

State & Federal Brownfields Funding Workshop

July 15 2008
Sacramento Housing &
Redevelopment Agency
Sacramento, California



Agenda

8:30 - 9:00	Registration & Check-in
9:00 - 9:15	Introductions – EPA
9:15 - 9:45	TSI Grants – DTSC
9:45 -10:00	Revolving Loan Fund- DTSC
10:00 -10:15	OSCA Update – Water Board
10:15 -11:15	EPA Grants - EPA
11:15 -11:30	Local Success Story
11:30 -11:45	Wrap-up
1:45 - 1:00	Clinic Appointments



Targeted Site Investigation Program

Maryam Tasnif-Abbasi
Department of Toxic Substances Control





TSI Program Overview

- Under the Targeted Site Investigation (TSI) program, the Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Boards (RWQCB) select eligible Brownfields sites to receive investigative services at no cost to the applicant.
- The TSI program facilitates redevelopment by providing information that affects decisions on property acquisition or reuse strategy.



TSI Funding

- The Small Business Liability Relief & Brownfields Revitalization Act was signed in January 2002
- The act amends CERCLA by adding Section 128(a), authorizing a \$50 million grant for State and Tribal response programs
- EPA has awarded DTSC \$1.5 million per fiscal year since 2003/2004
- \$550K per fiscal year is allocated to the TSI program



TSI Process

- Solicit applications
- Screen applications for eligibility
- Review and score applications
- Recommendations to EPA for approval
- Notify applicants
- Initiate TSI activities
- Update grantee on progress
- Complete and close-out TSI



TSI Applicant Eligibility

- Local government agencies
- School districts
- Public agencies
- Redevelopment agency
- Non-profit organizations



TSI Site Eligibility Brownfields Status

Sites must meet the U.S. EPA definition of a “Brownfields” site, i.e., real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant and may include petroleum hydrocarbon releases.



TSI Site Eligibility

Site Eligibility

Site should be:

- within a redevelopment planning area
- a property that the eligible entity would like to redevelop or reuse



TSI Site Eligibility

Site Eligibility (cont.)

Sites ineligible to receive services under the TSI include:

- sites with ongoing or planned U.S. EPA directed removal actions;
- sites proposed/listed on the National Priority List;
- federally owned properties;
- sites under enforcement actions; and,
- active sites subject to RCRA corrective action



TSI Site Eligibility Funding Limits

- Federal guidelines prohibit any site from receiving more than \$200,000 in funds or services under this grant.
- TSI grants have been awarded services in the range of \$30,000 to \$150,000



TSI Site Eligibility

Site Access

- Sites should be easily accessible to perform TSI fieldwork
- The site should be cleared of excess vegetation or physical barriers
- If the applicant is not the property owner, written authorization from the landowner allowing site access is required



TSI Site Eligibility Local Support

- Local agencies and communities should support the investigation efforts
- Letters of support from community leaders, redevelopment or economic development agency, or other branches of local government are required



Scoring Criteria Pioneer Status

- Redevelopment of “Pioneer” Brownfields sites are likely to encourage redevelopment of other Brownfields sites
- Scoring involves an evaluation of the economic status of the community and the potential for the area to change based on Brownfields redevelopment



Scoring Criteria

Uncertainty Reduction/Outcome

- Likelihood that TSI services will reduce uncertainty over the degree of contamination
- Direct benefit of the information to be gained
- TSI funds are not designed to characterize complex sites, but could be used to reduce uncertainty at smaller, simpler sites
- TSI is beneficial if used to supplement other sources of funding
- TSI could assist in finalizing investigation or cleanup strategy if there are funds designated for cleanup.



Scoring Criteria Plans for Reuse

Redevelopment is more likely to occur when plans for reuse and financing arrangements have been identified.

Factors to consider include:

- Location of project within a designated redevelopment area
- Plans and timing for reuse
- Identification and reliability of funding
- Community support
- Quantification of beneficial reuse based on the TSI



Scoring Criteria Community Benefit

- Potential Economic Benefit
- Social Benefit
- Schools
- Cultural or Historical Significance
- Creation or Restoration of Sensitive Land Uses
- Water Quality Significance



TSI Application

Section 2 – Site Information

The goal of this section is to obtain specific information on current status and physical conditions of the site. It also helps with verification of the site's eligibility for the TSI program.

1. Name of site and type of business (if applicable)	
2. Current owner (if different from Applicant)	
Name	Phone
Address	
3. Is an access agreement to conduct investigation activities at the site included with this application? Yes <input type="checkbox"/> No <input type="checkbox"/>	
4. Assessor's parcel number	5. Site address, city, county, zip code
6. Current zoning of the site: Residential: <input type="checkbox"/> Commercial: <input type="checkbox"/> Industrial: <input type="checkbox"/> Other (please specify):	
7. Acreage of project area:	
8. Physical conditions/features of the site:	



TSI Application Section 2 (cont.)

9. Are there any specific time or physical constraints or accessibility issues that could impact the contractor's ability to conduct the field activities?
Yes No
If yes, please describe the steps that will be taken to facilitate the investigation:

10. Describe the operational history of the site:

11. Is this site now or historically been under regulatory oversight for environmental issues?
Yes No
If yes, please describe:

12. Provide a summary of previous environmental investigations conducted at the site:

13. Describe the proposed redevelopment plans for the site, and if applicable, for the overall project area:

14. Describe the public interest or community involvement in site reuse planning activities to date and attach community support letter(s):

15. Attach figures and photographs showing the site location and the lay-out of the site with relevant physical features, areas of historical operation, etc..

Section 2 also provides an opportunity to obtain information on access, previous regulatory involvement, operational and investigative history, redevelopment plans and community support.



TSI Application

Section 3 – Services Requested

This section is focused on gaining an understanding of what services are being requested, and helps identify the applicant's expected outcome of the TSI.

1. What services are being requested under the TSI?
2. What is the estimated cost for conducting the TSI?
3. What is the expected outcome of the TSI?
4. What are your expectations regarding the timing of the TSI?
5. Are funds available, or are you applying for other funds to supplement the services being requested under the TSI?
6. Attach a proposed site sampling plan with the requested analytes listed for each sampling location



TSI Schedule for 2008-2009

- Late June 2008: TSI application package available on DTSC's website
- July 31 2008: TSI application deadline
- August 2008: TSI Award Announcements
- April 2009: TSI project completion anticipated



2007-2008 TSI Grant Recipients

- National City Public Works Yard, Park Side, National City- \$60,000
- Moore Aviation Site, Tulare - \$85,000
- Constance & Sierra Elementary School, Fresno - \$37,000
- Valley Oaks Charter School Expansion, Bakersfield - \$24,000
- Ojai Valley Land Conservancy/Ventura River Preserve, Unincorporated Ventura County - \$100,000
- Mount Shasta Roseburg Orchard property - \$60,000
- Oro De Amador Site, Jackson - \$80,000
- La Placita #2 Development, San Bernardino - \$80,000



Ojai Valley Land Conservancy – Ventura River Preserve

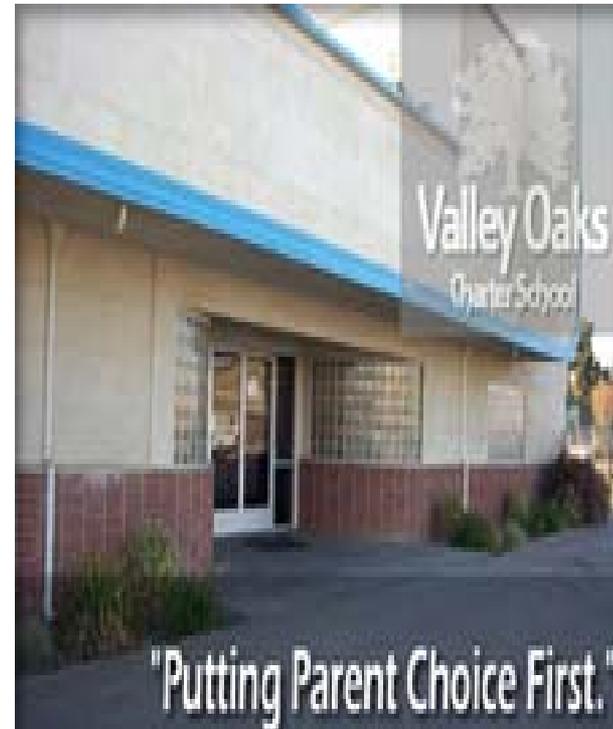
- The Site occupies ~1 acre of an abandoned 64-acre orange grove that is within a 1,591 nature preserve
- Leaking ASTs led to petroleum hydrocarbon contamination
- Restoration plans include removal of the orange grove, replant with native alluvial scrub and oak woodland vegetation and realign Rice Creek to its natural channel. The goals of this restoration is to increase habitat for aquatic and terrestrial species
- The TSI includes supplemental site assessment that will provide sufficient detail to determine the extent of remedial efforts needed at the site





Valley Oaks Charter School Expansion

- This ~1.85 acre Site is located near Chester Avenue and 36th Street in Bakersfield, Kern County
- Previous uses included a gasoline station, an indoor shooting range, auto repair facility, drum storage, and an oilfield tool manufacturing facility
- Under the TSI an assessment was completed, moving the school closer to their expansion
- The school obtained approval from the California Department of Education and State Allocation Board for State funding for expansion
- The TSI was completed within four months and soil removal action will be conducted, based on the TSI results





National City Public Works Yard – Park Side Paradise Creek Educational Park Expansion

- TSI grants awarded include:
\$45,000 in 2005/06 and \$60,00 in 2007/08
- Under the TSI program in 2005, a PEA was developed, addressing a 1.5-acre area proposed for the future expansion of Paradise Creek Park
- PEA, completed in June 2006, recommended specific sampling and a risk assessment prior to redevelopment
- A SSI is currently underway to address the recommendations
- The TSI will provide the information needed to expand the Paradise Creek Educational Park





Roseburg Orchard Property - Work Force Housing

- The property was used for agricultural purposes and is situated in a down gradient of former lumber mill sites
- No prior environmental investigations have occurred on this property
- The northern portion of the property is proposed for a work-force housing project of affordable and low-income units.
- The remainder of the site, primarily the wetlands portion, will be retained in its natural condition as open space.
- The TSI will help determine if the property is suitable for residential use and open space preservation
- TSI will include a limited soil & groundwater investigation





TSI Application Submittal

For an electronic copy of this application go to
http://www.dtsc.ca.gov/SiteCleanup/Brownfields/Loans_Grants.cfm

Please forward the completed application, along with attachments to:
mtasnif@dtsc.ca.gov

or

Maryam Tasnif-Abbasi
Brownfields Coordinator/TSI Grant Coordinator
Site Mitigation & Brownfields Reuse Program
Southern California Cleanup Operations
Department of Toxic Substances Control
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Cypress, CA 90630

Revolving Loan Fund

Thomas Cota

*Department of Toxic
Substances Control*



Revolving Loan Fund Program

Purpose :

Facilitate reuse and/or redevelopment of contaminated sites by making low-cost financing available for cleanup of eligible public or privately held properties

California's
Brownfield Cleanup
Department of Toxic Substances Control



Revolving Loan
Fund Program



Program Goals

- Remove or abate environmental risk at Brownfields sites
- Provide resources to rural and urban distressed communities and neighborhoods
- To employ a problem-solving philosophy of coordination through state and local partnerships



Revolving Loan Fund Overview

- California Urban and Rural Brownfields Coalition (CURB Coalition) - collaboration between DTSC, City of Los Angeles and the San Francisco Redevelopment Agency
- U.S. EPA awarded CURB a \$3 million revolving loan fund grant
- Loans and subgrants for cleanup only



Revolving Loan Fund Overview (cont.)

- \$2.5 million allocated for cleanup of hazardous substances release sites
- \$0.5 million allocated for cleanup of petroleum sites
- 60% for loans and 40% for subgrants per category (hazardous waste and petroleum)



Tiered Interest Options

Note: Below are the primary financing options; however, after review of an application, other financing recommendations may be considered/negotiated with the applicant (i.e. amendment of payment terms, a higher or lower rate of interest based on the applicant's credit history, etc.)

2%	2.5%	3%	3.5%	4.5%
Repayment in 12 months	Repayment in 18 months	Repayment in 24 months	Repayment in 30 months	Repayment in 36 months (or more if negotiated)



RLF Program Status

- **Accepting RLF Applications**
- Aggressively marketing the program
- Continue to working with CURB Partners

RLF Implementation Plan and P&P

<http://www.dtsc.ca.gov/SiteCleanup/Brownfields/upload/DTSC-LOAN-PP-MANUAL.pdf>



DTSC Program Contacts

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Orphan Site Cleanup Account

Judy Reid

*State Water Resources
Control Board*





Orphan Site Cleanup Account (OSCA)

OSCA provided financial assistance to eligible applicants to cleanup “brownfield sites” contaminated by leaking petroleum underground storage tanks where there was no financially responsible party.

- ❖ Administered by the State Water Resources Control Board
- ❖ OSCA sunset on January 1, 2008.
- ❖ OSCA awarded the full appropriated \$30,000,000 in assessment and cleanup grants



Senate Bill 1161-Lowenthal

- Legislation has been proposed (2007-2008 session) to reauthorize the Orphan Site Cleanup Account.
- Proposing \$30,000,000
- To track bill www.leginfo.ca.gov
- 2007-2008 Session Bills sent to Governor late September 2008



OSCA Statistics and Grantees

- ❖ 70 Project Applications received.
- ❖ 52 Project Applications determined eligible.
- ❖ 41 projects received grant funding.
- ❖ 69 Assessment and Cleanup Grants issued

Breakdown of Grantees:

31% = Cities/Redevelopment Agencies

31% = Developers

26% = Private Parties

12% = Non-Profits



What is a Brownfield as defined in OSCA Statute?

- A brownfield as defined by Section 25395.20(2)(A) of the Health & Safety Code includes:
- Located in urban area. Urban area means the central portion of a city or a group of contiguous cities with a population of 50,000 or more.
- The site was previously the site of an economic activity that is no longer in operation.
- The site has been vacant or has had no occupant engaged in year round economically productive activities for the year prior to the filing an application



Eligible OSCA Projects

An application process was used to determine eligible projects.

❖ **Eligible Applicant**

1. Not eligible for UST Cleanup Fund.
2. Did not cause or contribute to release.
3. Not affiliated with any person who caused or contributed to release.

❖ **Eligible Site**

1. Must Qualify as brownfield – HS & C Section 25395.20.
2. Principal source is petroleum UST.

❖ **No Financially responsible party**



Priority Points

Priority points will be awarded to Projects based on the following criteria and used if the demand for funding exceeds the supply:

- ❖ 40 Points = Water Quality - Site located within 1000 feet of a drinking water well or surface water.
- ❖ 30 points = Environmental Justice - Site located in a census tract with median household income less than 80% of the statewide median household income.
- ❖ 30 points = Redevelopment - Project will result in in development of affordable inner city housing or otherwise promote infill development



Brownfield Success Story #1

First Community Housing (a private, non-profit developer) redeveloped a former vacant lot into the Gish Apartment complex, a transit oriented, affordable and unique 35-unit energy efficient complex with ground floor retail in June 2007.

OSCA was able to assist First Community and provide funding of \$561,000 during project development for environmental cleanup of petroleum contaminated soils.



Gish Project (San Jose) Before Site Development

- Former Gasoline Service Station
- Discharger cleaned site (14 years) and received regulatory site closure in 2000 based on land use.
- Property sat idle for years until First Community Housing had a vision for an infill affordable housing project.
- Due to residential site development (land use change) First Community had to incur unforeseen environmental costs that jeopardized the feasibility of the project.





Gish Project (San Jose) after Site Development

- Property redeveloped and ready to become part of the community.
- Property no longer underutilized, criminal element taken away, tax base for city
- First Community Housing received support and financial assistance from both CCLR and OSCA for the assessment and cleanup of environmental impacts resulting in smart growth for the City of San Jose.
- Project will provide desperately needed housing for low income families and the developmentally disabled.





Brownfield Success Story #2

The Haagen Company in a public/private partnership with Inglewood Redevelopment Agency transformed a 16-acre vacant lot into a new state of the art retail/commercial development.

OSCA was able to assist the Haagen Company and the Inglewood Redevelopment Agency and provide funding of \$1,040,000 for environmental cleanup of petroleum contaminated soils and groundwater.



The Village at Century (Inglewood) before Site Development

- Former Gasoline Service Station/Carwash
- Discharger conducted over excavation of contaminated soils and received site closure in 1991 based on land use.
- Due to site development (land use change), additional remediation of the site was required. The remediation of the site and the involvement of OSCA program influenced the decision of National Retailers to commit to the Project.



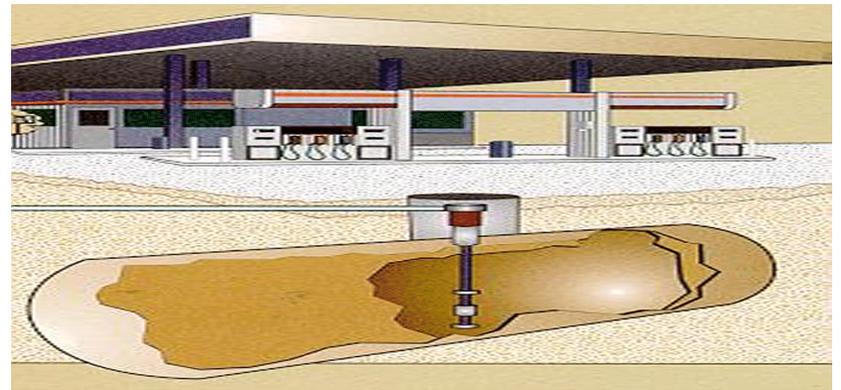


The Village at Century (Inglewood) after Site Development

- Property redeveloped as a retail center area providing needed services for the surrounding community.
- Remediation work ongoing at site to complete soil cleanup.
- New retail center has created over 500 full time and part time jobs and is expected to generate over \$600,000 of income to the City annually.



EMERGENCY, ABANDONED & RECALCITRANT (EAR) ACCOUNT





PURPOSE OF EAR ACCOUNT

- The EAR Account was created to provide funding to the Regional Water Quality Control Boards and local agencies to conduct corrective action activities at petroleum UST sites that have had an unauthorized release where there is either:
 - A bona fide emergency
 - The responsible party is recalcitrant
 - The site is abandoned



EAR ACCOUNT AUTHORITY

The EAR Account has been providing funds to eligible regulatory agencies for corrective action activities at sites impacted by leaking petroleum USTs since 1993.

Authority to conduct corrective action, gain access, spend and cost recover is found in the Health and Safety Code (Sections 25296.10, 25299.36, 39, 51 70)



HOW TO REQUEST FUNDS

EMERGENCY FUNDS - Up to \$100,000

Emergency funds are available to initiate an emergency response where immediate action is required and delay would endanger human health and the environment.

1. Requests made to EAR Account Administrator.
2. If determined to be a bona fide emergency, funds available immediately.



HOW TO REQUEST FUNDS

RECALCITRANT/ABANDONED FUNDS

Up to \$1.5 million per occurrence

EAR Account Program conducts annual survey to obtain a list of nominated sites for the EAR Annual Site List adopted by State Water Board Resolution in July. Site Nomination Requirements include:

1. There is a confirmed UST petroleum release.
2. RP has failed to meet a Final Corrective Action Order



COST RECOVERY

The State Water Board has authority to seek appropriate cost recovery from an owner, operator or other Responsible Party for EAR costs expended.

1. Filing of a Judgment Lien
2. Referral to Attorney General's Office



PROGRAM CONTACT

OSCA and EAR Administrator:

Judy Reid (916) 341-5760 jreid@waterboards.ca.gov

OSCA and EAR Program information

www.waterboards.ca.gov/cwphome/ustcf/osca

www.waterboards.ca.gov/cwphome/ustcf/ear

Interested Parties:

Signup and subscribe to the OSCA electronic mailing list AB1906 (Orphan Site Cleanup Account) to be notified of future OSCA updates at

www.waterboards.ca.gov/lyrisforms/swrcb_subscribe.html

Writing Successful EPA Brownfield Grants

Debbie Schechter
Nuria Muniz
Noemi Emeric





Agenda

- Brownfields Overview
- Grant Types & Amounts
- Competitive Process
- Overview of Threshold Criteria & Sub-Criteria
- Overview of Ranking Criteria & Sub-Criteria
- Useful Application Preparation Tips



Brownfields Definition

Real property, where the expansion or reuse may be complicated by the presence or potential presence of hazardous substances, petroleum products or property that is a mine-scarred land





Benefits of Brownfields Revitalization

- Increases local tax base
- Promotes Jobs
- Utilizes existing infrastructure
- Brings real estate back into productive use
- Prevents sprawl
- Supports cleaner air
- Reduces environmental and health risks
- Improves quality of life and preserves cultural values

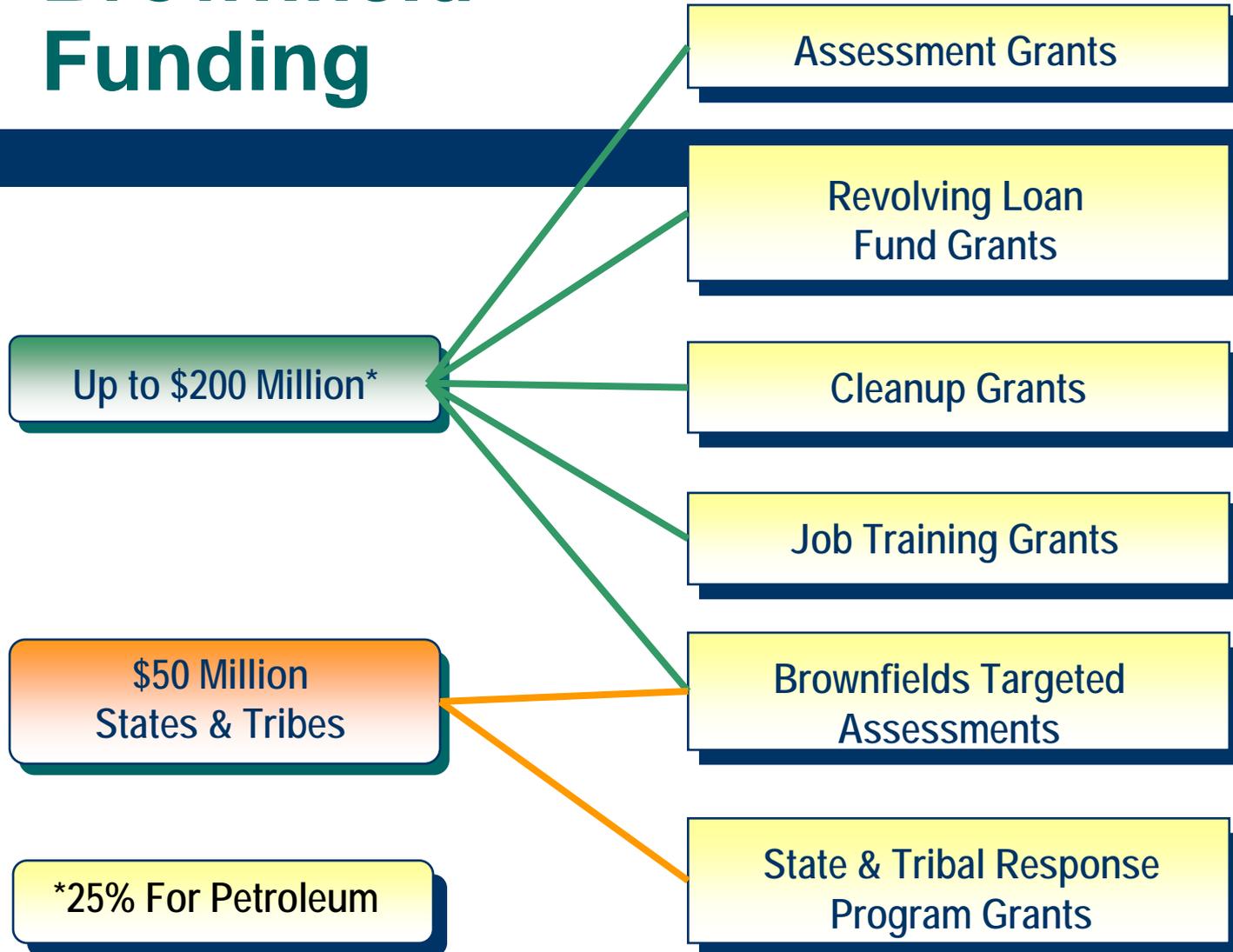


EPA's Investment in Brownfields Grants

- Since 1995, EPA has awarded **1,911** brownfields grants totally more than \$595M
- **This has helped:**
 - Assess more than 11,779 properties
 - Leverage more than \$11 billion in brownfields cleanup and redevelopment funding from the private and public sectors
 - Generate more than 48,238 jobs



Brownfield Funding





Brownfield Grant Types

- **A**ssessment
- **R**evolving Loan Fund (RLF)
- **C**leanup

Grant types listed above commonly referred to as **ARC** Grants and are also referred to as:

- 104(k) grants
- Competitive brownfields grants
- "Pilots" (which is out-of-date terminology)



FY2008 Brownfields ARC Grant Program

- EPA received over 845 proposals for funding
- Funded 314 grants nationally (\$74 million)
 - 194 assessment grants
 - 108 cleanup grants
 - 12 RLF grants
- **Region 9** received approx. 99 proposals
 - 33 awarded - 11 Cleanups, 1 RLF and 21 Assessments



Estimated FY09 Timeline

- July - August 2008: New guidelines available
- Oct - Nov 2008: **PROPOSALS DUE**
- April - May 2009: Awards Announced
- April - June 2009: Work plans and grant paperwork submitted
- July - Oct 2009: Funds Available



Steps to Brownfields Reuse

**Site
Discovery**

Assessment

Planning



West Hollywood, CA



Steps to Brownfields Reuse



West Hollywood, CA

Cleanup

Redevelopment



EPA Grant Types

- **Assessment**
- **Revolving Loan Fund**
- **Cleanup**





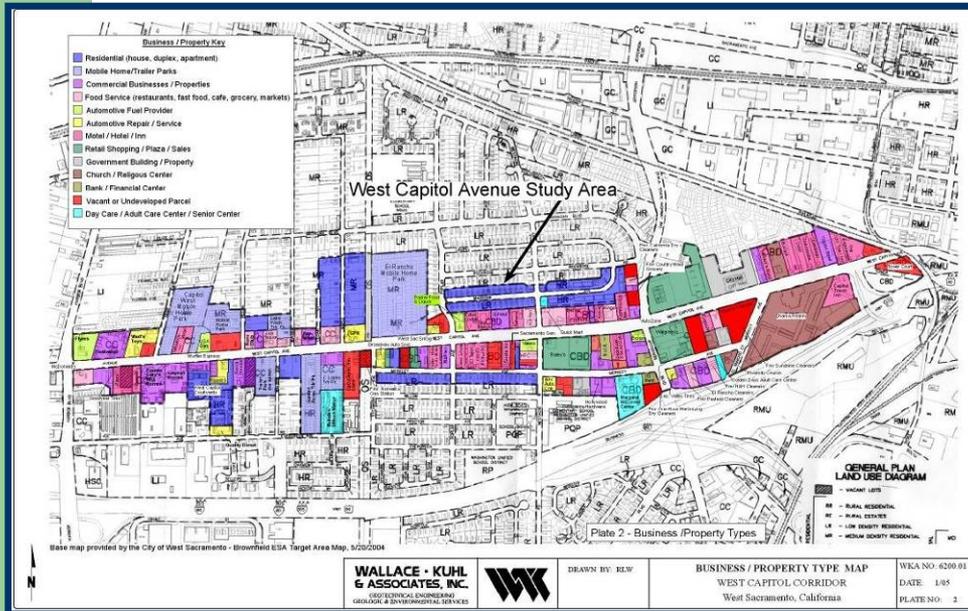
Assessment Grants

- Inventory of sites
- Phase I & Phase II assessments
- Reuse, cleanup plans and community outreach
- Petroleum & Hazardous Substances combined into one application
- Can **ONLY** apply for 1 site-specific assessment grant & must have completed AAI compliant Phase I





Community-Wide vs. Site-Specific Assessments



West Sacramento's West Capitol Ave Study Area

Can apply for waiver up to \$350k



Hazardous Substance Sites

Examples:

- **Plating Shops**
- **Landfills**
- **Salvage Yards**
- **Dry Cleaners**
- **Mine Scarred Lands**
- **Illegal Drug Labs**



***Includes sites that may be co-mingled with petroleum**

Petroleum Sites

Examples:

- Gas Stations
- Fuel Terminals
- Tank Farms
- Oil Fields



*** Includes sites with BTEX**



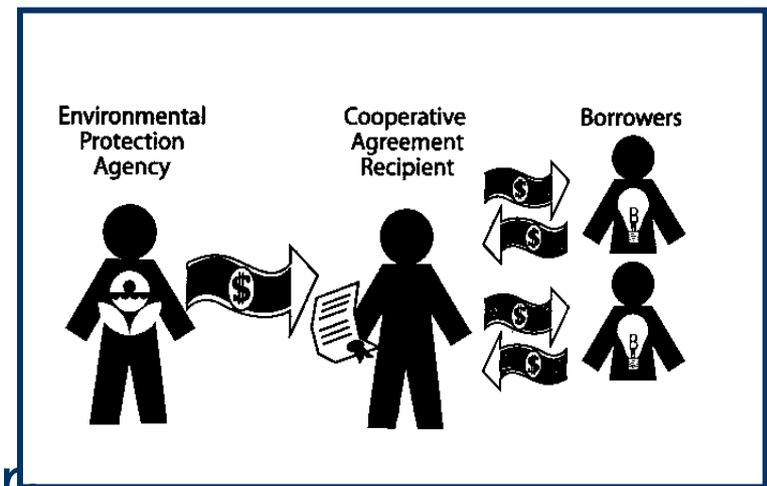
Assessment Coalitions

- Group of 3 or more eligible entities submit proposal under one coalition partner name
- Coalition members can apply for up to \$1 million (e.g. \$500k hazardous, \$500k petroleum total)
- Must assess a minimum of 5 sites
- No match required
- Coalition members are **NOT** eligible to apply for additional, individual Community-wide or Site-specific assessment grants



Revolving Loan Fund (RLF)

- Make low interest loans and subgrants to carryout cleanup activities only
- Up to \$1M per eligible entity
- Coalitions may apply
- 60% loans (minimum)
- 40% can be used for cleanup subgrants (maximum)
- 20% cost share



Nonprofits are not eligible to apply



RLF Funding

ACTIVITY	Available Funding	Funding for Coalition Members	Funding with 2 Coalition Members
Hazardous Substances and/or Petroleum	\$1,000,000	\$1,000,000 per member	\$2,000,000
Cost Share (20%)	\$200,000	\$200,000 per member	\$400,000
Total			\$2,400,000



Success Story: Revolving Loan Fund



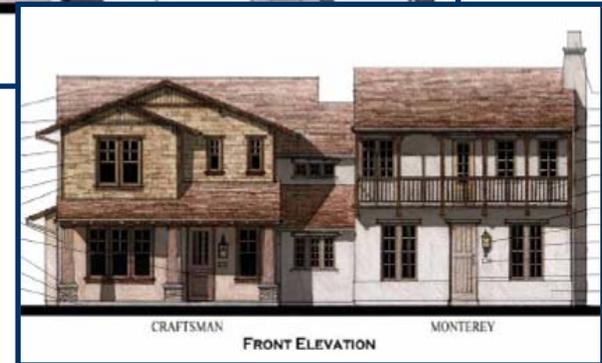
Anaheim Redevelopment Agency, CA
Vine Street Housing Affordable Housing Project
\$200,000 subgrant



Success Story: Revolving Loan Fund



SPANISH



Anaheim Redevelopment Agency, CA
Former Kwikset Site Development Project
\$600,000 loan



Cleanup Grants

- Phase II completed
- Sole (fee simple title) site ownership by 6/30/09
- 3-year grant term
- Perform site cleanup and confirmatory sampling
- Non-profits are eligible
- Interested in hazardous substance and petroleum at same site must submit only ONE proposal, which cannot exceed \$200,000
- Community Notification is a Threshold Criteria



Cleanup Grant Funding

ACTIVITY	Available Funding	Total # of Sites	Maximum Funding
Hazardous Substances and/or Petroleum	\$200,000 per site	Up to 3 sites (separate proposals for each site)	\$600,000
Cost Share (20%)	\$40,000 per site		\$120,000
Total			\$720,000



Success Story: Cleanup Grant



Capital Area Development Authority
Sacramento, CA
\$200,000 Cleanup Grant



Brownfields Job Training

- \$200,000 2-year grant
- Example training courses:
 - 40-hr. HAZWOPER
 - Lead/Asbestos Certification
 - Soil and water sampling
 - Intro Phase I assessment
 - 10-hr OSHA Safety Training
- Partner with local Workforce Investment Act/Board for life skills funds & assistance
- Ensure employers are willing to hire participants





Targeted Brownfields Assessment Program

- Eligible entity submit on-line application
<http://www.epa.gov/region09/waste/brown/grants.html>
- Identify potential reuse of property
- **Services only** - no funding
- EPA's contractors complete the Phase I or Phase II assessments and cleanup plan cost estimates
- Recipient is responsible for obtaining site access
- Revolving application process, no match required
- Private parties are not eligible
- Revolving application process - no deadlines



Threshold Criteria Overview



Threshold vs. Ranking

- **Threshold** – minimum eligibility requirements
 - **Ranking** – criteria for selecting proposals
- *Applicants must pass Threshold Criteria to be considered for funding**



Threshold Criteria

ASSESSMENT GRANTS

- **Applicant Eligibility**
- **Letter from the State or Tribal Environmental Authority**
- **Site Eligibility and Property Ownership Eligibility (site-specific only)**



Threshold Criteria

REVOLVING LOAN FUND (RLF) GRANTS

- **Applicant Eligibility**
- **Letter from the State or Tribal Environmental Authority**
- **Cleanup Authority and Oversight Structure**
- **20% Cost Share**
- **Legal Authority to Manage an RLF**
- **Description of Jurisdiction**



Threshold Criteria

CLEANUP GRANTS

- **Applicant Eligibility**
- **Letter from the State or Tribal Environmental Authority**
- **Site Eligibility and Property Ownership Eligibility**
- **Cleanup Authority and Oversight Structure**
- **20% Cost Share**
- **Community Notification**



Applicant Eligibility

Type of Applicant	Assessment & A. Coalitions	RLF	Cleanup
Local Governments	X	X	X
Land Clearance Authority; Quasi-governmental entity OR General purpose unit of local government	X	X	X
Government Entity Created by State Legislature	X	X	X
Regional Council or group of General Purpose Units of Local Government	X	X	X
Redevelopment Agency chartered or sanctioned by a state	X	X	X
State	X	X	X
Indian Tribe other than in Alaska	X	X	X
Nonprofit organizations			X



Applicant Eligibility

- **For-profit entities** cannot apply for grants (but can borrow from an RLF grantee)
- **Nonprofits** can apply only for cleanup grants and/or (receive a subgrant/loan from an RLF grantee)
- **Assessment Coalition** - **need 3 or more to form**
 - Separate legal entities with documentation that all Coalition Members are eligible entities
 - Letters from Coalition Members agreeing to be part of Coalition



Letter from State or Tribal Environmental Authority

- CURRENT letter **acknowledging** that the applicant plans to apply for grant funds to conduct or oversee assessment and/or cleanup activities
- If applying for multiple types of grants, only need to submit **ONE** letter acknowledging the grant activities
Note: EACH proposal must have the letter as an attachment
- State & Tribal Authorities **do not** need to provide letter for themselves
- Provide state/tribal environmental authority sufficient notice to write the letter



Site Eligibility

Site-Specific Assessment & Cleanup Only

- **National Priorities List (Superfund)**
- **Facilities subject to Court orders under CERCLA**
- **Facilities that are subject to the jurisdiction, custody or control of the US government (except land held in trust for Indian Tribes)**



Property Specific Determinations

- **Prior to applying, if the site has a current action under: CERCLA, RCRA, FWPCA, TSCA, SDWA or LUST, contact EPA**
- **These properties may be considered for funding with a Property Specific Determination**



Site Eligibility

Site-Specific Assessment & Cleanup Only

- **Hazardous Substance Sites**
 - EPA will determine if site is eligible
- **Petroleum Sites**
 - EPA and/or State will determine if site is eligible (except for Tribes)
 - **Petroleum Eligibility Letter**
 - Make requests of EPA and State early
 - Different from State Acknowledgement Letter
 - Attach to the Proposal



Site Eligibility

Site-Specific Assessment & Cleanup Only

Is it a Brownfields Site?

- **Real Property ?**
- **Do you believe the site is contaminated?**
 - **What are the contaminants?**
Hazardous: solvents, pesticides, metals, drugs, mine tailings, radionuclides, etc. OR
Petroleum: gasoline, diesel, motor oil
- **What are the impediments for reuse?**



Site Eligibility

Site-Specific Assessment & Cleanup Only

- Who Contaminated it?
 - **If Applicant, in most cases the site is not eligible**
 - **Is there another Party?**
- What happened on the property after acquisition?
 - **Property Vacant / fenced**
 - **Leased to operator**



Site Eligibility

Site-Specific Assessment & Cleanup Only

Generally, applicant must not be responsible for contamination. Need to answer following questions:

- Who owns it?
 - Applicant
 - Private party
- How was it acquired?
 - Did purchase include due diligence / all appropriate inquiry?
 - Tax foreclosure, abandonment, or other government proceeding



Site Eligibility - Petroleum Site-Specific Assessment & Cleanup Only

- 1) **Must be low risk**
 - Is the site relatively low risk? (ask the State)
- 2) **Current and previous owner must not be responsible for contamination**
 - Who are the current and previous owners?
 - Did the current or previous owner cause contamination?
- 3) **If current or previous owner is responsible...**
 - Are they financially viable?
- 4) **Site cannot be subject to RCRA Corrective Action**



Property Ownership Eligibility

Site-Specific Assessment & Cleanup Only

- **What is a Bona Fide Prospective Purchaser (BFPP)**
 - Performed AAI prior to acquisition
 - Not responsible for contamination or affiliated w/responsible parties
 - Met continuing obligations not to exacerbate contamination
 - Comply with information requests and administrative subpoenas
 - Provide legally required notices
- **What is a Innocent Land Owner**
 - Performed AAI prior to purchase and cannot know, or have reason to know, of contamination
 - Comply with land use restrictions and keep integrity of institutional controls
 - Take reasonable steps with contamination on property
 - Provide cooperation, assistance and access
- **What is a Contiguous Property Owner**
 - Same as innocent land owner PLUS last two bullets of BFPP



Cleanup or Legal Authority & Oversight Structure

- **Cleanup Oversight (Cleanup and RLF Applicants)**
 - Describe oversight & if plan to enroll in state or tribal voluntary program
- **Property(s) Access Plan (Cleanup only)**
 - Plan to obtain access to adjacent properties, if needed
- **Legal Opinion (RLF only)**
 - Letter from applicant's counsel
 - **RLF Coalition applicant** must illustrate adequate program performance of coalition members, borrowers, and/or subgrantees



Cost Share

20% Match Required for Cleanup & RLF

- Only a plan required
- Do not exceed requirement amount
- Leveraging and Match are different
- Match can be contribution of money, labor, materials, or services from a non-federal source
 - Only incurred for an **eligible & allowable** expense
 - HUD CDBG funds can be used as match
- Hardship Waivers can be requested
- **For RLF applicants** – 20% match can be passed along to borrower or subgrantee



Community Notification Cleanup Applicants Only

- 1) Provide community with notice of intent to apply for brownfields grant
- 2) Provide an opportunity for the community to submit comments to your proposal by:
 - Place an ad (or equivalent) in local newspaper at least 2 weeks prior to submission
 - Provide a copy of the proposal for public review and indicate in ad where proposal is located (e.g. town hall library, website, etc.)
 - Host public meeting prior to proposal submission and provide date and time in ad



Ranking Criteria Overview



Ranking Criteria

Proposal must have passed Threshold Criteria to be considered for review and be “ranked”

4 Ranking Criteria Sections:



1. Community Need
2. Project Description and Feasibility of Success
3. Community Engagement and Partnerships
4. Project Benefits



Ranking Criteria

- Each criterion is made up of sub-criteria
 - Answer each individually
 - Sub-criteria may be the same OR different per Grant Type (e.g. assessment, cleanup, RLF)
 - Sub-criteria point totals may vary per Ranking Criterion per grant type
- 100 points for each grant type

*Clearly identify the
TARGETED community!*



Community Need

- Provide info on location, number and size of brownfields
- Describe health, welfare & environmental impacts:
 - typical contamination
 - sensitive populations (e.g. minorities, children, seniors, women of child-bearing age, etc.)
 - disproportionate environmental impact data (e.g. cancer and asthma rates)
- **Identify information sources used (e.g. 2000 census data, local reports, etc.)**





Community Need

- Describe economic impact of brownfields and the economic needs of the residents
- Provide rates of poverty, household income, unemployment rate & other demographic information
 - Use current and relevant data sources
 - Compare to state and national data (use table format)
 - Discuss the impact of closed industry, i.e. number of jobs lost, property tax impacts, etc.
 - Provide factors explaining why other financial resources are not available for assessment/cleanup (i.e. fiscal condition, population size, etc.)



Community Need

2000	County	State	USA
Household income	\$37,130	\$44,667	\$41,994
Per capita income	\$16,976	\$22,168	\$21,587
Persons below poverty	11.6%	10.5%	12.4%
Community	Poverty Rate	Low Income Rate	Median Income
City	12.2%	22.5%	32,246
City	16.5%	31.5%	32,273
City	21.8%	39.8%	24,313
City	20.8%	26.1%	30,972



Project Description/Feasibility of Success

- Describe project activities
- Illustrate plan is a reasonable approach
- Demonstrate there are sufficient resources **and** capability to complete in timely manner
- **For Comm-wide Assessments:** budget majority of funds for site assessments than solely focusing on inventory or planning activities
- **For Assessment Coalitions** – discuss plans for assessing a minimum of five sites (requirement)
- **For Cleanups** - describe cleanup plan; institutional and/or engineering controls; and site reuse plans





Project Description/Feasibility of Success

- For RLF Proposals describe:
 - YOUR redevelopment program and how the RLF grant funding will be used to provide support
 - Sustainability Plan for the RLF
 - Expected borrowers & subgrantees
 - Marketing plan
 - **Plan to achieve success by** describing staff and program manager commitments, functions of RLF team and organization, selection criteria for loans/subgrants, lending practices, how plan to ensure protective cleanups



Project Description/Feasibility of Success - Budget

- Use sample format and **develop budget narrative** that spells out each task (no acronyms)
- Provide quantitative outputs (e.g., 5 Ph I, 2 Ph II) and estimated costs
- **Do not** use word “administrative” to describe a task use program development or program management
- **Equipment Costs** - provide justifications when budgeting for equipment and/or supplies
- **Equipment is generally expected for cleanup applicants only**



ASSESSMENT BUDGET EXAMPLE

Budget Categories	Project Tasks				
	Program Management	Community Involvement	Site Inventory	Phase I Phase II	Total
Personnel	\$18,000				\$18,000
Fringe Benefits					\$0
Travel	\$3,000				\$3,000
Equipment					\$0
Supplies	\$1,000				\$1,000
Contractual		\$5,000	\$12,000	\$160,000	\$167,000
Other (Postage/ printing)		\$1,000			\$1,000
Total	\$22,000	\$6,000	\$12,000	\$160,000	\$200,000



CLEANUP BUDGET EXAMPLE

Budget Categories	Project Tasks				
	Program Management	Community Involvement	Cleanup Planning (oversight)	Remediation Institutional Controls	Total
Personnel	\$18,000		\$ 8,000		\$26,000
Fringe Benefits					\$0
Travel	\$3,000				\$3,000
Equipment					\$0
Supplies	\$1,000				\$1,000
Contractual		\$5,000	\$25,000	\$139,000	\$169,000
Other (Postage/ printing)		\$1,000			\$1,000
Total	\$22,000	\$6,000	\$33,000	\$139,000	\$200,000



Project Description/Feasibility of Success

Leveraging

- If additional work needed (e.g. assessment and/or cleanup), describe the funding/resources (public and private) that will be sought to complete the add'l work
 - Describe any gap in overall project funding:
 - Assessment
 - Cleanup Planning
 - Remediation, Institutional Controls
 - Reuse planning and redevelopment
 - Describe **ALL** possible gap funding sources
 - Provide examples of past leveraging



Project Description/Feasibility of Success

Programmatic Capability

- Demonstrate ability to manage grant & oversee the work
- Demonstrate sufficient resources and **capability** to complete the project in a **timely manner**
- **Prior** Brownfields Grantee describe:
 - Past grant(s) management & performance
 - Funding expenditure
 - Compliance
 - Accomplishments
 - Adverse audit findings
 - Corrective action for past grant management issue



Project Description/Feasibility of Success

Programmatic Capability (con't)

- **Not a prior** Brownfields Grantee describe:
 - Plan for management & performance
 - In-house or plan for expertise acquisition
 - Prior three years grant management
 - Federal, State, Foundations
 - Adverse Audit Findings
 - Corrective Action For Past Grant Management Issue



Community Engagement and Partnerships

- Describe plan for engaging the targeted community in the project
- **Demonstrate extent to which you have identified and established partnerships to achieve stated goals**
- Ensure support letters provided by community-based organizations involved with the project demonstrate **specific** and valuable commitments



Community Engagement and Partnerships

Community Engagement

- **Describe your plan for Community Involvement**
 - Site Selection Criteria
 - Cleanup Planning process
 - Site Reuse Planning
- Discuss past Community Involvement
- Describe the project progress reporting plan
 - How will you keep community informed, how will they be able to provide comments?
- Discuss how plan to address language barriers



Community Engagement and Partnerships

Partnerships

- Describe efforts and/or plans to develop partnerships with **both** local environmental and health agencies
 - Plan for partnerships
 - Past efforts toward partnerships
 - Demonstrate knowledge of State programs
 - Indicate plans to enroll in State or Tribal voluntary response programs



Community Engagement and Partnerships

- Provide a **description and role of key** community-based organizations involved in the project
 - Describe commitments made by the organizations
 - Provide support letter from **EACH** organization
 - Letter must be attached to proposal
- Letters from Congress, elected officials or Mayor are NOT as effective as community-based organizations
- Support Letters are **required**
- Focus on unique contributions and strength of partnerships, **not** the number of support letters submitted



Project Benefits

- Describe how the proposal will promote general welfare through the improvement of public health, the environment, safety and the local economy
- Demonstrate how the funding will contribute to the overall community revitalization “vision” of brownfield sites
- **Consideration will be given to:**
 - how public health issues are addressed during the project
 - the anticipated benefits of redevelopment
 - incorporation of sustainable practices



Project Benefits

- Describe environmental, social, and/or public health benefits anticipated from assessment, cleanup and redevelopment
- **Communicate all benefits including:**
 - Direct & indirect environmental and public health benefits
 - Reduction of exposure pathways, blight and environmental risks
 - Plan for community & sensitive populations protection from project contaminants (e.g. posting signs, installing fences, controlling dust, etc.)



Project Benefits

- Explain how will produce economic or non-economic benefits
- **Describe economic benefits (be specific):**
 - Expected results in tax revenues (provide percentage), X number of jobs, X % increase in property values
- **Describe all other non-economic benefits:**
 - Nonprofit reuse, charitable reuse, X number of acres created for greenspace, open space, developed parks, recreational, preservation of open space on urban edge



Project Benefits

- Describe the environmental benefits from infrastructure and sustainable reuse
 - Use of existing water lines, sewers, roads, storm drains, proximity to public transit and reuse of existing buildings
- Describe how funding will facilitate sustainable reuse
 - Green building ordinances, energy efficiency requirements, LEED certification standards, innovative storm water controls, conserve resources, transit-oriented development, construction & demolition recycling* and green cleanup*

****RLF and Cleanup Only***



Proposal Guidelines

- **18 page limit (includes 2-page Cover Letter)**
- **1” margins; 12 pt font; no binders**
- **Limit attachments to required/relevant documents and letters**
- **Avoid maps and photos – no color**
- **Use page numbers and footer title**



Proposal Guideline TIPS

- Read entire NEW Guidelines
- Seek mentoring from prior grantees (listed @ www.epa.gov/brownfields/bfwhere.htm)
- Write as though the reader knows NOTHING about your community
- Address **ALL** criteria – if it doesn't apply say so and explain why
- Use the Proposal Check Lists at the end of the Ranking Criteria section
- Avoid using acronyms and technical/organizational jargon





Proposal Guideline TIPS

- Contact State/Tribe/EPA with eligibility questions **early**
- Contact State if applying for petroleum – EPA can also assist if State is not able
- Contact partners for assistance in preparing and/or reviewing your proposal
- Set up public meeting and get meaningful public input

**Hard copy or electronic submission via
www.grants.gov**



Website and Listserve

<http://www.epa.gov/brownfields/>

To view the Request For Proposals (RFP) announcement, click on: Office of Solid Waste and Emergency Response's Grants and Funding Web

<http://www.epa.gov/oswer/docs/grants/epa-oswer-obcr-07-01.pdf>



Contact and information

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