villages and cities, and \$600,000 for counties and joint applications. The maximum grant amount for microenterprise programs is \$400,000 for all eligible applicants. The Annual Competitive Round includes provisions for comprehensive grants up to a maximum of \$650,000.

Economic Development Grants

The maximum grant for an Economic Development grant is \$750,000 per applicant and the minimum is \$100,000. The maximum grant amount per full time equivalent (FTE) job created is \$15,000.

The GOSC may approve applications which exceed the maximum of \$15,000 per FTE job created/retained where it is found that a project or projects may have a significant effect beyond the immediate benefit of jobs created or retained, inasmuch as the project/business may realize a potential for regional or even statewide economic impact. The maximum grant limit of \$750,000 may likewise be exceeded in such exceptional cases. No projects will be funded in which per FTE job creation/retention costs are greater than \$35,000.

**LIABILITY PROTECTION
PROVIDED**

Liability protection is not provided under this program.

CONTACT

Stephen McGratten or Chris Hunsinger
Economic Development Program Administrators
Governor's Office of Small Cities
Agency Building 4
6th Floor
Empire State Plaza
Albany, NY 12223-1350
Telephone: (518) 474-2057
Fax: (518) 474-5247
E-mail: info@ny.smallcities.com

Website: <http://www.nysmallcities.com>

NEW YORK STATE HOUSING FINANCE AGENCY

<h2>NEW YORK STATE AFFORDABLE HOUSING CORPORATION AFFORDABLE HOME OWNERSHIP DEVELOPMENT PROGRAM</h2>
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TYPE OF ASSISTANCE OR
INCENTIVE

Grant

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The New York State Housing Finance Agency was created as a public benefit corporation in 1960 under Article III of the Private Housing Finance Law to finance low income housing by raising funds through the issuance of municipal securities and the making of mortgage loans to eligible borrowers. The New York State Affordable Housing Corporation (NYSAHC), a subsidiary of the New York State Housing Finance Agency pursuant to Section 1113(1) of the Private Housing Finance Law, was established to administer the Affordable Home Ownership Development Program (AHODP). The purpose of the AHODP is to promote home ownership by persons of low and moderate income which, in turn, fosters development, stabilization, and preservation of neighborhoods and communities. To achieve these goals, the NYSAHC provides financial assistance, in conjunction with other private and public investment, for the construction, acquisition, and rehabilitation and improvement of owner-occupied housing.

ELIGIBILITY REQUIREMENTS

Eligible applicants include local municipalities, housing authorities, housing development fund companies, and neighborhood and rural preservation companies, as well as not-for-profit or charitable organizations primarily involved in housing development.

HOW THE FUNDS CAN BE USED	Funding of new construction, acquisition, and rehabilitation and home improvement projects.
AVAILABILITY OF FUNDING	The NYSAHC may provide grants within the following per dwelling unit limitations: up to \$20,000 per unit or \$25,000 per unit, for projects located in high cost areas as defined by the NYSAHC, or projects receiving a United States Department of Agriculture Rural Development Service (formerly the Farmer's Home Administration) Loan. To encourage the leveraging of other private and public funds, the NYSAHC grants cannot exceed 60% of the total project development cost.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	<p data-bbox="776 798 1203 1052">New York Office: Caroline Telfer-Mingo 641 Lexington Avenue New York, NY 10022 Telephone: (212) 688-4000 x 438 Fax: (212) 872-0438 E-mail: Carolinet@nyhomes.org</p> <p data-bbox="776 1094 1089 1230">Albany Office: 119 Washington Avenue Albany, NY 12210 518-434-2118</p> <p data-bbox="776 1272 1057 1451">Buffalo Office: 107 Delaware Avenue Suite 620 Buffalo, NY 14202 716-853-1548</p> <p data-bbox="776 1493 1219 1524">Website: http://www.nyhomes.org</p>

NEW YORK STATE HOUSING FINANCE AGENCY

SECURED LOAN RENTAL HOUSING PROGRAM

TYPE OF ASSISTANCE OR
INCENTIVE

Bond financed construction loan - permanent mortgage

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The New York State Housing Finance Agency (HFA) was created as a public benefit corporation in 1960 under Article III of the Private Housing Finance Law to finance affordable, middle and mixed income rental housing by raising funds through the issuance of municipal securities and the making of mortgage loans to eligible borrowers. The Secured Loan Rental Housing Program (SLRHP) provides an efficient source of funds for a variety of affordable multi-family rental developments.

ELIGIBILITY REQUIREMENTS

All developments financed with tax-exempt bonds must meet Federal Tax Code requirements and additional HFA regulatory requirements with respect to project occupancy. Accordingly, for-profit developers must make available either at least 20 percent of the units in a development to tenants whose income does not exceed 50 percent of the area median income or 40 percent of the units to tenants whose income does not exceed 60 percent of the area median income. Slightly different requirements apply to developments located in New York City. Borrowers who are 501(c)(3) corporations must meet the requirements of the Federal Tax Code and HFA income targeting requirements. Properties financed with taxable bonds must also meet HFA income targeting requirements. All HFA bonds must be credit enhanced by a construction and permanent lender, typically by a bank or financial institution.

HOW THE FUNDS CAN BE USED	The SLRHP enables HFA to lend the proceeds from the sale of tax-exempt or taxable bonds for the construction, and acquisition and rehabilitation of multifamily rental housing developments. These include private for-profit housing, not-for profit sponsored housing and special needs housing. Housing for educational or medical institutions, and congregate care facilities for the elderly and adult care homes are also eligible for HFA financing.
AVAILABILITY OF FUNDING	Minimum loan amount is \$1,000,000. Maximum loan amounts are approximately \$125,000,000.
LIABILITY PROTECTION PROVIDED	Not applicable.
CONTACTS	<p data-bbox="776 768 1208 1020">New York Office: Ronald W. Schulman 641 Lexington Avenue New York, NY 10022 Telephone: (212) 688-4000 x 386 Fax: (212) 872-0386 E-mail: rschulman@nyhomes.org</p> <p data-bbox="776 1062 1089 1201">Albany Office: 119 Washington Avenue Albany, NY 12210 518-434-2118</p> <p data-bbox="776 1243 1057 1419">Buffalo Office: 107 Delaware Avenue Suite 620 Buffalo, NY 14202 716-853-1548</p> <p data-bbox="776 1461 1105 1671">Long Island Office: SUNY Old Westbury 233 Store Hill Road Suite H209 Old Westbury, NY 11568 516-334-7815</p> <p data-bbox="776 1713 1219 1749">Website: http://www.nyhomes.org</p>

NEW YORK STATE HOUSING TRUST FUND CORPORATION

HOME PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grant or loan

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The New York State HOME Program is administered by the New York State Housing Trust Fund Corporation (HTFC). The program uses federal HOME Investment Partnership Program funds to expand the supply of decent, safe and affordable housing within the State.

The HOME Program funds a variety of activities through partnerships with counties, towns, cities, villages, private developers and community-based non-profit housing organizations.

ELIGIBILITY REQUIREMENTS

Any private for-profit or not-for-profit entity that can demonstrate the capacity to develop and operate a qualifying project is eligible to apply for HOME project funding. Units of general local government that have not been designated by HUD as participating jurisdictions and not-for-profit corporations that meet certain administrative tests may also apply as local program administrators. Jurisdictions which receive HOME program funding directly from the federal government may not apply for New York State HOME Program funds.

Eligible Areas

All areas of the State are eligible, subject to the funding limitations described below.

Income Eligibility

HOME Program funds may only be used to assist households with incomes at or below 80 percent of area median income. Rental projects must primarily serve households with incomes at or below 60 percent of area median income. Assisted rental units must remain affordable for a period of between five and 20 years, depending on the initial amount of subsidy provided for the project.

HOW THE FUNDS CAN BE USED	HOME Program provides funds to acquire, rehabilitate, or construct housing, or to provide assistance to low-income home-buyers and renters. Funds must be distributed in accordance with needs and priorities identified in the State's Consolidated Plan.
AVAILABILITY OF FUNDING	<p>HOME Program funds may be used to pay for acquisition, rehabilitation, construction, and certain related soft costs. Funds may also be used for relocation costs, tenant-based rental assistance, down payment and closing costs, and some administrative and planning costs, subject to limitations set forth in the federal regulations. Funds may only be used for residential housing. There are restrictions on the use of HOME funds for properties assisted by certain other federal programs.</p> <p>Fifteen percent of each allocation of HOME Program funds is reserved for qualified community housing development organizations (CHDO) in accordance with federal law. Of the remaining funds, a minimum of 80 percent is reserved for projects that are not located in communities that have been designated by HUD as participating jurisdictions. For federal Fiscal Year 2002, New York State's allocation of HOME program funds was \$35,794,000.</p>
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>New York State Division of Housing and Community Renewal Hampton Plaza 38-40 State Street Albany, NY 12207 Telephone: 518-473-2517 Fax: 518-473-9462 E-mail: cdinfo@docr.state.ny.us</p> <p>Website: http://www.docr.state.ny.us</p>

NEW YORK STATE HOUSING TRUST FUND CORPORATION

HOMES FOR WORKING FAMILIES PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Loan (low interest)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Homes for Working Families (HWF) Program provides an innovative approach to financing affordable housing for low-income families and senior citizens using tax-exempt bond financing, 4 percent as-of-right low-income housing credits and HWF financing.
ELIGIBILITY REQUIREMENTS	All eligibility requirements and funding limitations are subject to the requirements of the capital program providing financing. The entire project's rents must meet restricted rent requirements under Section 42 of the Internal Revenue Code (IRC). The primary source of funding must be tax-exempt bonds issued under Section 142 of the IRC.
HOW THE FUNDS CAN BE USED	Funding used in this program must be for projects that include substantial rehabilitation or new construction of affordable rental housing for families and/or senior citizens.
AVAILABILITY OF FUNDING	Under the Homes for Working Families Program, HWF financing of up to \$25,000 per Housing Trust Fund Corporation-assisted unit (\$35,000 in New York City) is provided to family or senior rental projects in which more than 50 percent of the project cost is financed by a public authority with tax-exempt bonds allocated from the State's Private Activity Bond Volume Cap. This enables the project to receive an allocation of 4 percent as-of-right Low-Income Housing Credit (LIHC) that is not included in the State's 9 percent tax credit ceiling. In addition, 100 percent of project units must meet LIHC rent restriction requirements. The HTFC loan is generally provided in the form of a 30-year, 1 percent interest loan payable from 50 percent of available cash flow.

LIABILITY PROTECTION
PROVIDED

Liability protection is not provided under this program.

CONTACT

New York State Division of Housing and
Community Renewal
Hampton Plaza
38-40 State Street
Albany, NY 12207
Telephone: 518-486-5044
Fax: 518-486-3410
E-mail: cdinfo@dhcr.state.ny.us

Website: <http://www.dhcr.state.ny.us>

NEW YORK STATE HOUSING TRUST FUND CORPORATION

<h2>LOW-INCOME HOUSING TRUST FUND PROGRAM</h2>
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TYPE OF ASSISTANCE OR INCENTIVE	Grant or loan
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Housing Trust Fund Corporation (HTFC), a public benefit corporation, administers the Low-Income Housing Trust Fund Program. This program was established to help meet the critical need for decent, affordable housing opportunities for people of low income.
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ELIGIBILITY REQUIREMENTS	Applicants must be not-for-profit corporations or charitable organizations or their wholly-owned subsidiaries; housing development fund companies; municipalities; counties (counties with their own department of assessment may be direct recipients; other counties are eligible only as local program administrators); housing authorities (for properties owned after July 1, 1986 only); private developers who limit their profits or rate of return of investors; or partnerships in which the non-profit partner has at least a 50 percent controlling interest
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Low-income persons may not be direct recipients of payments, grants or loans from the HTFC, but may receive such funds from another eligible applicant. Other than municipalities, counties and private developers, eligible applicants must have been in existence for at least one year prior to application and have, as one of their primary purposes, the improvement or provision of housing for low-income persons.

Eligible Areas

Projects must be located in an area which is blighted, deteriorated or deteriorating, or has a blighting influence on the surrounding area, or is in danger of becoming a slum or blighted area because of the existence of substandard, unsanitary, deteriorating or deteriorated conditions, an aged housing stock, or vacant non-residential property, or an area in which the private sector has demonstrated an inability or unwillingness to participate in the provision of affordable housing without government assistance.

To be eligible for funding, properties must be located in eligible areas and at the time of application must be either vacant or under-occupied or new construction residential properties, vacant non-residential properties, or portions of eligible residential properties as long as the portion is less than 60 percent occupied. Under-occupied residential property is defined as property that is less than 60 percent occupied by lawful occupants. The vacancy requirement does not apply to one and two unit residential properties if rehabilitation creates at least one additional unit.

HOW THE FUNDS CAN BE USED

The Housing Trust Fund (HTF) provides funding to construct low-income housing, to rehabilitate vacant or underutilized residential property (or portions of a property), or to convert vacant non-residential property to residential use for occupancy by low-income homesteaders, tenants, tenant-cooperators or condominium owners. The Housing Trust Fund can also provide seed funding to eligible non-profit applicants who need financial assistance in developing a full Housing Trust Fund application.

AVAILABILITY OF FUNDING

Funding under the Low-Income Housing Trust Fund is limited to \$55,000 per unit. HTFC has the discretion to make available up to an additional \$20,000 per unit based on construction cost in the area, location of the project and the impact of the additional funding on the project's affordability to its low-income occupants. Project sponsors must ensure long-term (15-30 years) use by low and/or very low-income persons. Seed money funding is limited to \$5,000 per unit and a maximum amount of \$45,000 for the entire project.

Program funds cannot be used for administrative costs, nor can they be used for any non-residential facilities, except for community space for project tenants, and such space necessary for operating and management activities as approved by the Housing Trust Fund Corporation. No more than 25 percent of the Housing Trust Fund award may be used toward acquisition of the project property.

No more than 50 percent of the annual HTF appropriation may be allocated to any one municipality. Additionally, no more than one-third of the funds appropriated in any one year may be used by private developers.

Since 1985, the Housing Trust Fund has received annual appropriations between \$25 and \$29 million.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

New York State Division of Housing and Community
Renewal
Hampton Plaza
38-40 State Street
Albany, NY 12207
Telephone: 518-486-5012
Fax: 518-473-9462
E-mail: cdInfo@dhcr.state.ny.us

Website: <http://www.dhcr.state.ny.us>

HUDSON RIVER VALLEY GREENWAY

COMMUNITIES COUNCIL PLANNING GRANTS

TYPE OF ASSISTANCE OR INCENTIVE

Grant (up to 50%) and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Hudson River Valley Greenway Communities Council is a New York State agency established by the Greenway Act of 1991. The Council was created to work with local and county governments to enhance local land use planning and create a voluntary regional planning compact for the Hudson River Valley. The Council provides community planning grants and technical assistance to help communities develop a vision for their future and tools to achieve it by balancing economic development and resource protection objectives. The Council also is the management agency for the Hudson River Greenway Water Trail.

ELIGIBILITY REQUIREMENTS

Communities that have elected to join in Greenway planning at the local or regional level are eligible to apply for matching grants, usually \$5,000 to \$10,000, for community planning efforts. The match, in an amount equal to the grant, may be made with cash, grants or contributions from other sources, or the in-kind contribution of volunteer labor. Intermunicipal collaboration projects that involve two or more municipalities will be considered for funding in excess of \$10,000

HOW THE FUNDS CAN BE USED

The “Greenway Criteria” identified in the Hudson River Valley Greenway Act are the basis for the Greenway Program, providing an overall vision for voluntary local Greenway plans and projects. The Greenway Criteria include:

- Natural and Cultural Resource Protection - Protect, preserve and enhance natural and cultural resources including natural communities, open spaces, historic places, scenic areas and scenic roads.
- Regional Planning - Encourage communities to work together to develop mutually beneficial regional strategies for natural and cultural resource protection, economic development, public access, and heritage and environmental education.

- Economic Development - Encourage economic development that is compatible with the preservation and enhancement of natural and cultural resources with emphasis on agriculture, tourism and the revitalization of existing community centers and waterfronts.
- Public Access - Promote increased public access to the Hudson River through the creation of riverside parks and the development of the Hudson River Valley Greenway Trail System with linkages to the natural and cultural resources of the Valley.
- Heritage and Environmental Education - Promote awareness among residents and visitors about the Valley's natural, cultural, scenic and historic resources.

Projects must be located in the designated Greenway Area, which includes the municipalities located within the following counties: Albany, Columbia, Dutchess, Orange, Putnam, Rennselaer, Rockland and Westchester; municipalities in Green and Ulster Counties outside of the Catskill Park; the Village and Town of Waterford in Saratoga County; and the Hudson River Waterfront in the Bronx and New York Counties.

An application form can be found on the below website. Proposals can be submitted any time during the year.

AVAILABILITY OF FUNDING	Funds are released to communities on a reimbursement basis after submittal of vouchers documenting expenses and in-kind contributions, and after demonstrating progress on the work program, including providing copies of draft and final adopted plan documents.
LIABILITY PROTECTION PROVIDED	Liability protection is not available under this fund.
CONTACT	Carmella Mantello Executive Director Hudson River Valley Greenway Council Capitol Building Capitol Station, Room 254 Albany, NY 12224 Telephone: 518-473-3835 Fax: 518-473-4518 E-mail: hrvg@hudsongreenway.state.ny.us Website: http://www.hudsongreenway.state.ny.us

HUDSON RIVER VALLEY GREENWAY

<h2>GREENWAY COMPACT GRANT PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE

Grant (up to 50%)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Hudson River Valley Greenway Communities Council is a New York State agency established by the Greenway Act of 1991. The Council was created to work with local and county governments to enhance local land use planning and create a voluntary regional planning compact for the Hudson River Valley. The Compact Grant Program provides 50% matching grants, on a reimbursement basis, for municipalities that develop, approve and implement a regional compact strategy that is consistent with the Greenway Criteria and the Greenway Act. The 50% local match may be provided in the form of an in-kind or other nonmonetary contribution. Intermunicipal collaboration projects that involve two or more municipalities will rate higher than single-community projects.

ELIGIBILITY REQUIREMENTS

Communities that have elected to join in Greenway planning at the local or regional level are eligible to apply for matching grants, up to 50% of the total project costs. The match, in an amount equal to the grant, may be made with in-kind contribution services or other non-monetary contribution.

HOW THE FUNDS CAN BE USED

The “Greenway Criteria” identified in the Hudson River Valley Greenway Act are the basis for the Greenway Program, providing an overall vision for voluntary local Greenway plans and projects. The Greenway Criteria include:

- Natural and Cultural Resource Protection - Protect, preserve and enhance natural and cultural resources including natural communities, open spaces, historic places, scenic areas and scenic roads.
- Regional Planning - Encourage communities to work together to develop mutually beneficial regional strategies for natural and cultural resource protection, economic development, public access, and heritage and environmental education.

- Economic Development - Encourage economic development that is compatible with the preservation and enhancement of natural and cultural resources with emphasis on agriculture, tourism and the revitalization of existing community centers and waterfronts.
- Public Access - Promote increased public access to the Hudson River through the creation of riverside parks and the development of the Hudson River Valley Greenway Trail System with linkages to the natural and cultural resources of the Valley.
- Heritage and Environmental Education - Promote awareness among residents and visitors about the Valley's natural, cultural, scenic and historic resources.

There are three phases of the Compact Grants Program. Phase I Compact Grants - "Compact Development and Approval"; Phase II Compact Grants - "Community Compaction Adoption" and Phase III Compact Grants - "Compact Implementation." Phase II and Phase III funding is not available until Phase I is completed.

An application form for the Compact Grant Program can be found on the website listed below.

AVAILABILITY OF FUNDING	Funds are released to communities on a reimbursement basis after submittal of vouchers documenting expenses and in-kind contributions, and after demonstrating progress on the work program, including providing copies of draft and final adopted plan documents.
LIABILITY PROTECTION PROVIDED	Liability protection is not available under this fund.
CONTACT	<p>Carmella Mantello Executive Director Hudson River Valley Greenway Council Capitol Building Capitol Station, Room 254 Albany, NY 12224 Telephone: 518-473-3835 Fax: 518-473-4518 E-mail: hryg@hudsongreenway.state.ny.us</p> <p>Website: http://www.hudsongreenway.state.ny.us</p>

HUDSON RIVER VALLEY GREENWAY

GREENWAY WATER AND LAND TRAIL GRANTS

TYPE OF ASSISTANCE OR INCENTIVE

Grant (up to 50%) and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Hudson River Valley Greenway is a New York State program within the Executive Department, established by the Greenway Act of 1991. The Greenway is designed to encourage Hudson River Valley communities to develop projects and initiatives related to the criteria of natural and cultural resource protection, regional and local planning, economic development, public access to the Hudson River (as well as other regional and local resources), and heritage and environmental education. It provides technical assistance and grants for planning, capital projects, and water-based and land-based trail initiatives that reinforce these five Greenway criteria. In keeping with the New York tradition of home rule, the Greenway program has no regulatory authority. The participation of municipalities in Greenway programs and projects are entirely voluntary.

ELIGIBILITY REQUIREMENTS

Launch and campsite owners located along the Hudson River and within the designated Greenway Area, and who are or wish to become a part of the water trail system are eligible to participate in the program.

Geographic area of the Greenway means the legislatively designated Greenway Area, including all of the municipalities within the following counties: Albany, Rensselaer, Columbia, Dutchess, Orange, Putnam, Rockland, Westchester; municipalities in Ulster and Greene counties outside of the Catskill Park; the Village and Town of Waterford in Saratoga County; and those portions of New York and Bronx counties adjacent to the Hudson River and within the city's waterfront revitalization program pursuant to Article 42 of the Executive Law.

Hudson River Valley Greenway funding and assistance is available to all communities in the valley that voluntarily pass a resolution to support the Greenway's goals.

The required match, in an amount equal to the grant, may be made with services or other non-monetary contributions.

HOW THE FUNDS CAN BE USED

Site owners can undertake a variety of projects under this program. The following is a general list of projects that may be funded or provided technical assistance and is intended to provide only general guidance for applicants:

- Standardized on-site interpretive kiosks, including information about local businesses and cultural attractions, hotels, bed and breakfasts, and campgrounds.
- Standardized site identification flags.
- Additional parking and restroom facilities at some boat launches.
- Potable water.
- Creation of new launches or campsites.

AVAILABILITY OF FUNDING

Capital and some associated costs are only eligible for reimbursement under this program.

An application form can be found on the website listed below. Total funding levels and range of requests accepted vary from year-to-year.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

Water Trail Grants

Carmella Mantello, Executive Director
Hudson River Valley Greenway Council
Capitol Building
Capitol Station, Room 254
Albany, NY 12224
Telephone: (518) 473-3835
Fax: (518) 473-4518
E-mail: hrvg@hudsongreenway.state.ny.us

Land Trail Grants

Barbara Kendall, Executive Director
Greenway Conservancy for the Hudson River Valley
Capitol Building
Capitol Station, Room 254
Albany, NY 12224
Telephone: (518) 473-3835
Fax: (518) 473-4518
E-mail: hrvg@hudsongreenway.state.ny.us

Website: <http://www.hudsongreenway.state.ny.us>

NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

ACQUISITION PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Matching grant (50%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Office of Parks, Recreation and Historic Preservation (OPRHP) provides grants through monies available from the State Environmental Protection Fund. The Acquisition Program is for acquisition of a permanent easement in or fee title to lands, waters or structures.
ELIGIBILITY REQUIREMENTS	Municipalities, state agencies, public benefit corporations, public authorities and not-for-profit organizations with an ownership interest in the property may apply. Such an interest may be outright ownership or a lesser interest, such as development rights, an easement or a long-term lease of a duration equal to the period of the OPRHP's oversight of the project.
HOW THE FUNDS CAN BE USED	The Acquisition Grant is to be used for the acquisition of a permanent easement in, or fee title to, lands, waters or structures for use by all segments of the population for park, recreation, conservation or preservation purposes, including open space, community gardens and properties on the State or National Register, or identified in a local heritage management plan.
AVAILABILITY OF FUNDING	Maximum grant limit of \$350,000 for FY 03-04.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	OPRHP Regional Grant Representatives:

Allegany Region

Counties: Allegany, Cattaraugus and Chautauqua

Lynn LeFeber

Allegany State Park, RD 1, Salamanca, New York 14779,

Telephone: (716) 354-9101

Fax: (716) 354-2255

Niagara Region

Counties: Erie and Niagara

Noelle Kardos

Niagara Reservation, State Park, Niagara Falls, New York 14303

Telephone: (716) 278-1719

Fax: (716) 278-1744

Genesee Region

Counties: Orleans, Monroe, Genesee, Wyoming and Livingston

Leo Downey

Letchworth State Park, Castile, New York 14427

Telephone: (716) 493-3613

Fax: (716) 493-5272

Finger Lakes Region

Counties: Wayne, Ontario, Yates, Steuben, Seneca, Cayuga, Schuyler, Tioga, Tompkins and Chemung

Kathleen Damiani

2221 Taughanock Road, Trumansburg, New York 14886

Telephone: (607) 387-7041

Fax: (607) 387-3390

Central Region

Counties: Oswego, Oneida, Onondaga, Cortland, Chenango, Otsego, Madison, Broome, Herkimer and Delaware

Jean Egenhofer

Clark Reservation, Jamesville, New York 13078

Telephone: (315) 492-1756

Fax: (315) 492-3277

Thousand Islands Region

Counties: Jefferson, Lewis, St. Lawrence, Franklin, Clinton and Hamilton

James Noon

Keewaydin State Park, Alexandria Bay, New York 13607

Telephone: (315) 482-2593

Fax: (315) 482-9413

Saratoga/Capital District Region

Counties: Fulton, Montgomery, Saratoga, Schoharie, Albany, Greene, Warren, Washington, Rensselaer, Schenectady and Essex

John Albert

Saratoga Spa State Park, 19 Roosevelt Drive,

Saratoga Springs, New York 12866-6214

Telephone: (518) 584-2000

Fax: (518) 584-8804

Palisades Interstate Park Commission and Taconic Region

Counties: (Palisades): Orange, Rockland, Sullivan, Ulster,(Taconic): Columbia, Dutchess, Putnam and Westchester

Ron Rader

OPRHP - Taconic Regional Office, Old Post Road, P.O. Box 308, Staatsburg, New York 12580

Telephone: (845) 889-4100

Fax: (845) 889-8321

New York City Region

Counties: Bronx, New York, Kings, Queens and Richmond

Merrill Hesch

NYS Office of Parks, Recreation and Historic Preservation, Grants Office,

Adam Clayton Powell, Jr. State Office Building, 163 West 125th Street, 17th Floor, New York, NY 10027

Telephone: (212) 866-2599

Fax: (212) 866-3186

Long Island Region

Counties: Nassau and Suffolk

Carolyn Casey

Belmont Lake State Park, PO Box 247, Babylon, New York 11702

Telephone: (631) 669-1000

Fax: (631) 669-4671

Website: <http://www.nysparks.state.ny.us/grants>

NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

<h2>HERITAGE AREAS SYSTEM</h2>

TYPE OF ASSISTANCE OR
INCENTIVE

Grant (50%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The Office of Parks, Recreation and Historic Preservation (OPRHP) provides grants through monies available from the Environmental Protection Fund. The Heritage Areas Program is for preserving, rehabilitating or restoring lands, waters or structures identified in a Management Plan approved by the Commissioner of Parks, Recreation and Historic Preservation in accordance with Section 35.05 of the Parks, Recreation and Historic Preservation Law.

ELIGIBILITY REQUIREMENTS

Municipalities, state agencies, public benefit corporations, public authorities and not-for-profit organizations with an ownership interest in the property may apply. Such an interest may be outright ownership or a lesser interest, such as development rights, an easement or a long-term lease of a duration equal to the period of the OPRHP's oversight of the project. The project must also fall within one of the following New York State Designated Heritage Areas:

- Albany
- Buffalo
- Kingston
- New York City
- Ossining
- Rochester
- Sackets Harbor
- Saratoga Springs
- Schenectady
- Seneca Falls
- Syracuse
- Whitehall
- Hudson Mohawk (Cohoes, Troy, Watervliet Towns of Colonie and Waterford, Villages of Green Island and Waterford)

- Susquehanna (Binghamton, Endicott and Johnson City)
- Mohawk Valley Heritage Corridor (all the communities within Oneida, Herkimer, Montgomery, Fulton, Schenectady, Schoharie, Saratoga and Albany Counties, not including land within the Adirondack Park boundary)

Applications are available on an annual basis.

HOW THE FUNDS CAN BE USED	The Heritage Areas Grant Program provides monies for projects to preserve, rehabilitate or restore lands, waters or structures, identified in a management plan approved by the Commissioner in accordance with Section 35.05 of the Parks, Recreation and Historic Preservation Law for use by all segments of the population for park, recreation or conservation purposes.
AVAILABILITY OF FUNDING	Maximum grant limit of \$350,000 for FY 03-04.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACTS

Allegany Region

Counties: Allegany, Cattaraugus and Chautauqua
 Lynn LeFeber
 Allegany State Park, RD 1, Salamanca, New York 14779,
 Telephone: (716) 354-9101
 Fax: (716) 354-2255

Niagara Region

Counties: Erie and Niagara
 Noelle Kardos
 Niagara Reservation, State Park, Niagara Falls, New York 14303
 Telephone: (716) 278-1719
 Fax: (716) 278-1744

Genesee Region

Counties: Orleans, Monroe, Genesee, Wyoming and Livingston
 Leo Downey
 Letchworth State Park, Castile, New York 14427
 Telephone: (716) 493-3613
 Fax: (716) 493-5272

Finger Lakes Region

Counties: Wayne, Ontario, Yates, Steuben, Seneca, Cayuga, Schuyler, Tioga, Tompkins and Chemung
 Kathleen Damiani
 2221 Taughanock Road, Trumansburg, New York 14886
 Telephone: (607) 387-7041
 Fax: (607) 387-3390

Central Region

Counties: Oswego, Oneida, Onondaga, Cortland, Chenango, Otsego, Madison, Broome, Herkimer and Delaware

Jean Egenhofer

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Fax: (315) 492-3277

Thousand Islands Region

Counties: Jefferson, Lewis, St. Lawrence, Franklin, Clinton and Hamilton

James Noon

Keewaydin State Park, Alexandria Bay, New York 13607

Telephone: (315) 482-2593

Fax: (315) 482-9413

Saratoga/Capital District Region

Counties: Fulton, Montgomery, Saratoga, Schoharie, Albany, Greene, Warren, Washington, Rensselaer, Schenectady and Essex

John Albert

Saratoga Spa State Park, 19 Roosevelt Drive,

Saratoga Springs, New York 12866-6214

Telephone: (518) 584-2000

Fax: (518) 584-8804

Palisades Interstate Park Commission and Taconic Region

Counties: (Palisades): Orange, Rockland, Sullivan, Ulster,(Taconic): Columbia, Dutchess, Putnam and Westchester

Ron Rader

OPRHP - Taconic Regional Office, Old Post Road, P.O. Box 308, Staatsburg, New York 12580

Telephone: (845) 889-4100

Fax: (845) 889-8321

New York City Region

Counties: Bronx, New York, Kings, Queens and Richmond

Merrill Hesch

NYS Office of Parks, Recreation and Historic Preservation, Grants Office,

Adam Clayton Powell, Jr. State Office Building, 163 West 125th Street, 17th Floor, New York, NY 10027

Telephone: (212) 866-2599

Fax: (212) 866-3186

Long Island Region

Counties: Nassau and Suffolk

Carolyn Casey

Belmont Lake State Park, P.O. Box 247, Babylon, New York 11702

Telephone: (631) 669-1000

Fax: (631) 669-4671

Website: <http://www.nysparks.state.ny.us/grants>

NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

HISTORIC PRESERVATION PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Matching grant (50%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Office of Parks, Recreation and Historic Preservation (OPRHP) provides matching grants through monies available from the Environmental Protection Fund. The Historic Preservation Program is for the acquisition and/or rehabilitation of properties listed on the National or State Registers of Historic Places.
ELIGIBILITY REQUIREMENTS	Municipalities and not-for-profit organizations with an ownership interest in the property may apply. Such an interest may be outright ownership or a lesser interest, such as development rights, an easement or a long-term lease of a duration equal to the period of the OPRHP's oversight of the project. Applications are available on an annual basis.
HOW THE FUNDS CAN BE USED	The Historic Preservation Grant must be used for projects to improve, protect, preserve, rehabilitate or restore properties on the State or National Register for use by all segments of the population for park, recreation, conservation or preservation purposes in accordance with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.
AVAILABILITY OF FUNDING	Maximum grant limit of \$350,000 for FY 03-04.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	OPRHP Regional Grant Representatives:
<u>Allegany Region</u> Counties: Allegany, Cattaraugus and Chautauqua Lynn LeFeber Allegany State Park, RD 1, Salamanca, New York 14779, Telephone: (716) 354-9101 Fax: (716) 354-2255	

Niagara Region

Counties: Erie and Niagara

Noelle Kardos

Niagara Reservation, State Park, Niagara Falls, New York 14303

Telephone: (716) 278-1719

Fax: (716) 278-1744

Genesee Region

Counties: Orleans, Monroe, Genesee, Wyoming and Livingston

Leo Downey

Letchworth State Park, Castile, New York 14427

Telephone: (716) 493-3613

Fax: (716) 493-5272

Finger Lakes Region

Counties: Wayne, Ontario, Yates, Steuben, Seneca, Cayuga, Schuyler, Tioga, Tompkins and Chemung

Kathleen Damiani

2221 Taughanock Road, Trumansburg, New York 14886

Telephone: (607) 387-7041

Fax: (607) 387-3390

Central Region

Counties: Oswego, Oneida, Onondaga, Cortland, Chenango, Otsego, Madison, Broome, Herkimer and Delaware

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Counties: Jefferson, Lewis, St. Lawrence, Franklin, Clinton and Hamilton

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Keewaydin State Park, Alexandria Bay, New York 13607

Telephone: (315) 482-2593

Fax: (315) 482-9413

Saratoga/Capital District Region

Counties: Fulton, Montgomery, Saratoga, Schoharie, Albany, Greene, Warren, Washington, Rensselaer, Schenectady and Essex

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Fax: (518) 584-8804

Palisades Interstate Park Commission and Taconic Region

Counties: (Palisades): Orange, Rockland, Sullivan, Ulster,(Taconic): Columbia, Dutchess, Putnam and Westchester

Ron Rader

OPRHP - Taconic Regional Office, Old Post Road, P.O. Box 308, Staatsburg, New York 12580

Telephone: (845) 889-4100

Fax: (845) 889-8321

New York City Region

Counties: Bronx, New York, Kings, Queens and Richmond

Merrill Hesch

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Adam Clayton Powell, Jr. State Office Building, 163 West 125th Street, 17th Floor, New York, NY 10027

Telephone: (212) 866-2599

Fax: (212) 866-3186

Long Island Region

Counties: Nassau and Suffolk

Carolyn Casey

Belmont Lake State Park, PO Box 247, Babylon, New York 11702

Telephone: (631) 669-1000

Fax: (631) 669-4671

Website: <http://www.nysparks.state.ny.us/grants>

NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

<h2>PARKS PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Matching grant (50%)
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Office of Parks, Recreation and Historic Preservation (OPRHP) provides grants through monies available from the State Environmental Protection Fund. The Parks Program is for the acquisition and/or development of parks and recreational facilities, and for the protection of open space.
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ELIGIBILITY REQUIREMENTS	Municipalities, state agencies, public benefit corporations, public authorities and not-for-profit organizations with an ownership interest in the property may apply. Such an interest may be outright ownership or a lesser interest, such as development rights, an easement or a long-term lease of a duration equal to the period of the OPRHP's oversight of the project.
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Applications are available on an annual basis.

HOW THE FUNDS CAN BE USED	Grant can be used to preserve, rehabilitate or restore lands, waters or structures for use by all segments of the population for park, recreation or conservation purposes, including playgrounds, courts, rinks, community gardens, and facilities for swimming, boating, picnicking, hunting, fishing, camping or other recreational activities.
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AVAILABILITY OF FUNDING	Maximum grant limit of \$350,000 for FY 03-04.
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LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
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CONTACTS	OPRHP Regional Grant Representatives:
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Allegheny Region

Counties: Allegheny, Cattaraugus and Chautauqua

Lynn LeFeber

Allegheny State Park, RD 1, Salamanca, New York 14779,

Telephone: (716) 354-9101

Fax: (716) 354-2255

Niagara Region

Counties: Erie and Niagara

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Saratoga Springs, New York 12866-6214

Telephone: (518) 584-2000

Fax: (518) 584-8804

Palisades Interstate Park Commission and Taconic Region

Counties: (Palisades): Orange, Rockland, Sullivan, Ulster,(Taconic): Columbia, Dutchess, Putnam and Westchester

Ron Rader

OPRHP - Taconic Regional Office, Old Post Road, P.O. Box 308, Staatsburg, New York 12580

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Fax: (845) 889-8321

New York City Region

Counties: Bronx, New York, Kings, Queens and Richmond

Merrill Hesch

NYS Office of Parks, Recreation and Historic Preservation, Grants Office,

Adam Clayton Powell, Jr. State Office Building, 163 West 125th Street, 17th Floor, New York, NY 10027

Telephone: (212) 866-2599

Fax: (212) 866-3186

Long Island Region

Counties: Nassau and Suffolk

Carolyn Casey

Belmont Lake State Park, PO Box 247, Babylon, New York 11702

Telephone: (631) 669-1000

Fax: (631) 669-4671

Website: <http://www.nysparks.state.ny.us/grants>

NEW YORK STATE THRUWAY AUTHORITY CANAL CORPORATION

CANAL REVITALIZATION PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Technical assistance and permit assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The New York State Canal Corporation, as a subsidiary of the Thruway Authority, administers the Canal Revitalization Program. This program was developed to preserve and rehabilitate canal infrastructure so that it is safe, accessible and available for future use; to enhance recreational opportunities for water-based and landside users; and to promote and foster economic development throughout the canal corridor.

The Canal Revitalization Program supplements the Canal Corporation's capital and maintenance programs for the canal system and creates an environment for productive business opportunities through public-private partnerships. Planned capital investments in Canal Harbors, and in Service Ports and Locks will provide essential boater services, foster commercial shipping and enhance boater access across the system. Landside improvements will include development of the canalway trail, enhancement of public spaces and informational signage.

Marketing goals focus on increasing canal visitors through promotion of canal tourism and recreational opportunities, and also focus on securing private sector investment in sustainable economic development projects which will ensure the growth of the canal system.

Although there is no financial assistance available through the Canal Corporation at this time, the Corporation will work with interested parties with leasing and use and occupancy permit incentives. (It should be noted that, previously, monies were made available for revitalization projects.)

ELIGIBILITY REQUIREMENTS

There are no eligibility requirements.

HOW THE FUNDS CAN BE USED

Financial assistance currently is not available through the Canal Corporation.

AVAILABILITY OF FUNDING

Financial assistance currently is not available through the Canal Corporation.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

Canal Development Team
200 Southern Boulevard
P.O. Box 189
Albany, NY 12201-0189
Telephone: (518) 471-5097
Fax: (518) 471-5936
E-mail: canalbusiness@canals.state.ny.us

Website: <http://www.canals.state.ny.us>

2.2 Federal

The federal government also has an array of programs and resources available for the cleanup and redevelopment of brownfield sites. An Interagency Working Group, established by the United States Environmental Protection Agency (USEPA), enables more than 20 agencies to exchange information and coordinate activities in support of local brownfield cleanup efforts. As part of this effort, the Brownfields National Partnership Action Agenda was created to encourage cooperation in linking environmental protection with community revitalization and economic development. Some of the federal programs supporting brownfields redevelopment are new, such as the Small Business Liability Relief and Brownfield Revitalization Act signed into law in January 2002, while other programs pre-date the Brownfields National Partnership, but have been modified to better the brownfields redevelopment needs of communities.

Provided below are federal programs that provide financial and/or technical assistance in support of brownfields redevelopment.

FEDERAL AGENCIES AND INCENTIVE PROGRAMS

Army Corps of Engineers

Support to Brownfield Pilots and Livable Communities

Department of Agriculture - Forest Service

Urban and Community Forestry Program

Department of Commerce - Economic Development Administration

Economic Adjustment Program

Local Technical Assistance Program

National Technical Assistance Program

Planning Program for Economic Development Districts, Indian Tribes and
Redevelopment Areas

Planning Program for States and Urban Areas

Public Works and Economic Development Facilities Program

Research and Evaluation Program

Department of Commerce - National Oceanic and Atmospheric Administration

Coastal Resource Coordinator Program

Coastal Zone Management Program

Workshops in Brownfield Showcase Communities

Department of Defense - Office of Economic Adjustment

Base Reuse Assistance Program

Department of Energy

National Industrial Competitiveness through Energy, Environment and
Economics Program

Renewable Energy Activities

State Energy Program

Technical Assistance Programs

**Department of Health and Human Services - Agency of Toxic Substances and
Disease Registry**

Health-Related Information Sharing

**Department of Health and Human Services - National Institute of
Environmental Health Sciences**

Minority Worker Training Program, Brownfields Minority Worker Training
Program and Superfund Worker Training Program

Department of Health and Human Services - Office of Community Services

Urban and Rural Economic Development Discretionary Grants Program and Job
Opportunities for Low-Income Individuals

Department of Housing and Urban Development

Brownfield Economic Development Initiative

Community Development Block Grants Program

Renewal Communities, Empowerment Zones and Enterprise Communities Initiative

Section 108 Loan Guarantee Program

Department of the Interior - National Park Service

Federal Lands to Parks Program

Land and Water Conservation Program

Rivers, Trails and Conservation Assistance Program

Department of Justice

Community Relations Service

Weed and Seed Program

Department of Labor

Workforce Investment Act

Work Opportunity and Welfare-to-Work Tax Credit Programs

Department of Transportation - Federal Highway Administration

Congestion Mitigation and Air Quality Improvement Program
Surface Transportation Program
Transportation and Community and System Preservation Pilot Program
Transportation Enhancements Program
Transportation Planning Program

Department of Transportation - Federal Railroad Administration

Transportation Planning

Department of Transportation - Federal Transit Administration

Discretionary Capital Program
Formulized Grants for the Elderly and Persons with Disabilities
Job Access and Reverse Commute Grant Program
Metropolitan Planning Funds
Non-Urbanized Area Formula Grants
State Planning and Research Program
Transit-Community Initiatives
Urbanized Area Formula Grants

Department of the Treasury

Brownfields Tax Incentive Program
Community Development Financial Institutions Fund

Environmental Protection Agency

Brownfields Assessment Grants
Brownfields Cleanup Grants
Brownfields Job Training Grants
Brownfields Revolving Loan Fund Grants
Clean Water State Revolving Fund
Environmental Education Grants
Environmental Justice Collaborative Problem Solving Grant Program
Environmental Justice Small Grants Program
Pollution Prevention Grants Program
Small Business Liability Relief and Brownfields Revitalization Act
Solid Waste Management Assistance
Superfund Technical Assistance Grants
Targeted Brownfields Assessments

Executive Office of the President

Council on Environmental Quality

Federal Deposit Insurance Corporation

Community Affairs Program

Federal Housing Finance Board

Affordable Housing Program

Community Investment Program

Equity Investment Program

Federal Home Loan Bank Standby Letters of Credit

Rural Development Fund Program

Urban Development Fund Program

General Services Administration

Brownfields Redevelopment Initiative

Small Business Administration

Loan Guarantee Programs

Economic Development Programs

The following matrix lists the programs administered by each of these federal entities and shows the elements of brownfield redevelopment projects that they address and the types of assistance available. Following the matrix, detailed information on each of these programs is provided, including a summary description, incentives, eligibility requirements, how the funds can be used, availability of funding and contacts for further information.

Much of the information on federal assistance and incentive programs was obtained from the *Guide to Federal Brownfields Programs, October 2000*, prepared by the Northeast-Midwest Institute under a grant from the United States Environmental Protection Agency. The guide may be found on the Northeast-Midwest Institute website at <http://www.NEMW.org>.

In addition to the information provided in this section of the manual, supplemental information on federal programs is available in a document published by USEPA-Region2, entitled *Brownfields Resource Directory for New Jersey, New York and Puerto Rico*, produced by the Brownfields Inter-Agency Workgroup. This directory can be found on the USEPA - Region 2 website at <http://www.epa.gov/region2/superfund/direct.htm>.

SUMMARY OF FEDERAL ASSISTANCE AND INCENTIVE PROGRAMS

Page Number	FEDERAL AGENCY AND PROGRAM	1	2	3	4	5	6	7				
		Planning, Engineering and Community Development	Site Investigation and Remediation	Real Estate Purchase	Site Preparation and Improvement	Industrial, Affordable Housing and Waterfront Redevelopment	Transportation Construction and Rehabilitation	Recreational Facility Construction	Waste Management and Solid Waste Facility Construction	Historic Preservation and Habitat Restoration	Training, Education and Research and Development	Other Programs
GRANTS/REIMBURSEMENTS												
Department of Agriculture - Forest Service												
2-125	Urban and Community Forestry Program		•									
Department of Commerce - Economic Development Administration												
2-127	Economic Adjustment Program	•		•								
2-129	Local Technical Assistance Program									•		
2-131	National Technical Assistance Program									•		
2-133	Planning Program for Economic Development Districts, Indian Tribes and Redevelopment Areas	•										
2-135	Planning Program for States and Urban Areas	•										
2-137	Public Works and Economic Development Facilities Program	•		•	•							
2-139	Research and Evaluation Program									•		
Department of Commerce - National Oceanic and Atmospheric Administration												
2-145	Workshops in Brownfield Showcase Communities	•										
Department of Defense - Office of Economic Adjustment												
2-147	Base Reuse Assistance Program	•										
Department of Energy												
2-149	National Industrial Competitiveness through Energy, Environment and Economics Program							•				•
2-151	Renewable Energy Activities											•
2-153	State Energy Program											•
Department of Health and Human Services - National Institute of Environmental Health Sciences												
2-159	Minority Worker Training Program, Brownfields Minority Worker Training Program and Superfund Worker Training Program									•		
Department of Health and Human Services - Office of Community Services												
2-161	Urban and Rural Economic Development Discretionary Grants Program and Job Opportunities for Low-Income Individuals	•				•						
Department of Housing and Urban Development												
2-163	Brownfield Economic Development Initiative	•	•	•	•							
2-165	Community Development Block Grants Program	•			•							
2-167	Renewal Communities, Empowerment Zones and Enterprise Communities Initiative	•			•							
Department of the Interior - National Park Service												
2-173	Land and Water Conservation Program									•		

SUMMARY OF FEDERAL ASSISTANCE AND INCENTIVE PROGRAMS

Page Number	FEDERAL AGENCY AND PROGRAM	Planning, Engineering and Community Development	1	Site Investigation and Remediation	2	Real Estate Purchase	3	Site Preparation and Improvement	4	Industrial, Affordable Housing and Waterfront Redevelopment	5	Transportation Construction and Rehabilitation	6	Recreational Facility Construction	7	Waste Management and Solid Waste Facility Construction	8	Historic Preservation and Habitat Restoration	9	Training, Education and Research and Development	10	Other Programs
	Department of Justice																					
2-179	Weed and Seed Program	•						•														
	Department of Labor																					
2-181	Workforce Investment Act Programs																		•			
	Department of Transportation - Federal Highway Administration																					
2-185	Congestion Mitigation and Air Quality Improvement Program									•		•										
2-187	Surface Transportation Program	•				•						•					•					
2-189	Transportation and Community and System Preservation Pilot Program	•				•				•		•										
2-191	Transportation Enhancements Program			•						•		•					•					
2-193	Transportation Planning Program	•								•		•										
	Department of Transportation - Federal Transit Administration																					
2-197	Discretionary Capital Program							•		•												
2-199	Formalized Grants for the Elderly and Persons with Disabilities									•												
2-201	Job Access and Reverse Commute Grant Program									•												
2-203	Metropolitan Planning Funds	•																				
2-205	Non-Urbanized Area Formula Grants									•												
2-207	State Planning and Research Program	•																				
2-211	Urbanized Area Formula Grants									•												
	Environmental Protection Agency																					
2-219	Brownfields Assessment Grants	•	•			•		•														
2-221	Brownfields Cleanup Grants		•																			
2-223	Brownfields Job Training Grants	•																	•			
2-225	Brownfields Revolving Loan Fund Grants		•																			
2-229	Environmental Education Grants	•																	•			
2-231	Environmental Justice Collaborative Problem Solving Grant Program	•																	•		•	
2-233	Environmental Justice Small Grants Program	•																	•		•	
2-235	Pollution Prevention Grants Program	•																	•		•	
2-237	Small Business Liability Relief and Brownfields Revitalization Act	•	•			•		•														
2-241	Solid Waste Management Assistance														•							
2-243	Superfund Technical Assistance Grants	•																				•
2-245	Targeted Brownfields Assessments		•																			
	Federal Housing Finance Board																					
2-251	Affordable Housing Program							•														

SUMMARY OF FEDERAL ASSISTANCE AND INCENTIVE PROGRAMS

Page Number	FEDERAL AGENCY AND PROGRAM	1	2	3	4	5	6	7				
		Planning Engineering and Community Development	Site Investigation and Remediation	Real Estate Purchase	Site Preparation and Improvement	Industrial, Affordable Housing and Waterfront Redevelopment	Transportation Construction and Rehabilitation	Recreational Facility Construction	Waste Management and Solid Waste Facility Construction	Historic Preservation and Habitat Restoration	Training, Education and Research and Development	Other Programs

LOANS/LOAN GUARANTEES

	Department of Housing and Urban Development							
2-169	Section 108 Loan Guarantee Program	•	•	•	•			
	Environmental Protection Agency							
2-227	Clean Water State Revolving Fund		•	•			•	•
	Federal Housing Finance Board							
2-253	Community Investment Program	•			•			
2-255	Equity Investment Program	•						
2-257	Federal Home Loan Bank Standby Letters of Credit			•	•			
2-259	Rural Development Fund Program				•			
2-261	Urban Development Fund Program				•			
	Small Business Administration							
2-265	Loan Guarantee Programs	•						

COST SHARING

	Army Corps of Engineers							
2-123	Support to Brownfield Pilots and Livable Communities	•	•					

TAX INCENTIVES

	Department of Housing and Urban Development							
2-167	Renewable Communities, Empowerment Zones and Enterprise Communities Initiative	•			•			
	Department of Labor							
2-183	Work Opportunity and Welfare-to-Work Tax Credit Programs		•					
	Department of the Treasury							
2-213	Brownfields Tax Incentive Program						•	

INTEREST RATE SUBSIDIES

	Federal Housing Finance Board							
2-251	Affordable Housing Program				•			

TECHNICAL ASSISTANCE

	Army Corps of Engineers							
2-123	Support to Brownfield Pilots and Livable Communities	•	•					
	Department of Agriculture - Forest Service							
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SUMMARY OF FEDERAL ASSISTANCE AND INCENTIVE PROGRAMS

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SUMMARY OF FEDERAL ASSISTANCE AND INCENTIVE PROGRAMS

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1. Includes Design, Capacity Building/Sustainable Development and Public Outreach.
2. Includes Underground Storage Tank Removal.
3. Includes Access Road Construction and Rehabilitation, Infrastructure Rehabilitation and Other Site Improvements (curbing, lighting, signage).
4. Includes Industrial Development and Redevelopment, and Affordable Construction and Rehabilitation.
5. Includes Outdoor Advertising Controls and Removal.
6. Includes Wetlands Construction.
7. Includes Well Abandonment, Pollution Prevention, Energy Efficiency and Expert Review.

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SUPPORTING BROWNFIELD REDEVELOPMENT**

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UNITED STATES ARMY CORPS OF ENGINEERS

<h2>SUPPORT TO BROWNFIELD PILOTS AND LIVABLE COMMUNITIES</h2>

TYPE OF ASSISTANCE OR INCENTIVE

Technical assistance on a reimbursable basis and Congressionally authorized cost-shared funding for water resource-related projects (25-50%).

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The United States Army Corps of Engineers (Corps) can provide communities with technical assistance to assess and evaluate brownfield problems and to help restore sites for sustainable environmental and economic growth when such work has been authorized as a Corps project under one of a myriad of Congressionally authorized statutory authorities. In addition, the Corps can provide a variety of services, including planning, technical support, contract support and integration support for civil works projects on a cost-shared basis under a variety of authorities or programs, depending on the assessment of the problem. The Corps is committed to interagency and stakeholder partnerships that promote integrated solutions to water resources problems.

ELIGIBILITY REQUIREMENTS

Assistance provided by the Corps may have eligibility limitations depending on the existing authority under which the assistance is provided. The contacts listed below should be consulted for information regarding eligibility requirements.

Congressionally authorized projects are also conducted on a cost-shared basis with work conducted by the Corps. Such projects are proposed to the Corps by states or municipalities and require allocation of funds by Congress. Assistance provided on a cost-shared basis requires matching funds of 25% to 50% of the total project cost, depending on the authority under which the work is conducted. In some cases, United States Department of Housing and Urban Development grants, United States Department of Commerce Economic Development Administration grants or non-monetary contributions (such as land) can be utilized by localities as their cost share. In some cases, partial credit may be given for in-kind services as part of the cost-sharing provision.

HOW THE FUNDS CAN BE USED	As of FY 2003, Congress has not appropriated funding to the Corps for brownfields assessment or cleanup support to communities. However, in many situations, Corps authorities may complement the goals of communities that are seeking to solve their brownfield challenges. In these cases, Corps resources may often be utilized for planning, site investigations, feasibility studies or site remediation activities on a cost reimbursable or cost sharing basis. Local sponsors must provide LERRDS (i.e., Lands, Easements, Rights of Way, Relocations, and/or Dredge Material Disposal Areas), with no attached liability, and accept responsibility for project operation and maintenance.
AVAILABILITY OF FUNDING	As the Corps is not a grant-making agency, grant funds are not available. Project funds become available, however, when directly appropriated by Congress. For major water resource-related endeavors, the Corps will guide communities to the appropriate Congressional contacts for authorization and appropriation support.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT(S)	<p>Jane Mergler United States Army Corps of Engineers Environmental Division 441 G Street, NW Washington, DC 20314-1000 Telephone: (202) 761-5603 Fax: (202) 761-4891 E-mail: jane.a.mergler@hq2.usace.army.mil</p> <p>Web Sites: http://www.usace.army.mil http://hq.environmental.usace.army.mil/programs/programs.html</p> <p>Celia Orgel United States Army Corps of Engineers North Atlantic Division 302 General Lee Avenue Brooklyn, New York 11252 Telephone: (718) 765-7109 Fax: (718) 765-7168 E-mail: celia.b.orgel@nad02.usace.army.mil</p>

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE

URBAN AND COMMUNITY FORESTRY PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Grant (50%) and technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The UCF program provides technical and financial assistance to plan, protect, establish and manage trees, forests, and related resources in urban areas and communities. The outcomes of the program are to improve the ecological function, and social and economic stability of metropolitan areas.
ELIGIBILITY REQUIREMENTS	<p>Local governments, tribes and non-profit organizations in all 50 states and territories can compete for matching grants through the state forestry agency in their state.</p> <p>Non-federal matching funds of 50% of the project cost are required.</p> <p>Applications are accepted in response to an annual Request for Proposal.</p>
HOW THE FUNDS CAN BE USED	Authorized activities and projects include the planning, management and utilization of trees, forests, open space, greenbelts and related natural resources in communities; implement a program of education and technical assistance to conduct tree inventories; organize community forestry projects, assist in developing local management plans, increase public understanding of the economic, social and environmental value of trees and open space in urban environments.
AVAILABILITY OF FUNDING	In fiscal year 2002, approximately \$200,000 was available for projects in New York State.

LIABILITY PROTECTION
PROVIDED

Liability protection is not provided under this program.

CONTACT

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Website:
<http://www.dec.state.ny.us/website/df/index.html>

UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC ADJUSTMENT PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE Grant (50% - 100%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The Economic Development Administration (EDA) Economic Adjustment Program helps states and local areas design and implement strategies for facilitating adjustment to changes in their economic situation that are causing or threaten to cause serious structural damage to the underlying economic base. Such changes may occur suddenly (Sudden and Severe Economic Dislocation) or over time (Long-Term Economic Deterioration), and result from industrial or corporate restructuring, new federal laws/ requirements, reduction in defense expenditures, depletion of natural resources or natural disasters. The program funding encourages implementation of strategies that will attract private-sector investment and participation in projects that strengthen an area's economic base, including redevelopment of brownfield sites.

ELIGIBILITY REQUIREMENTS

An applicant may be a state, a city or other political subdivision of a state, or a consortium of such subdivisions, an Indian Tribe, a designated Redevelopment Area, a community development corporation or a nonprofit organization determined by EDA to be representative of a Redevelopment Area.

The area to be assisted must either:

- Have experienced or anticipate a change in economic conditions resulting in the loss of a significant number of permanent jobs relative to the area's employed labor force and/or other severe economic impacts; or
- Manifest at least one of three symptoms of economic deterioration:
 - very high unemployment;
 - low per capita income; or
 - failure to keep pace with national economic growth trends over the last 5 years.

Key selection factors include the relative severity of the problem, the quality and potential effectiveness of the strategy (for implementation grants), and the extent to which the proposed activities will contribute to facilitating private sector investment in the types of enterprises and industry sectors that will strengthen the economic base of the area.

Applicants must meet eligibility and evaluation criteria in the Notice of Funding Availability published in the Federal Register.

Non-federal matching funds of 20% to 50% of the project cost (depending on the level of economic distress) are required. Indian tribes may be provided assistance for 100% of the total project cost.

Applications are accepted throughout the year. Grant awards are made based on application review and availability of funds.

HOW THE FUNDS CAN BE USED

Two types of grants are awarded: strategy grants and implementation grants. Strategy grants provide the resources to organize and carry out a planning process resulting in a strategy tailored to the particular economic problems and opportunities of the impacted area. Implementation grants may be used to support one or more activities identified in a strategy approved though not necessarily funded by EDA. Implementation activities may include, but are not limited to:

- Creation or expansion of strategically targeted business development and financing programs including grants for revolving loan funds;
- Infrastructure improvements;
- Organizational development; and
- Market or industry research and analysis.

AVAILABILITY OF FUNDING

There are no limits on the project or grant amount. These grants are typically one-time awards. In 2003, \$40,634,150 was available nationwide under this program.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

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UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION

LOCAL TECHNICAL ASSISTANCE PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grant (75% - 100%)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

Grants awarded by the Economic Development Administration (EDA) under the Local Technical Assistance Program are designed to assist in solving specific economic development problems, respond to developmental opportunities, and build and expand local organizational capacity in distressed areas.

ELIGIBILITY REQUIREMENTS

Eligible applicants include public or private non-profit organizations (national, state, regional, district or local), public and private colleges and universities, Indian tribes, local governments and state agencies.

Priority consideration for funding is given to proposals that:

- Benefit areas of severe economic distress;
- Lead to near-term (one to five years) generation or retention of private sector jobs;
- Are consistent with the EDA-approved Comprehensive Economic Development Strategy;
- Document strong local support in terms of financial commitment, and public and private leadership involvement (applicants are expected to provide a minimum of 25 percent of the total project cost); and
- Support the EDA's special initiatives identified in the annual "Notice of Funding Availability" published in the Federal Register.

Applicants must meet eligibility and evaluation criteria published in the Notice of Funding Availability.

Non-federal matching funds of at least 25% of the project cost are required. Indian tribes may be provided assistance for 100% of the total project cost.

Applications are accepted throughout the year. Grant awards are made based on application review and availability of funds.

HOW THE FUNDS CAN BE USED	Projects funded under the Local Technical Assistance Program focus on issues related to specific communities or regions, such as technical or market feasibility studies of economic development projects or programs.
AVAILABILITY OF FUNDING	There are no limits on the project or grant amount. In 2003, \$1,490,250 was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	<p data-bbox="776 661 1433 972">Dennis Alvord Economic Development Administration United States Department of Commerce Room 7327 14th Street and Constitution Avenue, NW Washington, DC 20230 Telephone: (202) 482-4320 Fax: (202) 482-3742 E-mail: dalvord@eda.doc.gov</p> <p data-bbox="776 1016 1433 1360">Paul Raetsch Regional Director Economic Development Administration United States Department of Commerce Curtis Center, Suite 140 South Independence Square West Philadelphia, PA 19106 Telephone: (215) 597-4603 Fax: (215) 597-1367 E-mail: praetsch@eda.doc.gov</p> <p data-bbox="776 1404 1433 1430">Website: http://www.doc.gov/eda/html/locitech.htm</p>

UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION

NATIONAL TECHNICAL ASSISTANCE PROGRAM
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TYPE OF ASSISTANCE OR
INCENTIVE

Grant (50% - 80%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The goals of Economic Development Administration (EDA) National Technical Assistance Program are to increase knowledge about emerging economic development issues, measure program performance, and meet the information and education needs of local, state and national economic development practitioners and organizations.

ELIGIBILITY REQUIREMENTS

Eligible applicants include non-profit organizations, colleges and universities, private individuals and for-profit organizations. National technical assistance, research and evaluation funds may not be used to start or expand a private business.

Priority consideration for funding is given to proposals that:

- Do not depend on further EDA or other federal funding assistance to achieve results;
- Strengthen the capability of local, state or national organizations or institutions, including non-profit economic development groups, to undertake and promote effective economic development programs targeted to people and areas of distress;
- Benefit severely distressed areas;
- Help to diversify distressed economies; and
- Demonstrate innovative approaches to stimulating economic development in distressed areas.

Applicants must meet eligibility and evaluation criteria in the Notice of Funding Availability published in the Federal Register.

Non-federal matching funds of 20% to 50% of the project cost are required depending on the level of economic distress.

Applications are accepted throughout the year. Grant awards are made based on application review and availability of funds.

HOW THE FUNDS CAN BE USED

Projects funded under the National Technical Assistance Program focus on issues of national significance rather than issues related to specific communities or regions. Examples of such issues are:

- Determination of the causes of excessive unemployment, underemployment, out-migration or other problems indicating local economic distress;
- Formulation and implementation of new economic development tools that will raise employment and income in economically distressed areas;
- Evaluation of the effectiveness and impact of economic development programs; and
- Dissemination of information about effective economic development programs, projects and techniques.

AVAILABILITY OF FUNDING

There are no limits on the project or grant amount. In 2003, \$1,093,843 was available nationwide under this program.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

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**UNITED STATES DEPARTMENT OF
COMMERCE
ECONOMIC DEVELOPMENT
ADMINISTRATION**

**PLANNING PROGRAM FOR ECONOMIC
DEVELOPMENT DISTRICTS,
INDIAN TRIBES AND REDEVELOPMENT AREAS**

TYPE OF ASSISTANCE OR
INCENTIVE

Grant (75% - 100%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The Economic Development Administration has developed this program to assist states and local governments to create jobs, retain existing jobs, and stimulate industrial and commercial growth in economically distressed areas. Grants support the formulation and implementation of economic development programs designed to create or retain full-time permanent jobs and income for the unemployed and underemployed in areas of economic distress. Planning grants for administrative expenses are awarded to establish and implement effective economic development programs at local and multi-jurisdictional levels.

ELIGIBILITY REQUIREMENTS

Eligible applicants are designated Economic Development Districts, Redevelopment Areas, Indian tribes, organizations representing Redevelopment Areas or multiple Indian tribes, and commonwealths and territories. Among the factors considered in evaluating proposals are economic distress of the area, performance of previously funded grantees and involvement of the local leadership in economic development activities. Priority consideration goes to currently funded grantees.

Applicants must meet eligibility and evaluation criteria in the Notice of Funding Availability published in the Federal Register.

Non-federal matching funds of 25% of the project cost are required. Indian tribes may be provided assistance for 100% of the total project cost.

Applications are accepted throughout the year. Grant awards are made based on application review and availability of funds.

HOW THE FUNDS CAN BE USED	Eligible activities under this program include the preparation and continuation of a Comprehensive Economic Development Strategy, economic development planning activities, and implementation and technical assistance services to communities and local governments within the organization's jurisdiction.
AVAILABILITY OF FUNDING	Assistance is normally provided for a period of 12 months. There are no limits on the project cost or grant amount. In 2003, \$23,844,000 was available nationwide under this program, and the Planning Program for States and Urban Areas.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	<p>Dennis Alvord Economic Development Administration United States Department of Commerce Room 7327 14th Street and Constitution Avenue, NW Washington, DC 20230 Telephone: (202) 482-4320 Fax: (202) 482-3742 E-mail: dalvord@eda.doc.gov</p> <p>Paul Raetsch Regional Director Economic Development Administration United States Department of Commerce Curtis Center, Suite 140 South Independence Square West Philadelphia, PA 19106 Telephone: (215) 597-4603 Fax: (215) 597-1367 E-mail: praetsch@eda.doc.gov</p> <p>Website: http://www.doc.gov/eda/html/planothr.htm</p>

UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION

PLANNING PROGRAM FOR STATES AND URBAN AREAS

TYPE OF ASSISTANCE OR INCENTIVE

Grant (50% - 100%)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Economic Development Administration (EDA) has developed this program to assist states and urban governments create jobs, retain existing jobs, and stimulate industrial and commercial growth in economically distressed areas. Grants assist economically distressed states, sub-state planning regions, cities and urban counties to undertake significant new economic development planning, policy-making and implementation efforts.

ELIGIBILITY REQUIREMENTS

Eligible applicants are states, sub-state planning units, cities, urban counties within metropolitan statistical areas and combinations of these entities.

Among the factors EDA considers in evaluating proposals are:

- The economic distress of the area;
- Appropriateness of the work program to area needs;
- Relationship of the proposed activities to the problems of the area's unemployed and underemployed;
- Commitment of the chief executive of the applicant;
- Innovativeness of the proposed project; and
- Replicability of the process and/or results.

Applicants must meet eligibility and evaluation criteria in the Notice of Funding Availability published in the Federal Register.

Non-federal matching funds of 20% to 50% of the total project cost are required. Indian tribes may be provided assistance for 100% of the total project cost.

Applications are accepted throughout the year. Grant awards are made based on application review and availability of funds.

HOW THE FUNDS CAN BE USED

Grants provide financial assistance to support significant economic development planning and implementation activities, such as economic analysis, definition of program goals, determination of project opportunities, and formulation and implementation of a development program, such as a local or regional brownfield strategy. Assistance under this program can be used to enhance economic development planning capability and economic development planning processes and procedures, and to help build institutional capacity, such as by implementation of Geographic Information System (GIS) capability.

AVAILABILITY OF FUNDING

There are no limits on the project or grant amount. In 2003, \$23,844,000 was available nationwide under this program, and the Planning Program for Economic Development Districts, Indian Tribes and Redevelopment Areas.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

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UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION

<h2 style="margin: 0;">PUBLIC WORKS AND ECONOMIC DEVELOPMENT FACILITIES PROGRAM</h2>
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TYPE OF ASSISTANCE OR
INCENTIVE

Grant (50% - 100%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

Grants are provided by the Economic Development Administration (EDA) to help distressed communities attract new industry, encourage business expansion, diversify local economies and generate long-term, private sector jobs. The program is primarily intended to benefit low and moderate-income populations, unemployed and underemployed residents, and to help stop out-migration, as well as to assist areas experiencing long-term economic distress due to industrial restructuring and business relocation.

ELIGIBILITY REQUIREMENTS

State and tribal governments, local governments, and public and private organizations are eligible. Projects must be located within an EDA-designated Redevelopment Area or Economic Development Center.

Priority consideration is given to projects that:

- Improve opportunities for the successful establishment or expansion of industrial or commercial facilities;
- Assist in creating or retaining permanent private sector jobs in the near term, as well as providing additional long-term employment opportunities provided the jobs are not transferred from other labor market areas;
- Benefit the long-term unemployed and members of low-income families residing in the area served by the project;
- Fulfill a pressing need of the area, and can be started and completed in a timely manner; and
- Demonstrate adequate local funding with evidence that such support is committed.

Applicants must meet eligibility and evaluation criteria in the Notice of Funding Availability published in the Federal Register.

Non-federal matching funds of 20% to 50% of the project cost (depending on the level of economic distress) are required. Indian tribes may be provided assistance for 100% of the total project cost.

Applications are accepted throughout the year. Grant awards are made based on application review and availability of funds.

HOW THE FUNDS CAN BE USED

Among the types of projects funded are water and wastewater facilities, primarily serving industry and commerce; access roads to industrial parks or sites; port improvements; business incubator facilities; technology projects; sustainable development activities; export programs; brownfields redevelopment and other infrastructure projects.

AVAILABILITY OF FUNDING

There are no limits on the project or grant amount. These grants are typically one-time awards. In 2003, \$203,667,500 was available nationwide under this program.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

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UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION

RESEARCH AND EVALUATION PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grant (50% - 80%)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

Under the Research and Evaluation Program, grants and cooperative agreements are awarded by the Economic Development Administration (EDA) to undertake studies that will increase knowledge about emerging economic development issues, the causes of economic distress and ways to alleviate barriers to economic development, and to measure the performance and effectiveness of economic development programs.

ELIGIBILITY REQUIREMENTS

Eligible applicants include non-profit organizations, colleges and universities, private individuals and for-profit organizations.

Criteria used to evaluate proposals are:

- Potential usefulness of the research to economic development officials and practitioners;
- Potential usefulness of the evaluation for economic development practitioners and EDA staff to determine the effectiveness of economic development programs;
- Total cost and value of product in relation to cost; and
- The ability to be completed within 12 to 15 months.

Applicants must meet eligibility and evaluation criteria in the Notice of Funding Availability published in the Federal Register.

Non-federal matching funds of 20%-50% of the project cost are required depending on the level of economic distress.

Typically, a Request for Proposal in the form of a Notice of Funding Availability is published in the Federal Register once per year. Grant awards are made based on application review and availability of funds.

HOW THE FUNDS CAN BE USED	<p>Projects funded under the Research and Evaluation Program focus on issues of national significance rather than issues related to specific communities or regions. Studies funded examine issues related to:</p> <ul style="list-style-type: none"> • The causes of unemployment, underemployment, underdevelopment, and chronic distress in various areas and regions of the nation; • The formulation and implementation of national, state, and local programs that will raise employment and income levels and otherwise produce solutions to problems resulting from the above conditions; and • Evaluation of the effectiveness of economic development programs, projects and techniques.
AVAILABILITY OF FUNDING	<p>There are no limits on the project or grant amount. In 2003, \$496,750 was available nationwide under this program.</p>
LIABILITY PROTECTION PROVIDED	<p>Liability protection is not offered under this program.</p>
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**UNITED STATES DEPARTMENT OF
 COMMERCE
 NATIONAL OCEANIC AND
 ATMOSPHERIC ADMINISTRATION**

COASTAL RESOURCE COORDINATOR PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The National Oceanic and Atmospheric Administration (NOAA) Office of Response and Restoration provides technical assistance through the Coastal Protection and Restoration Division. Coastal Resource Coordinators are NOAA personnel located in United States Environmental Protection Agency offices to assist with site assessment, investigation, remediation and restoration planning activities at sites where coastal resources may be or have been impacted by hazardous substance releases or contaminated sediments.
ELIGIBILITY REQUIREMENTS	Only projects where coastal resources have been impacted or may be impacted are eligible.
HOW THE FUNDS CAN BE USED	Funding is not provided under this program.
AVAILABILITY OF FUNDING	Funding is not provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACTS

National Contact:

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Office of Response and Restoration
7600 Sand Point Way NE
Seattle, WA 98115
Telephone: (206) 526-6305
Fax: (206) 526-6865
E-mail: Alyce.Fritz@noaa.gov

Regional Contact:

Lisa Rosman
NOAA Coastal Resource Coordinator
290 Broadway Room 1831
New York, NY 10007
Telephone: (212) 637-3259
Fax: (212) 637-4207
E-mail: Lisa.Rosman@noaa.gov

Website:

<http://www.response.restoration.noaa.gov/cpr/cpr.html>

**UNITED STATES DEPARTMENT OF
COMMERCE
NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION**

COASTAL ZONE MANAGEMENT PROGRAM
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TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The National Oceanic and Atmospheric Administration (NOAA) Office of Ocean and Coastal Resources Management provides financial and technical assistance to coastal (including Great Lakes) states for implementation of comprehensive coastal resource protection and management programs. This funding is provided to the New York State Coastal Zone Management Program, which is administered by the New York State Department of State (see description in New York State program section). The New York State Department of State utilizes the funding to provide technical assistance to municipalities.
ELIGIBILITY REQUIREMENTS	Only designated coastal management agencies in Coastal States are eligible for NOAA funding. There are no eligibility requirements for technical assistance under the New York State Coastal Zone Management Program.
HOW THE FUNDS CAN BE USED	Funding is not provided under this program.
AVAILABILITY OF FUNDING	Funding is not provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

George Stafford, Director
Division of Coastal Resources
New York State Department of State
41 State Street
Albany, NY 12231-0001
Telephone: (518) 474-6000
Fax: (518) 473-2464
E-mail: coastal@dos.state.ny.us

Website: <http://www.nos.noaa.gov/ocrm/czm>

**UNITED STATES DEPARTMENT OF
COMMERCE
NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION**

WORKSHOPS IN BROWNFIELD SHOWCASE COMMUNITIES

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The National Oceanic and Atmospheric Administration Office of Sustainable Development provides funding for workshops in Brownfield Showcase Communities to focus on coastal management issues related to brownfield initiatives.
ELIGIBILITY REQUIREMENTS	Only designated Brownfield Showcase Communities located in coastal areas are eligible.
HOW THE FUNDS CAN BE USED	Funds are to be used to conduct coordination meetings and workshops to develop support and solicit input from stakeholders and the public on coastal issues related to the local brownfields initiative.
AVAILABILITY OF FUNDING	Grant awards are \$10,000. A total of approximately \$70,000 has been awarded since 1998.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

Joshua Stearns
Office of Education and Sustainable Development
United States Department of Commerce
National Oceanic and Atmospheric Administration
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Washington, DC 20230
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E-mail: joshua.stearns@noaa.gov

Website: <http://www.oesd.noaa.gov>

STATES DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT

<h2>BASE REUSE ASSISTANCE PROGRAM</h2>
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TYPE OF ASSISTANCE OR INCENTIVE	Grants (75%) and technical assistance.
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Office of Economic Adjustment is the primary office of the Department of Defense with responsibility for providing adjustment assistance to communities, regions and states adversely impacted by significant defense program changes. Economic adjustment assistance involves grants and/or technical assistance for assessing problems, identifying and evaluating alternative courses of action to solve problems, identifying resource requirements and possible sources, and assisting in the preparation of development strategies and action plans to assist communities to help themselves.
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ELIGIBILITY REQUIREMENTS	Eligible applicants for economic adjustment grants include state and local governments. Applicants must have had a significant and adverse economic impact due to closure of a military base or cutbacks at military contractor facilities. Non-federal matching funds of 25% of the project cost are required. Grant applications are accepted throughout the year.
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HOW THE FUNDS CAN BE USED	Funds provided under this program must be used for planning purposes. Examples of eligible activities are site reuse planning or development of economic strategies related to military base closure.
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AVAILABILITY OF FUNDING	There are no limits to the grant amount. In 2003, approximately \$20 million was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	Joseph Cartwright Office of Economic Adjustment Office of the Secretary of Defense 400 Army Navy Drive Suite 200 Arlington, VA 22202-2884 Telephone: (703) 604-5690 Fax: (703) 604-5843 E-mail: Joseph.Cartwright@osd.mil Website: http://www.acq.osd.mil/oe

UNITED STATES DEPARTMENT OF ENERGY

NATIONAL INDUSTRIAL COMPETITIVENESS THROUGH ENERGY, ENVIRONMENT AND ECONOMICS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Grant (up to 50%) and technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Department of Energy National Industrial Competitiveness Through Energy, Environment and Economics Program is an innovative, cost-sharing grant program with state and industry partners to save energy, prevent and reduce pollution, and enhance industrial competitiveness. This program focuses on providing financial assistance to the state and industry that demonstrate and develop industrial process modifications that will reduce energy consumption, promote innovative waste minimization techniques, and enhance industrial competitiveness through the introduction and dissemination of cost effective energy efficient processes, equipment and practices.
ELIGIBILITY REQUIREMENTS	<p>Industry applicants must submit applications through a state energy, pollution prevention or business development office.</p> <p>Non-federal cost sharing must be at least 50% of the total project cost.</p> <p>Applications are accepted in response to a notice in the Federal Register and/or the Commerce Business Daily, typically in December, with a 2 to 5-month window for submittal of applications.</p>
HOW THE FUNDS CAN BE USED	Funds are to be used for projects to develop, demonstrate and promote energy efficiency, and clean energy production technologies.

AVAILABILITY OF FUNDING	This program was not funded in fiscal year 2003. If funded in fiscal year 2004, accepted projects would receive a grant of up to \$525,000 for the project. Of this amount, the industrial partner may receive a maximum of \$500,000.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Joseph Mariano United States Department of Energy Boston Regional Office JFK Federal Building, Room 675 Boston, MA 02203 Telephone: (617) 565-9193 Fax: (617) 565-9723 E-mail: joseph.mariano@ee.doe.gov Website: http://www.oit.doe.gov/nice3

UNITED STATES DEPARTMENT OF ENERGY

RENEWABLE ENERGY ACTIVITIES

TYPE OF ASSISTANCE OR INCENTIVE	Grant
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Department of Energy provides grants to support the commercialization of solar, wind and biomass energy through several grant programs.
ELIGIBILITY REQUIREMENTS	Grant recipients can include consumer advocates, state utilities, energy and environmental working groups, education institutions and nonprofit groups throughout the United States. Specific eligibility requirements will vary by program.
HOW THE FUNDS CAN BE USED	Use of funds will be limited depending on the program.
AVAILABILITY OF FUNDING	Availability of funding will vary depending on the program.
LIABILITY PROTECTION PROVIDED	There is no liability protection provided under this program.
CONTACT	Richard Michaud United States Department of Energy Boston Regional Office JFK Federal Building, Room 675 Boston, MA 02203 Telephone: (617) 565-9713 Fax: (617) 565-9723 E-mail: richard.michaud@ee.doe.gov Website: http://www.eere.energy.gov

UNITED STATES DEPARTMENT OF ENERGY

STATE ENERGY PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Grant (80%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The State Energy Program provides funding to states according to a statutory formula. States submit annual plans for funding energy efficiency projects.
ELIGIBILITY REQUIREMENTS	States are eligible to receive grants. Projects from municipalities may be submitted included in the annual plan submitted by the state. Non-federal matching funds of 20% of the total project cost is required.
HOW THE FUNDS CAN BE USED	Projects must include energy efficiency measures. The annual plan submitted by the state must incorporate mandated measures, including building standards, procurement, transportation, emergency planning and activity coordination. Once the mandates have been satisfied, funds may be requested for almost any energy efficiency program that meets the needs of the state citizens.
AVAILABILITY OF FUNDING	Project funding is limited to the annual allocation of Department of Energy funds, state funds and any other funding sources that the state includes in its annual plan. In 2003, New York State received federal funds totaling \$2,447,000 under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

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Website: <http://www.doe.gov>

UNITED STATES DEPARTMENT OF ENERGY

TECHNICAL ASSISTANCE PROGRAMS

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	As part of investigation and remediation of environmental concerns at Department of Energy (DOE) facilities, the DOE Office of Environmental Management funds research and development for site assessment and remediation technologies for use at DOE facilities. These technologies may also be applicable to non-DOE sites. In addition, an initiative with the DOE is the Brightfields Program, which is focused on using federal and non-federal brownfield sites for renewable energy purposes. A third resource is the Center of Excellence for Sustainable Development, a multi-discipline web site that provides technical assistance for sustainable development activities at any site.
ELIGIBILITY REQUIREMENTS	There are no eligibility requirements for this program.
HOW THE FUNDS CAN BE USED	No funding is provided under these programs.
AVAILABILITY OF FUNDING	No funding is provided under these programs.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under these programs.

CONTACTS

Office of Environmental Management:

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Brightfields Program:

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E-mail: richard.michaud@ee.doe.gov

Website: <http://www.eere.energy.gov/brightfields>

Center of Excellence for Sustainable Development:

Jack Jenkins
United States Department of Energy
Denver Regional Office
1617 Cole Boulevard
Golden, CO 80401
Telephone: (303) 275-4824
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E-mail: jack_jenkins@nrel.gov

Website: <http://www.sustainable.doe.gov>

**UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES
AGENCY FOR TOXIC SUBSTANCES
AND DISEASE REGISTRY**

HEALTH-RELATED INFORMATION SHARING

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance.
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Agency for Toxic Substances and Disease Registry (ATSDR) can review and assess environmental sampling data and site-related information to evaluate potential exposures and risk to public health. If a significant exposure to site-related contaminants is occurring or did occur, then ATSDR may conduct an investigation to characterize the public health significance of the exposure.
ELIGIBILITY REQUIREMENTS	Any site is eligible for technical assistance.
HOW THE FUNDS CAN BE USED	No funding is provided under this program.
AVAILABILITY OF FUNDING	No funding is provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACTS

Steven Jones
United States Department of Health and Human
Services
Agency for Toxic Substances and Disease Registry
MC: 5204G
Ariel Rios Building
12th Street and Pennsylvania Avenue, NW
Washington, DC 20460
Telephone: (703) 603-8729
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E-mail: sxj6@cdc.gov

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ATSDR-Office of Regional Operations
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Website: <http://www.atsdr.cdc.gov>

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES
NATIONAL INSTITUTE OF ENVIRON-
MENTAL HEALTH SCIENCES, NIH

**MINORITY WORKER TRAINING PROGRAM,
BROWNFIELDS MINORITY WORKER TRAINING
PROGRAM AND SUPERFUND WORKER
TRAINING PROGRAM**

TYPE OF ASSISTANCE OR
INCENTIVE

Grant (100%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The Department of Health and Human Services National Institute of Environmental Health Sciences (NIEHS) established the Minority Worker Training Program (MWTP) to provide a series of national pilot programs to test a range of strategies for the recruitment and training of young persons who live near hazardous waste sites or in the community at risk of exposure to contaminated properties, for work in the environmental field. As part of the Department of Health and Human Services commitment to the Brownfields National Partnership Agenda, the NIEHS has provided support for the establishment of the Brownfields Minority Worker Training Program (BMWTP) targeting Showcase Communities. The strategy of this initiative is to broaden the NIEHS Minority Worker Training Program (MWTP) to include a new component on Brownfields Worker Training, addressing the need for a more comprehensive training program to foster economic and environmental restoration of the identified brownfield sites.

The Superfund Worker Training Program provides similar training grants for training and education of workers engaged in activities related to hazardous waste removal, containment and emergency response without the specific focus on minority populations.

ELIGIBILITY REQUIREMENTS	<p>Non-profit organizations with a demonstrated track record of providing occupational safety and health education are eligible.</p> <p>Grants are awarded for a 5-year cycle. Grants were last awarded in September 2000. Applications are accepted in response to a solicitation notice in the National Institutes of Health Guide to Grants and Contracts. It is expected that the next solicitation notice for this program will be published in late 2004.</p>
HOW THE FUNDS CAN BE USED	<p>MWTP and BMWTP grant awards are to be used to develop pre-employment and work-related training programs for minority workers, with particular focus on mentoring activities. Superfund Worker Training Program grants awards are to be used for training and education of workers engaged in activities related to hazardous waste removal, containment and emergency response without the specific focus on minority populations.</p>
AVAILABILITY OF FUNDING	<p>There are no limits on the amount of grant awards. In September 2000, \$3,000,000 was awarded under the MWTP, \$3,000,000 was awarded under the BMWTP and \$20,000,000 was awarded under the Superfund Worker Training Program.</p>
LIABILITY PROTECTION PROVIDED	<p>Liability protection is not provided under this program.</p>
CONTACT	<p>Sharon Beard National Institute of Environmental Health Sciences, NIH Division of Extramural Research and Training Worker Education and Training Branch United States Department of Health and Human Services P.O. Box 12233, Mail Drop EC-25 Research Triangle Park, NC 27709-2233 Telephone: (919) 541-1863 Fax: (301) 451-5595 E-mail: beard1@niehs.nih.gov</p> <p>Website: http://www.niehs.nih.gov/wetp/home.htm</p>

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF COMMUNITY SERVICES

<h2>URBAN AND RURAL ECONOMIC DEVELOPMENT DISCRETIONARY GRANTS PROGRAM AND JOB OPPORTUNITIES FOR LOW-INCOME INDIVIDUALS</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	<p>The Community Services Block Grant Act of 1981, as amended, authorizes funding of discretionary grants, including the Urban and Rural Economic Development (URED) and the Job Opportunities for Low-Income Individuals (JOLI) programs. URED grants provide technical and financial assistance for economic development activities designed to address the economic needs of low-income individuals and families.</p> <p>The purpose of the JOLI program is to conduct projects to create new employment and business opportunities for certain low-income individuals through the provision of technical and financial assistance to private employers in the community, self-employment/micro-enterprise programs, and/or new business development programs.</p>
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ELIGIBILITY REQUIREMENTS	<p>Private, non-profit community development organizations are eligible for URED grants. Private, non-profit organizations are eligible for JOLI grants.</p> <p>Applications are accepted in response to a program announcement published in the Federal Register.</p>
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HOW THE FUNDS CAN BE USED

URED and JOLI grant awards are to be used to develop new full-time jobs and business opportunities for low-income persons, including building rehabilitation. URED grant awards may also be used for building construction where such construction is an essential part of a job creation program. JOLI grants may not be used for construction activities.

AVAILABILITY OF FUNDING

The maximum awards under each program are \$700,000 for up to 5 years. In 2002, approximately \$25,000,000 was allocated for the URED Program and approximately \$5,500,000 was allocated for the JOLI Program.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under these programs.

CONTACT

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Community Discretionary Programs
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Website: <http://www.acf.hhs.gov/programs/ocs>

UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

<h2>BROWNFIELD ECONOMIC DEVELOPMENT INITIATIVE</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	Because loans made under the Section 108 Loan Guarantee Program represent a potential risk for local governments (which must pledge their current and future Community Development Block Grant (CDBG) allocations for up to 5 years as security for the loans), the Brownfield Economic Development Initiative (BEDI) grant program offers communities a way to decrease the level of risk to their CDBG funds. Grants are provided to local governments to manage and reduce the economic risk for redevelopment activities at brownfield sites.
ELIGIBILITY REQUIREMENTS	States and CDBG entitlement and non-entitlement communities are eligible for BEDI assistance.
<p>Grant applications are accepted following publication of a Notice of Funding Availability in the Federal Register, which generally occurs in mid-winter.</p>	
HOW THE FUNDS CAN BE USED	BEDI grant funds can only be used for projects at brownfield sites that are assisted through the Section 108 Economic Development Loan Fund, which may involve such activities as property acquisition, site remediation, economic development activities, acquisition, construction, reconstruction or installation of public facilities, and for public works and other site improvements. The role of BEDI grants is either to help secure the Section 108 loan (for example, as a loss reserve in the event some loans in revolving loan pools are not repaid) or to increase the feasibility of the project (for example, by lowering total project costs to be financed). HUD emphasizes the use of funds for projects that will provide near-term results and demonstrable economic benefits.

A local government may use a BEDI grant to provide additional security for the loan to reduce the risk that CDBG funds will have to be used to repay defaulted of loans made locally with the funds. The grant may also be used to make a project more feasible by paying some of the project costs with grant funds or by reducing the interest rate to be paid for loans from a revolving fund.

BEDI funds may not be used to immediately repay the principle of a loan guaranteed under Section 108. BEDI funds may not be used to provide public or private sector entities with funding to remediate contamination caused by their actions. Applicants may not propose sites listed or proposed for listing on the National Priority List.

AVAILABILITY OF FUNDING	BEDI grants awards can be up to \$2,000,000, and \$29,500,000 was available nationwide in 2003 under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Lisa Peoples Community Planning and Development United States Department of Housing and Urban Development 451 7th Street, SW Suite 7140 Washington, DC 20410 Telephone: (202) 708-0614 ext. 4456 Fax: (202) 401-2231 E-mail: lisa_peoples@hud.gov

Website: <http://www.hud.gov/offices/cpd/economicdevelopment/bedi/index.html>

UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANTS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Community Development Block Grant (CDBG) Program provides annual grants to states, and eligible metropolitan cities and urban counties for community improvement activities. Grants to states, and eligible metropolitan cities and urban counties (entitlement communities) are administered by the United States Department of Housing and Urban Development. Funds for non-entitlement communities are administered by the New York State Governor's Office for Small Cities.
ELIGIBILITY REQUIREMENTS	Local governments are eligible. Applications are accepted from entitlement communities throughout the year. For non-entitlement communities, applications are due in April and awards are made in August.
HOW THE FUNDS CAN BE USED	Projects funded by the CDBG Program must benefit low to moderate income individuals, address blight in the community and/or satisfy an urgent need within the community. Grant awards can be used to revitalize neighborhoods, expand affordable housing and economic opportunities, and improve community facilities and services.
AVAILABILITY OF FUNDING	Grant awards for non-entitlement communities are up to \$400,000 for towns, and up to \$600,000 for counties and for comprehensive grants involving multiple activities. In 2003, \$420,000,000 in CDBG grants was provided to New York State, including \$50,000,000 for non-entitlement communities.

LIABILITY PROTECTION
PROVIDED

Liability protection is not provided under this program.

CONTACTS

Entitlement Communities:

United States Department of Housing and Urban
Development

Office of Block Grant Assistance
Entitlement Communities Division

541 7th Street, SW

Washington, DC 20410

Telephone: (202) 708-1577

Fax: (202) 401-2044

E-mail: Available from web site

<http://www.hud.gov/cpd/cdbg.html>

Website: <http://www.hud.gov/cpd/cdbg.html>

Non-entitlement Communities:

Kenneth Flood

Governor's Office for Small Cities

Agency Building 4, 6th Floor

Empire State Plaza

Albany, NY 12223

Telephone: (518) 474-2057

Fax: (518) 474-5247

E-mail: info@nysmallcities.com

Website: <http://www.nysmallcities.com>

UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

RENEWAL COMMUNITIES, EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES INITIATIVE

TYPE OF ASSISTANCE OR INCENTIVE

Tax incentives and grants (100%)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The purpose of the Renewal Community, Empowerment Zone and Enterprise Community (RC/EZ/EC) Initiative is to create jobs and business opportunities in the most economically distressed areas of inner cities and the rural heartland. It also focuses on activities to support people looking for work, including job training, childcare and transportation. The United States Department of Housing and Urban Development (HUD) administers the program for urban EZ/ECs and all RCs. The United States Department of Agriculture (USDA) administers the program for rural EZ/ECs. For 2003 through 2009, the RC/EZs receive significant federal tax incentives for businesses and investors.

ELIGIBILITY REQUIREMENTS

Only designated areas are eligible for assistance. To date, three rounds of designations have been made (in 1994, 1998 and 2001) with 71 RC/EZs designated by HUD. A fourth competitive round (if authorized by law) would be announced in the Federal Register.

Since funding under this program is designated as seed money, leveraging of funds is required, although no amount is specified.

Eligibility for tax incentives is described in the HUD publications entitled *Tax Incentive Guide for Businesses in Renewal Communities, Empowerment Zones and Enterprise Communities*; and *Tax Incentives + Businesses = Jobs* and in Internal Revenue Service Publication 954 *Tax Incentives for Empowerment Zones and Other Distressed Communities*. These documents are available at the website provided below.

HOW THE FUNDS CAN BE USED	EZs and ECs utilize their grants (as well as funds leveraged from other public and private sources) to implement projects and programs that further locally created strategic plans. EZ grant funds must be used in the EZ/EC area and must benefit zone residents. Other limitations specific to the individual EZ/EC area may also exist.
AVAILABILITY OF FUNDING	Round I urban EZs and ECs (designated in 1994) each received \$100,000,000 and \$3,000,000, respectively. Four enhanced ECs received additional grant funds and loan guarantees. Round II EZs (designated in 1998) have each received approximately \$24,000,000 to date. Grants have not been funded for Round III designees.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Pamela Glekas Spring Director, Office of Community Renewal United States Department of Housing and Urban Development 451 7th Street, SW Room 7130 Washington, DC 20410 Telephone: (202) 708-6339 Fax: (202) 401-7615 Website: http://www.hud.gov/cr

UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SECTION 108 LOAN GUARANTEE PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Loan guarantee
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	Under the Section 108 Loan Guarantee Program, the United States Department of Housing and Urban Development (HUD) guarantees repayment of notes issued by local governments to raise capital for approved projects. The guarantee represents the full faith and credit of the United States Government, providing private investors with enough security that the participating local governments can borrow funds at lower interest rates comparable to those that the federal government commands when borrowing through the United States Treasury. States and entitlement communities that participate in the Community Development Block Grant (CDBG) Program can pledge current and/or future CDBG allocations in return for secured loans that may be used to pursue revitalization and economic development projects.
ELIGIBILITY REQUIREMENTS	States and entitlement communities that participate in the CDBG Program are eligible. Eligible communities may apply for loan guarantees throughout the year.
HOW THE FUNDS CAN BE USED	Section 108 loan guarantees must be used for projects that further the objectives of the CDBG Program. Projects must benefit low to moderate income individuals, address blight in the community and/or satisfy an urgent need within the community. Grant awards can be used to revitalize neighborhoods, expand affordable housing and economic opportunities, and improve community facilities and services. Eligible activities include:

- Property acquisition;
- Rehabilitation of publicly owned property;
- Housing rehabilitation;
- Economic development activities; and
- Acquisition, construction, reconstruction or installation of public facilities.

AVAILABILITY OF FUNDING	Loan guarantees cannot exceed five times the current CDBG allocation for the community. The maximum loan term is 20 years. Loan guarantees generally require security beyond the pledge of CDBG funds. This security is negotiated between HUD and the borrower.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Paul Webster Office of Community and Economic Development Finance Office of Community Planning and Development United States Department of Housing and Urban Development 451 7th Street, SW Room 7206 Washington, DC 20410 Telephone: (202) 708-1871 Fax: (202) 708-1798 Email: paul_webster@hud.gov</p> <p>Website: http://www.hud.gov/progdesc/cdbg-108.html</p>

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

FEDERAL LANDS TO PARKS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE Technical assistance

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The National Parks Service (NPS) assists state and local governments to acquire surplus federal lands, including closed military bases and properties available through the General Services Administration, at no cost. The NPS assists communities obtain title to those lands and deeds the land. Land or buildings deeded through the program must be open to the public and used exclusively for public parks and recreational purposes.

ELIGIBILITY REQUIREMENTS

The applicant must be a governmental entity or its instrumentality. Federal land first must be declared surplus to federal needs. Application must be submitted to the NPS and approved by NPS and the federal disposing agency.

HOW THE FUNDS CAN BE USED

No funding is provided under these programs.

AVAILABILITY OF FUNDING

No funding is provided under these programs.

LIABILITY PROTECTION
PROVIDED

The military provides indemnification under BRAC (base realignment and closure) law for contaminants due to military use that are present at time of transfer or discovered later.

CONTACT

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E-mail: nps_flpnational@nps.gov

Website: <http://www.nps.gov/flp>

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

LAND AND WATER CONSERVATION PROGRAM

**TYPE OF ASSISTANCE OR
INCENTIVE**

Grant (50%) and technical assistance.

**SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE**

Through the Land and Water Conservation Program, the National Park Service provides acquisition and development grants to assist in preserving, developing and assuring accessibility to outdoor recreation resources. The program provides matching grants to states and through states to local governments for projects that are in accordance with the state's Statewide Comprehensive Outdoor Recreation Plan (SCORP). Planning grants and technical assistance are also available to assist states prepare and update the SCORP.

ELIGIBILITY REQUIREMENTS

Eligible applicants include states, political subdivision of a state, Indian Tribes and public agencies. Funded projects must be consistent with the SCORP. Projects proposed for funding are submitted to the National Park Service for approval through the State Liaison Officer. Non-federal funding of 50% of the project cost is required.

HOW THE FUNDS CAN BE USED

Grants may be used to acquire lands and waters, or interests in lands and waters for public outdoor recreation, and to develop basic outdoor recreation facilities to serve the general public.

AVAILABILITY OF FUNDING

There are no statutory limits on the amount of funding available for each project. Funds are allocated to states according to a statutory formula. In 2003, approximately \$4,800,000 was awarded for projects in New York State under this program.

**LIABILITY PROTECTION
PROVIDED**

There is no liability protection provided under this program.

CONTACT

Kevin Burns
Chief of Grants
New York State Office of Parks, Recreation and
Historic Preservation
Empire State Plaza, Agency Building #1
Albany, NY 12238

Telephone: (518) 474-0427

Fax: (518) 486-7377

E-mail: Kevin.Burns@oprhp.state.ny.us

Website: <http://www.nysparks.com/grants>
<http://www.nysparks.state.ny.us/scorp>

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

<h2>RIVERS, TRAILS AND CONSERVATION ASSISTANCE PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Rivers, Trails and Conservation Assistance (RTCA) Program supports state and local governments and community organizations in conservation efforts by providing river, trail and greenway planning, regional assessment and conservation workshops and consultations. Some of the assistance provided under the RTCA Program is targeted to urban areas for projects that may include brownfield sites and this program can therefore complement brownfield redevelopment efforts.
ELIGIBILITY REQUIREMENTS	Projects are selected based on available resources.
HOW THE FUNDS CAN BE USED	No funding is provided under this program.
AVAILABILITY OF FUNDING	No funding is provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Karl Beard New York Projects Director United States Department of the Interior National Park Service 4097 Albany Post Road Hyde Park, NY 12538 Telephone: (845) 229-9115 Fax: (845) 229-0739 E-mail: karl_beard@nps.gov Website: http://www.nps.gov/rtca

UNITED STATES DEPARTMENT OF JUSTICE

<h2>COMMUNITY RELATIONS SERVICE</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Community Relations Service (CRS) works to prevent and resolve community conflicts and to reduce community tensions arising from actions, policies and practices perceived to be discriminatory on the basis of race, color or national origin. CRS staff provides conflict resolution services, data gathering and training for federal, state and local officials, and community leaders in effectively dealing with community conflicts and allegations of discrimination.
ELIGIBILITY REQUIREMENTS	There are no eligibility requirements for this program.
HOW THE FUNDS CAN BE USED	No funding is provided under this program.
AVAILABILITY OF FUNDING	No funding is provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Duty Officer Community Relations Service United States Department of Justice 600 E Street, NW Suite 6000 Washington, DC 20530 Telephone: (202) 305-2935 Fax: (202) 305-3009 E-mail: crswebmaster@usdoj.gov Website: http://www.usdoj.gov/crs

UNITED STATES DEPARTMENT OF JUSTICE

WEED AND SEED PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grants (100%) and technical assistance.

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

Operation Weed and Seed is a comprehensive strategy to help communities with serious crime problems bring together people and resources to prevent and control crime (“weeding”) and improve the quality of life in neighborhoods (“seeding”). The Weed and Seed strategy aims to prevent, control and reduce violent crime, drug abuse and gang activity in designated high-crime neighborhoods across the country. Local communities work with their United States Attorney’s Office, law enforcement, community residents, faith-based groups and other stakeholders to develop a Weed and Seed strategy. The program encourages coordination, leveraging of local resources, using benchmarks to evaluate progress and sustainability of effort. The Executive Office for Weed and Seed (EOWS) provides national leadership as well as management and administration of the program.

ELIGIBILITY REQUIREMENTS

Only officially recognized Weed and Seed sites are eligible for direct funding from EOWS for a period not to exceed five calendar years. EOWS encourages Weed and Seed sites to continually build partnerships and leverage resources within their communities. If a community was interested in becoming a Weed and Seed site, they must apply for official recognition of their strategy.

HOW THE FUNDS CAN BE USED

Funds must be used to implement the approved strategy. Local Weed and Seed Steering Committees make budget decisions related to implementation of their strategy.

AVAILABILITY OF FUNDING	Eligible sites can apply for up to \$175,000 in core funding for up to five years and an additional \$50,000 in special emphasis funding during years 2 through 5 of Weed and Seed strategy implementation. A special emphasis category includes funding for up to \$50,000 to support a brownfield initiative where the designated brownfield site overlaps with the Weed and Seed designated area. At least 50% of the total funding must go directly toward law enforcement/weeding. In the FY 2003 EOWS Competitive Application, eligible first-year sites can receive one point used to prioritize allocation of funding if they coordinate with the United States Environmental Protection Agency Brownfield Program regarding their Weed and Seed Strategy.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Office of Justice Programs United States Department of Justice 810 7 th Street, NW 6 th Floor Washington, DC 20531 Telephone: (202) 616-1152 Fax: (202) 616-1159 Website: http://www.usdoj.gov/eows

UNITED STATES DEPARTMENT OF LABOR

WORKFORCE INVESTMENT ACT PROGRAMS

TYPE OF ASSISTANCE OR INCENTIVE	Grants and other funds for training
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Department of Labor (DOL) provides funds for job training, and/or job readiness through the Workforce Investment Act. Services are available in each community through a system of One-Stop Career Service Centers. These funds are typically available to qualified individuals who are unemployed or who need assistance to become employable.
ELIGIBILITY REQUIREMENTS	Funding for training and/or job readiness is provided only to qualified individuals. In certain very unique situations, groups may be eligible to apply for assistance through the local or state Workforce Investment Board. A list of contacts for these boards can be found at the website listed below.
HOW THE FUNDS CAN BE USED	Funding for job readiness and/or training is available to qualified individuals. In special circumstances, groups may be eligible to apply for funding through some type of grant program at the local or state level. To determine availability and eligibility contact the local and state Workforce Investment Boards. Contact information for these boards is available at the website listed below.
AVAILABILITY OF FUNDING	No funding has been specifically allocated for this program for fiscal year 2003, although funds may be available through local and state Workforce Investment Boards.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

Randy J. Parker
United States Department of Labor
Employment and Training Administration
S-2312
200 Constitution Avenue, NW
Washington, DC 20210
Phone: (202) 693-5922
Fax: (202) 693-5961
E-mail: parker.randy@dol.gov

Website: <http://www.dol.gov>

UNITED STATES DEPARTMENT OF LABOR

<h2>WORK OPPORTUNITY AND WELFARE-TO- WORK TAX CREDIT PROGRAMS</h2>
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OF ASSISTANCE OR INCENTIVE

l and/or state tax incentive

SUMMARY DESCRIPTION OF THE
PROGRAM OR INCENTIVE

The United States Department of Labor (DOL) provides information on Work Opportunity and Welfare-to-Work Tax Credit Programs through the United States Employment Services website listed below. Information on the amount of tax credits available for employers who hire eligible persons is updated annually as are the targeted groups of persons and eligibility amounts per person hired.

ELIGIBILITY REQUIREMENTS

These credits may be available to employers who hire individuals from targeted populations within specified criteria. Because the criteria and the targeted groups change as new legislation is approved and as yearly budgets are enacted, the website must be consulted for details. Additional information and explanations are available through the contact information listed below and on the website.

HOW THE FUNDS CAN BE USED

Funding is not provided under this program.

AVAILABILITY OF FUNDING

To determine availability and eligibility for credits consult the web site referenced above or contact your local or state Workforce Investment Board. Contact information for these boards is available at the website <http://www.dol.gov>.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

Randy J. Parker
United States Department of Labor
Employment and Training Administration
200 Constitution Avenue, NW
S-2312
Washington, DC 20210
Phone: 202 693-5922
Fax: 202 693-5961
E-mail: parker.randy@dol.gov

Website: <http://www.doleta.gov/uses>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Grant (80%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Congestion Mitigation and Air Quality Improvement (CMAQ) Program was designed to help states implement transportation/air quality plans and attain air quality standards for mobile sources. Under the CMAQ Program, the Federal Highway Administration funds eligible transportation projects, giving preference to programs with documented emission reductions from a transportation control measure.
ELIGIBILITY REQUIREMENTS	<p>In New York State, projects must be located in New York City or one of the following counties: Nassau, Suffolk, Rockland, Putnam, Westchester, Onondaga, Orange, Erie, Niagara, Albany, Rensselaer, Saratoga, Schenectady, Greene, Montgomery, Dutchess, Jefferson or Essex.</p> <p>Non-federal matching funds of 20% of the total project cost are required.</p>
HOW THE FUNDS CAN BE USED	CMAQ projects can generally be classified as transit improvements, shared-ride services, traffic flow improvements, demand management strategies, pedestrian and bicycle programs and facilities, and vehicle inspection programs. Projects must document air quality benefits.
AVAILABILITY OF FUNDING	In 2003, approximately \$1.4 billion was authorized nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Website: http://www.fhwa.dot.gov

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

SURFACE TRANSPORTATION PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Reimbursement grant (80%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Federal Highway Administration (FHWA) provides funding to states according to a formula for highway or transit projects. In New York State, this program is administered by the New York State Department of Transportation.
ELIGIBILITY REQUIREMENTS	<p>All projects must be included in the State Transportation Improvement Program. Projects are submitted by the states to the FHWA for authorization. The states are reimbursed for 80% of the project cost.</p> <p>Application criteria are determined by the individual states.</p>
HOW THE FUNDS CAN BE USED	<p>Eligible projects include:</p> <ul style="list-style-type: none">• Construction, reconstruction, resurfacing, restoration and rehabilitation of, and operational and safety improvements for, segments of the National Highway System (NHS);• Construction of, and operational improvements for, a federal-aid highway not part of the NHS and construction of a transit project eligible for assistance under the Federal Transit Act if (a) such highway or transit project is in the same corridor as, and in proximity to, a fully access controlled NHS highway, (b) the construction or improvements will improve the level of service on the fully access controlled highway and improve regional travel, and (c) the construction or improvements are more cost-effective than work on the fully access controlled NHS highway would be to provide the same benefits;• Transportation planning;• Highway research and planning;• Highway related technology transfer activities;

- Capital and operating costs for traffic monitoring, management, and control facilities and programs;
- Fringe and corridor parking facilities;
- Carpool and vanpool projects;
- Bicycle transportation and pedestrian walkways;
- Development and establishment of management systems;
- Natural habitat and wetlands mitigation efforts related to surface transportation projects;
- Publicly owned intracity or intercity bus terminals; and
- Infrastructure-based intelligent transportation systems capital improvements.

AVAILABILITY OF FUNDING	Funds are appropriated to states by statutory formula. There are no limits on the amount available for any project. In 2003, approximately \$5.6 billion was allocated nationwide for this program, \$215 million of which was allocated to New York State.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>New York Division Office Federal Highway Administration United States Department of Transportation Leo W. O'Brien Federal Building Room 719 Clinton Avenue and North Pearl Street Albany, NY 12207 Telephone: (518) 431-4125 Fax: (518) 431-4121 E-mail: newyork.fhwa@fhwa.dot.gov</p> <p>Website: http://www.fhwa.dot.gov</p>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

<h2>TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM</h2>

TYPE OF ASSISTANCE OR
INCENTIVE

Grant (100%) and technical assistance

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The Transportation and Community and System Preservation Pilot (TCSP) Program provides funding for surface transportation projects. Funding can be used to examine transportation strategies that relate to brownfields redevelopment, such as planning access to redeveloped brownfield sites, upgrading existing urban transportation systems and connecting local community members to new brownfield related jobs. In addition, technical assistance is available to state and local governments, and municipal planning organizations to assist in accessing funding and ensuring that brownfields are included in transportation planning. In New York State, this program is administered by the New York State Department of Transportation.

ELIGIBILITY REQUIREMENTS

State, local and tribal governments, and metropolitan planning organizations are eligible. Only surface transportation projects are eligible. Innovative solutions to transportation and community preservation issues are encouraged.

Applications are submitted in response to a notice published in the Federal Register. Typically, applications are due in January and awards are made in the fall.

HOW THE FUNDS CAN BE USED

Funds can be used for planning and implementation grants that:

- Improve the efficiency of transportation systems;

- Reduce impacts of transportation on the environment;
- Ensure efficient access to jobs, services and centers of trade; and
- Examine and encourage private sector development patterns which meet these purposes.

<p>AVAILABILITY OF FUNDING</p>	<p>There are no limits on the amount of grant award. In 2003, \$89 million was available nationwide, with New York State receiving \$4.8 million for selected projects.</p> <p>Continuation of this program is contingent upon its inclusion within the next Federal Transportation Act.</p>
<p>LIABILITY PROTECTION PROVIDED</p>	<p>Liability protection is not provided under this program.</p>
<p>CONTACT</p>	<p>Robert Viti New York State Department of Transportation 220 Washington Avenue Albany, NY 12231 Telephone: (518) 457-4835 Fax: (518) 457-7659 E-mail: bviti@dot.state.ny.us</p> <p>Website: http://www.dot.state.ny.us</p>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

TRANSPORTATION ENHANCEMENTS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Reimbursement grant (80% maximum)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Transportation Enhancements Program is designed to implement the federal program established within the Intermodal Surface Transportation and Efficiency Act, and continued in the Transportation Equity Act for the 21st Century (TEA-21). It provides federal reimbursement for non-traditional projects that add value to the transportation system by relating to human and environmental aspects. In New York State, this program is administered by the New York State Department of Transportation.

ELIGIBILITY REQUIREMENTS

All projects in this program must be sponsored by governmental bodies, but may be undertaken by teams of governmental and non-governmental entities. Governmental bodies include, state, county or city governments and agencies, boards or commissions created by state or local legislative enactment. Applications for funding may be developed by a non-profit incorporated group; however, all applications must be sponsored by a governmental body.

HOW THE FUNDS CAN BE USED

The following is a list of the eligible Transportation Enhancement Program categories.

- Provision of facilities for bicycles and pedestrians, including safety and educational activities for bicyclists and pedestrians;
- Acquisition of scenic easements and scenic or historic sites;
- Scenic or historic highway programs and provision of tourist and welcome center facilities;
- Landscaping and other scenic beautification;

- Historic preservation;
- Rehabilitation and operation of historic transportation buildings, structures or facilities
- Establishment of transportation-related museums;
- Preservation of abandoned railway corridors, including conversion and use for pedestrian and bicycle trails;
- Control and removal of outdoor advertising;
- Archeological planning and research;
- Mitigation of water pollution due to highway runoff; and
- Environmental mitigation to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.

AVAILABILITY OF FUNDING

The federal Highway Administration (FHWA), through New York State Department of Transportation, will provide reimbursement up to 80% of the eligible approved project costs. All projects must be valued at least at \$50,000. A maximum of \$2 million can be allotted to any one project.

Continuation of this program is contingent upon its inclusion within the next Federal Transportation Act.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

Robert Viti
 New York State Department of Transportation
 Program Management
 220 Washington Avenue
 Albany, NY 12210
 Telephone: (518) 457-4835
 Fax: (518) 457-7659
 E-mail: bviti@dot.state.ny.us

Website: <http://www.dot.state.ny.us>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

TRANSPORTATION PLANNING PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Grant (up to 80%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Federal Highway Administration helps municipal planning organizations develop long-range transportation plans that consider changes in future population and traffic patterns, as well as predict the economic and infrastructure changes needed to support these changes. In New York State this program is administered by the New York State Department of Transportation.
ELIGIBILITY REQUIREMENTS	The State provides funding to metropolitan planning organizations.
HOW THE FUNDS CAN BE USED	Funding must be utilized by metropolitan planning organizations for development of metropolitan area transportation plans and transportation improvement programs.
AVAILABILITY OF FUNDING	Funds are appropriated to states by statutory formula. In 2003, approximately \$30,000,000,000 was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

Gloria Shepherd, Director
Office of Planning
Federal Highway Administration
United States Department of Transportation
HEPP-1
400 7th Street, SW
Washington, DC 20590
Telephone: (202) 366-0581
Fax: (202) 493-2198
E-mail: gloria.shepherd@fhwa.dot.gov

Website: <http://www.fhwa.gov>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL RAILROAD ADMINISTRATION

<h2>TRANSPORTATION PLANNING</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Federal Railroad Administration (FRA) provides technical assistance to ensure that rail transportation is fully considered in planning processes. In addition, the FRA promotes education and enforcement of crossing safety, including technical assistance for engineering improvements to crossings, and sponsors research to improve warning devices and visibility at rail crossings. Such assistance could be applicable to brownfield redevelopment activities with railroad components.
ELIGIBILITY REQUIREMENTS	Projects must be railroad related.
HOW THE FUNDS CAN BE USED	No funding is provided under this program.
AVAILABILITY OF FUNDING	No funding is provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	John Cikota Federal Railroad Administration United States Department of Transportation 1120 Vermont Avenue, NW MS 20 Washington, DC 20590 Telephone: (202) 493-6380 Fax: (202) 493-6330 E-mail: john.cikota@fra.dot.gov Website: http://www.fra.dot.gov

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

DISCRETIONARY CAPITAL PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grant (up to 80%) and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Federal Transit Administration (FTA) provides discretionary capital grants for construction of:

- New Starts--new fixed guideway systems and extensions to existing fixed guideway systems;
- Buses and bus-related facilities; and
- Fixed guideway modernization (e.g., track and right-of-way rehabilitation, modernization of stations and maintenance facilities, purchase and rehabilitation of rolling stock, equipment, passenger stations and terminals, etc.).

Redevelopment of brownfield sites could be eligible for funding under this program if the redevelopment is part of a transportation project and is included in State and/or local transportation plans.

FTA technical assistance is available to facilitate communication between brownfields redevelopment advocates, and transportation planning organizations and transit operators.

ELIGIBILITY REQUIREMENTS

State and local government entities are eligible.

Non-federal matching funds of at least 20% of the total project cost are required.

Grant applications are accepted following publication of FTA's Notice of Funding Availability in the Federal Register, which generally occurs in mid to late October. Proposed new starts projects are reviewed by the FTA/United States Department of Transportation (USDOT) and funds are allocated by Congress for specific projects based on recommendations of the FTA/USDOT. Congress identifies bus and bus-related project recipients in the annual Congressional appropriation process. Funds for fixed guideway modernization are provided to transit agencies on the basis of a statutory formula that takes need for modernization into account.

HOW THE FUNDS CAN BE USED	Funding must be utilized for transit projects in accordance with the project plan as described in the application.
AVAILABILITY OF FUNDING	The amount of funding for specific projects under this program varies according to the nature and scope of the projects. In fiscal year 2003, approximately \$1.2 billion was available for the New Starts Program, \$0.65 billion for the Bus Program and \$1.2 billion for Fixed Guideway Modernization nationwide.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Anthony Carr Deputy Regional Administrator Federal Transit Administration United States Department of Transportation 1 Bowling Green Room 429 New York, NY 10004-1415 Telephone: (212) 668-2170 Fax: (212) 668-2136 E-mail: anthony.carr@fta.dot.gov Website: http://www.fta.dot.gov

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

FORMULIZED GRANTS FOR THE ELDERLY AND PERSONS WITH DISABILITIES
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TYPE OF ASSISTANCE OR
INCENTIVE

Grants (80%) to states for the provision of transportation services designed to meet the special needs of the elderly and persons with disabilities, and technical assistance

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The Federal Transit Administration (FTA) provides capital assistance through states to organizations that provide specialized transportation services to elderly persons and persons with disabilities. Eligible subrecipients under the program include private nonprofit agencies, public bodies that certify to the Governor that no nonprofit corporations or associations are readily available in an area to provide the service, and public bodies approved by the state to coordinate services for elderly persons and persons with disabilities. Eligible capital expenses include the purchase of vehicles and vehicle related equipment, lease of equipment when lease is more cost effective than purchase, and the acquisition of transportation services under a contract, lease or other arrangement.

FTA technical assistance is available to facilitate communication between brownfield redevelopment advocates, the state, planning organizations and transit operators.

ELIGIBILITY REQUIREMENTS	<p>Eligible projects must focus on transportation services to elderly persons and persons with disabilities.</p> <p>Non-federal matching funds of 20% of the project cost are required.</p> <p>Grant applications are accepted from states following FTA's publication of a Notice of Funding Availability in the Federal Register, which generally occurs in mid to late October.</p>
HOW THE FUNDS CAN BE USED	<p>Funding must be utilized for transit projects providing transportation services to elderly persons and persons with disabilities.</p>
AVAILABILITY OF FUNDING	<p>Grants are awarded by statutory formula. In fiscal year 2003, \$90 million was available nationwide under this program.</p>
LIABILITY PROTECTION PROVIDED	<p>Liability protection is not provided under this program.</p>
CONTACT	<p>Anthony Carr Deputy Regional Administrator Federal Transit Administration United States Department of Transportation 1 Bowling Green Room 429 New York, NY 10004-1415 Telephone: (212) 668-2170 Fax: (212) 668-2136 E-mail: anthony.carr@fta.dot.gov Website: http://www.fta.dot.gov/library/legal/factsp4.htm</p>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

<h2>JOB ACCESS AND REVERSE COMMUTE GRANT PROGRAM</h2>

TYPE OF ASSISTANCE OR
INCENTIVE

Grant (50%)

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

The Federal Transit Administration (FTA) provides capital and operating funding to implement Regional Job Access and Reverse Commute Transportation projects to connect welfare recipients and low income persons to jobs and related employment activities.

ELIGIBILITY REQUIREMENTS

State and local governments, and private non-profit organizations are eligible for grants. Eligible projects must be part of an Area-Wide Job Access and Reverse Commute Plan and be included in the regional or State Transportation Improvement Program.

Matching funds of 50% of the total project cost are required. State, local and private resources may be utilized for matching funds, as well as federal grants from sources other than the United States Department of Transportation, such as the Department of Health and Human Services Temporary Assistance for Needy Families (TANF).

Grant applications are accepted following FTA's publication of a Notice of Funding Availability in the Federal Register upon apportionment in October.

HOW THE FUNDS CAN BE USED	Funding must be utilized to implement projects from an Area-Wide Job Access and Reverse Commute Transportation Plan to provide new and supplementary transportation for welfare recipients and other economically disadvantaged persons. Eligible activities include operating and capital expenses for new and expanded services, and the promotion of (1) use of transit by workers with non-traditional work schedules, (2) employer-provided transportation, including transit benefits, and (3) use of transit passes. Direct administrative expenses are also eligible. Planning and coordination activities are not eligible under this program.
AVAILABILITY OF FUNDING	Funding is allocated on the basis of legislative criteria. In fiscal year 2003, \$100 million was authorized nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Anthony Carr Deputy Regional Administrator Federal Transit Administration United States Department of Transportation 1 Bowling Green Room 429 New York, NY 10004-1415 Telephone: (212) 668-2170 Fax: (212) 668-2136 E-mail: anthony.carr@fta.dot.gov</p> <p>Website: http://www.fta.dot.gov/wtw/ats/ats.html</p>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

METROPOLITAN PLANNING FUNDS

TYPE OF ASSISTANCE OR INCENTIVE

Grant (80%) and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Federal Transit Administration (FTA) provides funding to states according to a formula on the basis of urban population. The states pass the funds to metropolitan planning organizations (MPOs) in urban areas with populations over 50,000. Planning for redevelopment of brownfield sites for transit projects could be eligible for funding under this program if the redevelopment is part of a transit project and the project will be included in the regional and/or State transportation plans.

FTA, as well as Federal Highway Administration (FHWA), provides technical assistance to facilitate communication between brownfields development advocates, planning organizations and transportation agencies.

ELIGIBILITY REQUIREMENTS

Eligible transportation planning studies that address brownfield redevelopment issues must be included in the Unified Planning Work Program (UPWP) for the metropolitan planning process within which the study is to take place. The UPWP is, in effect, a high-level work program and the substantive element of an application the State prepares for planning funds from both FTA and FHWA. Securing listing within the UPWP requires advance discussion within the MPO's committee structure, leading to inclusion of that project in the approved program.

Grant applications are prepared by each state's Department of Transportation and are accepted following FTA's publication of a Notice of Funding Availability in the Federal Register, which generally occurs in mid to late October.

HOW THE FUNDS CAN BE USED	Funding must be utilized for planning studies of transportation needs and demands, land use, economic trends, employment trends, demographic trends, and the cost effectiveness of alternative services and facilities. While brownfield studies ultimately are site-specific, to the extent possible, they need to be cast within a regional context.
AVAILABILITY OF FUNDING	Funds are appropriated by statutory formula for both FTA and FHWA planning. In fiscal year 2003, approximately \$60 million was available nationwide under the FTA program (Section 5303), with significantly higher levels available under the FHWA planning program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Anthony Carr Deputy Regional Administrator Federal Transit Administration United States Department of Transportation 1 Bowling Green Room 429 New York, NY 10004-1415 Telephone: (212) 668-2170 Fax: (212) 668-2136 E-mail: Anthony.carr@fta.dot.gov</p> <p>Website: http://www.fta.dot.gov</p>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

NON-URBANIZED AREA FORMULA GRANTS

TYPE OF ASSISTANCE OR INCENTIVE

Grant (80%) and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Federal Transit Administration (FTA) provides capital and operating assistance to support transit and intercity bus service in non-urbanized areas. Redevelopment of brownfield sites could be eligible for funding under this program if the redevelopment is part of a transit project and that project is included in regional and/or State transportation plans. Funds for this program are heavily subscribed for transit operations and intercity bus service, and many rural and small urban areas remain without the most basic transit service, so capital intensive projects are rarely undertaken.

FTA technical assistance is available to facilitate communication between brownfield development advocates, planning organizations and transit operators.

ELIGIBILITY REQUIREMENTS

Non-urban areas with populations of less than 50,000 are eligible under this program.

Non-federal matching funds of 20% of the project cost are required for capital projects and 50% for operating assistance.

FTA announces annual apportionments to the states in a Notice of Funding Availability in the Federal Register, which is generally published in mid to late October. The state (usually the State Department of Transportation) is responsible for distribution of the funds within the state. Each state has its own application procedures and calendar.

HOW THE FUNDS CAN BE USED	Funding must be utilized for transit projects.
AVAILABILITY OF FUNDING	Funds are apportioned to the states by a population-based statutory formula. In fiscal year 2003, \$238 million was available nationwide under the FTA formula grants programs for Non-Urbanized Areas.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Anthony Carr Deputy Regional Administrator Federal Transit Administration United States Department of Transportation 1 Bowling Green Room 429 New York, NY 10004-1415 Telephone: (212) 668-2170 Fax: (212) 668-2136 E-mail: anthony.carr@fta.dot.gov</p> <p>Website: http://www.fta.dot.gov/library/legal/factsp3.htm</p>

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

STATE PLANNING AND RESEARCH PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE

Grant (80%) and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Federal Transit Administration provides funding to states according to a formula to support state-initiated activities associated with urban, suburban and rural public transportation assistance, including planning, research, technical assistance, training, and the development of a statewide transportation plan and state transportation improvement plan. Redevelopment of brownfield sites for transit projects could be eligible for funding under this program if the redevelopment is part of a transportation project and that project is included in a state transportation program.

FTA technical assistance is available to facilitate communication between brownfield redevelopment advocates, planning organizations and transit agencies.

ELIGIBILITY REQUIREMENTS

State governments are eligible. Funds may be passed to local entities.

Grant applications are accepted following FTA's publication of a Notice of Funding Availability in the Federal Register, which generally occurs in mid to late October.

HOW THE FUNDS CAN BE USED

Funding must be utilized for state-initiated activities associated with urban, suburban and rural public transportation assistance, including planning, research, technical assistance, training, and the development of a statewide transportation plan and state transportation improvement program.

AVAILABILITY OF FUNDING	Funds are appropriated by statutory formula. In fiscal year 2003, approximately \$12 million was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Anthony Carr Deputy Regional Administrator Federal Transit Administration United States Department of Transportation 1 Bowling Green Room 429 New York, NY 10004-1415 Telephone: (212) 668-2170 Fax: (212) 668-2136 E-mail: anthony.carr@fta.dot.gov Website: http://www.fta.dot.gov

UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

TRANSIT-COMMUNITY INITIATIVES

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	<p>In order to strengthen the link between transit and communities, the Federal Transit Administration (FTA) promotes transit-oriented development and community-sensitive transit. Under the Livable Communities Initiative, FTA encourages local communities to use allocated transit funds to emphasize pedestrian access, safety, community service facilities and aesthetics in planning, engineering, and design of stations and immediately surrounding areas.</p> <p>FTA's technical assistance is available to facilitate communication between brownfield redevelopment advocates, planning organizations and transit agencies. Decisions on transit-community linkages are determined on a broad basis during planning and more specifically during site design activities for FTA-funded projects under development.</p>
ELIGIBILITY REQUIREMENTS	Projects must be physically or functionally related to transit.
HOW THE FUNDS CAN BE USED	No funding is directly provided under this program.
AVAILABILITY OF FUNDING	No funding is directly provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

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UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

URBANIZED AREA FORMULA GRANTS

TYPE OF ASSISTANCE OR INCENTIVE

Formula grants (80%) to urbanized areas and states for transit-related purposes and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Federal Transit Administration (FTA) provides capital assistance to transit agencies in urbanized areas, with operating assistance available only to those areas with populations of less than 200,000. Redevelopment of brownfield sites could be eligible for funding under this program if the redevelopment is part of a transportation project and that project is in local and/or state transportation plans.

FTA technical assistance is also available to facilitate communication between brownfield redevelopment advocates, planning organizations and transit agencies.

ELIGIBILITY REQUIREMENTS

Funds are made available to urbanized areas (as defined by the Bureau of the Census) with populations of at least 50,000, through designated recipients which must be public entities and legally capable of receiving and dispensing federal funds.

The federal matching share is 80% of the project cost. Non-federal matching funds of 20% of the project cost are required.

Designated recipients submit applications for FTA funds to the appropriate FTA Regional Office. Grant applications are accepted following FTA's publication of a Notice of Funding Availability in the Federal Register, which generally occurs in mid to late October.

HOW THE FUNDS CAN BE USED	Funding must be utilized for transit projects.
AVAILABILITY OF FUNDING	Appropriated funds are apportioned by statutory formula. In fiscal year 2003, \$3.4 billion was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Anthony Carr Deputy Regional Administrator Federal Transit Administration United States Department of Transportation 1 Bowling Green Room 429 New York, NY 10004-1415 Telephone: (212) 668-2170 Fax: (212) 668-2136 E-mail: anthony.carr@fta.dot.gov</p> <p>Website: http://www.fta.dot.gov/library/legal/factspl1.htm</p>

UNITED STATES DEPARTMENT OF TREASURY

BROWNFIELDS TAX INCENTIVE PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Tax incentive
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	Environmental investigation/remediation costs for certain properties may be fully tax deductible in the year that the expenditure occurs rather than be capitalized over time. Eligible activities may include site assessments and investigations. Unless extended, the program will expire on December 31, 2003.
ELIGIBILITY REQUIREMENTS	<p>Properties must meet specified land use, contamination and certification requirements. For example, properties listed on the National Priorities List are not eligible. In addition, costs incurred between August 5, 1997 and December 21, 2000, are only deductible if the site meets at least one of the following criteria:</p> <ul style="list-style-type: none">• Any population census tract with a poverty rate of not less than 20%;• Any population census tract with a population of less than 2,000, if:<ul style="list-style-type: none">– more than 75% of the tract is zoned for commercial or industrial use; and– the tract is contiguous to one or more census tracts with a poverty rate greater than 20%.• Any designated Empowerment Zone or Enterprise Community; and• Any site announced before February 1, 1997, as being included as a Brownfield Pilot Project by the United States Environmental Protection Agency.

HOW THE FUNDS CAN BE USED	Funding is not provided under this program.
AVAILABILITY OF FUNDING	Funding is not provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Karen Diligent New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233-7012 Telephone: (518) 402-9711 Fax: (518) 402-9722 Website: http://www.epa.gov/brownfields/bftaxinc.htm#about

UNITED STATES DEPARTMENT OF TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

TYPE OF ASSISTANCE OR INCENTIVE

Financial incentives and technical assistance

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Community Development Financial Institutions (CDFI) Fund was created to expand the availability of credit, investment capital and financial services in distressed urban and rural communities. The CDFI Fund is designed to stimulate private-sector investment in the nation's blighted communities by using relatively small infusions of capital to leverage private-sector investments from banks, foundations and other funding sources. In addition, technical assistance can be provided to certified or proposed to be certified community development financial institutions (CDFIs). CDFIs are specialized financial institutions that work in market niches that have not been adequately served by traditional financial institutions, and include community development banks, credit unions, loan funds, venture capital funds and microenterprise loan funds. A list of certified CDFIs is included on the web site provided below.

According to the CDFI Fund website, four initiatives included in the CDFI Fund are:

- The Community Development Financial Institutions Program, including the Core Component, Intermediary Component, and the Small and Emerging CDFI Assistance (SECA) Component, uses limited federal resources to invest in and build the capacity of private, for-profit and non-profit financial institutions to provide capital and services to underserved communities;
 - The Bank Enterprise Award Program provides incentives for traditional regulated banks and thrifts to invest in CDFIs and thereby increase the ability of the CDFIs to provide lending and financial services to distressed communities;
 - The Presidential Awards for Excellence in Microenterprise Development is a non-monetary recognition program to bring wider attention to the important role and successes of microenterprise development in enhancing the economic opportunities of disadvantaged individuals across the country; and
 - The New Markets Tax Credit Program permits taxpayers to receive a credit against federal income taxes for making qualified investments in designated Community Development Entities, which in turn make investments in low-income communities. The credit to investors totals 39% of the cost of the investment and is claimed over a 7-year period (5% per year for the first 3 years and 6% per year for the final 4 years).
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ELIGIBILITY REQUIREMENTS

Only lending institutions certified or proposed to be certified as CDFIs by the CDFI Fund are eligible to receive assistance under the Community Development Financial Institutions Program. Insured banks and thrifts regulated by the federal government are eligible to receive assistance under the Bank Enterprise Award Program. Funding under these programs is awarded annually. Applications are accepted in response to a Notice of Funding Availability published in the Federal Register.

Microenterprise Development Organizations (MDOs) and Microenterprise Support Organizations (MSOs) are eligible for Presidential Awards for Excellence in Microenterprise Development, which are awarded in five categories. MDOs work directly with microenterprises while MSOs do not work directly with microentrepreneurs, but support the efforts of MSOs and microentrepreneurs.

New Market Tax Credits are only available to CDEs that are certified by the CDFI Fund.\

HOW THE FUNDS CAN BE USED

The Community Development Financial Institutions Program promotes economic and community revitalization by providing an array of innovative financing tools to private-sector financial institutions that will help strengthen lending capabilities. The Bank Enterprise Award Program provides financial incentives to traditional financial institutions that are intended to encourage investment in, and lending to, community redevelopment projects in blighted communities. The Presidential Awards for Excellence in Microenterprise Development encourages innovative advancements in microenterprise development in depressed communities by presenting non-monetary awards in five categories for recognition of the best practices in the field.

AVAILABILITY OF FUNDING

Up to \$17,000,000 is expected to be awarded under the Community Development Financial Institutions Program during fiscal year 2003. Awards under the Core and Intermediary Components are limited to a total \$5,000,000 per organization every three years. The maximum annual award under the SECA Component is \$200,000. Up to \$17,000,000 is expected to be awarded under the Bank Enterprise Award Program during fiscal year 2003, with a maximum award of \$1,500,000.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

Community Development Financial Institutions Fund
Department of the Treasury
Suite 200 South
601 13th Street, NW
Washington, DC 20005
Telephone: (202) 622-8662
Fax: (202) 622-7754
E-mail: cdfihelp@cdfi.treas.gov

Website: <http://www.cdfifund.gov>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BROWNFIELDS ASSESSMENT GRANTS

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Environmental Protection Agency (USEPA) Brownfields Program includes cooperative agreements that make up to \$200,000 available for creative 2-year explorations and demonstrations of brownfield solutions.
ELIGIBILITY REQUIREMENTS	<p>Eligible entities include general purpose units of local government, land clearance authorities, entities created by state legislature, regional councils, redevelopment agencies, Indian tribes and states.</p> <p>Applications are accepted in response to a notice in the Federal Register.</p>
HOW THE FUNDS CAN BE USED	<p>Brownfield assessment grants are to be used to build capacity for brownfield management and redevelopment through site inventory, assessment and planning activities. Sites contaminated with hazardous substances or petroleum may be eligible. Supported activities include:</p> <ul style="list-style-type: none">• Environmental activities prior to cleanup, such as site assessment, site identification, site characterization and site response, and remediation and end-use planning;• Outreach activities that educate the public about assessment, identification, characterization and remedial planning activities at a site or set of sites; and• Development of creative financing solutions (such as tax incentives or revolving loan funds) to brownfield problems. <p>Brownfield assessment grant funds may not be used for actual remediation or other response activities often associated with cleanups (such as soil excavation and removal, or groundwater extraction and treatment).</p>

AVAILABILITY OF FUNDING	Up to \$200,000 per site can be provided for a 2-year cooperative agreement. A waiver may be requested up to \$350,000 per site. In 2003, \$200 million was authorized nationwide for assessment and cleanup grants. Additional grants for subsequent years will be contingent on program funding and allocation of funds.
LIABILITY PROTECTION PROVIDED	Limited liability protection may be provided under this program on a case/site-specific basis.
CONTACT	Larry D'Andrea Brownfields Coordinator United States Environmental Protection Agency Region 2 290 Broadway New York, NY 10007 Telephone: (212) 637-4314 Fax: (212) 637-3083 E-mail: dandrea.larry@epa.gov Website: http://www.epa.gov/brownfields

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BROWNFIELDS CLEANUP GRANTS

TYPE OF ASSISTANCE OR INCENTIVE	Grant (80%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Environmental Protection Agency (USEPA) Brownfields Program includes cooperative agreements that make funds available for remediation of brownfield sites.
ELIGIBILITY REQUIREMENTS	<p>Eligible entities include non-profit groups, general purpose units of local government, land clearance authorities, entities created by state legislature, regional councils, redevelopment agencies, Indian tribes and states.</p> <p>Applications are accepted in response to a notice in the Federal Register. Each proposal may include applications for up to five sites. The applicant must own the site for which funds are requested at the time of application.</p>
HOW THE FUNDS CAN BE USED	Brownfield cleanup grant funds must be used for site remediation activities and may not be used for investigation or site inventory activities. Up to \$200,000 is available for each site. Matching funds of 20% of the project cost are generally required, although a waiver may be requested. Grant awards are for a 2-year period.
AVAILABILITY OF FUNDING	Up to \$200,000 per site can be provided. In 2003, \$200 million nationwide was authorized for assessment and cleanup grants. Additional grants for subsequent years will be contingent on program funding and allocation of funds.
LIABILITY PROTECTION PROVIDED	Limited liability protection may be provided under this program on a case/site-specific basis.

CONTACT

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Website: <http://www.epa.gov/brownfields>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BROWNFIELDS JOB TRAINING GRANTS

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Environmental Protection Agency (USEPA) Brownfields Program includes the Brownfields Job Training Grants Program to help integrate training activities with brownfield redevelopment projects. The goals of the program are to facilitate cleanup of brownfield sites contaminated with hazardous substances and prepare trainees for employment in the environmental field, including training in alternative or innovative treatment technologies.
ELIGIBILITY REQUIREMENTS	Colleges, universities, community job training organizations, nonprofit training centers, states, counties, municipalities, Indian Tribes and United States territories are eligible. Applications are accepted in response to a notice in the Federal Register.
HOW THE FUNDS CAN BE USED	These funds are to be used to bring together community groups, job training organizations, educators, investors, lenders, developers and other affected parties to address the issue of providing training for residents in communities impacted by brownfields.
AVAILABILITY OF FUNDING	Up to \$200,000 may be awarded for 2 years.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

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290 Broadway
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Fax: (212) 637-4360
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Website: <http://www.epa.gov/brownfields/job.htm>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

<h2>BROWNFIELDS REVOLVING LOAN FUND GRANTS</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Grant (80%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Environmental Protection Agency (USEPA) Brownfields Program includes the Brownfields Revolving Loan Fund (BRLF) Program which provides grants to enable a political subdivision to make loans available for site cleanup.
ELIGIBILITY REQUIREMENTS	<p>Eligible entities include general purpose units of local government, land clearance authorities, entities created by state legislatures, regional councils, redevelopment agencies, Indian tribes and states.</p> <p>Grants are awarded on a competitive basis. Applications are accepted in response to a notice in the Federal Register. Matching funds of 20% of the project cost are required.</p>
HOW THE FUNDS CAN BE USED	<p>At least 60% of the awarded funds must be used to capitalize a revolving loan fund. In addition, up to 40% of the awarded funds may be used for subgrants to other eligible entities for cleanup of brownfield sites owned by the subgrantees. Repayment of subgrants is not required.</p> <p>The BRLF funds must be used for environmental response and redevelopment activities. Activities at sites on or proposed for the National Priorities List, sites at which a removal action must be taken within 6 months, or sites where a federal or state agency is planning or conducting a response enforcement action are not eligible.</p>

AVAILABILITY OF FUNDING	Generally, up to \$1,000,000 per site may be awarded for 5 years. Greater amounts may be awarded if justified by the applicant.
LIABILITY PROTECTION PROVIDED	Limited liability protection may be provided under this program on a case/site-specific basis.
CONTACT	Larry D' Andrea Brownfields Coordinator U.S. Environmental Protection Agency Region 2 290 Broadway New York, NY 10007 Telephone: (212) 637-3083 Fax: (212) 637-3083 E-mail: dandrea.larry@epa.gov Website: http://www.epa.gov/brownfields

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

CLEAN WATER STATE REVOLVING FUND

TYPE OF ASSISTANCE OR INCENTIVE

Loan (interest-free, short-term loans and/or low-interest, long-term financing)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Clean Water Act authorizes the United States Environmental Protection Agency to provide grants to states in order to capitalize revolving loan funds for wastewater treatment facilities and other clean water projects. Under the Clean Water State Revolving Fund (CWSRF), monies are available to municipalities for facilities that reduce or prevent water pollution. In New York State, this program is administered by the New York State Environmental Facilities Corporation (see description in New York State program section).

ELIGIBILITY REQUIREMENTS

Municipalities are eligible. The term “municipality” includes counties, cities, towns and villages, public benefit corporations and improvement districts. Not-for-profit organizations with land acquisition projects for water quality protection are also eligible.

CWSRF funding represents a loan; therefore, a revenue stream must exist to provide for loan repayment.

HOW THE FUNDS CAN BE USED	<p>Examples of brownfield projects that may be eligible for CWSRF funding include:</p> <ul style="list-style-type: none"> • Phase I, Phase II and Phase III site assessments; • Constructed wetlands; • Well abandonment; • Excavation and removal of underground storage tanks; or • Excavation, removal and disposal of contaminated soil or sediment.
AVAILABILITY OF FUNDING	There is no limit on the amount of funding.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>David Morseman Program Services Representative III Technical Support Unit New York State Environmental Facilities Corporation 625 Broadway Albany, NY 12207-2997 Telephone: (800) 882-9721 (within New York State) or (518) 402-7433 Fax: (518) 402-7456 E-mail: available through website http://www.nysefc.org</p> <p>Website: http://www.nysefc.org/cleanwater</p>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL EDUCATION GRANTS

TYPE OF ASSISTANCE OR INCENTIVE

Grant (75% maximum).

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The United States Environmental Protection Agency (USEPA) provides financial support for projects that design, demonstrate or disseminate environmental education practices, methods and techniques, including reuse of brownfield sites.

ELIGIBILITY REQUIREMENTS

Any local educational agency, state educational or environmental agency, college or university, not-for-profit organization or non-commercial educational broadcasting agency is eligible. Tribal educational agencies are eligible as described in the solicitation notice available at the web site listed below.

The project must have an environmental education focus. Projects that simply disseminate environmental information are not eligible for funding.

Non-federal matching funds of at least 25% of the total project cost are required.

Applications are submitted in response to a notice published in the Federal Register.

HOW THE FUNDS CAN BE USED

Projects must focus on one of the following:

- Educating teachers, students or the public about environmental health threats especially as they affect children;
- Building state, local or tribal government capacity to develop environmental education programs;
- Utilizing environmental education to advance education reform;
- Educating the public about community environmental issues through community based organizations or the media;
- Improving educators' environmental education teaching (for example, through workshops);

- Educating students about environmental careers; or
- Educating low income and culturally diverse audiences about environmental issues.

AVAILABILITY OF FUNDING	Awards up to \$25,000 per project are available from the USEPA regional office. Awards of \$25,000 and up to \$250,000 per project are available from USEPA headquarters. Currently, grant funds have not been budgeted for fiscal year 2004.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	<p> Diane Berger Environmental Education Specialist United States Environmental Protection Agency Office of Environmental Education 1200 Pennsylvania Avenue, NW Washington, DC 20460 Telephone: (202) 564-0447 Fax: (202) 564-2754 E-mail: berger.diane@epa.gov </p> <p> Teresa Ippolito United States Environmental Protection Agency Region 2 Environmental Education Coordinator 290 Broadway New York, NY 10007 Telephone: (212) 637-3671 Fax: (212) 637-4445 E-mail: ippolito.teresa@epa.gov </p> <p> Website: http://www.epa.gov/enviroed/grants.html </p>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

<h2>ENVIRONMENTAL JUSTICE COLLABORATIVE PROBLEM-SOLVING GRANT PROGRAM</h2>
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TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	One of the major objectives of the United States Environmental Protection Agency (USEPA) is to ensure that underserved populations in urban areas are treated fairly. The USEPA has implemented several programs to address this objective, including the Environmental Justice Collaborative Problem-Solving Grant program.
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ELIGIBILITY REQUIREMENTS	Non-government, non-profit community-based organizations are eligible. Groups must be IRS 501(c)(3) exempt.
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Projects that receive grants will use USEPA tools to address multimedia environmental issues and/or public health concerns. Projects must include activities, which are authorized by at least two of the following federal environmental statutes:

- Clean Water Act;
- Safe Drinking Water Act;
- Solid Waste Disposal Act;
- Clean Air Act;
- Toxic Substances Control Act;
- Federal Insecticide, Fungicide and Rodenticide Act; and
- Marine Protection, Research and Sanctuaries Act.

Applications are submitted in response to a notice published in the Federal Register. For 2003, applications are due on September 30, 2003.

HOW THE FUNDS CAN BE USED	Funding must be used in accordance with approved budget and scope as described in the grant agreement with the USEPA. Construction activities, lobbying and litigation against the government are ineligible for funding.
AVAILABILITY OF FUNDING	Grant awards are \$100,000 for 3 years. In 2003, \$1,500,000 was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	<p data-bbox="691 596 1308 957">Linda K. Smith Project Officer United States Environmental Protection Agency Office of Environmental Justice MC 2201A 1200 Pennsylvania Avenue, NW Washington, DC 20460-0001 Telephone: (202) 564-2602 Fax: (202) 501-1162 E-mail: smith.linda@epa.gov</p> <p data-bbox="691 999 1414 1289">Terry Wesley Environmental Justice Coordinator United States Environmental Protection Agency, Region 2 290 Broadway, 26th Floor New York, NY 10007 Telephone: (212) 637-5027 Fax: (212) 637-4943 E-mail: wesley.terry@epa.gov</p> <p data-bbox="691 1323 1260 1390">Website: http://www.epa.gov/compliance/environmentaljustice/recent/ej.html</p>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

<h2>ENVIRONMENTAL JUSTICE SMALL GRANTS PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	One of the major objectives of the United States Environmental Protection Agency (USEPA) is to ensure that underserved populations in urban areas are treated fairly. The USEPA has implemented several programs to address this objective, including the Environmental Justice Grants program.
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ELIGIBILITY REQUIREMENTS	Non-profit community-based/grassroots organizations, churches and other organizations with a focus on community-based issues, and federally recognized tribal governments are eligible. Organizations must be incorporated to receive funds. Non-profit groups must be IRS 501(c)(3) exempt.
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Projects that receive grants must have a multi-media component (address issues related to soil, water, air, solid waste, etc.) and two of the following three goals:

- Improve communication and coordination among stakeholders;
- Build community capacity to identify and resolve environmental justice problems; and
- Build community capacity to interpret and disseminate environmental and public health information.

Organizations may also apply for funding for research-based projects specific to hazardous substances.

Applications are submitted in response to a notice published in the Federal Register, generally in the fall.

HOW THE FUNDS CAN BE USED	Funding must be used in accordance with approved budget and scope as described in the application.
AVAILABILITY OF FUNDING	Grant awards are up to \$20,000 for 1 year. Annual reapplication is possible. In 2003, \$1,500,000 was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACTS	<p>Terry Wesley Project Officer United States Environmental Protection Agency 290 Broadway, 26th Floor New York, NY 10007 Telephone: (212) 637-5027 Fax: (212) 637-4943 E-mail: wesley.terry@epa.gov</p> <p>Website: http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html</p>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

POLLUTION PREVENTION GRANTS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Grant (50%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Environmental Protection Agency provides grants to support pollution prevention demonstration projects and establishment of pollution prevention infrastructure.
ELIGIBILITY REQUIREMENTS	<p>States, state agencies and Indian tribes are eligible. States are encouraged to form partnerships with non-profit organizations and local governments.</p> <p>Non-federal matching funds of 50% of the total project cost are required.</p> <p>Applications are accepted in response to a notice in the Federal Register.</p>
HOW THE FUNDS CAN BE USED	Funds are to be used for pilot projects related to pollution prevention activities.
AVAILABILITY OF FUNDING	There is no limit on the amount of grant awards under this program. In 2003, approximately \$5,000,000 was available nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

Tristan Gillespie
United States Environmental Protection Agency
Region 2
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New York, NY 10007
Telephone: (212) 637-3753
Fax: (212) 637-3771
E-mail: gillespie.tristan@epa.gov

Website: <http://www.epa.gov/region02/cgp/ppis>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

SMALL BUSINESS LIABILITY RELIEF AND BROWNFIELDS REVITALIZATION ACT

TYPE OF ASSISTANCE OR INCENTIVE

Site Assessment Grants (100%)
Site Remediation Grants (80%)
Revolving Loan Fund Grants (80%)

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) was amended on January 11, 2002, when the “Small Business Liability Relief and Brownfields Revitalization Act” was signed into law. Major components of the law include:

- Federal grants and loans for investigating, testing and remediating brownfield sites;
- Limitations on the liability of “bona fide prospective purchasers” and “contiguous landowners”;
- Clarification of the “innocent landowner” defense; and
- Restrictions on the ability of the United States Environmental Protection Agency to “overfile” or take other actions with respect to sites already being addressed at the state level.

SITE ELIGIBILITY

Under the new brownfield legislation, eligibility of sites for funding has been expanded to include certain properties contaminated or potentially contaminated by petroleum products, even though petroleum products are excluded from the definition of hazardous substances under CERCLA, as well those sites where hazardous substances or mixed hazardous substances/petroleum products are the concern. Certain “mine-scarred lands” are also included in the definition of a brownfield site and are eligible for funding. Excluded from eligibility are sites included on or proposed for the National Priorities List (NPL), federally-owned properties, properties subject of an enforcement action by the United States Environmental Protection Agency (USEPA), sites contaminated by PCBs that are subject to remediation under the Toxic Substances Control Act, and sites which have received assistance from the Leaking Underground Storage Tank Trust Fund for a response activity.

FUNDING AND ELIGIBLE GRANT RECIPIENTS

The law authorizes up to \$200 million annually for five years for the program, which will be administered by the USEPA. In addition, up to \$50 million per year is authorized for federal grants to assist states in developing response programs.

State and local government entities, and redevelopment agencies are eligible to receive assessment and remediation grants. Remediation grants can also be awarded to non-profit entities that own the property to be remediated. Only states are eligible to receive response program development grants.

Grants can be up to \$200,000 per site for assessment activities and up to \$200,000 per site for remediation activities. For large sites or sites with significant levels of contamination, a waiver of the \$200,000 limit can be requested up to a maximum of \$350,000 per site. As a result, unless a waiver is requested, an individual site may qualify for up to \$400,000 (\$200,000 for assessment activities and \$200,000 for remediation activities). Grants of up to \$1 million per recipient can be made to establish a revolving loan fund (RLF) to make remediation subgrants and low-interest or no-interest loans for remediation activities. For remediation and RLF grant awards, a 20% non-federal cost share in the form of money, labor, material or services is required. At least 60% of a RLF grant award must be used to capitalize the RLF and no more than 40% of the RLF grant may be used for remediation subgrants. Assessment grants do not require any non-federal cost sharing.

Grants and loans can be used to purchase environmental insurance and to monitor institutional controls. Grant funds cannot be used for administrative costs (as opposed to eligible programmatic costs; see USEPA grant guidance for detailed descriptions of eligible and prohibited costs) or for response costs at sites where the recipient is potentially liable for the contamination as defined by CERCLA. The performance period will generally be two years for assessment and remediation grants, and five years for RLF grants.

Grant applications are accepted in response to a notice published in the Federal Register. Proposal guidance information, including eligibility requirements and application deadlines, will be available from the USEPA.

LIABILITY PROTECTION

In addition to funding for assessment and remediation of brownfield sites, the new law also provides some liability protection to property owners undergoing remediation in compliance with a state brownfield program by preventing the USEPA from initiating an enforcement action or cost recovery action under CERCLA for the site, except under certain conditions, such as the discovery of new information that results in the need for additional remediation, sites where contamination has migrated across state lines or onto federal property, or site conditions represent an imminent and substantial endangerment to public health, welfare or the environment. The request to defer enforcement action must be initiated by the state and would remain in place as long as reasonable progress is being made toward site remediation or an agreement to perform a response action is reached within one year of the date that the site was first proposed for inclusion of the NPL. This enforcement deferral is available only in states that maintain a public inventory of brownfield sites.

Purchasers of impacted sites are exempted from CERCLA liability, provided that the purchase was made after January 11, 2002, and the purchaser conducted due diligence at the time of the purchase, did not know of the contamination at the time of purchase, is not responsible for the contamination, does not impede remediation of the contamination, and is in compliance with any land use restrictions or other institutional controls. However, the law also includes provisions for placement of a windfall lien against sites where government funds are utilized for remediation and, as a result, the market value of the property is increased. Exemption from CERCLA liability is also possible if the purchase was made prior to January 11, 2002, provided that the purchaser met the requirements for the “innocent landowner” defense under CERCLA, which includes conducting “all appropriate inquiry” as to previous ownership and uses of the property in accordance with “generally accepted good commercial and customary standards and practices.”

The new law also exempts contiguous landowners of impacted properties from liability under CERCLA, as long as they did not contribute to the contamination, take action to mitigate continued releases of hazardous substances, provide cooperation and access for remediation activities, and are in compliance with any land use restrictions or other institutional controls.

In addition, the law clarifies the innocent landowner defense under CERCLA by requiring that the USEPA establish regulations to define the standards and practices necessary to establish an innocent landowner defense. Similar to contiguous landowners and purchasers, an innocent landowner must also not be contributing to the contamination, provide full cooperation for investigation and remediation activities, and be in compliance with any land use restrictions or other institutional controls.

CONTACT

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Websites: <http://www.epa.gov/brownfields>
<http://www.epa.gov/region02/brownfields>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

SOLID WASTE MANAGEMENT ASSISTANCE

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	Limited funds are available for demonstration projects that promote effective solid waste management through source reduction, reuse, recycling and improved landfill technology.
ELIGIBILITY REQUIREMENTS	<p>Non-profit entities, public authorities, public and private agencies and institutions, Indian tribes, and state and local governments are eligible.</p> <p>Priority is given to innovative recycling and waste reduction programs, outreach and training in source reduction and recycling, projects that use integrated systems to solve municipal solid waste generation and management problems at local, regional and national levels, and market development for recycled materials.</p> <p>Applications are accepted in response to a notice published in the Federal Register and/or the web site listed below.</p>
HOW THE FUNDS CAN BE USED	Funds must be used in accordance with the grant agreement and project requirements in the grant proposal.
AVAILABILITY OF FUNDING	Awards are typically less than \$50,000. In 2003, approximately \$750,000 was available nationwide.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

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E-mail: graves.lorraine@epa.gov

Website: <http://www.epa.gov/region02/grants>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

<h2>SUPERFUND TECHNICAL ASSISTANCE GRANTS</h2>
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TYPE OF ASSISTANCE OR INCENTIVE	Grant (80%)
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The United States Environmental Protection Agency provides Superfund Technical Assistance Grants to allow communities impacted by National Priorities List (NPL) sites to obtain technical assistance in interpreting the information regarding the site.
ELIGIBILITY REQUIREMENTS	<p>Incorporated non-profit groups affected by a site on the NPL may be eligible (limitations apply; for example, academic institutions, political subdivisions and affiliates of national organizations, among others, are not eligible). Only one grant per NPL site is available.</p> <p>Non-federal matching funds of 20% of the total project cost is required. This requirement can be met with cash, donated supplies and volunteered services. The group must prepare a plan for using the funds.</p> <p>Applications are accepted throughout the year.</p>
HOW THE FUNDS CAN BE USED	Funds can be used to hire technical experts to interpret existing data and provide technical expertise to allow the group to more fully participate in the decision-making process for the site. Funds cannot be used to develop new information for the site, such as conducting additional sampling, or to support legal actions in any way, including the preparation of testimony or the hiring of expert witnesses.

AVAILABILITY OF FUNDING	Initial grant awards are up to \$50,000. Additional funds may be available for complex sites. In 2002, approximately \$300,000 was awarded nationwide under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Carol Hemington United States Environmental Protection Agency Region 2 OPM/GCMB 290 Broadway, 27th Floor New York, NY 10007 Telephone: (212) 637-3420 Fax: (212) 637-3518 E-mail: hemington.carol@epa.gov Website: http://www.epa.gov/superfund/tools/tag/index.html

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

TARGETED BROWNFIELDS ASSESSMENTS

TYPE OF ASSISTANCE OR INCENTIVE	Grants (100%) and technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	Under the Targeted Brownfields Assessments (TBA) Program, the United States Environmental Protection Agency (USEPA) provides funding and/or technical assistance for environmental assessments at brownfield sites throughout the country. USEPA contractors can conduct site assessments under USEPA oversight in order to identify possible contamination.
ELIGIBILITY REQUIREMENTS	Tribes, states and municipalities are eligible. Sites may be recommended to the Agency and are prioritized and selected on a site-by-site basis. Grants may also be provided for states to conduct site assessments under this program.
HOW THE FUNDS CAN BE USED	Assistance may be used for Phase I and Phase II Environmental Site Assessments, as well as evaluation of remediation alternatives and determination of remediation cost estimates. Site remediation and building demolition activities are not eligible for assistance under the TBA program.
AVAILABILITY OF FUNDING	Funding for this program is limited.
LIABILITY PROTECTION PROVIDED	Limited liability protection may be provided under this program on a case/site-specific basis.

CONTACT

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Website: <http://www.epa.gov/brownfields>

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	<p>The Council on Environmental Quality (CEQ) was established by the National Environmental Policy Act of 1969 (NEPA). The functions of and assistance provided by the CEQ include:</p> <ul style="list-style-type: none">• Advise and assist the President to develop environmental policies and proposed legislation;• Identify, assess and report on trends in environmental quality and recommend appropriate response strategies;• Report annually to the President on the state of the environment;• Help coordinate activities of federal departments and agencies that affect, protect and improve environmental quality;• Foster cooperation between federal, state and local governments, the private sector and citizens on matter of environmental concern; and• Interpret NEPA and relevant regulations in response to requests from federal, state and local agencies, and citizens.
ELIGIBILITY REQUIREMENTS	There are no eligibility requirements for this program.
HOW THE FUNDS CAN BE USED	No funding is provided under this program.
AVAILABILITY OF FUNDING	No funding is provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACTS

Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503
Telephone: (202) 395-5750
Fax: (202) 456-6546

Website: <http://www.whitehouse.gov/CEQ>

FEDERAL DEPOSIT INSURANCE CORPORATION

COMMUNITY AFFAIRS PROGRAM

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Federal Deposit Insurance Corporation (FDIC) provides technical assistance to ensure equal access to credit, works with lenders and the public to revitalize communities, and serves as an intermediary to further fair lending objectives. The FDIC also meets regularly with bankers, community organizations, small businesses and local government leaders to promote partnerships among public and private organizations, identify local credit needs and develop strategies to meet those needs. In addition, the FDIC sponsors and conducts conferences and seminars to help educate bankers and consumers about fair lending laws and regulations.
ELIGIBILITY REQUIREMENTS	There are no eligibility requirements for this program.
HOW THE FUNDS CAN BE USED	Funding is not provided under this program.
AVAILABILITY OF FUNDING	Funding is not provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Valerie J. Williams Community Affairs Officer Federal Deposit Insurance Corporation 20 Exchange Place New York, NY 10005 Telephone: (917) 320-2621 Fax: (917) 320-2916 E-mail: vwilliams@fdic.gov Website: http://www.fdic.gov

FEDERAL HOUSING FINANCE BOARD

<h2>AFFORDABLE HOUSING PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Grant (100%) and interest rate subsidy
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Affordable Housing Program (AHP) provides grants and interest rate subsidies for loans for long-term, very low, low and moderate-income, owner-occupied and affordable rental housing. The program encourages member institutions to undertake creative efforts that increase the supply of affordable housing. In New York State, the Federal Home Loan Bank of New York administers the AHP.
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ELIGIBILITY REQUIREMENTS	Under the competitive application process, projects are first evaluated to determine whether they meet the following eligibility requirements:
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- Owner-occupied or rental housing;
- Project feasibility and the need for subsidy;
- Ability of the project to begin using Federal Home Loan Bank assistance within 12 months;
- AHP subsidies will be used for eligible costs;
- Retention;
- Project sponsor qualifications;
- Compliance with fair housing laws and regulations; and
- Additional requirements specific to each Federal Home Loan Bank.

Application due dates are determined by each Federal Home Loan Bank.

HOW THE FUNDS CAN BE USED	<p>Subsidies under the AHP must be used:</p> <ul style="list-style-type: none"> • To finance the purchase, construction and/or rehabilitation of owner-occupied housing for very low-, low- and moderate-income households; or • To finance the purchase, construction and/or rehabilitation of rental housing, at least 20% of the units of which will be occupied by and affordable for very low-income households for at least 15 years.
AVAILABILITY OF FUNDING	<p>There are no limits on the amount of grant awards, although the individual Federal Home Loan Banks may have policies limiting the amount of awards.</p>
LIABILITY PROTECTION PROVIDED	<p>Liability protection is not provided under this program.</p>
CONTACT	<p>Joseph Gallo Vice President Federal Home Loan Bank of New York 101 Park Avenue New York, NY 10178-0599 Telephone: (212) 949-0652 Fax: (212) 441-6859 E-mail: joseph.gallo@fhlbny.com</p> <p>Websites: http://www.fhlbny.com</p>

FEDERAL HOUSING FINANCE BOARD

<h2>COMMUNITY INVESTMENT PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Loan
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Community Investment Program (CIP) provides funding for housing and economic development activities. The program supports community-oriented mortgage lending that can be used to target commercial and economic development projects in economically distressed neighborhoods that may include brownfield sites. The 12 Federal Home Loan Banks provide CIP funds to member institutions and set the loan interest rates. The member institutions make the actual loans. In New York State, the Federal Home Loan Bank of New York administers the CIP.
ELIGIBILITY REQUIREMENTS	Loans must help economically distressed neighborhoods with income levels less than 80% of area median income for economic development projects and at or below 115% of area median income for housing projects. Applications are accepted by member institutions throughout the year.
HOW THE FUNDS CAN BE USED	Loans must be used for housing and economic development projects in economically distressed neighborhoods.
AVAILABILITY OF FUNDING	There are no limits on the amount of loans provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.

CONTACT

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Websites: <http://www.fhlbny.com>

FEDERAL HOUSING FINANCE BOARD

<h2>EQUITY INVESTMENT PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Investment
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	Under this program, the 12 Federal Home Loan Banks can make direct investment in community development projects and thereby become part owner of the project. The Federal Home Loan Bank of New York is the institution that covers New York State.
ELIGIBILITY REQUIREMENTS	Projects in areas that qualify or could qualify for the federal Brownfield Tax Credit are eligible for this program.
HOW THE FUNDS CAN BE USED	There are no limits on how the funds can be used. Possible projects include planning, investigation, remediation, development and/or operations activities. However, the investing Federal Home Loan Bank may limit the uses of the funds.
AVAILABILITY OF FUNDING	There are no limits on the amount of investment capital available. To date, only one project (Des Moines, Iowa) has been funded utilizing equity investment from a Federal Home Loan Bank. The Federal Home Loan Bank of New York does not currently provide funding under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Donald Wolff Senior Vice President Federal Home Loan Bank of New York 101 Park Avenue New York, NY 10178-0599 Telephone: (212) 441-6813 Fax: (212) 949-2126 E-mail: wolff@fhlbny.com Websites: http://www.fhlbny.com

FEDERAL HOUSING FINANCE BOARD

<h2>FEDERAL HOME LOAN BANK STANDBY LETTERS OF CREDIT</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Loan guarantee
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Federal Home Loan Bank Standby Letters of Credit (LOC) Program was established to address unmet housing credit and economic development needs. The LOC Program allows the 12 Federal Home Loan Banks to issue letters of credit to guarantee repayment of loans made by member institutions for economic development projects that include brownfield redevelopment.
ELIGIBILITY REQUIREMENTS	Projects in areas that qualify or could qualify for the federal Brownfield Tax Credit are eligible for this program.
HOW THE FUNDS CAN BE USED	No funding is provided under this program.
AVAILABILITY OF FUNDING	No funding is provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Donald Wolff Senior Vice President Federal Home Loan Bank of New York 101 Park Avenue New York, NY 10178-0599 Telephone: (212) 441-6813 Fax: (212) 949-2126 E-mail: wolff@fhlbny.com Website: http://www.fhfb.gov

FEDERAL HOUSING FINANCE BOARD

<h2>RURAL DEVELOPMENT FUND PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Loan
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Rural Development Fund (RDF) Program provides funding for economic development projects in rural areas. The 12 Federal Home Loan Banks provide RDF funds to member institutions and set the loan interest rates. The member institutions make the actual loans. In New York State, the Federal Home Loan Bank of New York administers the RDF Program.
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ELIGIBILITY REQUIREMENTS	Projects in rural areas that qualify or could qualify for the federal Brownfield Tax Credit are eligible for this program. Rural area means a unit of general local government with a population of 25,000 or less, an unincorporated area outside a metropolitan statistical area (MSA), or an unincorporated area within an MSA that qualifies for housing or economic development assistance from the United States Department of Agriculture.
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Loans must help economically distressed neighborhoods with income levels at or below 115% of area median income. An economic development project is deemed to benefit families with incomes at or below a targeted income level when the project meets one of the following criteria:

- Located in a neighborhood in which more than 50 percent of the families have incomes at or below the targeted income level;
- Located in a rural Champion Community, or a rural Empowerment Zone, or rural Enterprise Community, as designated by the Secretary of Agriculture (in the case of projects located in rural areas);
- Located in a federally or state declared disaster area;
- Eligible for a federal Brownfield Tax Credit;
- Located in an area affected by a federal military base closing or realignment;
- Located in an area identified as a designated community under the Community Adjustment and Investment Program;

- Annual salaries for at least 51 percent of the permanent full- and part-time jobs, computed on a full-time equivalent basis, created or retained by the project, other than construction jobs, are at or below the targeted income level;
- Qualifies as a small business; or
- More than 50 percent of the families who otherwise benefit from (other than through employment) or are provided services by the project have incomes at or below the targeted income level.

Applications are accepted by member institutions throughout the year.

HOW THE FUNDS CAN BE USED	The RDF funds may be used to finance commercial and economic development activities, including:
	<ul style="list-style-type: none"> • Housing, commercial, small business, manufacturing, social service, and public facility projects and activities; and • Construction or rehabilitation of public or private infrastructure, such as, roads, utilities and sewers.
AVAILABILITY OF FUNDING	There are no limits on the amount of loans provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Donald Wolff Senior Vice President Federal Home Loan Bank of New York 101 Park Avenue New York, NY 10178-0599 Telephone: (212) 441-6813 Fax: (212) 949-2126 E-mail: wolff@fhlbny.com</p> <p>Website: http://www.fhlbny.com</p>

FEDERAL HOUSING FINANCE BOARD

<h2>URBAN DEVELOPMENT FUND PROGRAM</h2>

TYPE OF ASSISTANCE OR INCENTIVE

Loan

SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE

The Urban Development Fund (UDF) Program provides funding for economic development projects in urban areas. The 12 Federal Home Loan Banks provide UDF funds to member institutions and set the loan interest rates. The member institutions make the actual loans. In New York State, the Federal Home Loan Bank of New York administers the UDF Program.

ELIGIBILITY REQUIREMENTS

Projects in urban areas that qualify or could qualify for the federal Brownfield Tax Credit are eligible for this program. Urban area means a unit of general local government with a population of 25,000 or more, or an unincorporated area within a metropolitan statistical area (MSA) that does not qualify for housing or economic development assistance from the United States Department of Agriculture.

Loans must help economically distressed neighborhoods with income levels at or below 100% of area median income. An economic development project is deemed to benefit families with incomes at or below a targeted income level when the project meets one of the following criteria:

- Located in a neighborhood in which more than 50 percent of the families have incomes at or below the targeted income level;
- Located in a urban Champion Community, or a urban Empowerment Zone, or urban Enterprise Community, as designated by the Secretary of Agriculture (in the case of projects located in urban areas);
- Located in a federally or state declared disaster area;
- Eligible for a federal Brownfield Tax Credit;
- Located in an area affected by a federal military base closing or realignment;
- Located in an area identified as a designated community under the Community Adjustment and Investment Program;

- Annual salaries for at least 51 percent of the permanent full- and part-time jobs, computed on a full-time equivalent basis, created or retained by the project, other than construction jobs, are at or below the targeted income level;
- Qualifies as a small business; or
- More than 50 percent of the families who otherwise benefit from (other than through employment) or are provided services by the project have incomes at or below the targeted income level.

Applications are accepted by member institutions throughout the year.

HOW THE FUNDS CAN BE USED	The UDF funds may be used to finance commercial and economic development activities, including:
	<ul style="list-style-type: none"> • Housing, commercial, small business, manufacturing, social service, and public facility projects and activities; and • Construction or rehabilitation of public or private infrastructure, such as, roads, utilities and sewers.
AVAILABILITY OF FUNDING	There are no limits on the amount of loans provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	<p>Donald Wolff Senior Vice President Federal Home Loan Bank of New York 101 Park Avenue New York, NY 10178-0599 Telephone: (212) 441-6813 Fax: (212) 949-2126 E-mail: wolff@fhlbny.com</p> <p>Website: http://www.fhlbny.com</p>

GENERAL SERVICES ADMINISTRATION

BROWNFIELDS REDEVELOPMENT INITIATIVE

TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The General Services Administration (GSA) serves as the real estate agent for the federal government. As such, the GSA owns and manages a large number of contaminated properties across the country. GSA's Brownfields Redevelopment Initiative targets underutilized federal properties that can be redeveloped to maximize revitalization efforts in local communities. As part of that effort, the GSA evaluates community needs in cooperation with local officials, developers and environmental organizations. In addition, the GSA utilizes tools to expedite federal property reuse through early transfer authority, fixed price remediation and land use controls.
ELIGIBILITY REQUIREMENTS	There are no eligibility requirements for this program.
HOW THE FUNDS CAN BE USED	No funding is provided under this program.
AVAILABILITY OF FUNDING	No funding is provided under this program.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	John Martin General Services Administration Office of Property Disposal GSA Building 18th and F Streets, NW Room 4340 Washington, DC 20405 Telephone: (202) 501-4671 Fax: (202) 501-2520 E-mail: johnq.martin@gsa.gov Website: http://www.gsa.gov

UNITED STATES SMALL BUSINESS ADMINISTRATION

<h2>LOAN GUARANTEE PROGRAMS</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Loan guarantee
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Small Business Administration provides loan guarantee programs to help small businesses begin, expand and prosper through increasing the amount of capital available to small businesses through the banking community and non-bank lending institutions.
ELIGIBILITY REQUIREMENTS	Only small businesses are eligible for these programs. The definition of a small business varies by industry and is based on revenue or the number of employees.
HOW THE FUNDS CAN BE USED	The loans can be used by start-up or existing small businesses to renovate facilities, purchase equipment, augment working capital, refinance existing debt, purchase land or buildings, and/or construct commercial buildings. Working capital guaranteed loans are also available for exporters.
AVAILABILITY OF FUNDING	The guaranteed loan amount is limited according to the specific program under which the assistance is provided.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Office of Financial Assistance Small Business Administration 409 3rd Street, SW Washington, DC 20416 Telephone: (202) 205-7722 Fax: (202) 205-7064 Website: http://www.sba.gov

UNITED STATES SMALL BUSINESS ADMINISTRATION

<h2>ECONOMIC DEVELOPMENT PROGRAMS</h2>
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TYPE OF ASSISTANCE OR INCENTIVE	Technical assistance
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Small Business Administration (SBA) provides management and technical assistance, including counseling and low-cost training resources, designed to help current and prospective small business owners. The SBA has other specialized programs targeted to small businesses owned and operated by minorities, veterans and women. The SBA also has programs for federal contractors.
ELIGIBILITY REQUIREMENTS	Only small businesses are eligible for these programs. The definition of a small business varies by industry and is based on revenue or the number of employees.
HOW THE FUNDS CAN BE USED	No funding is provided under these programs.
AVAILABILITY OF FUNDING	No funding is provided under these programs.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under these programs.
CONTACT	Joan Bready Small Business Administration 409 3 rd Street, NW 6 th Floor Washington, DC 20416 Telephone: (202) 205-7384 Fax: (202) 205-7727 E-mail: joan.bready@sba.gov Website: http://www.sbaonline.sba.gov

2.3 Private

Private sector financing, financial planning assistance, venture capital and conventional lending organizations are becoming increasingly involved in brownfield revitalization projects. The trend of private sector interests are evolving and growing into two primary fields: non-profit organizations and for-profit corporations. Non-profit private sector entities can be further divided into companies with provisions, such as 501(c)(3) designations (charitable organizations) and intellectual or philanthropic foundations. For-profit entities comprise two basic structures: venture capital firms (which are typically associated with developers) and “bridge loans” or “start-up capital” which leads to conventional financing through banks and similar organizations.

Non-profit Opportunities

Non-profit corporations, such as those with 501(c)(3) designations, can leverage public funding with private-sector capital to help position brownfield sites to attract follow-on, significant venture capital and development investment for redevelopment. In recognizing that for-profit lenders and developers are concerned about the potential liability and reduced collateral value from unforeseen cleanup costs, but willing to finance the redevelopment of brownfield projects once these sites have been cleaned up under approval of environmental regulatory agencies, non-profit companies can bridge this gap with revolving loan funds to finance the cleanup and thereby stimulate their reuse and revitalization.

Other non-profit entities, such as endowment organizations, provide grants for brownfields revitalization under a number of venues. These funds are often used to stimulate economic and environmental redevelopment in urban areas throughout the country, with some specifically focused on New York State and the Northeast. Although the focus of these endowments or foundations is organization-specific, most favor promoting sustainable urban design while reducing incentives for urban sprawl. The promotion of accessible, well-planned open space in existing communities, including greenways, parks and riverfront access points, has also been supported by these organizations.

For-Profit Opportunities

Leveraging public and private-sector non-profit financial incentives through tax credits and tax increment financing, but especially through grants and loans for purposes, such as site assessments, remediation, infrastructure improvements, demolition and site preparation, can help bring large-scale investment to a brownfield project. This type of leveraging supports the following issues to attract private-sector involvement: liability protection for buyers/developers (lessees) and lenders; reduced and more quantifiable remediation/redevelopment costs; more certainty regarding liability and costs through supportive and timely government responses; and financial incentives. This “predevelopment” setting is important because, for all essential purposes, the for-profit organizations described later in this section use a detailed screening process to evaluate properties for acquisition. This process addresses various aspects of the proposed transaction, including real estate attributes, environmental conditions of the property, suitable risk management strategies, financing alternatives and the business structure through which the property would be acquired and redeveloped.

In some cases, municipalities or other public entities can use private financing early in the process, that is, using the value of the real estate as collateral to expedite the transfer of a specific site or sites with agreed-upon remediation costs. To accelerate the cost of cleanup liabilities, a divestiture transaction may enable a site owner or other potentially responsible parties (PRPs) to incur cleanup costs readily and apply for cost recovery from insurance providers. Venture capital and/or development companies, upon acquisition of a site, purchase insurance to protect against cleanup cost overruns and third-party claims. This position enables them to provide the highest degree of certainty that cleanup obligations will be satisfactory to all appropriately concerned organizations. (These insurance products are described in Section 4.)

While almost any conventional lender, such as commercial banks, could potentially finance a brownfield project, private non-profit and/or venture capital involvement can be prerequisites to reduce the time and simplify the process to obtain conventional financing. The reason for this type of prior involvement is that conventional lenders evaluate criteria such as experience with redevelopment, brownfield issues and specific state experience, while making

loan considerations. Specific criteria often include the credit worthiness of the borrower, value and marketability of the property, viability of the project, track record of the borrower/redeveloper, the borrower's strategy for eliminating/limiting exposure to liabilities, the lender's ability to take title to a brownfield site via foreclosure and remarket it in the event of a loan default, the quality and completeness of environmental assessment reports and other documentation of site conditions, portfolio management objectives, such as limitations on total debt to borrower, loan portfolio composition and concentration limitations, etc.

Other issues may include pooling of financing, since, on large projects, a single lender may be reluctant or unable to provide the entire amount of financing. Partnership arrangements are usually acceptable to commercial lenders if all parties qualify as credit-worthy borrowers. The ability to obtain stop-loss and/or other appropriate insurance and the nature of proposed land leases are other critical issues taken into consideration.

Provided following this page are descriptions of three non-profit funding sources which are actively involved in, or in the planning stages of, brownfield revitalization projects in New York State. These descriptions/profiles are further supported by a table listing and describing 11 other non-profit, private-sector brownfield financial resources with a New York presence and/or affiliations in the State.

Provided following the non-profit funding sources are descriptions of five for-profit funding sources which are active, directly or through formalized partnerships, in New York State. These funding sources, in turn, are supported by a table describing 7 other for-profit financial resources with activities and/or plans for brownfield revitalization in New York.

Note that not all "non-profit" listings are entirely non-profit, but have some non-profit programs set aside with respect to brownfield redevelopment, such as the Bank of America. Likewise, some "for-profit" listings may include pro bono or in-kind services in exchange for establishing an equity or similar position with brownfield projects.

NONPROFIT PRIVATE SECTOR FUNDING SOURCES

<h2>CLEAN LAND FUND</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Assistance in raising capital
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	<p>The Clean Land Fund (Fund) was incorporated in 1996 in Rhode Island as a nonprofit organization dedicated to arranging financing for the cleanup and redevelopment of brownfield sites located in targeted communities in Massachusetts, Rhode Island, Connecticut and New York. In June of 1999, the Fund received its 501(c)(3) nonprofit charitable organization designation from the Internal Revenue Service and began its operations. The Fund provides technical assistance services to United States Environmental Protection Agency (USEPA)-funded Brownfields Cleanup Revolving Loan Funds (BCRLFs). In addition, the Fund has been providing technical assistance to non-profit housing and environmental organizations to assist with the redevelopment of brownfields through its stimulation. The Fund is a member of the National Brownfields Association.</p>
ELIGIBILITY REQUIREMENTS	Nonprofits and businesses that incorporate public benefits into their redevelopment projects are eligible for assistance.
HOW THE FUNDS CAN BE USED	Financial assistance is not available through the Clean Land Fund.
AVAILABILITY OF FUNDING	Financial assistance is not available through the Clean Land Fund.
LIABILITY PROTECTION PROVIDED	Not applicable
CONTACT	<p>William Penn President and CEO Clean Land Fund P.O. Box 725 Block Island, RI 02807 Telephone: (401) 466-2065 Fax: (401) 466-3164 E-mail: williamjpen@cs.com</p> <p>Website: http://www.brownfieldsnet.org/moreclean.htm</p>

NONPROFIT PRIVATE SECTOR FUNDING SOURCES

<h2>NONPROFIT FINANCE FUND</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Loans and advisory services to nonprofit organizations.
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	The Nonprofit Finance Fund provides loans and advisory services to nonprofit organizations. Advisory services are primarily in the form of workshops and our Nonprofit Business Analysis.
ELIGIBILITY REQUIREMENTS	Generally, nonprofits that have operating budgets of \$500,000 or more and have been in existence for at least three years.
HOW THE FUNDS CAN BE USED	Loans are used to finance facility projects (acquisition, renovation/construction/leasehold improvements, etc.), working capital needs (bridge loans, lines of credit), and equipment purchases.
AVAILABILITY OF FUNDING	Loans are available on an ongoing basis.
LIABILITY PROTECTION PROVIDED	Liability protection is not provided under this program.
CONTACT	Ann McKinnon or Linda Lawson Analyst Nonprofit Finance Fund 70 W. 36 th St., 11 th Floor New York, NY 10018 Telephone: 212-868-6710 Fax: 212-947-9872 E-mail: ann.mckinnon@nffusa.org / linda.lawson@nffusa.org Website: http://www.nonprofitfinancefund.org

NONPROFIT PRIVATE SECTOR FUNDING SOURCES

<h2>SURDNA FOUNDATION, INC.</h2>

TYPE OF ASSISTANCE OR INCENTIVE
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Grants for environmental and community revitalization projects
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SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE
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The Surdna Foundation (Surdna) funds a range of philanthropic projects. Programs for the environment and community revitalization were established in 1989. The environmental program focuses on four areas: biological diversity and the human communities that depend on it (e.g., forest, marine and freshwater ecosystems); human systems (engaging people in understanding and addressing environmental problems); transportation; and urban/suburban land use. The community revitalization program focuses on the transformation of low-income, urban communities into vibrant and economically diverse communities of choice. Surdna is particularly supportive of programs that are integrated into a comprehensive approach to neighborhood revitalization.

ELIGIBILITY REQUIREMENTS

Nonprofit organizations designated by the IRS as 501(c)(3) organizations and collaborations that incorporate public benefits into their redevelopment projects are eligible for funding through this program. Organizations are eligible for a maximum of three consecutive years of funding.

HOW THE FUNDS CAN BE USED

Surdna is interested in funding programs which offer viable solutions to difficult systemic systems. The foundation makes both project and general support grants. It does not generally fund individuals, capital campaigns or building construction, or projects that are internationally based or focused.

AVAILABILITY OF FUNDING

Funds are available on a continual basis. Applicants are strongly recommended to submit a letter of inquiry before a full proposal is sent. The amount of project funding varies from minor assistance (less than 10 percent), to matching funds with other grants. The amount of the funding for environmental and community revitalization purposes has averaged \$3 to \$7 million each year, allocated over one to three year periods.

LIABILITY PROTECTION PROVIDED

Liability protection is not provided under this program.

CONTACT

Edward Skloot
Executive Director
Surdna Foundation, Inc.
330 Madison Avenue, 30th Floor
New York, NY 10017-5001
Telephone: (212) 557-0010
Fax: (212) 557-0003
E-mail: request@surdna.org

Website: <http://www.surdna.org>

NON-PROFIT PRIVATE-SECTOR BROWNFIELDS FINANCIAL RESOURCES

Organization	Type of Offering	Key Features	Point of Contact
The Center for Land Renewal	Serves as a holding company and provides guidance to affiliates/redeveloping sites.	Uses expertise to facilitate funding and other resources for Brownfield redevelopment.	Keith Welks Phoenix Land Recycling Co. 105 North Front Street, Suite 106 Harrisburg, PA 17101-1436 Tel: (717) 230-9700 E-mail: Kwelks@cs.com Website: http://www.phoenixland.org
International Economic Development Council	Hosts Brownfield educational workshops. Redeveloping properties is of critical concern to its membership.	Serves diverse economic interests (e.g., small business financing, land banking, regional marketing). Seeks to minimize risks and guide private investors through the Brownfield redevelopment process.	Phillippe Accilien Economic Development IEDC 734 15th Street NW, Suite 900 Washington, DC 20005 Tel:(202) 942-9450 Fax: (202) 225-4745 Website: http://www.iedconline.org
The Development Fund	Promotes innovation in community development finance.	Programs have created \$700 million in new financing sources nationally. New financing initiative program aims to develop financing vehicles to access private-sector groups for Brownfield redevelopment	Sid Johnston Program Manager The Development Fund 116 New Montgomery Street San Francisco, CA 94105 Tel: (415) 981-1070 ext. 522 E-mail: sjohnston@tdsf.org Website: http://www.tdsf.org
The National Brownfield Association	Public/private collaborative funding for Brownfield redevelopment and reuse.	Provides members with resources such as legislative support and financing.	Robert Colangelo Executive Director The National Brownfield Association 5440 North Cumberland Ave., Suite 238 Chicago, IL 60656 Tel: (773) 714-0407 Fax: (773) 714-0989 E-mail: robertc@brownfieldnews.com Website: http://www.brownfieldassociation.org
The Trust for Public Land	Public/private collaborative funding for open space programs.	Creates gardens and parks in cities and towns. Preserves rural green space and forests.	The Trust for Public Land Mid-Atlantic Regional Office 666 Broadway New York, NY 10012 Tel: (212) 677-7171 Fax: (212) 353-2052 E-mail: susan.clark@tpl.org Website: http://www.tpl.org
Bank of America	Community development and environmental program funding exceeded \$44 billion in 2001.	Focuses on affordable housing, small business financing and alliances with minority organizations.	Bank of America 10 Light Street, 19th Floor MD4-302-19-02 Baltimore, MD 21201 Tel: 1-888-488-9802 Website: http://www.bankofamerica.com
Environmental Bankers Association (EBA)	Responds to the need for environmental risk management and due diligence policies in financial institutions.	An organization that represents the financial services industry for lending institutions involved with Brownfield projects and similar endeavors.	Dean Telego Environmental Bankers Association 510 King Street, Suite 410 Alexandria, VA 22314 Tel: (703) 549-0977 Fax:(703) 548-5945 E-mail: envirobank@aol.com Website: http://www.rtmcomm.com
American Bankers Association	Seeks to enhance the role of commercial banks as preeminent providers of financial services through outreach.	Working to achieve clarification for lenders and communities on liability issues in connection with Brownfields.	American Bankers Association 1120 Connecticut Avenue, NW Washington, DC 20036 Tel: (202) 663-5000 Toll Free: 1-800-Bankers Website: http://www.aba.com
Mortgage Bankers Association of America	600 member companies finance investment real estate nationwide.	Acts as a clearinghouse where regulatory officials may contact capital sources engaged in financing Brownfields redevelopment.	Mortgage Bankers Association of America 1919 Pennsylvania Ave. Washington, DC 20006-3438 Tel: (202) 557-2700 Website: http://www.mbaa.org

NON-PROFIT PRIVATE-SECTOR BROWNFIELDS FINANCIAL RESOURCES

<p>Environmental Grantmakers Association</p>	<p>A voluntary association of foundations and giving programs concerned with the protection of the natural environment.</p>	<p>Focus areas include land use growth management, minorities and the environment, and a grantmakers network on the economy and the environment.</p>	<p>Environmental Grantmakers Association 437 Madison Avenue, 37th Floor New York, NY 10022 Tel: (212) 812-4260 Fax: (212) 812-4299 E-mail: ega@rffund.org Website: http://www.ega.org</p>
<p>Institute for Community Economics</p>	<p>Provides loans for a variety of community strengthening projects. Has made over 350 loans totaling more than \$30 million.</p>	<p>Provides a revolving loan fund for short-term loans, technical assistance to community groups and advocacy for Community Land Trusts.</p>	<p>Sara Page Executive Director Institute for Community Economics 57 School Street Springfield, MA 01105 Tel: (413) 746-8860 Fax: (413) 746-8862 E-mail: info@iceclt.org Website: http://www.iceclt.org</p>

FOR-PROFIT PRIVATE SECTOR FUNDING SOURCES

BROWNFIELD REALTY LTD.

**TYPE OF ASSISTANCE OR
INCENTIVE**

Financial investment and associated transactional services.

**SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE**

Brownfield Realty Ltd. was founded in 1995 to assist owners of contaminated properties and provide an avenue for the return of such properties to productive use. The company integrates financial, environmental, real estate, legal, insurance, regulatory and risk management resources, as needed. Brownfield Realty takes advantage of new brownfield laws, which provide for a release of liability in exchange for remediating a site to an acceptable level. Brownfield Realty Ltd. has completed transactions in excess of \$55 million since its founding.

ELIGIBILITY REQUIREMENTS

Brownfield Realty applies an evaluation process to screen properties for eligibility under their services. The company is interested in acquisition opportunities throughout the nation, with a focus on commercial and industrial properties that are environmentally impaired.

HOW THE FUNDS CAN BE USED

Brownfield Realty can acquire outright or take an equity position in brownfield transactions. Environmental and economic site assessments, acquisition, remediation, management and sale of a property are all areas wherein their funds can be used.

AVAILABILITY OF FUNDING

Funding is readily available depending on site evaluation criteria. The criteria include issues such as site ownership, site location and infrastructure, site history occupancy and status, environmental conditions, taxes, and pricing and purchasing related matters. The Brownfield Realty Board of Directors evaluates such criteria to arrive at “buy”/”no buy” decisions. The company is interested in loans secured by environmentally impaired real estate, property value of less than \$10 million and in-all loan values.

LIABILITY PROTECTION PROVIDED

When Brownfield Realty takes title to contaminated property it can provide a full indemnification to the owner for all environmental liability. The company can also assist the owner in securing stop-loss insurance for projected remediation costs.

CONTACTS

Paul Schoff, CEO
Brownfield Realty Ltd.
1611 Pond Road, Suite 200
Allentown, PA 18104
Telephone: (610) 530-0888
Fax: (610) 530-0833
E-mail: Pschoff@thslaw.com

Website: <http://www.brownfieldrealty.com>

FOR-PROFIT PRIVATE SECTOR FUNDING SOURCES

<h2>HEMISPHERE CORPORATION</h2>

TYPE OF ASSISTANCE OR INCENTIVE	Equity
SUMMARY DESCRIPTION OF THE PROGRAM OR INCENTIVE	<p>Hemisphere Development LLC is a real estate development company focused on brownfield redevelopment. The company possesses, in-house, all skills required to achieve a brownfield redevelopment, including real estate, finance, legal and environmental regulatory capabilities. Typically environmental engineering services for redevelopment is outsourced.</p> <p>Hemisphere Redevelopment LLC will invest equity in a brownfield redevelopment project to obtain a controlling interest. The project size is generally at least 5 contiguous acres of land or 100,000 sq. ft. of usable building space.</p>
ELIGIBILITY REQUIREMENTS	Hemisphere Redevelopment LLC underwrites each redevelopment project itself through its internal screening process. Once a decision is made to pursue an ownership interest, Hemisphere Redevelopment LLC will then invest equity into a project.
HOW THE FUNDS CAN BE USED	Hemisphere Redevelopment LLC can use its funds for any aspect of brownfield redevelopment.
AVAILABILITY OF FUNDING	Funding is available as soon as the company completes its internal investment screening. This process typically takes 3-6 months. Hemisphere Redevelopment LLC can provide an initial indication of interest in about 1 month. Funding is also conditioned upon Hemisphere Development LLC or an affiliate obtaining a majority equity ownership in the redevelopment project.
LIABILITY PROTECTION PROVIDED	On a case-by-case basis.

CONTACT

B. Robert Amjad
Managing Director
Hemisphere Development LLC
25825 Science Park Drive, Suite 265
Cleveland, Ohio 44122

Telephone: (216)464-4105

Fax: (216)464-4134

E-mail: bamjad@hemispherecorp.com

Website: <http://www.hemispherecorp.com>

FOR-PROFIT PRIVATE SECTOR FUNDING SOURCES

THE LANDBANK GROUP, INC.

**TYPE OF ASSISTANCE OR
INCENTIVE**

Private and venture capital, to acquire, reposition and/or redevelop and reuse brownfields. Joint venture options available for qualified principals

**SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE**

LandBank is a real estate redevelopment company that recaptures values in idled, underutilized environmental properties through the application of its integrated, real estate, environmental, risk management and financial programs. LandBank assumes environmental liability for properties it acquires, and mitigates that liability through risk management programs as discussed below.

ELIGIBILITY REQUIREMENTS

LandBank uses a detailed screening process to evaluate properties for acquisition. This process addresses various aspects of the proposed transaction, including real estate attributes, environmental conditions of the property, suitable risk management strategies, financing alternatives and the business structure through which the property would be acquired and redeveloped.

HOW THE FUNDS CAN BE USED

LandBank takes an equity position in every principal transaction. The company works with established debt and equity sources to take investment positions in brownfield redevelopment projects. LandBank equity is used for all-in costs, including land purchase, site cleanup and restoration, insurance placement and other carrying costs prior to disposition.

AVAILABILITY OF FUNDING

Funding is readily available for properties meeting the company's investment criteria. LandBank evaluates the property conditions, the deal structure, and the liability concerns of buyers and sellers to determine the specific requirements for each transaction.

LIABILITY PROTECTION PROVIDED

LandBank's risk management program includes the evaluation of regulatory options (including voluntary cleanup or prospective purchaser agreements), the selection of the remedy, the legal structure of ownership and investment participation. In combination with insurance programs, transactions may also involve the use of bonds, indemnities, guarantees, escrows and other tools to control and limit financial, regulatory and technical risks.

CONTACT

Stuart Miner
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The LandBank Group, Inc.
141 Union Boulevard, Suite 330
Lakewood, CO 80228
Telephone: 303-763-8500
Fax: (303) 763-5700
E-mail: stuart.miner@landbank.net

Website: <http://www.landbank.net/home.htm>

FOR-PROFIT PRIVATE SECTOR FUNDING SOURCES

NEW YORK STATE BANKING DEPARTMENT
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**TYPE OF ASSISTANCE OR
INCENTIVE**

The New York State Banking Department provides financial services, lending sources and financial network organizations throughout New York State. Brownfield-related sectors include community financial services, community development, Community Reinvestment Act and small business financing.

**SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE**

The New York State (NYS) Banking Department, which is an organization of hundreds of banks in the State, seeks to make community and economic development information readily available to lenders and potential users. The Banking Department developed a database in this regard and encourages community development programs to be included in this database. The intent is to link up these programs with the most appropriate funding resources in the State. Listings include nonprofit community development funding sources and a comprehensive list of small business financing vehicles.

ELIGIBILITY REQUIREMENTS

Since the NYS Banking Department works with a myriad of financial resources, eligibility requirements vary widely. Eligibility requirements by city, county or region are provided on the Banking Department's website.

HOW THE FUNDS CAN BE USED

Use of funds varies widely depending on the lending program supported by each lending organization.

AVAILABILITY OF FUNDING

Funding is readily available from many of the institutions in cooperation with the NYS Banking Department depending on the evaluation criteria associated with various programs.

LIABILITY PROTECTION
PROVIDED

Many options may be available. Typically, in combination with insurance programs, transactions may also involve the use of bonds, indemnities, guarantees, escrow and other tools to control and limit financial, regulatory and technical risks.

CONTACT

Barbara Kent
Acting Superintendent of Banks
Small Business Directory
New York State Banking Department
1 State Street
New York, NY 10004-1417
E-mail: research@banking.state.ny.us

Website: <http://www.banking.state.ny.us>

FOR-PROFIT PRIVATE SECTOR FUNDING SOURCES

<h2>OENJ CHEROKEE CORPORATION</h2>

TYPE OF ASSISTANCE OR
INCENTIVE

Capital, redevelopment expertise and private
sector investment

SUMMARY DESCRIPTION
OF THE PROGRAM OR INCENTIVE

OENJ Corporation was founded in 1992. In April 1999, the company changed its name to OENJ Cherokee Corporation after Cherokee Investment Partners LLP, an institutional equity fund with \$250 million dedicated to the acquisition of environmentally impaired properties, made an investment in OENJ Corporation. The joint venture creates a partnership offering the financial backing of Cherokee Investment Partners and the project management experience of OENJ.

ELIGIBILITY REQUIREMENTS

Any public or private organization with ownership of brownfield sites could be eligible to attract investment capital and new users to these sites. Evaluations are made on a site-specific (or sites-specific) basis.

HOW THE FUNDS CAN BE USED

Leveraging its equity fund of \$250 million, OENJ Cherokee Corporation has reclaimed hundreds of acres of brownfield sites and successfully received local, state and federal permits for redevelopment projects. In many cases, the company works closely with government agencies, non-profit organizations and community groups to set up task forces for the permitting process and infrastructure needs. Public/private partnerships are formed (for example) to facilitate the permitting process and to secure additional funding for redevelopment as building better access to brownfield sites. Such ventures, in turn, bring further significant private-sector capital to brownfield sites.

AVAILABILITY OF FUNDING

Funding is readily available depending on a suite of evaluation criteria associated with any potential brownfields redevelopment project. Criteria include issues such as site ownership, site location and infrastructure, site history occupancy and status, environmental conditions, taxes, and pricing and purchasing related matters. An economic model is applied to such criteria to assist in arriving at “buy”/”no buy” decisions.

LIABILITY PROTECTION PROVIDED

In some cases, municipalities or other public entities may want to consider transferring a specific site or sites, with agreed-upon remediation costs, to organizations such as OENJ Cherokee Corporation. To accelerate the cost of cleanup liabilities, a divestiture transaction may enable a site owner or other potentially responsible parties (PRPs) to incur cleanup costs readily and apply for cost recovery from insurance providers. Companies such as OENJ, upon acquisition of a site, purchase insurance to protect against cleanup cost overruns and third-party claims. This position enables these companies to provide certainty that cleanup obligations will be satisfactory to all appropriate entities.

CONTACT

Linda Morgan
Senior Vice President
OENJ Cherokee Realty Holdings, LLC
251 Jersey Gardens Blvd. East
Elizabeth, NJ 07201
Telephone: (908) 353-5681
Fax: (908) 353-5682 or (201) 377-9324

FOR-PROFIT PRIVATE-SECTOR BROWNFIELDS FINANCIAL RESOURCES

<u>Organization</u>	<u>Type of Offering</u>	<u>Key Features</u>	<u>Point of Contact</u>
Brookhill Redevelopment, LLC	Acquires and redevelops Brownfield properties.	Large capital resources to take on high-visibility, complex projects.	Charles Kramer Vice President Brookhill Redevelopment, LLC 501 Madison Avenue New York, NY 10022 Tel: (212) 753-3123 Fax: (212) 371-9515
Recycland	Provides funding, financial management and other resources for Brownfield redevelopment.	Focuses on acquisition of Brownfields in the northeast. Also provides due diligence, market research and analysis, and debt and equity financing services.	Stuart Schooler President Recycland 7801 Norfolk Avenue, Suite 200 Bethesda, MD 20814 Tel: (301) 656-1956 Fax: (301) 656-8540 E-mail: recycland@aol.com Website: http://www.recycland.com
Entact, Inc.	Provides multidisciplinary real estate services. Funding ranges from partial equity positions to the acquisition of entire real estate portfolios.	In the property transaction process, specializes in the turnkey remediation of soil and groundwater-impacted sites.	Mike Staub 1360 North Wood Dale Road, Suite A Wood Dale, IL 60191 Tel: (800) 9-entact Fax: (630) 616-9203 E-mail: mstaub@entact.com Website: http://www.entact.com
The Brownfield Development Group, LLC	Provides funding mechanisms which are developed and applied on a site-specific and unique basis to each Brownfield site.	Interested in partnerships with New York State entities.	Gregg Romaine President The Brownfield Development Group 5876 West 71 st Street Indianapolis, IN 46278 Tel: (317) 347-9590 Fax: (317) 347-9591 E-mail: romahome@aol.com
Jacoby Development, Inc.	Partners with investors and end users to transform Brownfield sites.	Has taken on projects with nationwide visibility.	Richard Culpepper President Jacoby Development, Inc. 807A South Park Street Carrollton, GA 30117 Tel: (770) 830-1887 Fax: (770) 830-6767 Website: http://www.atlanticstation.com
Remediation Financial, Inc.	Provides identification, underwriting, acquisition, financing, development and restoration of Brownfield.	A unique underwriting process caps remedial and regulatory compliance costs. This process also protects sites, equity and debt sources against future environmental liability.	Timothy Lewis Executive Vice President Remediation Financial, Inc. 3200 North Central Avenue, Suite 100 Great American Tower Phoenix, AZ 85012 Tel: (602) 238-9007 Fax: (602) 238-9017 E-mail: tlewis@remfin.com
Metropolitan Waterfront Alliance	Dedicated to the sustainable redevelopment of the harbor, rivers and estuaries of the New York and New Jersey waterfronts.	Funded through various corporations to include public participation in determining the future redevelopment of the New York and New Jersey waterfronts and waterways.	Nick Cretan Maritime Assn. of the Port of NJ/NY Metropolitan Waterfront Alliance 457 Madison Avenue New York, NY 10022 Tel: 800-364-9943 Fax: 888-486-9688 Email: info@waterwire.net Website: http://www.waterwire.net

3 ADDITIONAL BROWNFIELD FINANCING TOOLS

In addition to the traditional federal and state funding sources used to finance brownfield revitalization, there are several tools or strategic mechanisms that are not widely used. Provided in this section is an overview of several of these tools. However, it should be noted that each brownfield reuse project is unique and, in some instances, a project may not be eligible for most or any of these tools.

Brownfield Tax Incentive

In 1997, President Clinton passed legislation allowing for developers of brownfields to expense their remediation costs in the year the costs were incurred. This incentive was allowed specifically for sites that are located within a Brownfield Tax Incentive Zone. Other requirements may also have to be met.

The Brownfield Tax Incentive is an expense. It allows the owner of the property to treat remediation activity as an expense in the year it was incurred. This allowance is important in that previous rulings called for remediation expenses to be a capitalized cost and part of the redevelopment cost for a project. This capitalization was depreciated over the respective useful life of a project. By taking the expense in the year it was incurred, the incentive creates a tax advantage for the prospective owner of the property. However, if the owner was a traditional real estate developer who wished to sell the property upon remediation, Internal Revenue Service (IRS) guidelines make the incentive less valuable, since the developer would not be able to expense the cost of remediation because of quick turnover of the property. Therefore, creative syndication of the expense to investors with a vested interest in the long-term development creates value in the site and additional cash of roughly 25% of remediation costs.

Conservation Easements

In 1992, President Bush initiated legislation to allow for the deduction of lands that had Conservation Easements with them. The purpose of this legislation was to create an incentive

for owners of land to restrict development on wetlands and open spaces. Although this legislation is more widely accepted in large land-tract states like Montana, Colorado and Texas, it applies for smaller states as well.

Conservation Easements allow the current owner of the land to retain ownership but restricts future use. By creating a Conservation Easement, the U.S. Treasury Department allows the owner of the land to deduct 50% of the fair market value of the land as an expense. In certain states, there is an added incentive in that this is also a “State Tax Credit,” which creates additional value for development. One development in Ohio used this incentive to virtually pay for the acquisition of the property which ultimately became a golf course.

Wetland Mitigation Banking

In 1972, President Nixon signed the Clean Water Act which allowed for the mitigation of wetlands. The legislation called for people to avoid destruction of wetlands. Unfortunately, certain projects did destroy wetlands. The legislation requested that developments avoid, minimize or compensate for wetland destruction. This request was especially targeted for developments, dams, highway construction and farming. In 1995, President Clinton added additional language calling for the creation of Mitigation Banks. Essentially, this addendum allowed quasi public entities or private citizens to create “banks” where they would create or maintain wetlands for the benefit of those who would be destroying wetlands. The bank would value the wetland created or maintained and ascribe a credit value to that asset. Destroyers of wetlands would purchase the credits for the benefit of their project, thereby providing the necessary capital for the bank to exist. There are some restrictions to wetland banking. One is having a bank in the same watershed area as the wetland that is being destroyed. The second restriction is allowance of the bank by the regulatory agencies involved in creating the bank, including, but not limited to, state environmental regulatory agencies, USEPA, U.S. Army Corps of Engineers and local authorities. Wetland banking is successful in Illinois, Florida and New Jersey.

Historic Tax Credits

If a building was built prior to 1936 and is in service as a commercial property, it may be eligible for a 10% Historic Tax Credit if three of the four original walls of the structure are left in place after redevelopment. This credit is based on the total eligible rehabilitation cost. These credits are often syndicated with the development of housing developments (low, moderate and high income) and are readily marketable. This credit requires sophisticated financial analysis prepared for the benefit of the investor and an opinion from competent tax counsel regarding the viability of the ownership entity and ability to syndicate the credit. Once syndicated, the ownership entity must continue to hold the property for at least 5 years or the investor will be subject to significant, negative tax consequences.

Environmental Insurance

As with any risk management process, brownfield properties need to go through a thorough risk management analysis. Once the site has been characterized and has a remedial action plan approved by the regulatory agency with authority for the site, identifying an environmental insurance broker with proper credentials to negotiate a policy becomes an important element of brownfield redevelopment. If the policy is structured properly, it will allow for the owner of the property to use financing mechanisms which provide remediation financing during the predevelopment stage. Typical insurance-based remediation financings are in the 9-to-12 percent range with terms of 30-to-48 months self liquidating. The cost to create this financing is negligible. This risk financing is available only to credit-worthy projects with a defined reuse, proper financing in place and adequate cash flow for debt repayment. More detailed information regarding environmental insurance is provided in Section 4.

Structured Settlements

A structured settlement is one where a defined cash flow exists with a payment stream for a defined period of time. These settlements can be used on brownfield sites where there exists a potentially responsible party (PRP) or a financial flow for the remediation of the site, which can

be credit-rated and has exhibited a reasonable probability of continuance. Once this credit rating has been ascribed, the stream of payments is net present valued to a lump sum distribution. This distribution is financed primarily by insurance companies or Wall Street investment houses and used for the remediation of the subject property. Structured settlements work especially well with Superfund sites or on properties where there are multiple PRPs and a party interested in cleaning up the site for immediate use. Structured settlements can be complicated and may involve the use of “Environmental Trusts” as the settlement agent. They also should require environmental insurance to transfer the risk of loss away from the PRPs. Structured settlements are also a very viable means for current PRPs to enter into a legal agreement that caps their liability and allows for the transfer of the risk off their balance sheet.

Insurance Pooling

Insurance pooling is where an entity—city, town or county—decides to create a “Risk Retention Group” that will spread the risks associated with the business they are in (in this case, brownfield redevelopment) and create an economy of scale that develops cost savings. Essentially, an entity would develop baseline remedial standards for the sites to be considered in the pool. With these standards, a risk profile is developed calling for a risk sharing on the insurance. The “pool” would retain risk, the owner of the property would retain risk and the insurer would cover above the retained risk. Pools are created with federal, state, county and municipal fundings, charitable programmed investments or by investors.

By using a pool, the owner reduces the costs to acquiring environmental insurance, transfers the risk of loss which will enable either development of the property to its full potential or sale of the property, creates the financing mechanism to allow the owner or future user to finance the remediation, and provides for a regional risk sharing based on prenegotiated remediation standards. Pools also allow small property owners an opportunity to purchase environmental insurance—something that may be either unavailable or extremely expensive to these owners.

4 LIABILITY INSURANCE

Insurance Products to Facilitate Brownfield Redevelopment

In addition to obtaining financing to undertake brownfield redevelopment projects, typically, the next most important concern is minimizing short-term and long-term risk associated with remediation of a brownfield site. While there are many financial and technical assistance programs identified in Section 2, only the New York State Environmental Restoration Program, the New York State Brownfield Cleanup Program, and the federal Small Business Relief and Brownfields Revitalization Act provide liability protection.

Outside of these three initiatives, to remove some, and perhaps a major portion of, uncertainty related to initial and long-term remediation, a number of insurance products have been developed and widely used to facilitate brownfield redevelopment projects for both private businesses and municipalities. Since municipalities will often become partners with private businesses, and will have various levels of responsibility and liability for remediation of brownfield sites, it is important to understand these products and their application. This section provides information regarding these insurance products, including the types of policies available and the limits on coverage. Since no two brownfield redevelopment projects are the same, provided in this section are a number of different case studies where insurance products have been designed to eliminate common obstacles.

The Process

The use of environmental insurance to facilitate brownfield transactions is an exercise in risk identification and analysis coupled with an understanding of the current insurance market's ability and appetite for specific exposures. The principles involved are relatively simple and straightforward, but the difficulty lies in the details of structuring the risk management program. While no two brownfield projects are exactly alike, the following objectives are common in projects where insurance products can help:

- Capping remediation, and operation and maintenance (O&M) costs;
- Protection against the discovery of contaminants not identified in site assessments;
- Protection against changes in government requirements and/or changes in laws;
- Protection against liabilities assumed in indemnity agreements;
- Protection from third-party liability claims for bodily injury and property damage;
- Protection against business interruption and other consequential losses;
- Protection from natural resource damage claims;
- Protection from claims alleging reduction of property values (both of the subject property and surrounding properties);
- Meeting financial responsibility requirements imposed by law by securing full defense cost in any legal action;
- Protection against claims by potentially responsible parties (PRPs) on sites where cleanup obligations are assumed;
- Affording balance sheet protection to the company or municipality in the event of unforeseen events
- Protection for employees, officials, officers and directors against personal liability; and
- Acceleration of tax deductibility for remediation and other expenses.

The approach taken to structure a risk management program will depend on:

- The nature of the project;
- The types and seriousness of the contamination involved;
- The remediation technology employed;
- The expected term of remediation and O&M phases;
- The nature and source of financing; and
- The tolerance of the parties (businesses and municipalities) for risk, i.e., what type of deductible and limits will be chosen, as well as the degree of coverage.

In addition to the environmental liability issues that go hand-in-hand with the redevelopment of brownfield properties, each entity involved in the redevelopment project, as well as the federal, state and local governing bodies, face risks that can be shifted to specially designed insurance products. Environmental insurance programs can be designed to support the ongoing operations at the project, the contingencies associated with potential delay or interruption of the redevelopment, the potential toxic tort liabilities, and the associated concerns for third-party bodily injury, property damage and reduction in property values.

Costs

The costs associated with these insurance products when they were initially introduced more than 15 years ago, and there was little competition, were expensive and the coverage was very limited. In recent years, due to more competition and the increase in the value of the products, the use of these products has grown dramatically in the past five years. Limits and capacities of insurance claims described in this section for various types of policies are as of the date of manual preparation. Insurance market conditions change on a regular basis.

Property Transactions

In the case of property purchases, environmental insurance is often used to reduce or eliminate the environmental risk associated with a transaction. This is accomplished by using the policy as a substitute for the seller's (or buyer's) contractual indemnity, which generally represents the single largest difficulty in any transaction negotiation. This approach benefits the seller and/or buyer in various ways:

- Removes/reduces environmental uncertainties;
- Preserves or increases the purchase price;
- Minimizes the credit risk associated with providing an environmental indemnification, etc.; and

- Creates an asset (a probable source of recovery) in the event that environmental claims are made.

The Types of Coverage

Environmental Impairment Liability and Remediation Warranty Coverage

Environmental Impairment Liability (EIL) policies can cover the discovery of new contamination, bodily injury and property damage, business interruption and natural resource damage. This policy may also provide coverage for bodily injury, property damage, natural resource damage and cleanup costs, both on-site and off-site associated with unknown pre-existing conditions and ongoing pollution events on a particular property. Third-party diminution in value where a condition is found on the third-party property may also fall within the purview of coverage.

EIL policies can be written for terms of 10 years (or more, depending on the circumstance) and are particularly useful where there are indemnifications in place from predecessor landowners, as well as the indemnifications provided by the buyer or seller in the immediate transaction.

In circumstances where a prior property has been cleaned up to standards, but the stigma of the prior conditions causes a drastic reduction in property value, this policy has been used to essentially secure the property against future potential environmental conditions and increase the ultimate sale price.

In addition, this type of policy can be enhanced to include remediation warranty/“re-opener” coverage. This coverage protects owners against the possibility that a regulatory agency could decide to reverse their position after an initial acceptance of a cleanup. A “no further action” letter or a “covenant not to sue” does not preclude the possibility of a regulatory change if, for example, monitoring shows that contamination levels start to increase and pose a threat to human health or the environment. Government agencies may also request the site be “reopened”

if they add a more restrictive regulation concerning a certain type of contaminant or issue additional covenants, for example, natural resource damage for bodies of water. Also, these letters and covenants usually are solely for cleanup and do not protect against traditional third-party suits and toxic tort liability. In many cases, a single market can write limits of up to \$100 million per claim.

These policies, as well as all the other coverages discussed in this section, are not standardized. Each project requires specific attention to the details of the transaction. The policies are highly customized, and therefore, the role of an attorney and the environmental insurance broker in selecting the appropriate coverage for the client is important to the process. Note also that insurance coverage for new policies is subject to change yearly, and possibly more frequently.

Cost Overrun Insurance for Cleanup of Known Environmental Contamination

Remediation Stop Loss/Cost Overrun coverage insures a municipality or a business against the costs of remediation in excess of the expected costs as determined by a remedial action plan. This coverage can be written over a single cleanup project or over a group of projects.

Some of the factors that can cause remediation cost overruns, which would be covered under this type of policy, include:

- A missed “hot spot” of contamination that is discovered in the course of performing a clean-up pursuant to the remedial action plan;
- Off-site clean-up costs discovered while remediating on-site contamination;
- Disposal costs higher than anticipated;
- A governmental agency changing clean-up requirements; or
- The actual contamination is simply greater than anticipated.

Although the coverage itself is very straightforward, the underwriting of the risk is very intensive, and requires more information and lead-time than traditional environmental insurance. Insurers that write this coverage have staffed their underwriting departments with engineers, specialists from various scientific and environmental disciplines, and experienced underwriters that work with these resources to put together a risk analysis.

The coverage is most applicable to projects over \$2 million. For projects between \$2 million and \$5 million, the limit purchased usually is the amount of the contract cleanup. For projects over \$5 million, the limit usually is a percentage of the estimated cleanup over the estimated cost. For example, for a project where the estimated cleanup cost is \$8 million, the policy may cover \$3 million excess over the \$8 million. The rate per \$1,000 of cleanup cost is reflective of this. Higher limits are available, however, the amount of the limit may be determined by the structure of the program. If, for instance, the program is set up as a finite deal, that is, funded by the client, it is more likely that higher limits are available. Using risk transfer only, usually does not afford that option.

This policy can also be enhanced with the above described re-opener coverage.

Errors and Omissions Insurance for Environmental Consultants

One group of risks associated with the remediation of contaminated sites is related to the services provided by environmental consultants and engineers. A mistake in the identification of contaminants, characterization of the site, specification of a remedial action plan, selection of contractors, transporters and disposal sites, or the design of treatment systems can result in underestimating the cost or time required to complete remediation activities. These errors can also make the condition of the property worse from an environmental standpoint. While providers of professional services can purchase errors and omissions (E&O) insurance, the standard E&O policies issued by the standard markets include an Absolute Pollution Exclusion which removes coverage for claims arising from a release of hazardous materials that are the result of an act, error or omission in rendering professional services related to work performed on the project unless a specific endorsement is added.

Specialty markets offer insurance for engineers and consultants errors and omissions that do not contain a pollution exclusion. This insurance provides protection against third-party bodily injury and property damage claims, and demands for cleanup costs related to claims arising from negligence, errors or omissions in risk assessment, remedial action plan design, laboratory testing or other aspects of professional work that results in a release of contaminants. Limits of up to \$100 million per claim can be written by a single market. Where an environmental exposure exists, this policy is written in place of other professional liability insurance and it covers the entire practice of the consultant or engineer.

Prospective purchasers of contaminated property should make certain that the engineers and environmental consultants that they hire to provide information on pollution conditions have errors and omissions insurance with adequate limits for environmental damage claims. They should also require engineers who design the remediation plan or provide other professional services related to the cleanup activities to purchase this insurance. E&O insurance should be in effect for the term of the cleanup work and also provide for an extended discovery period of at least three years to allow time for the discovery of claims arising from circumstances that are not apparent at the time the work is being performed.

Contractors' Pollution Liability Coverage- Releases of Contaminants Caused by the Activities of Contractors

The work that is performed by environmental contractors in remediating a contaminated site often increases the chance that harmful materials will be released at or from the site. These releases may result in third-party claims for bodily injury, property damage or additional cleanup costs. The releases may also cause bodily injury to workers or other persons on the site, cause property damage to the real estate or require additional onsite cleanup. Insurance policies have been designed to address the specific risks related to these contractors' activities.

Contractors Pollution Liability (CPL) policies provide third-party liability insurance for environmental remediation, general or trade contractors for claims, including cleanup expenses,

arising from a release caused by their work. This type of policy is intended to fill the gap in the Commercial General Liability (CGL) policy created by the incorporation of the Absolute Pollution Exclusion in these forms. The contractor must still purchase a CGL policy to insure non-environmental risks. Limits as high as \$100 million can be written by a single market. A general contractor's form of this policy provides protection against environmental damage claims to the general contractor and site owner for the acts of the contractor, and all subcontractors, including those that are involved in environmental work.

As with the professional errors and omissions insurance for consultants and engineers, the CPL policy should provide coverage for completed operations for a period of at least three years following the completion of onsite construction activities. This may be done by providing a policy term that is sufficiently long or by purchasing an extended reporting period endorsement for the necessary period.

The property owner should be named as an additional insured on the CPL policy to make sure that any claim in which the owners are alleged to be responsible for pollution damage does not require a separate environmental damage policy. Other parties with an interest in the project, including lenders and industrial development authorities, may also be named as additional insureds.

Contractors Operations and Professional Services Coverage

A hybrid form of insurance, developed from the combination of these two types of coverage (E&O and CPL), is available where a single contractor is involved in both the engineering and contracting work associated with a remediation project. Contractors Operations and Professional Services insurance provides third-party bodily injury and property damage coverage for claims arising from either environmental contracting and/or professional environmental services where a contractor works in both areas (turnkey environmental remediation or design-build firms). Split limits and two coverage parts are provided in a single policy. The limits shown for the individual policies discussed above can be written on the

combined form. Although Contractors Pollution Liability policies may be obtained on an occurrence form, Errors and Omissions policies are only available on a claims made basis.

Pollution Legal Liability Coverage

Depending on the circumstances of the remediation process, it may be necessary for the site owner to also purchase site-specific third-party liability insurance to protect against claims arising from releases emanating from the site. Pollution Legal Liability (PLL) is site-specific third-party insurance for claims and defense costs resulting from a release of pollutants from the insured site. These policies can be modified to include coverage for releases from underground storage tanks to satisfy financial responsibility requirements of the Resource Conservation and Recovery Act, and for cleanup of the insured site which is often the major expense associated with a release of pollutants. Limits of up to \$100 million can be obtained from a single market.

The PLL policy would normally be necessary only where the property owner is not named as an additional insured on the Contractors Pollution Liability policy. It may also be advisable to purchase this form of pollution insurance where the post-remediation activities of the site's new owner or tenants involve operations that could result in the release of a hazardous material.

Endorsing the Pollution Legal Liability Policy in the Future for Successor Ownership of Property

Where contaminated or formerly contaminated sites are sold, the sellers cannot transfer all of the risks for pollution claims to the purchasers. Regardless of contractual agreements between these parties with respect to the assumption of risks, environmental laws make the former owners potentially responsible parties with respect to cleanup costs and third-party claims. This potential liability is theoretically unlimited from the standpoints of time and amount.

Insurance policies written for properties that are being remediated may include protection for all parties involved in the transactions. These include the sellers and buyers where properties are being transferred prior or subsequent to remediation. It may also include the banks that are making loans for the purchase and/or cleanup of the properties. Engineers and contractors may also be insured on the same policies, but they are usually separately insured unless they are related to one of the other parties (i.e., brownfield redevelopment firms that include the developers and cleanup contractors).

Insurance policies can only provide protection to parties that are identified at the time the policies are written. Where properties are being sold, both the sellers and the buyers can be insured on policies that provide protection against environmental liability claims. It is not, however, possible to include subsequent purchasers of remediated properties as additional insureds on the policies that are written at the time of the initial sales.

In some cases insurers have been willing to extend insurance coverage under policies written for the sellers or purchasers of brownfield properties to subsequent purchasers. Where this is done, the underwriters reserve the right to review future uses of the sites when titles are subsequently transferred. If there are no changes in the uses of the sites, the policies are automatically extended to include the new owners. If the new owners change the uses of the properties in ways that increase the environmental risks, the coverage will be re-underwritten or the insurers may refuse to continue coverage for such risks.

Regardless of the protection available through insurance, changes in the use of properties should be limited through other means wherever possible. Contractual covenants and deed restrictions are commonly used for these purposes. While these measures are not foolproof, they offer some assurance that land that has been used for industrial purposes will not be converted to residential development.

Case Studies

The following is a sampling of the types of brownfield projects where insurance products have helped solve brownfield redevelopment problems:

- **Client:** Municipality
 - Problem:** Contaminated waterfront site comprising three properties, including a former sawmill and forest products treatment operation, former ship repair yard and former refinery for manufactured gas plant (MGP) coal tar. Site will be purchased by the city where the properties are located, remediated, then sold to the developer. Expected remediation cost is \$24 million, but there is considerable uncertainty. City must bear the environmental risks.
 - Risks:** Cost overrun for remediation, and delay in completion or start of the project and turnover to the developer. Good chance that additional contamination will be found. The value of the site after expected cleanup may be less than anticipated.
 - Solution:** On the basis of existing environmental investigations and preliminary remediation plan, application is made for Remediation Cost Overrun Insurance. Coverage Features: Term of policy is 15 years (with right to extend). Cost overruns excess of \$28 million for a limit of \$50 million. Newly discovered contaminants included. Third-party liability claims included. Delay in completion of project due to environmental cleanup included. Diminution of property values (on-site) included. Term premium: \$1.7 million (with \$250,000 self insured retention).
- **Client:** Municipality
 - Problem:** Brownfield redevelopment with limited remediation budget and developer demands for indemnities from undiscovered contamination.
 - Risks:** Remediation cost overruns, discovery of unknown contamination during remediation and discovery of additional contamination after transfer of the property.
 - Solution:** Remediation Cost Cap Policy with limits of \$2 million above the estimated cleanup costs and Property Transfer Policy with limits of \$5 million and terms of 5 years for any contamination found after the remediation is completed.

- **Client:** Municipality

Problem: Over 5,000 contaminated parcels owned by the city. City offered indemnities of from \$500,000 to \$1,000,000 for each parcel sold. After selling over 100 parcels, the city's credit rating dropped due to the negative impact of the aggregate indemnity liabilities.

Risks: Environmental risks from undiscovered contamination at the sites, and lowered credit rating and increased debt servicing expenses.

Solution: Property Transfer Policy was structured to cover the city's indemnity agreements. Coverage included third-party claims against the property buyers and claims against the city by the buyers. The policy offered limits of \$3,000,000 per site with an aggregate of \$100,000,000. The city was able to remove the \$100,000,000 liability from its balance sheet.
- **Client:** Private firm

Problem: Environmental risks associated with the purchase of a competitor.

Risks: Unknown contamination at the purchased sites and liabilities from past off-site waste disposal practices.

Solution: A three-year Pollution Legal Liability Policy with \$70,000,000 limits written to cover all known non-owned disposal facilities (eight) used by the seller and any non-owned disposal facilities owned by the waste processors that had contracted with the seller. The policy also covered both the on- and off-site cleanup of any contamination discovered after the transfer of the facilities.
- **Client:** Private firm

Problem: Purchase of two facilities with existing contamination.

Risks: Overrun of cleanup costs of known contamination, discovery of unknown contamination, third-party bodily injury and property damage.

Solution: Placement of a 10-year, \$15,000,000 Environmental Impairment Liability Policy to cover third-party liabilities, cleanup of unknown contamination, costs in excess of the estimate for two known cleanups and any claims associated with non-owned disposal sites. The estimated costs of the existing cleanups became the deductibles for the two sites.
- **Client:** Private firm

Problem: Purchase of a firm with multiple sites. Some sites had known contamination and some were not completely characterized. Non-owned disposal sites used for hazardous wastes are also a concern.

- Risks:** Costs overruns for cleanup of known contamination, discovery of additional contamination requiring cleanup, third-party bodily injury or property damage and liabilities associated with non-owned disposal sites.
- Solution:** A Cost Overrun and Environmental Impairment Liability Policy was placed capping the aggregated total of the remediation of known contamination, and covering discovery of additional contamination at “clean” sites, and third-party bodily injury and property damage due to contamination. All known and unknown (to be identified during the policy term) non-owned disposal sites were covered. By aggregating the remediation costs over all sites, the less well characterized sites were able to be included in the policy.
- **Client:** Developer
 - Problem:** Buyer and lender requiring indemnity for environmental conditions at a site.
 - Risks:** Discovery of contamination requiring cleanup and/or resulting in third-party bodily injuries or property damage.
 - Solution:** The property, a former defense plant warehouse, was insured with a 5-year, \$10,000,000 Pollution Legal Liability Policy that covered the cleanup of any pre-existing contamination and any third-party bodily injuries or property damage. The policy was used in lieu of an indemnity agreement.
 - **Client:** Private firm
 - Problem:** Expansion of a facility on property with known contamination.
 - Risks:** Third-party claims from the contamination, cost overruns during the remediation and business interruption due to the contamination resulting in inability to repay the loan.
 - Solution:** A 5-year, \$5,000,000 Cost Overrun and Environmental Impairment Liability Policy was structured to cover third-party claims, any cost overruns from the cleanup and business interruption due to the contamination. The lenders were also named as additional insureds to protect them from third-party claims.
 - **Client:** Developer
 - Problem:** Discovery of contamination at a residential/commercial development.
 - Risks:** Cost overruns for the required cleanup, third-party claims and discovery of additional contamination as the development continued.

- Solution:** A Cost Overrun and Environmental Impairment Liability Policy was put into place capping the cost to remediate the known contamination. The policy also covered the cleanup of any additional contamination discovered, third-party bodily injury and property damage claims, and business interruption coverage.
- **Client:** Private firm
 - Problem:** Sale of property with known contamination.
 - Risks:** Discovery of additional contamination requiring cleanup.
 - Solution:** A Remediation Cost Cap Policy was written that incorporated baseline concentrations and thresholds that would trigger the policy. Negotiations with the state established baseline cleanup triggers. The triggers were incorporated into the policy to determine when the policy will respond. The policy will pay for cleanups when contaminant concentrations exceed 125% of the baseline for non-hot spot areas and 200% of the baseline for hot spot areas.
 - **Client:** Private firm
 - Problem:** Disagreement between buyer and seller on the cost of remediation and potential total environmental liability.
 - Risks:** Cost overruns for the cleanup of known contamination, diminution of property values, changes in the cleanup standards and third-party claims.
 - Solution:** A Cost Overrun and Environmental Impairment Liability Policy was placed providing 10-year, \$100,000,000 of coverage limits for on- and off-site cleanups, third-party bodily injury and property damage, diminution of property values, additional cleanup due to changes in regulatory remediation levels and natural resource damages. The known cleanup was capped at \$9,000,000 and used as the policy deductible.

5 CASE STUDIES

Provided in this section are case studies for eight successfully implemented brownfield projects in New York State. The case studies represent a broad range of environmental conditions and redevelopment efforts in various size communities, ranging from small villages with populations of 7,000 and less to large cities with populations of 200,000 and greater. Information provided in the case studies includes historic and redeveloped site use; contamination, ownership and financial issues; difficulties encountered and solutions developed; and key stakeholders and funding sources.

These case studies comprise the following:

- Paper Mill Island - Village of Baldwinsville
- Glen Cove Waterfront Revitalization Project - City of Glen Cove
- Mitchell Park - Village of Greenport
- Irvington Waterfront Park - Village of Irvington
- Visy Paper - City of New York
- Former General Cable/East Rome Business Park - City of Rome
- 104 Ashburton Avenue/Greyston Bakery - City of Yonkers
- Yonkers Downtown Waterfront/Phase I - City of Yonkers

CASE STUDY

PAPER MILL ISLAND VILLAGE OF BALDWINVILLE, NEW YORK

PROJECT OVERVIEW

This project involves the remediation and redevelopment of a 1.5-acre parcel located on an island between the Seneca River and the Erie Canal in the Village of Baldwinsville, population 7,100. This parcel, which previously was occupied by a paper mill and other industrial operations, has been developed as an amphitheater, park and walking trails.



HISTORIC LAND USE

The site initially was occupied by a distillery from about 1864 to 1866, and a paper mill from 1867 to 1959. From 1960 until the late 1980s, the property was occupied by a boat building operation and marina, a wood stove manufacturing facility and an automobile repair shop. The property was vacant since the late 1980s when the bridge to the island was condemned.

CONTAMINATION ISSUES

The west end of the island where the project site is situated is comprised almost entirely of fill materials, including ash, cinders, brick, glass fragments and gravel. The placement of fill and use by various industrial operations resulted in the presence of hazardous substances at the site. Contaminants detected were comprised of semivolatile organic compounds and metals, primarily polycyclic aromatic hydrocarbons and lead.

OWNERSHIP ISSUES

The Village acquired the property through a donation by the prior owner in 1998.

FINANCIAL ISSUES

The primary financial issue which faced the Village in redevelopment of Paper Mill Island was the need for financial assistance for environmental assessment and remediation of the property to allow for development.

PLANNED FUTURE USE

Based on a master plan prepared for redevelopment of the waterfront, development includes a world class canal-side amphitheater and park on Paper Mill Island, and walking trails on both sides of the river from the Village line to the downtown Village, linking several existing and proposed waterfront parks. Work completed includes the amphitheater, the park on the island and the south shore west trail.

KEY STAKEHOLDERS

- Federal Government
 - United States Army Corps of Engineers
 - United States Department of Housing and Urban Development
- New York State Government
 - New York State Department of Environmental Conservation
 - New York State Department of Transportation
 - New York State Canal Corporation
- Local Government
 - Village of Baldwinsville
 - Onondaga County
- Business
 - Anheuser Busch Inc.
 - Pepsi Corporation

PROJECT ELEMENTS AND IMPLEMENTATION

The highlights of implementation of the Paper Mill Island project include the following:

- The Village of Baldwinsville acquired the property through a donation in 1998 and, with the island as a centerpiece, developed a master plan for the redevelopment of the waterfront, which includes the Seneca River and Erie Canal that bisect the Village.
- The Village received an economic development grant from the United States Department of Housing and Urban Development (HUD) that was partially used as “seed” money for the overall waterfront redevelopment, and demolition of former factory buildings and a water tower on the project site.
- Remediation of site contamination was performed under the New York State Department of Environmental Conservation (NYSDEC) Environmental Restoration Program. Remediation included removal of underground storage tanks, hazardous materials drum disposal, and construction of a sea wall and soil cap. Remediation of the site provided the foundation for the park development.
- The Village performed a portion of the remediation work and most of the park construction work using Department of Public Works employees. This effort offset much of the cost of the required matching funds for the Brownfield grant.
- A new bridge to the island was constructed and funded by the New York State Department of Transportation (NYSDOT) and New York State Canal Corporation (NYSCC) with monies provided by the United States Army Corps of Engineers (USACOE) to replace NYSDOT’s condemned bridge, as well as to provide shoreline stabilization and floating docks.
- Anheuser Busch, Inc., who has a brewery located in Baldwinsville, sponsored a portion of the construction of an amphitheater on the island.
- Pepsi Corporation agreed to provide major funding for park projects in the Village, including Paper Mill Island, in exchange for pouring rights in the Village. Park infrastructure included construction of utilities, fencing, paved walkways and landscaping.

The next phases of the waterfront redevelopment include construction of the south shore east trail, which will link the downtown Village with the Community Park at the eastern edge of the Village.

In response to the remediation and redevelopment of Paper Mill Island, the Village already has begun to see economic benefits from this effort including:

- Construction of two new restaurants in the waterfront area in buildings that formerly were vacant;
- Expansion of an existing waterfront restaurant;
- Recent purchases of vacant buildings in the canal area with planned commercial development; and
- The annual “Celebrate Baldwinsville” weekend event was held on the island in September 2000 and was attended by over 10,000 people.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Difficulty</u>	<u>Solution</u>
Need for redevelopment strategy	Developed a redevelopment plan for the waterfront area
Contamination uncertainty	Conducted an environmental site assessment to determine the nature, degree and extent of contamination
Remediation uncertainty	Since the 25% Village share of the Bond Act grant funding was a major concern of the Village, NYSDEC worked closely with the Village in evaluating the environmental data and developing a reasonable cost effective remedial plan
Need to provide access to the property	Constructed a new bridge to the island
Need to enhance the environment/development potential of the property	Demolished former factory buildings and a steel water tower, and provided park infrastructure, including utilities, walkways and landscaping
Need for funding for redevelopment	Obtained private sector funds for financing and sponsorship of the amphitheater and park
Need for grant matching funds	Provided Village labor and equipment under a force account to offset much of the cost of the required grant matching funds
Liability uncertainty	Contaminated areas of the island were remediated under the Clean Water/Clean Air Bond Act which indemnifies the Village and private sector interests against third party suits

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PROJECT ELEMENTS AND FUNDING SOURCES

**PAPER MILL ISLAND
VILLAGE OF BALDWINVILLE, NEW YORK**

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Waterfront Redevelopment Master Plan	Village of Baldwinsville		
• Environmental Site Assessment	NYSDEC	\$52,000 (G)	Clean Water/Clean Air Bond Act
• Remediation	NYSDEC	\$450,000 (G)	Clean Water/Clean Air Bond Act
• Property Development (including demolition, utility improvements, public park, pedestrian access, sea wall and floating docks)	HUD NYSCC/USACOE	\$410,000 (G) \$150,000 (G)	Canal Initiative Water Resources
• Amphitheater	Anheuser Busch Onondaga County HUD	\$250,000 \$60,000 (G) \$90,000 (G)	Private Sponsorship/Investment Community Development Canal Initiative
• Park Facilities	Pepsi Corporation	\$250,000	Private Sponsorship/Investment
• Bridge Replacement	NYSDOT NYSCC/USACOE	\$200,000 (G) \$200,000 (G)	Construction Funding Water Resources

(G) - Grant

NYSDEC - New York State Department of Environmental Conservation
 HUD - United States Department of Housing and Urban Development
 NYSCC - New York State Canal Corporation
 USACOE - United States Army Corps of Engineers
 NYSDOT - New York State Department of Transportation

CASE STUDY

GLEN COVE CREEK WATERFRONT REVITALIZATION PROJECT CITY OF GLEN COVE, NEW YORK

PROJECT OVERVIEW

This project involves the remediation and redevelopment of a 213-acre waterfront district bounding Glen Cove Creek in the City of Glen Cove, population 27,000. The district area comprises numerous abandoned or underutilized industrial properties, including two federal Superfund sites, three New York State Superfund sites and 146 acres of brownfield sites. The district is to be developed for water-compatible commercial and light industrial uses, including a ferry terminal, hotel, conference center, residential units, offices, retail shops, cultural attractions, pedestrian/bicycle esplanade, and a working harbor with commercial fishing and maritime support facilities.

As a February 2003, Glen Cove has selected Glen Isle Development, LLC to redevelop the Glen Cove waterfront.



HISTORIC LAND USE

Major industrialization along Glen Cove Creek began in the mid-1800s. Major industrial facilities located on or near the creek included the world's largest cornstarch manufacturer, a tinware factory, leather belting factory, tungsten ore smelting and refining facility, carbon ribbon factory and photographic film manufacturer.

Beginning in the 1940s, when truck transportation replaced waterborne commerce, many of the industrial sites along the Glen Cove Creek were left abandoned, blighted, contaminated and underutilized. Currently, property along the Creek is in large part undeveloped or occupied by small industries, including an oil storage terminal, wrecking yard, marine salvage yard, asphalt and concrete manufacturing facility, construction and demolition debris processing and transfer facility, and a construction company. A number of these industries are not compatible with the plan for revitalization of the Glen Cove Creek area. Glen Cove Creek itself is a 1.1-mile federal navigation channel.

CONTAMINATION ISSUES

The area of Glen Cove Creek contains two federal Superfund sites (Li Tungsten, formerly Wah Chang Smelting and Refining Company, and Mattiace Petrochemical, which was a chemical storage and transfer facility), and three New York State Superfund sites (Captain's Cove Condominiums, Powers Chemco and Crown Dykman Laundry). The Captain's Cove site formerly was an open dump which was used for disposal of dredge spoil, municipal and industrial waste, incinerator ash, and construction and demolition debris. Captain's Cove has been remediated. Of the 213 acres which comprise the waterfront district, 146 acres are brownfields, exclusive of the state and federal Superfund sites. These sites are contaminated by a wide array of chemicals, including volatile organic compounds, semivolatile organic compounds, PCBs and metals, as well as radionuclides. Two brownfields sites, Mill Pond/Pratt Park and Ambient Labs, have been redeveloped.

OWNERSHIP ISSUES

At the beginning of the waterfront redevelopment project, except for a few small parcels, most of the district, including the two major properties which have the greatest redevelopment potential (Captain's Cove, 26 acres and Li Tungsten, 23 acres), due to their location directly on the creek and in proximity to the open waters of Hempstead Harbor and Long Island Sound, were in private ownership. The City of Glen Cove was in direct control of only 35 acres of the 213-acre waterfront district.

The issue regarding ownership was for the City to take title to the properties which would be the cornerstone of the waterfront development project to gain direct control and implement the project, with the two primary properties being the Captain's Cove and Li Tungsten sites. Both Li Tungsten and Captain's Cove were acquired by the Glen Cove Industrial Development Agency in 1999 pursuant to an EPA Prospective Purchaser's Agreement.

FINANCIAL ISSUES

The primary financial issues which faced the City of Glen Cove in redevelopment of the Glen Cove Creek waterfront were the following:

- Need for financial assistance for preparation of a waterfront redevelopment plan;
- Need for financial assistance for environmental assessment and remediation of properties to allow for development;
- Need for financial assistance to acquire properties to implement the Waterfront Revitalization Plan;
- Need for financial assistance for public access enhancements, including an improved access roadway and esplanade to foster development;
- Need for financial assistance for marine improvements, including bulk heading, dredging and construction of a ferry terminal also to foster development; and
- Need for financial assistance for site preparation and redevelopment costs.

PLANNED FUTURE USE

The New York State Department of State in *The Long Island Sound Coastal Management Program* designated Glen Cove as one of only three areas along the entire 314-mile Long Island Sound coastline where concentrated waterfront redevelopment should occur. In response to this designation, the City of Glen Cove prepared *The Glen Cove Creek Waterfront Revitalization Plan*.

The revitalization plan divides the 213-acre waterfront district into seven zones where future uses will vary. One sector, 49 acres on the south side of the creek closest to the harbor, is planned for marina-related use, including restaurants and retail shops. Another sector, 32 acres on the north side, mostly vacant, will include a ferry terminal, hotel, conference center, cultural attractions, residential units, pedestrian/bicycle esplanade, offices and shops. A third sector, next to the downtown area, will be the gateway to the waterfront with a visitors' center and water-taxi landing. Other sectors will provide a working harbor, and recreation, economic heritage and commercial facilities.

KEY STAKEHOLDERS

- Federal Government
 - United States Department of Housing and Urban Development
 - National Oceanic and Atmospheric Administration
 - United States Environmental Protection Agency
 - United States Army Corps of Engineers
 - Federal Highway Administration

- New York State Government
 - New York State Department of State
 - New York State Department of Environmental Conservation
 - New York State Environmental Facilities Corporation
 - New York State Department of Transportation
 - New York State Parks, Recreation and Historic Preservation
 - Empire State Development
 - New York State Department of Health

- Local Government
 - City of Glen Cove
 - Glen Cove Community Development Agency
 - Glen Cove Industrial Development Agency
 - Nassau County Executive’s Office
 - Nassau County Department of Health
 - Nassau County Department of Public Works
 - Nassau County Economic Development/Housing and Intergovernmental Affairs

- Local Community Organizations
 - Waterfront Advisory Committee
 - Waterfront Steering Committee
 - Glen Cove Creek Reclamation Committee/Li Tungsten Task Force
 - Hempstead Harbor Protection Committee
 - Brownfields Citizens Advisory Committee
 - Chamber of Commerce
 - Business Improvement District
 - Coalition to Save Hempstead Harbor
 - LaFuerza Unida De Glen Cove
 - Glen Cove Youth Board
 - Glen Cove School District

PROJECT ELEMENTS AND IMPLEMENTATION

Upon being designated by the New York State Department of State (NYSDOS) as an area in the Long Island Sound Coastal Management Program where concentrated waterfront development should occur, the City of Glen Cove developed the Glen Cove Creek Waterfront Revitalization Plan, which primarily was funded by NYSDOS. To foster implementation of the revitalization plan, and develop a partnership with the community and federal, state and local agencies to clean up and revitalize the waterfront area, the NYSDOS and the National Oceanic and Atmospheric Administration (NOAA) coordinated and funded conferences and workshops regarding brownfields redevelopment.

To be compatible with the Waterfront Revitalization and Marine District Plans, rezoning of the north side of the creek from industrial to a special waterfront district (commercial and light industrial use) was necessary.

As part of the revitalization effort, and as a result of the partnership developed between the City and the U.S. Army Corps of Engineers (ACOE), the ACOE undertook maintenance dredging of Glen Cove Creek, which had not been performed since 1964, to allow for continued commercial and recreational navigation. As part of the dredging effort, the City of Glen Cove also constructed bulkheads to maintain the channel after completion of dredging with funding from New York State Department of Environmental Conservation (NYSDEC) Bond Act, and Housing and Urban Development (HUD) Section 108 Loan.

NYSDOS, NYSDEC and New York State Department of Transportation (NYSDOT) also provided a grant to design and construct a biofiltration system to mitigate nonpoint storm water runoff to the creek, and to establish a park and boat ramp within the waterfront district.

As part of the federal and New York State Superfund Programs, and as a result of the partnership developed between the City and the USEPA and NYSDEC, two federal and one state Superfund sites are being remediated on a fast-track basis to foster redevelopment of these sites. Two of these sites (Li Tungsten and Captain's Cove) are the cornerstone of the waterfront revitalization plan. USEPA is performing cleanup of Li Tungsten, while the City is performing cleanup of Captain's Cove with a 75% grant under the New York State 1986 Environmental Quality Bond Act.

To address brownfield sites within the waterfront district that were not being addressed under the federal and state Superfund programs, the City received a \$50,000 Brownfields Site Assessment Pilot Grant to conduct environmental site assessments at a number of sites. In addition, USEPA designated Glen Cove as a Brownfields Showcase Community and provided an additional \$350,000 for further site assessments and pre-remedial work. In June 2003, Glen Cove received a Brownfields Assessment Grant from EPA in the amount of \$200,000 to conduct site assessments on additional brownfield sites in the City.

To facilitate and assist in the acquisition and development of properties, the City received a \$6 million Section 108 Loan from the U.S. Housing and Urban Development Community Development Block Grant Program. A \$500,000 Brownfields Economic Development Grant was also provided to the City by HUD to pay the interest on the Section 108 Loan.

Construction of a biofiltration system has been funded by the New York State Department of Transportation (NYSDOT) under an Intermodal Surface Transportation Enhancement Act (ISTEA) grant. In addition, through TEA-21 funding, the NYSDOT placed Glen Cove on the Transportation Improvement Program (TIP) to assist in roadway improvements for access to brownfield areas and Congestion, Mitigation and Air Quality Improvement Program (CMAQ) funding to design a passenger ferry terminal.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Project Area</u>	<u>Difficulty</u>	<u>Solution</u>
Captain's Cove Site	Control of the property	Developed an agreement with Maryland Deposit Insurance Corporation to purchase the property. Used HUD Section 108 Low Interest Loan and Brownfields Economic Development Incentive (BEDI) Grant to purchase the property
	Liability to the federal government	Developed a Prospective Purchaser Agreement with USEPA to limit liability in purchase of the Captain's Cove and Li Tungsten properties, which is used as a national model
	Remediation of the property	Developed a Consent Decree with NYSDEC approving the remediation plan Obtained a 1986 NYS Environmental Quality Bond Act grant to cover 75% of the cost of investigation and remediation
	Public access to waterway	Design and construction of Phase I NYSDOT TEA-21 enhancements. \$4,000,000 for pedestrian/bicycle esplanade. Phase I almost to completion Grant \$100,000 from DOS for design, surveying and legal costs
Glen Cove Creek	Improvement of navigation and aesthetics	Obtained a 1996 NYS Clean Water/Clean Air Bond Act grant to cover 50% of the cost of installation of bulkheading
		Developed an agreement with USEPA to use the Li Tungsten Superfund site for sediment dewatering
		Developed a dredging plan with USACOE with the COE providing dredging of the creek

<u>Project Area</u>	<u>Difficulty</u>	<u>Solution</u>
		Obtained approval from NYSDEC to use dredged sediment for manufacture of asphalt and subbase material under a Beneficial Use Determination, for fill as part of remediation of the Captain's Cove site, and as alternate grading material for landfill closure
Li Tungsten Site	Liability	Developed a Prospective Purchaser Agreement between City of Glen Cove and USEPA
	Remediation of the property	Removal Actions conducted by USEPA to address immediate health threats
		Expedited cleanup performed by USEPA on waterfront parcels to accommodate City's plan for redevelopment
Brownfield Sites	Purchase, control and redevelopment	Obtained environmental information (Phase I and Phase II environmental site assessments) under a USEPA Brownfields Pilot Grant to encourage redevelopment
		Encouraged redevelopment of sites through private investment
		Initiated condemnation as possible alternative if current owner is uncooperative in redevelopment effort

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PROJECT ELEMENTS AND FUNDING SOURCES

GLEN COVE CREEK REVITALIZATION PROJECT

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Planning			
- Master Plan	NOAA	\$50,000 (G)	
	NYSDOS	\$50,000 (G)	Environmental Protection Fund
- Marine District Plan	NYSDOS	27,500 (G)	Environmental Protection Fund
- Generic Environmental Impact Statement	NYSDOS	20,000 (G)	Environmental Protection Fund
• Constructed Wetlands			
- Planning	NYSDOS	\$100,000 (G)	Environmental Protection Fund
- Construction	NYSDEC	100,000 (G)	Clean Water/Clean Air Bond Act
- Construction	NYSDOT	580,000 (G)	Intermodal Surface Transportation Enhancement Act
• Roadway Improvements			
- Causeway Design and Construction	NYSDOT	\$3,750,000 (G)	Transportation Enhancement Act-21/ High Priority
- Causeway Construction	NYSDOT	4,000,000 (G)	Transportation Enhancement Act-21/ NYS Transportation Improvement Program
• High Speed Ferry			
- Marketing and Parking	NYSDOT	\$75,000 (G)	Long Island Regional Improving Commuting
- Terminal and Infrastructure	NYSDOT	2,000,000 (G)	Transportation Enhancement Act-21/ Air Quality Program
- Boat Ramp	NYSDOS	74,000 (G)	Environmental Protection Fund

PROJECT ELEMENTS AND FUNDING SOURCES

GLEN COVE CREEK REVITALIZATION PROJECT (continued)

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Bulkhead and Dredging			
- Sampling and Testing	NYSDEC	\$500,000 (G)	Clean Water/Clean Air Bond Act
- Bulkhead Construction	NYSDEC	500,000 (G)	Clean Water/Clean Air Bond Act
• Waterfront Properties			
- Captain's Cove Site Investigation	NYSDEC	\$350,000 (G)	Environmental Quality Bond Act
- Captain's Cove Site Remediation	NYSDEC	3,600,000 (G)	Environmental Quality Bond Act
- Captain's Cove and Li Tungsten Site Purchase	HUD	\$6,000,000 (L)	Section 108
- Grant Match for Captain's Cove Remediation	HUD	\$500,000 (G)	Brownfields Economic Development Incentive
- Li Tungsten Site Investigation	USEPA	-	Federal Superfund
- Li Tungsten Site Remediation	USEPA	-	Federal Superfund
- Wastewater Treatment Upgrade Study	NYSDEC	\$500,000 (G)	Clean Water/Clean Air Bond Act
- Wastewater Treatment Plant Upgrade Construction	NYSDEC	3,300,000 (G)	Clean Water/Clean Air Bond Act
• Brownfield Sites			
- Phase I and II Environmental Site Assessments	USEPA	550,000 (G)	Brownfields Site Assessment Pilot
- Intergovernmental Personnel Agreement	USEPA	300,000 (G)	Showcase Community
- Showcase Community Designation	USEPA	1,400,000 (*)	Showcase Community
- Additional Site Assessment Grant	USEPA	\$200,000 (G)	

PROJECT ELEMENTS AND FUNDING SOURCES

GLEN COVE CREEK REVITALIZATION PROJECT (continued)

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Esplanade and Bicycle Path			
- Design and Construction	NYS DOT	\$2,000,000 (G)	Transportation Enhancement Act-21
- Design, Surveying and Legal	NYS DOS	100,000 (G)	Clean Water/Clean Air Bond Act
• Public Participation			
- Workshops	NOAA USEPA	\$60,000 (G) 10,000 (G)	National Brownfields Program
• Site Redevelopment			
- Private Sector Developers	Private	-	Private
• Other			
- Marine Pumpout Station	NYS DEC	\$24,000 (G)	Clean Vessels Act
- Wetlands Planting	NYS DEC	30,000 (G)	Environmental Protection Fund
- Training	NIEHS	20,000 (G)	Minority Brownfields Training

(G) – Grant

(L) – Loan

*Primarily technical assistance

NOAA – National Oceanic and Atmospheric Administration/United States Department of Commerce

NYS DOS – New York State Department of State

NYS DEC – New York State Department of Environmental Conservation

NYS DOT – New York State Department of Transportation

HUD – United States Department of Housing and Urban Development

USEPA – United States Environmental Protection Agency

NIEHS – National Institute of Environmental Health Services/United States Department of Health and Human Services

CASE STUDY

MITCHELL PARK VILLAGE OF GREENPORT, NEW YORK

PROJECT OVERVIEW

This project involves the remediation and redevelopment of a 3.2-acre parcel located in the downtown area of the Village of Greenport, adjacent to Greenport Harbor. The Village formerly was a major center for commercial fishing and shipbuilding, and currently has a population of 2,048. This parcel, which previously was occupied by a boat marina and restaurant, was purchased by the Village and has been developed as a public park, with an amphitheater, a building to house an historic carousel and a harbor walk.



Photo by Bob McInnis, all rights reserved

HISTORIC LAND USE

Before being the location of the marina and restaurant, portions of the site were used by a car dealer with automobile repair facilities, a gasoline station, various marine boat and engine repair facilities and an oyster company, which reportedly painted boats at the site. Fill, including dredge spoils, which may have been contaminated with heavy metals, was used over the years to develop the site.

CONTAMINATION ISSUES

Nine underground storage tanks were removed and 315 cubic yards of petroleum-contaminated soil were excavated and disposed off-site. The property was also found to be contaminated by arsenic, possibly the result of contaminated fill used to develop the site prior to its current use. Remediation of the site included removal of the top one foot of arsenic-contaminated soil which was used to backfill some of the tank excavation areas with the remaining soil disposed off-site.

A one-foot layer of clean fill was placed over the remediated areas. In addition, a deed restriction was issued to prevent future excavation at the site.

OWNERSHIP ISSUES

The Village acquired the site from the bank that had foreclosed on the property. As part of the acquisition, the Village also purchased the bank's rights to a deficiency judgment against the foreclosed owner.

FINANCIAL ISSUES

The primary financial issue faced in development of Mitchell Park was the purchase of the property and the need for financial assistance for environmental remediation and construction of the park and marina.

PLANNED FUTURE USE

Based on a plan selected by the Village under the Mitchell Park Design Competition, development currently includes an amphitheater, a carousel building and a harbor walk. Future plans include construction of a tall ship dock, marina, ice rink, camera obscura (a 19th Century technology that projects a live image from outside onto a projection table in a dark room) and a mister field (area of water sprayers).

KEY STAKEHOLDERS

- Federal Government
 - United States Department of Housing and Urban Development

- New York State Government
 - Empire State Development
 - New York State Department of Environmental Conservation
 - New York State Office of Parks, Recreation and Historic Preservation
 - New York State Department of State
 - New York State Department of Transportation

- Local Government
 - Village of Greenport
 - Suffolk County

- Government Officials
 - Governor George Pataki
 - New York State Senator Kenneth LaValle
 - New York State Assemblywoman Patricia Acampora
 - Former United States Representative Michael Forbes

- Business
 - Northrop Grumman Corporation

- Local Community Organizations
 - Greenport Business Improvement District
 - Greenport Merchants Association

- Other
 - Estate of Pauline Mitchell (the Mitchell family owned and operated Mitchell’s Restaurant and Marina at the site for many decades)

In addition to the above key stakeholders, contributions in volunteer time and money were made by numerous private donors and local businesses, including children in the Village of Greenport and the Towns of Southold and Shelter Island schools that petitioned the Northrop Grumman Corporation to donate the historic carousel to the Village.

PROJECT ELEMENTS AND IMPLEMENTATION

The highlights of implementation of the Mitchell Park project include the following:

- The Village of Greenport acquired the site from a bank that had foreclosed on the property using monies from general obligation bonds, grants from the State Senate (Local Assistance Program) and New York State Department of State, and a settlement with the previous site owner. Development of the property as a park is the cornerstone of the Village’s Local Waterfront Revitalization Program, as well as revitalization of the downtown business district.

- The Village received grants from Empire State Development and the New York State Department of State (NYS DOS), as well as contestant fees, to develop a plan for the site through the Mitchell Park Design Competition.

- Environmental assessment and remediation of site contamination was performed under the New York State Department of Environmental Conservation’s Environmental Restoration Projects (Brownfields) Program. Remediation included removal of underground storage tanks and contaminated soil, placement of one foot of clean soil over contaminated areas and a deed restriction that prevents future excavation on the property. Demolition of the buildings on the property was performed by the Village.
- Design of the park and marina, as well as development of a Harbor Management Plan, was funded by grants from NYSDOS under the Environmental Protection Fund (EPF).
- Construction of the park and marina was funded by grants from a number of sources, including New York State Office of Parks, Recreation and Historic Preservation (Environmental Protection Fund); New York State Department of Transportation (Intermodal Surface Transportation Enhancement Act [ISTEA]), Empire State Development (Urban and Community Development Program), NYSDOS (EPF), County of Suffolk (Downtown Program), United States Senate (United States Transportation Acts of 1997 and 2000) and private donations.
- The Northrop Grumman Corporation donated an historic carousel, which is the focal point of the park. This donation was made in large part by the petitions of children in the local schools.
- Maintenance of Mitchell Park is funded at the bequest of the Estate of Pauline Mitchell.

The second phase of development of Mitchell Park will include construction of a marina basin with bulkhead improvements to connect the harbor walk and the park pier. An ice rink, camera obscura and mister field are also planned at the site.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Difficulty</u>	<u>Solution</u>
Need for redevelopment plan	Created Mitchell Park Design Competition.
Contamination uncertainty	Conducted an environmental site assessment to determine the nature, degree and extent of contamination, and developed a remediation plan.

Difficulty

Remediation of the property

Need for funding for design, construction and maintenance of the property

Need to enhance the development potential in the area of the property.

Liability uncertainty

Citizen concern about taking property off the tax roll

Solution

Obtained a 1996 Clean Water/Clean Air Bond Act grant to cover 75% of the cost of remediation, as well as the cost of the environmental site assessment.

Obtained grants from state and federal legislature appropriations, as well as private donations.

Constructed an improved roadway in the area of the property.

Contamination was remediated under the Clean Water/Clean Air Bond Act, which indemnifies the Village against third-party suits.

Loss of property taxes is more than offset by privately funded improvements in the vicinity of the park, creation of new businesses and increase in real estate values and the tax base.

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PROJECT ELEMENTS AND FUNDING SOURCES

MITCHELL PARK VILLAGE OF GREENPORT, NEW YORK

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Park Plan	ESD	\$25,000 (G)	Empire State Discretionary Fund
	NYSDOS	\$50,000 (G)	Environmental Protection Fund
	Contestants	\$41,000	Private
• Land Acquisition	Village of Greenport	\$1,200,000	General Obligation Bonds
	New York State Senate	\$75,000 (G)	Local Assistance Program
	NYSOPRHP	\$100,000 (G)	Environmental Protection Fund
	Previous Owner	\$200,000	Settlement
• Environmental Site Assessment and Remediation	NYSDEC	\$600,000 (G)	Clean Water/Clean Air Bond Act
		\$200,000 (L)	Clean Water/Clean Air Bond Act
• Park and Marina Design	Village of Greenport	\$200,000	Capital Improvement Fund
	NYSDOS	\$150,000 (G)	Environmental Protection Fund
• Harbor Management Plan	NYSDOS	\$35,000 (G)	Environmental Protection Fund
• Park Development	Village of Greenport	\$1,500,000	Capital Improvement Fund
	United States Senate	\$750,000 (G)	United States Transportation Act of 1997
	United States Senate	\$250,000 (G)	United States Transportation Act of 2000
	ESD	\$200,000 (G)	Urban and Community Development Program
	NYSDOS	\$450,000 (G)	Environmental Protection Fund
	NYSDOT	\$503,000 (G)	Intermodal Surface Transportation Environmental Protection Fund
	NYSOPRHP	\$100,000 (G)	

PROJECT ELEMENTS AND FUNDING SOURCES (continued)

**MITCHELL PARK
VILLAGE OF GREENPORT, NEW YORK**

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Marina Development	NYSDOS Suffolk County	\$565,000 (G) \$26,000 (G)	Environmental Protection Fund Downtown Program
• Park Maintenance	Estate of Pauline Mitchell	\$1,000,000	Bequest
• Historic Carousel	Northrop Grumman Corporation	--	Gift

(G) – Grant

(L) – Loan

ESD – Empire State Development

NYSDEC – New York State Department of Environmental Conservation

NYSDOS – New York State Department of State

NYS DOT – New York State Department of Transportation

NYSOPRHP – New York State Office of Parks, Recreation and Historic Preservation

CASE STUDY

IRVINGTON WATERFRONT PARK VILLAGE OF IRVINGTON, NEW YORK

PROJECT OVERVIEW

This project involves the remediation and redevelopment of a 12-acre fill site in the Village of Irvington, population 6,631. The property formerly was used as a lumber yard, bus maintenance facility and for other light industrial activities. The site, including rehabilitation of an existing building for a senior citizen center, has been developed as a waterfront park.



HISTORIC LAND USE

The site is situated on land which was created by filling into the Hudson River from 1890 through 1940. Specific sources of fill material are unknown; however, common practice along the river was to use demolition debris, ash and furnace slag as riverfront fill. Until 1980, the site was used for lumber storage and distribution. In 1980, the property was split into two parcels: 100 Bridge Street and 29 Bridge Street. The 100 Bridge Street property continued to operate as a lumber yard until 1997. The 29 Bridge Street property was used for bus maintenance, furniture refinishing, stage set construction and document storage.

CONTAMINATION ISSUES

Although the property was perceived to be contaminated because of the nature of fill used to create the site and industrial use, the Village pursued acquisition of the property before a comprehensive environmental site assessment was performed. Based on an investigation conducted for the site in 1997 after acquisition by the Village (and Scenic Hudson), the primary contaminants detected in soil were semivolatile organic compounds, comprising polycyclic aromatic hydrocarbons, and metals, including arsenic, chromium, lead, mercury and selenium. Elevated levels of arsenic, barium, lead and selenium also were detected in groundwater underlying the site, and elevated levels of lead were found in river sediment adjacent to the site.

In addition to the contamination detected during the 1997 site investigation, in 1995, six underground petroleum storage tanks and petroleum-contaminated soil on the 29 Bridge Street property were removed by the former property owners under the New York State Department of Environmental Conservation (NYSDEC) Spill Response Program and later under the Voluntary Cleanup Program.

OWNERSHIP ISSUES

The property was privately owned with an option held by a developer for purchase and redevelopment of the site. The Village of Irvington, wanting to acquire the property, negotiated a 45-day moratorium with the developer during which the Village was to decide what to do with the property. Since the Village did not have the funds to purchase the property outright, the Village approached Scenic Hudson, a not-for-profit environmental organization, to purchase the site for the purpose of preservation. The arrangement negotiated was for Scenic Hudson to purchase the property and lease it to the Village of Irvington for use as a park. However, for the Village to receive a grant under the 1996 Clean Water/Clean Air Bond Act for investigation and remediation of the site, the property had to be owned by the Village.

FINANCIAL ISSUES

The primary financial issues which faced the Village of Irvington in development of the waterfront park were the following:

- Need for financial assistance for purchase of the property
- Need for financial assistance for environmental assessment and remediation of the property to allow for development
- Need for financial assistance for development of the park.

PLANNED FUTURE USE

The site currently is being developed as a riverfront park, which will comprise athletic fields, a shoreline promenade and an area for passive recreation. Development of the site also includes rehabilitation of an existing building to be used as a senior citizen center.

KEY STAKEHOLDERS

- Federal Government
 - United States Department of Housing and Urban Development
 - United States Army Corps of Engineers
- New York State Government
 - New York State Department of Environmental Conservation
 - New York State Office of Parks, Recreation and Historic Preservation
 - New York State Department of Transportation
- Local Government
 - Village of Irvington
 - County of Westchester
- Private
 - Scenic Hudson
 - Metro-North Commuter Railroad

PROJECT ELEMENTS AND IMPLEMENTATION

Learning of the impending sale of the 29 and 100 Bridge Street parcels along the Hudson River, the Village approached Scenic Hudson, which is a not-for-profit environmental organization, to purchase the properties. An arrangement was secured with the developer which held purchase options on the parcels, that allowed the Village 45 days in which to decide on a plan for the property. With the full support of the residents of the Village of Irvington, the Village approached the developer to acquire the parcels.

The arrangement between Scenic Hudson and the Village of Irvington was for Scenic Hudson to purchase the property and lease it to the Village for preservation and use as a park. However, when the Village applied for a grant under the Clean Water/Clean Air Bond Act to investigate the site, the Village was informed that it had to own the property to be eligible for a grant. To

address this eligibility requirement, the Village entered into an agreement with Scenic Hudson to co-own the property with Scenic Hudson owning 60% and the Village 40%. Following agreement to co-own the property, the Village conducted an environmental assessment and remediation of the site using a Bond Act grant under the Environmental Restoration Projects Program.

To reduce the cost of remediation, the United States Army Corps of Engineers approved extension of the toe of the shoreline into the river to reduce the excavation of contaminated soil to maintain the existing bulkhead location and allow for the use of riprap in place of bulkheading. In addition, the bridge spanning the railroad tracks to access the site, which was constructed in 1915, prevented the use of 40-yard trailers to haul material to the site. With the cooperation and approval of the Metro-North Commuter Railroad and the New York State Department of Transportation, temporary bridge decking was constructed to allow the use of large trucks which significantly reduced the cost of site remediation and redevelopment.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Difficulty</u>	<u>Solution</u>
Acquisition of the property	Development of an agreement with Scenic Hudson to purchase the property and successful, but often difficult, negotiations with the developer.
Investigation and remediation grant eligibility	Development of an agreement between the Village and Scenic Hudson to co-own the property.
Contamination uncertainty	Performance of an environmental site assessment to determine the nature, degree and extent of contamination, and to develop a remediation plan.
Remediation of the property	Village assumed responsibility for remediation of the property.
Liability uncertainty	Village and Scenic Hudson obtained liability protection as a result of performing remediation under the 1996 Clean Water/Clean Air Bond Act.
Remediation implementation	U.S. Army Corps of Engineers approved extension of the shoreline toe, and Metro-North Commuter Railroad and NYS Department of Transportation approved construction of temporary bridge decking to significantly reduce remediation and redevelopment cost.

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PROJECT ELEMENTS AND FUNDING SOURCES

IRVINGTON WATERFRONT PARK

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Property Acquisition	Scenic Hudson	\$5,400,000	Lila Atcheson/DeWitt Wallace Fund for the Hudson Highlands
• Environmental Site Assessment	NYSDEC	\$142,500 (G)	Clean Water/Clean Air Bond Act
• Building Demolition	Village of Irvington	\$386,000	Village Serial Bonds
• Remediation	NYSDEC	\$4,078,172 (G)	Clean Water/Clean Air Bond Act
• Property Development	NYSOPRHP	\$341,000 (G)	Clean Water/Clean Air Bond Act
	Westchester County	\$265,000 (G)	Community Development Block Grant
	Village of Irvington	\$4,050,000	Village Serial Bonds

(G) – Grant

NYSDEC – New York State Department of Environmental Conservation

NYSOPRHP – New York State Office of Parks, Recreation and Historic Preservation

CASE STUDY

VISY PAPER CITY OF NEW YORK, NEW YORK

PROJECT OVERVIEW

This project involved the remediation and redevelopment of a 35-acre industrial property in the City of New York, population 8 million. The property, most of which was idle for approximately 20 years, was formerly used for generation of electricity, storage of fuel oil and waste, and manufacture and distribution of acetylene gas. The site was developed as a \$250 million state-of-the-art paper recycling facility capable of recycling 600,000 tons of corrugated cardboard and mixed waste paper per year into high-grade cardboard and liner board. The 475,000 square foot facility supported over 1,000 construction jobs and will provide more than 400 permanent jobs. This project allowed for construction of the first major manufacturing facility in New York City in over half a century.



HISTORIC LAND USE

The site had been used for industrial purposes since the early 1900s. One former occupant of the property, a major electric utility, formerly operated a coal-fired power generating plant on the site until a newer, larger generating facility was built in the vicinity of the site. Portions of the utility-owned property fell into disuse as the generating facilities were dismantled, and changes from coal to fuel oil occurred. Certain areas of the site were used for storage of fuel oil and waste by the utility company. The other former occupant utilized the site for the manufacture and distribution of acetylene gas until the operation was relocated elsewhere in the Northeast.

CONTAMINATION ISSUES

A large quantity of lime sludge and a large number of acetylene cylinders were buried at the site. Although the cylinders were found to be empty, they presented an explosive hazard. In addition, underground storage tanks containing an oil-water mixture were found on the site. The predominant contaminants found in soil comprised metals (arsenic, beryllium, copper and nickel), polycyclic aromatic hydrocarbons, PCBs and petroleum hydrocarbons. Free phase liquid was observed in several monitoring wells.

OWNERSHIP ISSUES

One portion of the site was owned by a major utility, which was under a Consent Order with the State of New York to investigate and remediate their property, and the other portion of the site, which was a former acetylene gas manufacturing and distribution facility, required investigation and remediation. In order to transfer the property owned by the acetylene gas manufacturer to the developer of the site, an Agreement under the State Voluntary Cleanup Program was entered into by the developer (Visy Paper [NY], Inc.), the former acetylene gas manufacturer and the New York State Department of Environmental Conservation (NYSDEC). Also, to effect the transfer of the utility-owned property, the Consent Order issued to the utility was amended to take into account the terms of the Voluntary Agreement, including the developer's agreement to undertake some of the remediation.

FINANCIAL ISSUES

The primary financial issue which faced the City of New York in development of the Visy Paper site was the need for financial assistance for access and transportation improvements, including construction of a barge terminal, and access road and rail improvements.

PRESENT USE

The site has been redeveloped for industrial use, including construction of a 475,000 square foot building, for the recycling of corrugated cardboard and waste paper for the manufacture of high-grade cardboard and liner board.

KEY STAKEHOLDERS

- New York State Government
 - New York State Department of Environmental Conservation
 - New York State Department of Transportation

- New York State Department of State
- Empire State Development
- Local Government
 - New York City Department of Environmental Protection
 - New York City Economic Development Corporation
 - New York City Industrial Development Agency
- Business
 - Visy Paper (NY), Inc.
 - Pratt Industries (parent company of Visy Paper)
 - Consolidated Edison (former property owner)
 - Liquid Carbonics (former property owner)
 - Building and Construction Trades Council

PROJECT ELEMENTS AND IMPLEMENTATION

The Visy Paper company proposed construction of a waste paper recycling facility at a brownfield site along a main waterway in a major city. Because of the large quantity of waste paper generated in New York City, the City was viewed as a prime area for a paper recycling facility, including the subject site. The site contained much of the infrastructure that would support facility operations, including existing waterfront access, access road and rail lines, as well as proximity to water and highway transportation routes which ensures reliable transportation of raw material to the facility and finished product from the facility.

Prior to the sale of the property to Visy Paper, one of the former owners had conducted investigations and preliminary remediation of the site under a Consent Order with NYSDEC.

In order to meet the developer's fast-track schedule, remediation of the site and construction of the facility needed to be closely coordinated so that the two project phases could be conducted concurrently. In order to accomplish this, a cooperative multi-party effort was undertaken. Through the use of the Voluntary Cleanup Program, the site's former owners signed separate agreements to remediate the portions of the site for which they were responsible, with Visy Paper agreeing to volunteer to clean up the remaining portions. The NYSDEC coordinated the review of environmental permits which were necessary for the construction and operations stages of the facility. Environmental issues, such as air emissions, impacts on freshwater and tidal wetlands, and noise analysis, were coordinated and permits were issued allowing the facility to be constructed and put into operation quickly.

Visy Paper was released from liability for the contamination they addressed on the site. Under its sale agreement with the two former owners of the site, Visy Paper reached agreements with the two sellers, whereby, each of them paid for and remediated contamination on the portions of

the site for which they were responsible, with Visy Paper agreeing to pay for and conduct any remediation not completed on the site.

In order to provide financial incentives, the site was annexed to an Economic Development Zone, allowing it to qualify for a variety of direct and indirect tax credits and abatements, including discounted utility rates. The redevelopment was designed to qualify for \$120 million in solid waste revenue triple tax exempt bonds issues by the New York City Industrial Development Agency. The State, through various state and local agencies, provided about \$1.2 million in grant and loan funding for a number of key elements, including development of an innovative marine transportation system to move large quantities of City collected mixed waste paper by barge rather than truck, road and other infrastructure improvements to accommodate City-owned and operated refuse trucks, refurbishment of City owned rail facilities for shipment of finished goods, and support for the education and training of the local workforce.

On behalf of Visy Paper, Empire State Development negotiated agreements between the City and the State making the company eligible for certain loans, grants and tax incentives. Visy Paper also was eligible to participate in an employment incentive program that rewards companies with significant tax credits for increasing their workforce and capital expenditures. Remediation and redevelopment of the site was accomplished within 2 years.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Difficulty</u>	<u>Solution</u>
Contamination uncertainty	The developer supplemented a site investigation conducted by one of the former property owners with additional environmental site assessment data to develop a remediation plan.
Remediation of the property	Former site owners performed remediation as part of sales agreements, with any additional remediation, such as treatment and disposal of dredge spoil, undertaken by the developer.
Liability uncertainty	Voluntary Cleanup Agreement entered into with NYSDEC provided liability protection to Visy Paper and one of the former property owners.
Need for improved waterfront access	Dredging of the waterway by the developer, including dredge spoil dewatering and disposal in an appropriate landfill, and construction of a barge terminal.
Fast-track construction schedule	Integration of remediation and facility construction, and fast-tracking of the permitting process.
Need for improved land access	Improvement of existing site access road and rail line.

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PROJECT ELEMENTS AND FUNDING SOURCES

VISY PAPER

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
Environmental Site Assessment	Former Property Owners Developer	- -	Private Financing Private Financing
Remediation	Former Property Owners Developer	- -	Private Financing Private Financing
Dredging and Dredge Spoil Disposal	Developer	-	Private Financing
Tax Exemptions, Property Tax Abatements and Reduced Energy Costs	ESD NYCEDC		
Barge Terminal Construction	NYSDEC	\$100,000 (G)	Waterfront Revitalization Environmental Protection Fund
Access Road and Rail Improvement	NYSDOT and NYCEDC	\$2.1 million (G)	Industrial Access Program
Facility Development	NYCIDA	\$120 million (B)	Triple Tax Exempt Solid Waste Revenue Bonds

(G) – Grant

(B) – Bond

ESD – New York State Empire State Development

NYCEDC – New York City Economic Development Corporation

NYSDEC – New York State Department of Environmental Conservation

NYSDOT – New York State Department of Transportation

NYCIDA – New York City Industrial Development Agency

CASE STUDY

FORMER GENERAL CABLE/EAST ROME BUSINESS PARK CITY OF ROME, NEW YORK

PROJECT OVERVIEW

This project involves the remediation and redevelopment of a 21-acre core area of a 200-acre former wire and cable manufacturing facility in the City of Rome, population 35,000. The 21-acre area, including rehabilitation of existing buildings, and demolition of remaining structures, is being developed for commercial and light industry use with the overall plan being the redevelopment of the 200-acre property as a modern business park.



HISTORIC LAND USE

The overall property was first developed in the late 1800s when the Rome Tube Company constructed a casting and pickling facility. In 1904, the Electric Wire Works (later Rome Wire Company) constructed a wire manufacturing facility on the northwest portion of the site. The Rome Wire Company, and its successor, General Cable, operated the facility from 1920 to 1972. During that period, a wide range of metalworking activities were conducted at the property, including machining, stamping and drawing, plating, pickling, and coating with rubber, asbestos and paints. General Cable ceased operations at the site in 1972 and, with minor exceptions, the site has been unused since that time. As late as 1996, the site contained abandoned buildings and open areas, most of which were covered with concrete pavement.

CONTAMINATION ISSUES

Contamination issues which existed on-site aboveground or in the shallow soil included process equipment, tanks, sumps and drains containing petroleum products, oil spills and stained soils, manufactured gas plant residuals (coal tar and purified box waste), elevated metal concentrations in soil, asbestos and PCB-containing equipment. Subsurface environmental concerns which were identified by previous investigations for the 17-acre core property include groundwater contamination by chlorinated compounds (solvents), coal tar (dense nonaqueous phase liquid [DNAPL]) from the gas plant site and petroleum hydrocarbons from leaking tanks and spills.

OWNERSHIP ISSUES

After General Cable abandoned the site, title to the property was obtained by Community Chest, a nonprofit organization that subdivided the site. Until the late 1990s, all 200 acres were privately owned by 17 different owners. To begin any redevelopment within this area, a public/private partnership was required. The owner of a 17-acre core parcel forged the first partnership in 1996, allowing the City to investigate the property. During the course of the investigation, the owner subdivided the property into seven parcels, deeding one parcel to the City of Rome, thereby allowing that parcel to be used to provide access to the core property and to be investigated and remediated by the City.

Subsequent to remediation of the City's parcel/access roadway, the owner of a 2.6-acre parcel adjacent to the new access road contributed to the redevelopment effort by deeding their property to the City of Rome allowing the City to conduct an environmental site assessment and remediation on this parcel.

FINANCIAL ISSUES

The primary financial issues which faced the City of Rome in development of the East Rome Business Park were the following:

- Need for financial assistance for preparation of a redevelopment plan
- Need for financial assistance for construction of an improved access road into the property and installation of upgraded utilities
- Need for financial assistance for environmental assessment and remediation of the property to allow for development.

PLANNED FUTURE USE

The 17-acre core area currently is being developed for commercial and light industrial use, and it is planned to add the recently City acquired 4-acre parcel to development of the core area. Development of the core area, together with the new access road with modern utilities, is the cornerstone of planned development of a modern business park for commercial and light industrial businesses for the entire 200-acre property, consistent with the historic use and zoning.

KEY STAKEHOLDERS

- Federal Government
 - United States Environmental Protection Agency
 - United States Department of Housing and Urban Development

- New York State Government
 - New York State Department of Environmental Conservation
 - New York State Department of Transportation
 - Empire State Development

- Local Government
 - City of Rome Planning Department

- Business
 - Charles Gaetano (owner of the 17-acre core parcel)
 - Owner of the 2.6-acre contiguous parcel

PROJECT ELEMENTS AND IMPLEMENTATION

At the urging of the residential community adjacent to the former General Cable site to address the blight created by abandonment and underutilization of the property, the City of Rome developed a partnership with the owner of a core 17-acre parcel to redevelop this parcel. In addition to responding to the community's concern, the City chose this site for development due to good accessibility, existing utilities and infrastructure in the vicinity of the site, expansion of adjacent industry and prospective tenants.

To accomplish development of this site, the City approved the subdivision of the parcel into seven subparcels, with one of the parcels deeded to the City to construct a road to the interior of the property to enhance development. Since the property formerly was used for industrial purposes, an environmental (Phase II) site assessment was conducted on the City parcel under the United States Environmental Protection Agency Brownfield Site Assessment Pilot Program and on the 17-acre parcel prior to subdivision under the New York State Voluntary Cleanup

Program to determine the need for remediation. Based on the findings, remediation was performed by the City under the New York State 1996 Clean Water/Clean Air Bond Act Environmental Restoration Projects Program, which included building and foundation demolition, and removal of subsurface utility structures and contaminated soil to allow for construction of the access road and installation of new utilities.

To support the redevelopment effort, the owner of a contiguous 2.6-acre parcel deeded this property to the City. Since this parcel also was used for industrial purposes, a site assessment was conducted on this property, and the City entered into a State Assistance Contract with the New York State Department of Environmental Conservation and completed cleanup of the site in November of 2002. To address contamination issues on the six privately owned parcels, the owner conducted investigation and remediation of these parcels under the Voluntary Cleanup Program.

In April 2002, the private owner of the 17-acre core area donated approximately 7.5 acres on the east side of the right-of-way to the City. This portion of the property had been remediated under the Voluntary Cleanup Program. The private owner is currently seeking sign-off of the remaining portion of his property, which also has been remediated. The City has since demolished the structures on the site and is working with the Rome Industrial Corporation to market these parcels.

With the core property being redeveloped, the City currently is working with the other owners of the remaining 179 acres to redevelop the entire 200-acre former General Cable site as a modern business park.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Difficulty</u>	<u>Solution</u>
Citizen concern about blighted and underutilized property	Development of a redevelopment plan for the property and partnership with the owner of a 17-acre core parcel to initiate development.
Access to the interior of the property	Subdivision of the 17-acre parcel into seven parcels and deeding one parcel to the City for construction of an access road and installation of modern utilities.
Remediation of the property	City assumed responsibility for remediation of the City owned property. Developer assumed responsibility for the privately held parcels with assistance from the City. To ensure timely development of the property, the developer agreed to a schedule for development with penalty of property forfeiture to the City as part of an agreement for the City to assist in remediation of the privately held parcels.

Difficulty

Need for upgraded utilities

Liability uncertainty

Solution

Installation of upgraded utilities during construction of the access road.

City obtained liability protection for its parcel as a result of performing remediation under the 1996 Clean Water/Clean Air Bond Act. Developer obtained limited liability protection as a result of performing remediation under the Voluntary Cleanup Program.

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PROJECT ELEMENTS AND FUNDING SOURCES

FORMER GENERAL CABLE/EAST ROME BUSINESS PARK

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Redevelopment Plan	City of Rome	\$120,000 (G)	Community Development Block Grant
• Environmental Site Assessment (City Property)	USEPA	\$200,000 (G)	Brownfields Site Assessment Pilot
	NYSDEC	332,234 (G)	Clean Water/Clean Air Bond Act
	City of Rome	52,916 (G)	Community Development Block Grant
(Private Property)*	Developer	-	Private Financing
• Remediation (City Property - Right-of-Way)	NYSDEC	\$1,824,000 (G)	Clean Water/Clean Air Bond Act
	City of Rome	1,000,000 (G)	Community Development Block Grant
(City Property - 2.6-acre Parcel)	NYSDEC	\$426,000	Clean Water/Clean Air Bond Act
	City of Rome	244,000	Community Development Block Grant
(City Property - 7.5-acre Parcel) (demolition costs)	City of Rome	\$369,000	Community Development Block Grant
(Private Property)*	Developer	-	Private Financing
• Access Road Construction	NYSDOT	\$939,118 (G)	Industrial Access Program
	HUD	55,000 (G)	Erie Canal Corridor Initiative
• Utilities Installation	ESD	\$180,000 (G)	
		120,000 (L)	
• Property Development	Developer	-	Private Financing

(G) – Grant

(L) – Loan

* Investigation and remediation performed under the New York State Voluntary Cleanup Program – no State funding available under this program

USEPA – United States Environmental Protection Agency

NYSDEC – New York State Department of Environmental Conservation

NYSDOT – New York State Department of Transportation

HUD – United States Department of Housing and Urban Development

ESD – New York State Empire State Development

CASE STUDY

104 ASHBURTON AVENUE GREYSTON BAKERY YONKERS, NEW YORK

PROJECT OVERVIEW

This project involves the remediation and redevelopment of a 1.6-acre site in the City of Yonkers. The property, which was the site of a former manufactured gas plant, has been redeveloped with a specialty bakery that hires hard-to-employ residents of Yonkers and surrounding communities.



HISTORIC LAND USE

The site is part of a former manufactured gas plant that was used for coal and oil storage and gas purification. The plant operated from prior to 1886 to sometime between 1917 and 1942. Subsequent to that time, the site was used for commercial parking.

CONTAMINATION ISSUES

Environmental investigations conducted at the site indicated the presence of volatile organic compounds (VOCs) and polycyclic aromatic hydrocarbons (PAHs) in soil and groundwater. In addition, light and dense petroleum product and coal tar were encountered in a portion of the site.

OWNERSHIP ISSUES

The property was purchased from a private investor prior to site remediation being conducted. The extent of the required remediation was known due to extensive site investigation by the Greyston Foundation prior to the sale.

FINANCIAL ISSUES

Funding for site investigation, remediation and redevelopment was obtained from a wide variety of sources, including the sale of bonds, low-interest loans, letters of credit, grants, tax credits and a settlement from the party responsible for the site contamination.

PRESENT USE

The site has been developed as the new location of the Greyston Bakery, a project of the Greyston Foundation. The bakery hires hard-to-employ residents of Yonkers and surrounding communities, and produces specialty desserts. The site also has parking facilities and green space, including a roof garden. The site was designed by noted architect Maya Lin in collaboration with architects Cybul and Cybul.

KEY STAKEHOLDERS

- Federal Government
 - United States Housing and Urban Development
 - United States Department of Environment Protection Agency

- New York State Government
 - New York State Department of Environmental Conservation
 - New York State Department of Health

- Local Government
 - City of Yonkers Community Development Agency
 - City of Yonkers Industrial Development Agency

- Business
 - Greyston Foundation
 - Key Bank
 - Nonprofit Finance Fund

PROJECT ELEMENTS AND IMPLEMENTATION

- Environmental site assessment and remediation was performed under the New York State Department of Environmental Conservation (NYSDEC) administrative Voluntary Cleanup Program (VCP). Remediation includes a sheet pile cut-off wall and coal tar collection sump, and removal of contaminated soil from utility corridors and foundations. Remediation also includes installation of a vapor barrier and soil venting system beneath the building foundation and a floating-product recovery system, and placement of a contact barrier and clean soil cover in the green space areas.
- The Greyston Foundation worked with the Enterprise Foundation and the Calvert Foundation to secure below-market-rate loans for predevelopment costs (legal, design and architect fees), and with the Heron Foundation to secure funding for later stages of the project.
- Yonkers Industrial Development Agency authorized Greyston to sell tax-exempt bonds for construction.
- Greyston qualified for a Small-Cap Industrial Bond, which is a tax-exempt municipal bond sanctioned by the federal government for businesses that support a municipality's economic development objectives.
- Advest, which is an investment bank which specializes in economic development financing and industrial development bonds, assisted Greyston with the sale of tax-exempt bonds. Through Advest, Greyston selected Key Bank, which provided a letter of credit, to provide the security for the bonds sold by Advest. The sale of these bonds was the centerpiece that provided for the remaining project financing to follow.
- Key Bank also provided equity made possible by a tax credit from New York State for investing in an Empire Zone.
- The United States Department of Housing and Urban Development (HUD) provided a loan from Section 108 through the City of Yonkers Bureau of Community Development. HUD also provided grants as a result of the site being in a New York State Empire Zone.
- Greyston obtained environmental risk insurance, which satisfied the lenders financing the project. Payment for the insurance, as well as remediation of the site, was partly financed from monies obtained through a legal settlement with the party (electric utility company) responsible for the contamination.
- Through the VCP, Greyston obtained a release from liability from the NYSDEC for the site contamination.

- A less-secured subordinated loan obtained by Greyston was made by the Nonprofit Finance Fund, which is an organization that loans money for projects with a social mission.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Difficulty</u>	<u>Solution</u>
Contamination Uncertainty	Conducted an environmental site assessment to determine the nature, degree and extent of contamination.
Remediation Uncertainty	Purchased environmental risk insurance.
Need for Funding for Remediation	Obtained monies from a legal settlement with the entity responsible for site contamination. These monies were also used to purchase the environmental risk insurance.
Liability Uncertainty	Site assessment and remediation were conducted under the NYSDEC Voluntary Cleanup Program, which provides a release from liability from the NYSDEC.
Need for Funding for Development	Obtained grants and low-interest loans from the federal government and the City of Yonkers, and monies from the sale of bonds secured by Key Bank and the Greyston Foundation.

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PROJECT ELEMENTS AND FUNDING SOURCES

104 ASHBURTON AVENUE/GREYSTON BAKERY

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Business Plan	Greyston Bakery		
• Environmental Site Assessment	Greyston Bakery		
• Remediation and Environmental Risk Insurance	Responsible Party	\$900,000	Legal Settlement
• Property Development	City of Yonkers	\$3,125,000 (L)	Industrial Development Agency Bond (Real Estate Bond)
	NFF	\$1,010,000 (L)	Loan
	HUD	\$1,000,000 (L)	Section 108 Loan
	Greyston Foundation	\$475,000 (L)	Loan
	City of Yonkers	\$200,000 (L)	Community Development Agency Loan
	HUD	\$500,000 (G)	Economic Development Initiative Grant
	ESD	\$80,000 (G)	Grant
	Greyston Bakery	\$300,000	Equity

PROJECT ELEMENTS AND FUNDING SOURCES (continued)

104 ASHBURTON AVENUE/GREYSTON BAKERY

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
	Greyston Foundation/ Deferred Development Fee	\$1,104,474	Equity
	KCDC/Key Bank	\$800,000	Equity

(G) – Grant

(L) – Loan

NFF – Nonprofit Finance Fund

HUD – United States Department of Housing and Urban Development

ESD – Empire State Development

KCDC – Key Bank Community Development Corporation

CASE STUDY

YONKERS DOWNTOWN WATERFRONT – PHASE I CITY OF YONKERS, NEW YORK

PROJECT OVERVIEW

This project involves the remediation and redevelopment of a 2.2-acre waterfront district in the City of Yonkers, population 196,000. The district area formerly was used for multiple industrial activities. The district has in part been developed for residential apartments, retail stores and office space, and Parcels E and F, which are the subject of this case study, currently are being developed.



HISTORIC LAND USE

The site of Phase I of the Downtown Waterfront development area has a history of industrial use of more than 100 years. One parcel of the site (Parcel E) did not exist until some time between 1886 and 1917, at which time the area of the parcel was filled and utilized by the City of Yonkers Water Department, and included a machine shop, stables and storage areas. In 1951, the City of Yonkers Department of Public Works occupied the site for uses that included water bureau maintenance, automobile repairs and a boiler room. The site was leased to the Yonkers Post Office in 1978, and was used as storage space until 1985. By 1991, the site was utilized as a wharf and is a grassy area comprised of 44,773 square feet.

The second parcel (Parcel F) was occupied by coopersmiths and a sugar house from 1886 until 1917, during which time it was used by a sugar refining company. In 1951, a wire drawing mill was located at the site which remained until some time between 1971 and 1975. Prior to demolition of the building in 1980, the building was occupied by a beer distributor. The site

presently is used for one of the two buildings totaling 260 rental housing units called Hudson Park.

CONTAMINATION ISSUES

Contaminants detected at the site included elevated levels of semivolatile organic compounds, primarily polycyclic aromatic hydrocarbons, and metals in surface and subsurface soils on both parcels, and elevated levels of metals in groundwater on Parcel F.

OWNERSHIP ISSUES

The site, which was purchased from the previous developer as part of a settlement agreement for nonpayment of taxes, is urban renewal land owned by the City of Yonkers Community Development Agency. The City of Yonkers Community Development Agency is currently negotiating the sale of the property to another developer (Collins Enterprises, LLC).

FINANCIAL ISSUES

The primary financial issues which faced the City of Yonkers in redevelopment of the Downtown Waterfront were the following:

- Need for financial assistance for preparation of a waterfront redevelopment plan
- Need for financial assistance for environmental assessment and remediation of the properties to allow for development
- Need for financial assistance for public access enhancements, including an improved access roadway, esplanade and pedestrian connection to foster development
- Need for financial assistance for installation of upgraded utilities, parks and open space and improvements to the streetscape also to foster development.

PRESENT USE

The site, Hudson Park at Yonkers, is a mixed use development, which includes 260 residential apartments, 20,000 square feet of retail space, including a 3,600 square foot restaurant, and 10,000 square feet of office space. In addition, an esplanade park has been constructed on the river's edge contiguous with Parcels E and F, with walking and bicycle paths, a 160 seat amphitheater and a large sculpture meadow for community use. Infrastructure improvements include utilities and new streets.

KEY STAKEHOLDERS

- Federal Government
 - United States Department of Housing and Urban Development
- New York State Government
 - New York State Department of Environmental Conservation
 - New York State Department of State
 - New York State Department of Transportation
 - New York State Department of Parks, Recreation and Historic Preservation
- Local Government
 - City of Yonkers
 - City of Yonkers Community Development Agency
- Local Community Organizations
 - Scenic Hudson
 - Beczak Environmental Center
 - Downtown Yonkers Waterfront Business Improvement District
 - City of Yonkers Chamber of Commerce
- Business
 - Collins Enterprises, LLS (developer)

PROJECT ELEMENTS AND IMPLEMENTATION

The City of Yonkers, as part of the City’s overall redevelopment plan, developed the Yonkers Downtown Waterfront Master Plan which identified ten parcels (A through J) for development. The parcels, ownership and planned future uses are the following:

Parcel	Ownership	Future Uses
A	Westchester County	Parking for County pump station and northern terminus of Esplanade Park
B	Privately owned	Office and retail
C	City of Yonkers	Hotel, office and/or residential
D	City of Yonkers	Park/Recreation

Parcel	Ownership	Future Uses
E	Collins Enterprises	Residential, office and retail (existing use)
F	Collins Enterprises	Residential, office and retail (existing use)
G	Privately owned	Residential (existing use)
H	City of Yonkers	Residential
I	City of Yonkers	Mixed use
J	City of Yonkers	Esplanade Park

Due to the large-scale nature of the project, an Environmental Impact Statement was prepared to address planned redevelopment, and identify potential problems and mitigation measures. In preparation for redevelopment, the City performed environmental investigations and developed remediation plans for Parcels E and F, as well as other parcels as required.

For Parcel E, the investigation and remediation were funded by the City and performed under the New York State Voluntary Cleanup Program. For Parcel F, investigation and remediation will be performed by the City and funded (75%) under the New York State 1996 Clean Water/Clean Air Bond Act with matching money provided by the City. The City utilized the Voluntary Cleanup Program for Parcel E because it was a “responsible party” for contamination on that parcel.

In order to improve the attractiveness and environment of the redevelopment area in which Parcels E and F were located, and to provide improved access to and utilities in the area of these parcels to enhance redevelopment, the City of Yonkers, in a partnership that involved a number of federal, state and local government entities, planned and implemented a number of enhancements. These included the following:

- New construction and improvements to Waterfront Street to improve access to the property;
- Design of an intermodal, pedestrian connection between the Yonkers railroad station and the improved City pier, which will be completed by 2004 to provide ferry service to Manhattan and will have a four-star restaurant on the top floor. The connection will also improve access to the property;
- Installation of new and improved sanitary and storm water sewers in the area of the property;
- Creation and improvement to public parks and streetscape (sidewalks, trees and street lights) in the area of the property; and
- Development of an esplanade park, including new bulkheading, along the river and the property.

Collins Enterprises, LLC, is the developer for Parcels E and F. Liability protection obtained by the City under the Voluntary Cleanup Program, and liability protection and indemnification obtained under the Clean Water/Clean Air Bond Act will be transferred to the developer. Sale of the property to the developer was performed as a Plan Development or Redevelopment Zone under a land disposition agreement with the Yonkers Community Development Agency.

DIFFICULTIES ENCOUNTERED WITH SOLUTIONS

<u>Difficulty</u>	<u>Solution</u>
Need for redevelopment strategy	Developed a redevelopment plan for the downtown waterfront area.
Contamination uncertainty	Conducted an environmental site assessment to determine the nature, degree and extent of contamination, and to develop a remediation plan.
Remediation of the property	City assumed responsibility for remediation.
Need to improve access to the property	Improved the main access roadway to the property, and created a pedestrian connection between the railroad station, and City pier and future ferry terminal in the vicinity of the property.
Need to enhance the environment/development potential in the area of the property	Installed improved and new utilities (sanitary and storm sewers), created new public parks and streetscape, and developed an esplanade park in the area of the property.
Liability uncertainty	Parcel E was remediated under the Voluntary Cleanup Program (VCP), and the City was provided a release from liability under a VCP Agreement and a No Further Action Letter. This liability release was transferred to the developer of the property. For Parcel F, which will be remediated under the Clean Water/Clean Air Bond Act, the City will be indemnified by New York State against third party suits. This indemnification will be transferred to the developer of the property.

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For additional information on this project and other Yonkers Downtown Waterfront developments, log on to www.yonkersdowntownwaterfront.com.

PROJECT ELEMENTS AND FUNDING SOURCES

YONKERS DOWNTOWN WATERFRONT – PHASE I

<u>Project Element</u>	<u>Funding Entity</u>	<u>Amount/Type of Assistance</u>	<u>Source</u>
• Downtown Waterfront Master Plan	City of Yonkers HUD NYSDOS	Not Available \$100,000 (G)	Community Development Block Grant Coastal Resources
• SEQRA Review of Master Plan	City of Yonkers Westchester County		
• Environmental Site Assessment/Remediation	City of Yonkers NYSDEC NYSDEC	\$243,000 (G) 661,500 (G)	Clean Water/Clean Air Bond Act Clean Water/Clean Air Bond Act
• Property Development	Developer (Collins Enterprises)	\$53,000,000	Private Investment
• Roadway Improvement	NYSDOT	\$2,000,000 (G)	Suburban Highway Improvement Program
• Pedestrian Access	NYSDOT	\$1,300,000 (G)	Multimodal Program
• Utility Improvements	NYSDEC	\$1,200,000 (G)	Water Quality Improvement Program
• Public Park and Streetscape Improvements	Hudson River Valley Greenway	\$300,000 (G)	Clean Water/Clean Air Bond Act
• Bulkheading	NYSDOT	\$250,000	Multimodal Program

(G) – Grant

HUD – United States Department of Housing and Urban Development

NYSDOS – New York State Department of State

NYSDEC – New York State Department of Environmental Conservation

NYSDOT – New York State Department of Transportation

NYSOPRHP – New York State Office of Parks, Recreation and Historic Preservation