



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary

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November 14, 2008

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

Subject: 2009 EPA Brownfields Revolving Loan Fund Grant Application

Dear Mr. West:

The Wisconsin Brownfields Coalition (WBC) is applying for \$5 million to continue Wisconsin's Brownfields Revolving Loan Fund (RLF), known as the Ready for Reuse program. The WBC received a \$4 million brownfields RLF grant in 2004 for this statewide initiative, and \$1.5 million in additional funds in 2007. Since 2004, the WBC has developed the administrative infrastructure and expertise needed to administer this brownfields RLF. The WBC has strived to provide Wisconsin applicants with clear application information and standardized documents to assist in simplifying this federal program. The WBC is applying for additional funds, given that the WDNR only has approximately \$353,000 of hazardous substance funds remaining, with applications in house for more than \$1.7 million. In addition, the WBC has met with many other potential applicants concerning possible RLF projects. The WBC is seeking to continue the "Ready for Reuse" initiative, as a reflection of the critical need for cleanup dollars to move Wisconsin's estimated 8,000 brownfields properties to the redevelopment stage.

Mandatory Contents of Cover Letter

- a. **Applicant Identification:** Wisconsin Department of Natural Resources, 101 S. Webster Street, P.O. Box 7921 RR/5, Madison WI 53707-7921.
- b. **Funding Requested:**
 - i) Brownfields Revolving Loan Fund (RLF)
 - ii) \$5,000,000
 - iii) Contamination: Hazardous Substances
- c. **Location:** State of Wisconsin
- d. **Contacts:**
 - i) Project Director: Darsi Foss, Chief, Brownfields and Outreach Section, 101 South Webster Street (RR/5), Madison, Wisconsin, 53707. Darsi.Foss@Wisconsin.gov. Phone: 608-267-6713. Fax: 608-267-7646.
 - ii) Chief Executive: Matthew J. Frank, Secretary, Wisconsin Department of Natural Resources 101 S. Webster Street, PO Box 7921, Madison, Wisconsin, 53707-7921. Matthew.Frank@Wisconsin.gov. Phone: 608-266-2621. Fax: 608-261-4380.
- e. **Date Submitted:** Submitted on November 14, 2008, through Grants.gov.
- f. **Project Period:** From July 2009 through June 2014.
- g. **Population:**
 - i) 5,363,675 in the State of Wisconsin.

The WBC hopes that EPA agrees that Wisconsin's "Ready for Reuse" initiative is a project well worth EPA's commitment to continue investing resources in. Thank you in advance for your consideration.

Sincerely,



Matthew J. Frank, Secretary

cc: Deborah Orr - US EPA Region V Brownfields

THRESHOLD CRITERIA

1. Applicant Eligibility

The Wisconsin Brownfields Coalition (WBC) is the applicant for a \$5 million Revolving Loan Fund grant. The WBC consists of the Wisconsin Department of Natural Resources (WDNR), as the cooperative agreement administrator, and 7 of Wisconsin's Regional Planning Commissions (RPCs): Bay-Lake, Capital Area, East Central Wisconsin, Northwest Wisconsin, Southeastern Wisconsin, Southwestern Wisconsin, and West Central Wisconsin. The state legislature created the WDNR in 1967. The application eligibility documentation for the RPCs is located in Attachment A. Letters documenting membership in the WBC are in Attachment B. Additional letters of support are in Attachment D.

2. Description of Jurisdiction

The state of Wisconsin is the jurisdiction for the RLF.

3. Letter from the State or Tribal Environmental Authority

Not applicable.

4. Oversight Structure and Legal Authority to Manage a Revolving Loan Fund

- a. The WBC will rely on the WDNR's voluntary response cleanup program (i.e., the Remediation and Redevelopment Program) to ensure appropriate state oversight of cleanups, in compliance with Wisconsin's ch. NR 700 comprehensive cleanup rule. The WBC will ensure funding information and agreements clearly specify that the loan or 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 WDNR approval.
- b. The legal opinion that the WDNR has: (1) access to and the ability to secure sites; and (2) legal authority under s. 292.72, Wis. Stats., to administer the loan program is documented in Attachment C.

5. Cost Share

The WBC's cost share of 20%, or \$1,000,000, will be met by the loan or subgrant recipient who would provide a 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: 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.

RANKING CRITERIA

1. Community Need

a. Health, Welfare and Environment

- i) Wisconsin communities have a demonstrated need for funds to clean up approximately 5,200 properties (i.e., "open sites") with known contamination, and an estimated 2,800 yet-to-be-discovered brownfields. The state is notified of 500 new sites needing cleanup annually. Well over 50% of all open sites are predominately contaminated with non-petroleum substances. In essence, some of the most challenging sites remain in Wisconsin's inventory: foundries, dry cleaners, manufactured gas plants, electroplaters, and wood-treating sites. In addition, there are 4,000 known waste disposal sites in Wisconsin where little is known about their environmental or public health impact. These properties pose a potential threat to the public, as well as the air, land and waters of the state.

As the 10th leading state in the nation in manufacturing, Wisconsin has a strong history of heavy and light manufacturing facilities. However, in the early 2000's, Wisconsin was one of the top states in plant closings and loss of manufacturing jobs. With the closing of these facilities comes the public challenge of addressing the environmental legacy left behind. Both urban and rural communities in Wisconsin face a unique challenge. Rural communities have the challenge of finding public resources for environmental costs that far outweigh the assessed value of these properties. Urban communities in Wisconsin face the prospect of a large percentage of inner-city properties being designated as brownfields. These properties are disproportionately located in low-income neighborhoods, which have the highest minority populations, on average. The commonality they share is that state and local governments will be the catalyst for assessing, cleaning up and redeveloping these properties.

Brownfields contribute to the following environmental and public health concerns:

- In Wisconsin, 75% of residents rely on groundwater as their primary source of drinking water. WDNR's database indicates that there are 250 sites that have impacted private water supply wells that still require cleanup.
- In Wisconsin, 49 waters carry polychlorinated biphenyls (PCB) advisories for fish. Wisconsin is home to one of the largest PCB cleanups in the nation - the Fox River proposed NPL site. An estimated 70% of PCBs entering Lake Michigan are from this source of contamination (an estimated 700,000 pounds of PCBs).
- There is a state-wide mercury advisory, because that contaminant is found in almost all waters throughout the state. Cleaning up the land-based sources of this contamination will reduce the exposures to public health and reduce the migration of those chemicals into our waters, air and soil.
- Wisconsin ranks third in the nation for total water surface per square mile of land. The use of these cleanup funds along waterways, including the Great Lakes, would reduce or halt contaminant loading, which impacts our native fish population.
- Five of the 42 EPA-designated Areas of Contamination on the Great Lakes are located in Wisconsin, including Green Bay, Sheboygan, and Milwaukee.
- Many indigenous (Wisconsin tribes) and immigrant peoples (e.g., Hmong community), as well as recreational anglers, consume fish from these impacted or threatened waterways. Some of the greatest Hmong population areas (Milwaukee, Green Bay and Sheboygan) are home to a high percentage of brownfields, Superfund sites, and EPA AOC Great Lakes contamination areas.

- ii) Of Wisconsin's 5.4 million residents, 5.6% are African American or Black, 1.3% American Indian and Alaska Native, 2% Asian, and 2% other race (U.S. Census Bureau 2000). Wisconsin has the third largest population of Hmong in the U.S. Further, Wisconsin is home to 11 federally recognized Indian tribes. According to the 2006 Center on Wisconsin Strategy (COWS) economic report, one out of every 10 Wisconsinites, and more than one out of every 6 children in Wisconsin live in poverty. According to year 2000 data from the US Census Bureau, approximately 42.5% of the families headed by females-only are below the poverty level. Wisconsin also has 22 designated Community Development Zones, one Rural Enterprise Community and one Renewal Community designation.

According to the Wisconsin Minority Health Program's report, *The Health of Racial and Ethnic Populations in Wisconsin: 1996–2000*, the following information on sensitive populations is available: (1) African Americans are the largest racial/ethnic minority population in the state. In 2000, 300,245 people in Wisconsin identified their race as African American or black, representing 5.6% of the state's population. The black population increased 24% from 1990 to 2000; (2) More than three-fourths of all African Americans in Wisconsin live in Milwaukee County - 73% live in the City of Milwaukee; (3) According to the 2000 Census, the poverty rate in Wisconsin was highest among African Americans. 32% of African Americans reported living in households where income was below the poverty level, compared to 6% of whites. The poverty rate was 42% among African American children in Wisconsin under age 18; and (4) In 2000, 87,995 people in Wisconsin identified their race as Asian, a 68% increase from the 1990 Census. The Hmong comprised 38% of Wisconsin's Asian population, making it the largest Asian population in the state; 27% of Wisconsin's Asian population lives in Milwaukee County. For all ages combined, the proportion of Asians in Wisconsin who lived in poverty (20%) was higher than the proportion of whites in poverty (6%).

Scientific data that conclusively links the environmental problems associated with brownfields to the health and welfare of sensitive populations, such as the elderly, minorities, children, and women of child-bearing age is somewhat limited in Wisconsin, as well as on the national level. Brownfields practitioners assume that when brownfields are cleaned up and returned to productive use, the "quality of life" indicators of a neighborhood population - reduction in crime, exposure to contaminants, exposure to dangerous structures, general health (both physical and mental), economic improvements - improve. Some of the data that supports this conclusion include:

a. "*Public Health Implications of Hazardous Substances in the Twenty-Six U.S. Great Lakes Areas of Concern*," a 400-plus-page study was produced by a division of the Centers for Disease Control (CDC) and Prevention at the request of the International Joint Commission. The study was originally scheduled for release in July, 2007, by the CDC's Agency for Toxic Substances and Disease Registry (ATSDR). While the CDC has only released this study in draft, it does tentatively conclude "that more than nine million people who live in the more than two dozen 'areas of concern' - including such major metropolitan areas as Chicago, Cleveland, Detroit, and Milwaukee-may face elevated health risks from being exposed to dioxin, PCBs, pesticides, lead, mercury, or six other hazardous pollutants." (As previously noted, 73% of all African Americans in Wisconsin reside in the City of Milwaukee and 27% of Asians reside in Milwaukee County.) Researchers found elevated rates of infant mortality, low birth weights, premature births, and elevated death rates from breast cancer, colon cancer, and lung cancer (Kaplan, Center for Public Integrity, February 2008). Wisconsin has five EPA-designated areas of concern associated with the Great Lakes, including Green Bay, Milwaukee and Sheboygan, which are home to a majority of the state's Hmong and African American populations.

b. "*The Health of Racial and Ethnic Populations in Wisconsin: 1996–2000*," a report produced by the Wisconsin Minority Health Program, found that African American populations in Wisconsin (73% of which reside in Milwaukee) had higher rates of diseases

and deaths than the state's white population. The most telling observation was the health gap between African Americans and whites for leading causes of mortality and morbidity. The data shows that, during 1996-2000, minority communities were disproportionately impacted by adverse health outcomes as follows: (1) Cancer, heart disease, and stroke were the three leading causes of death in the total African American population in Wisconsin; (2) For every age group up to age 65, Wisconsin African Americans had mortality rates that were 2 times or higher than the white mortality rate; (3) The average annual rate of African American infant deaths in Wisconsin was nearly 3 times the rate of white infant deaths; (4) African American males had the highest rate of mortality from cancer of any race, ethnic, or gender group in Wisconsin. Cancer mortality rates among African Americans in Wisconsin were higher than national rates; (5) African Americans in Wisconsin had an asthma hospitalization rate over 6 times higher than whites; (6) About 25% of Wisconsin African American children tested for lead had blood lead poisoning, compared to 4% of white children tested; and (7) Asian women experienced the highest incidence of cervical cancer in Wisconsin – 3 times the rate of cervical cancer occurrences in white women.

In evaluating the possible concentration of brownfields properties in relation to sensitive populations, some communities in the state had a higher rate of “open” sites (i.e., sites that need to be cleaned up) per resident than other parts of the state. For example, there are 2,638 “open” sites located in the City of Milwaukee in the WDNR database. That would translate into 1 brownfield property for every 228 people (i.e., 1:228) in the City. Other communities with high ratios include Racine (1: 183), Sheboygan (1: 193), Green Bay (1: 218) and Janesville (1:331). This is in contrast to rural, northern Wisconsin where some of the communities have a significantly lower concentration of brownfields per capita (1:600).

b. Financial Need

- i) The Wisconsin Brownfields Coalition is seeking \$5 million in Hazardous Substance Revolving Loan funds to address both rural and urban, inner-city brownfields properties, which can be equally challenging. Wisconsin is generally considered a “rural” state, based on the Office of Management and Budget's metropolitan county designation criteria. Approximately 32% of the state's population lives in rural areas, as compared to the national average of 20% (US Census Bureau 2000 census data). Wisconsin has three cities with a population greater than 100,000, one of which is Milwaukee. Despite the “rural” nature of the state, the state continues to rank 10th nationally in the number of total manufacturing jobs (The State of Working Wisconsin 2008 report – Center on Wisconsin Strategy).

The annual “discovery” of approximately 500 new brownfields properties is directly tied to the continuing downturn of Wisconsin's economy. As companies close, contamination is discovered and reported to WDNR. Companies that are looking to expand to neighboring properties are facing environmental and financial challenges left by their former neighbors. The state continues to struggle economically, as is summarized by this financial data: (1) In 2006, the state ranked 4th nationally in mass layoff off and plant closings (2006 Corporation for Enterprise Development Report); (2) Wisconsin's economic growth has fallen off the national pace, as the national income per capita exceeds Wisconsin by \$2,500 and the gap is growing. (The State of Working Wisconsin 2008 report – Center on Wisconsin Strategy); (3) Since June 2007, Wisconsin has lost 24,000 jobs. From June, 2007, to June, 2008, Wisconsin

lost 13,000 manufacturing jobs. Manufacturing still employs 17% of Wisconsin’s workforce, with only Indiana having a higher rate. (Ibid); (3) Wisconsin’s unemployment rate has edged up to 5%. In 2007, Wisconsin’s unemployment rate (4.9%) exceeded the national average for the first time since the 1980’s. (Ibid); (4) Wisconsin’s median family income has fallen at an annual rate of -1.5% per year, while the national family income has fallen at half that rate (Ibid); (5) The poverty gap between whites and blacks in Milwaukee was the highest disparity posted by any of the nation’s top 100 metropolitan areas in 2006; (6) The unemployment rate of whites in Wisconsin is 4.5%; for African Americans it is 11.4%. The underemployment rate (those who have quit looking for jobs) is 16.6% for African Americans; and (7) In Wisconsin, 23% of all working families and 43% of all minority working families have too little money to meet basic needs. (Ibid)

Inner-city, urban communities in Wisconsin continue to struggle with the impacts of the most-recent economic downturn, including the persistence and creation of brownfields, crime, poverty and lack of job opportunities. The state’s urban areas - such as Kenosha, Racine, Milwaukee and the Green Bay-Appleton area – are in need of funds due to the closing of many manufacturing businesses. Since 1979, Milwaukee, Kenosha and Racine counties – which account for 55% of the state’s industrial employment - have lost more than 88,000 manufacturing jobs. Further, these three counties account for 25% of the “open” sites in WDNR’s database that need assessment and cleanup. The City of Milwaukee is an especially important target community. According to an August 28, 2007 Milwaukee Journal Sentinel article, Milwaukee has the 8th-highest poverty rate among large U.S. cities, with more than 143,000 people (26.2%) living below the federal poverty line.

The Corporation for Enterprise Development (CED) publishes an annual report card for the states. The report notes that in 2007, Wisconsin trailed most of the other states in new companies created (ranked 46th). The hundreds of brownfields sites that were created during the mass plant closings of the last decade will take years to address. As summarized in Wisconsin’s Investment Act State Plan (2005-07), “Wisconsin is in the process of recovering from one of the worst economic recessions since the mid-1980s, having lost 80,000 manufacturing jobs since 2000.” This was written a year before the September, 2008, financial crisis associated with subprime lending and Wall Street, and is supported by the warning in the 2008 COWS report, which states, “We are likely slipping into a new recession before family income recovered from the old one (i.e., recession.)”

Some of the significant 2008 plant closings in rural and urban areas of Wisconsin include:

Community	Type of Company	Population (2007 est.)	Number of Workers Affected
Albany	Manufacturer	1,058	110
Appleton	Tableware	70,017	300
Boscobel	Transformers	3,119	188
Broadhead	Manufacturing	3,080	184
Janesville	Auto Industry	65,000	2,000
Lake Mills	Equipment	5,429	159
Mazomanie	Commercial Printer	1,651	125

Community	Type of Company	Population (2007 est.)	Number of Workers Affected
Mosinee	Door Manufacturing	4,043	368
Niagara	Paper Mill	1,742	320
Oak Creek	Auto Industry	33,212	300
Port Edwards	Paper	1,944	500
Port Washington	Lawn Mowers	10,467	220

Thus, one of the target areas for these cleanup funds is rural parts of the state where manufacturing facilities have ceased operation. The number of known brownfields sites in rural Wisconsin is significant. Of the 5,200 known contaminated sites that have yet to be cleaned up, 1,509 sites (or 28%) are located in rural areas (WDNR's Bureau for Remediation and Redevelopment Tracking System). It is especially challenging to encourage the cleanup and redevelopment of the many brownfield sites in rural communities. Unlike sites in major metropolitan areas of the state, the real estate market and economic climate of smaller cities and rural areas is much less robust. There are fewer businesses seeking industrial and office space for their operations, there is a smaller demand for condos and new housing, and there is inexpensive undeveloped land available for development within close proximity of the center of town. As a result, these sites are significantly less likely to be cleaned up by the private sector and need public financial investment in order for cleanup to occur.

- ii) Presently, Wisconsin is facing a \$5 billion budget deficit (Wisconsin State Journal, 11/12/08). According to data provided by the Center on Budget and Policy Priorities (10/24/08), only four states have worse fiscal climates: California, Florida, New Jersey and New York. For the month of August, 2008 (one month prior to the subprime fallout of September, 2008), all Wisconsin tax collections were down 4.8% or \$60 million for the month (Wisconsin State Journal, 10/15/08). The State estimates two consecutive yearly losses in tax revenues (2.5% this fiscal year and 1.5% next fiscal year). The \$5 billion deficit represents a shortfall of 15% of overall state spending (Wisconsin State Journal, 11/12/08).

In response to this situation, there have been a number of budgetary actions taken by the state to address this \$5 billion deficit. Those actions impacting the state's brownfields initiatives and the state's ability fund environmental cleanups include:

- \$2 million dollar reduction of Wisconsin Dept. of Commerce's brownfields grant program this biennium. These funds pay for assessments, investigation, demolition, cleanup and acquisition.
- \$2 million dollar reduction in the WDNR's fund to pay for assessments, investigations and cleanups where there is no willing or financially viable responsible party. This represents a 30% decrease in funds for this biennium.
- \$350,000 reduction in the WDNR's brownfields green space grant program, which represents a 30% reduction in cleanup funds for this biennium.

All of these reductions impact Wisconsin communities' abilities to start or finish cleanups at brownfields. From July 1, 2007, to June 30, 2009, Wisconsin will have lost \$4.35 million in brownfields funds. According to the Northeast Midwest Institute's (NEMWI) draft report, *The Environmental and Economic Impact of Brownfields Redevelopment* (July 2008), "public

investments in brownfields leverage total investments at a ratio of approximately \$1/public investment to \$8/investment.” The report states that “brownfield sites in severely distressed areas (citing Milwaukee as an example) require higher subsidy levels, as much as double the ratios indicated here.” In essence, the state has lost at least \$32 million in leveraged funds, with the direct loss of the \$4 million in state brownfields funds.

WDNR received a \$4 million RLF in 2004, and an additional \$1.5 million in supplemental funds in 2007. With these funds, WDNR created the Wisconsin Ready for Reuse Loan and Grant Program. This program has been, and continues to be, very successful. Unfortunately, that means WDNR is getting close to having zero funds available for hazardous substance cleanup projects. Out of \$4,312,875 that was available for hazardous substance loans and subgrants, three loans and ten subgrants have been awarded, for a total of \$3,807,623. There is only \$352,748 remaining for hazardous substance loan awards, and there are pending requests totaling \$1.7 million. As it stands, WDNR is unable to accept any further applications for hazardous substance subgrants.

2. Program Description and Feasibility of Success

a. Program Description

- i) The WDNR’s Remediation & Redevelopment (RR) Program is a unique environmental cleanup program, designed to assist in the investigation, cleanup and redevelopment of contaminated properties. This comprehensive, streamlined cleanup approach, which consolidates state and federal cleanup efforts into one single program, is viewed as a national model by local, state and federal agencies. This consolidation provides technical, financial, outreach and liability assistance to the Wisconsin public, which results in greater time and cost savings than traditional models. The WDNR is one of the only states with a One Clean-up Program memorandum of agreement signed by the EPA.

The WDNR’s outreach, grant and technical staff are involved with each and every one of the state and federal loans and grants. The WBC would continue to emulate this winning formula if it is awarded these federal funds. In addition, the WDNR has built a statewide grant and loan selection, support and reimbursement system that will be used to implement this initiative. The WBC will work closely with EPA Region V staff to ensure that all the proper procedures are put in place to distribute these funds. Further, the WDNR employs an outreach tool that it refers to as “green team” meetings. The WDNR conducts about 50 of these meetings a year, mostly with local governments. The purpose of these meetings is to bring state agency (WDNR, Commerce, and Transportation) and federal agency (EPA, Transportation, FAA, EDA) resources directly to the community for a meeting to talk about the brownfields project and resources. These meetings have been highly successful in packaging state and federal technical, financial and liability assistance together to support the entire project. Thus, the RLF funds will be another tool, but a key one, to provide cleanup funds to the more challenging, community-driven brownfields projects.

- ii) The WDNR believes that it has created a stream-lined, loan administrative support system that functions as a sustainable source of environmental funds. First, the WDNR has dedicated a significant amount of resources developing the administrative infrastructure necessary to operate any type of grant or loan program. The WDNR has developed the RLF funds into the

“Ready for Reuse” program. WDNR staff, with substantial involvement and approval from EPA staff and attorneys, have created an extensive array of documents for local government applicants to the program, including: fact sheet, part 1 and 2 of an application, model municipal resolution, model loan and subgrant agreements, model alternatives analysis, model community relations plan, model public notice, model quality assurance and quality control equivalent, and reimbursement request form. All of these documents are available on WDNR’s web page.

The WBC’s existing Ready for Reuse Program is up and running with an existing process and criteria for selecting projects, borrowers and sub-grantees. The WBC has developed a 2-part application process: (1) the first part of the application addresses EPA’s eligibility criteria; and (2) the second part of the application addresses the ranking criteria, including the creation of greenspace; community’s inability to draw on additional funds; facilitate the reuse of infrastructure; and promotion of long-term availability of loan funds. These factors will also apply to the selection of subgrants, and will be documented to EPA’s satisfaction.

The WBC will strive to achieve a balance of the types of sites (dry cleaners, manufacturers, etc.) it funds, with particular interest in the following: (1) projects in neighborhoods or communities that are economically distressed due to plant closings, layoffs, or poverty or unemployment levels; (2) brownfields projects along waterfronts that result in economic benefits, ecosystem protections, access to recreational areas, or a combination of these; and (3) striking a balance between urban and rural projects, with a fair balance of projects funded across the state. To date, the WDNR has issued 3 loans and 11 subgrants, with the first loan issued in 2007 and repayments of \$50,000 made to date.

A wide variety of projects have received funding through Ready for Reuse, including two former dry cleaners, two former metal plating facilities, a former wood treating facility, a former brewery, a consumer co-op and a former gas station. Each cleanup project that has been funded has conformed to a community redevelopment or comprehensive plan. A former dry cleaner was cleaned up and turned into a pharmacy in a low-income neighborhood in Fond du Lac. Green space has been created at a former auto repair shop in Waunakee. Expanding local businesses will move into a former wood treating facility in Prairie du Chien.

Wisconsin has specific statutory authority in place, s. 292.72, Wis. Stats., that governs the administration of this program. Further, Wisconsin has very prescriptive municipal borrowing laws that govern the three types of debt that a Wisconsin municipality can incur. The WDNR requires that one of these three types of “municipal obligations” be in place at the time of the loan agreement is effectuated. The WDNR was able to change the state municipal borrowing law, ch. 67, Wis. Stats., to clarify that brownfields RLF loans with repayment terms of 15 years or less would not count against a municipality’s debt ceiling. Further, the changes clarified the type of municipal obligations (e.g., promissory note) that were acceptable for securing those loans. The WDNR believes that this is an incentive for local governments to have shorter loan terms, thus enhancing the “revolving” nature of the funds. The WDNR has established a safe, effective loan program that relies on the protections that are afforded by lending to local governments in accordance with state law.

The state has an excellent record of leveraging state funds with federal funds to successfully complete projects. For example, the WDNR's \$5.5 M brownfield revolving loan fund (Ready for Reuse) has partnered successfully with other state grant programs in order to leverage assessment funds and additional cleanup funds. Four Ready for Reuse projects have received state brownfields grants totaling \$1,623,000 from Wisconsin's Department of Commerce. Six Ready for Reuse projects have received \$368,927 in grants from the WDNR Site Assessment Grant Program, and one project received a WDNR Green Space & Public Facilities grant for \$50,000. In total, almost \$4 million in state funds were leveraged.

- iii) The WBC proposes to continue the use of the federal RLF funds to target rural and urban, inner-city community-driven projects that would otherwise go unfunded or wait years for funding. As with WDNR's other federal brownfields grants, EPA Region V would be an active partner in establishing this program and selecting grant recipients. The WBC target areas for these funds would be those communities and neighborhoods where there is a high concentration of brownfields, sensitive populations (economic hardship, children), and an absence of private sector investment. Likely targets for these funds would be economic development projects, green space projects and community housing projects.

The WBC will continue to implement its current, successful marketing strategy for the Ready for Reuse Program. The WDNR and seven RPCs write articles about funding availability for their newsletters and local government association newsletters. Funding availability updates are posted on the Ready for Reuse web site, and WDNR issues press releases about the program to over 500 media outlets across Wisconsin. "Green team" meetings will be one of the most important marketing tools. The WDNR has a decentralized staff, with 40 hydrogeologists and 1 outreach staff located in each of the 5 WDNR regional offices. Those technical staff and outreach staff are very familiar with the universe of brownfields projects, as well as having a positive working relationship with local government staff and consulting groups. As with all sites, WDNR has a broad array of tools that it offers the private and public sector. The seven RPCs can offer support to communities on loan and grant administration. With the RLF funds, the WDNR will ensure that it offers a "package" of technical, liability, financial, and outreach assistance to the local government. By packaging liability clarifications, an array of funding, and technical assistance into one broad package for a community, the WBC believes that the projects funded with EPA RLF funds have a higher probability of succeeding.

- iv) The WBC has a demonstrated level of commitment, by virtue of having already established an effective RLF program. Presently, WDNR has one-half of a full time, permanent employee dedicated to the RLF program. In addition, the WDNR's state grant manager monitors the reimbursement requests for eligibility with the RLF manager. The WDNR's chief attorney assigned to the WDNR's RLF is also the attorney for the clean water fund, with over 20 years of experience. The WDNR's 40 regional hydrogeologists provide the necessary technical support. Further, the WDNR has an excellent working relationship with the brownfields staff in Region V. By virtue of lending only to local governments, in accordance with state and federal laws, WDNR has established a program that incorporates reasonable, effective and prudent lending practices.

b. Budget

Budget Table: Project Tasks for \$3,000,000 in Hazardous Substance Loans

BUDGET CATEGORY	OPERATE RLF	MARKET RLF	CLEANUP LOAN AMOUNT	TOTAL
Loans			\$3,000,000	\$3,000,000
SUBTOTAL			\$3,000,000	\$3,000,000
Cost Share (20%)			\$600,000	\$600,000
TOTAL			\$3,600,000	\$3,600,000

Budget Table: Project Tasks for \$2,000,000 in Hazardous Substance Subgrants

BUDGET CATEGORY	OPERATE RLF	MARKET RLF	CLEANUP SUBGRANT AMOUNT	TOTAL
Subgrants			\$2,000,000	\$2,000,000
SUBTOTAL			\$2,000,000	\$2,000,000
Cost Share (20%)			\$400,000	\$400,000
TOTAL			\$2,400,000	\$2,400,000

- i) The Wisconsin Brownfields Coalition (WBC) is requesting \$5 million in hazardous substance RLF funds. All \$5 million will be contractual – meaning that the WBC will not be spending any of this funding on operating or marketing the RLF. A minimum of \$3 million (60% of the funds) will be given out as loans. A maximum of \$2 million (40% of the funds) will be given out as subgrants. The WBC estimates that with this funding, WDNR can execute two pending loan applications totaling \$1.7 million, plus an additional 3 to 5 loans for \$300,000 to \$500,000 each. Additionally, WDNR will be able to execute 10 subgrants for \$200,000 each. The WBC believes that the amount of money these subgrants will leverage (an estimated \$8 in investment for each federal grant dollar), makes sacrificing the long-term availability of 40% of the funds worth the trade off.

The WBC’s cost share of 20%, or \$1,000,000, will be met by requiring the loan or subgrant recipient to provide a cost share related to eligible and allowable expenses. The WBC believes that this is a prudent method of ensuring that the loan or grant recipient is: (1) invested in cost controls since it is paying a share of the costs; and (2) it ensures a level of commitment from the local government if its funds are part of the package. However, it is recognized that some communities may not be able to absorb a 20% cost share. Thus, the WDNR will consider: (1) pairing the awards of RLF funds with the following state brownfield funds: WDNR Green Space and Public Facility Grants - \$500,000 per year; and Dept. of Commerce 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 WDNR will ensure that the cost share meets EPA’s definition of “eligible and allowable expense.”

- ii) Wisconsin has a number of loan and grant programs, which the WBC will help loan and subgrant recipients package together with the RLF funds. Wisconsin has a number of brownfields financial incentives that can be used to leverage funds to complete the required work at properties that receive RLF funds. On an annual basis, the state has \$10 million in brownfields-related grants and loans available for local governments and the private sector. One of the most popular sources of state brownfields funds is WDNR's Brownfield Site Assessment grant (SAG) program, which has \$1.7 million annually. SAG can fund demolition, removal of above ground containers and underground storage tanks. The Departments of Administration and Transportation also have funds available for assessment and cleanup for eligible projects, respectively associated with the Great Lakes and transportation. The Department of Commerce's \$7 million a year in brownfields grants can pay for site investigations and cleanups.

In addition, the state has \$5 million in state Clean Water funds dedicated to state brownfield loans to local governments. Further, the WDNR has some cleanup funds remaining in its original \$5.5 million dollar EPA brownfield revolving loan fund; \$740,000 in petroleum funds, and \$350,000 hazardous substance funds. The state's petroleum cleanup fund provides limited dollars to assist in the cleanup of leaking underground storage tanks (\$25 million annually), and the state has a dry cleaner response fund (\$1 million) to assist with the costs of cleaning up these historic sites. About \$2 million is available annually for cleanup at agricultural contamination sites (former agricultural cooperatives), which can be brownfields.

Finally, Wisconsin has a number of other incentives that leverage funds, including: (1) remediation tax credits; (2) property tax forgiveness provisions; (3) and the federal tax deduction. These are incentives that help on the "back-end" of a project, and can oftentimes be more crucial to a project's success than a front-end grant. Also, Wisconsin has streamlined its tax incremental financing laws to assist with urban renewal, including the creation of a TIF solely for brownfields. Local governments have created 16 of these environmental TIFs, and the tax increment is used to reimburse the local government for eligible brownfields costs. For the third time in four years, the Wisconsin Community Development Legacy Fund (WCDLF), a nonprofit organization formed by the Wisconsin Housing and Economic Development Authority, Legacy Bancorp and Impact 7, has received \$100 million federal New Markets Tax Credit allocation.

The WDNR's RLF program (the Ready for Reuse Program) has partnered successfully with other state grant programs in order to leverage assessment funds and additional cleanup funds. Four Ready for Reuse projects have received grants totaling \$1,623,000 from the Department of Commerce Brownfields Grants Program. Six Ready for Reuse Projects have received \$368,927 in grants from the DNR Site Assessment Grant Program, and one project received a DNR Green Space & Public Facilities grant for \$50,000.

c. Programmatic Capability

- i) **Experience:** The WDNR has extensive experience in the management of federal grants, loans and cooperative agreements. In particular, WDNR manages dozens of federal grants totaling tens of millions of dollars annually, and has managed this level of grants for over 30 years. The WDNR's Remediation and Redevelopment (RR) program manages 15 federal

grants, with an annual budget of over \$4 million for more than 16 years. The RR program has received: (1) Superfund Core Brownfields grants from October 1994 through June 2005; (2) CERCLA Section 128(a) State Response Program grant (over \$5M) from September 2003 through the present; (3) EPA Revolving loan grant awarded in 2004, and supplemented in 2007, for a total of \$5.5 million; (4) EPA Brownfields Assessment Grants totaling \$800,000, in 2005 and 2007; and (5) EPA LUST, RCRA Hazardous Waste, and other Superfund grants for over a decade.

The WDNR has a record of wisely using federal funds that EPA has awarded within the terms of the grant schedule. WDNR receives s. 128(s) funds on an annual basis to support staff efforts to implement the WDNR's brownfields initiative. Since 2003, all funds awarded to the WDNR have been utilized in accordance with the work plan and schedule, with no funds carried over into the next fiscal year. In 2004, the WDNR received an EPA Brownfields Revolving Loan Fund grant, and later a supplemental grant, for a total of \$5.5 million. To date, there is only \$740,000 in petroleum funds and \$350,000 in hazardous substance funds remaining. The cooperative agreement period ends September 2012. In 2005 and 2007, WDNR received two EPA Brownfield Assessment Grants, for a total of \$800,000. WDNR has spent \$300,000 of these assessment funds, and has successfully requested and received one-year extensions on its two assessment cooperative agreements.

WDNR has consistently completed the following activities for each of these grants: (1) quarterly, semi-annual and annual progress reports required per grant conditions; (2) semiannual progress reports required by WDNR'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. For both the brownfield revolving loan fund grant and the assessment grants, WDNR has completed the required property profiles and entered them into ACRES.

The WDNR's Ready for Reuse program - established using 2004 and 2007 RLF funds - has been, and continues to be, very successful. Unfortunately, that means WDNR is on pace to exhaust its \$5.5M in funds by spring, 2009. Out of \$5.5M that was available for hazardous substance and petroleum loans and sub-grants, three hazardous substance loans, ten hazardous substance subgrants, and one petroleum subgrant have been awarded, for a total of \$3.98M. There is only \$352,748 remaining for hazardous substance loan awards, and there are pending requests in house totaling \$1.7 million. No funds remain available for hazardous substance subgrants.

Staff Expertise: This EPA grant will be managed by the WDNR's Remediation and Redevelopment (RR) Program to ensure it complies with prudent fiscal practices. Loan and grant agreements will be awarded and tracked by staff that has over 15 years of experience managing loan and grant programs. Darsi Foss, Chief of the Brownfields and Outreach Section in the Bureau for Remediation and Redevelopment at the WDNR, will be the Program Coordinator for this grant. Ms. Foss has worked for EPA and WDNR since 1985. She has twelve years of experience directly administering EPA program cooperative agreements, and 10 years experience administering brownfields funds to local governments.

Jessica Milz, a WDNR brownfields specialist, is the fund manager for the RLF. Ms. Milz spends 50% of her efforts dedicated to the day-to-day management of the current RLF. She has 9 years experience with natural resources and community development programs, including on the local government level. Shelley Fox, the RR Program's brownfields grant manager, has 11 years of fiscal experience, and dedicates her efforts to tracking funds and ensuring that the program adheres to state and EPA's financial regulations. Judy Ohm, a WDNR attorney, is legal counsel for the RLF program and has over twenty years of legal experience with the state. She is also legal counsel for the state's Safe Drinking Water fund. The WDNR's 40, highly experienced hydrogeologists will be involved with the technical oversight of each cleanup project. The majority of the technical staff has 10 years or more of experience managing environmental projects. The WDNR will use the fiscal and grant management systems it has in place for its 2 state brownfields grant programs and its brownfields revolving loan program to administer the grant selection, award, reimbursement and reporting of these federal funds.

Audit Findings: OMB Circular A-133 Audit findings have been very positive. The Wisconsin Legislative Audit Bureau (LAB) conducts the OMB Circular A-133 single audit of WDNR at the end of each state fiscal year. LAB's most recent completed audit (2008) of WDNR for state fiscal years 2006 and 2007 did not contain any adverse findings. The WDNR has never been required to comply with any special "high risk" terms and conditions under agency regulations implementing OMB Circular A-102.

3. Community Engagement and Partnerships

- a. The target community for these funds is rural and urban, inner-city brownfields projects that are community driven. Because the "targeted" community could be a brownfield located in any rural or urban, inner-city location with sensitive populations, this section describes the WBC's "plan" or "model" to: (1) educate local governments and its citizens about the state's brownfields initiative and the resources available (i.e., technical, financial and health-related) to the community; and (2) provide further support to the community-driven project, once the funds have been awarded. This "model" is based on the success of a partnership WDNR developed with the City of Milwaukee, the 30th Street Industrial Corridor Corporation (non-profit), neighborhood groups and state, local and federal health organizations.

The WBC's seven Region Planning Commissions (RPCs) will help market and educate communities, community groups and the general public about the availability of these funds. The RPCs have established relationships across Wisconsin that will be invaluable in "getting the word" out. In addition, the WDNR has a talented outreach staff in its main Madison office and five regional offices that will help market the funds and target communities. The WBC will meet with communities and bring together appropriate state agency staff (WDNR, Commerce, Health, Transportation, etc), as well as federal agency resources (e.g., ATSDR, EPA), to discuss the technical, financial, liability and health issues associated with specific sites. WDNR and its partners conduct over 50 such meetings a year with local governments. With respect to site selection and engaging the community, the WDNR has 8 years of experience evaluating over 700 assessment grant applications for \$28M, and awarding almost 400 state brownfield assessment grants. The WBC will rely on WDNR's excellent working relationship with local governments to select sites and to expeditiously award the \$5M in

Revolving Loan funds. At a minimum, the WDNR will require that the community pass a municipal resolution informing the public and its governing body that it is seeking these funds for a particular project. The WBC, and its partners, will work with communities and citizens to not only assist them with the cleanup of these sites, but to address any other concerns, such as health impacts, engaging disenfranchised residents, packaging further funds or liability clarifications and locating other assistance.

The WBC, with the WDNR in the lead, will address any communication barriers that arise on specific sites. The WBC will utilize its community organization partners, such as the University of Wisconsin - Milwaukee, Midwest Environmental Advocates, 30th Street Industrial Corridor Corporation and other entities to provide direct resources or references to overcome cultural language barriers. WDNR currently has site warning signs in various languages, and have translation resources to convert documents and web text to another language. WDNR also has interpreter resources. In addition, many of the DHS health publications are available in English, Hmong and Spanish.

- b. Since its inception in 1995, the WDNR's Remediation and Redevelopment Program has operated as a cooperative venture with the support of other state, federal and local government partners. The WBC plans to continue this partnership model in with the RLF. The partners and their respective roles and resources include: **(1) Wisconsin Department of Health Services (DHS)**. The WBC will work with local and state public health officials to ensure that cleanup and redevelopment activities are protective of public health and the environment. WDNR has an excellent working relationship with DHS Division of Public Health staff, who provide a number of environmental health services, including health consultations, fact sheets, and meeting resources; **(2) Wisconsin Department of Natural Resources (WDNR)**. The WDNR will provide the technical expertise on ensuring that each investigation, cleanup and redevelopment meet all applicable public health and environmental laws, through oversight provided by the Remediation and Redevelopment program. All sites receiving funds will be required to seek WDNR review and approval at specific milestones in the process, such as at the site investigation stage, remedial action plan stage and at completion of the remedial action. WDNR's public involvement requirements, in addition to the federal requirements, will ensure that the public is adequately informed about and able to engage in the project; **(3) Agency for Toxic Substances and Disease Registry (ATSDR)**. The staff of ATSDR has been very involved and supportive of the state's brownfields efforts and of Wisconsin communities in general. ATSDR, in conjunction with these partners, recently published: "*Building Healthy Communities: A Baseline Characterization of Milwaukee's 30th Street Corridor.*" This report documents the "baseline conditions" in the Corridor, so that as brownfields projects are revitalized, the partners can better quantify the quality of life improvements. In addition, ATSDR, DHS, EPA and WDNR are partnering with the City of Baraboo, Wisconsin, on a health monitoring component of their EPA brownfields assessment grant; **(4) Other agencies:** The WBC will work with other state agencies, such WHEDA, Administration, Commerce and Transportation. One of the key tools the WDNR employs is "green team" meetings. These are meetings between state agency staff, local government staff, and oftentimes EPA and any potential developer. State staff meets with interested communities about challenging properties and put together a "package" of multi-agency, financial incentives that could assist

with the overall project. Staff work to ensure that funds do not overlap, and that sufficient funds are available to finish the project. The WBC will continue to use green team meetings to promote face-to-face communications and development of partnerships; and **(5) Regional planning commissions:** Wisconsin's Regional Planning Commissions (RPCs), which are official members of the WBC, provide planning assistance on regional issues, assist local interests in responding to state and federal programs, act as a coordinating agency for programs and activities, and provide planning and development assistance to local governments. Specific examples of RPC services include comprehensive community plans, grant writing, geographic information system map production, revolving loan fund administration, economic development planning, socio-economic data collection, park and open space planning, solid waste management planning and environmental planning.

- c. As previously mentioned, the targeted community for these funds could be any community-driven rural or urban brownfield project. Thus, it is challenging to tie community-based organizations to a statewide effort, as these groups generally focus on a specific project within a community. In order to meet this challenge, the WBC has developed a model that is intended to: (1) educate local governments and its citizens about the state's brownfields initiative and resources available (i.e., technical, financial and health-related) to the community; and (2) provide further support to the community-driven project, once the funds have been awarded. This model is based on the success of partnership the WDNR developed for its EPA Brownfields Assessment grants with the City of Milwaukee, the 30th Street Industrial Corridor Corporation (ICC), neighborhood groups and state, local and federal health organizations. Taking the City of Milwaukee's 30th Street project as an example, the WBC plans to do the following with their community-based partners:
- Utilize the 30th Street ICC to assist us in partnering with groups in Milwaukee, and the Milwaukee area, to market the \$5M in cleanup funds. The 30th Street ICC can assist the WBC with distribution of marketing materials, place notices of the initiative on its web site and in its newsletter, and promote the initiative to its board of directors.
 - Utilize the Brownfields Study Group (BSG), a 10-year old state advisory group, to help develop the program and target specific communities. The BSG is comprised of brownfields practitioners – mayors, planners, developers, health non profits, consultants, association members, attorneys – that assist the WDNR and other state agencies on policy and legal issues. The BSG can provide advice to the WBC and communities receiving the funds, and support efforts to leverage more funds to achieve the communities' goals.
 - Utilize neighborhood advocacy groups, like Midwest Environmental Advocates and the Good Jobs and Livable Neighborhoods Coalition, to market the initiative, identify sites, and leverage more involvement by the community. These neighborhood groups, located throughout the state, could be mobilized to assist the WBC in identifying those “if not for the community” kind of projects. Without the activism of these groups, many sites would not be identified or cleaned up as quickly. The WBC can also reciprocate by connecting these groups with resources, such as the state and federal health staff.
 - Utilize educational staff, such as UW-Milwaukee professors Chris DeSousa and Nancy Frank, as resources for communities and for public policy advice. The UW system can connect graduate students with community projects, which was done in the 30th Street Corridor in Milwaukee. A landscape architecture class developed a streetscape plan for a major transportation artery, and an urban planning class compared the existing

neighborhood plans with the comprehensive plan in order to identify future land use goals. The UW's statewide system can also provide meeting space, communication resources, and access to the University's economic development extension agents.

4. Program Benefits

a. Welfare and/or Public Health

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. Seventy-five percent of Wisconsin residents rely on groundwater as their primary source of drinking water. 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. If the WDNR's SAG sites are an indication of public welfare and health concerns, it is cause for concern: (1) of the 400 SAG grants awarded, over 90% of sites were within 500 feet of a school, park or residence; and on average 75% of the grants awarded had a demonstrated environmental (e.g., direct contact) or physical hazard (e.g., blighted building with evidence of trespassing).

Further, urban areas like Milwaukee, Racine, Green Bay and Kenosha, are not only challenged by the health issues associated with the concentration of brownfields in certain neighborhoods, but also by other urban health issues. For example, in Milwaukee's 30th Street Industrial Corridor, which is home to over 200 known brownfields sites, child lead poisoning is large public health threat. Statistics show that in 1998, 19.5% of the children tested in Milwaukee had blood lead levels equal to or above 10 µg/dL (micrograms per deciliter), the lead poisoning threshold. This is about 5 times the national average of 4% (State DHS Data). Blood lead data collected by the DHS also show that neighborhoods along the 30th Street Corridor have the state's highest concentration of lead-poisoned children. Residents of these neighborhoods also have elevated rates of hospital visits to treat asthma. These higher rates of asthma are greatly affected by poor living conditions and indoor air quality often found in the old housing stock of the 30th Street area. These sub-standard health conditions and unacceptable exposures are present in a neighborhood that has the fewest resources available (i.e., access to health care and insurance, as well as living wage jobs) to deal with such health concerns.

The WBC will work with local and state public health officials to ensure that cleanup and redevelopment activities are protective of public health and the environment. WDNR has an excellent working relationship with Wisconsin Department of Health Services (DHS), Division of Public Health's staff. DHS staff provides a number of environmental health services, including on-site and written, site-specific health "consultations" on exposure conditions at contaminated sites and those undergoing remediation. The WDNR will provide the technical expertise on ensuring that the cleanup and redevelopment meet all applicable public health and environmental laws, through oversight provided by the Remediation and Redevelopment program. All sites receiving funds will be required to seek WDNR review and approval at specific milestones in the process, such as the remedial action plan stage and at completion of the remedial action. WDNR's public involvement requirements, in addition to the federal requirements, will ensure that the public is adequately informed about and able

to engage in the project. The WBC will also engage community partners that are identified as part of site selection process to communicate with affected residents.

b. Economic Benefits and/or Greenspace

- i) The WBC's proposal would create significant state, local and private investment in Wisconsin's fragile economy. The WBC expects that the property tax base to increase for at least all of the properties cleaned up. (e.g., 50% of state-funded assessment grant awards were to tax delinquent sites.) Job creation in the state's neediest communities would be the goal of the majority of the funds. Results from the Wisconsin Dept. of Commerce's brownfields grant program is an example of the economic benefits the WBC hopes to achieve. Since 1997, Commerce has received 310 applications for \$159M in requests. Commerce has awarded 164 grants, for a total of \$64M. The matching investment was \$523M, with a projected increase in property values of \$1.7B. For every Commerce \$1, there was \$12 in additional investment (Wisconsin Dept. of Commerce).

It is important to note that there is a demonstrated need for additional brownfields cleanup dollars for brownfields projects in this state. While the WDNR's Brownfields Site Assessment Grant has been able to award \$13.3 million for almost 400 assessment projects and put more projects into the cleanup pipeline, there is not enough money to complete the next stage of those projects. The state's Department of Commerce can only fund \$1 out of every \$3 requested for brownfields projects, mostly for remediation work. The shortage of cleanup dollars is creating a funding gap and the state is missing the opportunity to restore these properties. According to the Northeast Midwest Institute's draft "*The Environmental and Economic Impacts of Brownfields Redevelopment*" (E. Paul, July 2008), approximately \$1/public investment leads to \$8/total investment. It also estimates that \$5,700 in public funds leverages one job. Thus, this \$5M could leverage an additional \$40M in investment, and create approximately 1,000 jobs.

- ii) The Northeast Midwest's July, 2008, draft report further estimates that for every acre of brownfields that is redeveloped, 4.5 acres are conserved. Wisconsin is one of the leading states in the disappearance of agricultural lands (2006 CED Report). The \$5M from EPA, if awarded, would greatly relieve the development pressures on prime farmland. Last year, the average size of the 400 sites given final cleanup approval was approximately 4 acres. Further, one of the WDNR's RLF subgrants was leveraged with a WDNR green space grant to pay for the cleanup of a park in the Village of Waunakee.

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; \$1M in cleanup funds are awarded every two years by WDNR. Cleanup projects submitted to WDNR include remediation of properties that will be used for: neighborhood parks, farmers markets in a mixed income urban neighborhood and soccer fields. The WDNR uses deed restrictions and conservation easements to ensure that land remains in the public domain, and has experience in marketing and administering public funds for these green space projects. WDNR would work to leverage these state green space funds with RLF loans or subgrants, when appropriate.

c. Infrastructure Reuse/Sustainable Reuse and Environmental Benefits

For all brownfields projects, environmental best practices and sustainable development activities are promoted by the WBC. When a community approaches the state for brownfields assistance, a “green team” of state experts are brought together to meet with the community leaders and potential developers to discuss financial incentives and programs that could assist with the project. Best sustainable practices used at other brownfields projects will be shared and promoted with the community, tribe or developer. In addition, sustainable practices, such as green buildings and innovative stormwater treatment, will be promoted.

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 Dept. of Transportation (DOT) to identify projects their Transportation Economic Assistance (TEA) grants could assist brownfields with rail, road, harbor or airport work. In addition, DOT has funds to preserve historic sites (e.g., depots), pedestrian and bicycle facilities and paths, and abandoned rail corridors. In addition, Wisconsin communities are utilizing resources state and non-profit resources to reuse or recycle building materials from brownfields projects. Communities like Delavan and Kenosha have creatively and cost-effectively used demolish materials (crushed cement and bricks) from large brownfields projects for on-site road projects, saving the communities thousands of dollars. WDNR has allowed a portion of its brownfield grants to be used to procure materials recycling plans from non-profit groups.

Lastly, the state is has developed the Wisconsin Initiative for Sustainable Cleanups (WISC). The first phase of this project is to evaluate state-lead cleanup sites and determine if there are more passive or sustainable ways to achieve site cleanup goals, such as alternative energy sources (solar) or biofuels. In addition, the state is exploring how to promote sustainable cleanups with the private sector, as well as promote green building and sustainable practices (innovative means of stormwater management and treatment). These incentives may include tax credits or other financial incentive.

d. Plan for Tracking and Measure Progress

The WBC and the WDNR have an excellent track record of tracking and measuring the success of the state’s brownfields initiative. The WDNR will ensure that the property profiles for specific projects are completed in a timely manner, and entered into the EPA ACRES database. In addition, the WDNR will report quarterly to the EPA on the milestone achievements made in implementing the cooperative agreement. In addition, the WDNR updated its electronic, web-based database to track the RLF funds awarded to specific projects. The public can access a map of all loans and subgrants that have been awarded, and find out additional information about the sites on-line. Lastly, the WDNR’s RLF web page has a list of each individual project and available funding.

**ATTACHMENT A: Documentation of Applicant Eligibility
Wisconsin's Regional Planning Commissions**

Members of the Wisconsin Brownfields Coalition

The Wisconsin Brownfields Coalition members include the Wisconsin Department of Natural Resources and seven of state's Regional Planning Commissions (RPCs) (including five tribal members). These RPCs were established pursuant to s.66.0309, Wis. Stats., and perform planning, coordination and outreach functions for 45 of Wisconsin's 72 counties. Copies of the Executive Orders that created the RPCs are attached.

Wisconsin Department of Natural Resources

Matthew J. Frank, Secretary
101 South Webster St.
Madison, WI 53703

Bay-Lake Regional Planning Commission

Mark Walter, Executive Director
211 N Broadway, #211
Green Bay 54303-2757
Created in 1972

Counties: Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto and Sheboygan

Capital Area Regional Planning Commission

Kristine Euclide, Secretary
City-County Building Room 362
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

Created in 2007

Counties: Dane

East Central Regional Planning Commission

Eric Fowle, Executive Director
132 Main Street
Menasha WI 54952-3100

Created in 1972

Counties: Calumet, Menominee, Outagamie, Shawano, Waupaca, Waushara and Winnebago

Northwest Regional Planning Commission

Myron Schuster, Executive Director
1400 South River Street
Spooner WI 54801

Created in 1959

Counties: Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, Washburn, and the Tribal Nationals of Bad River, Lac Courte Oreilles, Lac du Flambeau, Red Cliff and St. Croix

Southeastern Wisconsin Regional Planning Commission

Philip C. Evenson, Executive Director

W239 N1812 Rockwood Drive

PO Box 1607

Waukesha WI 53187-1607

Created in 1960

Counties: Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha

Southwestern Wisconsin Regional Planning Commission

Larry Ward, Executive Director

719 Pioneer Tower, One University Plaza

Platteville, WI 53818

Created in 1970

Counties: Grant, Green, Iowa, Lafayette and Richland

West Central Regional Planning Commission

Jerry Chasteen, Director

800 Wisconsin Street, Building D2-401, Mail Box 9

Eau Claire WI 54703-3606

Created in 1971

Counties: Barron, Chippewa, Clark, Dunn, Eau Claire, Polk and St. Croix



EXECUTIVE ORDER NO. 35

THERE IS HEREBY CREATED, in accordance with the provisions of Section 66.945 (a) of the Statutes, a regional planning commission which shall be known as the Bay-Lakes Regional Planning Commission which shall have jurisdiction in the counties of Brown, Door, Kewaunee, Manitowoc, Marinette, Oconto and Sheboygan.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this 2/3rd day of April in the year of our Lord one thousand nine hundred and seventy-two.



Patrick J. Lucey
 PATRICK J. LUCEY
 GOVERNOR

BY THE GOVERNOR:

[Signature]
 SECRETARY OF STATE



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 63

THERE IS HEREBY ADDED, to the membership of the Bay-Lake Regional Planning Commission the county of Florence. Such county is to be entitled to all the benefits and responsibilities of other member counties of the Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this first day of November in the year of our Lord one thousand nine hundred and seventy-three.



Patrick J. Lucey
PATRICK J. LUCEY
GOVERNOR

By the Governor:

W. A. Zimmerman
Secretary of State

Received Time Jan. 9. 4:37PM



OFFICE OF THE GOVERNOR

EXECUTIVE ORDER # 197

**Relating to the Creation of the
Capital Area Regional Planning Commission**

WISCONSIN STATE

MAY 08 2007

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WHEREAS, Wisconsin identified the need to address land use, water quality, transportation and environmental issues on a regional basis more than 40 years ago by authorizing the creation of regional planning commissions; and

WHEREAS, the Dane County Regional Planning Commission was created in 1970 by Governor Warren Knowles' Executive Order # 22, and was dissolved in 2002 by Governor Scott McCallum's Executive Order # 52; and

WHEREAS, local governments need to work together to meet challenges that transcend municipal boundaries and effectively protect the natural resources and beauty of the capital area, as well as promote economic growth and sound land development practices; and

WHEREAS, Wis. Stat. § 66.0309 (2) (b) allows governing bodies of local units of government to petition the State of Wisconsin, requesting the creation of a regional planning commission; and

WHEREAS, governing bodies from local units of government in Dane County representing well in excess of 50% of the population of Dane County and well in excess of 50% of the equalized assessed valuation in Dane County have petitioned Governor Doyle by resolution to create the Capital Area Regional Planning Commission; and

WHEREAS, certified copies of the resolutions were filed with the Office of the Governor and have been found to be in proper form; and

WHEREAS, an agreement was reached by local governments in Dane County that represents an excellent example of local cooperation to protect and restore water quality and minimize water quality degradation while promoting economic development and sound land development practices; and

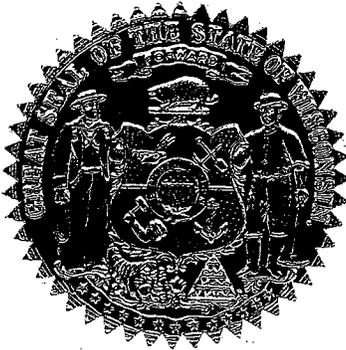
WHEREAS, the resolutions requesting the creation of the Capital Area Regional Planning Commission embody an agreement between the local units of government in Dane County that provides for an agency that is capable of developing effective water quality plans for Dane County; establishes a membership plan for the Commission that provides an equitable voice for all Dane County local governments; charges the Commission to develop a Water Quality Plan that will define areas to be protected from development, areas that can be developed with measures to protect, restore or minimize degradation of water quality; and establishes a Budget and Personnel Panel; and

WHEREAS, a hearing was held in Madison on the petitions from the governing bodies on December 20, 2006; and

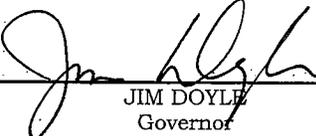
WHEREAS, those citizens that provided public comments at the hearing or in conjunction with the hearing overwhelmingly endorsed the creation of the Capital Area Regional Planning Commission;

NOW, THEREFORE, I, JIM DOYLE, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and laws of this State, and specifically by Wis. Stat. § 66.0309 of the Wisconsin Statutes, do hereby:

1. Create, effective immediately, consistent with Wis. Stat. § 66.0309(2), a regional planning commission to be known as the Capital Area Regional Planning Commission, which shall have jurisdiction in Dane County, as well as the cities of Edgerton, Fitchburg, Madison, Middleton, Monona, Stoughton, Sun Prairie and Verona; the villages of Belleville, Black Earth, Blue Mounds, Brooklyn, Cambridge, Cottage Grove, Cross Plains, Dane, Deerfield, DeForest, Maple Bluff, Marshall, Mazomanie, McFarland, Mount Horeb, Oregon, Rockdale, Shorewood Hills, Waunakee; and the towns of Albion, Berry, Black Earth, Blooming Grove, Blue Mounds, Bristol, Burke, Christiana, Cottage Grove, Cross Plains, Dane, Deerfield, Dunkirk, Dunn, Madison, Mazomanie, Medina, Middleton, Montrose, Oregon, Perry, Pleasant Springs, Primrose, Roxbury, Rutland, Springdale, Springfield, Sun Prairie, Vermont, Verona, Vienna, Westport, Windsor, and York;
2. Direct that, consistent with Wis. Stat. § 66.0309(3)(b), the membership of the Capital Area Regional Planning Commission shall be in accordance with the resolutions approved by the governing bodies of a majority of the local units of government within Dane County, including the membership plan as it is proposed within the referenced resolutions; and
3. Provide that nothing in this Executive Order shall be construed to contravene any applicable state or federal law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this second day of May in the year two thousand seven.



JIM DOYLE
Governor

By the Governor:



DOUGLAS LA FOLLETTE
Secretary of State



EXECUTIVE ORDER NO. 41

THERE IS HEREBY CREATED, in accordance with the provisions of Section 66.945 (2) of the Statutes, a regional planning commission which shall have jurisdiction in the counties of Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara and Winnebago.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this twenty-ninth day of June in the year of our Lord one thousand nine hundred and seventy-two.



Patrick J. Lucey
 PATRICK J. LUCEY
 GOVERNOR

By the Governor:

F A I R I C K J . B L U C E Y
G O V E R N O R

[2]

By the Governor:

William C. Cavanaugh
Secretary of State

Received Time Jan. 11. 1:56PM

Received Time Jan. 10, 1959 2:59 PM
State Archives, WI

EXECUTIVE ORDER

THERE IS HEREBY CREATED, in accordance
with the provisions of Section 66.945(2) of the
Statutes, a regional planning commission, which
shall have jurisdiction in the counties of Ashland,
Chippewa, Iron and Price.

IN TESTIMONY WHEREOF I have
herewith set my hand and
caused the Great Seal of
the State of Wisconsin to
be affixed. Done at the
Capital in the City of
Madison this second day of
January in the year of our
Lord one thousand nine
hundred and fifty-nine.



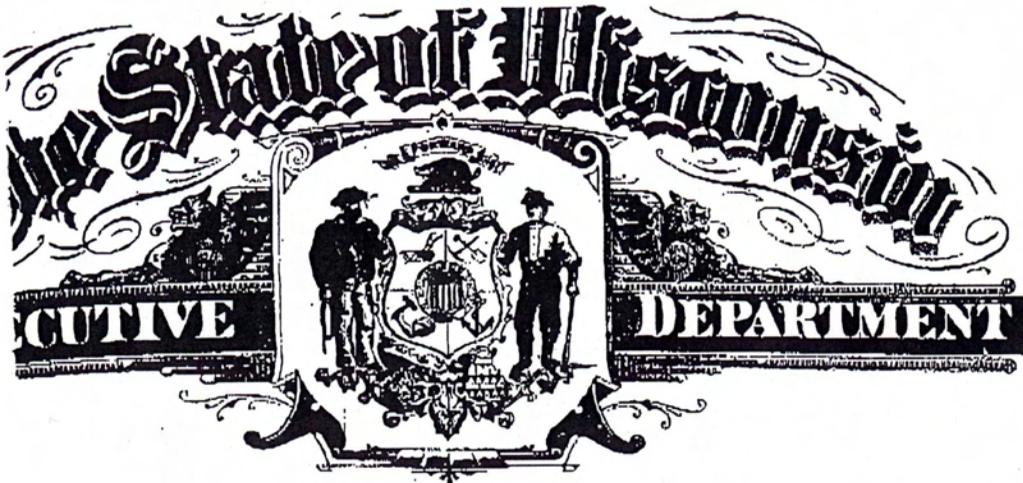
Wm. W. Thomson
GOVERNOR

Wm. W. Thomson
Secretary of State

**Wisconsin Governor Executive Order
Southeastern Wisconsin Regional Planning Commission
August 8, 1960**

The attached is a photocopy of an Executive Order issued by Wisconsin Governor Gaylord A. Nelson on August 8, 1960 establishing the Southeastern Wisconsin Regional Planning Commission. The original is in the Executive Record maintained by the Wisconsin Secretary of State and preserved in the Wisconsin Historical Society's Archives. This executive order is located in Volume 10 on page 445.

Jonathan Nelson
Archivist
Wisconsin Historical Society



EXECUTIVE ORDER

THERE IS HEREBY CREATED, in accordance with the provisions of Section 66.945 (2) of the Statutes, a regional planning commission, which shall have jurisdiction in the counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this eighth day of August in the year of our Lord one thousand nine hundred and sixty.



ROBERT A. NELSON
GOVERNOR

By the Governor:

ROBERT C. SIMMERMAN
Secretary of State



EXECUTIVE ORDER - No. 18

THERE IS HEREBY CREATED, in accordance with the provisions of Section 66.945 (a) of the Statutes, a regional planning commission which shall be known as the Southwestern Wisconsin Regional Planning Commission, which shall have jurisdiction in the counties of Grant, Green, Iowa, Lafayette and Richland.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this 13th day of May in the year of our Lord one thousand nine hundred and seventy.



Walter P. Dumas

 GOVERNOR

By the Governor:

Walter P. Dumas

 Secretary of State

UNITED STATES OF AMERICA

The State of Wisconsin



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 11

THERE IS HEREBY CREATED, in accordance with the provisions of Section 66.945 (a) of the Wisconsin Statutes, a regional planning commission which shall be known as the West Central Wisconsin Regional Planning Commission which shall have jurisdiction in the counties of Barron, Chippewa, Clark, Dunn, Eau Claire, Polk and St. Croix.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this 27th day of March in the year of our Lord one thousand nine hundred and seventy-one.



[Handwritten Signature]



Patrick J. Lucy
PATRICK J. LUCY
GOVERNOR

[21]

BY THE GOVERNOR:

Patrick J. Lucy
SECRETARY OF STATE

Received Time: Jan. 11. 2:07PM

**ATTACHMENT B: Documentation of Membership in the
Wisconsin Brownfields Coalition**



Bay-Lake Regional Planning Commission

441 S. Jackson Street, Green Bay, WI 54301

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

Mark A. Walter, Executive Director

The regional planning commission for Northeastern Wisconsin serving communities within the counties of:
FLORENCE MARINETTE OCONTO BROWN DOOR KEWAUNEE MANITOWOC SHEBOYGAN

October 20, 2008

Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8), PO Box 7921
Madison, WI 53707-7921

SUBJECT: Support for the Wisconsin Brownfields Coalition's Applications for two EPA Brownfields Grants: \$1 Million in Assessment Funds; and \$5 Million in Revolving Loan Funds.

Dear Secretary Frank:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two federal brownfields grants. The Bay-Lake Regional Planning Commission, representing Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto and Sheboygan counties is formally agreeing to continue as a member of the Wisconsin Brownfields Coalition for the purpose of applying for:

- ◇ \$5 M in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million in 2004. This grant is administered by Department on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields.
- ◇ \$1 M in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include federal assessment funds

The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and 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. In Wisconsin, we have found these federal funds of significant benefit to rural communities and for inner city properties.

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 promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Walter".

Mark A. Walter
Executive Director

cc: Darsi Foss, DNR RR/5



270 Martin Luther King Jr. Blvd Room 362 Madison, WI 53703 Phone: 608-266-4137 Fax: 608-266-9117 www.CapitalAreaRPC.org info@CapitalAreaRPC.org

November 3, 2008

Matthew J Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8), PO Box 7921
Madison, WI 53707-7921

Re: Support for the Wisconsin Brownfields Coalition's Applications for 2, EPA Brownfields Grants: \$1 Million in Assessment Funds and \$5 Million in Revolving Loan Funds.

Dear Secretary Frank:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two federal brownfields grants. The Capital Regional Planning Commission, representing the Dane County region, is formally agreeing to become a member of the Wisconsin Brownfields Coalition, with the Wisconsin Department of Natural Resources as the grant administrator, for the purpose of applying for:

- o \$5 M in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million in 2004. This grant is administered by Department on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields
- o \$1 M in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include federal assessment funds.

The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and 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. We have found these federal funds of significant benefit to rural communities and for properties in cities and villages.

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 and infill development.
- It helps local governments take advantage of existing infrastructures.
- It promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants and improves water quality.

If you have any questions, please feel free to contact me at 266-9283.

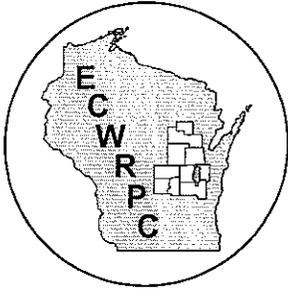
Sincerely,

Kamran Mesbah, Deputy Director
Capital Area Regional Planning Commission

NOV 7 2008

cc: Darsi Foss, DNR RR/5

RECEIVED
NOV 10 2008



EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

400 Ahnaip Street, Suite 100 Menasha WI 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 35 years
- A Recipient of the 2007 Foth Good Government Award -*



October 24, 2008

Mr. Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8), PO Box 7921
Madison, WI 53707-7921

SUBJECT: Support for the Wisconsin Brownfields Coalition's Applications for 2, EPA Brownfields Grants: \$1 Million in Assessment Funds and \$5 Million in Revolving Loan Funds.

Dear Secretary Frank:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two, federal brownfields grants. The East Central Wisconsin Regional Planning Commission, representing Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Shawano, Waushara, Waupaca, and Winnebago Counties is formally agreeing to continue as a member of the Wisconsin Brownfields Coalition, with the Wisconsin Department of Natural Resources as the grant administrator, for the purpose of applying for:

- \$5 M in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million in 2004. This grant is administered by Department on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields.
- \$1 M in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include federal assessment funds.

The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and 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. In Wisconsin, we have found these federal funds of significant benefit to rural communities and for inner city properties.

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 promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants.

If you have any questions, please feel free to contact me at (920) 751-4770 or via e-mail at efowle@eastcentralrpc.org.

Sincerely,

Eric W. Fowle/AICP
Executive Director

cc: Darsi Foss, DNR RR/5
Kara Homan, Economic Dev Planner, ECWRPC



Northwest Regional Planning Commission

an economic development district

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 7, 2008

Received

NOV 11 2008

Matthew J Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8), PO Box 7921
Madison, WI 53707-7921

REVISION &
RECEIPT

RE: Support for the Wisconsin Brownfields Coalition's Applications for 2, EPA Brownfields Grants: \$1 Million in Assessment Funds and \$5 Million in Revolving Loan Funds

Dear Secretary Frank:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two, federal brownfields grants. The Northwest Regional Planning Commission, representing the ten Counties and the five Tribal Nations of the Northwest Region is formally agreeing to continue as a member of the Wisconsin Brownfields Coalition, with the Wisconsin Department of Natural Resources as the grant administrator, for the purpose of applying for:

- \$5 M in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million in 2004. This grant is administered by Department on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields.
- \$1 M in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include federal assessment funds.

The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and 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. In Wisconsin, we have found these federal funds of significant benefit to rural communities and for inner city properties.

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 promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants.

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

Sincerely,

Myron Schuster
Executive Director

cc: Darsi Foss, DNR RR/5

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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

TELEPHONE (262) 547-6721
FAX (262) 547-1103

Serving the Counties of

KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA

October 15, 2008

RECEIVED

OCT 16 2008

OFFICE OF THE
SECRETARY

Mr. Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8)
P. O. Box 7921
Madison, WI 53707-7921

SUBJECT: Support for the Wisconsin Brownfields Coalition's Applications for 2, EPA Brownfields Grants: \$1 Million in Assessment Funds and \$5 Million in Revolving Loan Funds.

Dear Secretary Frank:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two Federal brownfields grants. The Southeastern Wisconsin Regional Planning Commission, representing Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha Counties, is formally agreeing to continue as a member of the Wisconsin Brownfields Coalition, with the Wisconsin Department of Natural Resources as the grant administrator, for the purpose of applying for:

- \$5 M in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the State's existing Ready for Reuse program, which received \$4 million in 2004. This grant is administered by Department on behalf of the WBC, and provides funding to Wisconsin communities to help them clean up brownfields.
- \$1 M in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include Federal assessment funds.

The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and 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. In Wisconsin, we have found these Federal funds of significant benefit to rural communities and for inner city properties.

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.

Mr Matthew J Frank

October 15, 2008

Page 2

- It promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants

If you have any questions, please feel free to contact me at (262) 547-6721 .

Sincerely,

A handwritten signature in black ink that reads "Philip C. Evenson". The signature is written in a cursive, flowing style.

Philip C. Evenson
Executive Director

PCE/lw

#140024 v1 - BrownfieldsAppl/WisDNR

cc: Darsi Foss, DNR RR/5



ONE UNIVERSITY PLAZA
719 PIONEER TOWER
PLATTEVILLE WI 53818

PHONE: (608) 342-1214
FAX: (608) 342-1220
WWW.SWWRPC.ORG

7b

SERVING THE COUNTIES OF GRANT, GREEN, IOWA, LAFAYETTE AND RICHLAND
HELPING COMMUNITIES REACH THEIR GOALS.

Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8), PO Box 7921
Madison, WI 53707-7921

Date: October 27, 2008

SUBJECT: Support for the Wisconsin Brownfields Coalition's Applications for 2, EPA Brownfields Grants: \$1 Million in Assessment Funds and \$5 Million in Revolving Loan Funds.

Dear Secretary Frank:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two, federal brownfields grants. The Southwestern Wisconsin Regional Planning Commission, representing Grant, Green, Iowa, Lafayette and Richland Counties, is formally agreeing to continue as a member of the Wisconsin Brownfields Coalition, with the Wisconsin Department of Natural Resources as the grant administrator, for the purpose of applying for:

- o \$5 M in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million in 2004. This grant is administered by Department on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields.
- o \$1 M in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include federal assessment funds.

The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and 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. In Wisconsin, we have found these federal funds of significant benefit to rural communities and for inner city properties.

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 promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants.

If you have any questions, please feel free to contact Larry Ward, our Executive Director, at 608-342-1214.

Sincerely,

A handwritten signature in cursive script that reads "Mark Masters".

Mark Masters, Chair
Southwestern Wisconsin Regional Planning Commission

cc: Darsi Foss, DNR RR/5



West Central Wisconsin Regional Planning Commission

October 14, 2008

Mr. Matthew J. Frank, Secretary
Wisconsin Dept. of Natural Resources
101 South Webster Street (RR/8)
PO Box 7921
Madison, WI 53707-7921

SUBJECT: Support of the Wisconsin Brownfields Coalition's Applications for Two EPA Brownfields Grants: \$1 million in Assessment Funds and \$5 Million in Revolving Loan Funds

Dear Secretary Frank:

We are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two federal brownfields grants. The West Central Wisconsin Regional Planning Commission, representing the Counties of Barron, Chippewa, Clark, Dunn, Eau Claire, Polk, and St. Croix, is formally agreeing to continue as a member of the Wisconsin Brownfields Coalition, with the Wisconsin Department of Natural Resources as the grant administrator, for the purpose of applying for:

- \$5 million in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million 2004. The grant is administered by the WisDNR on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields.
- \$1 million in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include federal assessment funds.

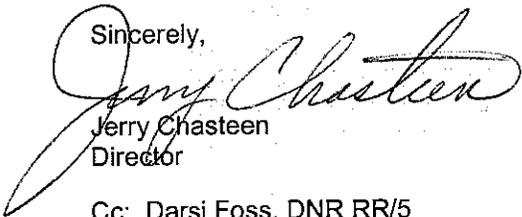
The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and clean up environmental contamination in areas where pollutants have been identified as a problem. After cleanup, brownfields can be redeveloped so that growth occurs within "downtown" communities rather than sprawling into green spaces on the edges of towns. In Wisconsin, we have found these federal funds of significant benefit to rural communities and for inner city properties.

The RLF application by the WBC 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 promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants.

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

Sincerely,



Jerry Chasteen
Director

Cc: Darsi Foss, DNR RR/5

ATTACHMENT C: Legal Opinion

DATE: October 29, 2008

TO: Darsi Foss—RR/5
Brownfields Section Chief

FROM: Judy Mills Ohm—LS/8
Legal Counsel



SUBJECT: Legal Opinion regarding application for Brownfields Revolving Loan Fund; Legal authority to access and secure sites; and legal authority to manage a revolving loan fund

You have requested a legal opinion on the following 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 the Wisconsin Department of Natural Resources (“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?

My legal opinion on these questions is as follows:

- 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.**
- 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).**

On the first question, regarding access to properties, WDNR has legal authority to obtain access to properties under ss. 292.11(8) and 292.31(3)(e), Wis. Stats. Section 292.11(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. As lead agency of the Coalition applying for the Brownfields revolving loan fund, WDNR could use this inspection authority to ensure adequate program performance by other Coalition members, borrowers and subgrantees, if necessary.

On the second question, regarding authority to administer a loan program, section 292.72, Wis. Stats., was created in 2003, specifically to allow WDNR to administer a loan program with the money it would receive through the USEPA Revolving Loan Fund program. That statute provides as follows:

292.72 Brownfields revolving loan program.

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

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

In administering other grant 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. Sec. 66.0301, Wis. Stats., 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

Since WDNR is authorized to administer the state brownfields revolving loan program specific to the money it receives from the USEPA Revolving Loan Fund program, WDNR can utilize s. 66.0301, Wis. Stats., to enter into loan agreements with municipalities and federally recognized Indian tribes. The agreements can specify the terms of the loans, including how loan repayments would be made

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. 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.).

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, WDNR and the other 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

ATTACHMENT D: Support Letters From Partners

The Wisconsin Brownfields Coalition has received support letters from the following seven organizations:

- University of Wisconsin – Milwaukee
- City of Prairie du Chien
- Midwest Environmental Advocates
- Wisconsin Brownfields Study Group
- Wisconsin Department of Health Services
- Ayres Associates
- 30th Street Industrial Corridor Corporation



College of Letters and Science
Department of Geography

Christopher De Sousa
Associate Professor
Department of Geography
University of Wisconsin-Milwaukee
Bolton Hall, Room 410
PO Box 413
Milwaukee, WI
53201-0413 U.S.A.
414 229-4874 phone
414 229-3981 fax
desousa@uwm.edu

October 28, 2008

Darsi Foss, Chief
Brownfields and Outreach Section
Bureau for Remediation and Redevelopment
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921 (RR/5)
Madison, WI 53707-7921

Received

OCT 30 2008

REMEDIATION &
REDEVELOPMENT

RE: Letter for Support for EPA Brownfields Funding

I am writing to strongly support the Wisconsin DNR's efforts to secure additional federal brownfields funds from the US Environmental Protection Agency. Simply put, these funds will help them to continue their excellent efforts to clean up and reuse brownfields throughout the state.

I am a Professor at the University of Wisconsin-Milwaukee and Co-Director of the Brownfields Research Consortium. I also co-direct the Menomonee Valley Benchmarking Initiative, which tracks economic, environmental, and community conditions in Milwaukee's Menomonee Valley, Wisconsin's largest cluster of former brownfields. And, above all, I am a resident of Wisconsin. In all of these roles, I have come to understand the importance of the DNR's efforts to promoting brownfields redevelopment that brings jobs, taxes, and breathes new life into communities affected by brownfields.

I have conducted research on Brownfields Revitalization for over a decade in the US, Canada, and Europe. Through this work I have studied numerous projects and programs at federal, state/provincial, and municipal levels. Wisconsin's program and the DNR are very effective and innovative. Programs such as the Site Assessment Grants have been essential for getting developers to consider brownfields that they wouldn't have otherwise. New programs involving insurance tools, green space, etcetera have also

shown a desire to come up with innovative tools to tackle the problems and expand potential end uses for these sites.

What most impresses me about the DNR, however, is the fact that they are actively involved in both small- and large-scale projects, in small and large communities. They also work very well with all stakeholders. This ensures that all communities in the state benefit from their involvement and appreciate it immensely. Indeed, I have conducted interviews with numerous stakeholders throughout Wisconsin and have always been told great things about the DNR's program and the individuals at the Madison office. I have simply not seen the same respect and admiration in other states and provinces that I've studied.

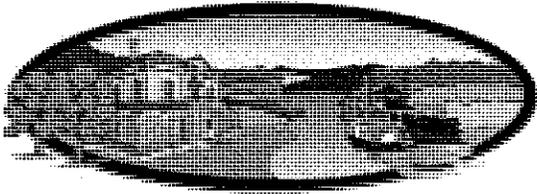
For all of the reasons stated above, I strongly support the Wisconsin DNR's request for additional brownfields funding.

Please contact me if you need additional information.

Kind Regards,

A handwritten signature in black ink, appearing to read "C. De Sousa", with a long horizontal flourish extending to the right.

Chris De Sousa



CITY OF PRAIRIE DU CHIEN
PRAIRIE 2020 - A CLEAR VISION FOR THE FUTURE

214 East Blackhawk Avenue • PO Box 324
Prairie du Chien, WI 53821
Phone: (608) 326-6406 • Fax: (608) 326-8182

November 1, 2008

Ms. Darsi Foss, Chief
Brownfields and Outreach Section
Bureau for Remediation and Redevelopment
Wisconsin Department of Natural Resources
101 South Webster Street, Box 7921 (RR/5)
Madison, WI 53707-7921

Dear Ms. Foss:

I am writing in support of the Wisconsin Department of Natural Resources application for \$6 million in federal brownfields funds. This funding is to continue WDNR's efforts to successfully address contaminated sites in the state.

The City of Prairie du Chien has been aggressive in identifying, remediating, and redeveloping contaminated sites. These sites present significant challenges but also substantial opportunities to protect public health, to clean up blighted properties, and to "recycle" underutilized properties into redevelopment projects that, in Prairie du Chien's case, have been a key tool in revitalizing the City's historic downtown. Prairie du Chien is a relatively small community in one of the poorest areas in Wisconsin. Without the funding provided by WDNR through the Ready for Reuse Program, many of these projects would have been problematic if not impossible to undertake.

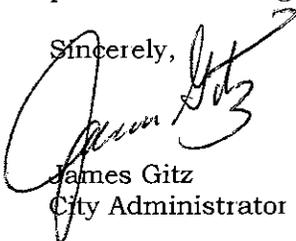
Our partnership with WDNR on addressing a number of contaminated sites has been characterized by both creativity and thorough due diligence on part of WDNR staff. In every case, this combination has ensured that the program objectives and requirements were met in the most efficient and effective manner possible. In turn, this made City staff work more proficiently and intelligently when developing and implementing these projects. In other words, WDNR did not just provide financial assistance but built our capacity to design, manage, and execute successful projects.

Requests to WDNR for information or clarification were always answered immediately and completely. In turn, WDNR staff asked tough questions to ensure that financial resources were being utilized responsibly and frugally. As a consequence, the resulting well-designed projects all leveraged additional public and private dollars.

The City of Prairie du Chien fully supports WDNR's application and knows that its management of these funds will result in the maximum return on investment in terms of protecting the environment and public health, remediating and redeveloping contaminated sites, and in sustaining and strengthening Wisconsin's communities.

If you have any questions or need further information, please contact me at 608-326-6406 or pdcadministrator@mhtc.net. Thank you.

Sincerely,


James Gitz
City Administrator

Received

NOV 3 2008

REMEDIATION &
REDEVELOPMENT

Midwest Environmental ADVOCATES

pro bono publico

November 3, 2008

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Lac du Flambeau Band of Lake
Superior Chippewa Indians
Arbor Vitae

*(Organizations listed for identification
purposes only.)*

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Of Counsel

Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8), PO Box 7921
Madison, WI 53707-7921

RE: Support for the Wisconsin Brownfields Coalition's Applications for EPA
Brownfields Grants

Dear Secretary Frank:

I am writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 application to the Environmental Protection Agency for two federal brownfields grants:

- o \$5 M in EPA Brownfields Revolving Loan Funds to continue funding the state's existing Ready for Reuse program, which is administered by the DNR on behalf of the WBC and provides funding to Wisconsin communities to assist brownfields clean up;
- o \$1 M in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments.

Wisconsin's estimated 8,000 brownfields are a significant obstacle in regaining the state's environmental and economic health. The WBC grant would be used to assess and 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. In Wisconsin, we have found these federal funds of significant benefit to rural communities and for inner city properties.

Midwest Environmental Advocates is currently working with state and local groups to address the brownfield issues in Milwaukee's 30th Street Corridor, a formerly vibrant industrial area which has suffered significant job loss and disinvestment. The area has many suspected environmental contamination issues due to once-present multiple manufacturing operations. The aim of all partners working on this project is to clean up contamination and attract new industry and business to the area, creating new jobs and increasing quality of life for the residents. The federal funds would greatly benefit this area.

If you have any questions, please feel free to contact me at 251-5047 ext 3.

Sincerely,



Karen M. Schapiro
Executive Director

cc: Darsi Foss, DNR RR/5

Benjamin Timm, City of Milwaukee, Dept of City Development
551 W. Main Street, Suite 200 • Madison, WI 53703
Telephone 608.251.5047 • Fax 608.268.0205

1845 N. Farwell Avenue, Suite 100 • Milwaukee, WI 53202
Telephone 414.688.4171

Email: advocate@midwestadvocates.org • Web: www.midwestadvocates.org



THE BROWNFIELDS STUDY

GROUP 2008

Members

John Antaramian
Nancy Frank
Arthur Harrington
Steve Hiniker
Bruce A. Keyes
Larry Kirch
Scott Manley
Peter McAvoy
Dave Misky
Tom Mueller
Peter Peshek
John Stibal
Joy W. Stieglitz
Mark Thimke
Scott Wilson

November 4, 2008

Secretary Matt Frank
Wisconsin Department of Natural Resources
101 S. Webster St. (RR/8) PO Box 7921
Madison, WI 53703

Dear Secretary Frank,

On behalf of Wisconsin's Brownfields Study Group, we are writing in support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the U.S. Environmental Protection Agency (EPA) for two, federal brownfields grants:

- \$5 million in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million in 2004; this grant is administered by Department of Natural Resources (DNR) on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields; and
- \$1 million in EPA Brownfields Assessment Grant Funds to expand the services that the WBC provides to local governments to include federal assessment funds.

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 grants 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.

We support the applications because the funding:

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

Possible brownfield redevelopment projects that could use these 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;
- 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,



Bruce A. Keyes
On Behalf of the Wisconsin Brownfields Study Group

cc: Brownfields Study Group Members
Darsi Foss, DNR - RR/5



DIVISION OF PUBLIC HEALTH

Jim Doyle
Governor

1 WEST WILSON STREET
P O BOX 2659
MADISON WI 53701-2659

Karen E. Timberlake
Secretary

State of Wisconsin

608-266-1251

FAX: 608-267-2832

TTY: 688-701-1253

dhs.wisconsin.gov

Department of Health Services

November 5, 2008

Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources
101 South Webster Street (RR/8), PO Box 7921
Madison, Wisconsin 53707-7921

Dear Secretary Frank:

The Wisconsin Division of Public Health is pleased to support the Wisconsin Brownfields Coalition's (WBC) and their grant application to the U.S. Environmental Protection Agency (EPA). This EPA application is for two federal Brownfields' grants:

- The Brownfields' Revolving Loan Funds (RLF) application seeks \$5 million for the continued funding of the state's existing Ready for Reuse program, which directly assists Wisconsin communities with the clean up of Brownfields' properties. In 2004, the EPA awarded \$4 million to Wisconsin's RLF, and this grant was administered by the Wisconsin Department of Natural Resources on behalf of the WBC.
- The Brownfields' Assessment Grant Funds application seeks \$ 1 million in federal assessment funding to expand the services that WBC provides directly to local governments.

While much has been accomplished in Wisconsin under Brownfields' redevelopment, the remaining 8,000 languishing properties continue to be an impediment for improving Wisconsin's environmental, economic, and public health. The WBC's grants will enable assessing and cleaning up environmental contamination in areas where pollutants are of concern. These cleanups will facilitate the redevelopment of neglected properties and promote smart growth within communities rather than encouraging sprawl into green spaces on the edges of towns. Prior federal funding has greatly benefited redevelopment in both smaller Wisconsin communities and inner-city properties. The WBC proposal is also a good fit for Wisconsin because it supports sound land use management, assists local governments to take advantage of existing infrastructures, and helps protect public health by cleaning up environmental contamination.

If I can be of any further assistance, please feel free to contact me at 608-266-9780.

Sincerely,

Thomas Sieger
Deputy Administrator

Received

NOV 4 2008

REMEDICATION &
REDEVELOPMENT



November 4, 2008

Mr. Matthew J. Frank, Secretary
Wisconsin Department of Natural Resources
101 S. Webster Street (RR/8)
PO Box 7921
Madison, WI 53707-7921

Re: Support for the Wisconsin Brownfields Coalition's Applications for Two EPA Brownfields Grants: \$1 Million in Assessment Funds and \$5 Million in Revolving Loan Funds

Dear Secretary Frank:

I am writing to you to express my support of the Wisconsin Brownfields Coalition's (WBC) 2008 applications to the Environmental Protection Agency for two federal brownfields grants. I understand that the Wisconsin Department of Natural Resources, as the grant administrator, is applying for \$5 million in EPA Brownfields Revolving Loan Funds (RLF) to continue funding the state's existing Ready for Reuse program, which received \$4 million in 2004. This grant is administered by the Department on behalf of the WBC, and that provides funding to Wisconsin communities to help them clean up brownfields. In addition, the Department is applying for \$1 million in EPA Brownfields Assessment Grant Funds to expand the services that the DNR provides to local governments to include federal assessment funds.

The estimated 8,000 brownfields are a significant obstacle in regaining Wisconsin's environmental and economic health. The WBC's grant would be used to assess and 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. In Wisconsin, we have found these federal funds of significant benefit to rural communities and for inner city properties.

As a long-time practitioner in Brownfield Redevelopment, I can personally attest to the success the WDNR has obtained in creation of the highest quality remediation and redevelopment program in the country. Your staff has long been the front runners in solving the myriad of obstacles that confront the development of blighted and contaminated properties in our cities, villages, and towns. Many other states have their Brownfield grants and loan programs but Wisconsin is alone in its creative use of funding, redevelopment incentives, and flexibility. Whereas many states have focused solely on the redevelopment of their state's largest cities, Wisconsin has no peers in its dedication to helping our smallest cities, villages, and towns revitalize their downtowns and restore prosperity and pride to their downtowns. Through the wise and prudent use of State and Federal Brownfield funding by the Wisconsin Department of Natural Resources, our communities, big and small, have forged important and long-lasting relationships with the State and continue to grow their tax bases and reduce blight and contamination in their downtowns.

Over the past 10 years, with the participation of the Wisconsin Department of Natural Resources and the Department of Commerce, we have secured tens of millions of dollars to primarily small communities to assist them in revitalization of their communities. Pharmacies are now vibrant and necessary additions in communities where blighted and contaminated

Mr. Matthew J. Frank, Secretary
November 4, 2008
Page 2

buildings and land once stood. Neighborhood community centers, assisted living homes for seniors, and stormwater detention basins now stand where abandoned factories, dumps, and areas prone to flooding were common. I can also attest that the number of small communities, which I played a significant role, have benefited greatly from not only the number and type of resources that the Department of Natural Resources has generated, but also to the quality and quantity of resourceful and knowledgeable staff are benefactors of these important resources. Emerson once wrote that "Nothing great can ever be accomplished without enthusiasm." Your Brownfield program staff has that enthusiasm and they have accomplished great things here in Wisconsin. The success in securing additional funding from our EPA partners can only help to spread that enthusiasm across our State.

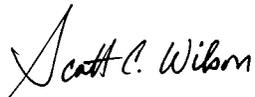
As a customer of the Department, I firmly believe that the RLF application by the Wisconsin Brownfields Coalition is a good fit with Wisconsin's regional planning goals for several reasons:

- It supports sound land use management.
- It helps local governments take advantage of existing infrastructures.
- It promotes economic development in urban and in rural communities.
- It helps protect citizens from environmental pollutants.

If you have any questions, please feel free to contact me at 443.1258.

Sincerely,

Ayres Associates Inc



Scott C. Wilson, PSS
Manager – Wisconsin Environmental Services
Direct: 608.443.1258
Cell: 608.212.5230
Fax: 608.443.1250
Wilson@AyresAssociates.com

SCW:sem

cc: Darsi Foss, DNR RR/5



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INDUSTRIAL CORRIDOR CORPORATION

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EXECUTIVE DIRECTOR

Brenna Holly

October 28, 2008

Secretary Matthew J. Frank
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921
Madison, WI 53707-7921

Dear Secretary Frank:

The 30th Street Industrial Corridor Corporation (ICC) is pleased to demonstrate its support of the Wisconsin Department of Natural Resources (WDNR) request for environmental clean up funds and assessment dollars from EPA for the benefit of Wisconsin communities.

The ICC is a not-for-profit organization that has worked to recruit and retain businesses and jobs on the north side of Milwaukee since 1991. We have witnessed how vacant, blighted and suspected brownfields have negatively impacted redevelopment of the 30th Street Industrial Corridor and surrounding neighborhoods. Over the past four years, the ICC has had the opportunity to work closely with WDNR staff, as well as the Redevelopment Authority of the City of Milwaukee and other community partners, which has led to great strides in preparing sites for redevelopment for the benefit of the entire Milwaukee community.

We are grateful to the WDNR for its leadership in brownfield redevelopment in the 30th Street Industrial Corridor, Milwaukee and across Wisconsin. They have been a true partner to the ICC and the community. Please contact me at (414) 444-4706 or brenna_holly@30thstreeticc.org if I may be of further assistance.

Sincerely,

Brenna Holly
Executive Director