

CITY OF SAN ANTONIO

BROWNFIELD REDEVELOPMENT PROGRAM GUIDELINES

1. PURPOSE

A brownfield is a property on which expansion, redevelopment, or reuse may be complicated by the possibility of environmental contamination. These sites are usually abandoned, vacant, or underutilized properties. As sites remain abandoned and unmarketable, they increase inner city blight and perpetuate the perception that infill development is risky and expensive. Brownfields decrease property values, hurt local economies, and can threaten community and human health and the environment. Brownfield sites present unique development challenges that require a creative and multifaceted approach to address.

It is the policy of the City of San Antonio to assist with and facilitate the identification, assessment, remediation, and redevelopment of suspected brownfield sites. To this end, the City's Brownfield Redevelopment Program will seek to secure and leverage resources to provide financial, technical, and regulatory assistance to convert brownfields into productive community assets, thereby stimulating reinvestment in disinvested areas.

2. PROGRAM BENEFITS

Eligible projects may receive the following assistance either directly or indirectly through the Brownfield Redevelopment Program:

- Technical and regulatory assistance in assessing and developing brownfield sites.
- Assistance for Phase 1 and Phase 2 Environmental Site Assessments (ESA), clean-up plans, and site remediation.
 - *Phase I Environmental Site Assessment:* A Phase I ESA uses historical data and research to determine the potential for environmental contamination on a property. It may include an asbestos survey and lead paint survey if necessary. This research can take 4 to 6 weeks and may recommend further site analysis through a Phase II ESA if contamination is suspected based on historical use of the property or surrounding properties. If approved for a Phase I ESA, staff will engage environmental consultants to conduct the work with written consent of the property owner. Eligible projects may receive up to 100% of the related cost covered by the Brownfield Redevelopment Program.

- *Phase II Environmental Site Assessment:* A Phase II ESA entails soil and water sampling on the property that can take three to four months to complete. The resulting report will detail the extent of environmental contamination on the property and may recommend corrective actions to clean the site prior to redevelopment. If approved for a Phase II ESA, staff will engage environmental consultants to conduct the work with written consent of the property owner. The Brownfield Redevelopment Program may cover up to 100% of the related cost for qualifying projects.
- *Clean-Up Assistance:* Financial assistance is available to assist with environmental cleanup required on the site prior to redevelopment. This may include clean up plans as well as assistance with actual site remediation. The applicant must be enrolled in the appropriate corrective action program with the Texas Commission on Environmental Quality in order to receive assistance through the City's Brownfield Redevelopment Program.

The level of assistance will be determined by the location and type of project. Assistance of any type is subject to funding availability.

3. PROGRAM GOALS

All activities of the Brownfield Redevelopment Program, including project evaluations, will aim to accomplish and support the following policy goals:

- Identify potential brownfield sites in and around the Center City.
- Assess brownfield properties to determine the level of contamination or to dispel suspicions of environmental contamination.
- Remediate and cleanup contamination to prepare the site for redevelopment.
- Redevelop cleaned sites to return them to safe and productive use.

4. ELIGIBILITY

Projects eligible for assistance under the Brownfield Redevelopment Program must:

- Be located within the applicable program area, which may vary depending on the funding source.
- Have a history or proximity of use that suggests the potential for environmental contamination.
- Provide a redevelopment plan for the property.

The following factors will also be considered in evaluating projects for purposes of prioritizing program resources for program goals:

- Public benefit
- Level of investment
- Location in a priority area
- Blight elimination
- Abatement of public health contaminants
- Natural resource preservation and restoration
- Alignment with neighborhood and community plans and public agency objectives

5. APPLICATION AND PROCESS

Applicants may apply for assistance through the Brownfield Redevelopment Program by submitting an application to the Center City Development and Operations Department. The property owner's consent must be obtained to participate in the program.

- Staff will review applications to ensure that projects meet the goals and objectives of the pertinent funding source used to conduct brownfields activities on the subject property.
- After review, staff will schedule an appointment to obtain additional information and to discuss the level of assistance available based on the project details.
- If approved, staff will work with the applicant and the property owner to secure a right of entry agreement (if applicable) prior to commencing any work on the property.
- Once work is complete, the applicant and property owner (if different than applicant) will receive a copy of any resulting reports or documentation. All assessments and related reports conducted under the City's Brownfield Redevelopment Program are available to the public and regulatory agencies by request, regardless of the results.

Any and all records from any work funded through the City of San Antonio's Brownfield Redevelopment Program are subject to the disclosure requirements of the Texas Public Information Act.

6. NOTICE OF LIABILITY

Should the environmental site assessment reveal contamination at levels requiring additional investigation or remediation actions as mandated by the Texas Commission on Environmental Quality (TCEQ), the owner/operator shall be responsible for providing notification to the Texas Commission on Environmental Quality (TCEQ) regarding any findings of contamination. Participation in the City of San Antonio's Brownfield Redevelopment Program does not constitute notice to any public agency that may be required under law, nor does the Brownfield Redevelopment Program provide such services. Liability for notice under any law, statute, court order, etc. is the sole responsibility of the site owner and/or applicant.

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