

OFFICE OF BROWNFIELDS

Department of Toxic Substances Control · Cleanup In Vulnerable Communities Initiative

Round 1 ECR Grantees

ECRG AMENDMENT ECRG Guidelines

Equitable Community Revitalization Grant

March 7, 2024



Key Terms

- Amendment or Amendment Request
 - Budget Amendment
 - Time Extension
- Minimum % spend (reimbursement requests approved for payment)
- Original ECRG Agreement allocation
- Current balance of ECRG Agreement (balance after reimbursement requests approved for payment)
- New requested amount
- ECRG Tasks –Terminology to define ECRG activities
- Quarterly Expenditure Plan– Excel table to be submitted by the ECRGrantee - Table in Fluxx that outlines ECRG Tasks, Schedule and budget for current balance of ECRG Agreement and new requested amount
- ECRG Agreement – original agreement signed by DTSC and the ECRGrantee
- ECRG Agreement Amendment –amendment to the original ECRG Agreement
- funding priority = place in line
- Projects funded in order of Fluxx timestamp and eligibility confirmation

What is the schedule?

- Begin preparing for Amendment Request immediately
- Begin accepting Amendment Requests on March 7, 2024 at 10am through Fluxx
- Amendment Requests must be submitted at least 60 days prior to the end of grant term
- Grant term end date is different for every ECRGrantee
- ECRGrantees with an existing grant term end date after September 30, 2024, must submit requests no later than September 30, 2024, or 60 days prior to the end of grant term, whichever comes first
- Available funds may be fully allocated, but time-only requests will be accepted until September 30, 2024

Am I eligible to apply for an Amendment?

- Submit the Amendment Request at least 60 days prior to the end of your existing grant term
- Meet the minimum percent spend requirements
- Demonstrated responsiveness to ECRG Portfolio Manager and Regulatory Oversight Agency; unresponsiveness will be found if ECRGrantee is:
 - Unresponsive to 2 consecutive email requests from Portfolio Manager or regulatory oversight agency
 - Unresponsive to 3 requests from regulatory oversight agency over the last 6 months
- ECRGrantees cannot average the percentage spend over multiple grants to meet the spend down criteria
- Only one request per ECRGrantee organization*
- One-time Amendment per ECRG Agreement*

*Subject to change

Am I eligible to apply for an Amendment?

Investigation and Cleanup Grants

Minimum Percent Spend by Request Submittal Date <i>(reimbursements approved for payment)</i>	Time Extension Only	Budget Amendment Only	Time Extension & Budget Amendment
0% - 24.9%	6 months	N/A	N/A
25.0% - 29.9%	6 or 12 months	\$20k-\$200k (includes automatic 6-month extension)	6 or 12 months + \$20k-\$200k
30.0% - 49.9%	6, 12, or 18 months	\$20k-\$200k (includes automatic 6-month extension)	6, 12, or 18 months + \$20k-\$200k
50.0% and up	6, 12, or 18 months	\$20k-Maximum Grant Amount (includes automatic 6-month extension)	6, 12, or 18 months + \$20k-Maximum Grant Amount

Community-wide Assessment Grants

Minimum Percent Spend by Request Submittal Date <i>(reimbursements approved for payment)</i>	Time Extension Only	Budget Amendment Only	Time Extension & Budget Amendment
25.0% and up	6 months	\$5k -Maximum Grant Amount, (includes automatic 6-month extension)	6 months + \$5k-Maximum Grant Amount

Minimum percent spend based on reimbursement requests that have been approved for payment

What ECRG Tasks can I request an Amendment for?

1. ECRG Tasks within the current grant type
2. ECRG Tasks are *confirmed* and ready for implementation, or *in progress* and fully planned
3. ECRG Tasks will be implemented within the amended grant term
4. Gap funding for continuing ECRG Tasks already approved by regulatory oversight agency
5. New ECRG Tasks requested by Portfolio Manager or regulatory oversight agency
6. Cannot apply for additional project management allocation
 - a. approved Round 1 project management remaining balance is allowed
7. Follow ECRG Round 1 Guidelines

Consequences of failure to achieve proposed plan are addressed in the revised Noncompliance and Termination section of the ECRG Agreement Amendment - applies to current balance of ECRG Agreement (balance after reimbursement requests approved for payment) and new requested amount

What are some things to know before I apply?

1. Amendment request's Quarterly Expenditure Plan will include the *new requested amount* AND the *current balance* of your ECRG Agreement
 - a. Current balance is the original grant amount minus the reimbursement requests approved for payment
2. For time-only extensions, include a Quarterly Expenditure Plan for remaining current balance of your ECRG Agreement
3. Requests should be for *investigative and cleanup related activities* that will be implemented with a high level of confidence within the proposed timeframe
4. Since ECRG funding will be expiring, non-performance may result in Noncompliance Notices and/or early termination of the ECRG Agreement
5. ECRG Portfolio Managers will not be able to support expedited reimbursement requests while the Amendment applications are being accepted

What are the Amendment application questions?*

Investigation and Cleanup Grants

Minimum % Spend by Request Submittal Date <small>(reimbursements approved for payment)</small>	Time Extension Only	Budget Amendment Only	Time Extension & Budget Amendment
0% - 24.9%	6 months	N/A	N/A
25.0% - 29.9%	6 or 12 months	\$20k-\$200k (includes automatic 6-month extension)	6 or 12 months + \$20k-\$200k
30.0% - 49.9%	6, 12, or 18 months	\$20k-\$200k (includes automatic 6-month extension)	6, 12, or 18 months + \$20k-\$200k
50.0% and up	6, 12, or 18 months	\$20k-Maximum Grant Amount (includes automatic 6-month extension)	6, 12, or 18 months + \$20k-Maximum Grant Amount

Community-wide Assessment Grants

Minimum % Spend by Request Submittal Date <small>(reimbursements approved for payment)</small>	Time Extension Only	Budget Amendment Only	Time Extension & Budget Amendment
25.0% and up	6 months	\$5k-Maximum Grant Amount, (includes automatic 6-month extension)	6 months + \$5k-Maximum Grant Amount

*subject to change until final application opens

1. What grant type are you submitting an ECRG Amendment Request for?
2. Is this request less than 60 days prior to the end of your grant term?
3. Have you been unresponsive to 2 consecutive email requests or 3 requests from your environmental regulator or Portfolio Manager over the last 6 months?
4. Select the minimum percent spend range for the ECRGrant you are submitting a request for.
5. Are you requesting additional funds?
 - a. Why was the new requested amount not included in the original ECRG application?
6. Select the Time Extension are you requesting:
7. What is the new requested amount for the Budget Amendment?
 - a. Sum of your original ECRG Agreement allocation and the new requested amount
 - b. Sum of the current balance of your ECRG Agreement and new requested amount
8. Describe why the Time Extension and/or Budget Amendment are needed? Include the barriers that prevented you from meeting your original ECRG Task commitments and how those have been resolved.
9. Include a Quarterly Expenditure Plan (QEP) with ECRG Tasks (excluding Grant Project Management labor costs and travel), schedule, and costs for the current balance of the ECRG Agreement plus new requested amount, if applicable. All costs that have either been planned or incurred but the invoices have not been approved by the Portfolio Manager for reimbursement must be included in the QEP.
 - a. Total Funding to be Allocated in the QEP
 - b. Create entries in the QEP (instructions provided)
 - c. Total Funding Amount from the QEP (not including Grant Project Management)
 - d. Sum of the Total Funding Amount from the QEP and the Grant Project Management Remaining Balance
 - e. Does the answer to Question 9.d. match the answer provided in Question 7.b.?
 - f. Describe the "Confirmed" ECRG Tasks that have either (a) been completed within your original ECRG Agreement allocation but a reimbursement request has not been approved by your Portfolio Manager, (b) are included in your original ECRG Agreement allocation that have been regulatorily approved, with a reasonable schedule date, and with no barriers to completion, or (c) will be conducted, if this request is approved, that have been regulatorily approved, with a reasonable schedule date, and with no barriers to completion. Describe the provisions in place to ensure that the QEP will be on schedule and funding will be utilized as proposed.
 - g. Describe the "In Progress" ECRG Tasks which are fully planned, awaiting approvals with a reasonable schedule date with barriers to completion resolved or close to resolution as proposed in this request. Describe the provisions in place to ensure that the QEP will be on schedule and funding will be utilized as proposed. Include where you are in the planning process, approvals needed, barriers to completion, and how they will be addressed.

Which Application Questions Determine Eligibility?

Question #1: What grant type are you submitting an ECRG Amendment Request for? **Informational**

Question #2: Is this request less than 60 days prior to the end of your grant term? **Ineligible if yes, response subject to verification.**

Question #3: Have you been unresponsive to 2 consecutive email requests or 3 requests from your environmental regulator or Portfolio Manager over the last 6 months? **Ineligible if yes, response subject to verification.**

Question #4: Select the minimum percent spend range for the ECRGrant you are submitting a request for. **Ineligible if incorrect.**

Question #5: Are you requesting additional funds? **Ineligible if minimum spend is 24.9% or less**

a. Why was the new requested amount not included in the original ECRG application? **Informational**

Question #6: Select the Time Extension are you requesting. **Ineligible if incorrect time extension chosen**

Question #7: What is the new requested amount for the Budget Amendment? **Ineligible if not within permitted range**

a. Sum of your original ECRG Agreement allocation and the new requested amount **Informational**

b. Sum of the current balance of your ECRG Agreement and new requested amount **Informational**

Question #8: Describe why the Time Extension and/or Budget Amendment is needed? Include the barriers that prevented you from meeting your original ECRG Task commitments and how those have been resolved. **Ineligible if barriers described do not include a clear path to resolution.**

How can I make sure my Amendment Request is eligible?

Question #9: Include a Quarterly Expenditure Plan (QEP) with ECRG Tasks (excluding Grant Project Management labor costs and travel), schedule, and costs for the current balance of the ECRG Agreement plus new requested amount, if applicable. All costs that have either been planned or incurred but the invoices have not been approved by the Portfolio Manager for reimbursement must be included in the QEP.

- a. Total Funding to be Allocated in the QEP **Informational, Fluxx will calculate this amount for you**
- b. Create entries in the QEP* **Ineligible if incorrect**
- c. Total Funding Amount from the QEP (not including Grant Project Management) **Informational, Fluxx will calculate this amount for you**
- d. Sum of the Total Funding Amount from the QEP and the Grant Project Management Remaining Balance **Informational, Fluxx will calculate this amount for you**
- e. Does the answer to Question 9.d. match the answer provided in Question 7.b.? **Ineligible if incorrect**
- f. Describe the “Confirmed” ECRG Tasks that have either (a) been completed within your original ECRG Agreement allocation but a reimbursement request has not been approved by your Portfolio Manager, (b) are included in your original ECRG Agreement allocation that have been regulatorily approved, with a reasonable schedule date, and with no barriers to completion, or (c) will be conducted, if this request is approved, that have been regulatorily approved, with a reasonable schedule date, and with no barriers to completion. Describe the provisions in place to ensure that the QEP will be on schedule and funding will be utilized as proposed. **Ineligible if confirmed tasks cannot be verified.**
- g. Describe the “In Progress” ECRG Tasks which are fully planned, awaiting approvals with a reasonable schedule date with barriers to completion resolved or close to resolution as proposed in this request. Describe the provisions in place to ensure that the QEP will be on schedule and funding will be utilized as proposed. Include where you are in the planning process, approvals needed, barriers to completion, and how they will be addressed. **Ineligible if in progress tasks cannot be verified and/or if barriers are not resolved.**

* Adding quarters beyond the Time Extension you requested may result in a rejection of this request. If your Time Extension Grant End Date falls in the middle of a quarter, then that is the last quarter that may be selected in the QEP. Note that the Time Extension Grant Term End Date is the last day of your grant, not the end of the quarter.

How can I make sure my Quarterly Expenditure Plan is eligible?

1. Includes current balance of your ECRG Agreement plus new requested amount
2. For 0% - 24.9% Time Extension Amendment Requests only , tasks must be “confirmed” or “in progress”
3. For all Amendment Requests above a minimum percent spend of 25%:
 - a. over \$200,000, at least 50% of the funds requested are “confirmed”
 - b. under \$200,000, at least 30% of the funds requested are “confirmed”
4. No additional travel or ECRGrantee project management is proposed
 - a. inclusion of previous approved unspent allocation is allowable but will not count towards the 50% and 30% requirement
5. ECRG Tasks are requested by Portfolio Manager or regulatory oversight agency or are associated with implementation of regulatorily approved workplans
6. Schedule is supported by the regulatory oversight agency
7. Information provided in request meets ECRG Round 1 Guidelines

What are the eligible tasks?

Community Wide Assessment Tasks

- Regulatory Oversight Fees (not required for CWAs)
- Community Engagement
- Tribal Engagement
- Investigation Workplan and Fieldwork
- Investigation Report
- Brownfield Planning and Inventory
- Reuse Assessment

Site-specific Environmental Investigation Tasks

- Regulatory Oversight Fees
- Community Engagement
- Tribal Engagement
- All Appropriate Inquiries (AAI) or Phase I
- Investigation Workplan and Fieldwork
- Investigation Report
- Cleanup Workplan
- Risk Assessment Workplan/Report
- Feasibility/Pilot Study Workplan/Report
- California Environmental Quality Act (CEQA) for cleanup activities only

Site-specific Environmental Cleanup Tasks

- Regulatory Oversight Fees
- Community Engagement
- Tribal Engagement
- All Appropriate Inquiries (AAI) or Phase I
- Investigation Workplan and Fieldwork
- Investigation Report
- Cleanup Workplan
- Cleanup Implementation/Fieldwork
- Cleanup Report
- Risk Assessment Workplan/Report
- Feasibility/Pilot Study Workplan/Report
- Cleanup Design and Implementation Plan
- Operations and Maintenance (O&M) Plan
- California Environmental Quality Act (CEQA) for cleanup activities only
- Land Use Covenant (LUC) Preparation

How do I apply?

1. Confirm that you meet general eligibility requirements
2. Confirm the existing grant term end date for your specific ECRGrant
3. [Set up a meeting](#) with the Brownfields Technical Assistance Provider, CCLR*
4. Consult with DTSC Portfolio Manager*
5. Coordinate with your contractors on the proposed work and schedule
6. Consult with your Regulatory Oversight Manager
7. Develop your ECRG Task schedule and Quarterly Expenditure Plan
8. Start your Fluxx application as soon as possible
9. If requesting funding, submit your request as soon as Fluxx opens to ensure your place in the “first come, first serve” line for eligible applications

*Neither CCLR nor Portfolio Managers can guarantee funding decisions

Final eligibility confirmation made by evaluation of submitted Amendment Request content

Meetings will be scheduled as time allows

Staff are not responsible for ensuring funds are available for grantees post-Portfolio Manager meetings

Quarterly Expenditure Plan

Quarter [dropdown]	ECRG Task [dropdown]	Total Funding per Task within a Quarter	Task Status [dropdown]
Date Range by Quarter	Investigation Workplan and Fieldwork	\$ 50,000.00	Confirmed
Date Range by Quarter	Investigation Report	\$ 10,000.00	Confirmed
Date Range by Quarter	Cleanup Plan	\$ 10,000.00	Confirmed
Date Range by Quarter	Cleanup Implementation/Fieldwork	\$ 20,000.00	In Progress
Date Range by Quarter	Cleanup Implementation/Fieldwork	\$ 20,000.00	In Progress

How can I include my unused Project Management allocation?

- Requests cannot include new Project Management allocation
- Unused Project Management balance from the Original ECRG Agreement allocation can be used for:
 - Staff time for ECRG implementation
 - Travel for ECRG implementation
- Total Funding Amount from the QEP + Grant Project Management Remaining Balance = Current balance of ECRG Agreement + new requested amount

Quarterly Expenditure Plan

1. ECRG Tasks – these are eligible tasks listed in [ECRG Guidelines](#) (page 97-98, not including Grant Project Management)
2. Total Funding per Task within a Quarter – this is the total funding per task including the current balance of your ECRG Agreement and your new requested amount
3. Task Status
 - a. **Confirmed: Regulatorily approved* with a reasonable schedule date with no barriers to completion as proposed in the Amendment Request**
 - b. In Progress: Fully planned, awaiting approvals and/or contracts with a reasonable schedule date with barriers to completion resolved or close to resolution as proposed in the Amendment Request
4. Note that your original grant allocation and percent spent to-date (amount approved for reimbursement) will show on the Amendment form itself for reference

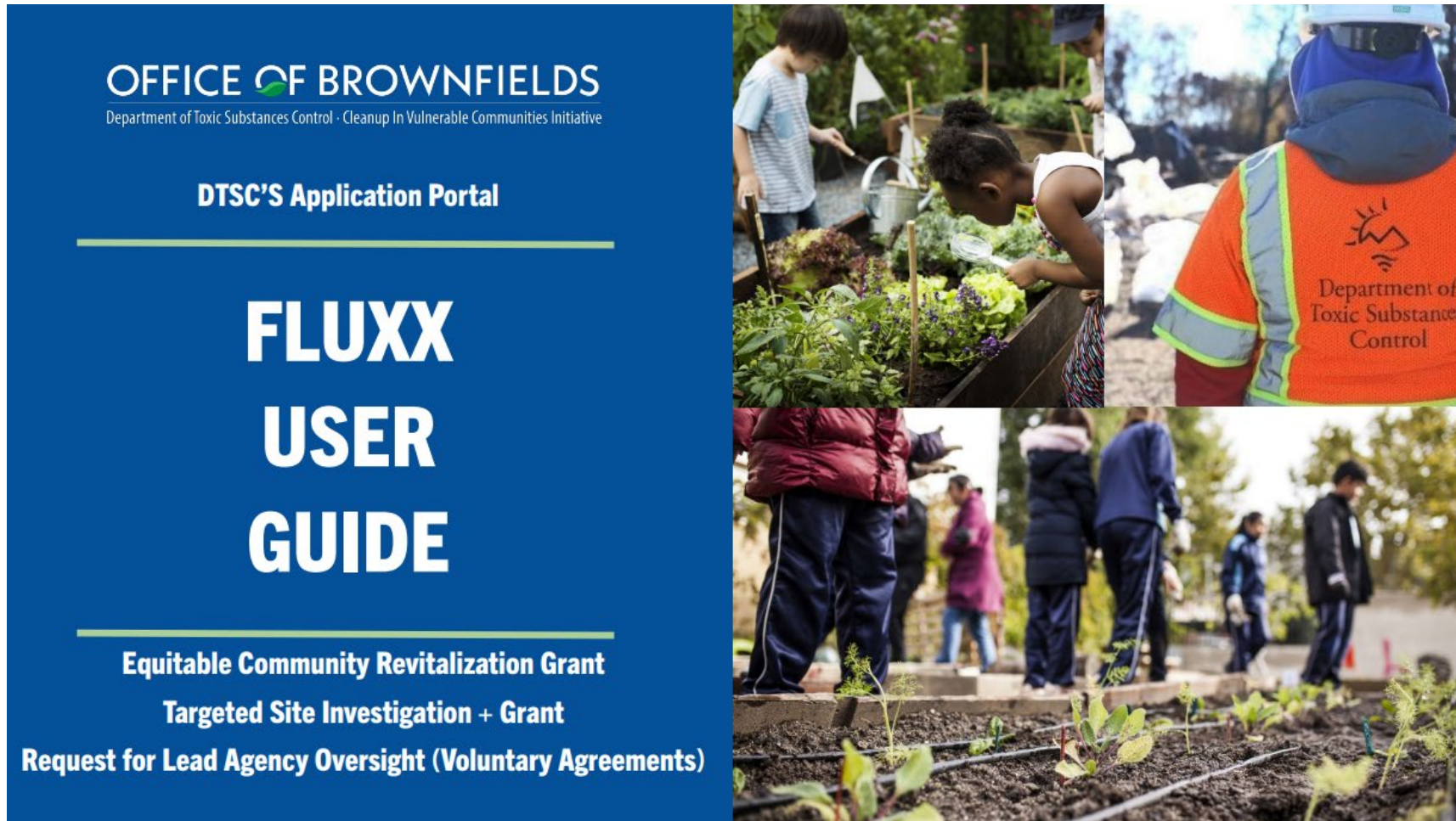
*Regulatory approvals not required for CWAs; requirement for barrier resolution applies

The background image shows a community garden scene. In the foreground, there are rows of young green plants in dark soil, with thin black irrigation lines visible. In the background, several people are standing and talking, some wearing jackets, suggesting a cool day. The scene is outdoors with trees and a white structure in the distance.

Fluxx Application

Fluxx Guide

<https://dtsc.ca.gov/wp-content/uploads/sites/31/2021/10/DTSC-Fluxx-User-Guide.pdf>



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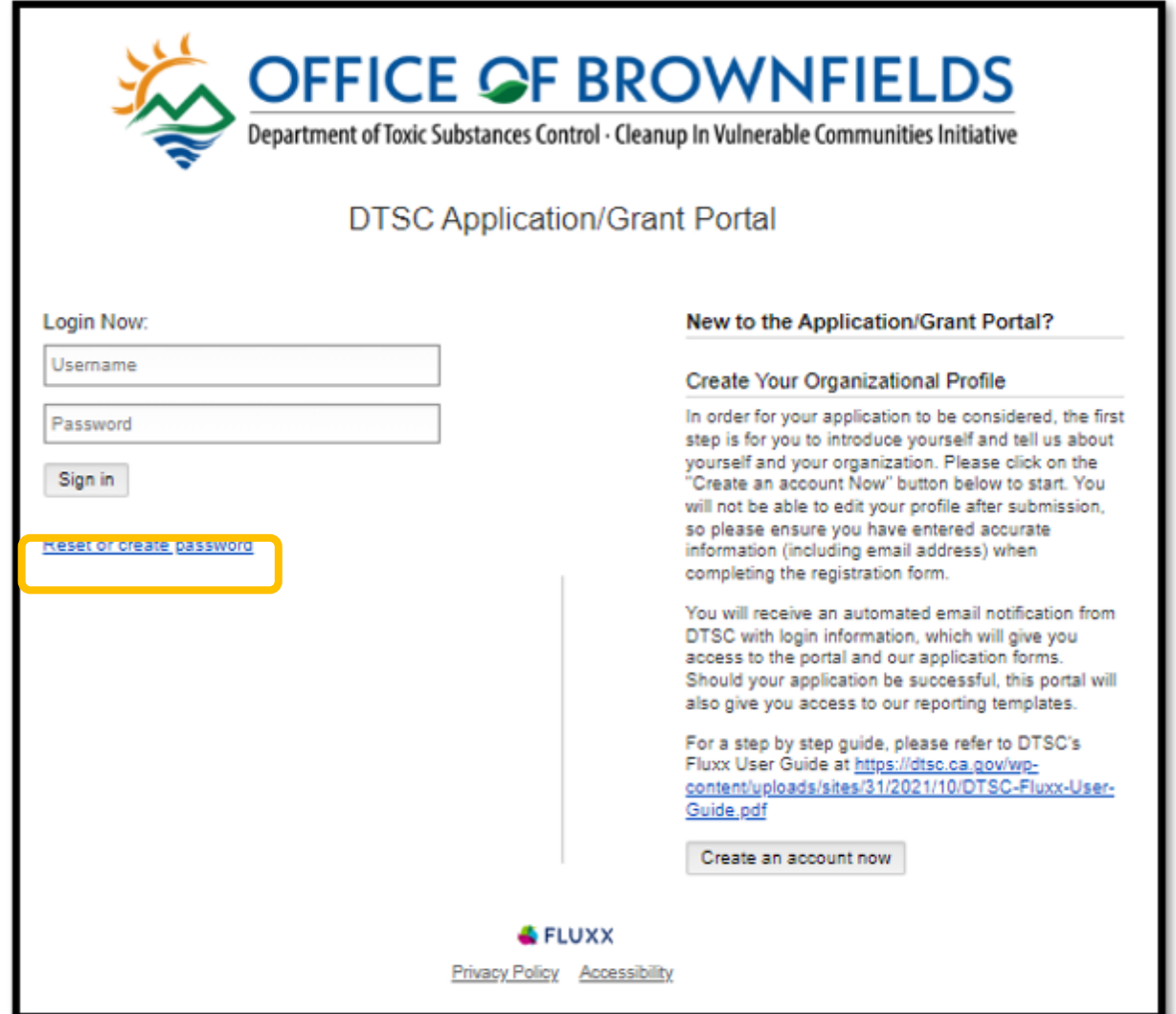
DTSC'S Application Portal

**FLUXX
USER
GUIDE**

**Equitable Community Revitalization Grant
Targeted Site Investigation + Grant
Request for Lead Agency Oversight (Voluntary Agreements)**

Access DTSC's Application/Grant Portal (Fluxx)

- Visit dtsc.fluxx.io to access DTSC's Application Portal.
- Click **Reset or create password** to reset password if needed



The screenshot shows the DTSC Application/Grant Portal login page. At the top left is the DTSC logo, and to its right is the text "OFFICE OF BROWNFIELDS" and "Department of Toxic Substances Control · Cleanup In Vulnerable Communities Initiative". The page title is "DTSC Application/Grant Portal".

On the left side, under "Login Now:", there are two input fields: "Username" and "Password", followed by a "Sign in" button. Below these is a link "Reset or create password" which is highlighted with a yellow box.

On the right side, under "New to the Application/Grant Portal?", there is a section "Create Your Organizational Profile" with the following text: "In order for your application to be considered, the first step is for you to introduce yourself and tell us about yourself and your organization. Please click on the 'Create an account Now' button below to start. You will not be able to edit your profile after submission, so please ensure you have entered accurate information (including email address) when completing the registration form." Below this is a "Create an account now" button.

At the bottom of the page, there is a "FLUXX" logo and two links: "Privacy Policy" and "Accessibility".

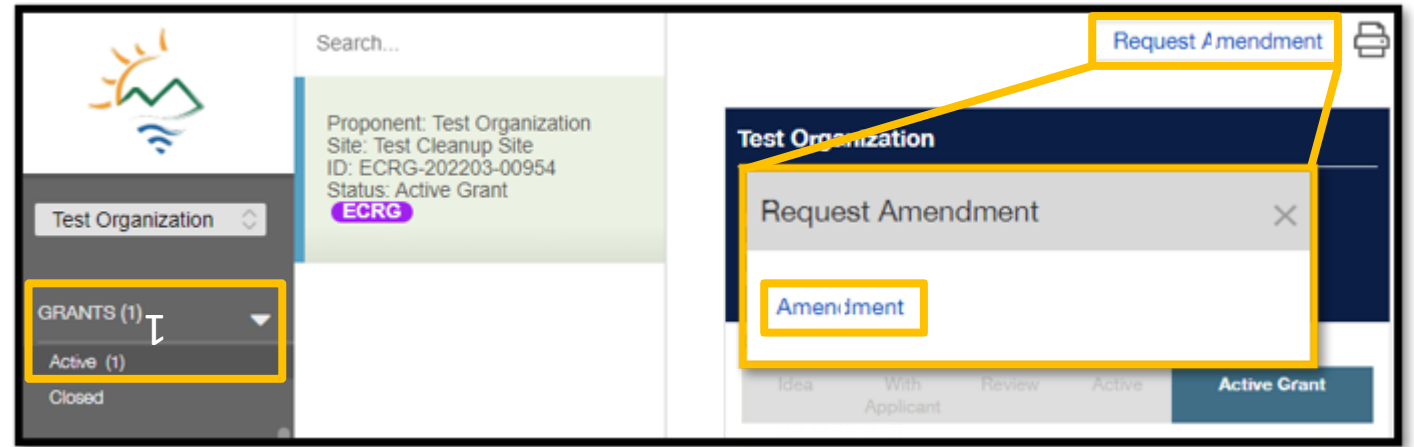
Access Your ECRG Grant Record

- Navigate the Portal using the menu bar on the left side
- Find **Grants** and select **Active** to access the **Grant Record** for which you need an ECRG Agreement Amendment Request

The screenshot shows the ECRG Grant Record portal interface. On the left is a dark grey navigation menu with categories: INFORMATION, REQUESTS (2), SITE (5), GRANTS (1), and REPORTS (6). The 'GRANTS (1)' category is highlighted with a yellow box, and its sub-item 'Active (1)' is also highlighted. The main content area features a search bar at the top, a search results box (highlighted with a yellow border) containing: Proponent: Test Organization, Site: Test Cleanup Site, ID: ECRG-202203-00954, Status: Active Grant, and a purple 'ECRG' tag. Below the search results is a 'Test Organization' section with fields for ID, Oversight, and Brownfield Coordinator. A 'Grant Status' section shows a progress bar with stages: Idea, With Applicant, Review, Active, and Active Grant (highlighted in blue). At the bottom is a 'Status' section with a blue 'Active Grant' button and a 'Table of Contents' list with 15 items, including ECRG Overview, DTSC's Application Portal Tips, and various application details.

Where to Start an ECRG Amendment Request

- Create an ECRG Agreement Amendment Request by clicking the **Request Amendment** button at the top right corner of the **Active Grants** page
 - If you have multiple grants, ensure you have selected the correct grant
- A **dialog box** will appear, click **Amendment** and the Request Amendment form will appear



Saving and Accessing Your ECRG Amendment Request

- To Save your form, at the bottom right-hand corner click either **Save** to save your changes and stay in Edit-mode, or **Save and Close** to exit Edit-mode
- Once you've clicked "Save and Close," you will be able to find your request by :
 - Navigating the Portal using the menu bar on the left side
 - Finding the **Amendments** header and selecting the **Pending Amendments** subcategory
- To continue filling out your request, select the **Pending Amendment** and click **Edit** at the upper left corner

This page is new.

Test Organization

Grant ID: EORG-2024-02188 Amendment ID: 39386628
Status: New < Created: 2024-02-24 06:54:11 -0800

A. Getting Started

Before starting the ECRG Amendment Request:

- Confirm that you meet general eligibility requirements by reviewing the [Amendment Request ECRGenius Powerpoint Presentation](#) or watching the [Webinar recording](#)
- Review the Minimum Percent Spent Table below for your allowable request category
- Confirm the existing grant term end date for your specific ECRGrant

Cancel **Save and Close** Save

Search...

Test Organization
ECRG-202203-00954
Amendment ID: 39386447
Created: February 22, 2024
Status: New

Test Organization
ECRG-2024-02188
Amendment ID: 39386628
Created: February 24, 2024
Status: New

Test Organization

Grant ID: EORG-2024-02188 Amendment ID: 39386628
Status: New < Created: 2024-02-24 08:54:11 -0800

Compliance Warnings

Question 7 Warning: The sum of the new requested amount and your original ECRG Agreement allocation is above the maximum allowable amount of \$3 million for Site-specific Investigation grants (see calculation in Question 7.a.). Amend the new requested amount so that the sum of the new requested amount and your original ECRG Agreement allocation is less than \$7 million to submit this request. Refer to the table at the top of the form for eligibility requirements.

A. Getting Started

Before starting the ECRG Amendment Request:

- Confirm that you meet general eligibility requirements by reviewing the [Amendment Request ECRGenius Powerpoint Presentation](#) or watching the [Webinar recording](#)
- Review the Minimum Percent Spent Table below for your allowable request category
- Confirm the existing grant term end date for your specific ECRGrant

Filling out the Quarterly Expenditure Plan (QEP)

- Navigate to the Quarterly Expenditure Plan
- Carefully read through the instructions in the green box before starting
- To add entries to the table, click the **green plus sign** and a **dialog box** will pop up
- Fill in the **dialog box** and click **Save**

This page is new.

The screenshot displays the 'Quarterly Expenditure Plan' interface. At the top, the title 'Quarterly Expenditure Plan' is shown with a green plus sign icon in the top right corner. Below the title, the following information is displayed: 'Quarter: July 1 - September 30, 2024', 'ECRG Task: Investigation Report', 'Total Funding per Task within a Quarter: \$20,000.', and 'Task Status: Confirmed'. To the right of this information are 'Edit' and 'View' links, each with a minus sign icon. A dialog box titled 'Add a Quarterly Expenditure Plan' is open, containing the instruction 'For each QEP entry, complete the following:'. The dialog box has four input fields: '9.b.1. Quarter' (a dropdown menu), '9.b.2. ECRG Task' (a dropdown menu), '9.b.3. Total Funding per Task within a Quarter' (a text input field), and '9.b.4. Task Status' (a dropdown menu). A 'Save' button is located at the bottom right of the dialog box. A yellow box highlights the plus sign icon in the top right of the main interface and the dialog box, with a line connecting them.

Filling out the Quarterly Expenditure Plan (QEP) (cont.)

- Once an entry has been saved, it will show the information below the Quarterly Expenditure Plan header
 - To **View** or **Edit** the entry, click the corresponding button next to the entry
 - To delete the entry, click the **red minus sign**
- There is also a table view on your entries. To view the table, complete the below:
 - Click Save at the bottom right of the form
 - Click the **carrot icon** next to **Expand to see QEP Details**

This page is new.

Quarterly Expenditure Plan +

Quarter: July 1 - September 30, 2024
ECRG Task: Investigation Report
Total Funding per Task within a Quarter: \$20,000.00
Task Status: Confirmed

Edit | View ⊖

▼ Expand to see QEP Details:

Quarter	ECRG Task	Total Funding per Task within a Quarter	Task Status
July 1 - September 30, 2024	Investigation Report	\$20,000.00	Confirmed

Filling out the Quarterly Expenditure Plan (QEP) (cont.)

This page is new.

- After completing the QEP, click **Save and Close** before continuing to ensure that the calculations in questions 9.c. through 9.g. are properly updated
- Re-enter Edit mode by clicking Edit at the top right of the form
- If any changes are made to the QEP entries, you must Save and Close again, then re-enter Edit mode so that subsequent questions are showing the updated values

▼ Expand to see QEP Details:

Quarter	ECRG Task	Total Funding per Task within a Quarter	Task Status
July 1 - September 30, 2024	Investigation Report	\$20,000.00	Confirmed
October 1 - December 31, 2024	Tribal Engagement	\$20,000.00	Confirmed
July 1 - September 30, 2025	Investigation Report	\$50,000.00	In Progress
January 1 - March 31, 2026	Investigation Report	\$20,000.00	Confirmed
April 1 - June 30, 2024	Investigation Workplan and Fieldwork	\$20,000.00	Confirmed

Cancel Save **Save and Close**

Periodic Compliance Warnings

- There are compliance warnings throughout the form to aide in submitting an eligible request
 - Follow all the instructions carefully, some compliance warnings do not show unless you Save and Close the form
 - Some warnings appear at the top of the page, and some appear as you are filling out the form
- Note that not all eligibility requirements have compliance warnings
 - To ensure your request will be eligible, read all directions carefully and check your answers against the guidelines

This page is new.

Top of Page

Compliance Warnings

⚠ Question 7 Warning: A value outside of the allowable \$20K - \$200K range has been entered as the new requested amount, which is not allowable. Amend the new requested amount to \$20K - \$200K to submit this request. Refer to the table at the top of the form for eligibility requirements.

⚠ Question 7 Warning: The sum of the new requested amount and your original ECRG Agreement allocation is above the maximum allowable amount of \$7 million for Site-specific Cleanup grants (see calculation in Question 7.a.). Amend the new requested amount so that the sum of the new requested amount and your original ECRG Agreement allocation is less than \$7 million to submit this request. Refer to the table at the top of the form for eligibility requirements.

As the Form is Filled Out

The sum of the new requested amount and your original ECRG Agreement allocation is above the maximum allowable amount of \$7 million for Site-specific Cleanup grants (see calculation in Question 7.a.). Amend the new requested amount so that the sum of the new requested amount and your original ECRG Agreement allocation is less than \$7 million to submit this request. Refer to the Minimum Percent Spend table at the top of the form for eligibility requirements.

How are the decisions going to be made?

- Funding decisions are reviewed based on Fluxx submission timestamp for eligible applications
- Requests reviewed for eligibility as they are received
- Approvals:
 - ECRG Agreement Amendment will be processed for signatures
 - ECRG Agreement Amendment must be signed within 10 calendar days of DocuSign generation
- Denials:
 - Issues resulting in a denial determination may be provided a one-time opportunity to resolve
 - Only if funding is available after eligible applications submitted with an earlier time-stamp are approved
 - Only if it is determined that the reason for ineligibility is unclear and has a possible path to resolution
 - Resubmit request within 10 calendar days if the issue can be resolved
 - **Original funding priority will be maintained** for resubmissions within 10 calendar days
 - Resubmission will be reviewed for a final determination one time
 - Determination is final, and there is no appeal process
 - ECRGrantee may submit a new request after 10 calendar days (with new funding priority)
- If submitted simultaneously, original Round 1 ECRG Application scores will be used as a tie-breaker
- DTSC reserves the right to disperse available funds as deemed appropriate

What's the funding situation?

- Currently, ECRG has approximately ~\$10M for amendments
- Funding availability is subject to change at any time
- Total funding cannot exceed maximum amount for grant type

Grant Type	Round 1 Maximum Grant Amount
Community-Wide Assessment	\$ 300,000.00
Site-specific Environmental Investigation	\$ 3,000,000.00
Site-specific Environmental Cleanup	\$ 7,000,000.00

- Requests must align with the minimum percentage spend requirements
- To maximize benefit to the greatest number of ECRGrantees, depending on the number of eligible requests received and funding available, the Office of Brownfields may adjust proposed ECRG Tasks and reduce new requested amounts for funding.

How will my current ECRG Agreement be amended?

- Agreement will be amended to update site, budget and scope
- Agreement will be amended to include relevant information related to approved request
- Minor non-substantive updates such as formatting
- Language related to agreement amendment
- Informational updates
- Specific section additions/changes

How will my current ECRG Agreement be amended?

- 1.5 GRANTEE'S ECRG Application and the Regulatory Oversight Agreement [link to regulatory oversight on Envirostor/Geotracker] are incorporated by reference as if fully set forth herein. GRANTEE agrees to conduct all work funded by the ECRG in accordance with these documents, including any future modifications, amendments, or addenda subsequently approved by DTSC or the regulatory oversight agency.
- 13.2 Any change in ownership of the Site for Site-specific Investigation or Site-specific Cleanup Grants will result in termination of the ECRG unless all of the following requirements are met:
- 13.2.1 ECRG Tasks and commitments are substantively unchanged and GRANTEE obtains DTSC's prior written approval of any non-substantive changes.
- 13.2.2 GRANTEE notifies DTSC sixty (60) calendar days prior to change in ownership and provides to DTSC all information regarding the potential new owner required in the Round 1 ECRG Guidelines and Application, including the Owner Attestation Form.
- 13.2.3 DTSC issues a conditional determination that the new owner (which may be the GRANTEE) meets all Grant eligibility criteria and requirements per the Round 1 ECRG Guidelines.
- 13.2.4 GRANTEE provides a change in ownership notification to DTSC within ten (10) calendar days of new owner taking title along with:
- i. a copy of the new Site Owner's CERCLA defense documentation
 - ii. a signed access agreement between GRANTEE and new Site Owner (if GRANTEE is not the new owner).
- 13.2.5 DTSC issues a final written determination of continued eligibility and compliance to the GRANTEE verifying eligibility and Grant continuance.

**Provisions subject to change until an Amendment is awarded*

How will my current ECRG Agreement be amended?

NONCOMPLIANCE AND TERMINATION* *(continued on next slide)*

- 15.1 In the event GRANTEE fails to comply with any term, condition, or obligation of this AGREEMENT, GRANTEE shall be deemed in noncompliance of this AGREEMENT. Events by which GRANTEE shall be deemed to be in noncompliance include, but are not limited to, the following:
- 15.1.1 GRANTEE fails to timely respond, no later than sixty (60) calendar days, to DTSC requests made in connection with this AGREEMENT or ECRG funding
 - 15.1.2 GRANTEE fails to timely respond, no later than sixty (60) calendar days, to regulatory entities providing oversight for the Site
 - 15.1.3 GRANTEE makes or submits any fraudulent, false or misleading warranty, representation, statement or material in, or in connection with, this AGREEMENT or the ECRG Agreement Amendment Request
 - 15.1.4 GRANTEE fails to provide complete or timely Quarterly Reports. After one untimely or incomplete Quarterly report submission, a Non-Compliance notification will be sent to the grantee. After the second untimely or incomplete quarterly report submission, DTSC may terminate the Agreement and rescind all funding and time extension due to non-performance.
 - 15.1.5 GRANTEE makes changes to the Proposed Reuse without prior review and written approval by DTSC or that cause the Site to no longer meet eligibility criteria for ECRG funding
 - 15.1.6 GRANTEE fails to complete the ECRG Tasks and Activities within the extended funding period required by this AGREEMENT as described in the Quarterly Expenditure Plan.
 - 15.1.7 GRANTEE fails to provide notification of change in Site ownership without the required notification in Section 13, and fails to obtain advance written DTSC approval for continued ECRG eligibility

**Provisions subject to change until an Amendment is awarded*

How will my current ECRG Agreement be amended?

NONCOMPLIANCE AND TERMINATION* *(continued from previous slide)*

15.1.8 GRANTEE fails to inform DTSC of any current conflicts of interest or fails to inform DTSC that a conflict of interest has arisen within seven (7) calendar days of GRANTEE learning of the conflict of interest.

15.1.9 GRANTEE fails to submit the first reimbursement request within one hundred and eighty (180) calendar days of the date of this AGREEMENT

15.1.10 GRANTEE is unable to meet and fully comply with the terms of this AGREEMENT and the ECRG Amendment Application and Guidelines

15.1.11 GRANTEE fails to cooperate with DTSC requests in connection with ECRG funding

15.2 In the event that GRANTEE fails to comply with the terms of this AGREEMENT or the ECRG Amendment Application or Guidelines, DTSC shall provide written Notice of Noncompliance to GRANTEE.

15.2.1 The Notice of Noncompliance shall provide a reasonable time for GRANTEE to respond, not less than ten (10) calendar days from the date of the notice. GRANTEE will cure or request an extension not less than thirty (30) calendar days from Notice of Noncompliance.

15.2.2 If GRANTEE fails to cure the noncompliance to the satisfaction of DTSC within the time period prescribed in the Notice of Noncompliance, DTSC may terminate the AGREEMENT and pursue any remedies available at law or in equity, including reimbursement of the funds DTSC has provided GRANTEE.

**Provisions subject to change until an Amendment is awarded*

How will my current ECRG Agreement be amended?

NONCOMPLIANCE AND TERMINATION* *(continued from previous slide)*

- 15.3 If GRANTEE is in noncompliance, DTSC may immediately withhold from GRANTEE all or any portion of ECRG funding until such time the noncompliance is cured pursuant to this AGREEMENT.
- 15.4 If a GRANTEE is found to be in noncompliance and is not able to cure to DTSC's satisfaction, DTSC may terminate the agreement by sending a Final Determination of Noncompliance to the GRANTEE. In this Final Determination of Noncompliance, DTSC will outline the appeal process, to appeal DTSC's decision. Appeal requests must meet and confer with DTSC within seven (7) calendar days of receiving the Final Determination of Noncompliance and send a written appeal request to DTSC within thirty (30) calendar days of the Final Determination of Noncompliance. The Final Determination of Noncompliance will detail the requirements of the appeal, the appeal process, and associated timelines. DTSC will provide information on the timeline for DTSC's appeal decision.

Other Sections:

- 19.2 Prior written consent will not be granted except in extremely limited circumstances to protect public health and the environment, at DTSC's sole discretion.
26. The obligations of GRANTEE under Sections 3, 6.3, 12, 16, and 18, shall survive the expiration or termination of this AGREEMENT for any reason.

**Provisions subject to change until an Amendment is awarded*

How will I be held accountable for the new commitments?

- Strict quarterly tracking of approved ECRG Task schedule and Quarterly Expenditure Plan
- If commitments are not met:
 - First missed deadline: ECRG Agreement Noncompliance Notice and opportunity for correction
 - Second missed deadline: Possible rescinding of all funding due to nonperformance

Applies to Current balance of ECRG Agreement (reimbursement requests that have been approved for payment) and new requested amount included in Quarter Expenditure Plan

What's next?

- Evaluate your current ECRG project
- Work with your environmental consultant and regulator to develop or update your project plan
- Send in your reimbursement requests early
- Confirm your remaining balance
- Once you have drafted an approach [contact CCLR](#) for assistance
- Make an appointment to discuss your proposal with your Portfolio Manager
- Keep an eye out for the ECRGoodMorning with the application open date
- Apply!

Note: Until the Amendment Guidelines are final, minor changes and adjustments may be made; however, the information needed to prepare an application will generally remain the same

What happens if I don't request an Amendment?

The following steps are required to close out an ECRGrant (ECRG Agreement Section 12. GRANT CLOSETOUT):

- 12.1 GRANTEE shall provide DTSC with a Grant Closeout Notice to notify DTSC when the ECRG Activities have been completed, and no later than the last day of the two-year period covered under the grant award.
- 12.2 Within 60 days of submitting the Grant Closeout Notice, GRANTEE shall submit a closeout report, in the format DTSC provides, to summarize all actions taken, the resources committed, and any significant problems completing the ECRG Activities. The closeout report shall document that the ECRG Activities were performed in accordance with this AGREEMENT and regulatory agency oversight agreement. Closeout report shall include before and after photos of the site.
- 12.3 GRANTEE shall submit a Reuse and Grant Commitments letter report within 60 days following the completion of the Proposed Reuse. The report shall describe the Site's new use, document performance of the Grant Commitments and include before and after photos of the Site.

The final reimbursement request must be submitted no later than 26 months from the date the ECRGrant was awarded

More information to come on this topic from Portfolio Managers

ECRG Who's Who

- Regulatory Agency Project Manager*: Directs all technical decisions for investigations and cleanup
 - DTSC
 - Water Board
 - Local Agency
- Portfolio Manager: Office of Brownfields manager assigned to each ECRGrant for coordination, reimbursements, troubleshooting, and general support
 - Rana Georges – ECRG Portfolio Manager rana.georges@dtsc.ca.gov
 - Sarah Larese – ECRG Portfolio Manager sarah.larese@dtsc.ca.gov
 - Anthony Rosas – ECRG Portfolio Manager Anthony.rosas@dtsc.ca.gov
 - Doris Nguyen – ECRGrant Execution Support Manager doris.nguyen@dtsc.ca.gov
- CCLR: Contracted by Office of Brownfields to provide deep support to ECRGrantees and potential applicants. Schedule a meeting with CCLR through [Calendly](#)
 - Sebastian Harrison – sebastian.harrison@cclr.org
 - Janet Naito – janet.naito@cclr.org
 - Jim Bergdoll – Jim.Bergdoll@cclr.org
 - Ignacio Dayrit – ignacio.dayrit@cclr.org

* Not required for CWAs