

2015 REPORT

Executive Summary

BROWNFIELDS STUDY GROUP

Report includes 34 proposals to improve economy, environment and communities

Collaborative effort aims to make Wisconsin's highly regarded brownfields revitalization initiative even better.

Twenty years have passed since the Land Recycling Act of 1994 was enacted. This legislation ushered in the modern era of contaminated land cleanup and redevelopment in Wisconsin. The Badger State is a nationally recognized leader in this field, and ongoing efforts to enhance the state's brownfield revitalization initiative play an important role in its success.

The Brownfields Study Group was created in 1997 to examine how the state can increase the number of contaminated properties that are cleaned up and returned to productive use. The group meets regularly and members include representatives of local governments, environmental consulting companies, industry associations, nonprofit organizations, law firms,

state agencies, universities and more. Other stakeholders become involved and contribute based on their interest in specific topics and availability.

The 2015 Brownfields Study Group Report was created over a period of nine months, with more than 60 people outside of DNR actively engaged. More than 30 open meetings and conference calls were conducted and a hundred-plus draft documents were reviewed and revised by six sub-groups. The process used to create this Report was thorough and collaborative.

The 2015 Report includes 34 legislative and administrative proposals to make a strong program even better, and help spur increased economic growth.



Cleanup Investment

Investing public funds in the remediation of brownfields generates an impressive range of public and private benefits, including increased property values, economic growth, leveraged private capital, jobs retained, new jobs created, community amenities, public health, environmental protection and more.





Priority RR Program proposals

The Brownfields Study Group encourages DNR's Remediation and Redevelopment Program to move forward with all administrative proposals included in the Report. The following are top priorities for prompt action:

1. **Procedures and Polices for Addressing Vapor Intrusion.** Continued updates and enhancements recommended.
2. **Brownfield Investigation by Exempt Local Governments.** More outreach to local governments about public health responsibilities related to contaminated land.
3. **Define VPLE "Property."** Modifies the Voluntary Party Liability Exemption (VPLE) program to address property alterations common in real estate redevelopment projects.
4. **Lender Liability.** Suggests further study to fully evaluate current lending practices and determine if updates are needed to the lender liability exemption law.
5. **Update VPLE Guidance.** Identifies how DNR can provide more certainty to VPLE program participants with respect to time, cost and common redevelopment issues.

Priority multi-program proposals

The following administrative recommendations are identified as high priorities for DNR as a whole, to help facilitate brownfield redevelopment and enhance customer service across program lines.

1. **Internal DNR Coordination of Waterfront Projects.** Recommends continued efforts to develop a systematic, transparent and big picture process for regulating and assisting waterfront projects, with set timelines and effective intra/interagency coordination.
2. **Soil, Sediment and Waste Management.** Asks DNR to clearly define how contaminated soil and other waste materials should be managed.
3. **Management of PCB-Contaminated Building Materials.** Seeks a single point of contact, clear guidance, improved communication and expanded technical assistance.
4. **Contaminated Sediment.** Requests improved project based communications and procedures related to contaminated sediment assessment and remediation.

Priority legislative proposals

Study Group members identified many important legislative recommendations. The following list includes the Group's top legislative priorities:

1. **Strengthen the Environmental Management Account.** Supports efforts to strengthen and stabilize the environmental management account of the environmental fund.
2. **Create a Cleanup Catalyst Grant Program for Local Governments.** Recommends a new grant program to specifically address persistently derelict brownfield sites with no immediate end user in sight.
3. **Off-Site Liability Exemption for Vapor Intrusion.** Clarifies that property owners whose properties are impacted by chemical vapor contamination coming from a source on another property are protected against liability.
4. **Create a Waterfront Development Program.** Proposes the creation of a comprehensive waterfront revitalization program similar to the one in New York.
5. **State Trust Fund Loans for Brownfield Projects.** Proposes that State Trust Fund loans for brownfield projects not count toward a municipality's debt ceiling.
6. **Improve Environmental Remediation Tax Incremental Financing Districts.** Incorporates ER TID in the standard TID process.
7. **Develop Background Concentrations for Common Soil Contaminants.** Seeks baseline and health protection.
8. **Expand Geographic Information System.** Investigate ways in which GIS could support brownfields and waterfront redevelopment.

In addition to the priority proposals listed on this page, the full Study Group Report includes many other important legislative and administrative proposals that should be addressed as time and resources are available.

A copy of the full 2015 Brownfields Study Group Report is available at: <http://dnr.wi.gov/topic/Brownfields/documents/bsg/BSG2015report.pdf>



Quotes and comments from Brownfields Study Group members and other stakeholders active in creation of the 2015 Report

“Wisconsin’s brownfields program is the envy of the nation. This is owing to over 20 years of deliberate work by the Legislature, the Wisconsin DNR and the Brownfields Study Group.”

**– Larry Kirch, City of La Crosse
(Past Director of Planning and Development)**

“The Brownfields Study Group and DNR should be commended for their roles in facilitating the beneficial transformation of many acres of brownfields in Wisconsin, and for working to identify the impediments to further transformation of brownfields in Wisconsin.”

– Bill Scott, Gonzalez Saggio Harlan

“Many hours and considerable effort has gone into developing these recommendations. This report continues Wisconsin’s long tradition as an innovative leader in addressing brownfield issues and concerns.”

– Mark Thimke, Foley & Lardner

“The brownfields program in Wisconsin is highly evolved, due in a large part to the efforts of the Brownfield Study Group. The diverse group of participants brings together opinions from all sides of brownfield issues.”

– Lanette Altenbach, AECOM

“DNR’s brownfield program has received national recognition, in part due to the collaborative efforts of the Brownfields Study Group. The 2015 Report is yet another example of the cooperative spirit the DNR utilizes to capitalize on brownfield redevelopment opportunities within Wisconsin, encouraging economic growth and revitalizing communities.”

– Chris Valcheff, True North Consultants, Inc.

“Redeveloping brownfield sites plays an important role in stimulating the economic revitalization of communities by bringing vacant or underutilized properties into productive use. For over 20 years, Wisconsin has excelled at creating and implementing programs to meet the full range of cleanup and redevelopment needs.”

– John Antaramian, ECC Corp.

“The Brownfields Study Group is an excellent example of how a highly diverse and disparate group of stakeholders can work cooperatively, learn from one another and collectively develop practical solutions to important, real-world issues.”

– Frank Dombrowski, We Energies

The Brownfields Study Group is an external advisory group and is solely responsible for the proposals included in the 2015 Report. Nothing in this document should be interpreted as policy advice or recommendations from the Department of Natural Resources.

