

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
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December 4, 2003

Mr. Don West
Environmental Management Support, Inc.
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910

Subject: EPA Brownfields Revolving Loan Fund Grant Application

Dear Mr. West:

The Wisconsin Brownfields Coalition is applying for \$4 million to create a Brownfields Revolving Loan Fund (RLF). The Wisconsin Brownfields Coalition (WBC) members are the Wisconsin Departments of Administration (DOA), Commerce and Natural Resources (DNR). The local government members are 8 of the 9 Regional Planning Commissions (RPCs), including 5 tribal members of one RPC, covering 55 of the 72 counties in the state. The WBC's "Ready for Reuse: Leave No Brownfields Behind" initiative is reflective of the critical need for clean-up dollars to move the estimated 10,000 brownfields properties to the redevelopment stage in Wisconsin.

The state members will administer the RLF, with DNR as the cooperative agreement recipient. Commerce would lend its expertise in economic development and revolving loans, while DOA would use its experience implementing the state's Coastal Management grants, Comprehensive Planning grants, and revolving loan programs. DNR would contribute its technical cleanup expertise, as well as its financial experience with EPA grants and loans. The RPCs, including the tribal members, would provide the connection with the local governments and tribes, to target projects, market the program and assist member communities throughout the RLF process.

The WBC's proposal would provide \$4 million in cleanup funds to local governments and tribes, in the form of no-interest loans and sub grants. The WBC seeks \$3 million dollars in hazardous substance and \$1 million in petroleum funds. The WBC would make 60% of the funds available as no-interest loans, with the remaining 40% as sub grants. The recipients of the RLF funds would supply a 20% cost share. The WBC's petroleum funds would be used at brownfield projects not eligible for reimbursement from the state's Petroleum Environmental Cleanup Fund Award (PECFA). The WBC plans to award all \$4 million within two years.

Wisconsin's continuing economic challenges have heightened the need for these funds. In November 2003, the Corporation for Enterprise Development issued their annual report card concerning development opportunity in the 50 states. Wisconsin received a

“C” for business vitality, a “D” for employment, and a “C” for development capacity. Two statistics of most concern were that Wisconsin led the nation in mass layoffs and was ranked 46th in new companies created. In essence, each of the 7,600 known contamination sites and estimated 2,400 undiscovered brownfields properties represent a lost economic opportunity. Further compounding this situation is that mass layoffs can result in plant closings, which in turn can leave indigent brownfields properties in their wake.

In response, the WBC proposes to target the much-needed RLF funds to community-driven brownfields projects that would not otherwise receive any, or sufficient, state cleanup funds. In particular, the WBC will dedicate funds towards green space projects, public use projects, and to “jump start” private investment in economic development projects. The WBC will strive to achieve a balance of projects, with particular interest in the following: (1) projects in neighborhoods or communities that are economically distressed due to plant closing, layoffs, poverty or unemployment levels being above the state average; (2) brownfields projects along waterfronts that result in economic benefits, ecosystem protections, access to recreational areas, or a combination of these; (3) striking a balance between urban and rural projects, with a fair balance of projects funded across the state; and (4) promoting the use of innovative clean up techniques, sustainable development practices, and integration of brownfields and smart growth planning.

The WBC’s proposal, if funded, would lead to the leveraging of significant state, local and private investment. State grants and loans could be packaged with RLF funds to provide communities and tribes with the dollars needed to complete priority projects. Wisconsin estimates that this federal money could leverage \$7 in additional investment for every \$1 of RLF funds, for a total of \$28 million of leveraged dollars. The WBC’s strategy of making these funds available on a statewide basis will also maximize our ability to quickly obligate the funds to eligible projects. Not only are there 7,600 potentially eligible properties, but Wisconsin’s Site Assessment grant program for local governments has a list of 162 assessment projects where these funds could immediately be put to use.

The WBC hopes that EPA agrees that Wisconsin’s “Ready for Reuse: Leave No Brownfields Behind” initiative is a project well worth investing your resources in. Thank you in advance for your consideration of the attached WBC’s RLF grant application.

Sincerely,

Scott Hassett, Secretary

Attachments

Cc:

Wisconsin Brownfields Coalition
Members

Deborah Orr, EPA Region 5 Brownfields
Wisconsin Brownfields Study Group

Wisconsin's "Ready for Reuse: Leave No Brownfields Behind" Initiative

B. Applicant Information:

1. **Project Title:** "Ready for Reuse: Leave No Brownfields Behind" Initiative
2. **Grant Type:** Brownfields Revolving Loan Fund (RLF) grant for clean up funds.
3. **Total Dollar Amount Requested for this Grant:** \$ 4 million dollars: \$3 million in funds for hazardous substance cleanups and \$1 million for petroleum cleanups.
4. **Name of Applicant:** Wisconsin Department of Natural Resources will be the cooperative agreement recipient for the Wisconsin Brownfields Coalition (WBC).
5. **Project Contact:** Darsi Foss, Chief, Brownfields Section, 101 South Webster Street (RR/3), Madison, Wisconsin, 53707. Darsi.Foss@dnr.state.wi.us Phone: (608) 267-6713. Fax: (608) 267-7646.
6. **Chief Executive:** Scott Hassett, Secretary, Wisconsin Department of Natural Resources. 101 S Webster Street, PO Box 7921, Madison, Wisconsin, 53707-7921. Scott.Hassett@dnr.state.wi.us Phone: 608-266-2621; 608-261-4380 (Fax); 608-267-3579 (TTY) 711. See Attachment A for a list of the 10 other Chief Executives of the Wisconsin Brownfields Coalition member organizations.
7. **Location:** State of Wisconsin.
8. **Population:** 5,363,675.
9. **Special Considerations:** The WBC target area is the State of Wisconsin, which includes these areas of special consideration:
 - A Renewal Community;
 - 11 federally recognized Indian tribes, including one Rural Enterprise Community;
 - 3rd largest Hmong population in the nation, doubling in size over last ten years;
 - 22 State-designated Community Development Zones ;
 - Specific environmental justice areas, due to economic and cultural challenges;
 - Home to 5 of the 43 International Great Lakes Areas of Concern; and
 - Wisconsin only has 3 communities with a population over 100,000; the largest city in Wisconsin is Milwaukee, at 596,974.

Threshold Criteria for RLF Grants

A. Applicant Eligibility.

The Wisconsin Brownfields Coalition (WBC) consists of the Departments of Administration (DOA), Commerce, and Natural Resources (DNR). The state legislature

created the DOA in 1959, DNR in 1967, and Commerce in 1971. Since 1995, the state members of the WBC have a signed, brownfields memorandum of agreement. Letters documenting membership in the WBC can be found in Attachment B.

The local government members of the WBC¹ are 8 of the 9 Wisconsin Regional Planning Commissions (RPCs), including 5 tribal members, established pursuant to s. 66.0309, Wis. Stats., that perform planning, coordination and outreach functions for 55 of Wisconsin's 72 counties:

- Bay-Lake Regional Planning Commission, created in 1972; Florence, Marinette, Oconto, Brown, Door, Kewaunee, Manitowoc, and Sheboygan counties.
- Dane County Regional Planning Commission created in 1968; includes Dane.
- East Central Wisconsin Regional Planning Commission created in 1972; Calumet, Menominee, Outagamie, Shawano, Waupaca, Waushara, and Winnebago counties.
- North Central Regional Planning Commission, created in 1973; Adams, Forest, Langlade, Lincoln, Marathon, Oneida, Portage, Vilas, Wood, & Juneau.
- Northwest Regional Planning Commission, created in 1959; Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, Washburn, and the Tribal Nations of Bad River, Lac Courte Oreilles, Lac Du Flambeau, Red Cliff & St. Croix.
- Southeastern Wisconsin Regional Planning Commission, created in 1960; Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha.
- Southwestern Wisconsin Regional Planning Commission, created in 1970; Grant, Green, Iowa, Lafayette, and Richland counties.
- West Central Regional Planning Commission, created in 1971; Barron, Chippewa, Eau Claire, Polk, St. Croix, Clark, & Dunn counties.

B. Community Notification. The public was notified through the following actions:

- Nov. 4, 2003 – posted public notices on three web pages seeking comments about formation of the WBC and the WBC's application for a RLF grant
- Nov. 6, 2003 – met with the Wisconsin Association of Regional Planning Commissions
- Nov. 7, 2003 – emailed a notice to more than 120 people on the Brownfields Study Group list, over 300 local government officials, other parties and 9 RPCs
- Nov. 12, 2003 – emailed information about WBC's RLF proposal and requested comments from more than 700 people who subscribe to the program's electronic newsletter
- Nov. 21, 2003 – sent letters regarding the WBC and seeking input on its RLF application to the WI Alliance of Cities (38 members), WI League of Municipalities (576 members), WI Counties Association (72 members) and WI Towns Association (1264 members)
- Nov. 23, 2003 – a legal notice in the state newspaper, Milwaukee Journal-Sentinel
- Dec. 2, 2003 - sent an official press release to about 500 media outlets

¹ The Mississippi River Regional Planning Commission was scheduled to meet on December 10, 2003, to determine whether it would join the WBC. If it votes to join, the MRRPC will be added to the WBC. This RPC was created in 1964, and includes Buffalo, Crawford, La Crosse, Monroe, Pepin, Pierce, Vernon, Trempealeau & Jackson counties.

- Dec. 2003 – printed a notice in quarterly program newsletter with 2500 subscribers
- Letters of support have been received from: (1) City of Fond du Lac; (2) City of West Allis; (3) Fond du Lac County; (4) Waupaca County; (5) Mississippi River Regional Planning Commission; (6) The 16th Street Community Health Center, Milwaukee; (7) OMNNI Associates, Inc., environmental consultants, Appleton; (8) the Wisconsin Brownfields Study Group; and (9) City of Manitowoc (See Attachment C).

C. Letter from the State or Tribal Environmental Authority. Not applicable.

D. Site Eligibility and Property Ownership Eligibility. Not applicable.

E. Cleanup Authority and Oversight Structure.

The WBC will rely on the DNR’s voluntary response clean-up program (i.e., the Remediation and Redevelopment program) to ensure appropriate state oversight of cleanups, in compliance with the ch. NR 700 comprehensive cleanup rule series. The WBC will ensure funding information and agreements clearly specify that the grant recipient’s site investigation report, remedial action plan, community involvement plan, construction plan, development plans, and no further action report (closure submittal) – at a minimum – require DNR approval. Further, the DNR has legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub grant. The legal opinion documenting this authority is found in Attachment D.

F. Cost Share.

The WBC’s cost share of 20%, or \$800,000, will be met by requiring the loan or subgrant recipient to provide a 20% cost share related to eligible and allowable expenses. This will be accomplished by: (1) pairing the awards of RLF funds with the following state brownfield funds: DNR’s Site Assessment Grants - \$1.7M per year; Green Space and Public Facility Grants - \$500,000 per year; and Commerce’s Brownfields grants - \$7M per year; (2) requiring the recipient provide a match of 20% in money, labor, material or services if no state dollars are being leveraged as cost share; or (3) a combination of 1 and 2. The DNR will ensure that the 20% cost share meets EPA’s definition of “eligible and allowable expense.”

G. Legal Authority to Manage a Revolving Loan Fund.

All state WBC members have legal authority to manage revolving loan funds. The DNR, as the recipient of the cooperative agreement, has attached the necessary legal opinion (Attachment D) that confirms its ability to hold funds, make loans, enter in loan agreements, and collect repayments. In particular, the DNR has the ability to receive and hold moneys under s. 20.370(6)(cm), Wis. Stats., and enter into intergovernmental cooperation agreements, under s. 66.0301, Wis. Stats., for the disbursement of funds to a municipality or tribe, and receive funds (e.g., loan repayments). In addition, the DNR is working in cooperation with the legislature to provide the DNR with specific legal authority to accept and manage the EPA’s RLF moneys. The bill draft for this legislation is included in Attachment E, and is scheduled for introduction in January 2004.

The WBC state members have extensive experience managing both grants and loans, especially related to brownfields. As previously mentioned, over \$9M in state brownfields-related grants are awarded by the 3 state agencies on an annual basis. As of June 30, 2002, the clean water fund (jointly administered by DOA and DNR) had entered into agreements with municipalities totaling \$1.7 billion. This experience should assist the WBC in successfully administering the RLF.

Ranking Criteria for RLF Grants

A. RLF Grant Proposal Budget.

As previously mentioned, the WBC proposes to operate an RLF of \$4M, with \$3M available for hazardous substance cleanups and \$1M available for petroleum sites. The WBC proposes to provide 60% of the funds to local governments and tribes in the form of revolving loans, with the remaining 40% of the funds to be subgranted. The cost share for the RLF funds is 20% or \$800,000, and will be provided by the recipient. With respect to the petroleum funds, the WBC will place limits on the use of those funds. Wisconsin has a petroleum clean-up fund, called PECFA (Petroleum Environmental Cleanup Fund Award), that reimburses costs associated with certain types of petroleum releases. The WBC proposes that the \$1M in petroleum cleanup funds will be used for cleanup costs and/or sites that cannot be reimbursed by PECFA. The WBC budget proposes to maximize the amount of funds available for communities and tribes, as proposed below.

Budget for \$3 Million Hazardous Substance Loan Fund

Project Tasks for Loans – Hazardous Substance

BUDGET CATEGORY	ESTABLISH RLF	OPERATE RLF	MARKET RLF	CLEANUP LOAN AMOUNT	INVOLVE COMMUNITY	OVERSEE CLEANUP
Contractual				1,800,000		
Cost Share	\$360,000 in cash, labor, & materials provided by loan recipients					
Total				2,160,000		

Project Tasks for Subgrants – Hazardous Substance

BUDGET CATEGORY	ESTABLISH RLF	OPERATE RLF	MARKET RLF	CLEANUP SUBGRANT AMOUNT	INVOLVE COMMUNITY	OVERSEE CLEANUP
Contractual				1,200,000		
Cost Share	\$240,000 in cash, labor, & materials provided by subgrant recipients					
Total				\$1,440,000		

Budget for \$1 Million Petroleum Loan Fund

Project Tasks for Loans – Petroleum or Co-contamination

BUDGET CATEGORY	ESTABLISH RLF	OPERATE RLF	MARKET RLF	CLEANUP LOAN AMOUNT	INVOLVE COMMUNITY	OVERSEE CLEANUP
Contractual				\$600,000		
Cost Share	\$120,000 in cash, labor, & materials provided by loan recipients					
Total				\$720,000		

Project Tasks for Subgrants – Petroleum or Co-contamination

BUDGET CATEGORY	ESTABLISH RLF	OPERATE RLF	MARKET RLF	CLEANUP SUBGRANT AMOUNT	INVOLVE COMMUNITY	OVERSEE CLEANUP
Contractual				\$400,000		
Cost Share	\$80,000 in cash, labor, & materials provided by subgrant recipients					
Total				\$480,000		

B. Community Need

1. Target Communities. The State of Wisconsin is comprised of several urban areas, but is predominately rural in nature, as documented by the census map in Attachment F. Wisconsin only has 3 cities whose population exceeds 100,000. Wisconsin’s total population is 5.4M, according to the U.S. Census Bureau 2000 data. Of the total population, 6% are African American or Black, 1.3% American Indian and Alaska Native, 2% Asian, and 2% other race. Wisconsin has the third largest population of Hmong in the U.S. Of all Wisconsin families, approximately 12.2% of the state’s families with related children under 5 years of age live in poverty. Approximately 42.5% of the families headed by females-only (no husband present) are below the poverty level. The October 2003 unemployment rate was 4.6%, according to Wisconsin’s Department of Workforce Development. The unemployment rate was 2.2% in June 1999.

2. Community Benefit: Economics, Health, and Environment. The WBC hopes to fund brownfields cleanup projects in economically challenged neighborhoods, where there have been mass layoffs, environmental justice issues are present, and higher than state average unemployment or poverty rates. Funds will be targeted to ready projects for reuse, particularly those that promote living-wage jobs for the most needy populations. As an example of the economic benefits that could accrue from these funds, Wisconsin’s \$29 million in brownfields grants has leveraged \$400 million in increased property valuation and 4,000 new jobs. These funds flow back to the community for schools, roads and other critical services. In addition, Wisconsin estimates that this federal money could leverage \$7 in additional investment for every \$1 of RLF funds, for a total of \$28 million of leveraged dollars. This estimate is based on our experience with Wisconsin’s Commerce grants, of which there was \$14 in investment for every state grant dollar. Further, the use of the funds for green space and other public facilities will increase neighboring property values and lead to investment in the public projects.

The RLF moneys will result in the clean up of at least an additional 12 to 20 brownfields properties that would otherwise not reach this protective level in the next 2 to 5 years. This will reduce the number of exposures to cancer and non-cancerous contaminants through inhalation and direct contact risks. In addition, it will also reduce the contaminant loading to the air, surface water and groundwater. In Wisconsin, over 75% of the population rely on groundwater for their drinking water. There are more than 750,000 private wells in this state, in addition to the hundreds of potable wells serving municipal residents. The use of these cleanup funds along waterways, including the Great Lakes, will reduce or halt contaminant loading, which impacts our native fish

population. Many indigenous and immigrant peoples (e.g., Hmong community), as well as recreational anglers, consume fish from these impacted or threatened waterways.

The environmental impact of the estimated 10,000 brownfields on Wisconsin communities is significant. Brownfields contribute pollutants to the air, land and waters. Wisconsin has the good fortune to be located next to two large bodies of high quality fresh water, Lakes Superior and Michigan. In fact, Wisconsin ranks third in the nation for total water surface per square mile of land. Our industrial legacy has left 49 surface waters with polychlorinated biphenyls (PCB) advisories for fish and there is a statewide mercury fishing advisory. Wisconsin also has one most unique groundwater laws in the nation, that protects this resource from a groundwater quality and resource basis, rather than from solely a drinking water basis. The RLF funds will halt or significantly decrease contaminants from entering these resources, and lead to their restoration.

3. Impact of Brownfield Properties on Wisconsin Communities. Wisconsin communities need funds to deal with 7,600 properties with known contamination, and the estimated 2,400 yet-to-be-discovered brownfields. Also, there are 17,000 properties where the “known” contamination has been removed to the satisfaction of the state. Many of those properties will require additional environmental action, because it is likely other “unknown” conditions will be discovered. Also, the state is notified of 500 new sites a year needing clean up. These properties pose a potential threat to the public, as well as the air, land and waters of the state.

The Corporation for Enterprise Development (CED) recently published their annual report card for the states concerning development opportunity (November 2003). The report notes Wisconsin led the nation in mass layoffs and ranked 46th in new companies created. Manufacturing employment has declined from 30% of all wage and salary workers in 1979 to 20.4% in 2000². Since 1993, through November 2003, there have been more than 1,200 significant plant closings affecting 115,000 workers in Wisconsin³. Since 1979, Milwaukee, Kenosha and Racine counties have lost more than 88,000 manufacturing jobs, which is a 41 percent reduction from their base. Further, these counties have a large number of known brownfields, with respectively 1400, 233, and 167 sites in those counties needing clean up. The state estimated the lost property tax revenue from brownfields is at least \$100 million.

The receipt of these funds will ensure that more contaminated properties in Wisconsin will be cleaned up in the next 2 to 5 years, thus halting public health exposures and preventing further environmental degradation. As previously mentioned, 75% of Wisconsin residents rely on groundwater as their primary source of drinking water. This is reflected in the fact that there are still 750,000 private wells in this state, as well as hundreds of municipal wells, which are vulnerable to contamination migrating from uncontrolled brownfield properties. Contaminants from brownfields and other sources impact our waterways, and unfortunately, find their way into our food system. In

² Center on Wisconsin Strategies, “State of Working Wisconsin” report.

³ Wisconsin Department of Workforce Development: Wisconsin Plant Closings and Mass Layoff Notices Dislocated Worker Program.

Wisconsin, 49 waters carry polychlorinated biphenyls (PCB) advisories for fish. Also, there is a statewide mercury advisory, because that contaminant is found in almost all waters throughout the state. Cleaning up these uncontrolled brownfields properties will reduce the current exposures to public health and reduce the migration of those chemicals into our waters, air and soil.

C. Description of Target Market for RLF Loans and Subgrants.

1. Target Market. The WBC plans to target the funds for use by local governments and tribes⁴ to “jump start” brownfields projects that would not otherwise receive any, or sufficient, state cleanup funds. The WBC will dedicate a portion of the funds to green space or other public use projects. The remaining funds would be used as a catalyst for private investment in a project. The WBC would like to target areas that address multiple contaminated properties, but will also fund single sites for cleanup. The WBC will strive to achieve a balance of the types of sites (dry cleaners, gas stations, manufacturers, etc.) it funds, with particular interest in the following: (1) projects in neighborhoods or communities that are economically distressed due to plant closing, layoffs, or poverty or unemployment levels being above the state average; (2) brownfields projects along waterfronts that result in economic benefits, ecosystem protections, access to recreational areas, or a combination of these; (3) striking a balance between urban and rural projects, with a fair balance of projects funded across the state; and (4) promoting the use of innovative clean up techniques, sustainable development practices, and integration of brownfields and smart growth planning.

2. Subgrants. The WBC plans to award RLF subgrants for greenspace and non-greenspace projects, and will utilize EPA’s criteria in awarding those grants. For greenspace-public use projects, the WBC will also use DNR’s greenspace grant criteria to assist in project selection. DNR’s scoring criteria includes such factors as: (1) economic hardship and distress in the neighborhood/community; (2) community support and partnerships; and (3) public benefit and demonstrated need. As previously mentioned, subgrants will be targeted at public or private projects where repayment of a loan would be an economic challenge. Subgrants will likely occur in communities that are more rural in nature or are economically distressed. While more urbanized areas can rely on TIF districts to assist in repayment of RLF funds, rural brownfields or public use projects generally don’t have the property “value” needed to make a TIF work. Additionally, the WBC believes that the amount of money these subgrants will leverage (an estimated \$7 in investment for each federal grant dollar), makes sacrificing the long-term availability of 40% of the funds worth the trade off. The WBC plans to utilize the RLF where it can maximize existing infrastructure, such as roads, utilities and public transportation is available.

⁴ Section 20.002(13), Wis. Stats., states: “Notwithstanding any statute to the contrary, wherever any law authorizes a grant of state funds to be made by a state agency to any county, city, village or town for any purpose, funds may also be granted by that state agency to any federally recognized tribal governing body for the same purpose. The grants are subject to the same conditions and restrictions as apply to grants to counties and municipalities, if any. This subsection shall not be construed to require any grant of state funds to be made to any federally recognized tribal governing body.”

D. Business Plan.

1. Loan Structure. The WBC's RLF portfolio consists of \$4M in funds: \$2.4 million in loan funds and \$1.6M in subgrants, with 25% available for petroleum cleanups (non-PECFA eligible costs/sites). The WBC will loan the funds at a 0% interest rate to local governments and tribes, with 23-year repayment period to coincide with the length of a Tax Incremental Financing (TIF) district in Wisconsin. The recipient is not required to make repayments for the first 5 years of the loan, allowing communities that use a TIF district time to show a positive incremental value. If the local government or tribe sells the property during the loan period, proceeds from the sale of the property will be used to pay off the loan. The WBC will draw on expertise in Commerce and DOA's revolving loan programs for underwriting.

TYPE	LOAN	SUBGRANT	RECIPIENT MATCH	TOTAL
Hazardous Substance	\$1,800,000	\$1,200,000	\$600,000	\$3.6 M
Petroleum	\$600,000	\$400,000	\$200,000	\$1.2 M
Totals	\$2.4M loans	\$1.6 M grants	\$800,000 cost share	\$4.8 M

2. Advertising Plan & Redevelopment Incentives. The WBC plans to extensively advertise and market the availability of the RLF funds. One of the primary contributions of the RPCs will be to assist in promoting and advertising the availability of these grant funds. At a minimum, the following resources will be used: (1) press release sent to 500 Wisconsin media outlets; (2) targeted media, including (but not limited to) the *Milwaukee Business Journal*, *Corporate Report* and such regional redevelopment publications; (3) news release to targeted audiences; (4) the program's web site, bi-weekly electronic newsletter (more than 700 subscribers) and quarterly *Re News* hard-copy newsletter (more than 2,500 subscribers); and (5) any additional outlets as deemed necessary.

The WBC will ensure that state grant applicants are educated about the RLF funds. These state agencies will strive to leverage state grant funds in tandem with the federal RLF moneys, including: DNR's Site Assessment Grants - \$1.7 M per year, Greenspace and Public Facility Grants - \$500,000 per year, Commerce's Brownfields grants - \$7 M per year, Commerce's Blight Elimination and Brownfields Remediation Grants - \$2 M per year and DOA's Coastal Management Grants - \$750,000 per year. Other redevelopment incentives include Wisconsin unique environmental remediation TIF and traditional TIF districts that allow a local government to recover expenses on a brownfields property or area. Wisconsin's tax cancellation and foreclosure incentives allow local governments to clear financial encumbrances from titles, increasing the attractiveness of a property for developers. Wisconsin also has state remediation tax credits available as an additional incentive. Also, the WBC hopes to promote the use of the DNR-EPA joint hazardous waste pilot for lenders and local governments, which

limits those parties' liabilities under state hazardous waste law if they acquire a property through involuntary (e.g., foreclosure) means.

3. Promotion of Long-term Availability of Funds. The WBC believes that a balance of loans and subgrants to Wisconsin communities best meets the needs of Wisconsin, yet secures 60% of the funds as "revolving" for future use. Given the known pipeline of properties needing cleanup and the number of mass layoffs/plant closings, many communities will need grants to deal with these indigent properties. This is especially true in a state with a predominately rural population. While more urbanized areas can rely on TIF districts to assist in repayment of RLF funds, rural brownfields generally don't have the property "value" needed to make a TIF work. Additionally, the WBC believes that the amount of money these subgrants will leverage (an estimated \$7 in investment for each federal grant dollar), makes sacrificing the long-term availability of 40% of the funds worth the trade off.

4. Timeline. The WBC believes that it can commit the funds to eligible projects in a two-year period. We anticipate receiving the funds in late summer/early fall of 2004. The WBC's goal would be to solicit applications for eligible projects in Spring/Summer of 2005, making awards of half of the funds available by the end of 2005. The remaining funds would be dispersed by the end of 2006. For loan funds, the WBC anticipates repayments starting in 2010.

E. Sustainable Reuse of Brownfields/Redevelopment Potential

1. Sustainable Development Strategy. The WBC initiative is a means to create a bridge between the state's "Grow Wisconsin" economic plan and Wisconsin's Smart Growth planning. The goal would be to create new business opportunities and public places, consistent with the "smart growth" plans of Wisconsin communities. Wisconsin's 1999 Smart Growth law requires every city, village, county and town in the state to create a comprehensive "smart growth" plan by 2010. Since the Smart Growth law was enacted, 535 Wisconsin communities have received Comprehensive Planning Grants and \$9.5 million has been awarded. Marketing for and selection of the RLF funds will take into consideration these plans. Preservation of greenspace and maximizing the reuse of existing structures/infrastructure is one of the primary goals of this initiative.

2. Environmental Improvements. For all brownfields projects, environmental best practices and sustainable development activities are promoted. When a community approaches the state for assistance with a brownfield project, a "green team" of state experts are activated to meet with the community leaders and potential developers, if available, to discuss financial incentives and programs that could assist with the project. Typically staff from various DNR programs, as well as the state departments of Commerce, Revenue, Administration, and Transportation, are involved. Best practices used at other brownfields projects will be shared with the community, tribe or developer. In addition, sustainable development practices, such as green building and unique storm water runoff practices, are shared as well.

In addition, these state resources are available to promote sustainability and best practices:

- The Wisconsin “Focus on Energy” program, promoting combined heat and power and on-site energy production on brownfields redevelopment sites.
- DOA’s Coastal Management Program, providing grants for coastal land acquisition and other activities that protect Wisconsin’s coastal resources, and increase public access to the Great Lakes.
- DNR’s Bureau of Cooperative Environmental Assistance, providing pollution prevention assistance and promoting innovative environmental regulatory methods.
- DNR’s Waste Reduction & Recycling Grants and Waste Cap Wisconsin, Inc., a statewide, industry-supported nonprofit are used to minimize waste generation and maximize recycling of materials at brownfields projects.
- DOT, which provides grants and loans for trails, bike paths and other alternate forms of transportation.

3. Economic Development. The WBC’s proposal would create significant state, local and private investment in Wisconsin’s fragile economy. State grant and loans could be packaged with RLF funds. Wisconsin estimates that this federal money could create \$7 in additional investment for every \$1 of RLF funds, for a total of \$28 million public-private investment. Additionally, the WBC expects that the property tax base to increase from at least half of the estimated 12 to 20 projects to be funded. Job creation in our most needy communities would be the goal of the majority of the funds. Our Commerce department’s brownfields grant program is an example of the economic benefits we hope to achieve with a share of the RLF. In program’s four year existence, Commerce grants have led to the creation of more than 4,000 new jobs and an increase of over \$385 million in taxable property values.

It is important to note that there is a demonstrated need for additional brownfields cleanup dollars for economic projects in this state. As of July 2003, Commerce’s Brownfields Grant Program had awarded \$29 million for the clean up and redevelopment of brownfields. The 72 projects funded in the past five years were selected from a total of 179 applicants that requested in excess of \$90 million. The DNR’s Brownfields Site Assessment Grant was able to award \$4.5 million for 162 projects (from 269 applications) requesting more than \$10.3 million in grants. DNR had to turn away 50% of the grant requests; Commerce turned away 66%. Many of these projects are in rural communities.

There are scores of brownfields projects waiting for assistance, but there is limited money to move them forward. Many of these projects – where the economics are such that no developer is currently interested in the property – are awaiting additional funds to complete the necessary activities to get the project cleaned up and redeveloped. The state is missing the opportunity to restore these formerly productive properties back into green space projects, public facilities, housing and economic development projects. This is illustrated by the fact that Commerce and DNR had brownfield grant application requests totaling \$23.5 million last spring, with a total of \$7.25M available. These

grants represented \$375 million in public-private project investment in this small number of properties.

4. Brownfields Prevention. The DNR acts to prevent the creation of future brownfields through several approaches. One approach is ongoing inspection, education and enforcement. In addition, DNR has several programs aimed at providing cooperative assistance to businesses to address their environmental compliance issues. These include business sector specialists who work with small companies in 20 different business sectors (paper production, dry cleaning, etc.) on compliance and environmental improvements. Also, we are encouraging the use of environmental management systems (ISO 14000) to prevent use and disposal of hazardous substances. Additionally, DNR also has authority require someone to develop and implement a spill prevention plan to prevent the creation of new brownfield sites.

5. Community Planning. As previously described, all local governments across the state are developing smart growth comprehensive plans. These land use plans include the communities' redevelopment priorities and economic development activities for their brownfield properties. The awarding of RLF moneys will take into consideration whether the brownfield project is part of a comprehensive plan.

F. Creation/Preservation of Greenspace/Open Space or Other Nonprofit Purpose.

A portion of the RLF moneys will be targeted for the cleanup of properties where the future use is for green space or public use. Wisconsin has one of the only state programs in the nation with money specifically dedicated to cleanup of brownfields for green space or public use, such as parks, recreational areas or libraries. In 2003, the DNR received 18 applications for the first round of this new program. Applicants requested approximately \$2 million for cleanups of sites to be used as parks and public facilities, although only \$1 million was available. RLF moneys may assist projects that need additional clean-up funds or were not funded. Cleanup projects submitted to DNR include remediation of properties that will be used for: a neighborhood park, a farmers market in a mixed income urban neighborhood, and soccer fields.

G. Reuse of Existing Infrastructure.

While the WBC does not have any specific properties identified at this time, the reuse of existing infrastructure is one of the compelling reasons why federal, state and local governments are willing to commit public funds to these projects. Wisconsin has a tradition of working with local governments to identify projects that will maximize use of existing roadways, bus transportation, utility services, neighborhood centers and use of waterfront transportation modes. The WBC will team with the Wisconsin DOT, as the state has done in the past, to identify projects which DOT's Transportation Economic Assistance (TEA) grants could assist. These funds can be leveraged at a brownfields to assist with rail, road, harbor or airport work. In addition, DOT has used its TEA-21 (21st Century) funds to preserve historic sites (e.g., depots), pedestrian and bicycle facilities and paths, and preserving abandoned rail corridors. Kenosha's HarborPark brownfields project on Lake Michigan is a prime example of reusing existing infrastructure, by connecting a trolley system with the main commuter train to the Chicago metro area.

H. Community Involvement

1. **Local Community Involvement.** Wisconsin has a strong tradition of involving the public in the state's natural resources decision making processes. To that end, the contractual agreements with the RLF recipients will specify the community involvement opportunities that will be provided to the public at the RLF projects. This will include meeting the specified rule requirements in ch. NR 714, Wis. Admin. Code, entitled Public Information and Participation. At a minimum, RLF loan and sub grant recipients will need to: (1) notify the public of the availability of funds, cleanup and redevelopment plans; (2) post public notice signs of contamination at the property per s. NR 714.07(3); and (3) provide the opportunity for public comment and a meeting on the cleanup plan. Recipients will be encouraged to maintain either a web site documenting progress at the property or a publicly accessible paper file, with language(s) indigenous to the community. The DNR plans to use part of the RLF funds to maintain both a programmatic and site-specific web site.

2. **Partnerships.** Wisconsin's brownfields initiative has a strong tradition of building and maintaining partnerships with local governments, tribes and non-profits. The state's excellent working relationship with the state's Brownfields Study Group (i.e., a citizen board), established in 1998, is an example of that tradition. On the local level, DNR is a formal member of many community groups, such as the Menomonee Valley Partners, the non-profit group created to help clean up and revitalize Milwaukee's Valley. On a state-wide level, we will continue to work with our traditional partners to develop, market and implement the RLF, including such activities as: (a) soliciting feedback from WBC members and Brownfields Study Group on development of RLF in Wisconsin; (b) continuing dialogue with the RPCs, WI Alliance of Cities, League of Municipalities, Counties Association, Towns Association, and tribal communities identifying the proposed criteria for awarding grants and loans and seeking comments from these organizations; (c) issuing press releases seeking public comments on the draft criteria for grants and loans; and (d) providing notice seeking public comments on the draft criteria for grants and loans in the Remediation and Redevelopment Program's printed quarterly newsletter *ReNews* and electronic newsletter *RR News from DNR*.

3. **Communicating Progress.** The following tools will be used to communicate progress: (a) developing a web page devoted to Wisconsin's RLF, including programmatic and site-specific information; (b) placing articles in electronic newsletter, *RR News from DNR*, and quarterly newsletter, *ReNews*; (c) directing communication with all community-based organizations (listed below); (d) providing a status report on development and implementation of the WI RLF; and (e) develop articles for the Alliance of Cities, League of Municipalities, Counties Association and Towns Association to insert into newsletters to their members. The WBC members will work with RLF recipients to identify special communication situations, to ensure that the affected public can be communicated with in a language indigenous to that community. Alternate resources for communicating in indigenous languages will be pursued with local non-profits, colleges, and other parties that may have those abilities. Site-specific materials will be prepared in languages indigenous to the affected public.

4. List of Community-Based Organizations.

- **16th St. Community Health Center; Contact: Peter McAvoy, 414-672-1315, ext. 154.** The 16th St. Community Health Center is a non-profit, innovative primary health care organization, providing services to Milwaukee's near south side residents.
- **The Wisconsin Brownfields Study Group; Contact: Bruce Keyes, 414-297-5815** The Brownfields Study Group is a non-partisan advisory task force, created in 1998, of environmental, attorneys, local officials, and non-profit and academic interests.
- **Wisconsin Towns Association; Contact: Richard Stadelman, 715-526-3157** The Towns Association is a non-profit, non-partisan statewide organization created to protect the interests of the state's 1,264 towns and to improve town government.
- **The Wisconsin Alliance of Cities; Contact: Richard Eggleston, 608-257-5881** The Alliance of Cities is a non-profit organization consisting of 38 of the largest municipalities in the state.
- **The League of Wisconsin Municipalities; Contact: Dan Thompson, 608-267-2380;** The League acts as an information clearinghouse, lobbying organization and legal resource for 386 villages and all of the 190 cities in the state.
- **The Wisconsin Counties Association; Mark O'Connell, 608-663-7188;** The Counties Association serves and represents Wisconsin's 72 counties.

I. Reduction of Threats to Human Health and the Environment

1. Reduction of Threats. The receipt of these funds will guarantee that more contaminated properties in Wisconsin will be cleaned up in the next 5 years, thus halting public health exposures and preventing further environmental degradation. As previously mentioned, 75% of Wisconsin residents rely on groundwater as their primary source of drinking water. This is reflected in the fact that there are still more than 750,000 private wells in this state, as well as hundreds of municipal wells, which are vulnerable to contamination migrating from uncontrolled brownfield properties. Lead in soils, contaminants in drinking and surface waters, and air pollution are all exposures that have negative impacts on public health, especially children, the elderly and pregnant women.

Contaminants from brownfields and other sources impact our waterways, and unfortunately, find their way into our food system. In Wisconsin, polychlorinated biphenyls (PCBs) and mercury contaminate a large number of recreational fishing areas. PCB contamination is most often associated with industrialized river systems and the Great Lakes. The statewide mercury advisory is found in almost all waters throughout the state. Cleaning up these uncontrolled brownfields properties will reduce the current exposures to public health and reduce the migration of those chemicals into our waters, air and soil.

2. Public Health Partnerships. The WBC will work with local and state public health officials to ensure that clean-up and redevelopment activities are protective of public health and the environment. DNR has an excellent working relationship with Wisconsin Department of Health and Family Services (DHFS), Division of Public Health's staff. DHFS staff provides a number of environmental health services, including: (1) on-site

and written, site-specific health “consultations” on exposure conditions at contaminated sites and those undergoing remediation; (2) consultation with state agencies and local officials on chemical-specific (e.g., lead and arsenic) or exposure pathway (e.g. vapor intrusion) risks and how they impact cleanup and redevelopment options; and (3) presence at public meetings to answer questions from public on health impacts.

J. Leveraging of Additional Resources

1. Financial Need. The WBC’s initiative has not identified any specific properties, to date. It is likely that each project will need funds to investigate, clean up and redevelop the property, with the RLF moneys being used to assist with eligible clean-up costs.

2. Funds and Staff Commitment. The WBC members will dedicate staff time, as in-kind services, to develop, implement, market and document the efforts to expeditiously grant and loan the \$4M in a two-year period. The WBC’s goal is to maximize the use of state funds to leverage additional public, federal, state, private and non-profit investment. To the extent possible, the WBC will pair these state grants with the RLF moneys: \$3.4M for Brownfields Site Assessment Grants (20% match required); \$1M for Green Space and Public Facilities Grants (20-50% match required); and \$14M Wisconsin Brownfields Grants (20-50% match required). As an example of the amount of funds that could be leveraged, the Commerce Brownfields Grants have leveraged \$14.50 for every state dollar awarded. The WBC estimates that it would be able to leverage \$7 for every RLF dollar, for a total estimate of \$28M.

3. Other Funding Sources. In addition, the state has the following funds and tools to leverage additional investment: state tax credits; two kinds of TIF districts; \$750,000 in Coastal Management Grants; property tax cancellation tools; dry cleaner reimbursement funds; federal tax deduction approvals; and approximately \$5M in state block grant funds for brownfields. In addition, communities have been successful using federal block grant funds, economic development administration grants, and transportation grants to leverage additional investment.

K. Ability to Manage Grants/Management Structure

1. History of Managing Federal Grants. The DNR has extensive experience in the management of federal funds. OMB Circular A-133 Audit findings have been very positive. In particular, DNR manages dozens of federal grants totaling tens of millions of dollars annually, and has managed this level of grants for over 30 years. The Remediation and Redevelopment (RR) program manages 15 federal grants from EPA and Department of Defense with an annual budget of over \$4 million, and has managed this level of grants for more than 15 years. The Wisconsin Legislative Audit Bureau (LAB) conducts the OMB Circular A-133 single audit of DNR at the end of each state fiscal year. LAB’s last completed audit of DNR for state fiscal year 2002 included only one minor finding regarding computer programmer access to critical production programs. The DNR is taking steps over the next several years to address this, and this audit questioned no costs. DNR is not currently required, and has not been previously required to comply with any special “high risk” terms and conditions under agency regulations implementing OMB Circular A-102.

2. Management Plan. The loan fund will be managed by several programs within DNR to ensure it incorporates prudent lending practices. Loan and grant agreements will be awarded and tracked by staff who has 15 years of experience. The DNR legal staff will help develop financial agreements and address legal questions. The appropriate revolving loan expertise in Commerce and DOA will be used to check credit worthiness of loan applicants. Payments will be made to the DNR which has years of experience tracking these types of payments. The state's WISMART financial tracking system will be used to track fund expenditures, revenues, and balances. The computerized WISMART system has existed for 8 years, and before that DNR had similar systems in existence for at least 10 years.

3. Fund Management. The WBC does not intend to acquire additional fund management expertise. As outlined in #1 and #2 above, state agency members have sufficient fund management expertise.

4. Past Cooperative Agreement (CA) Recipient. DNR, specifically the RR program, has received Superfund Core Brownfields grants from October 1994 through the present. DNR has also received Superfund Site Assessment Brownfields grants from October 1998 through the present. DNR has consistently completed the following activities for each of these grants: (1) quarterly progress reports required per grant conditions; (2) semiannual progress reports required by DNR's Environmental Performance Partnership Agreement (EnPPA) with EPA Region 5; (3) brownfields reporting measures required through grant conditions or the EnPPA; and (4) annual Financial Status Reports (FSRs) required per grant conditions, often submitting these on a more frequent quarterly basis. DNR, specifically the RR program, is the recipient of the following current EPA Brownfields cooperative agreements: (1) Section 128(a) State Response, awarded September 1, 2003 through August 31, 2004, for \$1,196,243, estimate \$1,000,000 remaining as of November 1, 2003; (2) Superfund Core Brownfields, awarded September 1, 1996 through June 30, 2005, for \$1,676,849, estimate \$150,000 remaining as of November 1, 2003; and (3) Superfund Site Assessment Brownfields, awarded October 1, 1998 through September 30, 2005, for \$786,157, estimate \$120,000 remaining as of November 1, 2003.

Attachment A: Chief Executives of the Members of the Wisconsin Brownfields Coalition

Chief Executive: Scott Hassett, Secretary, Wisconsin Department of Natural Resources. 101 S Webster Street, P.O. Box 7921, Madison, Wisconsin 53707-7921. Scott.Hassett@dnr.state.wi.us Phone: 608-266-2621; 608-267-3579 (Fax); 608-267-6897 (TTY).

Chief Executive: Marc J. Marotta, Secretary, Wisconsin Department of Administration. 101 East Wilson Street, Madison, Wisconsin 53702. Marc.Marotta@doa.state.wi.us Phone: 608-266-1741; 608-267-3842 (Fax).

Chief Executive: Cory L. Nettles, Secretary, Wisconsin Department of Commerce. 210 West Washington Avenue, Madison, Wisconsin 53717-7970. cnettles@commerce.state.wi.us Phone: 608-266-7088; 608-266-3447 (Fax).

Chief Executive: Martin W. Holden, Executive Director, Bay-Lake Regional Planning Commission. Suite 211 Old Fort Square, 211 N Broadway, Green Bay 54303-2757. Mholden@baylakerpc.org Phone: 920-448-2820; 920-448-2823 (Fax).

Chief Executive: Michael King, Executive Director, Dane County Regional Planning Commission. 30 West Mifflin Suite 402, Madison WI 53703-2558. Info@danecorpc.org Phone: 608-266-4137; 608-266-9117 (Fax).

Chief Executive: Harlan P. Kiesow, Executive Director, East Central Wisconsin Regional Planning Commission. 132 Main Street, Menasha WI 54952-3100. Staff@eastcentralrpc.org Phone: 920-751-4770; 920-751-4771 (Fax).

Chief Executive: Greg Flogstad, Director, Mississippi River Regional Planning Commission. 1707 Main Street, Suite 240, La Crosse WI 54601. Plan@mrrpc.com Phone: 608-785-9396; 608-785-9394 (Fax).

Chief Executive: Dennis Lawrence, Executive Director, North Central Regional Planning Commission. 210 McClellan Street, Suite 210, Wausau, WI 54403. Staff@ncwrpc.org Phone: 715-849-5510; 715-849-5110 (Fax).

Chief Executive: Myron Schuster, Executive Director, Northwest Regional Planning Commission. 1400 South River Street, Spooner WI 54801. Mschuster@nwrpc.com Phone: 715-635-2197; 715-635-7262 (Fax).

Chief Executive: Philip C. Evenson, Executive Director, Southeastern Wisconsin Regional Planning Commission. W239N1812 Rockwood Drive, POB 1607 Waukesha WI 53187-1607. Sewrpc@sewrpc.org Phone: 262-547-6721; 262-547-1103 (Fax).

Chief Executive: Larry Ward, Executive Director, Southwestern Wisconsin Regional Planning Commission. 719 Pioneer Tower, One University Plaza, Platteville, WI 53818.
swwrpc@uwplatt.edu Phone: 608-342-1214; 608-342-1220 (Fax).

Chief Executive: Jerry Chasteen, Director, West Central Wisconsin Regional Planning Commission. 800 Wisconsin Street, Building D2-401, Mail Box 9, Eau Claire WI 54703-3606.
Wewrpc@charter.net Phone: 715-836-2918; 715-836-2886 (Fax).



WISCONSIN DEPARTMENT OF
ADMINISTRATION

JIM DOYLE
GOVERNOR
MARC J. MAROTTA
SECRETARY

Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
Fax (608) 267-3842
TTY (608) 267-9629

November 25, 2003

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

Dear Secretary Hassett:

I am writing to confirm my agency's support as a member of the Wisconsin Brownfields Coalition's (WBC) for the application to the United State Environmental Protection Agency for a federal brownfields clean-up grant.

This multi-agency partnership between the Departments of Administration, Natural Resources, and Commerce supports the goals of the Wisconsin Coastal Management Program within the Department of Administration and Governor Doyle's "Grow Wisconsin" initiative. This grant administered by the Department of Natural Resources, as a revolving loan fund (RLF) would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that appropriate growth occurs within communities rather than encroaching into open space on their edges.

The implementation of this partnership and grant program is an excellent opportunity to further our common goals of sustainable economic development and resource protection.

Sincerely,

Marc J. Marotta, Secretary

cc: Cory L. Nettles, Secretary
Wisconsin Department of Commerce

Patrick J. Farley, Administrator
Division of Intergovernmental Relations

Darsi Foss, Brownfields Section
Wisconsin Department of Natural Resources



P. O. Box 7970
Madison, Wisconsin 53707
(608)266-1018
TDD #: (608) 264-8777
<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>

Jim Doyle, Governor
Cory L. Nettles, Secretary

December 3, 2003

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

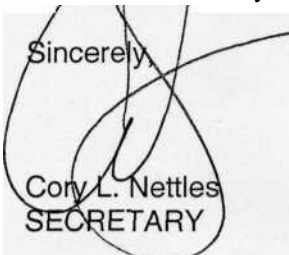
Dear Secretary Hassett:

I am writing in support of the Wisconsin Brownfields Coalition's - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The Wisconsin Department of Commerce has agreed to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund. This grant would be administered by DNR as a revolving loan fund that would provide sub-grants and no-to-low interest loans to Wisconsin communities to assist in the clean up of their brownfields.

The Department of Commerce recognizes that brownfield projects are opportunities for economic and social redevelopment. As such, the Department has provided over \$33 million in grants in the past five years to assist communities and businesses in the redevelopment of contaminated properties. The RLF application by the Wisconsin Brownfields Coalition represents our goals and enhances our efforts for several reasons:

- It helps local governments take advantage of existing infrastructures.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.
- It supports sound land use management.

You can be assured that the Department of Commerce will support the Wisconsin Brownfield Coalition. Thank you for your time and consideration.

Sincerely,

Cory L. Nettles
SECRETARY



Bay-Lake Regional Planning Commission

Suite 211, Old Fort Square, 211 N. Broadway, Green Bay, WI 54303-2757

tele: 1 (920) 448-2820 fax: 1 (920) 448-2823 www.baylakerpc.org

Martin W. Holden, Executive Director

The regional planning commission for Northeastern Wisconsin serving communities within the counties of:

FLORENCE - MARINETTE . OCONTO • BROWN - DOOR - KRWAUNEE • MANITOWOC • SHEBOYGAN

November 14, 2003

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

Dear Secretary Hassett:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The Bay-Lake Regional Planning Commission, representing the counties of Brown, Florence, Oconto, Marinette, Oconto, Sheboygan and communities in Manitowoc and Door Counties is formally agreeing to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund (RLF). This grant would be administered by DNR as a revolving loan fund (RLF) that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. These abandoned, idle or underused properties can face many hurdles to redevelopment, and the first of these is the stigma of contamination. The WBC's grant would be used to clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of towns.

The RLF application by the Wisconsin Brownfields Coalition is a good fit with our regional planning goals for several reasons:

- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It helps protect the public from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.
- It helps implement the BLRPC economic development strategy to encourage the revitalization of existing commercial and industrial areas,

If you have any questions, please feel free to contact me at (920) 448-2820,

Sincerely,

Martin W. Holden
Executive Director

cc:
Darsi Foss, DNR



Dane County Regional Planning Commission

30 West Mifflin Street, Suite 402, Madison, Wisconsin 53703-2558
 Telephone: 608/266-4137 Fax: 608/266-9117 E-Mail: info@danecorpc.org

November 20, 2003

Scott Hassett, Secretary
 Wisconsin Department of Natural Resources
 101 South Webster St., Box 7921
 Madison, WI 53707

Dear Secretary Hassett:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The Dane County Regional Planning Commission is formally agreeing to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund (RLF). This grant would be administered by DNR as a revolving loan fund (RLF) that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. These abandoned, idle or underused properties can face many hurdles to redevelopment, and the first of these is the stigma of contamination. The WBC's grant would be used to clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of urban areas.

The RLF application by the Wisconsin Brownfields Coalition is a good fit with our regional planning goals for several reasons:

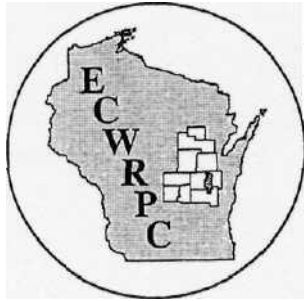
- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places live.

If you have any questions, please feel free to contact me at 266-4417.

Sincerely,

Michael King
 Executive Director

cc: Darsi Foss, DNR



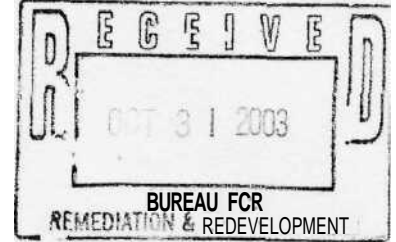
EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

132 Main Street Menasha Wisconsin 54952-3100 (920) 751-4770 Fax (920) 751-4771
Website: www.eastcentralrpc.org Email: staff@eastcentralrpc.org

*An Economic Development **District** and Metropolitan Planning Organization
Serving the East Central Wisconsin Region for **over 30** years*

October 30, 2003

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707



Dear Secretary Hassett:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The East Central Wisconsin Regional Planning Commission, representing Calumet, Outagamie, Shawano, Menominee, Fond du Lac, Winnebago, Marquette, Green Lake, Waupaca, and Waushara Counties, is formally agreeing to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund (RLF). This grant would be administered by DNR as a revolving loan fund (RLF) that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. These abandoned, idle or underused properties can face many hurdles to redevelopment, and the first of these is the stigma of contamination. The WBC's grant would be used to clean up environmental contamination within our region where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of towns.

The RLF application by the Wisconsin Brownfields Coalition is a good fit with our regional planning goals for several reasons:

- » It supports sound land use management.
- It helps local governments take advantage of existing infrastructure.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.

If you have any questions, please feel free to contact me at (920) 751-4770.

Sincerely,

Harlan P. Kiesow,
Executive Director

cc: Darsi Foss, DNR
Eric Fowle, ECWRPC
Elizabeth Runge, ECWRPC

NORTH CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

210 McClellan Street, Suite 210, Wausau, Wisconsin 54403
Telephone: (715) 849-5510 Fax: (715) 849-5110
Web Page: www.ncwrpc.org Email: staff@ncwrpc.org



SERVING ADAMS, FOREST, JUNEAU, LANGLADE, LINCOLN, MARATHON, ONEIDA, PORTAGE, VILAS AND WOOD COUNTIES

November 5, 2003

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

COPY

Dear Secretary Hassett:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The North Central Wisconsin Regional Planning Commission (NCWRPC), representing Adams, Forest, Langlade, Lincoln, Marathon, Oneida, Portage, Wood and Vilas Counties, is agreeing to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund. This grant would be administered by DNR as a revolving loan fund that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

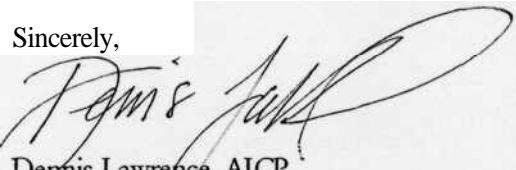
Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. These abandoned, idle or underused properties face many hurdles to redevelopment, and the first of these is the stigma of contamination. The WBC's grant would be used to clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of towns.

As you may know, the NCWRPC has been involved in economic development for over 30 years and the current effort Wisconsin Brownfields Coalition fits with our planning goals for several reasons:

- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.

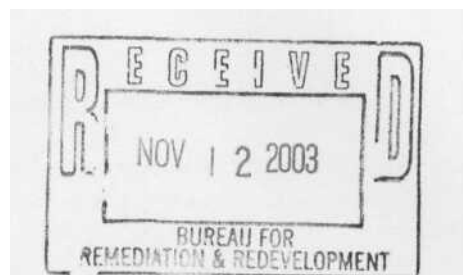
If you have any questions, please feel free to contact me at (715) 849-5510, Extension 304.

Sincerely,



Dennis Lawrence, AICP
Executive Director

cc: Darsi Foss, DNR





Serving communities within and counties of
ASHLAND • BAYFIELD • BURNETT
DOUGLAS • IRON • PRICE • RUSK
SAWYER • TAYLOR • WASHBURN
And the Tribal Nations of
BAD RIVER • LAC COURTE OREILLES
LAC DU FLAMBEAU • RED CLIFF • ST. CROIX

November 10, 2003

Secretary Scott Hassett
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

Dear Secretary Hassett:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields cleanup grant. The Northwest Regional Planning Commission, representing Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, Washburn and the Tribal Nations of Bad River, Lac Courte Oreilles, Lac Du Flambeau, Red Cliff and St. Croix is formally agreeing to become a member of the Wisconsin Brownfield Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund (RLF) This grant would be administered by DNR as a revolving loan fund (RLF) that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. These abandoned, idle or underused properties can face any hurdles to redevelopment, and the first of these is the stigma of contamination. The WBC's grant would be used to clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of towns.

The RLF application by the Wisconsin Brownfields Coalition is a good fit with our regional planning goals for several reasons:

- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It helps protect citizens for environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.

If you have any questions, please feel free to contact me at 715/635-2197.

Sincerely,

Myron Schuster
Executive Director
Northwest Regional Planning Commission

COPY

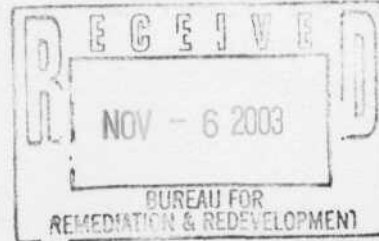
SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607

TELEPHONE (262) 547-6721
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November 3, 2003

Mr. Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 S. Webster Street
Madison, WI 53707

Dear Secretary Hassett:

This letter is being provided in support of the State of Wisconsin's application to the U.S. Environmental Protection Agency (EPA) for a Federal revolving loan fund (RLF) grant for the clean-up of contaminated properties or "brownfields". The RLF would be designed to provide grants and below-market interest rate loans to municipalities and counties in order to help with the clean-up of brownfield sites. The program would be administered through the Wisconsin Brownfields Coalition (WBC), a partnership between the Wisconsin Departments of Natural Resources, Commerce, and Administration and local units of government in the State.

As the comprehensive planning agency representing the seven counties in the Southeastern Wisconsin Region - Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha - the Southeastern Wisconsin Regional Planning Commission agrees to become a member of the WBC and to promote the use of the new RLF in Southeastern Wisconsin.

The proposed RLF program is supportive of the regional plans prepared and adopted by the Regional Planning Commission. These plans provide recommended land use alternatives that together form the basis of a strategy for regional economic development activities. The WBC's goal of supporting sound land use management, fully utilizing existing infrastructure, protecting the citizenry from environmental pollutants, and providing a mechanism to encourage urban revitalization is consistent with the Commission's goal of a regional economy with the urban cores as the major centers of activity within the Region.

We look forward to working with you on this important initiative.

Sincerely,

Philip C. Evenson
Executive Director

PCE/JRM/jm
#88131v1 - WBC LETTER OF SUPPORT

cc: Darsi Foss, Wisconsin Department of Natural Resources



SOUTHWESTERN WISCONSIN REGIONAL PLANNING COMMISSION

ROOM 719 PIONEER TOWER
1 UNIVERSITY PLAZA PLATTEVILLE, WISCONSIN 53818
<http://www.swwrpc.org>

PHONE (608) 342-1214
FAX (608) 342-1220

An Economic Development District Serving Grant, Green, Iowa, Lafayette and Richland Counties

November 24, 2003

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

Dear Secretary Hassett:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The Southwestern Wisconsin Regional Planning Commission, representing the counties of Grant, Green, Iowa, Lafayette, and Richland, is formally agreeing to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund (RLF) This grant would be administered by DNR as a revolving loan fund (RLF) that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. These abandoned, idle or underused properties can face many hurdles to redevelopment, and the first of these is the stigma of contamination. The WBC's grant would be used to clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of towns.

The RLF application by the Wisconsin Brownfields Coalition is a good fit with our regional planning goals for several reasons:

- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.

If you have any questions, please feel free to contact me at 608-342-1713.

Sincerely,

/s/

Lawrence T. Ward
Executive Director

cc: Darsi Foss, DNR



West Central Wisconsin Regional Planning Commission

October 28, 2003

Mr. Scott Hassett, Secretary
Wisconsin Dept. of Natural Resources
101 South Webster Street
PO Box 7921
Madison, WI 53707

Dear Secretary Hassett:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean up grant. The West Central Wisconsin Regional Planning Commission, representing Barren, Chippewa, Clark, Dunn, Eau Claire, Polk, and St. Croix Counties, is formally agreeing to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields Revolving Loan Fund (RLF). This grant would be administered by the DNR as a revolving loan fund that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

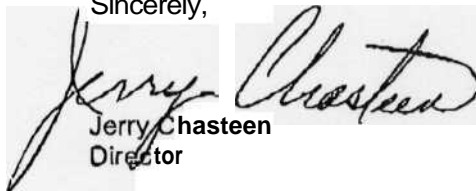
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- It supports sound land use management.
It helps local governments take advantage of existing infrastructures.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.

If you have any questions, please feel free to contact me at (715) 836-2918.

Sincerely,



Jerry Chasteen
Director

JC:lkr



MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION

1707 Main Street, Suite 240
LaCrosse, WI 54601
Phone: (608) 785-9396
Fax: (608) 785-9394
Email: plan@mrrpc.com

*Richard Wilhelm, Ellsworth, WI
Chairman*

*Eugene Savage, Black River Falls, WI
Vice-Chairman*

*Jan Keil, La Crosse, WI
Secretary & Treasurer*

*Greg Flogstad, Onalaska, WI
Director*

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

Dear Secretary Hassett:

I am writing to inform you of our organization's support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The Mississippi River Regional Planning Commission, representing Buffalo, Crawford, Jackson, La Crosse, Monroe, Pierce, Pepin, Trempealeau and Vernon Counties formally agree to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields funds at our December 10, 2003 bimonthly meeting. This grant would be administered by DNR as a revolving loan fund (RLF) that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields.

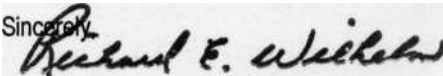
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The RLF application by the Wisconsin Brownfields Coalition is a good fit with our regional planning goals for several reasons:

- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.
- Our region's communities have already benefited from brownfield funding programs and there still is additional need for this funding.

The Mississippi River Regional Planning Commission wishes your grant application success and looks forward to working with you and our communities on this project.

If you have any questions, please feel free to contact me at 608-785-9396.

Sincerely,


Richard Wilhelm
Chairman

cc: Darsi Foss, DNR

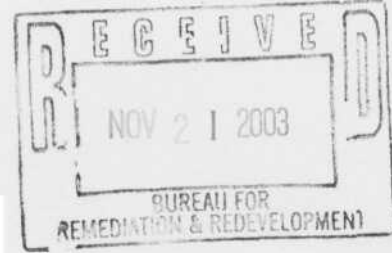
A Nine County Economic Development District Providing Assistance To Local Governments

- ***Land Use Planning*** • ***Zoning and Subdivision Ordinances*** • ***Transportation Planning*** • ***Economic Development Planning***
- ***GIS Mapping*** • ***Recreation Planning*** • ***Revolving Loan Fund Administration*** • ***Grant Writing*** • ***Socioeconomic Data Dissemination***
- ***Assist Local Interests In Responding To State and Federal Programs*** • ***Advisory Service on Local Planning Issues***
- ***Coordinating Agency for Programs and Activities*** • ***Public Policy Advocacy on Issues Affecting our Region***



City of Fond du Lac
First on the Lake

November 19, 2003



Ms. Darsi Foss
WI Dept. of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

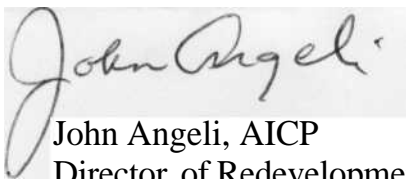
Re: Ready for Reuse Initiative

Dear Darsi:

Please consider this a strong letter of support for the Wisconsin Department of Natural Resources (DNR) application for EPA grant funds under the "Ready for Reuse Initiative". We have worked cooperatively with the DNR on several major brownfield projects in the City of Fond du Lac. However, much more work remains to be done and the City would like to continue this cooperative relationship in every way possible including as a potential sub-grantee. As such, the City of Fond du Lac encourages the U.S. Environmental Protection Agency (EPA) to give the DNR application every consideration for approval.

If EPA officials have any questions about the DNR relationship with the City of Fond du Lac, or the types of projects that have been completed or are pending, please have them contact me at 920-929-3316.

Sincerely,



John Angeli, AICP
Director of Redevelopment

JA:cc

kay/lfoss111903



CITY OF WEST ALLIS

WISCONSIN



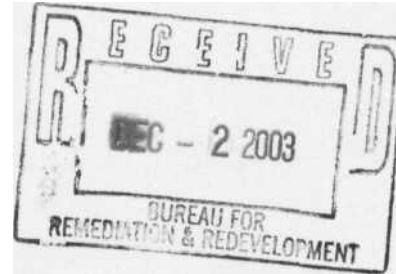
MAYOR'S OFFICE

JEANNETTE BELL

Mayor

December 1, 2003

Ms. Percy Mather,
Brownfields Section, RR3
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
101 South Webster Street
Madison, WI 53703



Re: Wisconsin "Ready of Reuse" Initiative: Leave No Brownfields Behind

Dear Ms. Mather:

The City of West Allis is forwarding this letter in support of Wisconsin's "Ready for Reuse" Initiative: Leave No Brownfield Behind.

The Wisconsin Brownfields Coalition (WBC) has been formed including the Wisconsin Departments of Natural Resources (DNR), Commerce and Administration and with the Wisconsin Regional Planning Commissions as additional coalition members. The DNR is seeking federal funds for the investigation and clean up of brownfield properties.

The Remediation and Redevelopment Program, on behalf of the WBC, is applying to the U. S. Environmental Protection Agency (EPA) to create the Wisconsin Brownfield Revolving Loan Fund (RLF). The RLF would create an approximate \$4 million fund that could be used for site assessment and remediation of brownfields. This fund, administered by the DNR for the WBC, would allow local units of government to access the fund in support of brownfield redevelopment in their communities. Governor Doyle has recently announced his "Grow Wisconsin Initiative" and the application of the WBC for the RLF would meet the goals designed for this initiative by returning brownfields to active reuse resulting in increased tax base and creation of new jobs.

If successful, the WBC's Revolving Loan Fund would be able to provide sub-grants and low or no-interest loans to local government units for the redevelopment of brownfields within their communities. Wisconsin's Brownfield Initiative has been very successful in providing tools and access to capital to public and private sector entities to promote brownfield redevelopment. The partnerships developed between local units of government and the private sector for the redevelopment process have leveraged significant private investment and the creation of the RLF would further enhance this goal.

The City of West Allis, a first-ring suburban city, has experienced the loss of significant tax base and jobs as a result of the evolution of the Midwestern near-urban manufacturing communities. By necessity, as a result of this evolution, the City has been very active in creating new tax base and jobs. The redevelopment of brownfields has been, and will continue to be, a cornerstone of the West Allis plan to improve the quality of life within the City.

Following is a brief description of several of the City of West Allis' specific brownfield redevelopment projects that could greatly benefit from the potential use of the newly created RLF:

Six Points/Farmers Market Redevelopment Project: The Project is the most extensive urban renewal project ever undertaken by the City of West Allis. The project involves acquisition of 35 properties by the City in a 60-acre area, with pre-development costs estimated in excess of \$13 million and relocation of occupants in accordance with Wisconsin Relocation Law. Current property uses of several of the city blocks involved in the project are primarily industrial, including a 100-year old manufacturing facility, steel finishing and fabricating, door manufacturing, industrial equipment warehousing, and scrap yard/salvage operations. Historical uses also include fuel storage and supply, a ready-mix concrete plant, concrete product manufacturing, and a metals foundry and smelting shop. Other areas of the Six Points project comprise a large block of mostly small properties. These smaller properties historically have been occupied by two- or three-story wood framed buildings, typically housing a tavern or restaurant on the ground floor, and rooms for rent or apartments in upper stories. The project contains numerous brownfields and the City is using many of the Wisconsin Brownfield Initiative tools to assist with the redevelopment effort. The private leverage created by this project is potentially in excess of \$50 million and includes commercial redevelopment, much needed housing and significant job creation.

1960 67 Place ~ "Lime Pit" Project: The project area contains an 11.6-acre former industrial landfill. A manufacturing facility occupied the site between 1932 and 1984. The facility manufactured carbide gas, which produced the byproduct "lime slurry". The lime slurry was disposed in pits on the site. The current owner acquired the site and, over the past 17-18 years, portions of the site have been rented out to various businesses. The property has been used as a lime slurry pit, a waste storage and transfer facility, an oil/hazardous waste trucking terminal, and a salvage/junkyard. This brownfield is surrounded by commercial and residential development and by a church, including a school, on one side. The City is in the process of acquiring the site and has planned for its commercial redevelopment. The City was awarded a DNR site assessment grant to assist with the characterization of the site and the RLF could potentially provide additional assistance.

Wehr Steel Project: This project involves the acquisition (via eminent domain) and redevelopment of a portion of the 32+ acre former Wehr Steel property located in the southeast part of West Allis. The Wehr Steel Company operated from approximately 1920 until 1985 and was one of the largest steel foundries in Wisconsin. In July, 1999, West Allis was approved for a \$200,000 USEPA Brownfields Assessment Demonstration Pilot. The initial assessment work has been completed. In May, 1991, the current owner and the WDNR entered into a Final Settlement Agreement and Stipulation for the "capping" of the site. The City of West Allis contends that the Owner has failed to live up to this agreement and, as such, is commencing with eminent domain proceedings under the State's "blight law".

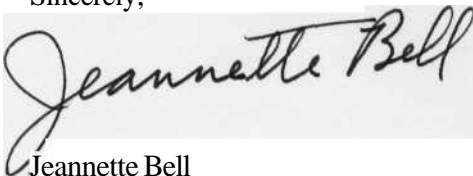
The City is seeking private redevelopment of the site and the project could be an excellent candidate to participate in the potential RLF.

West Allis Athletic Fields: This parks and recreation project initiative includes the creation of a soccer complex and the complete renovation of the athletic fields southeast of Nathan Hale High School at South 116 and West Lincoln Avenue. The project will provide a community-wide recreational and educational facility for all levels of athletic activity from high school varsity competition to grade school, as well as recreational and community leagues. The portion of the project that applies directly to brownfield redevelopment is contained by the former municipal landfill located south of the City's Municipal Court/Police Building and includes the soccer facilities, tot play areas and parking for the facilities. The City has applied for a DNR Green Space and Public Facilities Grant for this project and a potential RLF sub-grant or low interest loan would greatly enhance the successful completion of the project. These types of projects do not have the same ability to draw private capital and, therefore, the participation of the RLF could be even more important and effective.

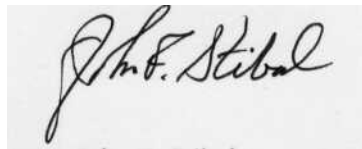
West Allis has been recognized for its innovative participation in brownfield redevelopment by creating public/private partnerships and by leveraging the public funding with private sector capital. The State of Wisconsin has a demonstrated need for the establishment of the RLF. The City enthusiastically supports the WBC's application to the EPA for the creation of the statewide revolving loan fund and requests that the Wisconsin Brownfield Coalition application be funded.

If you have any questions or comments, please feel free to contact John Stibal at 414-302-8464.

Sincerely,



Jeannette Bell
Mayor



John F. Stibal
Director, Department of Development

JB:jmg

h\5\d-t-b



Fond du Lac County

PLANNING/PARKS DEPARTMENT
(920) 929-3135
FAX(920)929-7655

City/County Government Center
160 South Macy Street, Fond du Lac, WI 54935

November 25, 2003

Percy Mather
RR/3DNR
P.O. Box 7921
Madison, WI 53707

RE: Wisconsin's 2004 EPA Brownfields Grant Application

Dear Ms. Mather:

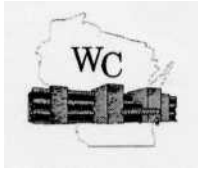
I am writing in support of Wisconsin's application to EPA Region 5 that will enable the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce to implement a Wisconsin Brownfields Coalition for administration of a Wisconsin Brownfields Revolving Loan Fund. Wisconsin has been proactive in the pursuit of brownfields investigation and remediation. But like any good program, there have not been enough dollars in Wisconsin to address the worst brownfield sites in each community around the State. Wisconsin's EPA grant proposal addresses this deficiency and will reach statewide and across state agencies to work with communities large and small to address brownfield sites across the state. The RLF will be a useful tool in leveraging local dollars for the investigation and remediation of brownfields, ***leaving no brownfields behind.***

Fond du Lac County has been successful in securing WDNR and WDOC brownfield grant dollars. I can say without reservation that Wisconsin's brownfield grant programs address brownfield issues efficiently and in a timely manner. I anticipate that a Coalition revolving loan fund will be implemented in a similar fashion. Fond du Lac County fully supports the efforts of the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce in setting up a brownfields revolving loan fund.

Best regards,

A handwritten signature in black ink, appearing to read "Sam Tobias", is written over a light gray rectangular background.

Sam Tobias
County Planning & Parks Director



**WAUPACA COUNTY TREASURER
COURTHOUSE
811 HARDING ST., P.O. BOX 663
WAUPACA, WI 54981**

James W. Goeser
County Treasurer
Phone: 715-258-6220
Fax: 715-258-6212

P. Scott Hassett
Wisconsin Dept of Natural Resources
PO Box 7921
Madison WI 53707-7921

November 20, 2003

To Whom It May Concern,

Recently Waupaca County was made aware of the Wisconsin Brownfield Coalition's application for federal funding for Brownfield's cleanup. As a local government, Waupaca County knows first hand of the tremendous need for funding of such worthwhile programs. Local governments need funding partners to foster a proactive approach towards cleanups. I urge you to favorably consider the Wisconsin Brownfield Coalition Application. Thank you.

Sincerely,

James W. Goeser
Waupaca County Treasurer

cc: Darcy Foss

RECEIVED

MOV 21 2003

**OFFICE OF THE
SECRETARY**



MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION

1707 Main Street, Suite 240
La Crosse, WI 54601
Phone: (608) 785-9396
Fax: (608) 785-9394
Email: plan@mrrpc.com

*Richard Wilhelm, Ellsworth, WI
Chairman*

*Eugene Savage, Black River Falls, WI
Vice-Chairman*

*Jan Keilf La Crosse, WI
Secretary & Treasurer*

*Greg Flogstad, Onalaska, WI
Director*

December 1, 2003

Scott Hassett, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921
Madison, WI 53707

Dear Secretary Hassett:

I am writing in support of the Wisconsin Brownfields Coalition's (WBC) - the Departments of Natural Resources, Commerce and Administration - application to EPA for a federal brownfields clean-up grant. The Mississippi River Regional Planning Commission, representing Buffalo, Crawford, Jackson, La Crosse, Monroe, Pierce, Pepin, Trempealeau and Vernon Counties will formally take action on agreeing to become a member of the Wisconsin Brownfields Coalition for the purpose of applying for the EPA Brownfields funds at our December 10, 2003 bimonthly meeting. This grant would be administered by DNR as a revolving loan fund (RLF) that would provide sub-grants and no-to-low interest loans to Wisconsin communities in order to help them clean up their brownfields,

Brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. These abandoned, idle or underused properties can face many hurdles to redevelopment, and the first of these is the stigma of contamination. The WBC's grant would be used to clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of towns.

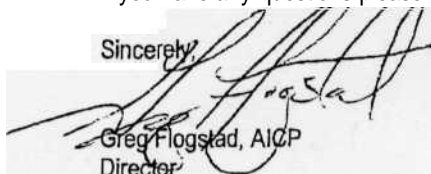
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- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It helps protect citizens from environmental pollutants.
- It helps urban centers market themselves as healthy and productive places to work and live.
- Our region's communities have already benefited from brownfield funding programs and there still is great need for this funding.

I will provide you a letter of support for the application and joining the partnership upon action by our Commission on December 10, 2003. I wish your application for brownfield funding a success and I look forward to partnering with you on this project in the future. I apologize for not being able to provide you with formal support at this time due to our bimonthly meeting schedule.

If you have any questions please feel free to contact me at 608-785-9396.

Sincerely,



Greg Flogstad, AICP
Director

cc: Darsi Foss, DNR

A Nine County Economic Development District Providing Assistance To Local Governments

***• Land Use Planning • Zoning and Subdivision Ordinances • Transportation Planning • Economic Development Planning
• GIS Mapping • Recreation Planning • Revolving Loan Fund Administration • Grant Writing • Socioeconomic Data Dissemination
• Assist Local Interests In Responding To State and Federal Programs • Advisory Service on Local Planning Issues
• Coordinating Agency for Programs and Activities • Public Policy Advocacy on Issues Affecting our Region***



SIXTEENTH STREET COMMUNITY HEALTH CENTER

1337 S. 16TH STREET
MILWAUKEE, WISCONSIN 53204
(414) 672-1353

MEDICAL & DENTAL SERVICES • MENTAL HEALTH & SOCIAL SERVICES
ENVIRONMENTAL HEALTH WIC & HEALTH EDUCATION SCHOOL BASED HEALTH

November 12, 2003

Mr. Scott Hassett, Secretary
Wisconsin Department of Natural Resources
PO Box 7921
Madison WI 53707-7921


Dear Mr. Hassett:

On behalf of the Sixteenth Street Community Health Center, I am writing to express support for the Wisconsin Brownfields Coalition's (WBC) efforts to obtain U.S. Environmental Protection Agency funding for investigating and cleaning up brownfield properties in the State of Wisconsin.

The Wisconsin Brownfields Revolving Loan Fund that is being proposed by the Wisconsin Departments of Natural Resources, Administration and Commerce will significantly help our state realize the vision of Governor Jim Doyle's *Grow Wisconsin* initiative by promoting higher and better uses for Wisconsin's brownfield properties.

As you know, the Sixteenth Street Community Health Center's Department of Environmental Health, through its Sustainable Development Initiative for Milwaukee's Menomonee River Valley, has worked with local and state units of government, private sector organizations and other nonprofit groups to streamline redevelopment processes in order to attract new, high-quality development on a 1200-acre collection of brownfield properties in the heart of Wisconsin's largest metropolitan area. Ultimately, our agency hopes to restore the Menomonee River Valley and bring good family-supporting jobs back to Milwaukee's central city.

U.S. Environmental Protection Agency support for environmental cleanup is a critical component in helping our community and others across the state meet our shared environmental and economic objectives for the future. We look forward to participating in the future success of the Wisconsin Brownfields Coalition, and I hope that the WBC proposal is met with full support from the U.S. EPA.

Sincerely,



Peter McAvoy, Director
Department of Environmental Health



November 7, 2003



Ms. Percy Mather, RR/3
Waste Management Specialist
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707-7921

RE: Efforts to obtain federal funds for investigating and cleaning up brownfield properties.

Dear Ms. Mather:

OMNI Associates is pleased to hear that the Wisconsin Department of Natural Resources, the Wisconsin Department of Commerce, and the Wisconsin Department of Administration are working together to pursue brownfield funding from the U.S. Environmental Protection Agency.

The seed money made available through grant and loan programs is vital to restoring brownfield property to productive use again. For example, we are currently working on a riverfront property with a redevelopment authority. Prior to beginning our environmental investigation activities at the property, the redevelopment authority requested proposals from developers throughout the Midwest. No proposals were submitted by any of the developers solicited. In follow up discussions with the developers, one of the main reasons provided for not submitting a proposal was the "uncertainty with the environmental conditions at the site."

We assisted the redevelopment authority in obtaining a state brownfield grant, and the site has recently been investigated and the environmental uncertainty resolved. Without the grant and loan programs from the state and federal agencies, brownfield properties often sit underutilized.

Thank you for your efforts in redeveloping Wisconsin's brownfield properties. Please call us if you have any questions on the above information.

Very sincerely,
OMNI Associates, Inc.

A handwritten signature in black ink, appearing to read "Phillip J. Ramlet".

Phillip J. Ramlet
President

**WISCONSIN
BROWNFIELDS
STUDY GROUP**

John Antaramian
City of Kenosha

Beverly Craig
City of Milwaukee

Nancy Frank
UW - Milwaukee

Arthur Harrington
Godfrey & Kahn

Bruce Keyes
Foley & Lardner

Larry Kirch
City of LaCrosse

Peter McAvoy
Sixteenth St. Community
Health Center

Tom Mueller
TEMCO

Peter Peshek
DeWitt, Ross and Stevens

Jeff Schoepke
WI Manufacturers
and Commerce

John Stibal
City of West Allis

Joy Stieglitz
Vandewalle & Associates

Mark Thimke
Foley & Lardner

Sam Tobias
Fond du Lac County

Bruce Keyes
Foley & Lardner
777 E. Wisconsin Avenue
Milwaukee, WI 53202-5306
414.271.2400 TEL 414.297.4900 FAX

Writer's Direct Line 414.297.5815
bkeyes@foley.com

December 2, 2003

Scott Hassett, Secretary
WI Department of Natural Resources
P.O. Box 7921
Madison, Wisconsin 53707-7921

Dear Secretary Hassett:

On behalf of Wisconsin's Brownfields Study Group, we are writing to provide our support for Wisconsin's "Ready for Reuse" Initiative: Leave No Brownfields Behind.

The Remediation and Redevelopment Program of the Wisconsin Department of Natural Resources (DNR) is seeking federal funds for the investigation and cleanup of brownfield properties. DNR is working with the departments of Commerce and Administration to create the Wisconsin Brownfields Coalition (WBC) and with Wisconsin Regional Planning Commissions as potential coalition members.

The WBC's application to the U.S. Environmental Protection Agency (EPA) would create a single Wisconsin Brownfields Revolving Loan Fund (RLF) of as much as \$4 million, for assessment and cleanup of brownfields. Providing these funds supports Governor Doyle's *Grow Wisconsin* initiative by promoting higher and better uses for the estimated 10,000 brownfields in Wisconsin. Many Wisconsin communities have brownfields, including old gas stations, abandoned factories and underused commercial facilities in visible locations downtown, along waterfronts or adjacent to major thoroughfares. Federal grant dollars for environmental cleanup could help these projects become "ready for reuse." After environmental cleanup they can become suitable locations for commercial, industrial, residential or green space purposes.

If funded by EPA, Wisconsin's RLF would be administered by DNR in cooperation with the other WBC members. The coalition would provide sub-grants and low or no-interest loans to local governments, including counties, cities, villages, towns and tribal authorities. By using these funds, local governments could not only "jump start" redevelopment at brownfield properties, but also partner with developers to leverage private investment at brownfield trouble spots in the community. Possible brownfield redevelopment projects that could use RLF funds include:

- applicants for, or recipients of, DNR Brownfields Site Assessment or Brownfields Green Space and Public Facilities grants at locations that require additional environmental cleanup;

Scott Hassett
December 2, 2003
Page 2

- applicants for Department of Administration Coastal Management Grants at locations that need environmental cleanup;
- applicants for Department of Commerce Brownfields Grants that did not receive a grant; and
- applicants for brownfields in communities with high unemployment and poverty, such as federal enterprise communities, renewal communities, or state community development and enterprise zones.

The Wisconsin Brownfields program has been recognized as a leader in innovation, in part because of the diverse availability of funding. We believe that revolving loan funds administered by the WBC would provide a remarkable return on investment in terms of the impact on contaminated properties in Wisconsin and fill an urgent need essential to fuel the economic engine of growth. On behalf of the Brownfield Study Group and in particular, the private sector and local government members of the Group, we urge the award of funds to the Wisconsin Brownfield Coalition.

Sincerely yours,



Bruce A. Keyes

cc: Darsi Foss
Marc Marotta
Percy Mather
Cory Nettles



December 1, 2003

Ms. Percy Mather
Brownfields Section
RR3
Remediation and Redevelopment Program
Wisconsin Department of Natural Resources
101 So. Webster Street
Madison, WI 53702



Re: Wisconsin "Ready of Reuse" Initiative: Leave No Brownfields Behind

Dear Ms. Mather:

The City of Manitowoc is forwarding this letter in support of Wisconsin's "Ready for Reuse" Initiative: Leave No Brownfield Behind.

The Wisconsin Brownfields Coalition (WBC) has been formed including the Wisconsin Departments of Natural Resources (DNR), Commerce and Administration and with the Wisconsin Regional Planning Commissions as additional coalition members. The DNR is seeking federal funds for the investigation and clean up of brownfield properties.

The Remediation and Redevelopment Program, on behalf of the WBC, is applying to the U. S. Environmental Protection Agency (EPA) to create the Wisconsin Brownfield Revolving Loan Fund (RLF). The RLF would create an approximately \$4 million that fund that could be used for site assessment and remediation of brownfields. This fund, administered by DNR for the WBC, would allow local units of government to access the fund in support of brownfield redevelopment in their communities. Governor Doyle has recently announced his "Grow Wisconsin Initiative" and the application of the WBC for the RLF would meet the goals designed for this initiative by returning brownfields to active reuse resulting in increased tax base and creation of new jobs.

David Less
City Planner

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Visit our Web Site at: <http://www.manitowoc.org>



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If successful, the WBC's Revolving Loan Fund would be able to provide sub-grants and low or no-interest loans to local government units for the redevelopment of brownfields within their communities. Wisconsin's Brownfield Initiative has been very successful in providing tools and access to capital to public and private sector entities to promote brownfield redevelopment. The partnerships developed between local units of government and the private sector for the redevelopment process have leveraged significant private investment and the creation of the RLF would further enhance this goal.

The City of Manitowoc, an industrially based community with a population of approximately 34,000, is located on Lake Michigan's western shore. The City has experienced the loss of significant tax base and jobs as a result of the worldwide manufacturing recession, and the location of key manufacturers to Mexico and China. The loss of tax base and jobs was exacerbated by the announcement this year that Newell Rubbermaid would close its Mirro Aluminum facilities in the City. The exodus of Mirro from Manitowoc represents a total loss of approximately 3,500 workers over the last several years. The last 882 Mirro jobs were eliminated when the plant closed in September. Newell Rubbermaid is currently in the process of auctioning off four (4) of its buildings in Manitowoc which collectively represent 1.2mm square feet of industrial buildings. By necessity, as a result of this evolution, the City is very interested and active in seeking to create new tax base and jobs. Due to its industrial heritage, Manitowoc has numerous brownfields. The redevelopment of brownfields will be, a cornerstone of the Manitowoc plan to recreate its tax base, add new jobs through economic development and improve the quality of life within the City. Manitowoc is looking to partner with private sector developers, the State of Wisconsin, Manitowoc County and other surrounding communities and through the potential use of the WBC RLF, the EPA to redevelop key brownfields in its planning area.

Following is a brief description of several of the City of Manitowoc's specific brownfield redevelopment projects that could greatly benefit from the potential use of the newly created RLF:

Canadian National (CN)/Wisconsin Central Railroad Redevelopment Site: The City is seeking private redevelopment of the site and the project could be an excellent candidate to participate in the potential RLF. The redevelopment of the approximately 22-acre CN site was included in the City's Comprehensive Plan which was adopted in June of 1999. The property has extensive river frontage and is within minutes by land or water of Lake Michigan. Current property uses consist of exterior stone storage and railroad transshipment site.

Redevelopment of the CN property will involve acquisition of the parcels by Manitowoc, followed by any decommissioning of the industrial buildings and operations on the tract, including assessment and abatement of ACBM. Following decommissioning, existing buildings will be demolished, including foundations and paving where necessary. Any required remediation will be performed followed by infrastructure improvements and site regrading will be completed in preparation for site redevelopment.

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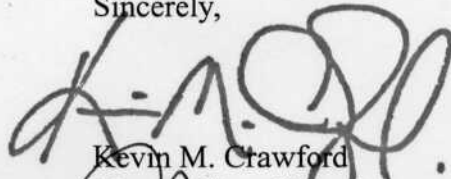
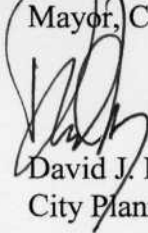
The City's long range plans are to purchase the property, and then enter into developer agreements to create a mixed development property including river front residential redevelopments, commercial office development and pleasure craft dockage. The residential development may include apartments, town houses and condominium. Intermittent green space is planned for the project.

Newell Rubbermaid (Mirro Aluminum Sites): Newell Rubbermaid, Inc. is the owner of Mirro, and is the third largest taxpayer in the City. They own 10 properties in the City which generated over \$300,000 in 2002 real and personal property taxes. All of the properties, due to their manufacturing usage for numerous years, are potential brownfields. One of the properties, a 900,000 square foot, multi-story, vacant office/warehouse/manufacturing building on Washington Street poses many problems due to its massiveness, its masonry construction, plus asbestos and lead paint content as well as the potential for significant decommissioning and remediation costs.

Another Mirro Aluminum plant located on Mirro Drive, consists of a 607,000 square foot manufacturing building and a 260,000 square foot distribution center. The size alone of the Mirro Drive complex when coupled with potential environmental concerns poses problems for redevelopment.

The City is looking to partner with the current owner, private sector developers, Manitowoc County, the State of Wisconsin to create an economic redevelopment plan for these properties and subsequently to proceed with the assessment and potential remediation of the sites to allow for private redevelopment. The City of Manitowoc could use the resources of the WBC RLF to assist with the necessary redevelopment of these industrial sites.


The City is establishing innovative participation in brownfield redevelopment by creating public/private partnerships and leveraging the public funding with private sector capital. The State of Wisconsin has a demonstrated need for the establishment of the RLF. The City enthusiastically supports the WBC's application to the EPA for the creation of the state wide revolving loan fund and requests that the Wisconsin Brownfield Coalition application be funded.

Sincerely,

Kevin M. Crawford
Mayor, City of Manitowoc

David J. Less
City Planner, City of Manitowoc

CORRESPONDENCE/MEMORANDUM

DATE: November 26, 2003

TO: Darsi Foss - RR/3
Brownfields Section Chief

FROM: Judy Mills Ohm - LS/5 
Legal Counsel

SUBJECT: Legal Opinion regarding application for Brownfields Revolving Loan Fund

You have requested a legal opinion on the following two questions regarding your application for a Brownfields revolving loan fund from the United States Environmental Protection Agency ("USEPA"):

1. Does the Wisconsin Department of Natural Resources ("WDNR") have legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant?
2. Does WDNR have legal authority to perform the actions necessary to manage a revolving loan fund, such as the ability to hold funds, make loans, enter into loan agreements and collect repayments?

This memo will provide you with a legal opinion on these two questions.

1. WDNR has the legal authority to obtain access to properties and to secure them in the event of an emergency or default of a loan agreement or non-performance under a sub-grant, in order to take environmental repair action at a site or facility, or if entry is necessary to prevent increased damage to the air, land or waters of the state.

WDNR has legal authority to obtain access to properties under ss. 292.1 1(8) and 292.31(3)(e), Wis. Stats. Section 292.1 1(8), Stats., provides as follows:

292.11 (8) Access to property and records. Any officer, employee or authorized representative of the department, upon notice to the owner or occupant, may enter any property, premises or place at any time for the purposes of sub. (7) if the entry is necessary to prevent increased damage to the air, land or waters of the state, or may inspect any record relating to a hazardous substance for the purpose of ascertaining the state of compliance with this section and the management rules promulgated under this section. Notice to the owner or occupant is not required if the delay attendant upon providing it will result in imminent risk to public health or safety or the environment.

There is similar language in s. 292.31(3)(e), Stats., which relates to environmental repair actions at designated sites or facilities:

292.31 (3)(e) Access to property. Any officer, employee or authorized representative of the department may enter onto any site or facility and areas surrounding the site or facility at reasonable times and upon notice to the owner or occupant to take action under this section. Notice to the owner or occupant is not required if the delay required to provide this notice is likely to result in an imminent risk to public health or welfare or the environment.

One of these two statutes would most likely apply in cases in which WDNR would make a loan or a grant under the revolving loan fund. WDNR could obtain access to any site or facility, under these statutes, to determine whether the site or facility is in compliance with the law regarding hazardous substance discharges, upon providing notice to the owner or occupant, in either emergency or non-emergency situations. If immediate access was necessary in order to prevent imminent harm to the environment, notice to the owner or occupant would not be required. In addition, if the owner of the property denied access to the property, WDNR has the authority to obtain a special inspection warrant in order to gain access to the property. This authority is found in s. 66.0119(2), Wis. Stats., which provides as follows:

66.0119 (2) A peace officer may apply for, obtain and execute a special inspection warrant issued under this section. Except in cases of emergency where no special inspection warrant is required, special inspection warrants shall be issued for inspection of personal or real properties which are not public buildings or for inspection of portions of public buildings which are not open to the public only upon showing that consent to entry for inspection purposes has been refused.

Thus, WDNR would have the authority under these statutes to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant.

2. WDNR has the legal authority to perform the actions necessary to manage a revolving loan fund (such as the ability to hold funds, make loans, enter into loan agreements and collect repayments) and WDNR is pursuing legislation to obtain additional legal authority to perform those actions necessary to manage a revolving loan fund.

Under s. 20.370(6)(cm), WDNR has legal authority to receive and hold moneys from the federal government to aid localities. Therefore, WDNR could receive the money from the USEPA for the revolving loan fund and could hold the money in this appropriation.

Applicants who are successful in obtaining a Revolving Loan Fund will be allowed to award some of the money as grants and some as loans. WDNR and the other members of the Coalition applying for the Revolving Loan Fund currently administer a number of Brownfield grant programs and loan programs. WDNR administers the following programs:

1. Brownfield site assessment grant (SAG) program under s. 292.75, Wis. Stats. This program provides grants to local governments from the appropriation

under s. 20.370(6)(et) for the purpose of conducting environmental investigation of environmental contamination at eligible sites or facilities and conducting certain removal actions at those sites or facilities. Grant recipients must provide a minimum match of 20% of the amount of the grant. Each recipient is required to sign a contract that includes enforceable conditions and sanctions if the grantee does not meet the conditions of the program.

2. Brownfield green space grant program under s. 292.79, Wis. Stats. This program provides grants to local governments for projects to remedy environmental contamination of brownfields, if the project will have a long-term public benefit, including the preservation of green space the development of recreational areas, or the use of a property by the local government. Grant recipients must provide a match of 20% to 50% of the amount of the grant. Each recipient is required to sign a contract that includes enforceable conditions and sanctions if the grantee does not meet the conditions of the program.
3. Sustainable urban development zone ("SUDZ") program under s. 292.77, 2001-2002 Wis. Stats. This program has been used to provide funds to certain municipalities to investigate environmental contamination and conduct cleanups of Brownfields.
4. Land recycling loan program under s. 281.60, Wis. Stats. This program provides financial assistance (through loans) to local governments for projects to remedy environmental contamination of sites or facilities at which environmental contamination has affected or threatens to affect groundwater or surface water.

Wisconsin's Department of Administration ("WDOA") works with WDNR to administer the clean water fund program, safe drinking water loan program and land recycling loan program, which include revolving loan funds (s. 281.59(2), Wis. Stats.). These loan programs include authority to enter into financial assistance agreements with applicants, to collect repayments and to collect the amount of any unpaid loan balance by deducting that amount from any state payments due the municipality (s. 281.59(2) and (11), Wis. Stats.).

WDNR is also pursuing legislation that would allow it to administer a loan program, specific to the money it may receive through the USEPA Revolving Loan Fund program. In administering the SUDZ programs, WDNR has utilized the authority under s. 66.0301, Wis. Stats., to enter into intergovernmental agreements with municipalities in order to disperse grant money to the municipalities. That statute states that it is to be interpreted liberally in favor of cooperative action between municipalities (including the State and State agencies) and between municipalities and federally recognized Indian tribes and bands. The statute also provides that such agreements or contracts may include provisions for the deposit and disbursement of funds appropriated. The relevant provisions of the statute are as follows:

66.0301(2) In addition to the provisions of any other statutes specifically authorizing cooperation between municipalities, unless those statutes specifically exclude action under this section, any municipality may contract with other municipalities and with federally recognized Indian tribes and bands in this state, for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law. If municipal or tribal parties to a contract have varying powers or duties under the law, each may act under the contract to the extent of its lawful powers and duties. A contract under this subsection may bind the contracting parties for the length of time specified in the contract. This section shall be interpreted liberally in favor of cooperative action between municipalities and between municipalities and Indian tribes and bands in this state.

(3) Any contract under sub. (2) may provide a plan for administration of the function or project, which may include but is not limited to provisions as to proration of the expenses involved, deposit and disbursement of funds appropriated, submission and approval of budgets, creation of a commission, selection and removal of commissioners, and formation and letting of contracts.

If legislation is passed that authorizes WDNR to administer a separate loan program specific to the money it may receive from the USEPA Revolving Loan Fund program, WDNR could utilize s. 66.0301, Wis. Stats., to enter into loan agreements with municipalities and federally recognized Indian tribes. The agreements could specify the terms of the loans, including how loan repayments would be made.

In addition to the WDNR grant and loan programs, two other Wisconsin State agencies administer grant programs relating to Brownfields. The Department of Commerce administers the Brownfields Grant program under s. 560.13, Wis. Stats. This program awards grants based on the potential of the project to promote economic development in the area, whether the project will have a positive effect on the environment, the amount and quality of the recipient's contribution to the project and the innovativeness of the proposal. Also, the Department of Administration administers a Coastal Management program, which awards grants to eligible projects that protect or improve water quality in counties along the shores of Lake Michigan and Lake Superior. Examples of eligible projects include projects relating to public access, waterfront redevelopment, cleanup of brownfields, preservation of wetlands and land use planning.

Thus, the members of the Coalition have the current legal authority to perform the actions necessary to manage USEPA's Brownfields Revolving Loan Fund, such as the ability to hold funds, make loans, enter into loan agreements, collect repayments, and collect the amount of any unpaid loan balance if the loan recipient defaults on the loan. In addition, the members of the Coalition are pursuing legislation that would clearly authorize a separate loan program, specific to the money the Coalition hopes to receive from the USEPA Revolving Loan Fund program.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *to create* 20.370 (6) (ef), 20.370 (6) (eg), 20.370 (6) (em) and 292.72 of the
2 statutes; **relating to:** brownfield revolving loan programs and making
3 appropriations.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 20.370 (6) (ef) of the statutes is created to read:

5 20.370 (6) (ef) *Brownfields revolving loan repayments.* All moneys received in
6 repayment of loans under s. 292.72, to make loans for the remediation of brownfield
7 sites under s. 292.72.

8 SECTION 2. 20.370 (6) (eg) of the statutes is created to read:

9 20.370 (6) (eg) *Brownfields revolving loan funds administered for other entity.*
10 All moneys received from another governmental entity under s. 292.72 (2), to

1 administer a brownfield revolving loan program for the other governmental entity
2 under s. 292.72 (2).

3 SECTION 3. 20.370 (6) (em) of the statutes is created to read:

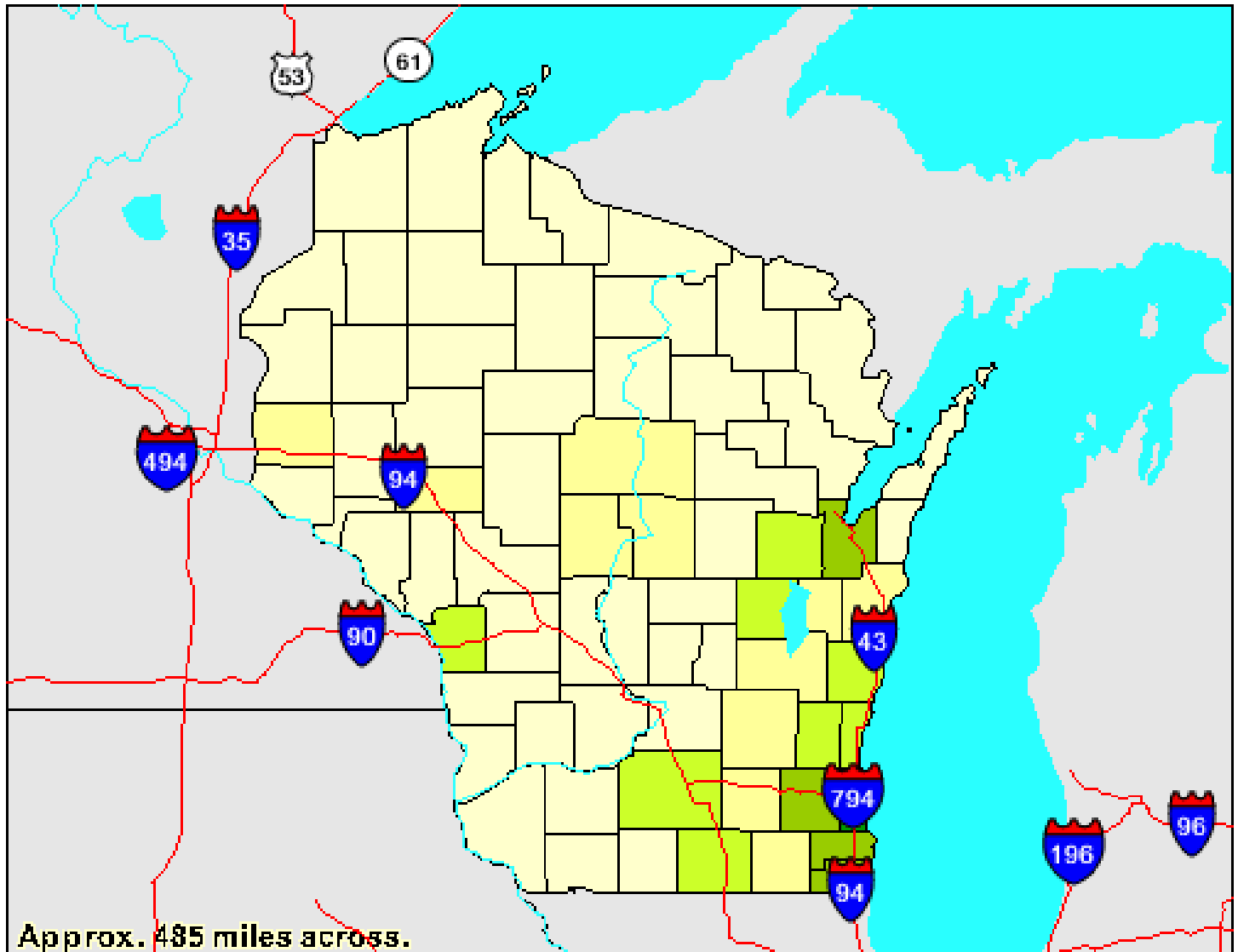
4 20.370 (6) (em) *Federal brownfields revolving loan funds.* All moneys received
5 from the federal government under s. 292.72 (1), to make loans for the remediation
6 of brownfield sites under s. 292.72 (1).

7 SECTION 4. 292.72 of the statutes is created to read:

8 **292.72 Brownfields revolving loan program.** (1) The department may
9 enter into an agreement with the federal environmental protection agency under
10 which the department receives funds under 42 USC 9604 (k) (3) (A) (i) to establish
11 and administer a brownfields revolving loan program. If the department receives
12 funds under this subsection, it may make loans for the remediation of brownfield
13 sites, as defined in 42 USC 9601 (39), in accordance with the agreement.

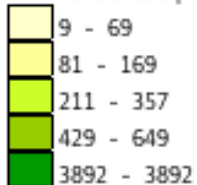
14 (2) At the request of another governmental entity, the department may
15 administer funds received under 42 USC 9604 (k) (3) (A) (i) by the other
16 governmental entity for the establishment of a brownfields revolving loan program.

17 (END)

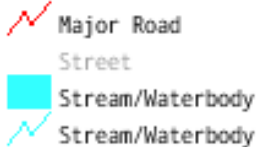


Data Classes

Persons/Sq Mile



Features



Items in gray text
are not visible

The Bureau of the Census defines an urbanized area (UA) by population density. According to this definition, each UA includes a central city and the surrounding densely settled territory that together have a population of 50,000 or more and a population density generally exceeding 1,000 people per square mile. Under this definition, all persons living in UA's and in places (cities, towns, villages, etc.) with a population of 2,500 or more outside of UA's are considered the urban population. All others are considered rural.