

# Creating affordable housing on formerly contaminated properties

2024 Infrastructure Assistance Coordinating Council (IACC) Conference



**Sandra Matthews, Ecology Site Manager & Northwest Region Office Team Lead**  
Affordable Housing Cleanup Grant Program

Washington Dept. of Ecology | IACC Conference | Wed. Oct. 23, 2024



# Agenda

Why we are here

Need for affordable housing

Contaminated properties

Cleanup process

Planning

People

Options

Q&A

Here to talk about  
**Creating affordable housing on formerly contaminated site**





# We need more housing...

Future housing needs broken down by area median income (AMI) groups



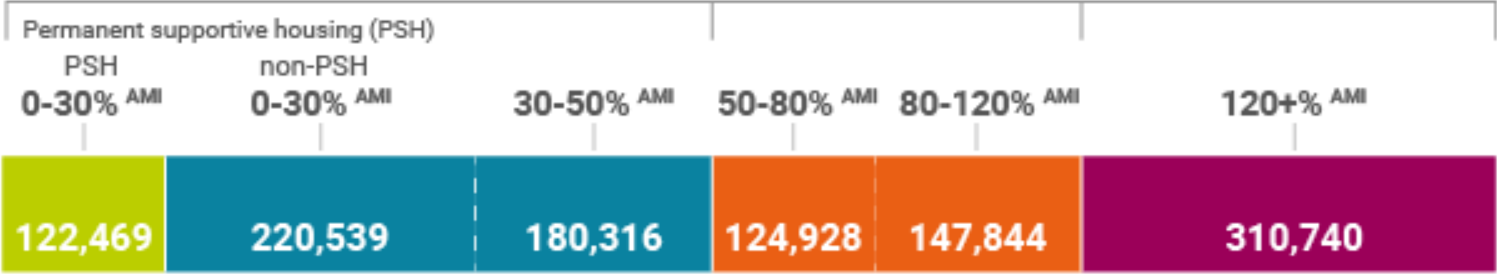
Apartments



Multi-plex

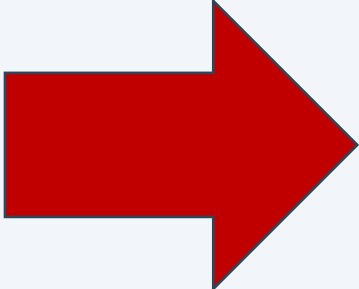


Single family



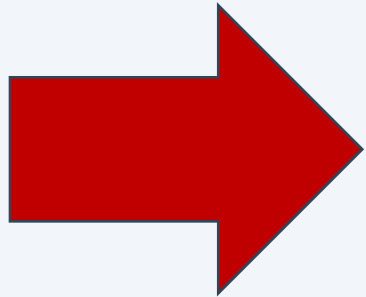
**1.1 Million** new homes will be needed in the next 20 years

In addition, there will also need to be:  
**91,357** Emergency housing beds (temporary housing)



Source: Washington Department of Commerce, 2022

# We need more housing...



**1.1 Million** new homes will be needed in the next 20 years

# Land is limited

- The Growth Management Act directs jurisdictions to plan for sufficient land capacity for housing needs.
- Development outside of urban growth areas is limited to “non-urban” in nature.
- Previously developed properties are increasingly being reused as affordable and low-income housing.





# Brownfields

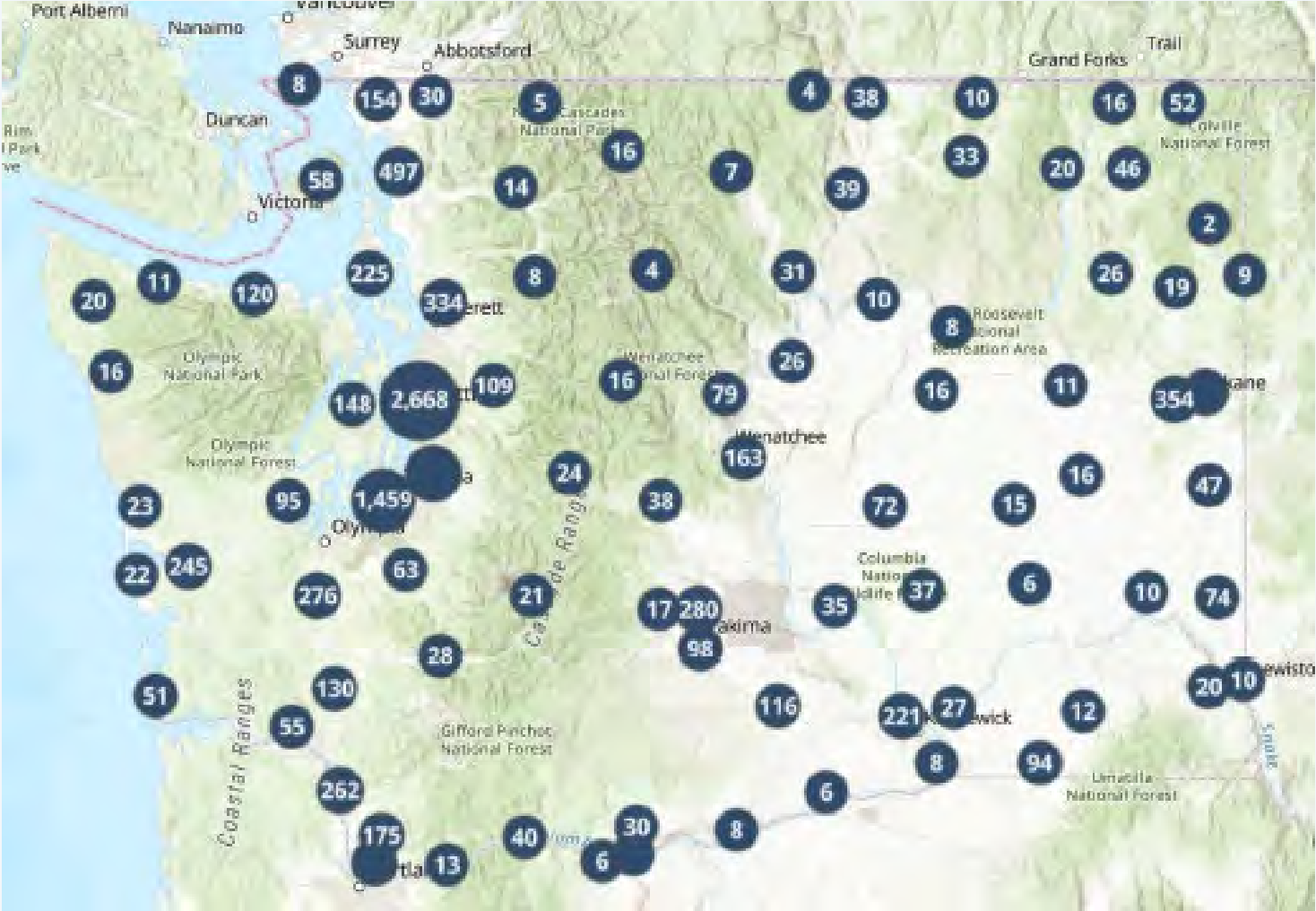
property with known or suspected environmental contamination that hinders redevelopment or full use





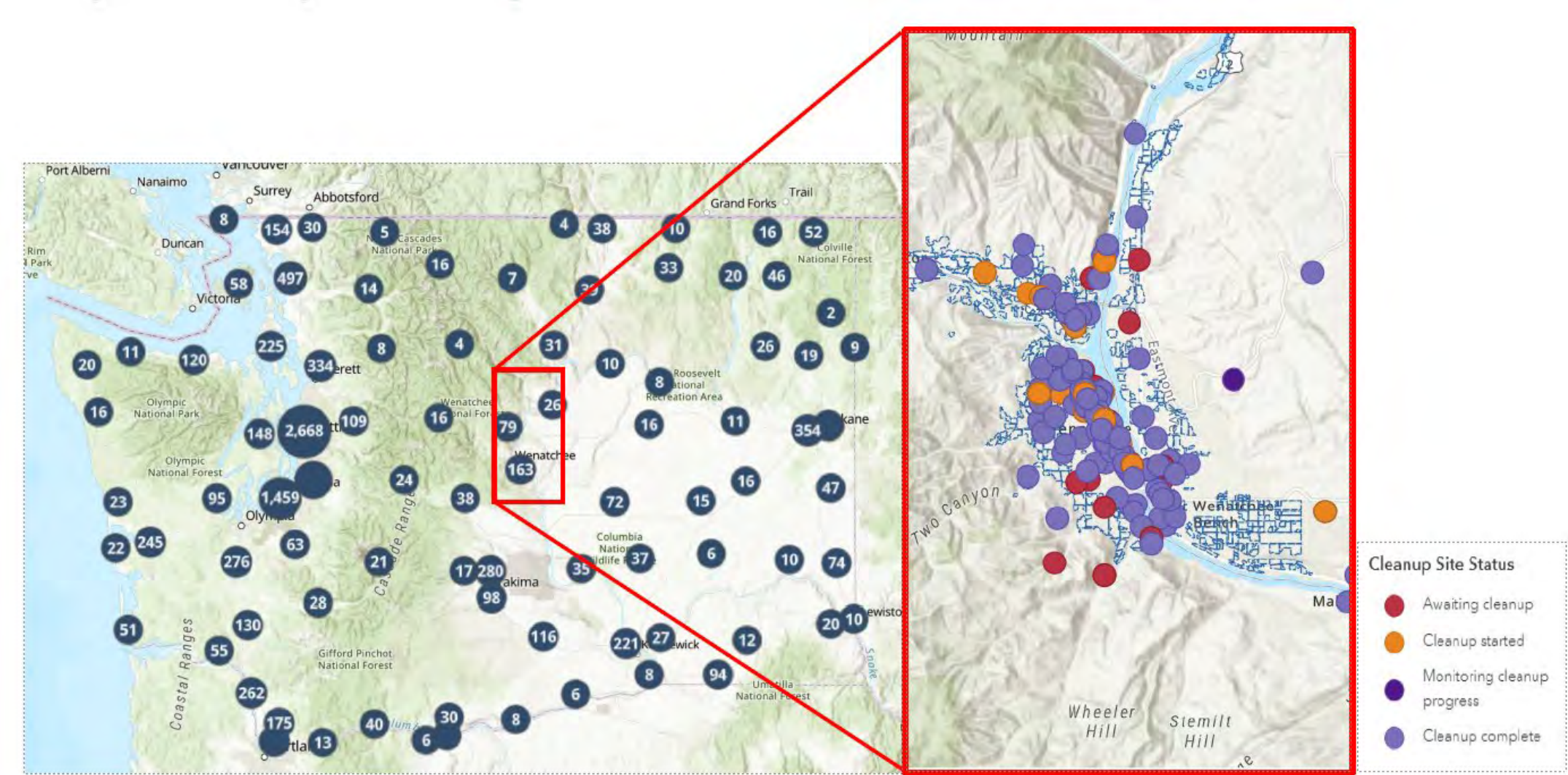


# Washington Cleanup Sites



14,000  
sites

# Washington Cleanup Sites





# New housing as infill development

## Pros

- Existing infrastructure
- Limits sprawl
- Preserves green space
- Closer to goods and services
- Access to transit
- Reduces blight

## Cons

- Uncertainty of cleanup requirements
- Cleanup costs
- Potential liability
- Delayed timelines for construction
- Perception

# Tackling the challenges

1. Uncertainty of cleanup requirements

**Little problem or big, simple or complicated**

2. Cleanup costs

**Same as uncertainty. How will it impact the bottom line?**

3. Potential liability

**What will the regulatory agency require**

4. Delayed timelines for construction

**Construction funding is complicated and on a cycle that does not necessarily correspond with cleanup.**

5. Perception

**Environmental and economic justice**



# Potential liability

## Laws vary by state

- New purchasers can be liable for impacts from past uses
- Options for liability defenses
- Settling liability

## Due diligence is the first step

- Phase I ESA
- Meet with regulators – before purchase, if possible
- Understand risk tolerance
- Legal guidance

# Cleanup Variables

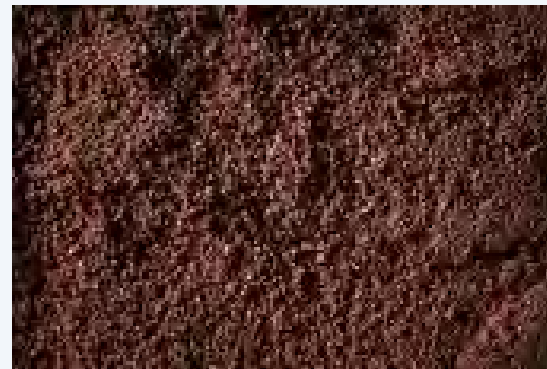
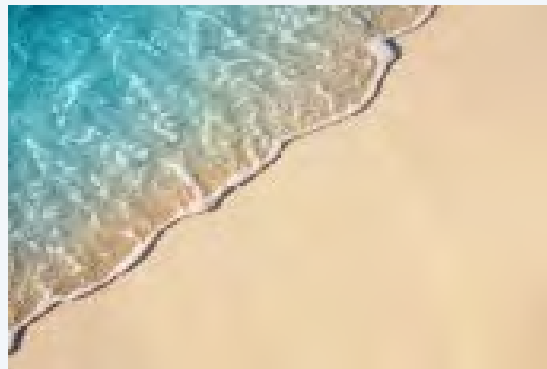
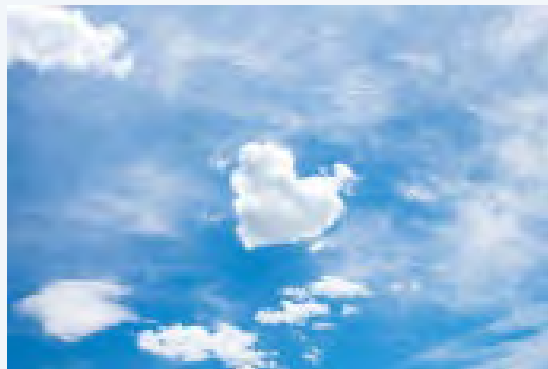
## Your cleanup costs vary

- Type of contaminant(s), media, exposure

## Your cleanup timelines vary

- Development may happen before cleanup is complete

## Hire a professional consultant





# Overcoming the challenges

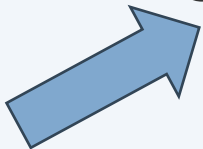
Cons	Solutions
Uncertainty about cleanup requirements	<b>Work with your environmental agency. Due diligence.</b>
Cleanup costs	<b>Due diligence. Planning.</b>
Potential liability	<b>Work with your environmental agency. Due diligence.</b>
Delayed timelines for construction	<b>Planning. Communication.</b>
Perception	<b>Work with your environmental agency. Communication.</b>

# Benefits of building on brownfields?



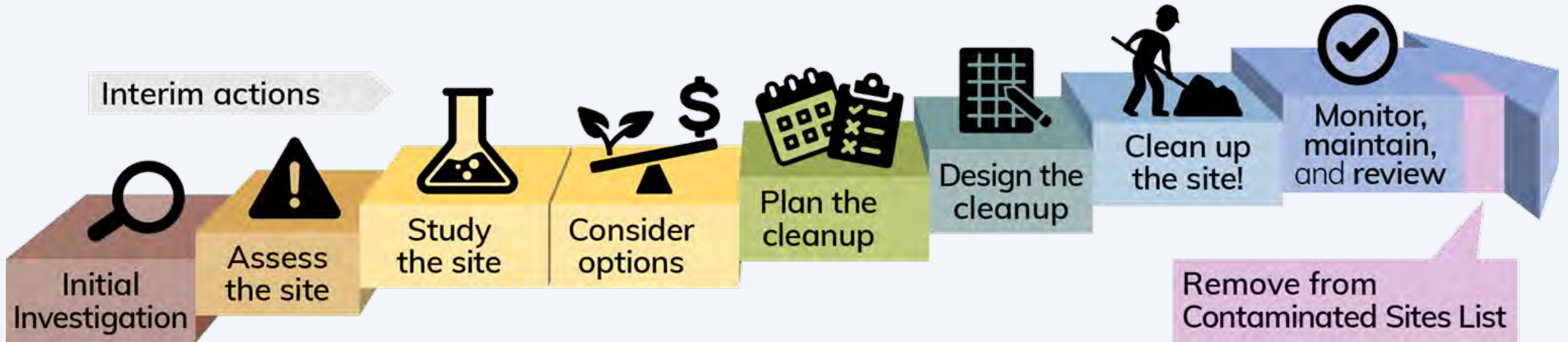
# What to do for a Brownfield development project...

1. Communicate
2. Do your environmental due diligence
3. Engage an environmental consultant
4. Get an environmental attorney
5. Talk to Ecology



# Cleanup Process

## Model Toxics Control Act (MTCA) Cleanup Process



Plan	Assess			Clean up
Planning	Initial Investigation Phase I & II Environmental Site Assessment (ESA)	Remedial Investigation/ Feasibility Study (RI/FS)	Cleanup Action Plan (CAP)	Engineering Design Report (EDR)/ Cleanup



# Brownfields funding helps people meet MTCA cleanup requirements

## EPA FUNDING

128(a) State Response Program (SRP)  
Technical assistance

## STATE FUNDING

Integrated Planning Grant (IPG)  
Affordable Housing  
Brownfields Flexible Funding

## EPA FUNDING

128(a) State Response Program (SRP)  
EPA Assessment, Multipurpose  
Targeted Brownfields Assistance (TBA)

## STATE FUNDING

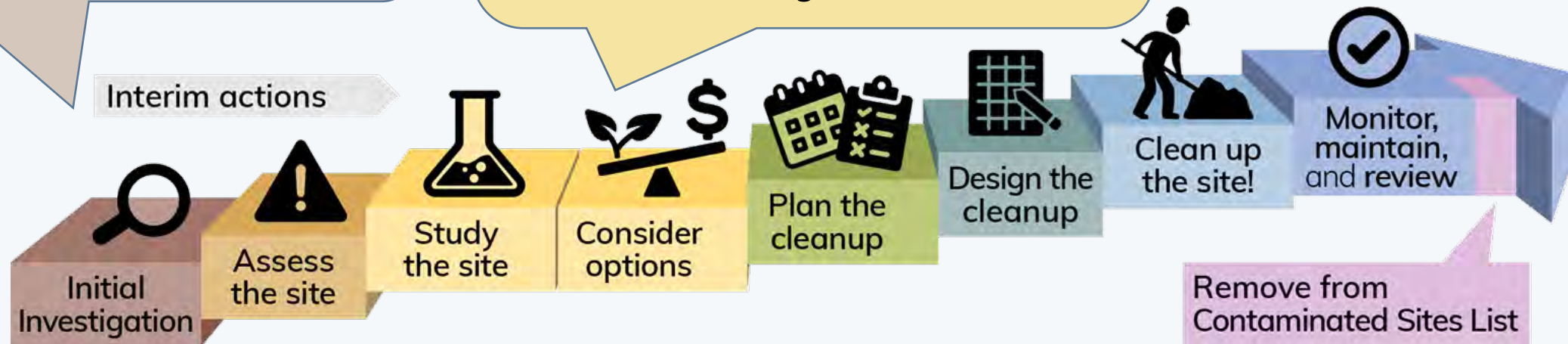
Integrated Planning Grant (IPG)  
Remedial Action Grant (RAG)  
Affordable Housing  
Brownfields Flexible Funding  
Commerce Revolving Loan Fund (RLF)

## EPA FUNDING

EPA Cleanup, Multipurpose

## STATE FUNDING

Remedial Action Grant (RAG)  
Affordable Housing  
Brownfields Flexible Funding  
Commerce RLF and Grant



Plan	Assess			Clean up
Planning	Initial Investigation / Phase I & II Environmental Site Assessment (ESA)	Remedial Investigation / Feasibility Study (RI/FS)	Cleanup Action Plan (CAP)	Engineering Design Report (EDR) / Cleanup

# Programs to help with cleanup

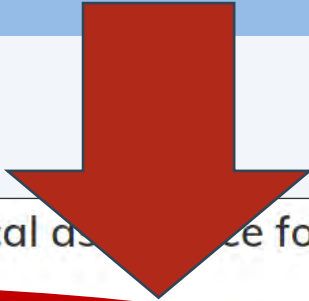
## Federal

- State Response Program (SRP) Technical assistance
- EPA Assessment
- EPA Multipurpose Grant
- EPA Targeted Brownfields Assistance (TBA)

## State

- Integrated Planning Grant (IPG)
- Remedial Action Grant (RAG)
- Affordable Housing Grants
- Flexible Brownfields Funding
- Commerce Revolving Loan Fund (RLF) and grants

# Brownfields webpages: [ecy.wa.gov/brownfields](http://ecy.wa.gov/brownfields)



- Contamination cleanup
  - Cleanup sites
  - Sediment cleanups
  - Underground storage tanks
  - Dirt Alert program
  - Rules directing our cleanup work
  - Cleanup process
- Brownfields**
  - Locate brownfields
  - Why redevelop brownfields
  - WA Brownfield Conference
  - Affordable housing

## Brownfields in Washington

Brownfields are abandoned or underutilized properties that may have environmental liabilities. Brownfields are common in communities of all sizes — they may be old gas stations, industrial facilities, smelters, or former agricultural land.

Negative perceptions of brownfields, along with potential environmental liabilities, can complicate a community's redevelopment plans. Local governments encourage redevelopment to plan to revitalize downtowns, make improvements to infrastructure, and reduce environmental risks to meet community needs.

Our Brownfields Program helps communities put those properties back into productive use and realize their redevelopment visions to life.

### I want to...

- Receive emails about brownfields program and resources
- Locate brownfields
- Explore funding opportunities

### Where can I find funding and technical assistance for my brownfield project?

Our State Brownfields Team can help match your project to one or more of the wide range of federal and state funding and technical assistance opportunities. Download [Brownfields Funding Opportunities in Washington State](#) for a more comprehensive list.

We conduct outreach through participation in local, regional, and national conferences. Our team can also help you host brownfield workshops focused on a single community or brownfields redevelopment topic.

#### Ecology funding & technical assistance

We provide funding for site assessments, environmental cleanup, and reuse planning through our [remedial action grant program](#), including [integrated planning grants](#) (IPGs). IPGs help communities make informed decisions about acquiring and reusing a potentially contaminated property.

Ecology can also provide funding to local governments and non-profits for environmental assessments for eligible brownfields using funds from our EPA State Response Program grant.

We provide technical assistance as part of managing cleanups under the [Model Toxics Control Act](#) (MTCA). This includes providing technical assistance for projects funded by our partners.



#### Commerce funding

#### EPA funding



# Resources for brownfields come from...

Ecology	
 <p>DEPARTMENT OF <b>ECOLOGY</b> State of Washington</p>	<b>Integrated Planning Grant (IPG)<sup>a</sup></b>
	<b>State Response Program (SRP) and Brownfields Flexible Funding<sup>b</sup></b>
	<b>Independent Remedial Action Grant (IRAG)<sup>c</sup></b>
	<b>Oversight Remedial Action Grant (ORAG)<sup>d</sup></b>
	<b>Affordable Housing Cleanup or Planning grant<sup>e</sup></b>

EPA & Commerce	
	<b>EPA Assessment, Cleanup, and Multipurpose Grants<sup>f</sup></b>
	<b>EPA Targeted Brownfields Assessment (TBA)<sup>g</sup></b>
	<b>Commerce Brownfields Revolving Loan Fund (BRLF) Loan<sup>h</sup></b>
	<b>Commerce BRLF Program Grant</b>

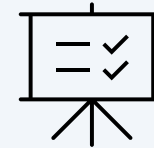
PLIA & CCLR	
	<b>Pollution Liability Insurance Agency UST Loan and Grant Program<sup>i</sup></b>
	<b>Free technical assistance for brownfield communities<sup>j</sup></b>

# Integrated Planning Grant

Support the first steps in the cleanup and redevelopment process by helping to create an integrated project plan.



Available to local governments that own or are considering acquisition, cleanup, and redevelopment of a brownfield property or multiple brownfield properties.



# Affordable Housing Grant Program

## Purpose-

1. Reduce cleanup costs to develop affordable housing.
2. Target areas in high need of affordable housing in proximity to transit, goods, and services.
3. Reduce displacement.



# Affordable Housing Grant Program

## Two types of grants:

**Planning Grants-** Initial site investigation, project viability, due diligence, & community engagement. Not under an order or decree.

Funding limit- \$400,000

**Cleanup Grants-** All phases of cleanup, including cleanup construction. Work done under and order or decree.

Funding limit- None

# Brownfields Revolving Loan Fund Program

The program provides **low interest loans to private businesses** and/or grants to local governments, non-profits, tribes, and ports undertaking cleanup of contaminated properties.

EPA RLF Bipartisan Infrastructure Funding  
New Award: \$3,900,000

# Brownfields RLF requirements

- Meet Federal definition of a brownfield (CERCLA section 101(39) [42 U.S.C. section 9601])
  - Includes conducting AAI prior to purchase
- Davis Bacon Endangered Species Act
- Archaeological and cultural resources review (Section 106 NHPA)
- Participation in VCP or other MTCA cleanup process

# Advantages of Brownfields RLF

- Non-competitive process, available any time
- Favorable terms-Interest rates are lower than current market rate
- No penalty for repayment
- Funding is available to for-profit businesses

For more info...





<https://www.commerce.wa.gov/serving-communities/brownfields-revolving-loan-fund/>



# Brownfields funding opportunities

(side 1 of 2)

## Brownfields Funding Opportunities in Washington State (October 2024)

Available from	Funding type	Who is eligible?	Eligible activities	Cost share?	When is it offered?	Contact
 DEPARTMENT OF <b>ECOLOGY</b> State of Washington	<b>Integrated Planning Grant (IPG)<sup>a</sup></b>	Local government	Planning, assessment	None	Competitive, solicitation every two years	<b>Elaine Heim or Ali Fumall</b> Elaine.Heim@ecy.wa.gov Ali.Fumall@ecy.wa.gov
	<b>State Response Program (SRP) and Brownfields Flexible Funding<sup>b</sup></b>	Local government, Tribes, nonprofit	Planning, assessment, limited cleanup	None	Continuous, based on available funding	<b>Tina Hochwender or Ali Fumall</b> Tina.Hochwender@ecy.wa.gov Ali.Fumall@ecy.wa.gov
	<b>Independent Remedial Action Grant (IRAG)<sup>c</sup></b>	Local government	Assessment, cleanup	25–50%	Competitive, solicitation every year	<b>Laurie Dahmen</b> Laurie.Dahmen@ecy.wa.gov
	<b>Oversight Remedial Action Grant (ORAG)<sup>d</sup></b>	Local government	Assessment, cleanup	10–50%	Competitive, solicitation every two years	<b>Laurie Dahmen</b> Laurie.Dahmen@ecy.wa.gov
	<b>Affordable Housing Cleanup or Planning grant<sup>e</sup></b>	Anyone	Planning, assessment, cleanup	0–25%	Competitive, solicitation every two years	<b>Elizabeth Court, AICP</b> Elizabeth.Court@ecy.wa.gov
 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY	<b>EPA Multipurpose, Assessment, Revolving Loan Fund, and Cleanup Grants (MARC)<sup>f</sup></b>	Local government <sup>1</sup> , Tribes, nonprofit	Planning, assessment, cleanup (varies by grant type)	Varies by grant type	Competitive, solicitation every fall	<b>Terri Griffith</b> 206-553-8511 Griffith.Terri@epa.gov
	<b>EPA Targeted Brownfields Assessment (TBA) services<sup>g</sup></b>	Local government, Tribes, nonprofit	Assessment	None	Continuous, based on available funding	<b>Molly Vaughan</b> 907-271-1215 Vaughan.Molly@epa.gov
	<b>EPA Brownfields Job Training Grants<sup>h</sup></b>	Local government, Tribes, nonprofit, other organizations	Training	None	Competitive, solicitation varies	<b>Robert Miller or Meredith Lightbody</b> Miller.Robert01@epa.gov Lightbody.Meredith@epa.gov
 Washington State Department of <b>Commerce</b>	<b>Commerce Brownfields Revolving Loan Fund (BRLF) Loan<sup>i</sup></b>	Local government, nonprofit, Tribes, <b>private entity</b>	Cleanup	None	Continuous, based on available funding	<b>Bridget Paris</b> 360-870-9288 Bridget.Paris@commerce.wa.gov
	<b>Commerce BRLF Program Grant</b>	Local government, nonprofit, Tribes	Assessment, planning	None	Continuous, based on available funding	<b>Bridget Paris</b> 360-870-9288 Bridget.Paris@commerce.wa.gov
 P L I A STATE OF WASHINGTON	<b>Pollution Liability Insurance Agency UST Loan and Grant Program<sup>j</sup></b>	Owners/operators of underground storage tanks (including <b>private entities and heating oil tanks</b> )	Assessment, cleanup, infrastructure	Varies	Accepting applications for <b>heating oil only</b> every six months	<b>Jamie Hays</b> 360-407-0518 Jamie.Hays@plia.wa.gov






<sup>1</sup> Local Government or Quasi-Governmental Entities, Tribes, Intertribal Consortia, Nonprofit (varies by grant type, refer to the annual grant guidance for more information)



## Other Resources

# Brownfields funding opportunities

(side 2 of 2)

Available from	Resource name	Who is eligible?	Eligible activities	When is it offered	Contact
	<b>Free technical assistance for brownfield communities<sup>k</sup></b>	Anyone	Visioning, planning, cleanup, redevelopment, more!	Continuous	<b>Joelle Greenland, AICP</b> Joelle.Greenland@cclr.org or info@cclr.org
	<b>Free technical assistance to Tribes working on brownfields<sup>l</sup></b>	Federally recognized Tribes	Visioning, planning, cleanup, redevelopment, more!	Continuous	<b>Tribal TAB team</b> Tribal-TAB@ksu.edu
	<b>Land Revitalization Technical Assistance<sup>m</sup></b>	Anyone	Planning and reuse assistance, <u>including</u> : labor market and/or economic research, site reuse assessment, financial feasibility and/or implementation plan for site reuse, conceptual site design, Rapid Health Impact Assessment	Continuous	<b>Margaret Olson</b> 503-326-5874 Olson.Margaret@epa.gov
	<b>Other funding sources, including Tribal Response Program Grants<sup>n</sup></b>	Varies by grant type	Build strong partnerships and local capacity to prevent, assess, safely clean up and sustainably reuse brownfields.	Varies by grant type	<b>Madison Sanders-Curry</b> 206-553-1889 Sanders-Curry.Madison@epa.gov
	<b>Ecology Grants and Loans<sup>o</sup></b>	Varies by grant type	Varies by grant type	Varies by grant type	<b>Dawn Drake</b> Ecology Grant and Loan Coordinator dawn.drake@ecy.wa.gov
	<b>Commerce Grants and Loans<sup>p</sup></b>	Varies by grant type	Varies by grant type	Varies by grant type	<b>Central Contracts Office</b> CentralContracts@commerce.wa.gov

<sup>a</sup> <https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Integrated-planning-grants>

<sup>b</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Brownfields>

<sup>c</sup> <https://ecology.wa.gov/About-us/Payments-contracts-grants/Grants-loans/Find-a-grant-or-loan/Independent-remedial-action-grants>

<sup>d</sup> <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Oversight-remedial-action-grants-loans>

<sup>e</sup> <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Affordable-housing-related-cleanups>

<sup>f</sup> <https://www.epa.gov/brownfields/types-funding>

<sup>g</sup> <https://www.epa.gov/brownfields/targeted-brownfields-assessment-requests-region-10>

<sup>h</sup> <https://www.epa.gov/brownfields/brownfields-job-training-grants>

<sup>i</sup> <https://www.commerce.wa.gov/serving-communities/brownfields-revolving-loan-fund/>

<sup>j</sup> <https://plia.wa.gov/ust-loan-and-grant-program/>

<sup>k</sup> <https://www.cclr.org/>

<sup>l</sup> <https://www.ksutab.org/tribal-tab>

<sup>m</sup> <https://www.epa.gov/brownfields/technical-assistance#LRTA>

<sup>n</sup> <https://www.epa.gov/brownfields/grants-and-funding>

<sup>o</sup> <https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan>

<sup>p</sup> <https://www.commerce.wa.gov/contracting/>

# How can you access brownfields resources



Subscribe to [Brownfields Program](#), [Site Register](#), or [Remedial Action Grant](#) for solicitation periods



Contact the [Brownfields Team](#)



Visit [Spills & Cleanup grants & loans](#) webpages



Submit a **Brownfields Project Inquiry Form** when you have a site-specific project

# Scan to subscribe to the Brownfields Newsletter!



<https://ecology.wa.gov/brownfields-list>



## Brownfields Core Team



Ali Furmall



Arianne Fernandez



Dan Joswiak



Tina Hochwender

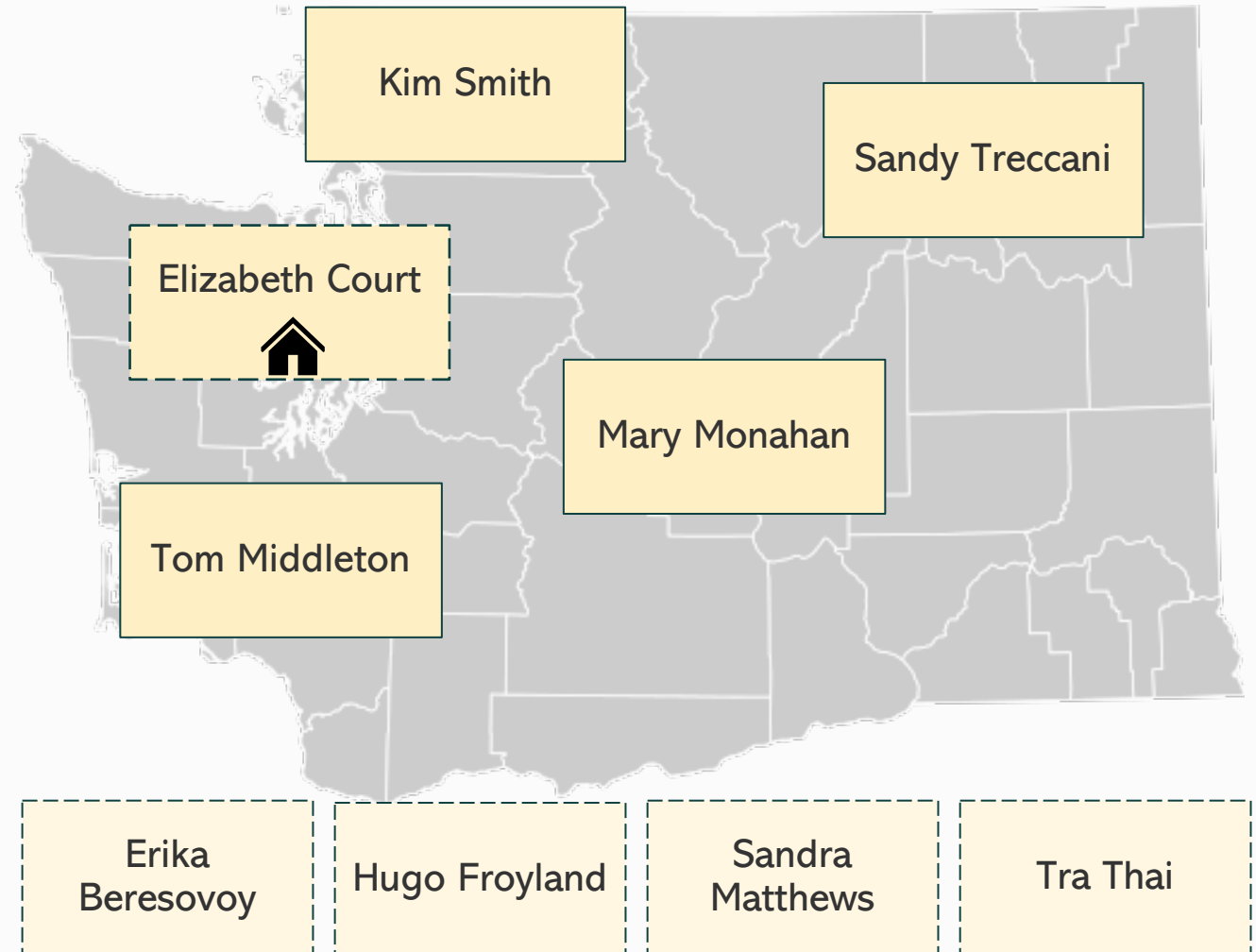


Elaine Heim

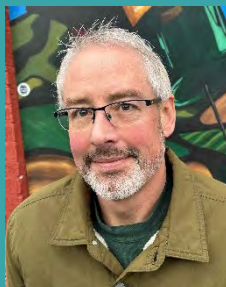


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## Brownfields Regional Team



# Contact us!



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# Thank you

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