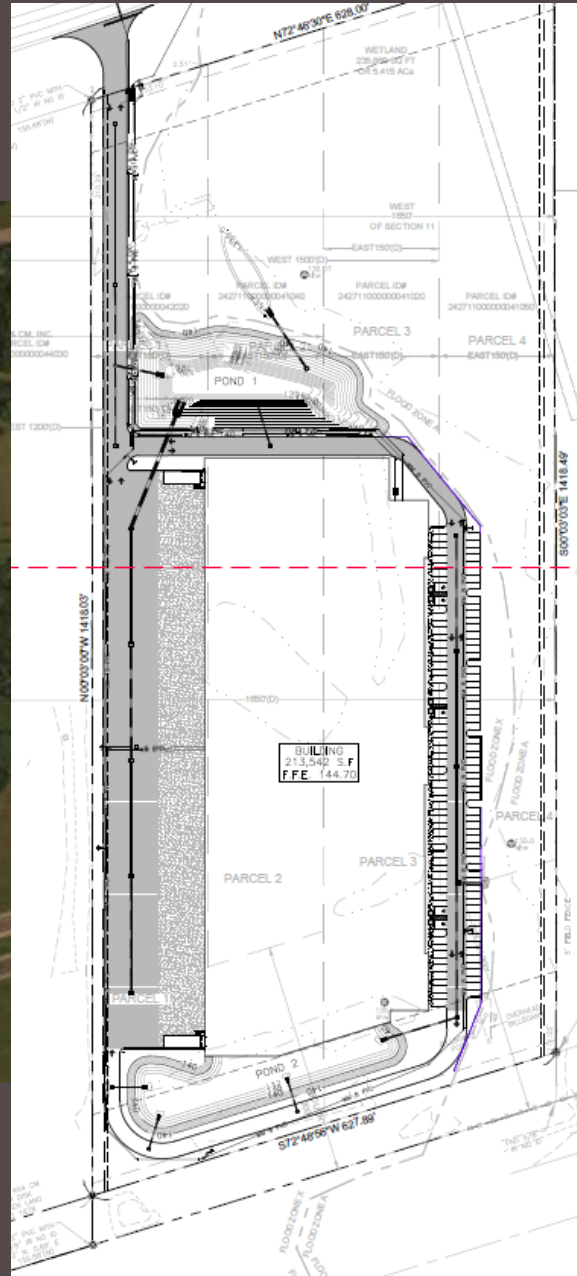




Lakeland Logistics Park Green Reuse Area Designation

March 19, 2024



THE GOLDSTEIN
ENVIRONMENTAL LAW FIRM

AGENDA

I. Introduction

- a) Applicant: Lakeland Logistics Park Owner, LLC**
- b) Representative: The Goldstein Environmental Law Firm, P.A.**

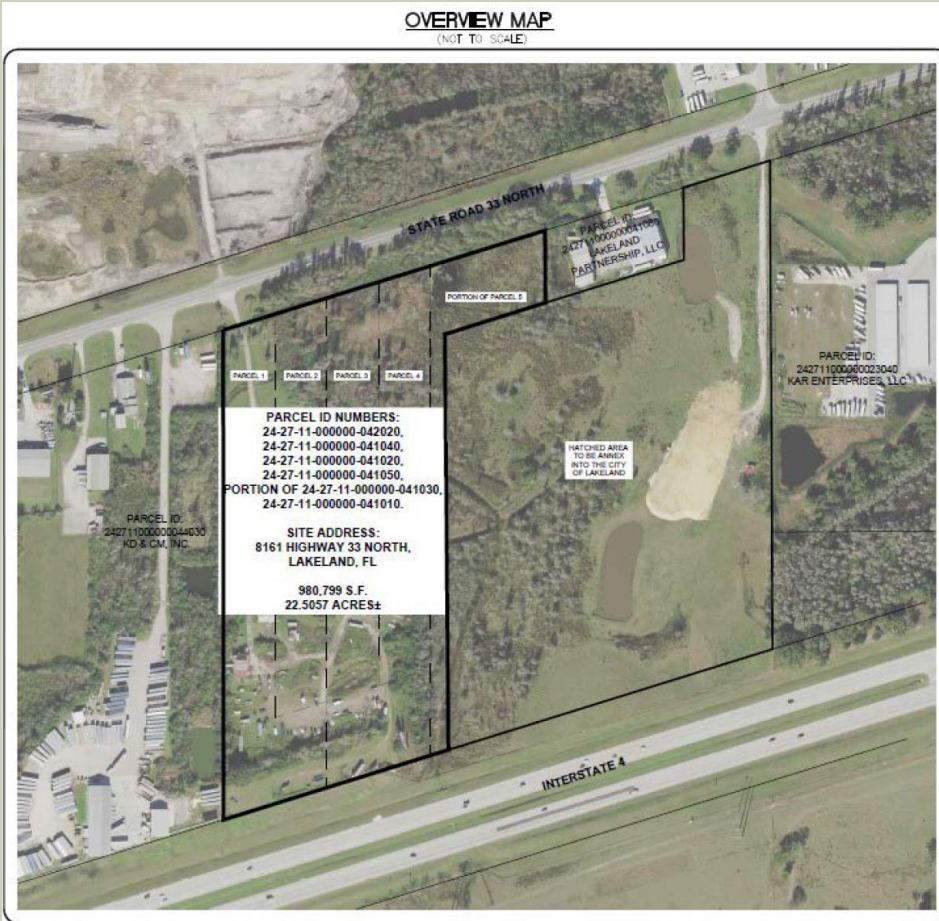
II. Overview of Project Environmental Matters

- a) Historical Use**
- b) Current Conditions**
- c) Property Reuse Plans**

III. Brownfield Area Designation Process

IV. Closing and Open Discussion/Questions

INTRODUCTION - PROPERTY LOCATION



8161-8247 S.R. 33 N.
Polk County, Florida 33809

Parcel Nos.:

- 242711- 000000-041020,
- 242711-000000-041040,
- 242711-000000-041050,
- 242711-000000- 042020,
- and portions of 242711-000000-041010 and 242711-000000-041030

INTRODUCTION – KEY DEFINITIONS

- “Brownfield sites” - real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination. § 376.79(4), Florida Statutes (“F.S.”)
- “Brownfield area” means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. § 376.79(5), F.S.

OVERVIEW OF PROJECT ENVIRONMENTAL MATTERS – HISTORICAL USE

- Historically used for agriculture and heavy equipment maintenance/storage
- Agricultural use often associated with contamination from pesticides, herbicides, and fertilizers
- Heavy equipment maintenance/storage use often associated with contamination from heavy metals, petroleum, and solvents



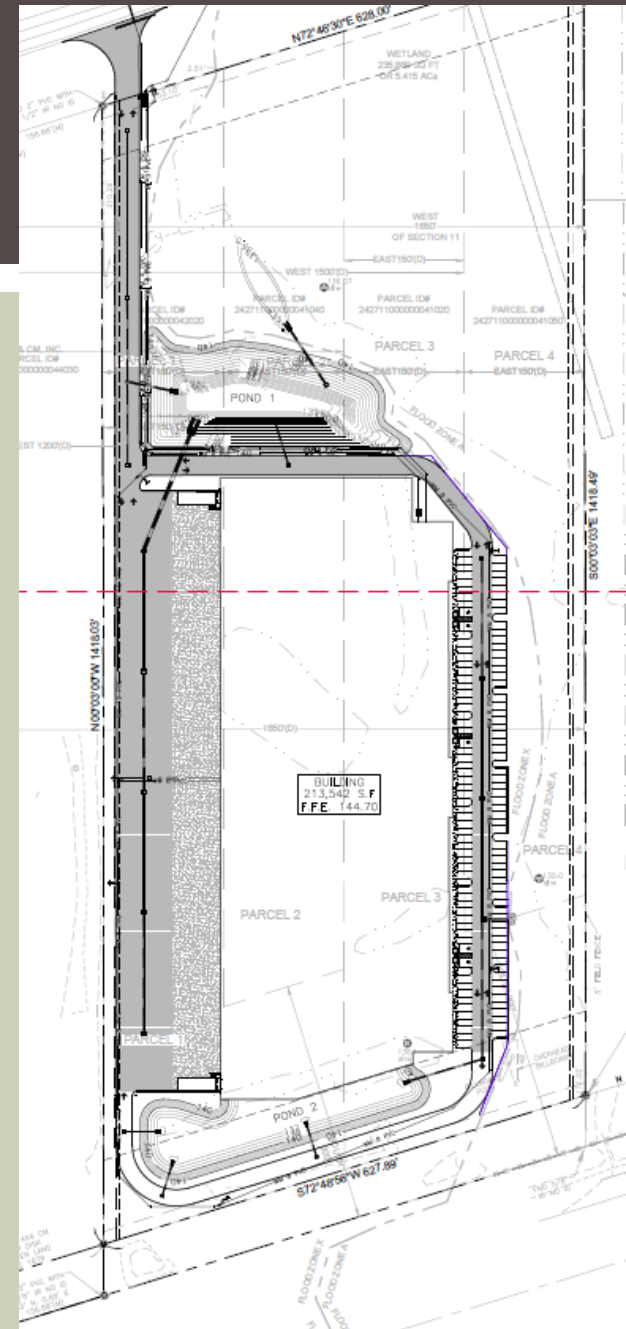
OVERVIEW OF PROJECT ENVIRONMENTAL MATTERS –CURRENT CONDITIONS

- **Soil impacts:**
 - BaP above Residential Direct Exposure Soil Cleanup Target Level (“SCTL”)
 - TRPH above Residential Direct Exposure SCTL
 - Arsenic above Residential Direct Exposure SCTL
 - Additional metals and organochlorine pesticides detected but all below SCTLs
- **Groundwater impacts: several contaminants detected but at concentrations below Groundwater Cleanup Target Levels**
- **Miscellaneous metal debris and one area of viscous tar found in several test pits**



PROPERTY REUSE PLANS

- 213,500 sq. ft. warehouse for logistics and distribution to be occupied by 2-3 tenants
- Construction will be in upland area; wetland impacts will be addressed through state and federal permitting process
- 140-150 permanent, full-time jobs created when project is complete
- Construction start contingent on various County, state, and federal approvals



FLORIDA'S BROWNFIELDS REDEVELOPMENT PROGRAM



FLORIDA BROWNFIELDS REDEVELOPMENT PROGRAM

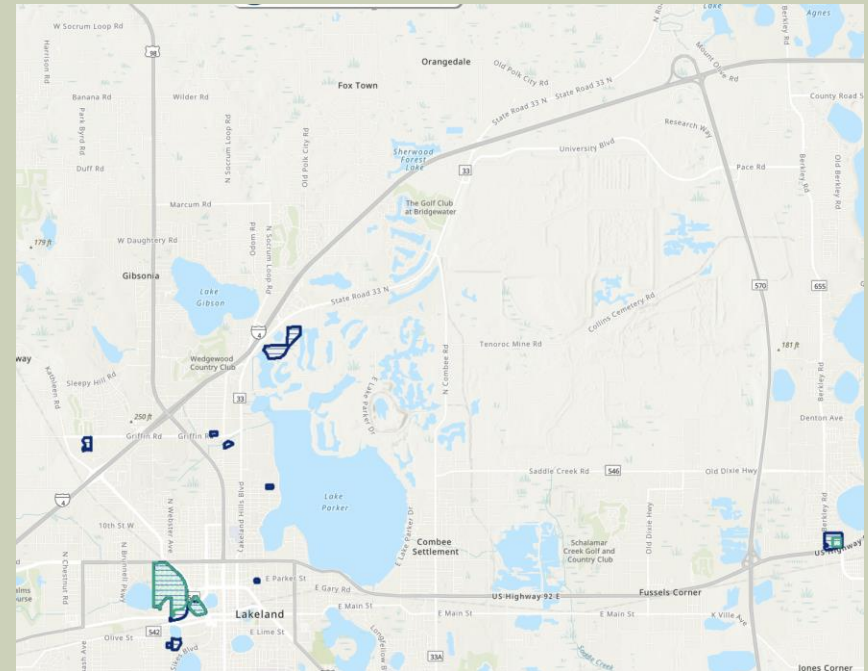


Madison Street Park, Hillsborough County

Annual Report
August 2022

FLORIDA BROWNFIELD PROGRAM - METRICS -

- **573 Designated Brownfield Areas (06/30/23)**
 - **Total: 292,074 acres**
 - **Largest: 14,190.37 acres (Hamilton County EZ Area)**
 - **Smallest 0.26 acres (Land South, North Miami, FL)**
- **\$3.188 Billion in Projected Capital Investment (06/30/23)**
- **89,976 Confirmed and Projected New Direct/Indirect Jobs (06/30/23)**



BROWNFIELD AREA DESIGNATION PROCESS

- Brownfield Area designations are governed by the provisions of § 376.80, Florida Statutes (“F.S.”) of Florida’s Brownfields Redevelopment Act
- For a designation proposed by a private party, § 376.80(2)(C), F.S., applies
- Process:
 - Provide notice
 - Hold community meeting
 - Conduct two public hearings
 - Adopt a resolution following consideration of five criteria

The 2022 Florida Statutes

Title XXVIII	Chapter 376	View Entire Chapter
NATURAL RESOURCES; CONSERVATION, RECLAMATION, AND USE	POLLUTANT DISCHARGE PREVENTION AND REMOVAL	
376.80 Brownfield program administration process.—		
(1) The following general procedures apply to brownfield designations:		
(a) The local government with jurisdiction over a proposed brownfield area shall designate such area pursuant to this section.		
(b) For a brownfield area designation proposed by:		
1. The jurisdictional local government, the designation criteria under paragraph (2)(a) apply, except if the local government proposes to designate as a brownfield area a specified redevelopment area as provided in paragraph (2)(b).		
2. Any person, other than a governmental entity, including, but not limited to, individuals, corporations, partnerships, limited liability companies, community-based organizations, or not-for-profit corporations, the designation criteria under paragraph (2)(c) apply.		
(c) Except as otherwise provided, the following provisions apply to all proposed brownfield area designations:		
1. Notification to department following adoption.—A local government with jurisdiction over the brownfield area must notify the department, and, if applicable, the local pollution control program under s. 403.182 , of its decision to designate a brownfield area for rehabilitation for the purposes of ss. 376.77-376.86 . The notification must include a resolution adopted by the local government body. The local government shall notify the department, and, if applicable, the local pollution control program under s. 403.182 , of the designation within 30 days after adoption of the resolution.		
2. Resolution adoption.—The brownfield area designation must be carried out by a resolution adopted by the jurisdictional local government, which includes a map adequate to clearly delineate exactly which parcels are to be included in the brownfield area or alternatively a less-detailed map accompanied by a detailed legal description of the brownfield area. For municipalities, the governing body shall adopt the resolution in accordance with the procedures outlined in s. 166.041 , except that the procedures for the public hearings on the proposed resolution must be in the form established in s. 166.041(3)(c)2 . For counties, the governing body shall adopt the resolution in accordance with the procedures outlined in s. 125.66 , except that the procedures for the public hearings on the proposed resolution shall be in the form established in s. 125.66(4)(b) .		

BROWNFIELD AREA DESIGNATION PROCESS

■ Five Criteria for Designation:



1. requested by person who owns or controls the brownfield site and who has agreed to redevelop and rehabilitate it;



2. the rehabilitation and redevelopment will result in economic productivity and will create at least 5 jobs;



3. the redevelopment is consistent with the local comprehensive plan and is permittable under local land development regulations;



4. notice has been provided to neighbors and nearby residents and the applicant has afforded those receiving notice an opportunity for comments and suggestions about rehabilitation; and



5. the applicant has provided reasonable assurance that they have sufficient financial resources to complete rehabilitation and redevelopment.

QUESTIONS/ANSWERS



We'll help you see through our eyes.



THE **GOLDSTEIN**
ENVIRONMENTAL LAW FIRM
(305) 777-1680 • GOLDSTEINENVLAW.COM

Special Emphasis on Cleanup and Reuse of Former Fueling Stations, Landfills, Automobile Dealerships, Golf Courses, and Agricultural Sites

- Environmental Due Diligence
- Environmental Liability Analysis and Protection
- Hiring & Management of Qualified Environmental Consultants
- Brownfield Grants
- Brownfield Tax Incentives
- Brownfield Loan Guarantees
- Assistance with Securing Acquisition Financing & Placing Environmental Insurance
- Negotiation of Voluntary Cleanup Agreements & Covenants Not-to-Sue
- Integration of Cleanup and Construction Requirements
- Regulatory Approvals to Build on Contaminated Development Sites