



# Regional Brownfields Open House

September 22, 2020

# Regional Brownfields Coalition Grant Team



# Introductions

MACOG – EPA Grant Recipient

- Leah Thill, Senior Environmental Planner
- Zach Dripps, Deputy Director

Metric Environmental – Vince Epps and Pat Likins

Roberts Environmental – Jeff Roberts and Dave Jeffers

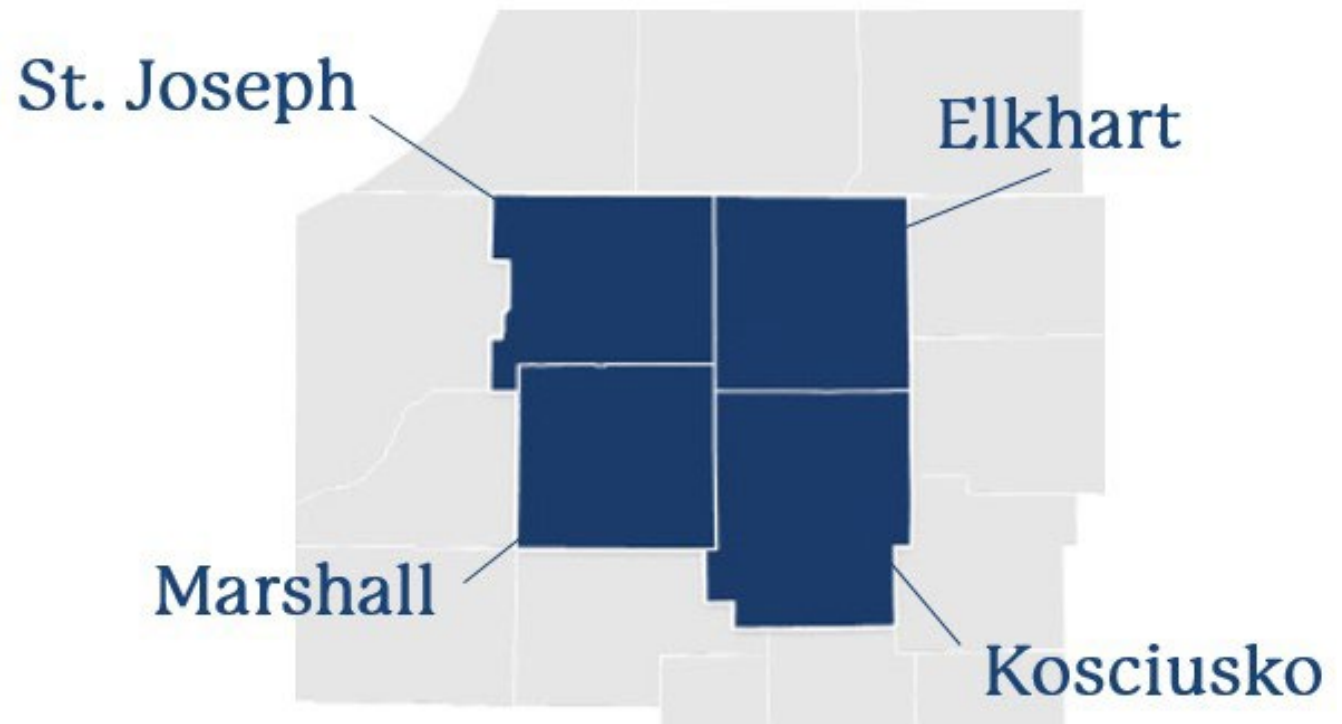
ReSite Development – Keith Veal

Revitalized Communities – Yolanda Bouchee

# US EPA Brownfields Coalition Assessment Grant

## Regional Brownfields Coalition Members

- **MACOG** (*Lead Coalition Member*)
- **Elkhart County**
- **Kosciusko County**
- **Marshall County**
- **St. Joseph County**

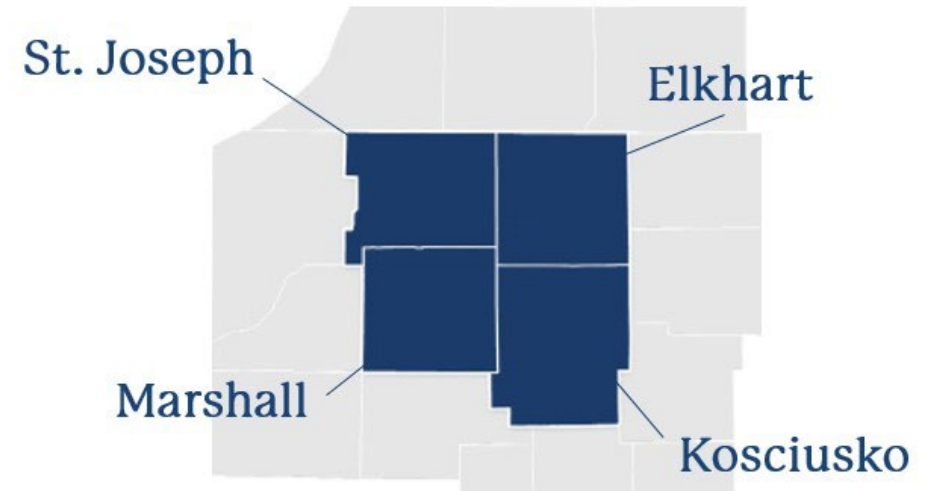




# Zoom Poll: About Our Participants

Question 1. Which category best describes you?

Question 2. What Counties do you live or work in?



# US EPA Brownfields Coalition Assessment Grant



# US EPA Brownfields Coalition Assessment Grant

## Grant Award

- \$600,000 Grant awarded to Michiana Area Council of Governments (MACOG) on October 1, 2019
- Runs through September 30, 2022



# US EPA Brownfields Coalition Assessment Grant

## Grant Overview

### What other kinds of EPA Brownfields grants are there?

- Brownfield Cleanup Grants
- Brownfield Revolving Loan Fund Grants
- Brownfield Job Training Grants

### What is a Brownfield?

- Real Property where expansion, redevelopment or reuse is complicated by the presence or potential presence of contamination
- (Public Law 107-118 (H.R. 2869) - “*Small Business Liability Relief and Brownfields Revitalization Act*”, signed into law January 11, 2002).

### What does the MACOG Brownfield Coalition Assessment Grant do?

- Brownfields inventory, planning, environmental assessments, community outreach
- Does not provide funds for cleanup



# What are Typical Brownfields



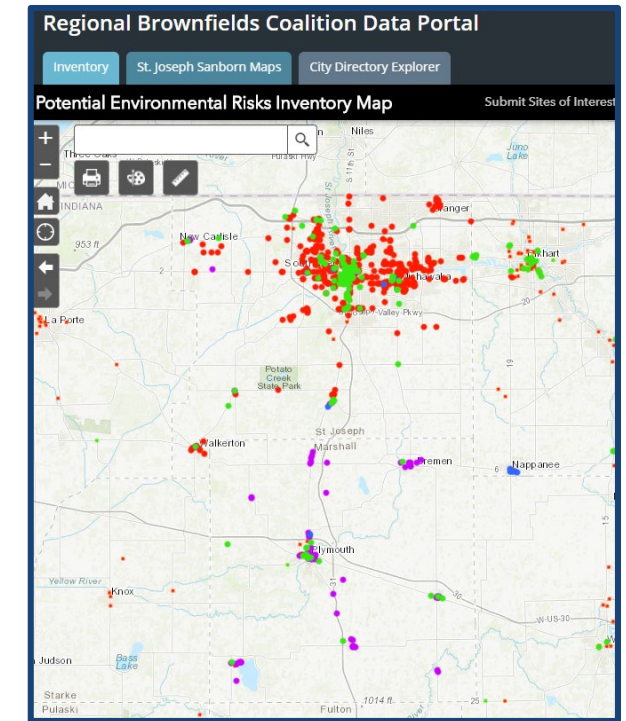
- Abandoned property
  - industrial, commercial, gas stations, dry cleaners, car repair shops, salvage yards, railroad operations
- Blighted property
  - conflicts with a community plan
  - located at gateways to community
  - former industrial areas



# US EPA Brownfields Coalition Assessment Grant

## Grant Outputs

- Updated & Prioritized Brownfield Inventory
- Publicly accessible brownfield map and public meetings
- Phase I ESAs, Phase II ESAs, Asbestos and Lead Based Paint Inspections
- Remedial Work Plans or site-specific reuse plans
- When possible and appropriate, a plan to fund additional investigation and/or remediation work needed to return assessed properties to active reuse.





# Targeted Focus Areas

## Warsaw/Winona Lake Argonne Corridor



## City of Elkhart Downtown



## City of Plymouth West of Downtown



## Small Towns

Culver

Lakeville

Syracuse

Wakarusa

...



# US EPA Brownfields Coalition Assessment Grant About Brownfields





# Brownfields “*Fear of the Unknown*”



+



+



=



# Why Redevelop Brownfields?

- Meet community needs:
  - Housing, public facilities, greenspace, etc.
- Preserve community character and history
- Mitigate blight
- Increase local tax base
- Facilitate job growth
- Mitigate public health & safety concerns
- Promote infill – reduce need for greenfields



Beutter Riverfront Park & The Mill at Ironworks  
Photo: South Bend Tribune

# Why Redevelop Brownfields?

- Makes financial sense
  - “Free” money available for assessment, cleanup, etc.
  - Using existing infrastructure
- Liability Protections
  - Must complete *All Appropriate Inquiry (AAI)*
  - Perform Phase I environmental site assessment **BEFORE** purchase and cooperate in addressing environmental issues if identified
- Less uncertainty with redevelopment outcome
  - Community involvement
  - Identify phases and funding along the way





# Reuse Examples



Abandoned Gas Station  
Silver Lake, Kosciusko County



Old Bakery to Subway Restaurant



NIPSCO Site to Goshen Brewing Company  
Goshen, Elkhart County



# THE BROWNFIELD PROCESS



COMMUNITY INVOLVEMENT

IDENTIFY SITE WITH  
REUSE POTENTIAL



PHASE I ASSESSMENT  
ALL APPROPRIATE INQUIRY



ENTER STATE  
VOLUNTARY CLEANUP  
PROGRAM



CLEANUP PLAN  
(ABCA)



SITE VISION  
AND REUSE



PHASE II  
ASSESSMENT



LEVERAGE  
RESOURCES



CLEANUP  
ACTIVITY



REDEVELOPMENT



EPA BROWNFIELD GRANTS AND RESOURCES

TARGETED BROWNFIELD ASSESSMENT=**T** ASSESSMENT=**A** CLEANUP=**C** REVOLVING LOAN FUND=**R** AREA WIDE PLANNING=**W**

# Brownfields Redevelopment Process

## • Planning

- Identify Brownfields and
- Set Redevelopment Goals

## • Environmental

- Investigate – Phase I/II site assessments
- Clean-up; if necessary

## • Redevelopment



# Zoom Poll: What do you think about Brownfields?

Question 3. Are there brownfield redevelopment opportunities in your community?

Question 4. What are the most important reasons to redevelop brownfields?



# US EPA Brownfields Coalition Assessment Grant Grant Activities





## Site Prioritization

- Nomination of Sites by
  - Municipalities,
  - Community members,
  - Stakeholders
  - Developers,
  - Etc.
- Scoring - consensus of Coalition Working Group Members
  - Monthly Working Group Member meetings
  - Discussion of site conditions, ownership, community goals, feasibility.



# US EPA Brownfields Coalition Assessment Grant

## Determine Eligibility

### Application to US EPA (potential hazardous contamination)

- MACOG and Coalition Counties do not own the property and did not cause contamination.



### Application to Indiana Brownfields Program (petroleum sites)

- Site not under enforcement
- **Current and immediate past owner and/or applicant did not dispense or dispose of petroleum**, did not own site during dispensing or disposal, took reasonable steps to stop releases
- A responsible party has not been identified or is not financially viable RP



# Zoom Poll

Question 5. What would be most important to you when prioritizing sites?



# US EPA Brownfields Coalition Assessment Grant

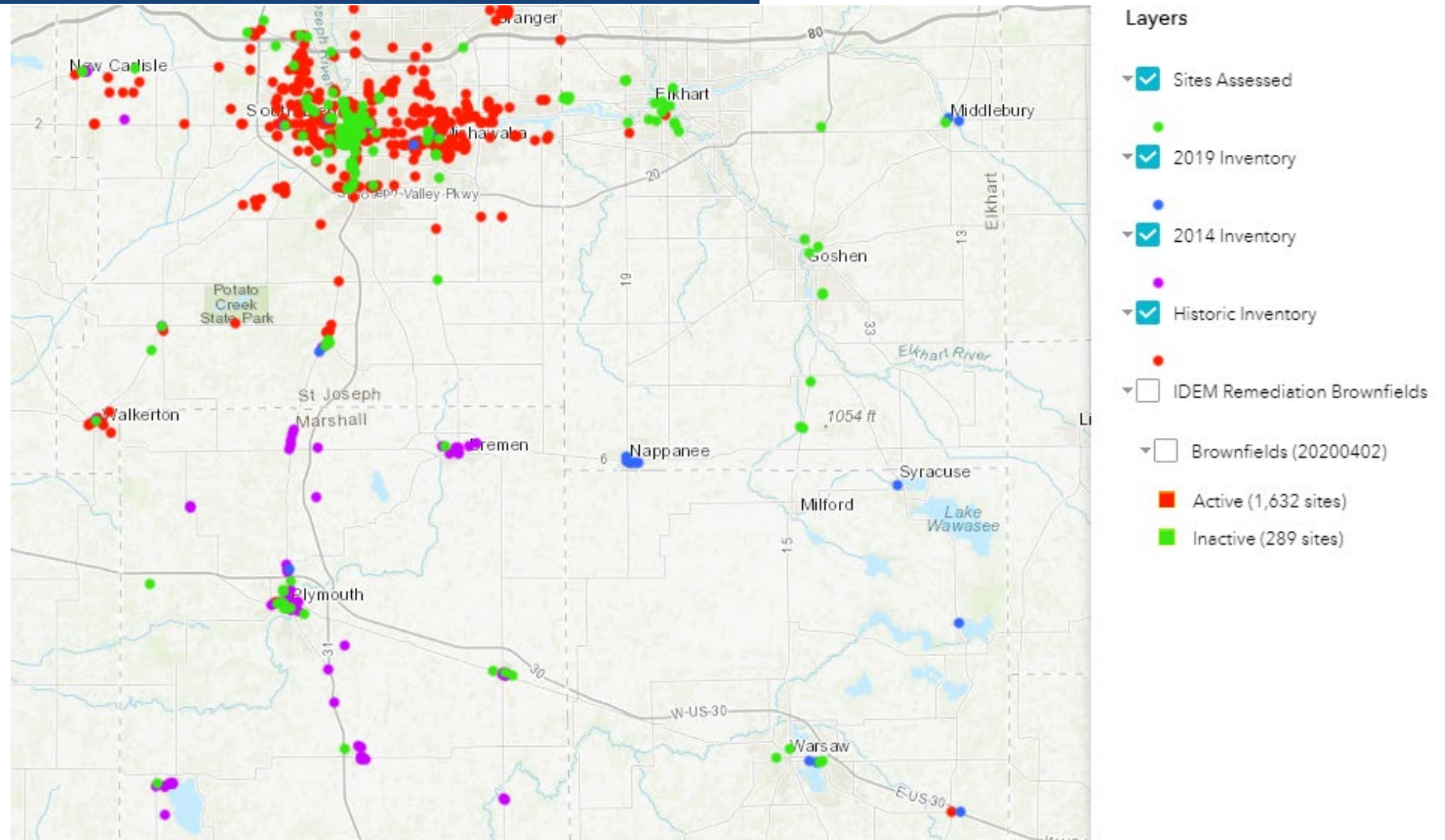
## Scoring Matrix

	MACOG Regional Brownfields Coalition - Selection Criteria		
	Criteria	Y/N	Definition
Threshold Criteria	<b>1. Willing Ownership</b> <i>(Y = Yes, N = No, P = Pending/Unknown)</i> <i>Owner is not PRP</i>	Y	<ul style="list-style-type: none"> <li>Current landowner is willing to or has signed agreement to allow access to property for Phase I/Phase II site assessments</li> </ul>
		Y	<ul style="list-style-type: none"> <li>Site is likely to pass EPA/IDEM Eligibility Determination AND Owner did not cause or contribute to contamination</li> </ul>
Economic Impact	<b>2. High Reuse &amp; Redevelopment Potential (including open space)</b>	Y	<ul style="list-style-type: none"> <li>Located in a target area outlined in the EPA-approved Work Plan;</li> </ul>
		Y	<ul style="list-style-type: none"> <li>Interested developer, municipality or non-profit ready and willing to purchase/acquire for re-use;</li> </ul>
		Y	<ul style="list-style-type: none"> <li>Strategic location; may further the goal of CEDS and other community plans for redevelopment or revitalization; may include downtown, community gateway, existing business district, transit access, etc. with a potential to catalyze redevelopment in surrounding area;</li> </ul>
		Y	<ul style="list-style-type: none"> <li>Potential for municipal property taxes to increase.</li> </ul>
		N	<ul style="list-style-type: none"> <li>Open space: High value public use space serving local and community goals (e.g. pocket park, working waterfront access, trailhead, recreation area, plaza, etc.);</li> </ul>
		Y	<ul style="list-style-type: none"> <li>Has the potential to benefit economically disadvantaged communities, disinvested or underutilized neighborhoods.</li> </ul>
Sustainability and Environment	<b>3.a. Re-use of Existing Structures and Infrastructure</b>	Y	<ul style="list-style-type: none"> <li>Project potentially takes advantage of re-use and/or rehabilitation of existing buildings.</li> </ul>
		Y	<ul style="list-style-type: none"> <li>Potential redevelopment could make use of available infrastructure (e.g. public water, sewer, 3-phase power, roads, etc.</li> </ul>
	<b>3.b. Environmental Risk (If yes, indicate high, medium or low risk)</b>	Y, High	<ul style="list-style-type: none"> <li>Redevelopment mitigates a perceived, potential or known environmental hazard and/or public health concern (e.g. contaminants affecting surface water or groundwater, heavy metals exposure, etc.).</li> </ul>
TOTAL	<b># Yes (2 &amp; 3 only)</b>	<b>8</b>	Max = 9 criteria "Yes"

# Regional Brownfields Data Portal

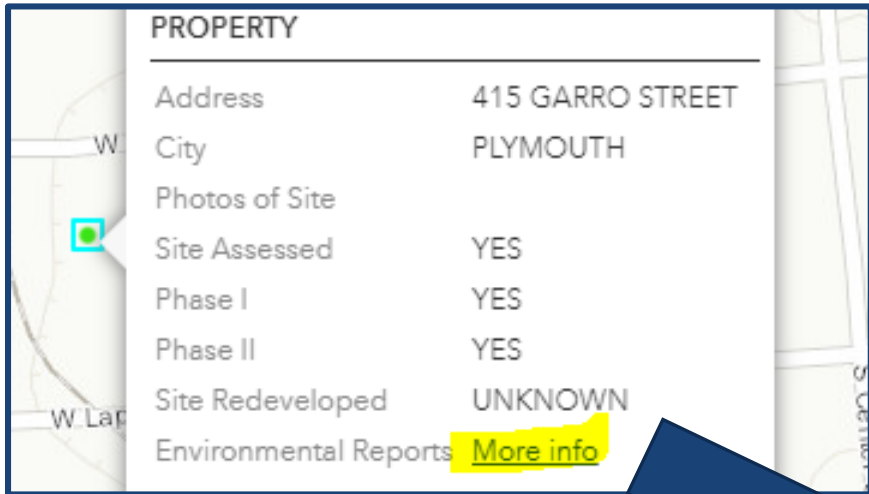
## Sites Assessed & Past Inventories

## Link to Brownfields Portal



# Regional Brownfields Data Portal

## Sites Assessed – Environmental Reports







PROPERTY	
Address	415 GARRO STREET
City	PLYMOUTH
Photos of Site	
Site Assessed	YES
Phase I	YES
Phase II	YES
Site Redeveloped	UNKNOWN
Environmental Reports	<a href="#">More info</a>

Dropbox > Brownfields > Reports > 18099\_413402\_863137

### Overview

Click here to describe this folder and turn it into a Space [Show examples](#)

[Create new file](#) ▾

Name ↑	Modified ▾
 Images	--
 Other	--
 Phase_I	--
 Phase_II	--



# Regional Brownfields Data Portal

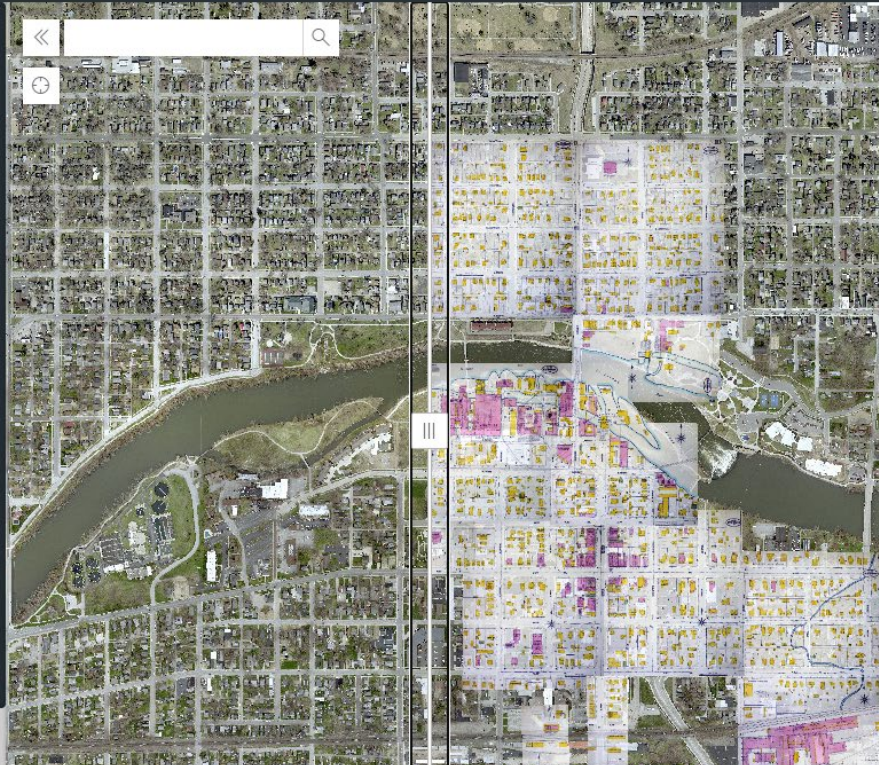
## Fire Insurance Maps - Interactive

Regional Brownfields Coalition Data Portal

Inventory St. Joseph Sanborn Maps City Directory Explorer

St. Joseph County Fire Insurance Maps

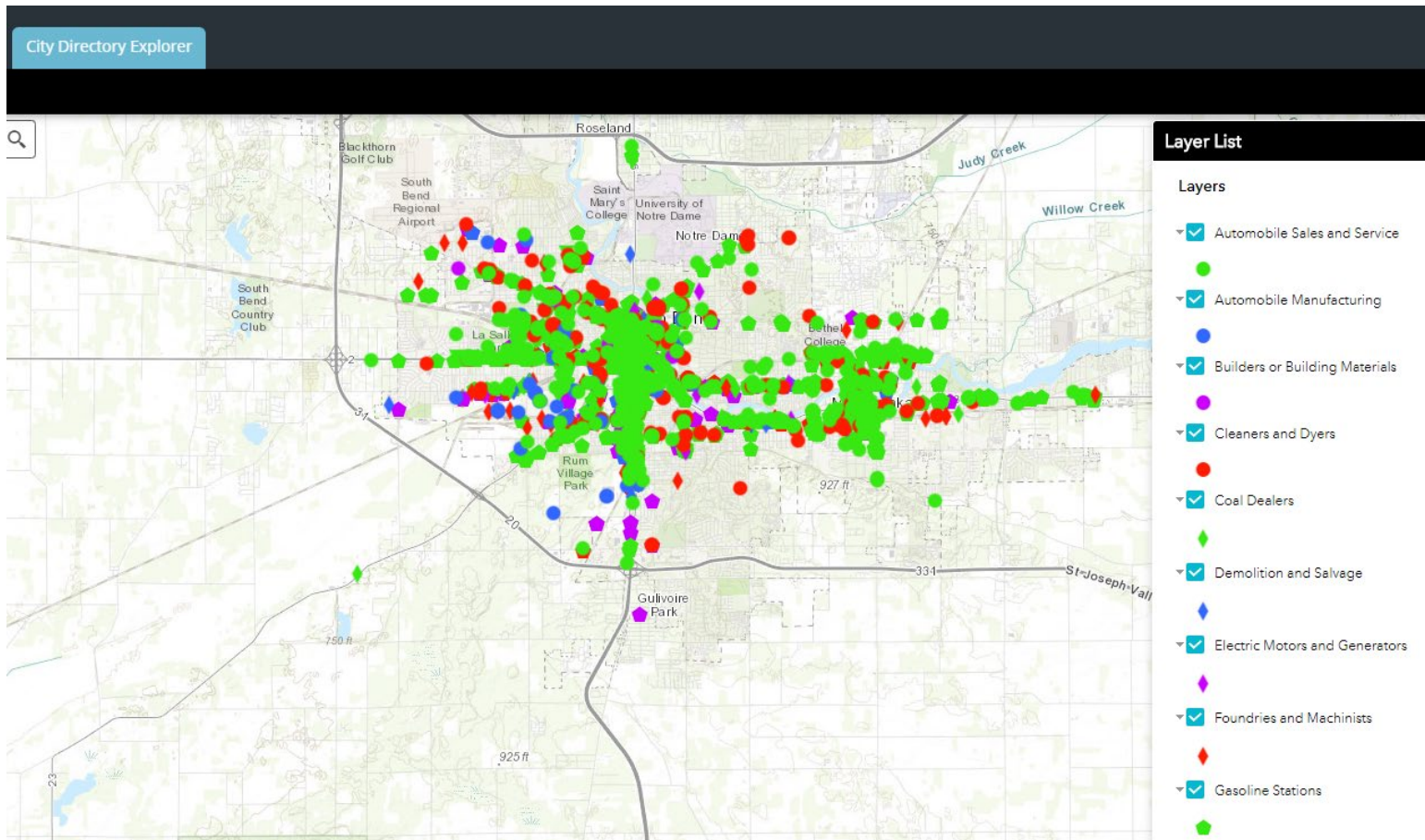
- 1 1885-1886 Fire Insurance Maps
- 2 1891-1892 Fire Insurance Maps
- 3 1896-1899 Fire Insurance Maps
- 4 1901-1904 Fire Insurance Maps
  - Mishawaka (1901)
  - Walkerton (1904)
- 5 1907-1909 Fire Insurance Maps
- 6 1913-1922 Fire Insurance Maps



[Link to Brownfields Portal](#)

# Regional Brownfields Data Portal

## City Directory – South Bend only



[Link to Brownfields Portal](#)

# Phases of Environmental Investigation

## Phase I Environmental Site Assessment (ESA)

- Look at site and research history and physical surroundings for potential environmental conditions. No sampling is involved.

## Phase II ESA

- Collect samples to verify if contamination exists

## Asbestos and Lead Based Paint Inspection

- Collect samples to identify any asbestos and lead based paint and estimate the amount

## Remediation Planning

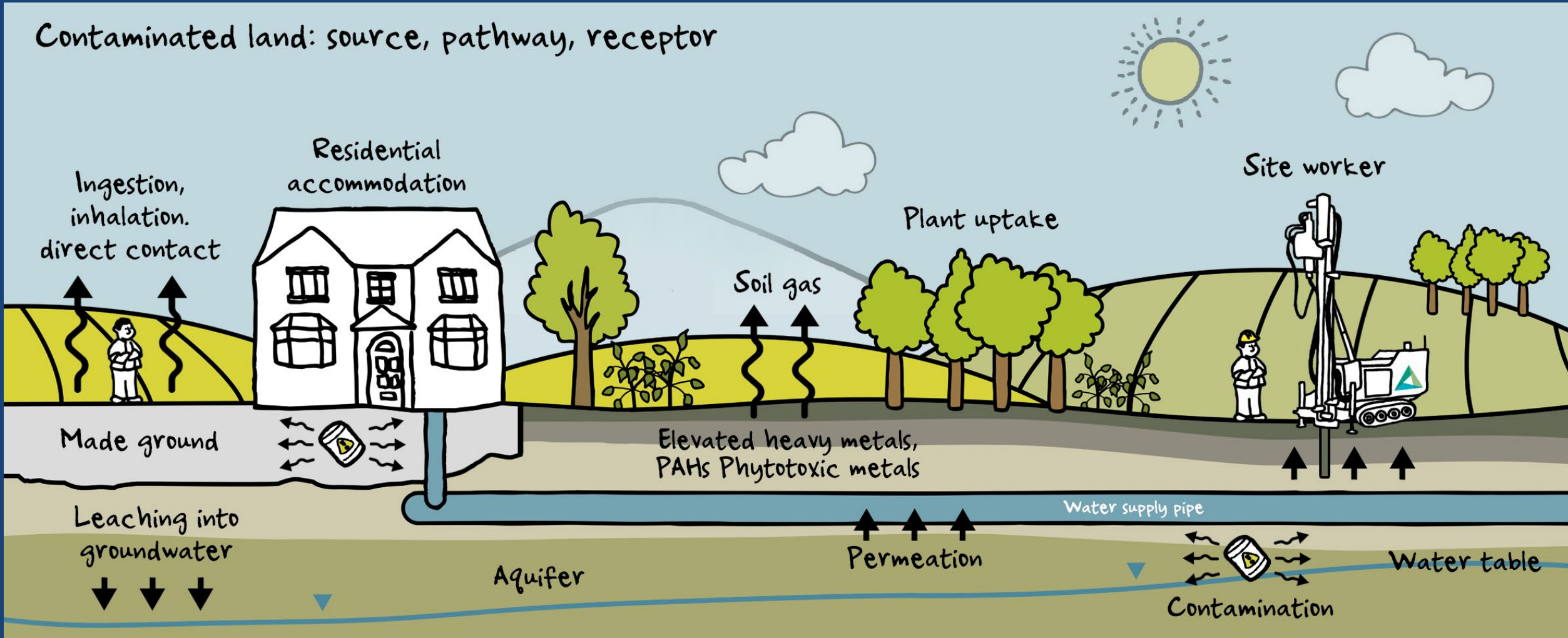
- Develop cleanup plans or use restrictions based on community plans

If needed



# Phase II Investigations:

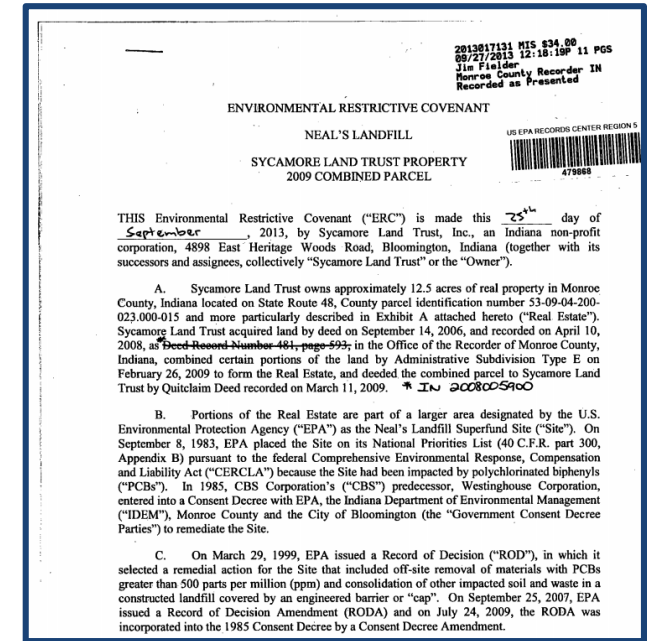
Contaminated land: source, pathway, receptor



# Continuing Obligations

To ensure continued liability protection, a 'Bona Fide Prospective Purchaser' must:

- Comply with restrictions
- Take Reasonable Steps (specified in a Comfort Letter)
- Provide full cooperation and access (response actions, info requests)
- Provide legally required notices for discovery of releases



Landowner Liability Guidance from EPA "*Common Elements*" <https://www.epa.gov/enforcement/common-elements-and-other-landowner-liability-guidance>

# Brownfields Cleanup

- **Low to moderate levels of contamination**
- **Risk-based cleanups to standards for future use and/or resource protection**
  - Soil and Soil-to-Groundwater
  - Industrial
  - Commercial
  - Residential
  - Surface Water
  - Groundwater
- **Prevent exposure to contaminants**
  - Treatment, removal, containment
  - Land use or institutional controls  
*(if residual contaminants remain)*



# Cleanup

- **Not funded by MACOG's grant**
- **EPA Cleanup Grant – competitive**
- **IDEM Financial Assistance**
  - **Petroleum Orphan Site Initiative (POSI)**
  - **Low-Interest Loans**
  - **Revolving Loans**
  - **Supplemental Environmental Projects**

## Contact:

Bonny Elifritz, Financial Resources Coordinator

(317) 234-1688 or [BElifritz@ifa.in.gov](mailto:BElifritz@ifa.in.gov)

[www.in.gov/ifa/brownfields/2366.htm](http://www.in.gov/ifa/brownfields/2366.htm)



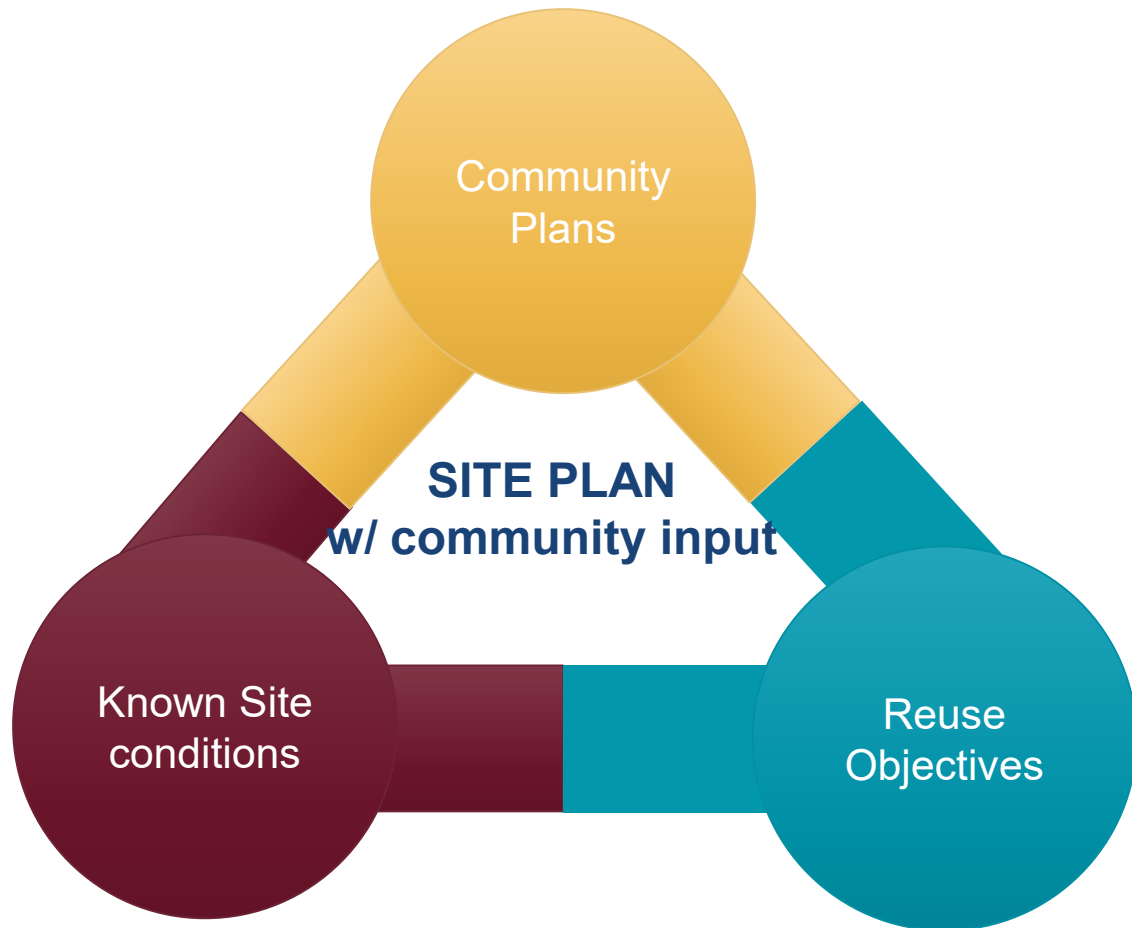
Detroit St. Gas Station, Warsaw, IN  
Enrolled in POSI Program

An aerial map of a brownfield redevelopment site. The map shows various planning elements labeled in blue and green boxes. Labels include 'Durbin Street' at the top, 'Complete Esplanade to Durbin' in a green box at the top center, 'NEW 5a' in a blue box on the left, 'New Parking 5' in a blue box on the left, 'New Green Space' in a green box in the center, 'Patio' in a blue box in the center, 'Office Courtyard' in a blue box in the center, 'REUSE 6' in a blue box on the right, 'Patio' in a blue box on the right, 'REUSE 4' in a blue box on the right, 'REUSE 1c' in a blue box on the right, and 'NEW 5a' in a blue box on the right. The background is a faded aerial view of the site with buildings, parking lots, and green spaces.

# US EPA Brownfields Coalition Assessment Grant Planning



# Cleanup and Reuse Planning



- **Desired Future Use**

- Public
- Commercial/Industrial
- Residential
- Parks and trails
- Mixed

- **Cleanup plans**

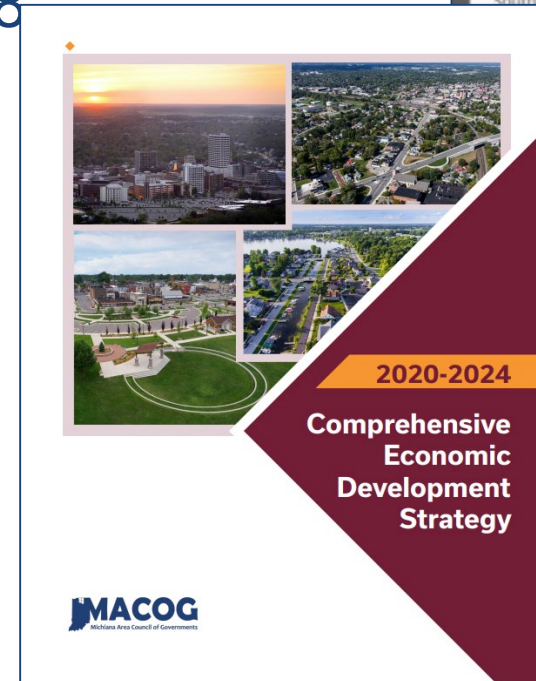
- **Construction considerations**

- Soil Management Plans



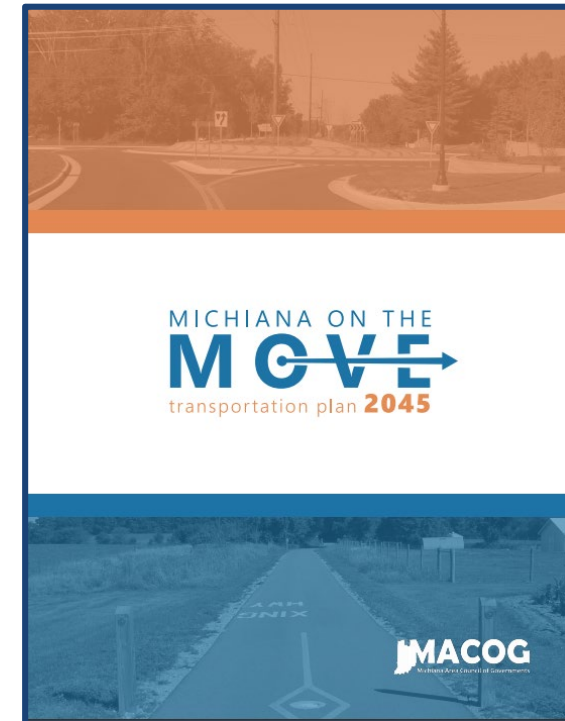
# Regional Economic Development Plans

- MACOG Regional Comprehensive Economic Development Strategy (CEDS), 2020 – 2024
- Regional Economic Development Strategy, 2018
  - Regional Development Authority/  
South-Bend Elkhart Regional Partnership



# Regional Transportation Plans

- MACOG Michiana on the Move: 2045 Transportation Plan, 2020
- MACOG Regional Active Transportation Plan, 2016



# Warsaw-Winona Lake: Argonne Corridor

- Argonne Corridor Vision Plan, 2020
- Residential Market Potential Report, 2019
- Winona Lake Comprehensive Plan, 2019
- Stellar Plan, 2016
- Warsaw Comprehensive Plan, 2015
- Imagine Warsaw, 2013
- Kosciusko County Comprehensive Plan Update – coming soon

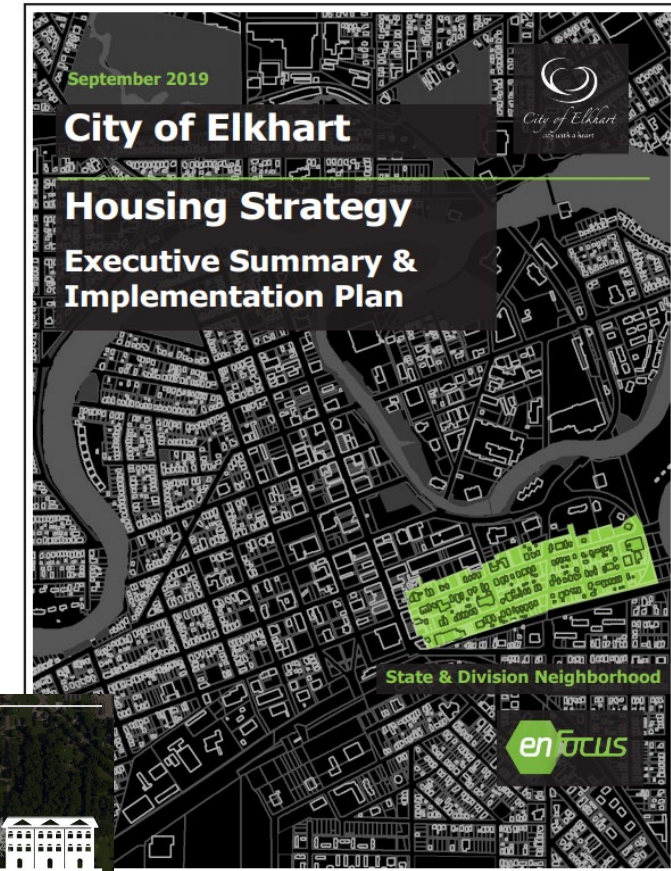
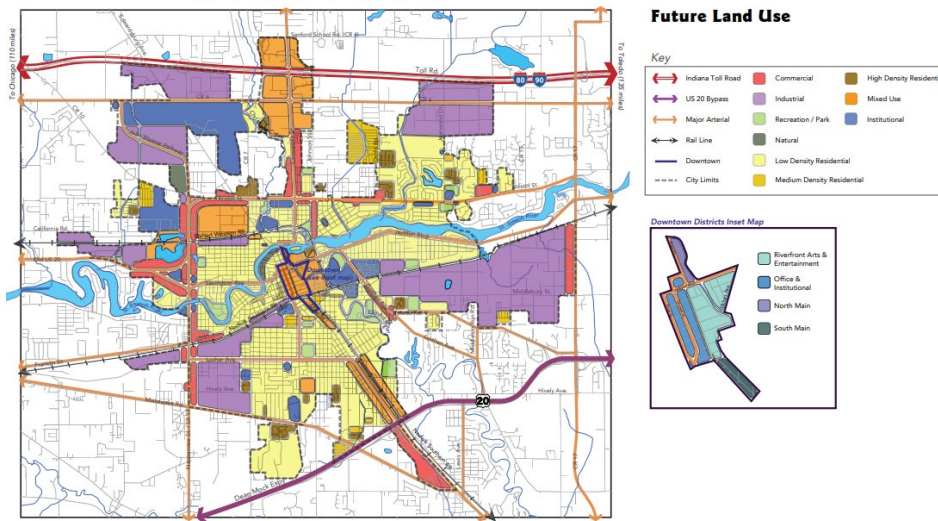
Argonne Corridor Vision Plan prepared for KEDCo by Anderson+Bohlander, LLC  
<https://www.warsaw.in.gov/DocumentCenter/View/1492/2015-Comprehensive-Plan-PDF?bidId=>  
[http://www.macog.com/docs/community\\_devel/comp\\_plan/WinonaLake\\_CP\\_web.pdf](http://www.macog.com/docs/community_devel/comp_plan/WinonaLake_CP_web.pdf)





# City of Elkhart - Plans

- Elkhart Housing Strategy, 2019
- State Division Neighborhood Assessment, 2019
- Sterling East Neighborhood, 2018
- City of Elkhart Comprehensive Plan, 2015
- TIF Plans: Downtown & Consolidated South, 2014
- Other initiatives: Vibrant Communities; Regional Cities



# South Bend – Portage Midtown

- Near Northwest Neighborhood Plan, pending\*

## Other Plans:

- Nearby: Portage and Elwood Neighborhood Center Vision, 2018
- Vacant & Abandoned Properties Task Force Report, 2013
- Housing and Community Development Plan, 2009
- South Bend Comprehensive Plan, 2006



**Near Northwest Neighborhood Plan**  
2019



*\*The NNN plan will be finalized and adopted before the end of year.*

<https://southbendin.gov/departments/community-investment/planning-community-resources/plans-studies/>

# Zoom Poll

Question 6. Which of the following would you like to see more of in your community ?



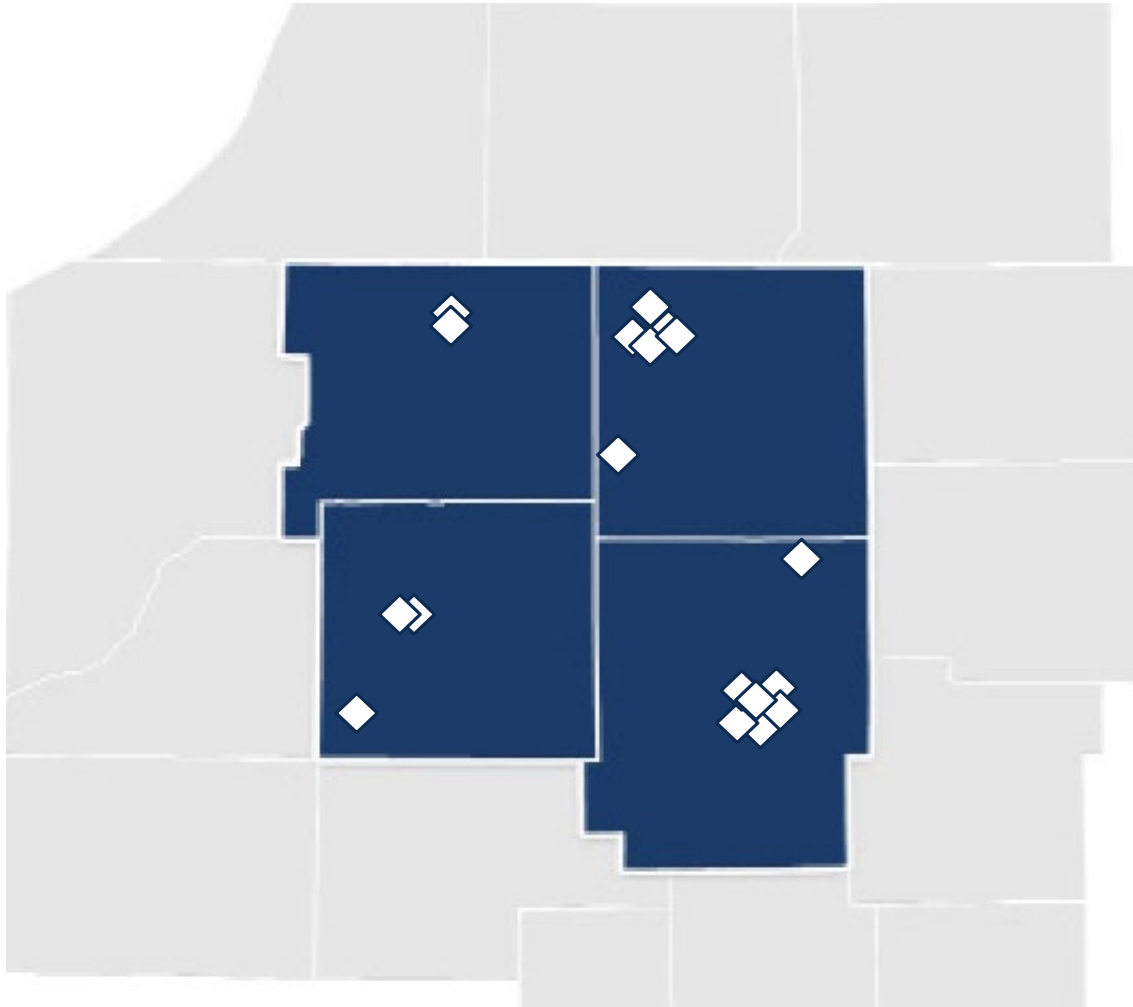


# US EPA Brownfields Coalition Assessment Grant Grant Progress Update

ARNOLT  
CORPORATION



# 19 Approved Sites



Community	Sites	Description
Warsaw	7	Argonne Corridor
Elkhart	5	Downtown Neighborhoods
South Bend	2	Portage Midtown
Plymouth	1	Habitat site
Marshall County	1	Old commercial building
Town of Culver	1	Auto Service Facility
Town of Syracuse	1	Elementary School
Town of Wakarusa	1	Old Commercial Building



# Activities Completed to Date:

- 19 Sites Approved
- 6 Phase I ESAs (+1 underway)
- 2 Asbestos/Lead Based Inspections
- 5 Phase II ESAs (+3 on-going)
- 1 Further Site Investigation (planned)
- 1 Reuse Plan (stakeholder in Argonne Vision Plan)
- 1 Cleanup Plan





Site: 700 S. Main, Elkhart



**Redevelopment  
Vision**



# Site: Conn Property, Elkhart



Residential?



Commercial/Retail?



Left: 2019 Pictometry Image of 1101 E Beardsley.

Top Right: Triangle Neighborhood in South Bend. Photo from Alliance Architects.

Bottom Right: Image of Shopping Plaza in Mishawaka

# Site: 1701 Sterling, Elkhart

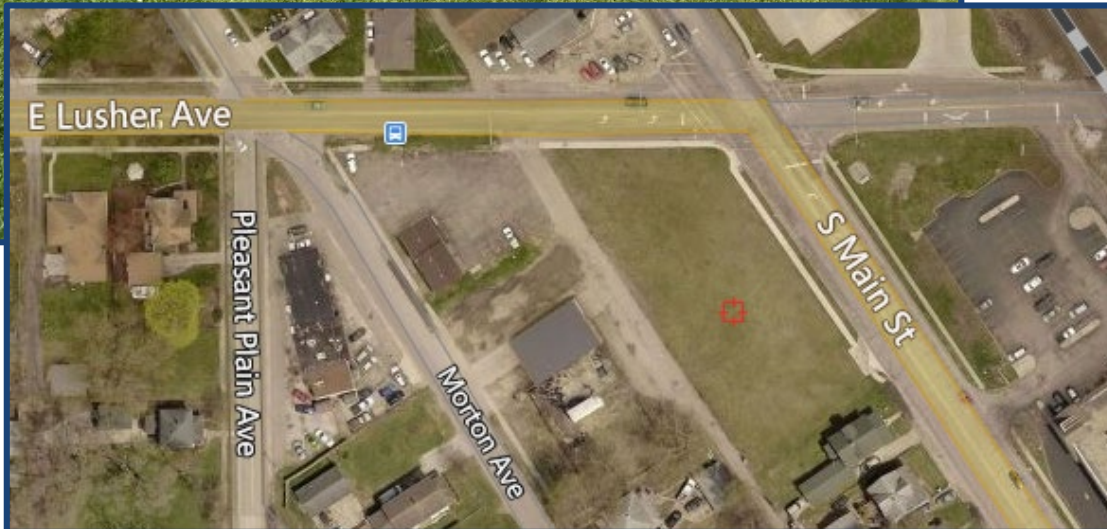


**Greenspace?  
Senior Housing?**

Right: Grandview Flats & Townhomes in Granger



# Site: Main & Lusher, Elkhart



Financial Institution  
Restaurant  
Retail

...

# Site: Former Federal Press, Elkhart



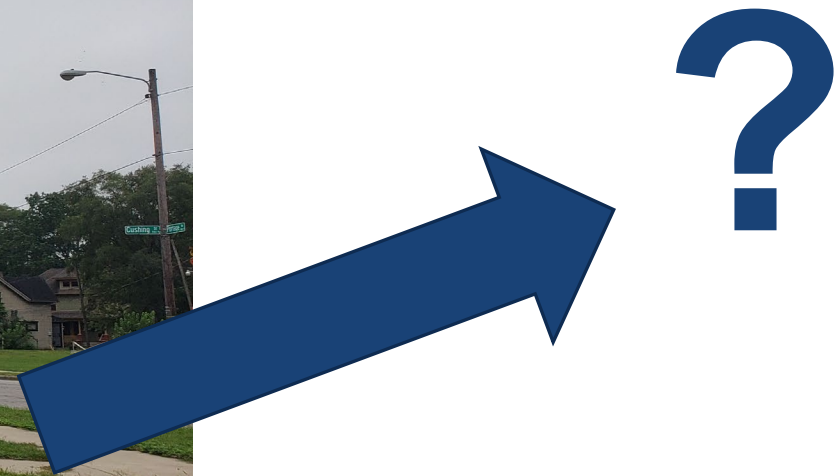


# Site: Ward Bakery, South Bend



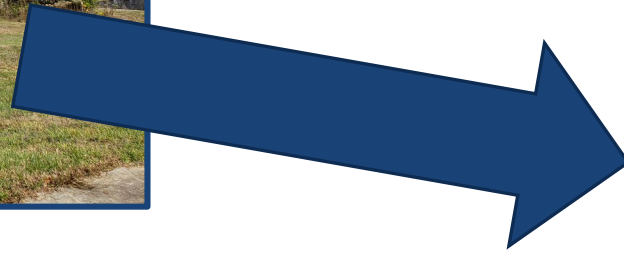


# Site: 808-838 Portage, South Bend





# Site: Gatke, Warsaw



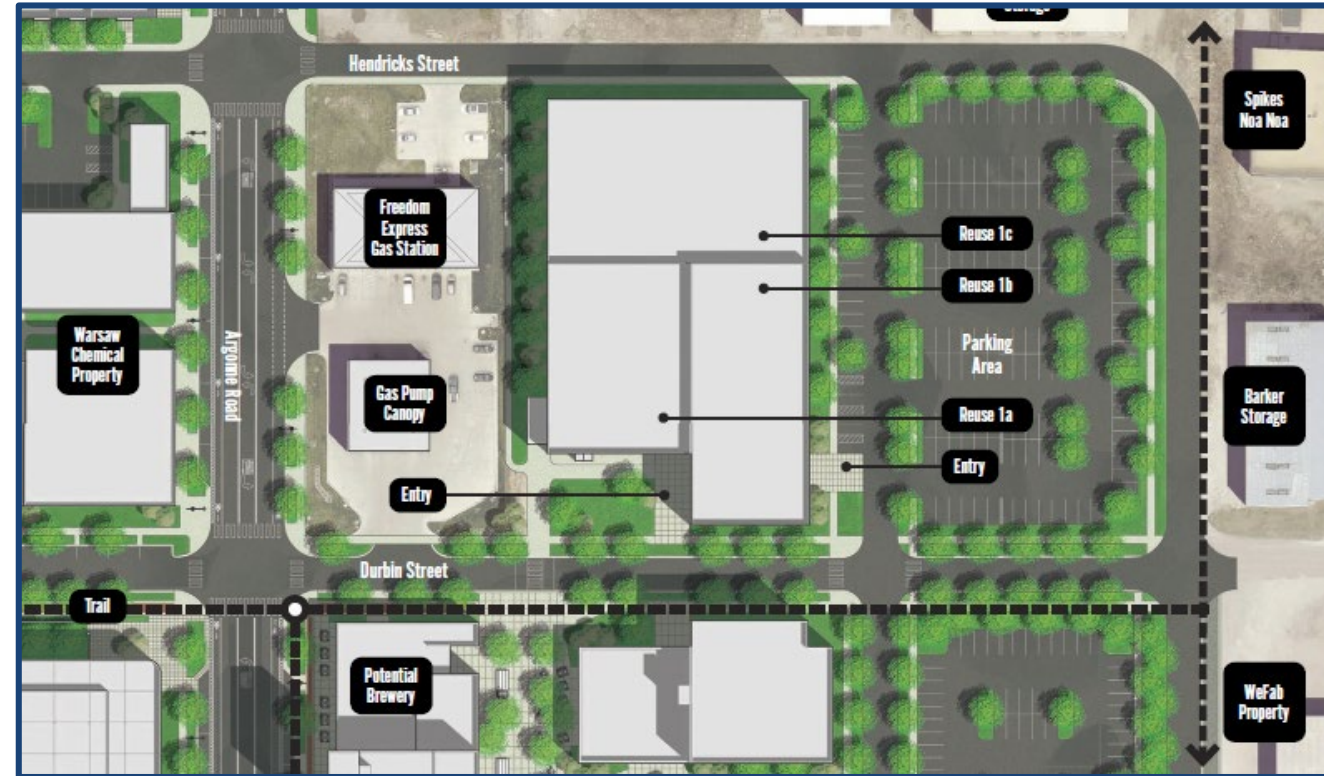
Top Right: Argonne Vision Plan (preliminary)  
Restaurant, Co-working Space, Event or Education Space, Apartments...

Bottom Right: Gatke Maker Space from Stellar Plan





# Site: Arnolt, Warsaw





# US EPA Brownfields Coalition Assessment Grant What's Coming Next



# Site Specific Input Opportunities: Virtual Meetings, Surveys

- South Bend
  - Ward Bakery (October 29, 2020 6:30 pm on Zoom)
- Elkhart
  - To be determined.
- Warsaw
  - Argonne Corridor – KEDCO Stakeholder Event, Fall 2020

# Nominate Sites of Interest

MACOG welcomes site nominations from the public and stakeholders on a rolling basis.

## Request for Sites of Interest

MACOG is requesting input from communities and stakeholders on sites of interest in the region to develop and prioritize an inventory of potential brownfields in need of assessment, cleanup, and redevelopment. Examples include:

- Abandoned industrial sites, former dry cleaners, old gas stations, vacant schools, former hospitals
- Properties at community gateways and Main Street areas
- Abandoned or tax delinquent properties
- Privately owned properties where potential environmental issues are a barrier to the sale and redevelopment of the property
- Sites identified for acquisition by local governments to satisfy due diligence requirements

Submit Sites of Interest





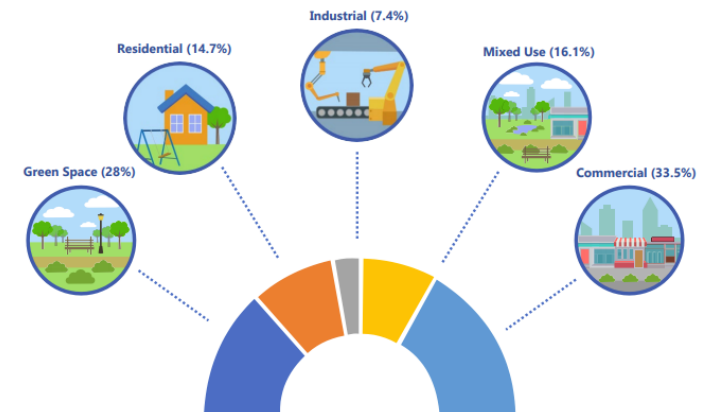
## For more information:

- Contact MACOG:
  - [macogdir@macog.com](mailto:macogdir@macog.com), 574-287-1829
- IFA Indiana Brownfields Program:
  - [www.in.gov/ifa/brownfields/](http://www.in.gov/ifa/brownfields/)
- Environmental Protection Agency:
  - [www.epa.gov/brownfields](http://www.epa.gov/brownfields)
- Understanding Brownfields Fact Sheets (bilingual):  
[www.epa.gov/brownfields/understanding-brownfields](http://www.epa.gov/brownfields/understanding-brownfields)

### Reuse Possibilities for Brownfield Sites

Nearby residents and other local community members benefit when a brownfield site is transformed from an eyesore and safety concern into a new job center, recreational facility, housing or other community amenity. Safely reusing a brownfield site is possible when a redevelopment plan helps guide site assessment and cleanup decisions. Often, the process of assessing and cleaning up a single brownfield site sparks community interest to identify other sites for redevelopment!

Successful brownfield site redevelopment across the country can be described through five main categories.



Most commonly reported reuses for brownfield sites funded by U.S. EPA Cleanup and Revolving Loan Fund Grants.<sup>1</sup>

# Questions?





# Appendices





# Actions at Current Sites

## Phase I ESA

<u>#</u>	<u>Site</u>
3	Ward Bakery
7	808-838 Portage
9	700 S Main
10	1701 Sterling
6	V&V/Garro
2	Arnolt/Delta

### *Ongoing*

72 123 Elkhart Street

## Phase II ESA

<u>#</u>	<u>Site</u>
4	Conn Phase II
8	Former Federal Press
9	700 S. Main
6	V&V/Garro
5	Main & Lusher

### *Ongoing*

2 Arnolt/Delta  
10 1701 Sterling  
3 Ward Bakery

### *Planned*

4 Conn FSI

## AB/LBP Survey

<u>#</u>	<u>Site</u>
1.	Arnolt/Delta
2.	Ward Bakery

# Activities at Each Stage of the Brownfields Redevelopment Process

Generally, the activities outlined here for each stage are undertaken by developers.

Communities and municipalities undertaking brownfield redevelopment projects or forming public-private partnerships can use this information to better understand how a developer approaches a brownfield redevelopment opportunity.

Pre-Development	Development	Management
<ul style="list-style-type: none"><li>▪ <b>Conduct Due Diligence.</b></li><li>▪ <b>Conduct Analyses.</b></li><li>▪ <b>Determine any Fatal Flaws.</b></li><li>▪ <b>Develop the ProForma and Agreement for Purchase of Property.</b></li><li>▪ <b>Use the Proforma to Refine the Site Design.</b></li><li>▪ <b>Prepare a Redevelopment Plan.</b></li><li>▪ <b>Identify Sources of Funding.</b></li><li>▪ <b>Acquire Environmental Insurance.</b></li></ul>	<ul style="list-style-type: none"><li>▪ <b>Obtain Permits and Necessary Approvals.</b></li><li>▪ <b>Conduct Environmental Cleanup and Site Preparation Activities.</b></li><li>▪ <b>Conduct Marketing and Pre-leasing Activities.</b></li><li>▪ <b>Complete Construction and Open the Project.</b></li></ul>	<ul style="list-style-type: none"><li>▪ <b>Hold the Property.</b> Developer/owner assumes O&amp;M responsibilities. OR</li><li>▪ <b>Sell the Property.</b> Buyer assumes O&amp;M responsibilities.</li></ul>

**Figure 2:** Table of Brownfields Redevelopment Process. From *Anatomy of Brownfields Redevelopment*, EPA 560-F-19-012 (June 2019). Retrieved from [https://www.epa.gov/sites/production/files/2015-09/documents/anat\\_bf\\_redev\\_101106.pdf](https://www.epa.gov/sites/production/files/2015-09/documents/anat_bf_redev_101106.pdf)

# Comfort Letter

A **Comfort Letter** issued from IDEM helps facilitate property transactions and property reuse



**Indiana Brownfields Program  
Comfort/Site Status Letter Request**  
State Form 51493 (R2/6-07)  
Indiana Finance Authority

**Reset Form**

**Return this form to:**  
**INDIANA BROWNFIELDS PROGRAM**  
100 N. Senate Avenue, Room 1275  
Indianapolis, IN 46204  
For questions: 317-234-1279  
Submit form electronically to: [brownfields@ifa.in.gov](mailto:brownfields@ifa.in.gov)  
FAX: 317-234-1338

Pursuant to the Indiana Department of Environmental Management (IDEM) Nonrule Policy Document W-0051, "Brownfields Program Comfort and Site Status Letters Policy" (April 18, 2003), the Indiana Brownfields Program may issue a Comfort or Site Status Letter to stakeholders at brownfields sites that satisfy the eligibility criteria and conditions of the policy.

## **Brownfield Site Definition**

A brownfield site is defined as a parcel of real estate that is abandoned or inactive; or may not be operated at its appropriate use; and on which expansion or redevelopment is complicated because of the presence or potential presence of a hazardous substance, a contaminant, petroleum, or a petroleum product that poses a risk to human health and the environment. IC 13-11-2-19.3

- It explains the liability exemption or enforcement discretion policy for which the stakeholder has qualified
- It is issued to a party that qualifies for an applicable exemption to liability found in Indiana law or application of an IDEM enforcement discretion policy
- It is not a legal release from liability.
- It includes information on Continuing Obligations



# Comfort and Site Status Letters

## IDEM - Comfort Letters and Site Status Letters

*Must have completed Phase I ESA, Phase II ESA recommended*

### Comfort Letter

- Issued to a party that qualifies for an applicable exemption to liability found in Indiana law or policy, not a legal release from liability
- Explains applicable liability exemption or defense, or IDEM's exercise of enforcement discretion under an applicable IDEM policy
- Helps with property transactions, lender comfort

### Site Status Letter

- Issued to non-responsible party
- Demonstrated that Site currently meets risk-based cleanup criteria as established by IDEM
- Does not address potential liability of the party requesting the letter
- States that current site conditions do not present a threat to human health or the environment, IDEM does not plan to take or require response action