



CALIFORNIA LAND RECYCLING CONFERENCE

Imagine | Innovate | Implement
September 29 – October 1, 2026 | Foster City

Policy Reforms to Unlock Brownfields Redevelopment September 29, 2026



OFFICE OF BROWNFIELDS
Department of Toxic Substances Control Cleanup in Vulnerable Communities Initiative



CENTER FOR CREATIVE
LAND RECYCLING
RECLAIM. CONNECT. TRANSFORM.

SPEAKERS



ROBYN LESLIE
Prosperity California



**STRATTON
CONSTANTINIDES**
Nixon Peabody LLP



LINDA KLEIN
Cox, Castle & Nicholson, LLP

Brownfields: The Opportunity

- **2,500,000 homes needed.**
- 42,000 sites on the Cortese List.
- 97 EPA Superfund sites.

CCLR – [150,000–200,000 undiscovered sites in California](#) that are at least one acre or larger.

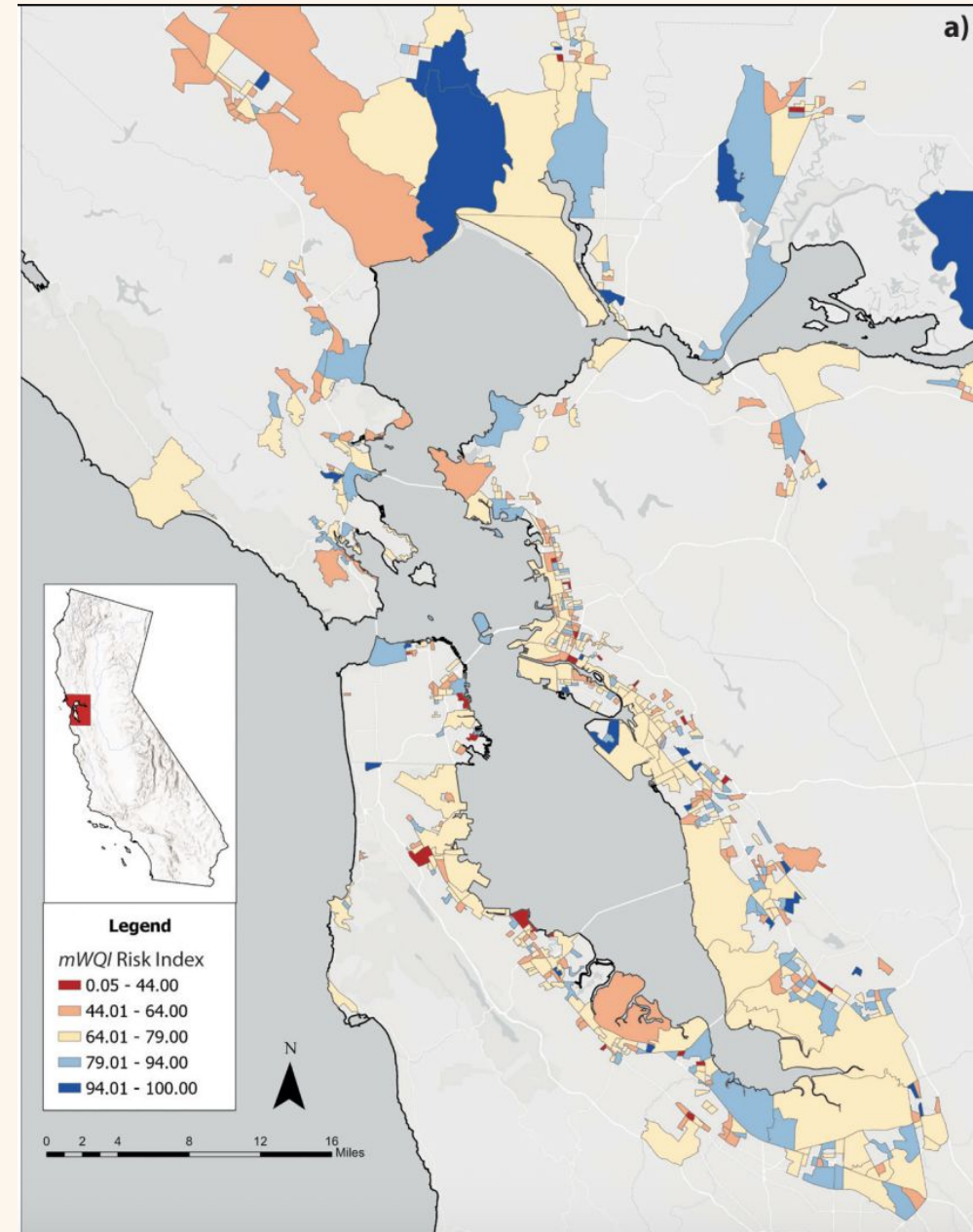
150,000 acres

2,250,000 new townhomes.



Climate Disaster Time Bomb

- Without clean-up, brownfields could poison our water and communities.
- Sea level and ground water rise will mobilize toxins.
- Nearly half a million people may be exposed to contaminated groundwater by the end of the century.
- Over 5,000 sites at risk of contaminating the ocean or groundwater in the Bay Area alone.



Limited and Decreasing Public Funding

- ECRG = \$0
- EPA funds will be way down next year.
- Without private funding many of these sites will remain contaminated.

Amounts are subject to change

FY26 Brownfields Multipurpose, Assessment, and Cleanup Grant Offerings

Grant Type	Maximum Project Period	Maximum Amount Per Grant	Estimated # of Awards	Total Per Grant Type	
				Infrastructure Investment and Jobs Act Funds	Regular Appropriated Funds
Multipurpose	5 years	\$1,000,000	20	\$20,000,000	
Assessment (Community-wide)	4 years	\$500,000	70	\$35,000,000	
Assessment (State/Tribal Level)	5 years	\$2,000,000	18	\$35,000,000	
Assessment Coalitions	4 years	\$1,500,000	39		\$58,700,000
Cleanup	4 years	\$500,000	10	\$5,000,000	
Cleanup	4 years	\$4,000,000	26	\$102,000,000	
			183	\$197,000,000	\$58,700,000
				\$255,700,000	



NO COST SHARE



Redeveloping Brownfields Benefits Communities

By passing strategic reforms, we can safely accelerate clean-up and deliver the following benefits for California:

- New **housing** where we need it most.
- Improved **health outcomes** by removing pollution.
- Increased local government **revenue**.
- **Vibrant, inclusive spaces** in formerly polluted and failing areas.
- **Protection of our communities** from sea level rise and the associated spread of pollution as our ground water levels push higher into previously dry soil.



So you found a vacant lot!



About your lot

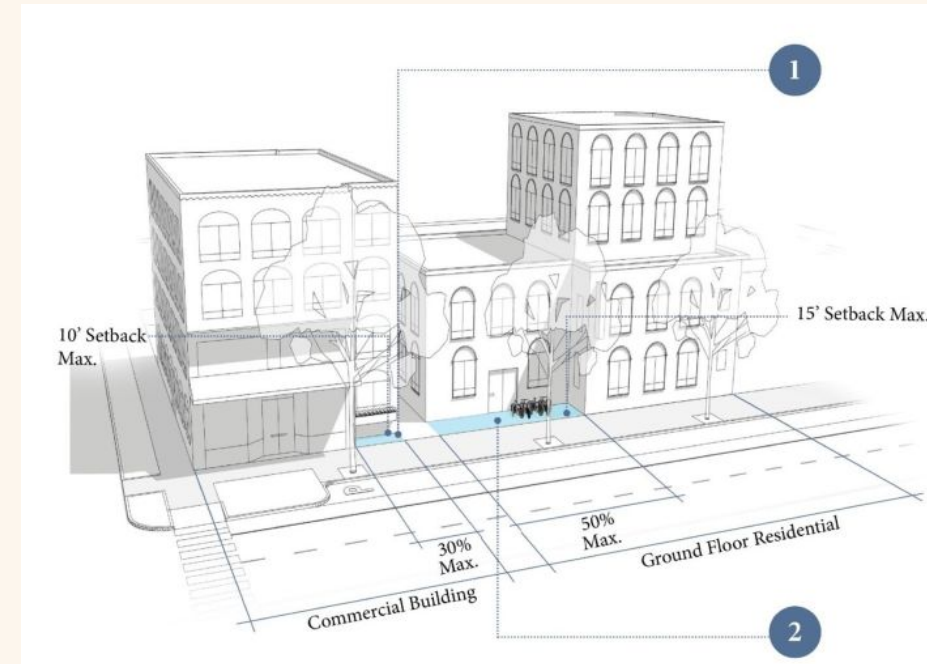
- used to be a gas station or auto body shop
- near a bunch of great amenities
- infill location in a high-demand housing area

Let's build some housing!



What can you build?

- Policy Constraints: zoning, state law, local requirements.
- Environmental Investigation/Contamination: previous uses, current impacts, regulatory oversight, listing on Cortese.
- Planning Process: entitlement, permitting, remediation, occupancy.
- Financing!



IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

PARKER SHATTUCK NEIGHBORS
et al.,

Plaintiffs and Appellants,

v.

BERKELEY CITY COUNCIL et al.,

Defendants and Respondents;

A136873

(Alameda County
Super. Ct. No. RG12617535)



COUNTY OF SACRAMENTO
Environmental Management Department
Mel Knight, Director

*Richard Sanchez, Chief
Environmental Health
Dennis C. Green, Chief
Hazardous Materials
Cecilia Jensen, Chief
Water Protection*

July 8, 2004

Ms. Michelle Nelson
City of Sacramento Economic Development Department
1030 15th Street, Suite 250
Sacramento, CA 95814

Dear Ms. Nelson:

**SUBJECT: LOCAL OVERSIGHT PROGRAM SITE NO. E542
HYATT REGENCY HOTEL
1205 L STREET, SACRAMENTO, CA 95814**

This letter confirms the completion of a site investigation and corrective action for the underground storage tank formerly located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tank are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, this agency finds that the site investigation and corrective action carried out at your underground storage tank site is in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and with corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code and that no further action related to the petroleum release at the site is required.

Securing the \$\$

- Most developments have a combination of equity and debt financing.
- Calculations are based on what can be built, and likely revenue per unit.
- Economic feasibility significantly impacted by environmental/CEQA, permitting, entitlements.
- Inability to secure financing for housing projects is one of the single biggest challenges in CA cities.



THE SIMULATION

Does it Pencil?

Try your hand at navigating the challenges of developing new housing by building your own project through this self-guided activity!



6 min

Let's get started!

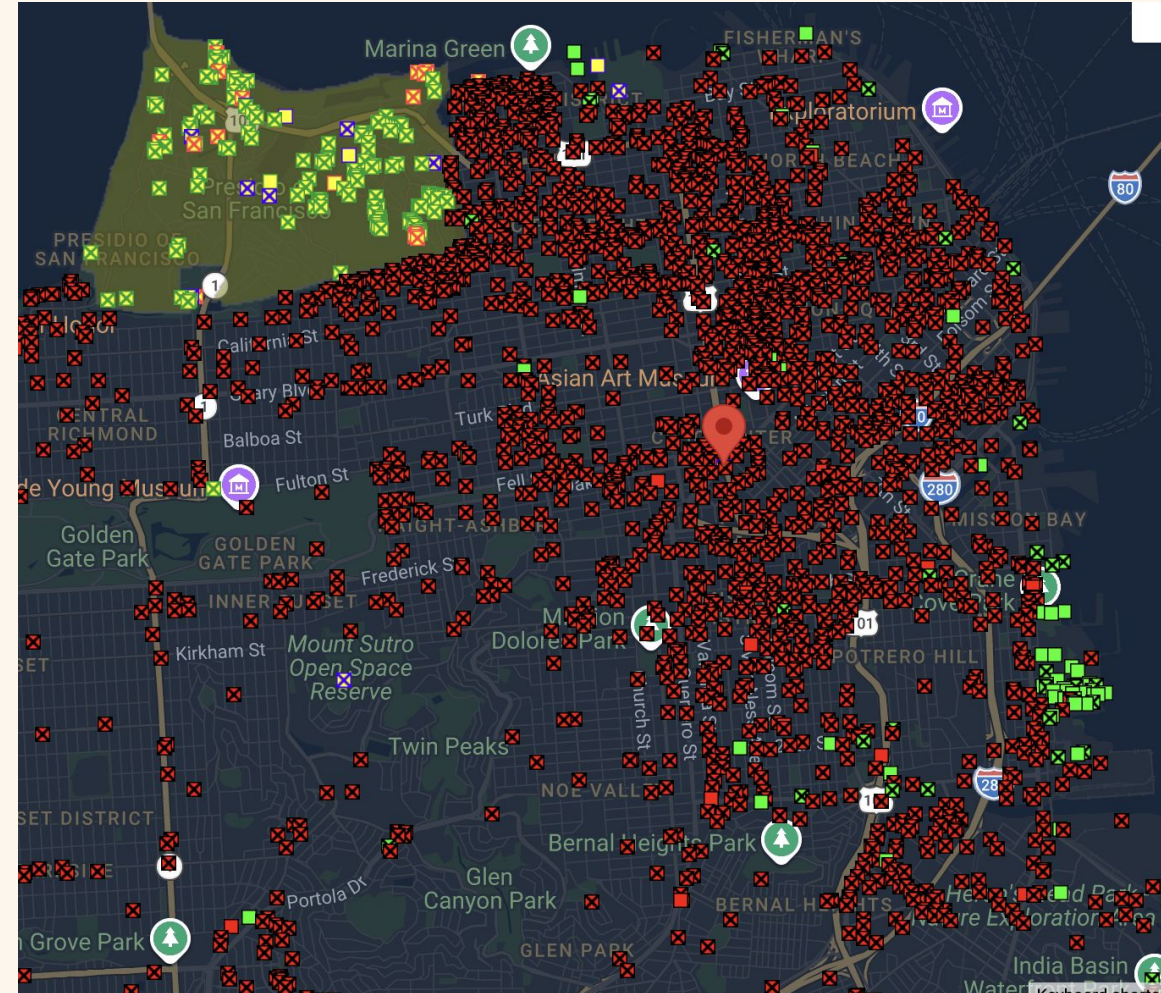
Follow this self-guided simulation, step into the shoes of a developer! Will your project pencil?

START

Credit: UC Berkeley Turner Center, "Making it Pencil"
<https://www.turnercenter.app/demystifying-development-math>

Cortese List: how policy frustrates clean-up

- Likely cannot use recent pro-housing legislation.
- Financing for remediation will need to come from a source that is willing to front the money without knowing the full scope of cost for clean-up or revenue from potential future uses.
- Being on this list exposes projects to additional legal risks and costly red tape.



Cortese List + CEQA/Ministerial Pathways

If your site is on the Cortese List and was certified as safe by a regulator, can you use housing streamlining laws?

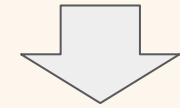
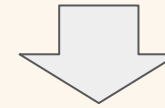
- Class 32 Infill CEQA Exemption – NO
- AB 130 Infill CEQA Exemption, SB 35/423, SB 9, & SB 1123: cannot be on the Cortese list except (NEW/CURRENT CLOSURE often required):
 - Underground storage tank site that received a uniform closure letter for residential or residential mixed uses
 - The State Department of Public Health, Water Board, DTSC, or a local agency making a determination under H&SC section 25296.10(c) has determined that the site is suitable for residential or residential mixed uses
- AB 2011 – must do a Phase 1 ESA and if a REC, undertake a preliminary endangerment assessment, and if a release, clean it prior to COO.



Housing ≠ Pollution

- Why one Project under CEQA?
- Combining remediation activities with housing development creates confusion between the potential environmental impacts of clean-up versus redevelopment activities.

IGNORES: Clean-up has a standalone environmental benefit.



What to do with dirty dirt?

- Remediation Negotiations: investigation, reporting and data review, interventions, ongoing monitoring and maintenance (OM&M)
- What does this mean for building housing on brownfields?
 - Communication with regulators is key.
 - Regulator are understaffed and overworked!
 - Increased time, risk, and cost.
- Alternatives: Regulatory abundance with LSRP models like New Jersey?



Permitting, Oversight, and Mitigations

At each step there are negotiations:

- Investigation and Planning
- Legal
- Remediation Oversight
- Financing

Misalignment of Timelines:

- Building permits and regulatory oversight often operate on conflicting timelines that increase costs and uncertainty for a project.



Finishing the Build and Getting Closure

- You complete the housing project!
- Final sign off on safety often requires indoor air testing, maintenance of engineering and/or institutional controls (e.g., deed restrictions), and regulatory review.



Transforming Land, Empowering Communities

Together, we can pass reforms to accelerate the redevelopment of brownfields, scale up infill housing production, enhance public and environmental health, and revitalize neighborhoods that have been left behind.

Join us in creating more vibrant, affordable, and healthy communities!



Case Studies

(optional)



Santa Monica Airport

- 220 acres and is scheduled to close by the end of 2028.
- 10% increase in Santa Monica's housing stock: If a mix of townhomes and mid-rise apartments were built on half of this land, it could create an estimated 5,000+ new homes right next to a new 110-acre park.
- 20% more homes in Santa Monica: If the same mix of housing was built on the entire site, it could create 10,000 new units.



SFGATE

**Santa Monica is finally killing
a 107-year-old airport. Here's
what comes next.**

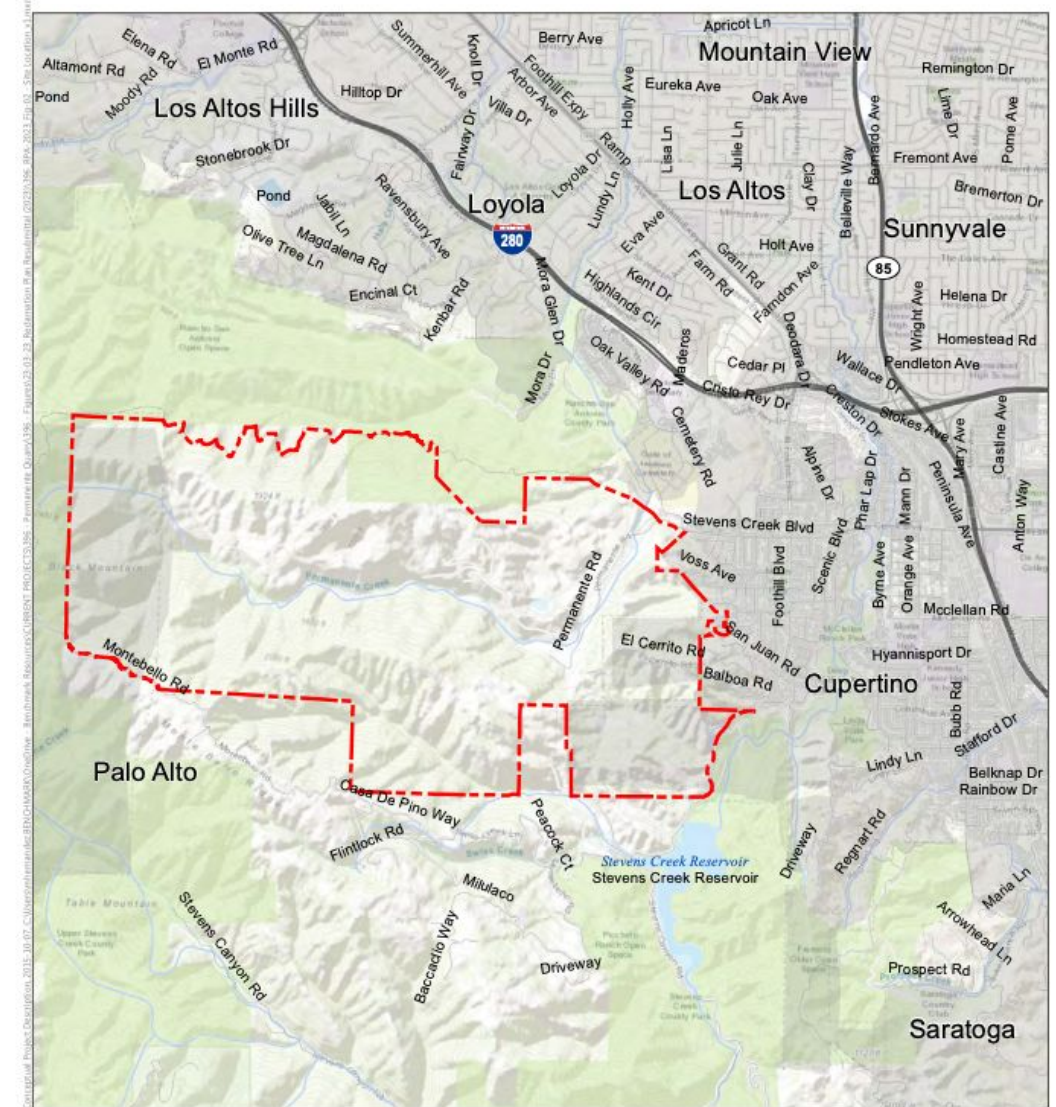
Concord Naval Weapons Station

- 5,000-acre site in the Bay Area, surrounded by urban development and served by Bay Area Rapid Transit (BART) stations on both sides.
- More than half of this land is slated for open space, but on the remaining 2,350 acres, we could build 35,250 townhomes.
- The City of Concord, right next door, had a total of 47,597 housing units in 2020.
- The military made the land available for redevelopment in 2007, and almost 20 years later, it remains vacant.



Lehigh Cement Plant

- Limestone quarry and cement facility that sits on 3,500 acres near Cupertino.
- Much of the 3,500 acres is steep grade and less attractive for homebuilding, but great for open space.
- The owners have submitted a reclamation plan that will clean up 921 acres of land that was developed and used for their operation.
- Could produce 13,815 townhomes in one of the most expensive and supply constrained housing markets in the nation.



SOURCES: ESRI World Shaded Relief accessed 2023; ESRI World Topographic Map accessed 2023; ESRI World Streetmap, 2009; adapted by Benchmark Resources in 2023

- | | |
|-------------------|------------|
| Property Boundary | Interstate |
| City Boundary | Street |
| Water Body | River |



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THANK YOU!

IMAGINE, INNOVATE, IMPLEMENT
THE FUTURE OF LAND RECYCLING



We appreciate your feedback, follow this QR code
to submit an evaluation form on Whova.

Join the conversation, use #CALRC2026 to share
your photos, insights and highlights!



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Department of Toxic Substances Control - Cleanup in Vulnerable Communities Initiative



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