Continued from Brownfields Agreement Process

NC Brownfields Program (NCBP)

- **ANCILLARY DOCUMENTS**
  - **BFA** - Brownfields Agreement – Contract and covenant not-to-sue between the State of NC and PD that provides details of the site, the work to be performed (WTBP), and land use restrictions (LUR).
  - **NBP** – Notice of Brownfields Property – The summary document that is recorded on the county Register of Deeds and allows land use restrictions to run with the land. The exhibits to NBP are the BFA with its exhibits, the brownfields survey plat and a legal description.
  - **NI** – Notice of Intent – Generic one-page document that functions as a cover to introduce other Brownfields documents.
  - **Full NI** – Full Notice of Intent – NI plus NBP with attached exhibits.
  - **SNI** – Summary Notice of Intent – A one to two page document that summarizes the “full” NI. SNI is published in a local newspaper, sent to adjoining land owners and is posted at the property.

**FOR PD CONFIRMATION OF PUBLIC NOTICE REQUIREMENTS**

1. For placement of full NI at local government offices and other locations for public review, provide a letter/certified mail receipt from each office/location. At a minimum, provide copies of PD’s letter of transmittal to each office/location.
2. For publication of the SNI, provide an affidavit of publication from the publishing entity. At a minimum, provide a photocopy of the actual SNI as published along with the name of the publishing entity and date of publication.
3. For posting of the SNI at the Property, provide at least two photographs, one close-up and one long-shot, of the actual SNI as posted.

NCBP receives confirmation from PD that actions have been taken 1,2,3

- **PD provides Copy of “full” NI** to local government.
- **PD provides Copy of “full” NI** to local library/other public locale for public review.
- **PD arranges for publication of SNI in local newspaper of general circulation.**
- **PD provides Copy of SNI** to owners of adjoining properties.
- **PD conspicuously posts SNI at the site using our Public Notice Posting Template.**

PD signs documents within 7 days of receipt and records, in the county’s Register of Deeds, one complete set of documents within 15 days of signing.

Certified copy of signed & recorded NBP sent to NCBP.

Certified copy received

Annual LURUs received

Public

Public Meeting Requested?

**YES**

Public Meeting Warranted?

**NO**

**YES**

NCBP prints final copy NBP, or if comments received may modify BFA. Determines if further public notification of changes is warranted.

Upon receipt of final fee, BFA, NBP and plat map signed by Division of Waste Management Deputy Director.

Two Complete signed, notarized sets of documents and one reproducible mylar plot map sent to PD.

Written Comments Received

Public May submit written comments at any time during the 30-day public comment period to the NCBP. A public meeting may be requested within the first days of the comment period.

30-day public comment period starts the day after the latter date of the execution of the public notice tasks

NCBP Arranges/Holds Public Meeting

NOTE:
Any modifications to the BFA or Land Use Restrictions requested after recordation may require another public comment period, review by DOJ, and re-recording. Additional fees will be required for these modifications.