

Guidance Document for Applying to the Saskatchewan Impacted Sites Fund

Introduction

Section 90 of *The Environmental Management and Protection Act, 2010* (EMPA), established the Impacted Sites Fund. Fines for environmental infractions in accordance with Section 84 of EMPA, administration penalties imposed in accordance with Section 88 of EMPA and monies acquired through gift, donation, grant or bequest, or appropriated by the Legislature for the purposes of the Fund are now directed to the Fund. Through the establishment of a framework for accepting and processing applications, the Ministry of Environment will develop an inventory of potential orphaned, environmentally impacted sites eligible for funding, and be in a position to effectively fund these projects as resources become available.

Orphaned, environmentally impacted sites are defined in Section 15 of *The Environmental Management and Protection (General) Regulations* (the Regulations) as an area of land onto which, or water into which, a substance that is causing an adverse effect has been discharged. Eligibility for funding requires that the responsible party is either financially insolvent or untraceable. In circumstances where municipalities take possession of an environmentally impacted site as a result of the responsible person being in tax arrears, Section 12(3)(a) of EMPA states that municipalities are not considered to be responsible for the site.

Under the Impacted Sites Fund, municipalities are able to apply for funding to voluntarily clean up environmentally impacted sites in their possession, even though they are not considered to be the responsible party and are not liable for the environmental impacts incurred. Municipal governments and organizations partnered with municipalities may assume title of orphaned sites and apply for funding to assist with the payment of corrective actions.

Eligible applicants for funding include all municipal governments and their partners in eligible projects. Within the application, it must demonstrate that the municipal government is the champion of the project. Municipal government applicants include:

1. cities;
2. towns;
3. urban and rural municipalities;
4. northern municipalities;
5. hamlets;
6. villages;
7. regions; or
8. local boards of a municipal government authority identified from 1 through 6.

Application process and timelines

Proponents seeking funds to reclaim, restore and remedy an orphaned site must submit an application through the Saskatchewan Ministry of Environment's online portal. Applications will be accepted on a continuous basis. However, applications must be received prior to December 31 to be considered for funding during the upcoming fiscal year (April 1 – March 31). All-applications received after December 31 will automatically be considered during the next funding period. Funding decisions will be made annually in April.

Once the ministry receives a completed application, it will be screened to determine if the orphaned site meets the eligibility requirements. More information will be requested if the application is not complete. Applicants who are eligible to have an Environmental Site Assessment (ESA) funded for the orphaned site will be notified of the funds available (refer to Section G for information on eligibility). Applications that were considered eligible, but did not receive funding, will be automatically considered for future funding periods and do not require an application to be resubmitted, unless information on the application has changed.

While applicants may be eligible for the Impacted Sites Fund, decisions on funding for corrective actions will not be made until an ESA and National Classification System for Contaminated Sites (NCSCS) worksheet have been submitted, assessed and scored. An ESA shall be prepared by a qualified person as defined by *The Saskatchewan Environmental Code* (the Code) and Section 3 of the Regulations. Submission of an application for funding does not commit a municipality to any requirements or deadlines for completing the corrective actions; however, acceptance of any funding may have conditions about timelines for completing the work as proposed in the application submission.

Evaluation and scoring system

All funding applications received by the ministry shall be evaluated and prioritized to determine potential funding. Prioritization and selection of orphaned sites for the Fund will be determined by the Minister of Environment based on the following evaluation criteria.

Evaluation Criteria	Points
NCSCS score	Total 100 Points
Social considerations	Total 15 Points
Economic considerations	Total 15 Points
Strategic priority considerations	Total 15 Points

Your project will be assessed using an A to D scoring system for the social, economic, government and municipal strategic priority considerations (further detail is provided in Section E of the application). Financial health of the applicant and demonstrated ability to manage and implement the project successfully, as outlined in Sections D and E of the application, will also be considered.

Funding prioritization

Funding is to be provided, in whole or in part, for corrective actions to reclaim, restore and remedy the orphaned site(s) that are the highest priority for action. An approved project list will be updated annually in April, indicating which orphaned site(s) will receive funding and the amount they are eligible to receive. If an applicant chooses not to use monies from the Fund within that year, the next highest priority orphaned site will be added to the approved project list.

Funding allocation

The amount of funding provided will be based on the application's NCSCS score.

- **Up to 100 per cent** of corrective action expenses will be provided to orphaned sites with an NCSCS score of **70 or greater**.
- **Up to 75 per cent** of corrective action expenses will be provided to applicants with an NCSCS score between **50 and 69.9**.
- **Up to 50 per cent** of corrective action expenses will be provided to applicants with an NCSCS score between **37 and 49.9**.
- **Up to 25 per cent** of corrective action expenses, will be available to applications with an NCSCS score **below 37**.

Prioritization of funding will occur in each NCSCS score bracket. Funds will be allocated first to applications falling into the 70 or greater NCSCS score bracket and then proceeding in a descending order. This ensures applications with the greatest risk to human and ecological health are prioritized first. Economic, social, government and municipal strategic priority considerations will aid in ranking those projects within each NCSCS score bracket that can most benefit from funding.

Example:

- application A has an NCSCS score of 55 and a total score of 30 for economic, social, government and municipal strategic priority considerations (total score of 85).
- application B has an NCSCS score of 50 and a total score of 40 for economic, social, government and municipal strategic priority considerations (total score of 90).
- application C has an NCSCS score of 45 and a total score of 45 for economic, social, government and municipal strategic priority considerations (total score of 90).

Applications A and B have NCSCS scores between 50 and 69.9, making them eligible for up to 75 per cent of corrective action expenses funding. However, application B has a higher total score, so application B would be prioritized to receive funding before application A.

Application C has the same score as application B, but falls into the 37 to 49.9 NCSCS score bracket. As application C's NCSCS score falls into a lower bracket, it would be prioritized for funding after applications A and B.

Applicants may apply for funding for the purpose of completing an ESA and generating the NCSCS score. Applicants should provide as much information as possible in the application about the history of the site, and why the applicant believes the site may be impacted and an ESA should be conducted.

Applicants applying for funding to conduct corrective actions to remediate an orphaned impacted site should include the ESA, NCSCS score and supporting worksheet to assist with the classification of the environmental risk of the site.

Expenses eligible for funding

Expenses that are eligible for funding under the Fund must be:

- incurred after the date of application submission or undertaken up to 90 days prior to application submission to the ministry (e.g. consulting services);
- invoiced directly to the applicant;
- reasonably aligned with applicable industry standards; and
- include documentation (e.g. invoices).

Application form structure

Section A – Applicant Information	Identifies applicant organization type and contact information, partnership information and primary contact information.
Section B – Insolvency Verification	Collects information used by the ministry to verify the site is orphaned.
Section C – Site Information	Collects site-specific information on the orphaned site.
Section D – Financial Health of Applicant	An opportunity to provide rationale on why funding is required and information on whether the applicant can fully or partially fund corrective actions independent of this funding.
Section E – Project Overview	Collects information on the proposed project, including cost and alternatives to the project. Also collects information regarding the applicant’s project team and its ability to successfully manage and implement the proposed project.
Section F – Project Benefits	Identifies the economic, social, government and municipal benefits of reclaiming, restoring and remedying the site.
Section G – Eligibility for ESA Funding	Reviews the criteria used in determining whether the applicant qualifies to have an Environmental Site Assessment funded and collects additional information as required.