



Environmental Compliance  
Corporation for Development  
and Economic Vitality  
**ECCODEV**



April 2, 2007

Mark McDermid  
Director, Bureau of Cooperative Environmental Assistance  
Wisconsin Department of Natural Resources  
P.O. Box 7921  
Madison, WI 53707-7921

**Re: Annual Report for ECCo-DEV**

Dear Mark:

I have attempted to capture the highlights of the past year of ECCo-DEV's participation in the Green Tier program following the execution of the Charter with the department. I have tried to focus on some of what I would characterize as the highlights along with a brief description and analysis in a number of areas.

**Background**

ECCo-DEV, Inc. and the Department of Natural Resources entered into a Charter agreement on October 3, 2005. The Agreement outlines a number of areas that Green Tier participants must address in their Environmental Management System (EMS) that encompass a number of areas common to residential developments. At present ECCo-DEV and the DNR are discussing possible revisions to the Charter to reflect slight changes dealing with the development of the EMS and the timing of certain events. The hope was that there would have a number of participants in the program through ECCo-DEV based upon initial discussions with members of the WI Builders Association (WBA). However, due to a number of factors discussed below, only one application for a Tier 1 participant was submitted during calendar year 2006.

**Educational Effort**

During the last quarter of 2005 and throughout 2006, representatives of ECCo-DEV have participated in a number of external educational seminars before many diverse groups as presenters along with representatives from the DNR. This effort was designed to educate municipal officials and their staffs, representatives of the building industry, environmental

organizations and other interested groups on the value of the program. In anticipation of the Charter being signed, the ECCo-DEV staff met with eight WBA member companies who expressed interest in the program. From this group, three firms were selected to participate in the program as pilot sites. The sites were selected based upon their differences in four areas: location, business structure, number of employees and average development size. The three developers were located in Appleton, New Richmond and Waukesha and developed communities in those as well as nearby communities.

Initial training regarding the creation of an Environmental Management System (EMS) was conducted for the pilot participants by Natural Resource Technology (NRT) during the last quarter of 2005 and the first half of 2006 based upon the schedule of the trainer and participants. Since this was all new to the participants and the trainer, it was necessary to update and change the training on several occasions. The most significant issue that was brought out during the initial training involved the problems with trying to create a generic-style EMS that was envisioned in the Charter. As training evolved it became very clear that trying to create a single generic EMS that would cover the diverse business practices of developers of varying sizes would not adequately meet the needs of all of the participants. The trainer determined that a more practical model involved the creation of an overview Guidance Manual rather than a generic one size fits all EMS. This document would serve as a template structure that could be tailored by each participant as they create their company's EMS. This was more of a "how to" style rather than a prescriptive system based on preformatted language and issues that may or may not be relevant to the firm's business practices.

### **Applicants**

In the time since the Charter was signed, there have been two companies that began the process of applying to the Green Tier program. One of the applicants began the application and chose to suspend the process. They had substantially completed the EMS and intended on implementing those sections they completed. The second company, Casaloma Development Corporation, completed their application to be a Tier 1 participant in late 2006 and, as of the date of this report, is in the public comment period awaiting approval by the DNR. Casaloma has substantially completed its EMS and is working toward implementation at a proposed development site in Menasha.

ECCo-DEV has met with four other companies that have previously expressed interest in participating in the program. Two have indicated that they will be applying in 2007 and have begun discussions with a consultant to begin training on the creation and implementation of the EMS. The other two companies are smaller businesses and due to the recent downturn in the housing industry have decided to put their participation on hold until later in the year since they explained that they have had staff changes and reductions and do not feel they can commit to either the time or the money at this time. This is a similar sentiment echoed by other members of the WBA who had shown an interest in the past.

In order to help deal with the issues identified by would be participants of time, technical knowledge and cost, ECCo-DEV has created a model for the development of a functionally equivalent EMS by utilizing a graduate student to assist with the drafting of the EMS. The student had an advanced degree in Environmental Sciences and went through training with our consultant, NRT. The student was utilized to assist the applicant in writing the EMS based upon interviews with key staff and some outside contractors including the design engineer. This saved a substantial amount of money and time for the participant which ECCo-DEV hopes to replicate

at other smaller offices who have expressed a concern about the time it takes to create the EMS. ECCo-DEV staff is working with the participant and anticipates creating an internal informational piece that details the applicants experience with the entire process as a way to address many of the concerns of other members who are considering but have yet to commit to the program.

### **Experience**

Overall, the ECCo-DEV staff views the experience to date with the program as positive. The members of the Association have expressed an interest in participating in the program but remain cautious but there is a strong sentiment that ECCo-DEV should continue to participate in the program. Further, they have asked that the ECCo-DEV staff pursue this and other attempts of the Department to expand this and other programs that are designed to create greater cooperation designed to promote and reward superior businesses who commit to continuous improvement.

This is not to say that everything has gone smoothly all the time. It has been difficult overcoming several obstacles among members. The first of this is the distrust many have toward the DNR. The ECCo-DEV staff has attempted to show examples of positive cooperation that have come about based upon its participation in the program. Unfortunately, there have been other examples of problems in other programs that have overshadowed these successes most notably in the Wetland Delineator Assurance program pilot. ECCo-DEV continues to look for opportunities to promote the successes and good relationships with DNR and is committed to work with the department to promote a positive image of the program and the department.

The second obstacle concerns the incentives that are available to participants in the program and the costs involved in meeting the initial participation requirements of the program. Many would-be participants, especially smaller companies, are reluctant to commit both money and staff time for the limited suite of incentives that are available. ECCo-DEV has suggested that there needs to be some additional incentives created and possibly a fund to help offset the expense associated with developing an EMS. These two elements might bring in some additional participants.

### **Future**

ECCo-DEV will continue working with the current applicant as the company goes through the Tier 1 approval process. ECCo-DEV will work with this applicant to develop an internal marketing piece for use with members at WBA based on the applicant's experiences. In addition, we will be cooperatively developing educational tools and training for contractors at the initial applicant's site that we hope can be used as models for other applicants' sites. Staff will continue to promote the Green Tier program both internally and externally and will look for opportunities to include the department in these efforts.

ECCo-DEV through the WBA Development Council will work with DNR staff, legislators and other interested groups on areas where the law can be changed to encourage greater participation. In addition, ECCo-DEV will continue to explore opportunities with other outside organizations to find possible funding sources to create both incentives and financial assistance as a way to help meet the financial cost associated with developing an EMS.

ECCo-DEV will continue to work with DNR staff on possible changes to the Charter. It is our belief that as more participants come into the program there may be both an opportunity and necessity for revising certain sections of the Charter to deal with changing circumstances. We will work with the DNR staff to define these areas and develop other opportunities to work with the department as they relate to the Charter.

Sincerely,

John A. Kisiel  
Secretary, ECCo-DEV, Inc.

Cc: Board of Directors  
WBA-DC