Brownfields & VCTC – Quick Highlights & Key Trends (June 2018)

Jason S. Lichtstein
Brownfields & VCTC – Trends

• Florida’s Voluntary Cleanup Tax Credit (VCTC) Program
  • 20-year VCTC program – Began in 1998
  • Through 2016, year after year, new record levels of VCTC participation
  • Although relative dip in 2016 to 2017 in VCTC total amount requested, from $14.9M (2016) to $13.07M (2017)
  • 2017 Calendar year 2017: 139 total VCTC applications
  • Increased from 136 VCTC applications (2016 calendar year)
  • Number of VCTC applications have more than doubled since 2011

• VCTC – Funding Trends
  • Currently, $10 million permanent statutory VCTC funding per year
  • Growing state VCTC funding but not yet matching VCTC participation
  • Continuing area of legislative focus/need
Brownfields & VCTC – Trends

• **VCTC – Participation Trends**
  • Continued, high number of VCTC NFA/SRCO Bonus applications – 13 applications in both 2016 & 2017
  • Increasing percentage of VCTC NFA/SRCO bonus of total annual VCTC awards – about 14% of share (2016) – should remain steady or grow
  • Four (4) VCTC solid waste applications in each of 2016 & 2017
  • Still, relatively small amount of VCTC affordable housing bonus and health care facility VCTC bonus applications
  • Narrow statutory definition of affordable housing (100% affordable housing)
  • Surprisingly small number of non-Brownfield VCTC applications (drycleaner sites)
**Brownfields & VCTC – Trends**

- **BSRA & VCTC Highlights – Snapshot of Calendar Year 2016**
  - From FDEP Annual Brownfield Report, **roughly 61% of active BSRA sites** (2016) participated in Florida’s VCTC program
  - At end of 2016: 291 total BSRAs; approx. 195 active BSRAs
  - At end of 2016: 96 total NFAs/SRCOs (closed BSRA sites)
  - Calendar year 2016: 119 VCTC applications re: Brownfield sites
  - Calendar year 2016: 17 non-BSRA VCTC applications
  - Calendar year 2016: 136 total VCTC applications
  - 13 VCTC NFA/SRCO VCTA bonus applications – Average of $152,678 per bonus application
Brownfields & VCTC – Trends

• **BSRA & VCTC Highlights – Snapshot of Calendar Year 2016**
  
  • Average 2016 VCTC application amount: $109,574.90
  
  • Average 2016 VCTC application denial: $4,013.57
  
  • Total amount denied: $545,846.18 (of out more than $14M)
  
  • Since 2013, more than 20 new BSRAs sites added to Brownfield program each year
  
  • At least 30 new BSRAs each of past 2 years (2016 & 2017)
  
  • *All-time high of 38 BSRAs executed/added in 2016*
Contact:
Jason S. Lichtstein, Esq.
Akerman LLP
106 E. College Avenue, Suite 1200
Tallahassee, FL 32301
Tel: (850) 521-8018
jason.lichtstein@akerman.com