



New Jersey Department of Environmental Protection
Office of Brownfield Reuse
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2009 Brownfield Development Area Application Guidance

The New Jersey Department of Environmental Protection (DEP), Office of Brownfield Reuse (OBR) is pleased to provide this application guidance for Brownfield Development Area (BDA) designation. The BDA initiative is designed to help communities affected by multiple brownfields to plan for and implement remediation and reuse of those brownfields in a comprehensive and coordinated manner. The BDA Initiative represents a unique partnership between NJDEP, other involved agencies and the public to transform *neighborhoods* and *communities*.

BDA designation initiates a long-term partnership among the applicant Steering Committee, the host municipality, DEP and other involved agencies to focus available resources to develop and implement a strategic plan for remediation and reuse of the brownfield sites within the BDA. Although a dedicated local planner is not required, the Department's experience indicates that BDA Steering Committees can benefit from having an environmental/planning point person assist with BDA project development, coordination and implementation. This point person can be a resource to the Steering Committee and help realize the full benefit of the BDA designation by keeping the projects on track. This person may be a municipal employee or a consultant.

BDA Selection Process and Criteria

In the BDA application process, Steering Committees and partnering municipalities will apply to DEP for designation of an area affected by multiple brownfields as a "Brownfield Development Area" or BDA. BDA projects will be selected annually by a team of involved State agencies based on application quality and staff availability. The process will be highly selective based on the likelihood for success. **Applications for the calendar year 2009 application period must be received by the Office of Brownfield Reuse by March 31, 2009.**

Selection criteria will include:

- Quality and completeness of the BDA application
- Extent to which the boundaries of the proposed BDA are consistent with the boundaries of a community or neighborhood, rather than merely properties that happen to be located near one another
- Extent to which the proposed BDA project is consistent with Smart Growth principles
- Potential benefits to the community, public health, and the environment from the proposed project
- Level and breadth of community support for the proposed Steering Committee and BDA project
- Clarity of community vision for the BDA
- Likelihood of successfully implementing the community vision as demonstrated by an approved formal Master Plan for the proposed BDA project area
- The status or progress of an existing BDA in the host municipality (*The BDA is a municipality's highest priority for brownfield redevelopment. To ensure that adequate municipal resources are available for each BDA, and to ensure that all municipalities have an equal opportunity to participate in the BDA process, municipalities will be limited to one BDA designation every 5 years.*)

Applicants not selected for BDA designation will receive assistance in improving their applications for consideration in the future.



Memorandum of Understanding Establishing the BDA

Successful applicants will enter into a Memorandum of Understanding (MOU), which will govern the partnership formed by the Steering Committee, the municipality and the DEP. The MOU memorializes the BDA boundaries and the Steering Committee membership, and sets forth the steps of the BDA process and the commitments of all parties. This MOU will be executed upon designation and renewed at the beginning of each calendar year upon determination by DEP of adequate progress. This annual renewal requirement will impose a responsibility on all parties to ensure such progress. The BDA designation may be renewed annually until implementation of the reuse plan is complete. A copy of the standard-form MOU is found at <http://www.nj.gov/dep/srp/brownfields/bda/> and should be carefully considered by all participants prior to application.

Who Can Apply

Applications will be accepted on behalf of local Steering Committees comprised of representatives from municipalities, counties or non-profit organizations, and property owners in conjunction with the host municipality. All applications must include an ordinance or a resolution of support from the host municipality to partner with the applicant Steering Committee and to adhere to the terms of the MOU governing the BDA project.

How to Apply

Applications will be accepted on an annual basis. Section-by-section instructions for completing the BDA application form follow in this document. **Applications for the calendar year 2009 application period must be received by the Office of Brownfield Reuse by March 31, 2009.** Be sure to include five (5) paper copies and one electronic copy (in Word or other compatible format).

Application packages must be submitted to:

Brownfield Development Area Application
New Jersey Department of Environmental Protection
Office of Brownfield Reuse
401 East State Street
P.O. Box 028
Trenton, New Jersey 08625-0028

Applicants are encouraged to contact OBR for more information or assistance with completing the BDA application. When calling, please direct your questions to:

Office of Brownfield Reuse
Phone: (609) 292-1251
Fax: (609) 777-1914



Guidelines by Section

Applicants are reminded to provide information in response to all components of this application. Applicants may add information that, while not specifically requested, may be important in presenting the overall picture of the proposed BDA project.

Section I: Applicant Information. The applicant can be a community organization, a municipality or a county, as appropriate to the area being proposed for BDA designation. List the name of the organization, the complete mailing address, a phone number and a contact person. In the case of co-applications, provide information for each co-applicant.

Section II: Project Information.

- A. **Project Boundaries.** Clearly state the physical boundaries of the proposed BDA and why these boundaries were selected. The boundaries may be geographic features, including rivers or other bodies of water, railroads or highways. When boundaries are streets, street names should be listed. This statement should be as brief as possible while accurately describing the area. (Example: “A neighborhood bounded by River W, highway X, Y Street and the Z railway line currently containing residential, commercial and light industrial uses. The proposed BDA includes six brownfield sites, which the Steering Committee proposes should be remediated and reused consistent with an overall community vision for the area. The area was selected because....”).
- B. **List of Brownfield Sites within the Proposed BDA.** The brownfield sites proposed for remediation and reuse must fit the description of a brownfield: “any former or current commercial or industrial site that is currently vacant or underutilized and on which there has been or there is suspected to have been a discharge of a contaminant.” Brownfields may be vacant or improved land. List each site and the corresponding street address or Tax Block(s) and Lot(s). Sites may consist of individual parcels or multiple parcels that function as a single unit (e.g., a large commercial facility covering several lots) and should be identified by their current, rather than anticipated, name or use.
- C. **Scaled map or photo.** Provide a single scaled map or aerial photo depicting the boundaries of the entire proposed BDA as well as the individual site boundaries for each brownfield site listed in Section II.B. Clearly identify on the map or photo each brownfield site with the site name as it appears in Section II.B. Identify prominent physical features such as streets, railroads, water bodies, etc.

Section III: Baseline Information for Brownfield Sites within the BDA. For each of the brownfield sites listed in Section II.B., complete a separate Baseline Property Datasheet. The information required to complete the Datasheets is readily available from the municipal tax office or, in the case of environmental information, the local or county health department or the DEP. Include the site name and address, all blocks and lots, property size and zoning, the name and address of the property owner, a physical description of the property and the current use and any known past uses. **Extensive additional site investigation is not required for this application; however, any existing information concerning past or current owners, site operations and remediation activities must be included.** Information pertaining to site remediation activities can be obtained from the DEP Data Miner Database at <http://www.nj.gov/dep/opra/online.html>.

Section IV: Steering Committee. The Steering Committee will lead the project throughout the process and must be committed to seeing the project through to completion. BDA applications will be judged, in part, by the extent to which the proposed Steering Committee reflects broad community representation and commitment to completion of the BDA project. Leaders of neighborhood organizations, stakeholders from municipal or county government, property owners (including owners of the brownfield sites), environmental groups and commissions, developers, local business and community leaders, and other stakeholders may all be part of the Steering Committee. These and other potentially affected stakeholders should be informed of the BDA application process, and invited to participate or to submit a statement of their support. In this Section, list each of the Steering Committee members, their affiliations, contact information and the stakeholder sector they represent, starting with the Steering Committee Coordinator. **The application must include a separate letter of interest from each prospective Steering Committee candidate, including the Steering Committee Coordinator, affirming their commitment to the project and the BDA process.**



Section V: Steering Committee History and Support. Demonstrate that the Steering Committee is representative of the community and has the support of the community and the municipality. Provide a brief description of the method by which the Steering Committee was created. **An ordinance or a resolution of support from the municipal governing body for the BDA project, and another ordinance or resolution indicating the municipality’s willingness to enter into an MOU with the DEP and the Steering Committee, are required. Ordinances/resolutions must have been adopted/passed in support of this specific year’s BDA application.** Letters of support from local government stakeholders will give added weight to the application. Any funding currently allocated for the project from municipal or other sources should be listed. Additional letters of support for the application from other area or community organizations should be included as part of this section. These letters are encouraged to be as unique and explicit as possible as to the degree and level of support for the proposed project and the Steering Committee. Letters of support from brownfield site property owners and environmental commissions or organizations are also encouraged.

Section VI: Community Overview. Provide a narrative description for the proposed BDA **under the following headings:**

- **Justification for the BDA Boundaries.** Provide the rationale for the selection of the BDA boundaries based on neighborhood factors or other designations (examples would include a school sending area, active industrial or commercial area, or other recognized or logical grouping of the sites). Detailed information concerning current uses within the proposed BDA must be provided.
- **Area Population and General Demographics.** Provide an estimate of the resident population by major census categories. Provide general information describing income, education, dominant employment sectors, unemployment figures, etc.
- **Housing, Economic Activity and Public Assets.** Describe residential dwellings and existing commercial or industrial entities in the project area. Describe schools and other public assets as necessary to aid in characterizing the proposed BDA.
- **Local Planning Designations.** Identify local planning designations applicable in the BDA project area, including zoning, historic districts, redevelopment areas, etc. Provide an overview of the municipality’s master plan goals and a current municipal zoning map for the proposed BDA and immediate vicinity.
- **Economic Development Designations.** Identify all economic development designations, such as a special improvement district, Environmental Opportunity Zone, Urban Enterprise Zone and any other relevant local designation that may impact the plan or the resources available for the BDA project.
- **Transportation Issues.** Discuss transportation issues in the BDA project area including the availability of and access to public transportation, public parking, etc. Does the proposed BDA project area include a designated Transit Village?
- **Recreation and Open Space Inventory.** Identify existing parks, playgrounds, public spaces (gardens, boulevards, etc.) and water bodies within the BDA. Include a description of all existing properties used for public recreation and open space. A general description of street landscaping should also be included.
- **Obstacles to Redevelopment.** Identify features that may represent obstacles or challenges to redevelopment including the presence of wetlands, floodplains, tidelands, threatened and endangered species, etc.

Section VII: Community Vision. Clearly detail the anticipated benefits to the community and the environment as a result of the proposed BDA project. Provide a statement of purpose describing any proposed end uses and demonstrating that the objectives of the project are consistent with Smart Growth principles (see <http://www.njsmartgrowth.com>). Describe all formal or informal planning efforts to develop the community vision to date. **Municipal adoption of a formal redevelopment plan for the project area is a required component of the application.** In addition, provide a narrative description of the anticipated benefits to the community from the improvements associated with the remediation of the brownfields and the aspirations of the community for this effort **under the following headings:**

- **Direct and Indirect Environmental Benefits.** List potential benefits to air, surface water, ground water and soil quality from this project. Be as specific as possible. Specifically identify any “green building” elements of the proposed redevelopment. (Refer to <http://www.usgbc.org> for additional information on building “green”.)
- **Aesthetic Benefits.** Describe the potential benefits to the landscape of the neighborhood including improvements to existing street infrastructure and property.



- **Community Quality of Life Benefits.** Describe the potential benefits from the BDA project that could improve the lives of people living and working in the neighborhood. Specifically identify any “brownfield-to-greenfield” components of the proposed redevelopment.
- **Public Health and Welfare Benefits.** List ways in which the BDA project will improve health and the overall welfare of residents in and around the BDA.
- **Economic Benefits.** List specific economic benefits, and to the degree possible, quantify in terms of work, income and other commercial benefits.
- **Provide a detailed description of the planned end use within the boundaries of the BDA, including:**
 1. Number of residential units (specify number or percentage of market rate vs affordable),
 2. Area of retail space(square feet or acres),
 3. Area of commercial or office space (square feet or acres),
 4. Area of conservation, recreation or open space (square feet or acres),
 5. Area of other proposed use (square feet or acres).

