*Introducing the*

# EQUITABLE COMMUNITY REVITALIZATION GRANT

More than $250 million over three years to help California local governments, qualified 501(c)(3) nonprofit organizations and Tribes address impaired and underutilized properties in our most vulnerable communities and return them to productive and beneficial use.

Proudly administered by the California Environmental Protection Agency

Department of Toxic Substance Control's Office of Brownfields

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OFFICE OF BROWNFIELDS

Department of Toxic Substances Control · Cleanup In Vulnerable Communities Initiative

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**Dr. Meredith Williams**
*Director*
Department of
Toxic Substances Control

For far too long, we have struggled to make a dent in environmental burdens borne by communities who have the misfortune to experience the intersection of poverty and pollution. Now, with Governor Newsom's leadership and the passage of Senate Bill 158, we will have resources to aggressively tackle these equity issues in vulnerable communities that pay a heavy price for shouldering unfair amounts of toxic chemicals and pollution.

SB 158 restructures and increases fees related to the handling of hazardous substances and hazardous waste and invests $500 million to accelerate the investigation and cleanup of contaminated properties in disadvantaged neighborhoods. The Equitable Community Revitalization Grant (ECRG) program will be the vehicle for seeding this vital revitalization effort.

In essence, this grant is a call to action to our nonprofit, municipal and Tribe partners to join us in creating safe spaces in our vulnerable communities by recycling land and returning it to beneficial uses for the people who live, work, learn and play there.

We'll help with the cleanup, and we ask you to use the ECRG to facilitate the buildup.

My name is Dr. Meredith Williams, and I EnCouRaGe you to apply!

We EnCouRaGe environmental cleanup. We EnCouRaGe you to apply.

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# 1.0 **Why This Grant Program Was Created**



Communities throughout California are burdened by idled lands that may be contaminated and are expensive to investigate, cleanup and reuse. Recognizing the potential to reuse these properties for recreation (parklands, green spaces), commercial enterprises and housing, California has allocated **more than $250 million in grant funds over three years** for local governments, qualified 501 (c)(3) nonprofit organizations and Tribes to conduct assessment, investigation and cleanup activities. This unprecedented investment will create healthier, more economically viable and inclusive communities.

*SB 158 (Chapter 73, Statutes of 2021) provides DTSC with funding for the program over three years. DTSC estimates it will allocate $70.5 million for this fiscal year and $100 million for each of the next two fiscal years. The exact allocations each year are subject to change at DTSC's discretion.*

*Free technical assistance is available to all applicants at any stage of the application process. Contact DTSC at ecrginfo@dtsc.ca.gov or sign up for technical assistance with our TA provider, the Center for Creative Land Recycling, at calendly.com/ecrg/ta or send an email to ECRG@CCLR.org.*

In 2021, Governor Gavin Newsom signed the Cleanup In Vulnerable Communities Initiative (CVCI), allocating $500 million to expedite the cleanup and beneficial reuse of contaminated properties, with priority given to properties in historically vulnerable and disadvantaged communities. The Department of Toxic Substances Control's (DTSC) **Equitable Community Revitalization Grant (ECRG)** will provide more than $250 million in grants to applicants through a competitive process, an unprecedented opportunity to combine public and private resources to address persistent environmental injustices and set a new path for land use that will have immediate and lasting benefits.

▶ **The program is funded over three years, but the need is urgent. It's time to act. Don't delay — We EnCouRaGe you to apply today!**

DTSC's Office of Brownfields is pleased to make resources and information available to help guide applicants at every step of the process.

The funding is available to help local governments, qualified nonprofits and Tribes to conduct:

• **Community-Wide Assessments** (CWA) to obtain information about environmental conditions at four or more sites within a study area. Recipients of CWA grants may use the funds for preliminary environmental planning, including All Appropriate Inquiries (AAI) or Phase I Environmental Site Assessments, Phase II Environmental Site Assessments, as well as for public engagement activities meant to elicit community input on cleanup and reuse of the sites. *Grant range: $80,000 to $300,000*

• **Site-specific Environmental Investigation** and/or cleanup planning at a specific site that is slated for reuse. Work includes All Appropriate Inquiries (AAI) or Phase I Environmental Site Assessments, Phase II Environmental Site Assessments, Preliminary Endangerment Assessments (PEA), supplemental or other necessary site investigations, health and ecological risk assessments, work to evaluate different cleanup methods, pilot tests to assess a potential remedial technology, and preparation of a cleanup plan. *Grant range: $80,000 to $3 million*

• **Site-specific Environmental Cleanups.** This includes planning, implementation and reporting costs for the environmental cleanup, pilot tests and sampling/ analysis to design the cleanup, public engagement and cleanup-related California Environmental Quality Act (CEQA) activities. A regulatory-approved cleanup plan is required to submit an Environmental Cleanup Application. If you do not have an approved cleanup plan, submit an Environmental Investigation Application. *Grant range: $80,000 to $7 million*

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ECRG will accelerate cleanup and reuse of underutilized sites throughout the state by providing funding for a variety of assessment, investigation and cleanup activities.

▶ **This document provides guidance to applicants on the completion of the ECRG application, and outlines DTSC's process for selecting ECRG grants.**

*Please note that the applicant must own or have access to the site(s) to perform the proposed activities. The environmental work proposed for ECRG funding must be completed within a two-year timeframe, though the overall site environmental work and/or buildout may have a longer timeframe.*

The **Equitable Community Revitalization Grant (ECRG)** is an unprecedented opportunity to address persistent environmental injustices and set a new path for land use that will have immediate and lasting benefits.

*It's time to act!*

*Free technical assistance is available to all applicants at any stage of the application process. Contact DTSC at ecrginfo@dtsc.ca.gov or sign up for technical assistance with our TA provider, the Center for Creative Land Recycling, at calendly.com/ecrg/ta or send an email to ECRG@CCLR.org.*

To support the state's urgent community revitalization needs, DTSC has designed the ECRG program for ease of use to encourage broad participation.

*The ECRG program:*

- Makes grants for eligible expenses up to $7 million
- Does not require site ownership to participate
- Supports applicants with free technical assistance and other expert guidance
- Has an easy-to-use online application process through the Fluxx Portal
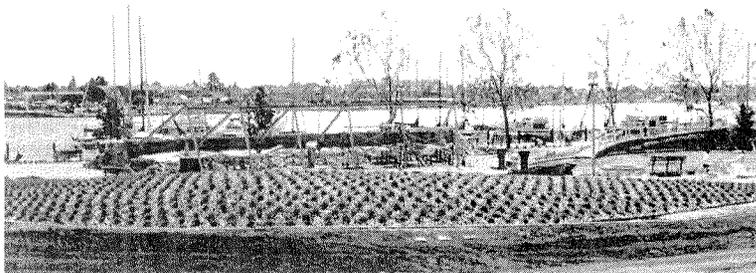
**DTSC is committed to working with applicants throughout the process to provide the resources and guidance you need to successfully compete for this transformative funding.**

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## 2.0 2022 ECRG Award Schedule

**January to April 2022** ▶ Full Application portal open (online in Fluxx)

**May to June 2022** ▶ DTSC Reviews and Scores Applications, Makes Provisional Awards

After the ECRG is awarded and the Agreement is executed, grantees have two years to complete approved ECRG activities and apply for reimbursement. During the grant period, grantees may have the opportunity to request additional funding, based on availability and DTSC approval.

An applicant may reapply for ECRG funding for the same site during a future application period if more eligible work is necessary after the end of a grant term. The next planned application period is in FY 2023 for ECRG funding reimbursements through 2025.

**Schedule is subject to change.**

> An applicant may reapply for ECRG funding for the same site during a future application period if more investigation or cleanup is necessary after the end of a grant term.

# 3.0 ECRG Eligibility Overview

## ▶ 3.1 ELIGIBLE APPLICANTS

- A unit of local government (county, municipality, city, or town, etc.)
- A school district
- A special district
- An intrastate district
- A council of government
- A Tribe, regardless of federal recognition, that is culturally, regionally, or traditionally affiliated with lands or resources of California, including those listed on the California Tribal Consultation List maintained by the California Native American Heritage Commission (NAHC)
- A qualified 501(c)(3) nonprofit organization

To be eligible for a Site-specific Investigation or Site-specific Cleanup Grant, applicants must demonstrate that they are exempt from Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or federal Superfund law) liability. Tribes are not required to demonstrate a CERCLA responsibility defense to be eligible for an ECRG.

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▶ **3.2 ELIGIBLE PROJECT SITES**

• Brownfield. The proposed site(s) meet(s) the federal definition of a "brownfield site" – real property, the expansion or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Examples include factories, plating shops, crop farms, dairy farms, cattle ranches, dry cleaners, mining sites, properties with minimal historical information, abandoned buildings and vacant properties, or properties near those with known environmental contamination.

• Owner Authorized. You own the site(s) or are authorized in writing by the owner(s) to apply for the ECRG and have access to perform the proposed site activities. Additionally, the site is planned for reuse and can meet one or more of the conditions described on the following page.

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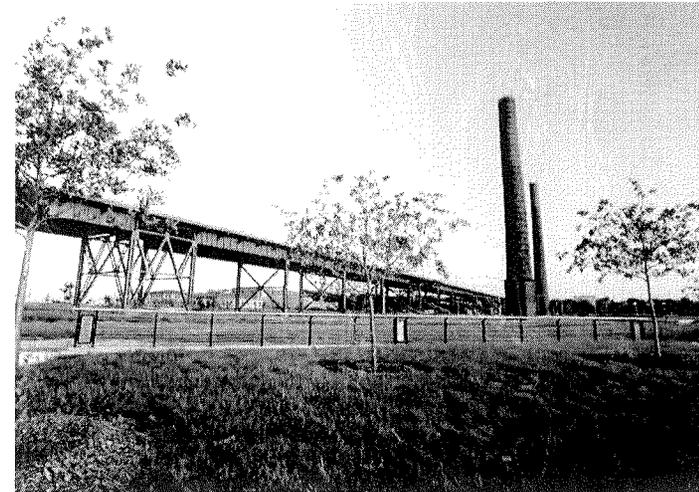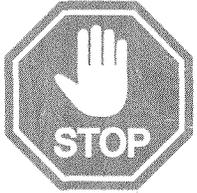
▶ **3.2 ELIGIBLE PROJECT SITES** (CONTINUED)

- **Site Reuse Will Benefit an Underserved Community.** Site(s) slated for reuse and located in a census tract where the CalEnviroScreen 3.0 score (CES) is above 75% (high poverty areas with the highest pollution burdens).

- **Site Reuse Will Benefit a Native American Tribe.** Proposed site(s) reuse will directly benefit a Tribe. Special consideration will be given to tribal projects, regardless of CES score.

- **Site Reuse Will Benefit Other Underserved Populations.** Project site(s) is (are) located in a census tract where the CalEnviroScreen 3.0 score (CES) is below 75% and planned uses provide significant benefits to rural or underserved populations through one of the following:

  - Nonprofit community services
  - Health clinic or medical services
  - Cultural institutions
  - Uses supporting unhoused or underhoused populations
  - Social services
  - Other uses with significant benefit(s) to a disadvantaged, low-income community or vulnerable population

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## ▶ 3.2 ELIGIBLE PROJECT SITES

- Housing planned for lower-income households at an "affordable housing cost," as defined by the California Department of Housing and Community Development (HDC) and also by State law as, "not more than 30 percent of gross household income with variations." "Housing cost" commonly includes rent or mortgage payments, utilities (gas, electricity, water, sewer, garbage, recycling, green waste), and property taxes and insurance on owner-occupied housing.

- DTSC will consider applications below the CES score of 50% only if their primary purpose is to support a vulnerable population or community. Examples include nonprofit community services, health clinics or medical services, cultural institutions and uses supporting unhoused or underhoused populations. Applications for sites with CES score of 50% or below will be disfavored since the areas with the highest pollution burdens are prioritized. However, DTSC may consider these applications if they make a strong case about how they will support a vulnerable population.

- Consideration also will be given to remote rural communities (defined as 60% or more County Rurality Level (2010) by the U.S. Census), and areas that have state or national disaster declarations in the last 24 months.

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# INELIGIBLE PROJECT SITES

**The following types of sites are ineligible for ECRG funding:**

- The site is controlled and/or owned by the federal government
- The site is subject to ongoing US EPA directed removal actions
- The site is subject to an active DTSC enforcement order (e.g., Remedial Action Order, Imminent and/or Substantial Endangerment Determination, Imminent and/or Substantial Endangerment Order, Corrective Action Orders)
- The site is subject to an active Regional Water Quality Control Board order (e.g., Cleanup and Abatement Order, Site Clean-up Order, 13267 Order)
- The site is subject to an active enforcement order by a California environmental regulatory agency
- The site is proposed for or listed on the National Priorities List
- The site is subject to a Resource Conservation and Recovery Act (RCRA) permit
- The site is subject to a DTSC Hazardous Waste Facility Permitting Program permit established under Chapter 6.5 of California Health and Safety Code and RCRA authorization

> ▶ **ECRG funds are strictly for the use of implementing ECRG-approved activities for a Community-wide Assessment, Site-specific Investigation, or Site-specific Cleanup.**

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## ▶ 3.3 COSTS ELIGIBLE FOR ECRG REIMBURSEMENT

### Community-wide Assessment

Creating an inventory of brownfield sites, including GIS mapping, All Appropriate Inquiries (AAI) or Phase I Investigations*, Preliminary Endangerment Assessments (PEA)*, Phase II Environmental Site Assessments*, and activities related to public engagement regarding brownfield priorities and planning reuse. *Grant range: $80,000 to $300,000.*

### Site-specific Investigation Costs

All Appropriate Inquiries (AAI) or Phase I Investigations*, Preliminary Endangerment Assessment (PEA) or Phase II Environmental Site Assessments*, Supplemental Site Investigations (SSI) or equivalent environmental investigations*, Remedial Investigations and Feasibility Study (RI/FS)*, pilot tests to evaluate cleanup alternatives*, Human Health Risk Assessment (HHRA) development, preparation of Removal Action Work Plans or equivalent environmental cleanup plans – including public engagement and CEQA activities, regulatory oversight costs (the Regional Water Quality Control Board, a Certified Unified Program Agency [CUPA], or DTSC) for the ECRG site. *Grant range: $80,000 to $3,000,000.*

### Site-specific Cleanup

Pilot tests and sampling/analysis to design cleanup*, Removal Action Workplans and equivalent environmental cleanup plans, public engagement and CEQA activities, remedial design, remediation implementation and reporting, regulatory oversight costs (the Regional Water Quality Control Board, CUPA, or DTSC) for the ECRG site, Operations and Maintenance Plans (O&M) – includes planning, construction and initial startup. If appropriate, stop-loss insurance premiums (also referred to as cost cap) may be reimbursable. Please note: does not include O&M operational costs; only implementation and planning. *Grant range: $80,000 to $7,000,000.*

*\* Includes planning, implementation and reporting costs*

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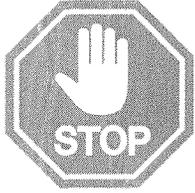
▶

## 3.3 COSTS ELIGIBLE FOR ECRG REIMBURSEMENT

*ECRG reimburses grant recipients for allowable and approved costs. The grantee submits invoices in batches of about $15,000 for pre-approved activities and receives reimbursement upon DTSC review and approval according to the Terms and Conditions of the Agreement. These invoices do not have to have been paid by the grantee. Note that DTSC's reimbursement may take up to 60 days.*

- Community engagement activities related to the ECRG work, including the implementation of the CDC's Protocol for Assessing Community Excellence in Environmental Health process and other proven community participation methods or asset-based community development models

- Site clearing, removal of vegetation, debris, and possibly building demolition if approved by DTSC as a necessary action required to conduct sampling and/or cleanup

- Markups up to 8% from a primary contractor or environmental consultant on subcontracts (such as drillers, laboratory, utilities, surveyors and utility locators) and other direct costs

- Project management costs (up to 5% of the total ECRG award)

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# INELIGIBLE COSTS

**ECRG funds cannot be used for:**

- Activities conducted prior to ECRG award
- Hazardous building material surveys and removals, such as PCBs, lead and asbestos in buildings
- Proposal or grant preparation
- Long-term operation and maintenance of a remedy
- Compliance and monitoring of institutional controls such as a Land Use Covenant
- Costs for cleanup of groundwater when the land is already suitable for reuse
- A penalty or fine
- Plugging and abandoning oil wells and mine features
- Pre-construction activities and other site preparation activities needed to support construction
- Construction of the reuse project beyond what is required in the final remedy for the site
- Food and childcare during public or organizational meetings
- Markup greater than 8% from a prime contractor on subcontracts and other direct costs
- Project management costs greater than 5% of the total ECRG award
- Budget contingency or unallocated funding
- Legal fees not directly related to ECRG-approved activities
- Any activity except those approved in the ECRG Agreement

Please note that assessment and cleanup activities conducted **before** an ECRG award are **ineligible** for reimbursement using ECRG funds.

▶ **3.4 ECRG AGREEMENT**

Grants are subject to the provisions in the ECRG Agreement (see here). Please review the Agreement before submitting an ECRG application as provisions are not subject to negotiation. Submitting the ECRG application indicates that the Applicant has accepted the terms and conditions of the Agreement, and if awarded, the ECRG Agreement will be signed by the Applicant within a few days of notification of award. If a tribal applicant has any concerns with the ECRG Agreement, contact DTSC at ecrginfo@dtsc.ca.gov.

The regulatory oversight agreement and ECRG application are considered to be a component of the agreement for the ECRG, and are incorporated as an appendix. The ECRG Agreement specifies the funding agreement, whereas the regulatory oversight agreement and application generally define the approved technical scope of work and eligible tasks for the ECRG-funded environmental activities.

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# 4.0 Fluxx and Application Guidance

## ▷ APPLICATION INSTRUCTIONS

1. Applications are online at https://dtsc.fluxx.io/user_sessions/new. Applicants will be required to create an account, with a username and password. Chrome is the preferred browser.

2. Gather information and documentation about the subject site before beginning the application.
   The following information and documents are required:
   A. Contact information for the applicant, site owner, development team and partner(s)
   B. Site information, including past and present uses, land use, zoning, and any known environmental history, regulatory information and environmental investigation and cleanup-related documents
   C. Information relating to ownership and affirming that the applicant, site owner if different from the applicant, and project partners did not cause or contribute to the contamination at the site
   D. Reuse information, including proposed use(s), funding, relevant city and regional plans and documents
   E. Project implementation schedule and documentation
   F. Information relating to outreach and engagement efforts
   G. Work plans and budget estimates
   H. Information from DTSC's ECRG WebApp, Senate and Assembly district information and the site's CES 3.0 score
   I. Read the ECRG Agreement document and ensure that it will be signed without requesting any changes or modifications to template language

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▶ ## APPLICATION INSTRUCTIONS

ECRG applications are submitted online using the Fluxx portal (https://dtsc.fluxx.io/user_sessions/new).
Applicants who participated in the preapplication process can sign into Fluxx using their username and password.

*Important Notes*
- Chrome is the preferred browser
- To edit a draft application or respond to a revision request, select Edit at the top right
- The portal does not automatically save. Be sure to Save and Continue often
- **BOLD** text indicates a required field
- If an application is unresponsive, try clicking Save and Continue to refresh the page without losing your progress. If you refresh the browser and have not saved, you will lose your progress.
- If you drag and drop a file into the upload area, you need to click the upload button. Once the upload is complete, you can close the box by clicking the X in the upper right corner
- Changes cannot be made after submitting an application
- All applicable questions must be answered, tables completed, and requested documents provided.
- Incomplete applications may result in disqualification

**The online portal does not automatically detect missing or incomplete responses. Please check your application thoroughly before submitting. Changes cannot be made after the application is submitted.**

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# 4.0 FLUXX AND APPLICATION GUIDANCE

## ▶ GUIDANCE ON COMPLETING THE APPLICATION

- Once in Edit mode, use the Table of Contents to quickly advance to a particular section
- Click on a section's arrow to expand or collapse that section
- You can print a copy of your own responses to this form. Select the Save and Close icon at the bottom right, then select the Print icon at the top right. This will open the application in a new tab in a printable format.
- Be sure to Save and Close if you would like to save your responses and resume your application later
- When you have completed all the information required to process your application, click Save and Close. *Note that this does not submit your application. See the next step.*
- If you have not yet submitted your application, you can continue editing it using the Edit button at the top right
- Once you have Saved and Closed, you will be able to Submit using the right bottom buttons
- During the screening and selection process, DTSC may contact the Grantee Organization Main Contact for clarification or if additional information is required by the Selection Committee. An email notification will be sent to the Grantee Organization Main Contact for the application.

▶ ## GUIDANCE ON COMPLETING THE APPLICATION *(CONTINUED)*

**1. Application Type** *(Select the type of grant you are applying for in this application).*
   a.  Community-wide Assessment with awards ranging from $80,000 to $300,000
   b.  Site-specific Environmental Investigation with awards ranging from $80,000 to $3 million
   c.  Site-specific Environmental Cleanup with awards ranging from $80,000 to $7 million. A regulatory-approved cleanup plan is required to submit an Environmental Cleanup Application.

**2. Eligibility**
   a.  Entity Eligibility: Indicate the type of applicant
      i.  Public Entity *(a unit of local government (county, municipality, city, or town), a school district, a special district, an intrastate district, a council of government)*
      ii.  Tribe
      iii.  501(c)(3) nonprofit organizations *(You will need to upload proof of your organization's 501(c)(3) status.)*

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▶ **GUIDANCE ON COMPLETING THE APPLICATION** *(CONTINUED)*

b. Site Eligibility: Confirm that the site is not covered by conditions that render it ineligible for ECRG funding. The site is ineligible if one of the following applies:

    i. The site is controlled and/or owned by the federal government

    ii. The site is subject to ongoing USEPA directed removal actions

    iii. The site is subject to an active DTSC enforcement order *(Orders include Remedial Action Orders, Imminent or Substantial Endangerment Orders and Corrective Action Orders.)*

    iv. The site is subject to an active Regional Water Quality Control Board order *(orders include Cleanup and Abatement Orders, Site Clean-up Orders and Section 13267 Orders.)*

    v. The site is subject to an active enforcement order by a California environmental regulatory agency

    vi. The site is proposed for or listed on the National Priorities List

    vii. The site is subject to a Resource Conservation and Recovery Act (RCRA) permit

    viii. The site is subject to a DTSC Hazardous Waste Facility Permitting Program permit established under Chapter 6.5 of California Health and Safety Code and RCRA authorization

*If none of these apply, check the box indicating that none of the above conditions apply. If the site is state-owned please contact ECRGinfo@dtsc.ca.gov directly to determine site eligibility.*

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▶ **GUIDANCE ON COMPLETING THE APPLICATION** *(CONTINUED)*

### 3. Application Contacts and Project Team

In this section, Applicant identifies members of their project team. At a minimum, Applicant must designate a Grant Project Manager to coordinate ECRG activities with DTSC.

    a.   Grantee Organization Main Contact. If a third-party Grant Project Manager is used, the Applicant must also identify a Grantee Organization Main Contact who is an authorized representative of the grantee organization and will be responsible for promptly responding to DTSC inquiries; promptly informing DTSC of any changes to the information contained in the application or associated supporting documentation; and providing sufficient resources to the Grant Project Manager if an ECRG is approved.

    b.   Agreement Signatory. The signatory is an authorized representative of the applicant and certifies to the best of their knowledge and belief that the information contained in the application, including any attachments, is true and complete and accurately describes the Applicant, the site, and related conditions.

    c.   Environmental Consultant Contact, if applicable.

    d.   Environmental Attorney Contact, if applicable.

    e.   Reuse Partner. Reuse partners are partner(s)/collaborator(s) with an ownership stake or a role in the execution of the reuse plan.

    f.   The Grant Project Manager ensures that the ECRG is managed in a timely and effective manner, is responsible for the efficient and correct use of ECRG funds, implements ECRG performance and reporting requirements, and responds to inquiries and requests for information from DTSC in a timely manner. The Grant Project Manager could be someone within the Applicant's organization or a third party. However, costs of project management cannot exceed 5% of the total ECRG.

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▶ **GUIDANCE ON COMPLETING THE APPLICATION** *(CONTINUED)*

### 4. Site Information

Enter information about the site(s), such as site name and address, latitude/longitude, California Assembly and Senate districts, assessor parcel number or other property identifier, site area or acreage, structure information and CalEnviroscreen (CES) 3.0 Score. Describe past use, identify any encumbrances (such as deed restrictions) that could impact reuse of the site, and identify whether the site has been impacted by a state or national disaster declaration within the last 24 months. If a site does not have a CES score, use the CES score of the highest bordering area or contact DTSC to discuss.

For Community-wide Assessment applications, provide the required information for at least four (4) sites. For Site-specific Investigation and Cleanup Grant applications, provide information for the site. Indicate if CES 3.0 score for each site is greater than 75%. If CES 3.0 score is less than 75%, the planned reuse of the site must be for nonprofit community services, tribal reuse, uses that support a vulnerable or disadvantaged community, or housing planned only for lower-income households that meets the California Department of Housing and Community Development's definition of affordable housing. If the proposed use is not listed or is unknown, the site is not eligible under ECRG. DTSC will consider applications below the CES score of 50% only if they show the primary purpose is to support a vulnerable population or community. Examples include nonprofit community services, health clinics or medical services, cultural institutions and uses supporting unhoused or underhoused populations.

Applications for sites with CES score of 50% or below will be disfavored since the areas with the highest pollution burdens are prioritized. However, DTSC may consider these applications if they make a strong case for how they will support a vulnerable population. Consideration also will be given to remote rural communities (defined as 60% or more County Rurality Level [2010] by the U.S. Census), and areas that have state or national disaster declarations in the last 24 months.

▶ ## GUIDANCE ON COMPLETING THE APPLICATION (CONTINUED)

### 5. Ownership & Access

If Applicant is the owner of the site(s), upload proof of ownership. If Applicant does not own the site(s), then specify Applicant's relationship with the owner(s) and upload documentation that indicates the owner's consent to apply for an ECRG and provide the applicant access to the site. (For CWA, enter information into Fluxx for one site, and for the other three sites, upload the information requested in Additional Information). Written owner access authorization is required to be eligible for a grant award.

### 6. Responsibility for Contamination

To be eligible for an ECRG, applicants must affirm that they did not arrange for the disposal of hazardous substances at the site, transport hazardous substances to the site, and that they did not cause or contribute to any releases of hazardous substances at the site. Public entity and 501(c)(3) nonprofit organization applicants must demonstrate that they are exempt from Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or federal Superfund law) liability. The responses to the questions in this section of the application provide DTSC with the necessary information to support the assertion that the public entity or nonprofit organization applicant is not responsible for the contamination under CERCLA.

DTSC recognizes that the information requested for this section may not be readily available, and in some cases may not be available at all. A good faith effort should be made to provide all the requested information. If there are gaps in the applicant's knowledge, the applicant should provide the responses to the best of their knowledge and use the one-page "Additional Information" section toward the end of the application to provide further explanation.

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▶ **GUIDANCE ON COMPLETING THE APPLICATION** (CONTINUED)

Select one of the five responsibility sections that applies to the Applicant and the owner (if different from the Applicant) and the environmental status of the site as it pertains to CERCLA exemption of potential liability. The five responsibility scenarios are:

1. Applicant is not the owner
2. Applicant is a Tribe and an owner
3. Applicant is a nonprofit organization and an owner
4. Applicant is a public entity and an owner
5. Applicant has an alternative CERCLA Liability Defense

Public entity and 501(c)(3) nonprofit organization applicants must affirm that they did not arrange for the disposal of hazardous substances at the site, transport hazardous substances to the site, and that they did not cause or contribute to any releases of hazardous substances at the site.

For non-owners, applicants must affirm that the owner did not arrange for the disposal of hazardous substances at the site or transport hazardous substances to the site, that they did not cause or contribute to any releases of hazardous substances at the site, and that they did not own the site when the hazardous substances were released at the site.

Public entity and 501(c)(3) nonprofit organization applicants must affirm that Applicant's partner(s)/collaborator(s) did not

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▶ ## GUIDANCE ON COMPLETING THE APPLICATION (CONTINUED)

arrange for the disposal of hazardous substances at the site or transport hazardous substances to the site, that they did not cause or contribute to any releases of hazardous substances at the site, and that they did not own the site when the hazardous substances were released at the site. Partner(s)/ collaborator(s) are those with an ownership stake or a role in the execution of the reuse plan.

Tribes are exempt from demonstrating a Superfund law or CERCLA responsibility defense under ECRG. However, they must affirm that they did not arrange for the disposal of hazardous substances at the site, transport hazardous substances to the site, and that they did not cause or contribute to any releases of hazardous substances at the site to be eligible for the ECRG.

If you have an alternative CERCLA Liability Defense, please provide full details as an attachment to your application or in the "Additional Information" section at the end of the application for review and consideration. In this case, we highly recommend that you have a conversation with DTSC beforehand.

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▶ ## GUIDANCE ON COMPLETING THE APPLICATION

### 7. Previous Environmental Activities

Sites addressed under the grant are brownfield sites proposed for reuse. A brownfield is a site, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Discuss the reason(s) for believing the site is contaminated or may be contaminated. Discuss previous environmental activities and the current status of environmental activities at the site. For Community-wide Assessments, provide this information for each of the four identified sites. For Site-specific Investigation and Cleanup Grants, provide the information for the proposed site and describe the proposed reuse for the site. Upload or provide a link to the most current or relevant document(s) that describe the site conditions and status, including regulatory approvals. Please limit this to no more than three reports per site and do not include voluminous appendices in an uploaded document. There is a 100 MB file limit. If space is an issue, you may upload EnviroStor or Geotracker links to the document(s).

**EnviroStor** is DTSC's data management system for tracking our cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further.

**Geotracker** is the Regional Water Quality Control Board's (RWQCB) Internet-accessible database system used by the State Water Resources Control Board, regional boards and local agencies to track and archive compliance data from authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks. Information about how to search these database systems can be found here for EnviroStor and here for Geotracker.

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# 4.0 FLUXX AND APPLICATION GUIDANCE

## ▶ GUIDANCE ON COMPLETING THE APPLICATION

### 8. Regulatory Oversight

Regulatory oversight is required for Site-specific Investigation and Cleanup Applications. *Community-wide Assessment (CWA) Applications do not require a regulatory oversight agreement. However, if the Applicant opts to work with a regulatory agency, oversight will be an allowable cost.*

Identify whether there is a voluntary oversight agreement with the Regional Water Quality Control Board, DTSC, or a local agency. A copy of the oversight agreement must be uploaded in this section.

If the applicant is not in a voluntary oversight agreement, they can apply for voluntary oversight from the RWQCB or DTSC through the Fluxx Portal. Instructions describing how to use the Fluxx Portal can be found here. **A minimum of 4 weeks should be allowed to execute a voluntary agreement with DTSC. Voluntary oversight agreements with other agencies may take additional time. An executed oversight agreement must be in place before submitting the ECRG application.** Applicants may contact DTSC's Regional Brownfield Coordinators with questions about DTSC's voluntary oversight agreements. Their contact information can be found on DTSC's website here.

**The final date to submit an oversight application to DTSC is March 7, 2022 to align with the application period closing on April 4, 2022.**

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▷ ## GUIDANCE ON COMPLETING THE APPLICATION

### 9. ECRG Activities and Budget Detail

Describe the capability of the ECRG team to complete the proposed ECRG cleanup activities. DTSC has created a table to provide the scope and schedule for the planned ECRG activities to be completed within two years. This table and two additional tables for later questions can be found with instructions at the end of this document. This schedule, at a minimum, must be completed. Applicants can upload additional schedules in the additional information section.

The Grantee Budgets table in Fluxx should be used to provide cost information/budget details. The estimate for each proposed task (except for Select/Hire Consultant) included in the ECRG Activities Table (e.g. Phase II Environmental Assessment, Human Health Risk Assessment, etc.) should be entered using the "+" below the Grantee Budgets table. The proposed task(s) and associated cost estimate should reflect activities that can be completed in a two-year timeframe. Contingency should not be included as a separate line item. An example CWA budget would include the costs of a brownfield inventory, Phase 1 ESAs, Phase 2 ESAs/PEAs, and community engagement activities. A site investigation budget may include Phase 1/Phase 2s, site characterization, pilot studies, risk assessment, feasibility study, and/or community engagement. A site cleanup budget would include the eligible implementation/field work costs, any design/additional investigation, project management costs, soil disposal, community engagement work, etc.

**Refer to Section 3.3, above, for Grant-Specific Costs Eligible for Reimbursement.**

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▶ ## GUIDANCE ON COMPLETING THE APPLICATION

### 10. Community Engagement and Reuse Readiness
**10a. Community-wide Assessment Grant applicants will address the following in this section:**

1. Check all boxes that apply to the proposed site reuse. These site reuses include: Park/open space; Nonprofit/Municipal uses; Underhoused/unhoused services; Public school; Private school; Other education; Commercial/retail; Industrial; Transportation hub; Nonprofit health services; Affordable Housing; Market Rate Housing; Other housing (special needs, senior, etc.); Community Space; Green Energy; Other. If there is a transitional use of the site until the site is redeveloped, please use the "Other" line to specify the use and that it is transitional. Note if affordable or market rate housing is selected, additional details regarding the number of units, AMI affordability ranges, and presence of luxury units will be requested.

2. Describe the community's need for the proposed reuse and the anticipated community benefits and outcomes of ECRG activities including how the proposed ECRG activity or proposed reuse plan is consistent with existing plans and documents. See the question below for example plans and documents. Describe the anticipated economic benefits including any quantitative metrics such as jobs created, number of housing units created, etc. 3,500 characters or fewer.

3. Specify the current zoning and land use designation for each of the sites.

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# 4.0 FLUXX AND APPLICATION GUIDANCE

▷ ## GUIDANCE ON COMPLETING THE APPLICATION *(CONTINUED)*

4. Specify whether the sites are in a designated district, such as an Empowerment Zone, Enterprise Zone, Opportunity Zone, Rural Renewal Zone, Promise Zone, Recycling Market Development Zone, New Market Tax Credit Eligible Census Tract, New Market Tax Credit Severe Distress or Non-Metropolitan Census Tract, Business Improvement District, Community Facilities District, or other improvement district.

5. Specify whether community and local elected officials (mayor, city manager, city council, commissions, etc.) have been consulted on the proposed reuse(s). If so, describe their reactions. Please describe the support/feedback received and provide evidence or documentation. DTSC is interested in any sort of reaction, positive or negative, to the reuse or decision to apply for the ECRG.

6. Provide a list of advocates, with their contact information, who are supportive of the environmental work, the proposed reuse activities, and/or the decision to apply for the ECRG. Advocates are supportive of the application or may have a role in advancing the project, but are not part of the development team. Example advocates include individuals from government (federal, state, local), private businesses, grassroot/community groups, elected officials, community leaders/representatives.

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▶ ## GUIDANCE ON COMPLETING THE APPLICATION *(CONTINUED)*

7. Describe the community engagement activities that <u>will continue and/or are planned</u> to consult with the community on the proposed environmental work and site reuse, and how these plans were developed. Please upload any existing community engagement plans that have been developed. These activities include community design charrettes, asset-based community development models, other community meeting(s) where the environmental work, reuse activities, or the decision to apply for the ECRG was a topic or agenda item (virtual or in-person), focus groups (virtual or in-person), engagement with local residents at other events (farmer's market, school event, holiday event, etc), engagement with community groups at other event (farmer's market, school event, holiday event, etc), project/site website, multilingual support (virtual or in-person), GIS-based story mapping, social media engagement, surveys, and other activities to garner support or input on the proposed project.

8. Describe how the proposed reuse addresses chronic inequities to achieve equitable outcomes.

> **Don't delay. Now is the time to identify properties in your community with known or suspected contamination and assess if the ECRG could be the catalyst you need to return them to productive and beneficial uses.**

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▶ **GUIDANCE ON COMPLETING THE APPLICATION** *(CONTINUED)*

9. Community Engagement.

   a. Specify whether the community has been consulted previously about the proposed ECRG activities by the current development team. If yes, provide timeframe(s) when this occurred, note the type of community engagement conducted, and the community response. These activities include community design charrettes, asset-based community development models, <u>Protocol for Assessing Community Excellence in Environmental Health</u>, other community meeting(s) where the environmental work, reuse activities, or for the decision to apply for the ECRG was a topic or agenda item (virtual or in-person), focus groups (virtual or in-person), engagement with local residents at other event (farmer's market, school event, holiday event, etc), engagement with community groups at other event (farmer's market, school event, holiday event, etc), project/site website, multilingual support (virtual or in-person), GIS-based story mapping, social media engagement, surveys, and other activities to garner support or input on the proposed project.

   b. Describe the community's reaction to the proposed reuse(s) and provide evidence or documentation.
   *Also describe how the Applicant will consider these reactions and comments.*

▷ **GUIDANCE ON COMPLETING THE APPLICATION** (*CONTINUED*)

**10b. Site-specific Investigation applicants will complete the sections in 10a and the following additional sections:**

1. Describe the proposed/planned reuse for the site(s) in 1,000 characters or fewer.

2. Specify any existing local plans and sustainability initiatives that the proposed reuse(s) of the site(s) will be consistent with, such as downtown, community, or neighborhood plans; Regional Housing Needs Assessment (RHNA); climate action plan, sustainability plan, or other environmental plan; Priority Development Area, Transit Oriented Development, or other locally adopted smart growth or infill development plan; Successor Agency Long Range Management Plan; development included in Community Revitalization Investment Authority (CRIA), Enhanced Infrastructure Financing Districts (EIFD), Neighborhood Infill Finance and Transit Improvements Act (NIFTI), etc.

3. Specify whether the proposed/planned reuse will require a change in zoning designation. If yes, please include the proposed zoning and/or land use designation and the schedule for this process.

4. Specify whether the proposed/planned reuse will require a General Plan amendment. If so, specify how long the General Plan amendment is scheduled to take.

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▶ **GUIDANCE ON COMPLETING THE APPLICATION** (CONTINUED)

5. Describe any existing structures on the site and whether some, none or all of the structures will be preserved. Discuss how building demolition and/or preservation work will be funded, including any required asbestos or lead-based paint abatement.

6. Specify whether California Environmental Quality Act (CEQA) activities have been conducted for the proposed reuse(s). If they have been or currently are being conducted, provide the following information: the name of the CEQA document and the State clearinghouse number or other identifier; the name of the lead agency; whether the regulatory oversight agency for the ECRG activities is a responsible agency for the CEQA document; whether the CEQA document includes the proposed ECRG activities; and the timeframe for finalizing the CEQA document.

7. Specify whether the proposed reuse project(s) requires and has received any of the following permits and approvals: demolition permit, building permit, Planning Commission approval, City Council approval, site plan approval.

8. Complete the table of significant redevelopment milestones to demonstrate readiness. These tables can be seen with instructions at the end of this document.

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▶ ## GUIDANCE ON COMPLETING THE APPLICATION *(CONTINUED)*

**10c. Site-specific Cleanup Applicants will complete the sections in 10a, 10b, and the following additional sections.**

1. Specify any other funding sources obtained for the proposed reuse project, including street and utility improvements, buildings, and landscape using the table. If additional funding sources have not been obtained, specify what percentage of the total project funding still needs to be obtained.

2. Specify how the proposed reuse will be funded once fully operational. Options include projected revenue will cover expenses (e.g., market rate housing, retail center), projected revenue will have to be supplemented with ongoing donations, grants, or other sources of funds. (e.g., park, community center), or other.

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▶ **GUIDANCE ON COMPLETING THE APPLICATION** (*CONTINUED*)

## 11. Contracts

1. **Procurement and Competitive pricing**
   Describe the practices in place to ensure competitive pricing through a procurement process for contracts over $10,000. If the Applicant does not have practices that ensure competitive pricing, the Applicant will be asked to ensure competitive pricing for the ECRG work (see Agreement document for specifics). If applicable, describe the process the applicant will utilize to award existing contracts that will be used to conduct ECRG activities.

2. **Diverse Supplier**
   Verify and describe any plans to contract with diverse suppliers such as disabled veteran-owned, disadvantaged business enterprises, or small business enterprises.

   DTSC's Office of Brownfields has developed a quick reference guide with information on how small businesses can become certified and participate in upcoming contract opportunities. Applicant/Grantee will undertake good faith efforts to apply similar procurement processes for services and supplies that would promote inclusion of SBs, DVBEs, and other disadvantaged and underrepresented businesses for ECRG funds.

**The State of California established the Small Business (SB) and Disabled Veterans Business Enterprise (DVBE) Certification Programs to increase business opportunities for the SB and DVBE community to participate on a more level playing field when competing for state contracts and therefore stimulating the state's overall economy.**

**To support and promote equitable development, DTSC's Office of Brownfields also encourages other disadvantaged and underrepresented small businesses or other underrepresented group-owned business enterprises to participate in contracting opportunities.**

▶ ## GUIDANCE ON COMPLETING THE APPLICATION (CONTINUED)

### 12. Documents

This portion of the application should list all the documents that have been uploaded and allows uploading of additional documents the Applicant is submitting in support of their application.

### 13. Additional Information

This section provides an opportunity for applicants to provide additional information to support their application. If additional space is needed, upload an attachment in Section 12 and reference the name of the attachment in this section.

### 14. Equitable Development Grant Commitments

*Additional points will be awarded to applicants who agree to make best efforts at equitable development outcomes an ECRG commitment. The proposed ECRG commitments, if approved by DTSC, will be incorporated as reportable metrics.*

This section describes several actions that promote equitable development. Equitable development is a development approach that creates quality of life outcomes, such as affordable housing, quality education, living wage employment, healthy environments, and transportation that are equitably experienced by the people currently living and working in a neighborhood, as well as for new people moving in. The ECRG commitments designed by the Applicant should include but not be limited to the specific actions described in this section of the Guidelines. Applicants should describe how these actions are integrated into any larger, areawide revitalization plans.

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▷ **GUIDANCE ON COMPLETING THE APPLICATION** *(CONTINUED)*

*Actions that promote equitable development include, but are not limited to:*

1. **Advance economic opportunity** – Promote local entrepreneurs, enhance community-serving establishments and increase quality living wage jobs for local people

2. **Prevent displacement** – Promote policies and actions that allow anyone who wants to live in a community to do so, especially current residents, and discourage displacement of viable small businesses that serve community needs

3. **Promote broader mobility and connectivity** – Prioritize an effective and affordable public transportation network that supports transit-dependent communities and provides equitable access to core services and amenities, including employment, education, and health and social services

4. **Develop healthy and safe communities** – Create built environments that enhance community health through public amenities (schools, parks, open spaces, complete streets, health care, and other services), access to affordable healthy food, improved air quality, and safe and inviting environments

5. **Promote environmental justice** – Eliminate disproportionate environmental burdens and ensure an equitable share of environmental benefits for existing communities. Secure resources to mitigate and reverse the effects of environmental hazards past and present.

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▶ ## GUIDANCE ON COMPLETING THE APPLICATION (*CONTINUED*)

**Designing Equitable Development ECRG Commitments with Measurable Outcomes**

Equitable development happens when "Quality of life outcomes, such as affordable housing, quality education, living wage employment, healthy environments, and transportation are equitably experienced by the people currently living and working in a neighborhood, as well as for new people moving in. Public and private investments, programs, and policies in neighborhoods that meet the needs of residents, including communities of color, and reduce racial disparities, taking into account past history and current conditions." For more information on Equitable Development, please refer to the Government Alliance on Race and Equity (GARE) document titled Equitable Development as a Tool to Advance Racial Equity.

Equitable development ECRG commitments must be presented as quantifiable metrics associated with the reuse to be completed within a specified timeline. For example, acres made available as open space, number of units available for housing, etc. ECRG commitment target areas include, but are not limited to:

- **Job creation:** Number and type of jobs created, such as local jobs, short-term jobs, long-term jobs, local hires, living wage and prevailing wage jobs, etc.

- **Preventing displacement:** Services and opportunities focused on existing local residents and businesses or that will be easily accessible to existing residents and businesses

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▶ ## GUIDANCE ON COMPLETING THE APPLICATION (CONTINUED)

- **Expanding mobility and connectivity:** Increasing transportation access through transit-oriented development projects within 1/2 mile of station or transportation hubs and/or number of alternative transportation amenities included, such as car share, bike share, EV vehicle spaces, etc.

- **Developing healthier and safer communities:** Development location next to or including existing trails, parks, nonprofit community services, health clinics or medical services, cultural institutions, and uses supporting unhoused or underhoused populations, etc. Number and acreage of parks, trails, open space, or public space created; inclusion or proximity to grocery stores, parks, open space, or other services to improve health and safety. Equitable development should help to address inequitable health outcomes resulting from lack of access to affordable medical care, healthy and affordable food options, and environmental hazards that can trigger or exacerbate asthma, high blood pressure, cancer or other adverse health outcomes in a community. Promoting or promotion of environmental justice: Activities that will lead to alleviation of pollution burdens for the local community.

  In this section, the Applicant must complete the attached table document shown on page 46 to describe the measurable and quantifiable commitments that will be made regarding equitable development to be eligible for additional points. The Applicant must include a specified timeline for completion of the proposed commitments and describe how progress on these commitments will be reported to DTSC, even after the end of the specific ECRG environmental activities.

▶ ## GUIDANCE ON COMPLETING THE APPLICATION *(CONTINUED)*

More points will be awarded to well-defined, quantifiable metrics that will be outcomes of the ECRG activities or the proposed/planned reuse.

### 15. Signature
After you submit the application to DTSC, DTSC will initiate obtaining your signature through DocuSign.

> **The purpose of the ECRG program is to facilitate cleanup and beneficial reuse of impaired properties. Therefore, a proposed project must be intended to facilitate expansion or reuse. DTSC cannot consider projects where cleanup and/or redevelopment is not needed.**

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▶ ## GUIDANCE ON USING APPLICATION TABLES

### Supplementary Tables

Three questions in the application require the completion of a supplementary table. Links to these tables are provided in the Fluxx portal. Please note that tables will have to be filled out completely; incomplete tables may result in disqualification of the application. For access and information, these tables are provided herein.

The ECRG Schedule Table (right) provides a basic framework of ECRG-funded activities for each grant type. The table provides a consistent format for DTSC to review your activities and schedule. A more detailed schedule may be uploaded; however, at a minimum, the table should be completed to illustrate the projected milestones. The Applicant should only complete the section relevant to their ECRG application.

## Section 9: ECRG Schedule

Status/Schedule for next 2 years

| Community-Wide Assessment | Status (Assume Grant begins June 2022) | Start Date (mm/yyyy) | Completion Date (mm/yyyy) | Add brief description/comments |
|---|---|---|---|---|
| Select Consultant(s) | | | | |
| Create Brownfields Inventory | | | | |
| Conduct Phase I ESAs | | | | |
| Conduct Phase II ESAs/PEAs | | | | |
| Community Engagement | | | | |
| | | | | |

| Environmental Investigation Grant Schedule | Status (Assume Grant begins June 2022) | Start Date (mm/yyyy) | Completion Date (mm/yyyy) | Add brief description/comments |
|---|---|---|---|---|
| Hire Consultant(s) | | | | |
| Phase I Environmental Site Assessment | | | | |
| Phase II Environmental Site Assessment/Preliminary Endangerment Assessment | | | | |
| Site Characterization | | | | |
| Risk Assessment | | | | |
| Community Engagement | | | | |

| Environmental Cleanup Grant Schedule | Status (Assume Grant begins June 2022) | Start Date (mm/yyyy) | Completion Date (mm/yyyy) | Add brief description/comments |
|---|---|---|---|---|
| Hire Consultants | | | | |
| Additional Investigation | | | | |
| Remedy Design, if required by regulatory agency | | | | |
| Implementation/Field Work | | | | |
| Cleanup Report/Implementation Report | | | | |
| Community Engagement | | | | |

Note: For activities with a status other than "Complete" or "Not Applicable, provide start and completion date in the schedule. Enter in a Completion Date for "Complete" status activities.

▷ **GUIDANCE ON USING APPLICATION TABLES**

## Redevelopment Milestones

The Redevelopment Milestones Table (right) is similar to the table provided on the previous page. The Applicant should complete the status of the listed activities for the proposed reuse of the site. This table is not relevant to Community-wide Assessments. For Site-specific Investigation grants, it is acceptable to provide rough estimates.

For Site-specific Cleanup applicants, more details on these milestones are expected. Click the box under the header "Status" to indicate the current status.

| Section 10: Redevelopment Milestones | | | | |
|---|---|---|---|---|
| Milestone | Status | Start Date (mm/yyyy) | Completion Date (mm/yyyy) | Add brief description/comments |
| Ownership/Control of Site | | | | |
| Surplus Lands Act Compliance | | | | |
| Reuse Project Approvals | | | | |
| | | | | |
| Planning Commission Approval | | | | |
| City Council Approval | | | | |
| | | | | |
| Cleanup Implementation Complete | | | | |
| Reuse Project Permits | | | | |
| Use Permit / Planned Use Development (PUD) / Final Development Plan (FDP) / etc. | | | | |
| Building Permit | | | | |
| | | | | |
| Development Agreement or Sale to Developer | | | | |
| Title Transfer | | | | |
| Reuse Project Construction Complete | | | | |

Note: For activities with a status other than "Complete" or "Not Applicable, provide start and completion date in the schedule. Enter in a Completion Date for "Complete" status activities.

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▶ ## GUIDANCE ON USING APPLICATION TABLES

### Equitable Development Grant Commitments

The Equitable Development Grant Commitments section explains the approach for developing measurable commitments that can be included in the table at right. For example, under "Job Creation," the associated metric could be "local jobs created, reported bi-annually by email beginning in 12/2023". DTSC will work with applicants to develop reasonable commitments for the project.

| Section 14: Equitable Development Grant Commitments | | | | | |
|---|---|---|---|---|---|
| Commitment Target Area (example types below, add lines as necessary) | Associated Metric* | How will this be metric be measured? | How will this information be reported to DTSC? | When will this commitment be expected to begin? (Target Date) | What is the expected value for this metric? |
| Job Creation | | | | | |
| Preventing Displacement | | | | | |
| Expanding Mobility and Connectivity | | | | | |
| Developing Healthier and Safer Communities | | | | | |
| Promoting or Promotion of Environmental Justice | | | | | |

*see guidelines for example metrics

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# 5.0 Application Scoring Criteria

DTSC's ECRG Selection Committee will select applications for award based on the application's scoring, equitable development commitments, the availability of funds, and any other factors and considerations identified in the ECRG Guidelines. Applicants may be disqualified if it is determined that false warranty, representation, or statement has been made in, or in connection with, the application. All applicable questions must be answered, tables completed, and requested documents provided. Incomplete applications may result in disqualification.

For full points on a given question, the applicant's answers must be complete, thorough and demonstrate a clear understanding of the question or topic. Applicants should provide responses indicating strong alignment with ECRG goals of increasing equity for vulnerable communities, well-defined technical approaches, and timeliness of implementation. An example scoring breakdown is provided at right.

| QUALIFYING & SCORING CRITERIA TABLE | | | |
|---|---|---|---|
| SCORING CRITERIA | Community-Wide | Investigation | Clean-up |
| Site Location | | | |
| CES Score (Tribal score =100) | 100 | 100 | 100 |
| Is the site in a rural county?* | 0 | 0 | 0 |
| Has the site experienced a natural disaster?* | 0 | 0 | 0 |
| ECRG Readiness/Implementation | | | |
| Scope, schedule, and capability review | 50 | 50 | 50 |
| Budget quality and appropriateness | 50 | 50 | 50 |
| Community (alignment, engagement, planning) | | | |
| Community need, alignment, and anticipated benefits | 20 | 20 | 20 |
| Previously performed community engagement | 10 | 10 | 10 |
| Community support and reaction | N/A | 10 | 20 |
| Local official engagement and support | 10 | 10 | 10 |
| Planned community engagement | 10 | 10 | 5 |
| Supportive community groups & advocates | 10 | 10 | 10 |
| Achieving equitable outcomes | 10 | 10 | 10 |
| Reuse Readiness | | | |
| Is site currently zoned for the intended reuse? | N/A | 5 | 5 |
| Is a general plan amendment required? | N/A | 10 | 10 |
| Is demolition separately funded? | N/A | N/A | 5 |
| Timeline and schedule review | N/A | 10 | 30 |
| Contracts | | | |
| Competitive processes for contracts | 10 | 10 | 10 |
| Inclusive contracting processes | 10 | 10 | 10 |
| Equitable Development Commitments | | | |
| ECRG commitments with measurable outcomes | 10 | 20 | 30 |
| TOTAL** | 300 | 345 | 385 |

*extra points possible but not included in base denominator
**point values subject to change

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# APPLICATION SCORING

*Points will be multiplied in accordance with the maximum score allocated for the application question. For example, for a 10-point question on the application, DTSC will determine the quality of the response, and assign a score based on the rubric. That score would be multiplied by 2.*

| DTSC's Scoring Rubric for ECRG Applications | | |
|---|---|---|
| Quality of Applicant's Response | Points* | Definition |
| High Quality | 4-5 | Applicant's answer is complete and thorough. Applicant demonstrates an excellent understanding of the question or topic. Applicant provides responses that indicate strong alignment with ECRG goal of increasing equity for vulnerable communities, well defined technical approaches, and timeliness of implementation. Applicant's response is well formulated. |
| Sufficient | 3 | Applicant demonstrates a sufficient understanding of the question or topic. Applicant's response may not be as well formulated or as complete as that provided by the Well-Articulated Applicant; however, this Applicant demonstrates the level of knowledge and understanding required to implement this component of the ECRG. |
| Low Quality | 0-2 | Applicants' response is vague, incomplete, incorrect, or lacks sufficient detail. Applicant's response may not address the question, does not adequately address the topic, or show alignment. Applicant fails to demonstrate the level of knowledge and/or understanding required for this question. |

*Free technical assistance is available to all applicants at any stage of the application process. Contact DTSC at ecrginfo@dtsc.ca.gov or sign up for technical assistance with our TA provider, the Center for Creative Land Recycling, at calendly.com/ecrg/ta or send an email to ECRG@CCLR.org.*

Recognizing the need to support ECRG applicants, DTSC has selected the Center for Creative Land Recycling (CCLR) as DTSC's Brownfield Technical Assistance Provider (BTAP). CCLR is the only national nonprofit solely focused on the beneficial reuse of environmentally impacted and underutilized properties. With 23 years of experience in brownfield and infill reuse, CCLR also serves as U.S. EPA's Technical Assistance to Brownfield communities provider for Region 9, including California.

In its BTAP role, CCLR will work with public agencies, nonprofits, Tribes and private organizations interested in learning about the ECRG program in the following ways:
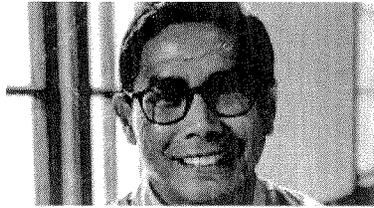
- Group webinars covering the Fluxx application, qualifying criteria, the application process, and scoring

- One-on-one calls/meetings to support applicants

- Support with reuse planning, and other technical assistance as necessary

- Referral to other grant, loan and technical assistance programs

- Spanish language support and community outreach assistance

- Resource guides and program updates

Contact CCLR at ecrg@cclr.org or (510) 269-7020 for assistance.

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## Ignacio Dayrit
*Lead Program Consultant*

Ignacio has extensive expertise in all aspects of land revitalization. He oversees the DTSC BTAP and EPA Technical Assistance to Brownfield (TAB) service delivery. Prior to joining CCLR, he spent 20 years with the City of Emeryville's Brownfield Pilot Project, where he led revitalization of hundreds of acres of contaminated property.

## Sebastian Harrison
*Brownfield Revitalization Specialist*

Sebastian is a member of the CCLR BTAP team dedicated to bringing applicants through the ECRG grant process. He is an Environmental Engineer with a passion for sustainability and moving brownfields into productive use. Prior to joining CCLR, he worked in the chemicals industry. He is experienced in cost estimating, construction planning, and project management. He also has experience coordinating with government entities, public and private stakeholders to help deliver project timelines and drive successful revitalization.
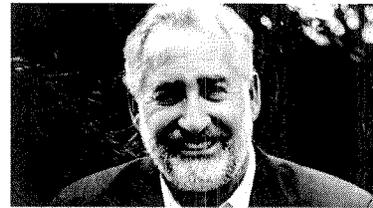
## David Harnish
*Brownfield Revitalization Specialist*

David is a member of the CCLR BTAP team dedicated to bringing applicants through the ECRG grant process. David has led environmental and real estate projects with government agencies and executives for over 25 years, often in the context of transactions and developments. He has led teams selling real estate, addressing contamination, protecting biological resources, and environmental compliance.

CCLR is the only national nonprofit solely focused on the beneficial reuse of environmentally impacted and underutilized properties. We are here to support ECRG applicants at every step of the process.

*How can our experts help you?*

Free technical assistance is available to all applicants at any stage of the application process. Contact DTSC at *ecrginfo@dtsc.ca.gov* or sign up for technical assistance with our TA provider, the Center for Creative Land Recycling, at *calendly.com/ecrg/ta* or send an email to *ECRG@CCLR.org.*

## Janet Naito
*Brownfield Revitalization Specialist*

Janet is a member of the CCLR BTAP team dedicated to bringing applicants through the ECRG grant process. She has over 30 years of experience working with local, State and Federal government agencies, communities and private stakeholders to restore properties for productive use. Prior to joining CCLR, she managed a branch within the California Department of Toxic Substances Control's Brownfields and Environmental Restoration Program.

## Natalie Nava
*ECRG Program Manager*

Natalie Nava is CCLR's Program Manager, supporting the ECRG program. She has worked for over a decade to advance equity by bringing stakeholders together to create opportunities for community self-determination, sustainability and economic prosperity. Natalie has advocated for equitable development policies and managed community-driven public health programs as well as a university alternative transportation options program. She has a Master's degree in Urban & Regional Planning from UCLA and is bilingual in Spanish and English.

## Tony Torres
*Community Coordinator*

Tony is a Spanish language support resource and Community Coordinator for the CCLR BTAP team. Tony has over 27 years of experience working with Latino Communities throughout California to help create solutions to empower these communities. Tony brings a wealth of relationships and expertise working with local nonprofit organizations, Latino elected officials and influential stakeholders in the most environmentally affected areas in Southern California. Tony is a hands-on outreach practitioner ready to assist organizations with the ECRG grant application process.

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## Natasha DiPietro

*Project Manager and Licensed
Professional Geologist*

Natasha joined DTSC in late 2020
and is leading the implementation
and configuration of the new
application portal and grant
management system, Fluxx, to
support the ECRG and other
programs. Prior to joining DTSC, she
supported a variety of projects in the
environmental and geotechnical fields
and was a private-sector consultant.
Contact her at **Natasha.DiPietro@
dtsc.ca.gov** with questions about
the application portal and grant
management system.

## Gregory Shaffer

*Brownfield Coordinator for DTSC's
Region 4 covering Southern and
Southeastern California*

Gregory leads voluntary agreement
negotiation and guides parties
seeking information on the
agreement process. He has managed
diverse projects at DTSC, including
reuse oversight. Before joining DTSC
in 2016, he worked with private-sector
clients on a range of environmental
matters. Contact him at **Gregory.
Shaffer@dtsc.ca.gov** to learn about
voluntary agreements or with general
inquiries about the ECRG.

## Anthony Rosas

*Project Manager*

Anthony joined DTSC in March 2021.
He maintains the DTSC brownfields
website, leads American Disabilities
Act compliance for documents
and deliverables and is curating a
portfolio of ECRG-eligible properties.
He's a 2019 graduate of UCLA, with
a degree in environmental science.
Please contact him at **Anthony.
Rosas@dtsc.ca.gov** with any
questions or comments about our
brownfields website or for general
inquiries about the ECRG.

## Rana Georges

*Senior Project Manager*

Rana joined DTSC in 2005. She has
overseen environmental assessments,
investigations and cleanups of
new and existing school sites, dry
cleaners, recycling facilities, and
residential reuse. She is our Small
Business Coordinator, working to
increase equity in our contracting
practices, and also supports voluntary
agreement negotiations. Contact
her at **Rana.Georges@dtsc.ca.gov** to
learn about our small business ethos,
the voluntary agreement program,
or for general questions about the
ECRG.

*Free technical assistance is available to all applicants at any stage of the application process. Contact DTSC at ecrginfo@dtsc.ca.gov or sign up for technical assistance with our TA provider, the Center for Creative Land Recycling, at calendly.com/ecrg/ta or send an email to ECRG@CCLR.org.*

### Triss Chesney
*DTSC's U.S. EPA Brownfield Funding Manager*

Triss oversees agency activities that are funded by U.S. EPA brownfield grants. Since joining DTSC in 1999, she has provided regulatory oversight for military facilities, school sites, voluntary sites, and brownfield grant sites. Prior to joining DTSC, she worked as an environmental consultant on projects ranging from site assessments to remediation. Email her at Triss.Chesney@dtsc.ca.gov if you are a U.S. EPA grantee who needs DTSC's support, or to learn more about overlaps in state and federal brownfield funding.
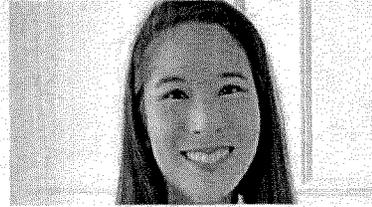
### Kathy Takeshita
*Program Analyst*

Since joining DTSC in June 2021, Kathy has assisted with coordination of marketing and outreach, as well as producing operational reports and analysis. She helps track voluntary agreements to ensure commitments and timelines are met. She will serve as ECRG Application Coordinator and will initiate DTSC's review of applications. Please email her at Katherine.Takeshita@dtsc.ca.gov for any general ECRG questions or to schedule a meeting with anyone from our team.

### Maryam Tasnif-Abbasi
*Statewide Brownfield Development Manager*

Since joining DTSC in 2005, Maryam has provided regulatory support for the reuse of underutilized brownfield properties. She manages DTSC's Office of Brownfields and is expanding DTSC's brownfield practice to effectively manage the new ECRG. An expert on the investigation and cleanup of brownfields, DTSC's voluntary agreements, and the California Land Revitalization and Reuse Act, email her at Maryam.Tasnif-Abbasi@dtsc.ca.gov if you have ideas on brownfield or ECRG strategy, community or organizational partnership and collaboration opportunities.
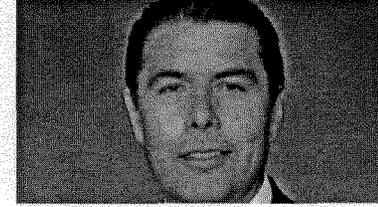
### Peter Garcia
*Southern California Division Chief for DTSC's Site Mitigation and Restoration Program*

Peter has served in several capacities within DTSC dating to 1989, with a 10-year pause for work in the private sector. His projects included contaminated site investigation and remediation, hazardous waste management, land use compatibility studies, and environmental impact reports, as well as other environmental land use planning projects for both public and private sector clients. To discuss a brownfield topic with Peter, please contact his assistant, Kelly Laliberte, at Kelly.Laliberte@dtsc.ca.gov.

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## ABOUT DTSC'S OFFICE OF BROWNFIELDS

DTSC's Office of Brownfields is a unit within the Cypress Cleanup Branch, under the Site Mitigation and Restoration Program. As part of our mission, we promote the responsible and safe reuse of impaired and underutilized properties and will oversee implementation of the ECRG program. We create and maintain DTSC's brownfields resources, including the program's webpage and Quick Reference Guides, and brief overviews of various aspects of the investigation and cleanup process. Our staff develops original content for internal and external training and guidance, and routinely interacts with practitioners in the brownfield space, including nonprofits, municipalities, public entities, housing agencies, Tribes, technical experts, and the development community.

The Office of Brownfields ensures that DTSC's framework for voluntary investigation and cleanup remains relevant and provides meaningful support for parties working to revitalize communities by eliminating environmental concerns.

**We are mission-driven and excited to support the ECRG program and its applicants.**

▶ *Please contact us if you have any questions or would like to learn more about the work we are doing to support California communities.*

*Free technical assistance is available to all applicants at any stage of the application process. Contact DTSC at ecrginfo@dtsc.ca.gov or sign up for technical assistance with our TA provider, the Center for Creative Land Recycling, at calendly.com/ecrg/ta or send an email to ECRG@CCLR.org.*

The Department of Toxic Substances Control (DTSC) is responsible for protecting California's people, communities, and the environment from the harmful effects of toxic chemicals that have the potential to pollute land, water, and air. DTSC achieves its mission through a dedicated and experienced workforce of approximately 1,000 employees who deliver services through programs such as Hazardous Waste Management, Site Mitigation and Restoration, and Safer Consumer Products programs, structured to address the past, present and future impacts of harmful chemicals on California communities and the environment.

*DTSC's work is vital to achieving the vision of a California for All, where every person can prosper, live in a healthy environment, and enjoy California's beautiful and diverse landscape.*

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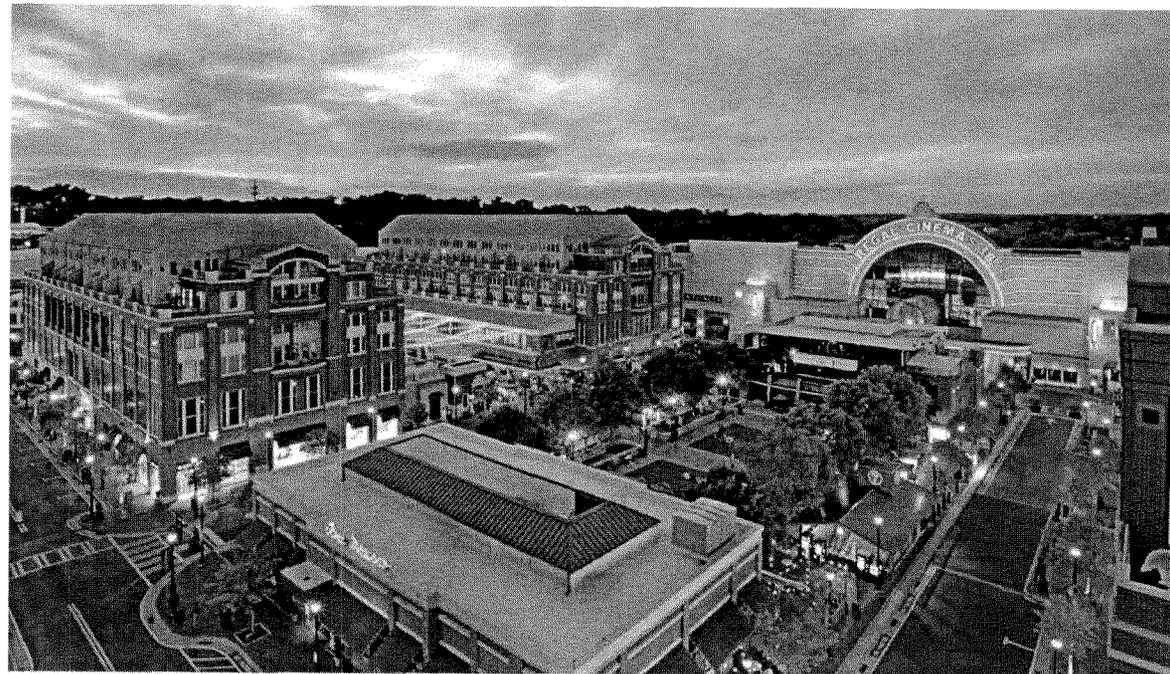
**1. Who is eligible for the ECRG?**
Public entities, Tribes and nonprofit organizations. Note: state agencies may apply, however, there must be a partnership with a local eligible entity.

**2. What are eligible activities?**
Community-wide Assessments and site inventory, Site-specific Environmental Investigations, and Site-specific Cleanups as well as other activities listed in more detail in the Guidelines in Section 3.3.

**3. How do I apply?**
Online via the Fluxx system https://dtsc.fluxx.io/user_sessions/new

**4. How much can I apply for?**
Funding amounts vary, but applicants can apply for up to $300,000 for a Community-wide Assessment grant, up to $3 million for a Site-specific Investigation grant, and up to $7 million for a Site-specific Cleanup grant.

**5. Can someone apply on my behalf?**
Only a representative within an eligible entity can submit the ECRG application and execute grant documents; however, additional contacts may be added to the application to support its completion. Note that only one person may edit an application at any given time. Refer to the Fluxx guide for more information.

**6. In order to apply, do my sites need to be contaminated?**
Under the Community-wide Assessment (CWA) and Site-specific environmental investigation, site or sites eligible include those that are suspected to be contaminated because of prior use, history, or results of investigation. Under the Site-specific environmental cleanup, the applicant should be working with a regulatory agency toward cleaning up a site.

**7. How many sites can I submit for ECRG funding?**
There is no limit to the number of applications an applicant may submit at this time. This approach may change based on funding availability and other factors.

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**8. Is there a deadline to submit applications?**
Yes, the Full Application launched January 31, 2022, with applications in this initial phase accepted through April 4, 2022.
Subsequent grant cycles will be announced at a later date.

**9. When are the applications reviewed and who reviews them?**
A dedicated DTSC team will be reviewing ECRG Applications after the application period has closed.

**10. How long do I have to complete eligible activities?**
The grant period is two (2) years after ECRG award.

**11. Can I receive more than one grant per site?**
There cannot be more than one ECRG grant for the same site in the same cycle. Applicants will receive a grant award for ECRG activities that can be completed in a two-year time frame. Additional grants for the same site may be considered for future ECRG cycles.

**12. If a site has an existing EPA grant but needs additional funding to bring it up to standards for residential use, is it eligible?**
Yes, as long as all other eligibility criteria are met, the ECRG can cover the cost of work that is required to complete work that has been initiated under an EPA grant. This would depend on intended reuse and workplan.

**13. Can you apply for both a US EPA Brownfields Grant and a DTSC ECRG?**
ECRG applicants may apply for both grants, but we would need to ensure that these grant funds are not used to double-fund any activities.

**14. Can the grant period be extended if you run out of time?**
Typically no. Those needing more time to complete activities should talk to DTSC well before the grant period expires.

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**15. What are the terms of the grant?**

Applicants can review the grant terms and conditions in the ECRG Agreement section; note that the grant terms are non-negotiable. DTSC assumes that applicants will review and accept the terms and conditions in the ECRG Agreement prior to application submission.

**16. Do I need to notify the community or have public meetings prior to applying?**

No public meetings are required, but community outreach is among the scoring criteria that are evaluated as part of the ECRG Application process.

**17. If the applicant does not have an approved Cleanup Plan, can they still submit an application for Site-Specific Cleanup Grant with a draft Cleanup Plan or an approved Site Investigation Report?** Yes, DTSC has some flexibility in these cases. Late-stage investigation could be included in an investigation grant or a cleanup grant if the cleanup can be completed within the two-year grant period.

**18. Is there a specific amount of funding available for each type of ECRG grant?**

No, there is no set or specific allocation for the three categories.

**19. Will subcontractor markup be allowed when applying for reimbursement?**

Yes, the ECRG allows for a maximum of 8% markup on pass-through charges in project budgets and reimbursement requests. These include such costs as drillers, laboratory, utilities, surveyors, utility locators, etc.

**20. How are costs reimbursed?**

The grantee will submit invoices in batches of about $15,000 for pre-approved activities and will receive reimbursement upon DTSC review and approval, in accordance to the Terms and Conditions of the Agreement. These invoices do not have to have been paid by the grantee in order to be eligible for reimbursement. Note that DTSC's reimbursement may take up to 60 days; if the grantee has contracts or other obligations that have faster payment requirements, please contact DTSC for further discussion.

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# FREQUENTLY ASKED QUESTIONS (FAQs)

**21. If my project is only partially complete, can I still apply for funding?**
ECRG funds can be used for eligible expenses of any tasks completed after the grant has been awarded.

**22. My Site-specific project is comprised of more than one APN — what should the APN identifier be?**
In the Application form, identify one parcel with an APN, and add additional parcels in the place provided in the form.

**23. Are LLCs or LPs eligible to apply as owners?**
A limited liability corporation in which all managing members are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations are eligible. Limited liability partnership in which all general partners are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations also are eligible.

**24. Would the grant cover the cost of property entitlements?**
The ECRG does not reimburse costs associated with planning new development. Permits or approvals needed for reuse, real estate market studies, project design and studies to secure approvals for planning, zoning and general plan, utility studies, etc., are considered to be ineligible costs under the ECRG.

**25. If I receive a grant, will the entire project be covered by prevailing wage requirements?**
No. Work paid for through ECRG will be covered under prevailing wage. Work that is not funded by ECRG, including the reuse project, will be covered by conditions of the fund or grant source.

**26. Are there any allocations across grant types and/or geographic regions?**
No, ECRG awards are not subject to any specific allocation across these categories.

*For questions about the ECRG process, or for assistance with the application, please contact:*

## Gregory Shaffer
Office of Brownfields
Site Mitigation and Restoration Program
Department of Toxic Substances Control
Email: *ECRGInfo@dtsc.ca.gov*

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**27. The Scoring Criteria table shows three different point totals per type of grant — are applications ranked against each other, or are there allocations per type of grant?**

Each application's score will be summed and divided by the points total for that type of grant, resulting in a percent score. The percent score is the basis for ranking all the applications.

**28. Can sites or additional work be added to a Community-Wide Assessment post-award?**

DTSC may consider requests to add additional sites or additional work to a Community-Wide Assessment scope of work post-award. These requests will be evaluated by DTSC on a case-by-case basis.

**29. How will DTSC handle changes to scope and costs post-award?**

Any request to change the ECRG scope or costs should be presented to DTSC in writing. These requests will be addressed on a case-by-case basis, and will be subject to many factors, including the availability of funding.

**30. What are "metrics"?**

Metrics are outcomes of the reuse project, such as: number of jobs created, number of housing units created, acres of open space, additional miles of trails, etc.

*Free technical assistance is available to all applicants at any stage of the application process. Contact DTSC at ecrginfo@dtsc.ca.gov or sign up for technical assistance with our TA provider, the Center for Creative Land Recycling, at calendly.com/ecrg/ta or send an email to ECRG@CCLR.org.*

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