

Restoring Lives and Revitalizing Communities: Josh Fout (Pulaski County) Brownfield Presentation



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Harbor Environmental and Pulaski County jointly sponsored a November 15th seminar held in North Little Rock, Arkansas addressing a variety of Arkansas Brownfield issues. ([See previous blog post here.](#))

Mr. Josh Fout, who serves as Pulaski County Brownfields Administrator, undertook a presentation titled: *Restoring Lives and Revitalizing Communities ("Presentation")*

Many states (including Arkansas) and the federal government have statutes, regulations and policies that are intended to address "Brownfields." Brownfields also are often referred to as real property (improved or unapproved), the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants or contaminants. Incentive provisions, liability exemptions, action/cleanup standards have been utilized for a number of years to attempt to reduce the barriers to reuse or redevelopment of Brownfield properties.

Mr. Fout's *Presentation* described what activities the Pulaski County, Arkansas Community Services Brownfield program ("Program") undertake. These are stated to include the development and implementation of guidelines, policies and procedures to ensure compliance with the United States Environmental Protection Agency ("EPA") requirements. He further noted that the goal of the Program is to:

. . . provide a streamlined process that achieves a successful reuse of all Brownfields properties.

Specific activities were stated to include coordination with consultants, landowners and technical staff, along with acting as a liaison between those involved in a Brownfields Program and the general public for questions concerning Program activities.

Key activities undertaken by the Program include:

- Site Assessments (supporting prospective purchasers of Brownfields by providing accurate site assessments and assisting with remediation)
- Financial Resources (assisting developers that encounter "difficulty getting standard bank financing because of environmental concerns" [providing low-interest gap financing for cleanup activities])

The *Presentation* provided an assessment of the benefits of the Program from the following perspectives:

- Community (Pathway for new employment opportunities, increase in quality of life, refreshing neighborhoods)

- Environmental (Such sites tend to have greater location efficiency than alternative developments, such as reduction in vehicle miles traveled, etc.)
- Economic (Increased local tax bases through job growth and utilization of existing infrastructures)

Mr. Fout also addressed:

- Who Should Be Involved? (Many stakeholders in various states of the redevelopment process, including current or prospective property owners, lenders, investors, brokers, architects, engineers, planners, environmental consultants, developers, attorneys and nonprofit entities)
- Who Is Eligible? (Private, public and nonprofit organizations which are not responsible for or have not contributed to the contamination existing on the property)

The critical components of the Program were noted to include:

- Lending Policies
- Discussion of the Pulaski County Brownfields Revolving Loan Fund Program and Board
- Loan Terms
- Loan-to-Value
- Available Funding
- Interest Rate
- Collateral
- Program Borrowing Requirements
- Relevant eligibility criteria
- Ineligibility criteria
- Brownfield Site Requirements
- Eligibility criteria
- Ineligibility criteria
- Eligible Program Costs
- Ineligible Program Costs

A summary of the goals of the Pulaski County Brownfield Program were stated to include:

1. Provide continued protection of human health and the environment
2. Encourage redevelopment as a sound land use management policy
3. Develop risk-based cleanup standards
4. Enable prospective property purchasers to determine liability up-front
5. Offer a schedule-oriented program that can keep pace with real estate transactions

The Presentation included examples of the Program successes, such as:

- Our House Childcare Center
- 315 Main Street
- Mulberry Flats & Brewskis

[A copy of the slides to the Presentation can be downloaded here.](#)