

AMENDED IN ASSEMBLY AUGUST 5, 2013

AMENDED IN SENATE MAY 8, 2013

AMENDED IN SENATE APRIL 9, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 470

Introduced by Senator Wright

February 21, 2013

An act to add Part 4 (commencing with Section 52200) to Division 1 of Title 5 of the Government Code, and to amend Sections 33459, 33459.1, 33459.3, and 33459.8 of the Health and Safety Code, relating to community development.

LEGISLATIVE COUNSEL'S DIGEST

SB 470, as amended, Wright. Community development: economic opportunity.

Existing law generally regulates the power of cities, counties, and cities and counties.

This bill would state the intent of the Legislature to promote economic development on a local level so that communities can enact local strategies to increase jobs, create economic opportunity, and generate tax revenue for all levels of government. The bill would define economic opportunity to include certain types of agreements, purposes, and projects, and declare that it is the policy of the state to protect and promote the sound development of economic opportunity in cities and counties, and the general welfare of the inhabitants of those communities through the employment of all appropriate means.

The bill would state that the creation of economic opportunity and the provisions for appropriate continuing land use and construction

policies with respect to property acquired, in whole or in part, for economic opportunity constitute public uses and purposes for which public money may be advanced or expended and private property acquired. The bill would provide that before certain returned city, county, or city and county property is sold or leased for development, the sale or lease shall first be approved by the legislative body, as specified. The bill would authorize a city, county, or city and county to establish a program under which it loans funds to owners or tenants for the purpose of rehabilitating commercial buildings or structures and to assist with the financing of facilities or capital equipment as part of an agreement that provides for the development or rehabilitation of property that will be used for industrial or manufacturing purposes, as specified.

Existing law, the Polanco Redevelopment Act, authorizes a former redevelopment agency to take any action that the agency determines is necessary, consistent with other state and federal laws, to remedy or remove a release of hazardous substances on, under, or from a project area, subject to specified conditions. Existing law requires agencies to request cleanup guidelines from the department or the California regional water quality control board before taking action to remedy or remove a release, immunizes an agency that remedies or removes a hazardous substance release from liability under specified state laws, and authorizes the recovery of cleanup and remedial costs from the liable party.

This bill would revise the definition of agency as used in the Polanco Redevelopment Act to include a city, county, or city and county, and authorize a city, county, or city and county to exercise authority under these provisions to remedy or remove the release of hazardous substances from property within its jurisdiction that previously was within the jurisdiction of a former redevelopment agency, consistent with state and federal laws, as specified. The bill would also make other conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Part 4 (commencing with Section 52200) is added
- 2 to Division 1 of Title 5 of the Government Code, to read:

1 PART 4. ECONOMIC OPPORTUNITY

2
3 CHAPTER 1. GENERAL PROVISIONS

4
5 52200. It is the intent of the Legislature to do all of the
6 following:

7 (a) Promote economic development on a local level so that
8 communities can enact local strategies to increase jobs, create
9 economic opportunity, and generate tax revenue for all levels of
10 government.

11 (b) Give local governments tools, at no cost to the state, that
12 allow local governments to use their funds in a manner that
13 promotes economic opportunity.

14 (c) With the loss of redevelopment funds, cities, counties, and
15 cities and counties need to continue certain powers afforded to
16 redevelopment agencies that were critical to economic
17 development, yet do not have an impact on schools and the state
18 budget.

19 52200.2. As used in this part “economic opportunity” means
20 any of the following:

21 (a) Development agreements or other agreements that create,
22 retain, or expand new jobs, in which the legislative body finds that
23 the agreement will create or retain at least one full-time equivalent,
24 permanent job for every thirty-five thousand dollars (\$35,000) of
25 city, county, or city and county investment in the project after full
26 capacity and implementation.

27 (b) Development agreements that increase property tax revenues
28 to all property tax collecting entities, in which the legislative body
29 finds that the agreement will result in an increase of at least 15
30 percent of total property tax resulting from the project at full
31 implementation when compared to the year prior to the property
32 being acquired by the government entity.

33 (c) Creation of affordable housing, if a demonstrated affordable
34 housing need exists in the community, as defined in the approved
35 housing element or regional housing needs assessment.

36 (d) Projects that meet the goals set forth in Chapter 728 of the
37 Statutes of 2008 and have been included in an adopted sustainable
38 communities strategy or alternative planning strategy or a project
39 that specifically implements the goals of those adopted plans.

1 (e) Transit priority projects, as defined in Section 21155 of the
2 Public Resources Code.

3 52200.4. It is declared to be the policy of the state:

4 (a) To protect and promote the sound development of economic
5 opportunity in cities and counties and the general welfare of the
6 inhabitants of those communities through the employment of all
7 appropriate means.

8 (b) That whenever the creation of economic opportunity in cities
9 and counties cannot be accomplished by private enterprise alone,
10 without public participation and assistance in the acquisition of
11 land, in planning and in the financing of land assembly, in the
12 work of clearance, and in the making of improvements necessary
13 therefor, it is in the public interest to advance or expend public
14 funds for these purposes, and to provide a means by which
15 economic opportunity can be created.

16 (c) That the creation of economic opportunity and the provisions
17 for appropriate continuing land use and construction policies with
18 respect to property acquired, in whole or in part, for economic
19 opportunity constitute public uses and purposes for which public
20 money may be advanced or expended and private property
21 acquired, and are governmental functions of state concern in the
22 interest of health, safety, and welfare of the people of the state and
23 cities and counties.

24 (d) That the necessity in the public interest for the provisions
25 of this part is declared to be a matter of legislative determination.

26 52200.6. This chapter shall not be interpreted to authorize the
27 use of eminent domain for economic development purposes.

28

29

CHAPTER 2. SALES AND LEASES

30

31 52201. (a) (1) Before any city, county, or city and county
32 property that is returned to the city, county, or city and county per
33 the long-range property management plan, pursuant to Section
34 34191.5 of the Health and Safety Code, is sold or leased for
35 economic development purposes, the sale or lease shall first be
36 approved by the legislative body by resolution after public hearing.
37 Notice of the time and place of the hearing shall be published in
38 a newspaper of general circulation in the community at least once
39 per week for at least two successive weeks, as specified in Section
40 6066, prior to the hearing.

1 (2) The city, county, or city and county shall make available,
2 for public inspection and copying at a cost not to exceed the cost
3 of duplication, a report no later than the time of publication of the
4 first notice of the hearing mandated by this section. This report
5 shall contain both of the following:

6 (A) A copy of the proposed sale or lease.

7 (B) A summary that describes and specifies all of the following:

8 (i) The cost of the agreement to the city, county, or city and
9 county, including land acquisition costs, clearance costs, relocation
10 costs, the costs of any improvements to be provided by the city,
11 county, or city and county, plus the expected interest on any loans
12 or bonds to finance the agreements.

13 (ii) The estimated value of the interest to be conveyed or leased,
14 determined at the highest and best uses permitted under the general
15 plan or zoning.

16 (iii) The estimated value of the interest to be conveyed or leased,
17 determined at the use and with the conditions, covenants, and
18 development costs required by the sale or lease. The purchase price
19 or present value of the lease payments which the lessor will be
20 required to make during the term of the lease. If the sale price or
21 total rental amount is less than the fair market value of the interest
22 to be conveyed or leased, determined at the highest and best use,
23 then the city, county, or city and county shall provide as part of
24 the summary an explanation of the reasons for the difference.

25 (iv) An explanation of why the sale or lease of the property will
26 assist in the creation of economic opportunity, with reference to
27 all supporting facts and materials relied upon in making this
28 explanation.

29 ~~(v) The report shall be made available to the public no later than~~
30 ~~the time of publication of the first notice of the hearing mandated~~
31 ~~by this section.~~

32 (b) The resolution approving the lease or sale shall be adopted
33 by a majority vote unless the legislative body has provided by
34 ordinance for a two-thirds vote for that purpose and shall contain
35 a finding that the sale or lease of the property will assist in the
36 creation of economic opportunity. The resolution shall also contain
37 one of the following findings:

38 (1) The consideration is not less than the fair market value at
39 its highest and best use.

1 (2) The consideration is not less than the fair reuse value at the
2 use and with the covenants and conditions and development costs
3 authorized by the sale or lease.

4 (c) The provisions of this section are an alternative to any other
5 authority granted by law to cities to dispose of city-owned property.

6 52202. A city, county, or city and county may establish a
7 program under which it loans funds to owners or tenants for the
8 purpose of rehabilitating commercial buildings or structures.

9 52203. (a) As part of an agreement that provides for the
10 development or rehabilitation of property that will be used for
11 industrial or manufacturing purposes, a city, county, or city and
12 county may assist with the financing of facilities or capital
13 equipment, including, but not necessarily limited to, pollution
14 control devices.

15 (b) Prior to entering into an agreement for a development that
16 will be assisted pursuant to this section, a city, county, or city and
17 county shall find, after a public hearing, that the assistance is
18 necessary for the economic feasibility of the development and that
19 the assistance cannot be obtained on economically feasible terms
20 in the private market.

21 SEC. 2. Section 33459 of the Health and Safety Code is
22 amended to read:

23 33459. For purposes of this article, the following terms shall
24 have the following meanings:

25 (a) "Agency" includes a former redevelopment agency as
26 defined in Section 33003 and a city, county, or city and county.

27 (b) "Department" means the Department of Toxic Substances
28 Control.

29 (c) "Director" means the Director of Toxic Substances Control.

30 (d) "Hazardous substance" means any hazardous substance as
31 defined in subdivision (h) of Section 25281, and any reference to
32 hazardous substance in the definitions referenced in this section
33 shall be deemed to refer to hazardous substance, as defined in this
34 subdivision.

35 (e) "Local agency" means a single local agency that is one of
36 the following:

37 (1) A local agency authorized pursuant to Section 25283 to
38 implement Chapter 6.7 (commencing with Section 25280) of, and
39 Chapter 6.75 (commencing with Section 25299.10) of, Division
40 20.

1 (2) A local officer who is authorized pursuant to Section 101087
2 to supervise a remedial action.

3 (f) “Qualified independent contractor” means an independent
4 contractor who is any of the following:

5 (1) An engineering geologist who is certified pursuant to Section
6 7842 of the Business and Professions Code.

7 (2) A geologist who is registered pursuant to Section 7850 of
8 the Business and Professions Code.

9 (3) A civil engineer who is registered pursuant to Section 6762
10 of the Business and Professions Code.

11 (g) “Release” means any release, as defined in Section 25320.

12 (h) “Remedy” or “remove” means any action to assess, evaluate,
13 investigate, monitor, remove, correct, clean up, or abate a release
14 of a hazardous substance or to develop plans for those actions.
15 “Remedy” includes any action set forth in Section 25322 and
16 “remove” includes any action set forth in Section 25323.

17 (i) “Responsible party” means any person described in
18 subdivision (a) of Section 25323.5 of this code or subdivision (a)
19 of Section 13304 of the Water Code.

20 SEC. 3. Section 33459.1 of the Health and Safety Code is
21 amended to read:

22 33459.1. (a) (1) An agency may take any actions that the
23 agency determines are necessary and that are consistent with other
24 state and federal laws to remedy or remove a release of hazardous
25 substances on, under, or from property within a project area or
26 property within its jurisdiction that previously was within the
27 jurisdiction of a former redevelopment agency, whether the agency
28 owns that property or not, subject to the conditions specified in
29 subdivision (b). Unless an administering agency has been
30 designated under Section 25262, the agency shall request cleanup
31 guidelines from the department or the California regional water
32 quality control board before taking action to remedy or remove a
33 release. The department or the California regional water quality
34 control board shall respond to the agency’s request to provide
35 cleanup guidelines within a reasonable period of time. The agency
36 shall thereafter submit for approval a cleanup or remedial action
37 plan to the department or the California regional water quality
38 control board before taking action to remedy or remove a release.
39 The department or the California regional water quality control

1 board shall respond to the agency’s request for approval of a
2 cleanup or remedial action plan within a reasonable period of time.
3 (2) The agency shall provide the department and local health
4 and building departments, the California regional water quality
5 control board, with notification of any cleanup activity pursuant
6 to this section at least 30 days before the commencement of the
7 activity. If an action taken by an agency or a responsible party to
8 remedy or remove a release of a hazardous substance does not
9 meet, or is not consistent with, a remedial action plan or cleanup
10 plan approved by the department or the California regional water
11 quality control board, the department or the California regional
12 water quality control board that approved the cleanup or remedial
13 action plan may require the agency to take, or cause the taking of,
14 additional action to remedy or remove the release, as provided by
15 applicable law. If an administering agency for the site has been
16 designated under Section 25262, any requirement for additional
17 action may be imposed only as provided in Sections 25263 and
18 25265. If methane or landfill gas is present, the agency shall obtain
19 written approval from the California Integrated Waste Management
20 Board prior to taking that action.

21 (b) Except as provided in subdivision (c), an agency may take
22 the actions specified in subdivision (a) only under one of the
23 following conditions:

24 (1) There is no responsible party for the release identified by
25 the agency.

26 (2) A party determined by the agency to be a responsible party
27 for the release has been notified by the agency or has received
28 adequate notice from the department, a California regional water
29 quality control board, the Environmental Protection Agency, or
30 other governmental agency with relevant authority and has been
31 given 60 days to respond and to propose a remedial action plan
32 and schedule, and the responsible party has not agreed within an
33 additional 60 days to implement a plan and schedule to remedy or
34 remove the release that is acceptable to the agency and that has
35 been found by the agency to be consistent, to the maximum extent
36 possible, with the priorities, guidelines, criteria, and regulations
37 contained in the National Contingency Plan and published pursuant
38 to Section 9605 of Title 42 of the United States Code for similar
39 releases, situations, or events.

1 (3) The party determined by the agency to be the responsible
2 party for the hazardous substance release entered into an agreement
3 with the agency to prepare a remedial action plan for approval by
4 the department, the California regional water quality control board,
5 or the appropriate local agency and to implement the remedial
6 action plan in accordance with an agreed schedule, but failed to
7 prepare the remedial action plan, failed to implement the remedial
8 action plan in accordance with the agreed schedule, or otherwise
9 failed to carry out the remedial action in an appropriate and timely
10 manner. Any action taken by the agency pursuant to this paragraph
11 shall be consistent with any agreement between the agency and
12 the responsible party and with the requirements of the state or local
13 agency that approved or will approve the remedial action plan and
14 is overseeing or will oversee the preparation and implementation
15 of the remedial action plan.

16 (c) Subdivision (b) does not apply to either of the following
17 agencies:

18 (1) An agency taking actions to investigate or conduct feasibility
19 studies concerning a release.

20 (2) An agency taking the actions specified in subdivision (a) if
21 the agency determines that conditions require immediate action.

22 (d) An agency may designate a local agency in lieu of the
23 department or the California regional water quality control board
24 to review and approve a cleanup or remedial action plan and to
25 oversee the remediation or removal of hazardous substances from
26 a specific hazardous substance release site in accordance with the
27 following conditions:

28 (1) The local agency may be so designated if it is designated as
29 the administering agency under Section 25262. In that event, the
30 local agency, as the administering agency, shall conduct the
31 oversight of the remedial action in accordance with Chapter 6.65
32 (commencing with Section 25260) and all provisions of that chapter
33 shall apply to the remedial action.

34 (2) The local agency may be so designated if cleanup guidelines
35 were requested from a California regional water quality control
36 board, and the site is an underground storage tank site subject to
37 Chapter 6.7 (commencing with Section 25280) of Division 20, the
38 local agency has been certified as a certified unified program
39 agency pursuant to Section 25404.1, the State Water Resources
40 Control Board has entered into an agreement with the local agency

1 for oversight of those sites pursuant to Section 25297.1, the local
2 agency determines that the site is within the guidelines and
3 protocols established in, and pursuant to, that agreement, and the
4 local agency consents to the designation.

5 (3) A local agency may not consent to the designation by an
6 agency unless the local agency determines that it has adequate
7 staff resources and the requisite technical expertise and capabilities
8 available to adequately supervise the remedial action.

9 (4) (A) Where a local agency has been designated pursuant to
10 paragraph (2), the department or a California regional water quality
11 control board may require that a local agency withdraw from the
12 designation, after providing the agency with adequate notice, if
13 both of the following conditions are met:

14 (i) The department or a California regional water quality control
15 board determines that an agency's designation of a local agency
16 was not consistent with paragraph (2), or makes one of the findings
17 specified in subdivision (d) of Section 101480.

18 (ii) The department or a California regional water quality control
19 board determines that it has adequate staff resources and
20 capabilities available to adequately supervise the remedial action,
21 and assumes that responsibility.

22 (B) Nothing in this paragraph prevents a California regional
23 water quality control board from taking any action pursuant to
24 Division 7 (commencing with Section 13000) of the Water Code.

25 (5) Where a local agency has been designated pursuant to
26 paragraph (2), the local agency may, after providing the agency
27 with adequate notice, withdraw from its designation after making
28 one of the findings specified in subdivision (d) of Section 101480.

29 (e) To facilitate redevelopment planning, the agency may require
30 the owner or operator of any site within a project area or its
31 jurisdiction to provide the agency with all existing environmental
32 information pertaining to the site, including the results of any Phase
33 I or subsequent environmental assessment, as defined in Section
34 25200.14, any assessment conducted pursuant to an order from,
35 or agreement with, any federal, state or local agency, and any other
36 environmental assessment information, except that which is
37 determined to be privileged. The person requested to furnish the
38 information shall be required only to furnish that information as
39 may be within their possession or control, including actual
40 knowledge of information within the possession or control of any

1 other party. If environmental assessment information is not
2 available, the agency may require the owner of the property to
3 conduct an assessment in accordance with standard real estate
4 practices for conducting phase I or phase II environmental
5 assessments.

6 SEC. 4. Section 33459.3 of the Health and Safety Code is
7 amended to read:

8 33459.3. (a) Notwithstanding any other provision of law,
9 except as provided in Section 33459.7, an agency that undertakes
10 and completes an action, or causes another person to undertake
11 and complete an action pursuant to Section 33459.1, as specified
12 in subdivision (c), to remedy or remove a hazardous substance
13 release on, under, or from property within a redevelopment project,
14 in accordance with a cleanup or remedial action plan prepared by
15 a qualified independent contractor and approved by the department
16 or a California regional water quality control board or the local
17 agency, as appropriate, pursuant to subdivision (b), is not liable,
18 with respect to that release only, under Division 7 (commencing
19 with Section 13000) of the Water Code or Chapter 6.5
20 (commencing with Section 25100), Chapter 6.7 (commencing with
21 Section 25280), Chapter 6.75 (commencing with Section
22 25299.10), or Chapter 6.8 (commencing with Section 25300), of
23 Division 20 of this code, or any other state or local law providing
24 liability for remedial or removal actions for releases of hazardous
25 substances. If the remedial action was also performed pursuant to
26 Chapter 6.65 (commencing with Section 25260) of Division 20,
27 and a certificate of completion is issued pursuant to subdivision
28 (b) of Section 25264, the immunity from agency action provided
29 by the certificate of completion, as specified in subdivision (c) of
30 Section 25264, shall apply to the agency, in addition to the
31 immunity conferred by this section. In the case of a remedial action
32 performed pursuant to Chapter 6.65 (commencing with Section
33 25260) of Division 20, and for which the administering agency is
34 a local agency, the limitations on the certificate of completion set
35 forth in paragraphs (1) to (6), inclusive, of subdivision (c) of
36 Section 25264 are limits on any immunity provided for by this
37 section and subdivision (c) of Section 25264.

38 (b) Upon approval of any cleanup or remedial action plan,
39 pursuant to applicable statutes and regulations, the director or the
40 California regional water quality control board or the local agency,

1 as appropriate, shall acknowledge, in writing, within 60 days of
2 the date of approval, that upon proper completion of the remedial
3 or removal action in accordance with the plan, the immunity
4 provided by this section shall apply to the agency.

5 (c) Notwithstanding any provision of law or policy providing
6 for certification by a person conducting a remedial or removal
7 action that the action has been properly completed, a determination
8 that a remedial or removal action has been properly completed
9 pursuant to this section shall be made only upon the affirmative
10 approval of the director or the California regional water quality
11 control board or the local agency, as appropriate. The department,
12 California regional water quality control board, or local agency,
13 as appropriate, shall, within 60 days of the date it finds that a
14 remedial action has been completed, notify the agency in writing
15 that the immunity provided by this section is in effect.

16 (d) The approval of a cleanup or remedial action plan under this
17 section by a local agency shall also be subject to the concurrent
18 approval of the department or a California regional water quality
19 control board when the agency receiving the approval was formed
20 by the same entity of which the local agency is a part.

21 (e) Upon proper completion of a remedial or removal action,
22 as specified in subdivision (c), the immunity from agency action
23 provided by the certificate of completion provided pursuant to
24 subdivision (c) of Section 25264 and the immunity provided by
25 this section extends to all of the following, but only for the release
26 or releases specifically identified in the approved cleanup or
27 remedial action plan and not for any subsequent release or any
28 release not specifically identified in the approved cleanup or
29 remedial action plan:

30 (1) Any employee or agent of the agency, including an
31 instrumentality of the agency authorized to exercise some, or all,
32 of the powers of an agency within, or for the benefit of, a
33 redevelopment project or its jurisdiction and any employee or agent
34 of the instrumentality.

35 (2) Any person who enters into an agreement with an agency
36 for the redevelopment of property, if the agreement requires the
37 person to acquire property affected by a hazardous substance
38 release or to remove or remedy a hazardous substance release with
39 respect to that property.

1 (3) Any person who acquires the property after a person has
2 entered into an agreement with an agency for redevelopment of
3 the property as described in paragraph (2).

4 (4) Any person who provided financing to a person specified
5 in paragraph (2) or (3).

6 (f) Notwithstanding any other provision of law, the immunity
7 provided by this section does not extend to any of the following:

8 (1) Any person who was a responsible party for the release
9 before entering into an agreement, acquiring property, or providing
10 financing, as specified in subdivision (e).

11 (2) Any person specified in subdivision (a) or (e) for any
12 subsequent release of a hazardous substance or any release of a
13 hazardous substance not specifically identified in the approved
14 cleanup or remedial action plan.

15 (3) Any contractor who prepares the cleanup or remedial action
16 plan, or conducts the removal or remedial action.

17 (4) Any person who obtains an approval, as specified in
18 subdivision (b), or a determination, as specified in subdivision (c),
19 by fraud, negligent or intentional nondisclosure, or
20 misrepresentation, and any person who knows before the approval
21 or determination is obtained or before the person enters into an
22 agreement, acquires the property or provides financing, as specified
23 in subdivision (e), that the approval or determination was obtained
24 by these means.

25 (g) The immunity provided by this section is in addition to any
26 other immunity of an agency provided by law.

27 (h) This section does not impair any cause of action by an
28 agency or any other party against the person, firm, or entity
29 responsible for the hazardous substance release which is the subject
30 of the removal or remedial action taken by the agency or other
31 person immune from liability pursuant to this section.

32 (i) This section does not apply to, or limit, alter, or restrict, any
33 action for personal injury, property damage, or wrongful death.

34 (j) This section does not limit liability of a person described in
35 paragraph (3) or (4) of subdivision (e) for damages under the
36 Comprehensive Environmental Response, Compensation, and
37 Liability Act of 1980, as amended (42 U.S.C. Sec. 9601 et seq.).

38 (k) This section does not establish, limit, or affect the liability
39 of an agency for any release of a hazardous substance that is not

1 investigated or remediated pursuant to this section or Chapter 6.65
2 (commencing with Section 25260) of Division 20.

3 (l) The immunity provided for by this section is only conferred
4 if both of the following apply:

5 (1) The action is in accordance with a cleanup or remedial action
6 plan prepared by a qualified independent contractor and approved
7 by the department or a California regional water quality control
8 board or the local agency, as appropriate, pursuant to subdivision
9 (b).

10 (2) The remedial or removal action is undertaken and properly
11 completed, as specified in subdivision (c).

12 (m) The agency shall reimburse the department, the California
13 regional water quality control board, and the local agency for costs
14 incurred in reviewing or approving cleanup or remedial action
15 plans pursuant to this section.

16 SEC. 5. Section 33459.8 of the Health and Safety Code is
17 amended to read:

18 33459.8. If an agency undertakes any action to remedy or
19 remove a release of hazardous substances on, under, or from
20 property within a project area or property within its jurisdiction
21 that previously was within the jurisdiction of a former
22 redevelopment agency, the agency shall, if it is required to have
23 a redevelopment plan, amend its redevelopment plan and follow
24 the same procedure, as specified, and the legislative body is subject
25 to the same restrictions as provided for in Article 4 (commencing
26 with Section 33330), for the adoption of a redevelopment plan, if
27 the agency determines that as a result of the remedial or removal
28 action, it will also be taking any of the following actions:

- 29 (a) Proposing to add new territory to a project area.
- 30 (b) Increasing either the limitation on the amount of funds to
31 be allocated to the agency or the time limit on the establishing of
32 loans, advances, and indebtedness established pursuant to
33 subdivisions (1) and (2) of Section 33333.2.
- 34 (c) Lengthening the period during which the redevelopment
35 plan is effective.
- 36 (d) Merging project areas.
- 37 (e) Adding significant additional capital improvement projects.

O