

Local Agency Agreement Quick Reference Guide

DTSC's Local Agency Agreement is a voluntary agreement intended to encourage local agencies and municipalities to alleviate blight by obtaining Polanco-like protections for cleaning up environmental contamination. When the California Redevelopment Agencies were dissolved in 2012, local municipalities lost the expertise, resources and Polanco Act protections that were vital to facilitate redevelopment of contaminated properties. DTSC has developed the Local Agency Agreement in accordance with Assembly Bill 440, the Gatto Act, as a tool that any eligible agency can utilize to obtain immunities, pursuant to Health and Safety Code Section 25403.2, for cleanups conducted under DTSC oversight.

The Local Agency Agreement is structured to foster a collaborative relationship with DTSC, allowing a local agency to receive DTSC oversight for multiple properties under the framework of a single agreement. After a Local Agency Agreement is executed, a local agency can easily add additional sites to the agreement by providing additional exhibits and obtaining approval from DTSC. Upon implementation of an approved cleanup plan, statutory immunities will attach.

Site Eligibility:

The typical content of the Work Plan includes:

- Site must be within the local agency's boundaries and in an area the local agency has deemed a blighted area due to the presence of hazardous materials
- Local agency does not have to own the site but must be leading the investigation and cleanup
- Local agency cannot be a responsible party
- Site cannot have an existing order or CLRRRA Agreement, Chapter 6.5 permit, or be on the National Priorities List
- Existing Standard Voluntary Agreements/Voluntary Cleanup Agreements can be transitioned to a Local Agency Agreement

Benefits of Local Agency Agreement:

Similar to the previous Polanco Redevelopment Act, the local agency will be eligible for immunities described in Health and Safety Code Section 25403.2 upon implementation of an approved cleanup plan. This includes:

- Division 7 (commencing with Section 13000) of the Water Code.
- Chapter 6.5 (commencing with Section 25100)
- Chapter 6.7 (commencing with Section 25280)
- Chapter 6.75 (commencing with Section 25299.10)
- Chapter 6.8 (commencing with Section 25300), of Division 20
- Any other state or local law imposing liability for cleanup of releases of hazardous materials

Contact [Maryam Tasnif-Abbasi](#), Office of Brownfields, for more information regarding entering into a Local Agency Oversight Agreement. You may also find your DTSC Region and local Brownfield Coordinator online on the [DTSC Brownfield Contact Webpage](#).