

BACK IN BUSINESS: RESOURCES FOR REDEVELOPMENT & LAND RECYCLING

DTSC Administrative & Funding Tools for Land Recycling

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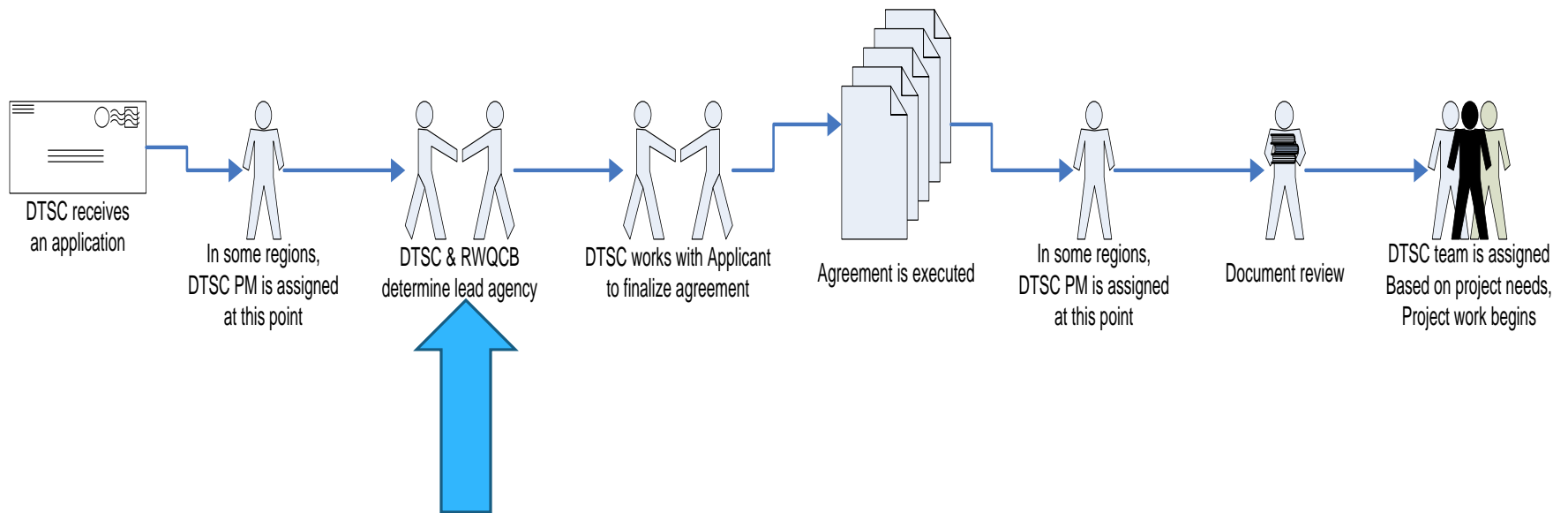
April 2016

DTSC's Administrative Process

Voluntary vs Enforcement

- * Enforcement through orders
- * Voluntary Cleanup Program

VCP Agreement Process



VCP Process- Initial Steps

- * Step 1: Contact DTSC

<http://www.dtsc.ca.gov/SiteCleanup/Brownfields/contacts.cfm>

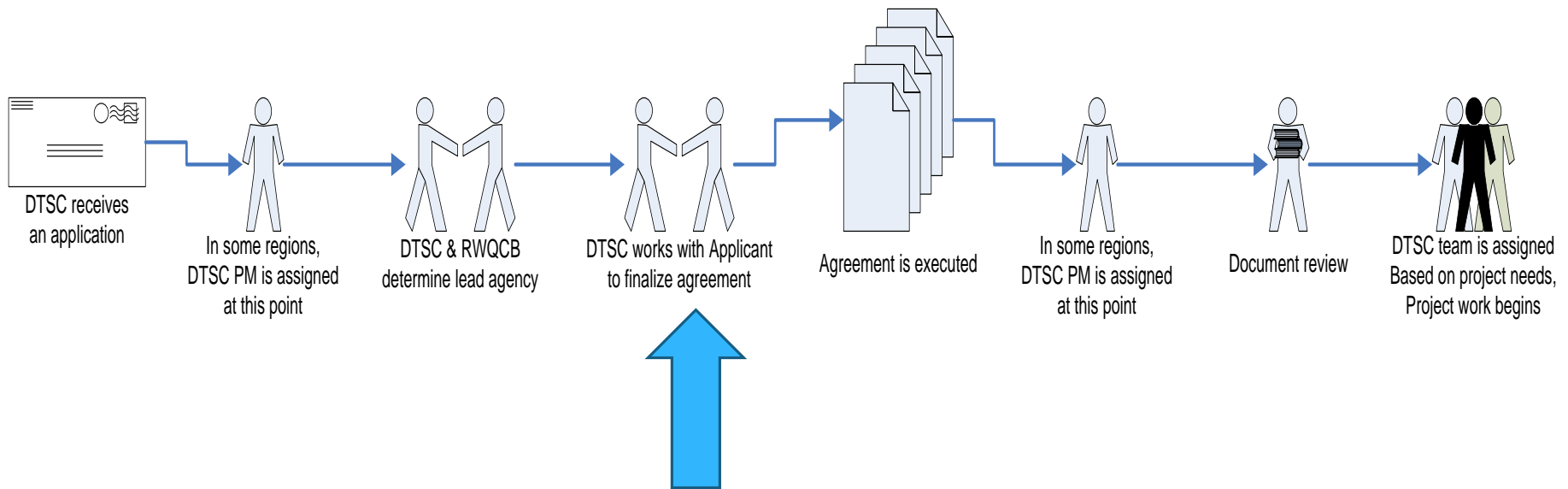
- * Step 2: Request for Lead Agency Oversight Application

http://www.dtsc.ca.gov/SiteCleanup/Brownfields/index.cfm#CP_JU_MP_13298

- * Step 3: DTSC and the Water Board determine the Lead Agency

<http://www.calepa.ca.gov/brownfields/MOA>

VCP Agreement Process



Types of Voluntary Agreements

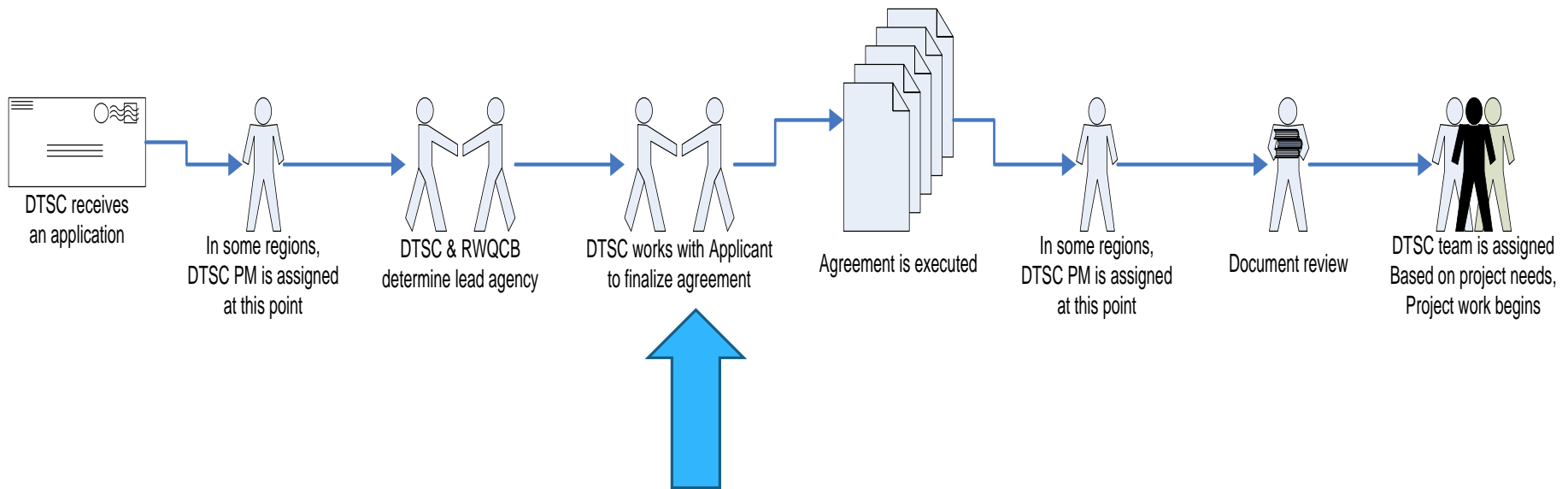
Voluntary Cleanup Program (VCP) includes:

- * Voluntary Cleanup Agreement
- * California Land Reuse and Revitalization Act Agreement
- * Consultative Service Agreements
- * Prospective Purchaser Agreements
- * Environmental Oversight Agreements with local agencies

Scope of Work

- * Project Consultation
- * Phase I Environmental Site Assessment
- * State and Federal All Appropriate Inquiries (AAI) Compliance Evaluation
- * Preliminary Endangerment Assessments (PEA)
- * Supplemental Site Investigation (SSI)
- * Remedial Investigations/Feasibility Studies (RI/FS)
- * Health Risk Assessment
- * Removal Action Workplans (RAW)
- * Remedial Action Plans (RAP)
- * Compliance with the California Environmental Quality Act (CEQA)
- * Remedial Design (RD)
- * Remedial Implementation Plan
- * Operation and Maintenance Plan (O&M), and
- * Implementation of Land Use Covenant (LUC)

VCP Agreement Process



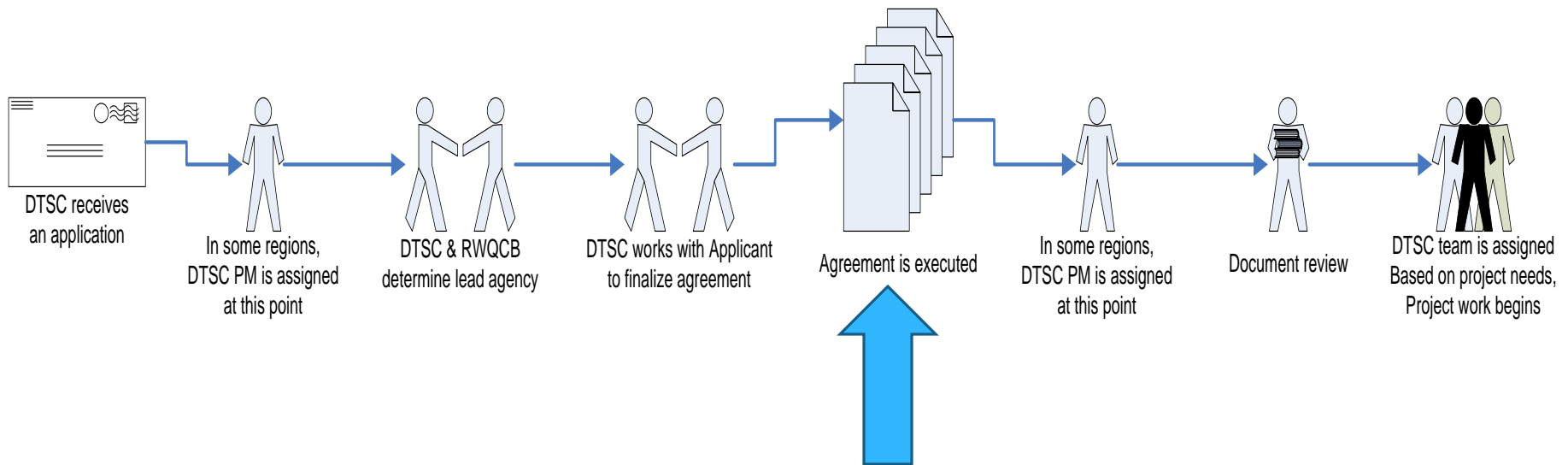
VCP Process – Agreement Development

- * **Step 4:** DTSC develops the selected agreement
 - * Agreement includes site-specific details, a scope of work, and a cost estimate
 - * DTSC and the Applicant work collaboratively to ensure that the Agreement reflects project needs
- * Applicant will work with either the Project Manager assigned to the project or with the Brownfields Coordinator to develop and execute the Agreement

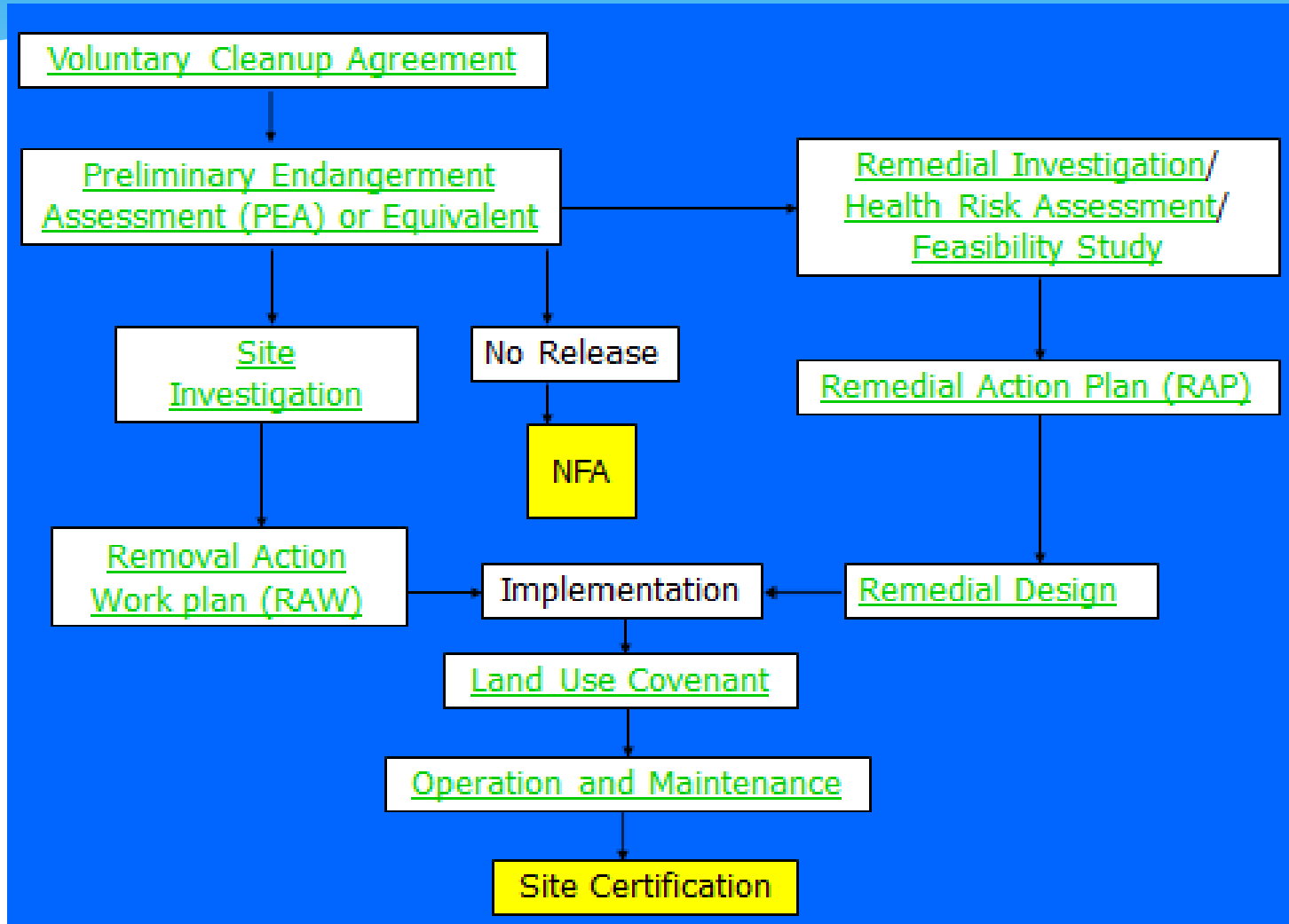
VCP Process – Finalizing the Agreement

- * **Step 5:** Agreement is executed
 - * For regions where the Brownfields Coordinator has been negotiating the Agreement, a DTSC Project Manager will be assigned
- * **Step 6:** The Applicant will send the advance payment and project work can begin

VCP Agreement Process



DTSC Brownfields Process

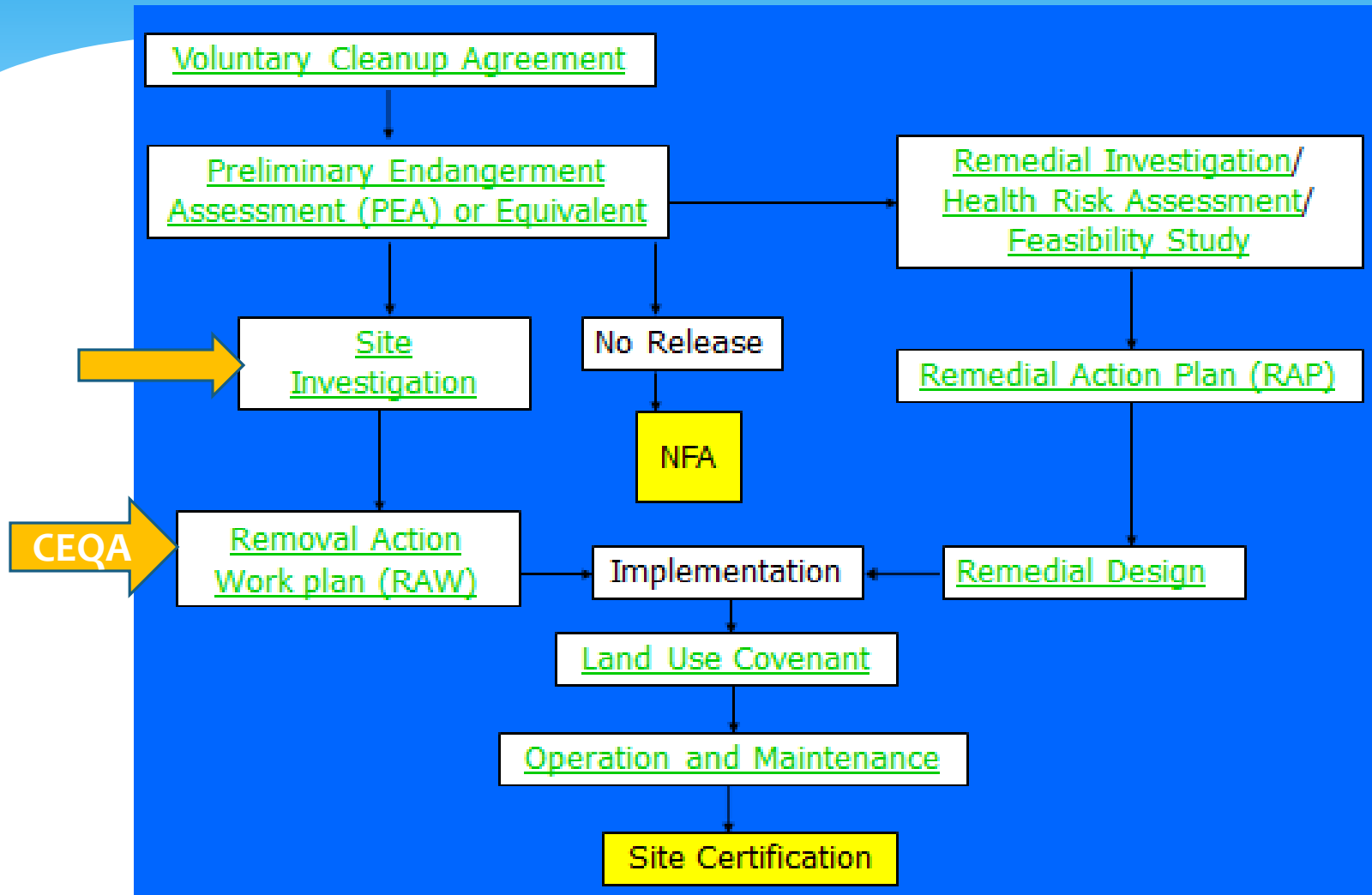


Case Study

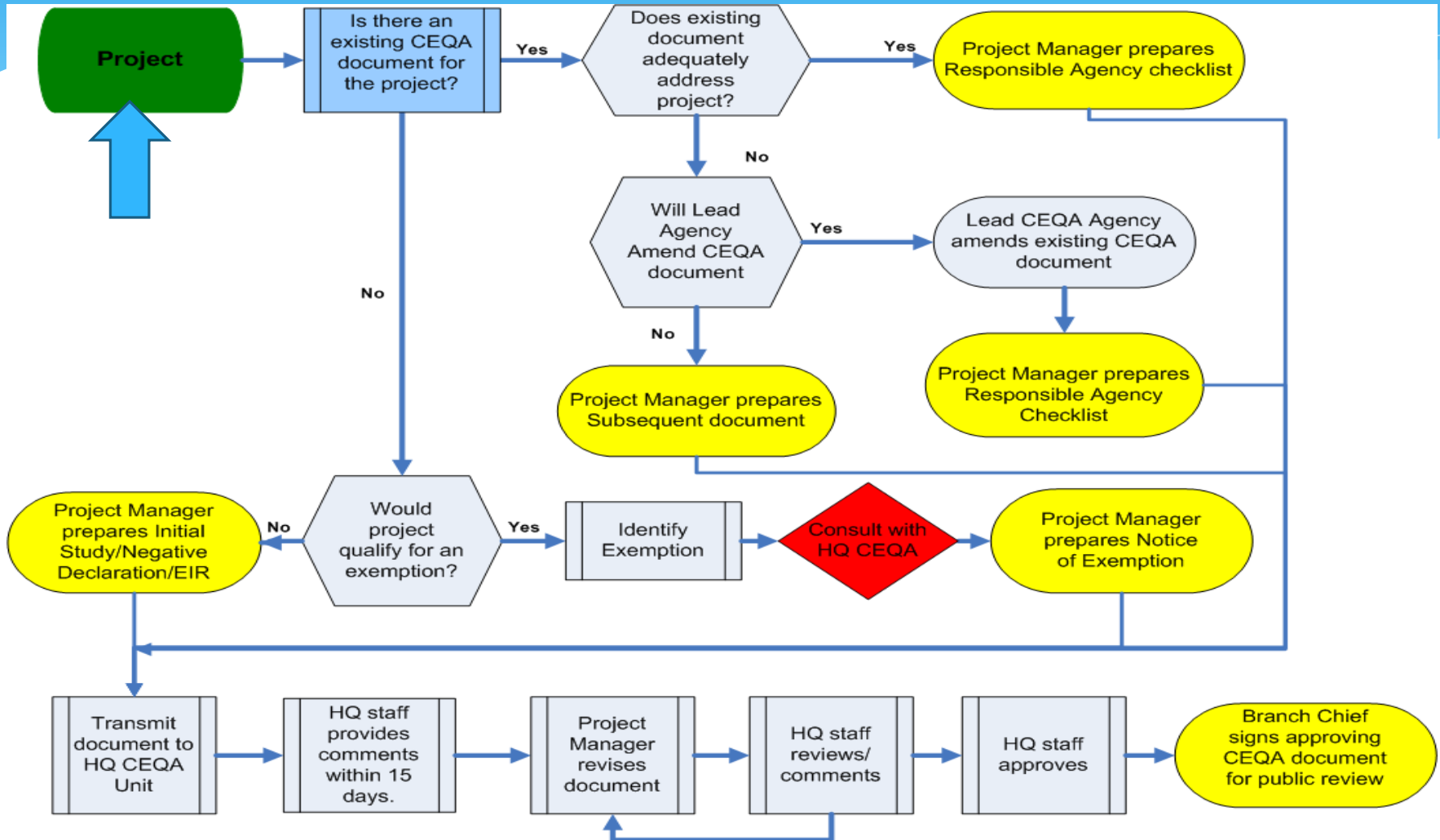
Studio 15, Downtown San Diego

- * Affirmed Housing purchased a property for high density low-income residential development
- * Local agency requested a cleanup plan, then referred the site to DTSC
- * Voluntary Cleanup Agreement was considered
- * CLRRA Agreement was the best fit, and the site and proponent and applicant met eligibility requirements

DTSC Brownfields Process



CEQA Process



When does CEQA apply?

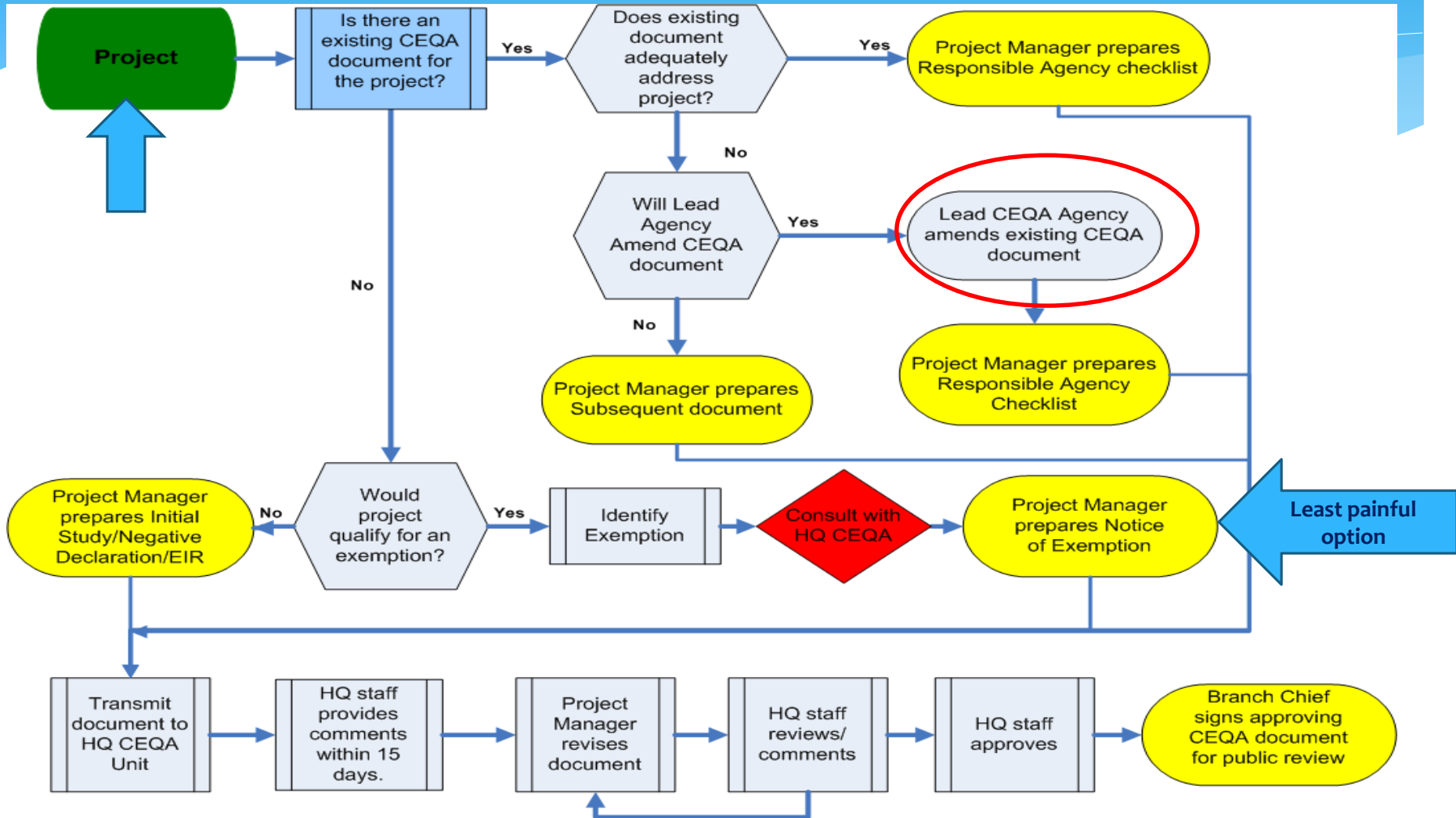
At DTSC, CEQA applies to **cleanups** & permits when:

- * Project may cause a direct or a foreseeable indirect physical change in the environment, and
- * Project is any of the following:
 - * Activity directly undertaken by DTSC
 - * Activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from DTSC
 - * Activity involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by DTSC

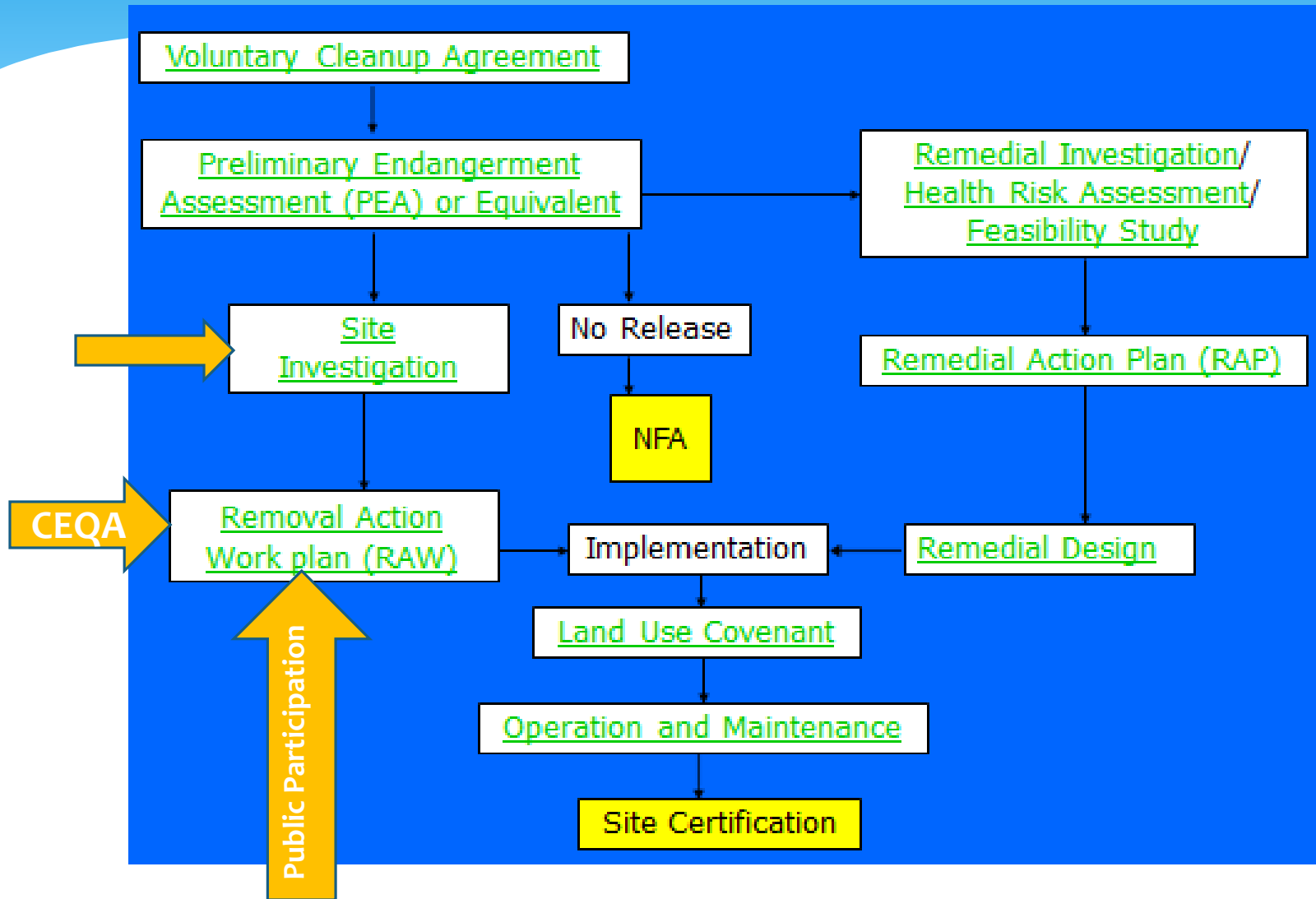
CEQA Exemptions

- * DTSC determines whether activity is exempt from CEQA:
 - * Statutory
 - * Categorical
 - * General Rule
 - * Rejected or disapproved
- * Project exempt, then *Notice of Exemption Process* can be initiated
- * Project not exempt, *Initial Study Process* must be initiated
- * Project not exempt, but DTSC is a Responsible Agency, *Responsible Agency Checklist* is initiated

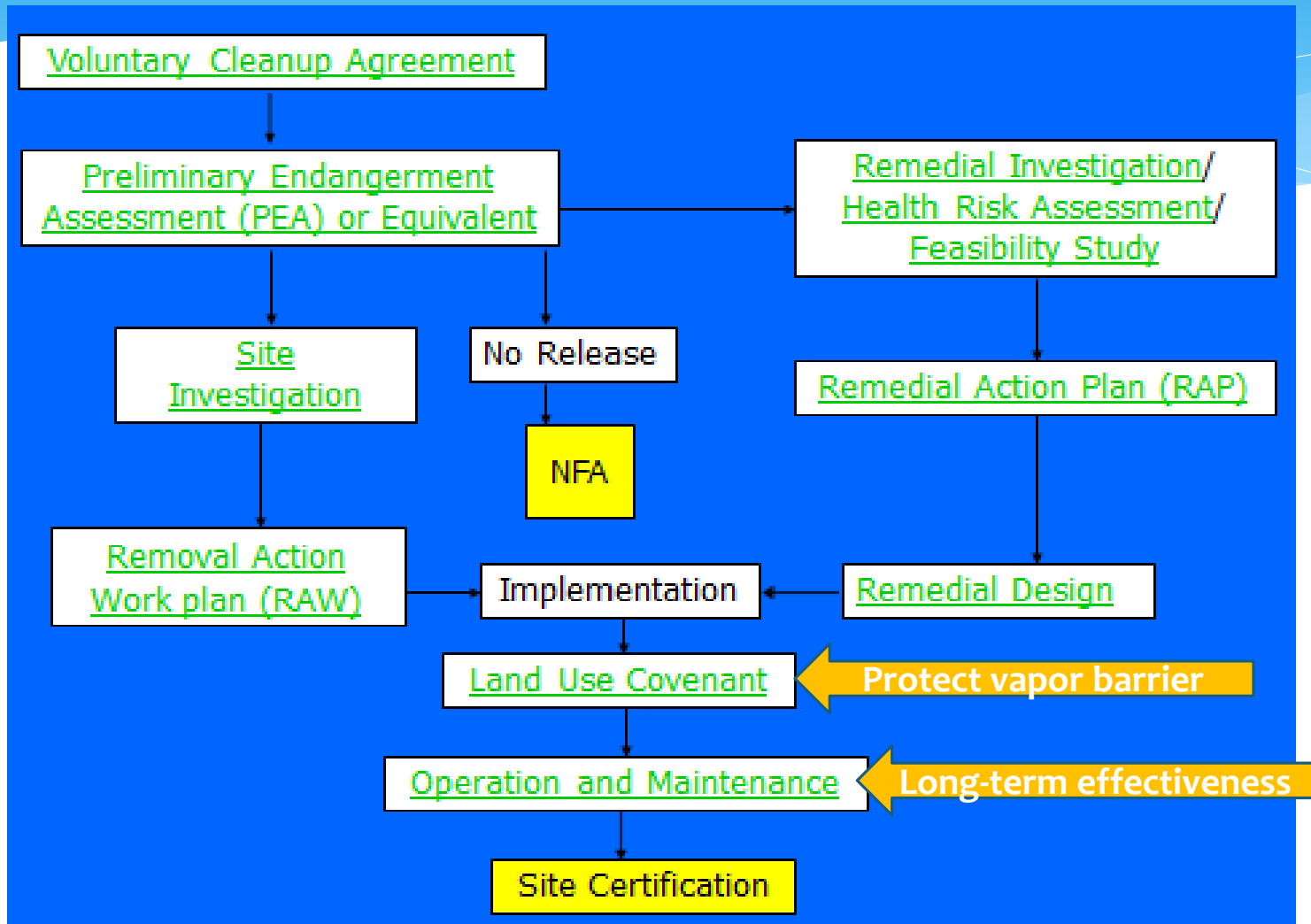
CEQA Process



DTSC Brownfields Process



DTSC Brownfields Process



Studio 15 – Completed Project

- * 273 transit-oriented units in downtown San Diego
- * Specific allocations for households with income levels at 40, and 60 percent of the area median income
- * 5,200 square feet of common indoor areas
- * 100% occupied, with a long waiting list
- * O&M in effect and the system continues to be effective
- * Affirmed Housing is developing the neighboring brownfields property for another low-income residential development project

Timeline

- * 2006 – Agreement
- * 2007 – Investigation, CEQA & Cleanup Plan
- * 2007 – Construction initiated
- * 2009 – Operation and Maintenance Plan
- * 2009 – Land Use Restriction
- * 2012 – Certificate of Completion
- * Today – Ongoing monitoring

Studio 15 – Before & After



DTSC Funding Tools

Targeted Site Investigation Program

- * Currently accepting applications through July 22nd
- * ~\$300,000 available this year
- * Historically ~90 sites
- * ~\$2,500,000 used for assessment contract costs since FY 2004
- * TSI used a stepping stone to apply for EPA assessment and cleanup grants
- * **Webinar on w/ EPA & the Water Board in early June**

Revolving Loan Fund Program

- * Currently accepting applications
- * ~\$900,000 available
- * Activity to date:
 - * ~ \$6,900,000 received from EPA
 - * ~\$1,527,000 in repaid hazardous substances loans
 - * ~\$1,880,000 in hazardous substances loans funded
 - * ~\$200,000 in petroleum grants
 - * ~\$3,600,000 in hazardous substances grants
- * **Webinar w/ EPA & the Water Board in early June**



Questions?

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**Brownfields and Environmental Restoration
Program**

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