

01-142
15

February 11, 2002

Senator Fred Risser
President of the Senate
Room 220 South, State Capitol
Madison, Wisconsin 53702

Representative Scott Jensen
Speaker of the Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53702

Dear Senator Risser and Representative Jensen:

NOTICE OF ADMINISTRATIVE RULES IN FINAL DRAFT FORM

CLEARINGHOUSE RULE NO.: 01-142

RULE NO.: Comm 110

RELATING TO: Brownfields Redevelopment Grants

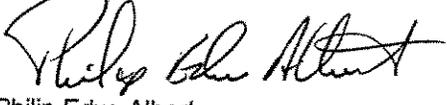
Section 227.19, Stats., requires agencies to submit proposed rules in final draft form to the presiding officer of each house for referral to the appropriate legislative standing committees.

The following information, as required by law, is being submitted to you.

1. Rules in final draft form (in triplicate).
2. Report consisting of:
 - a) Rule Report.
 - b) Public Hearing Attendance Record.
 - c) Public Hearing Comment and Agency Response Form.
 - d) Legislative Council Rules Clearinghouse Report.
 - e) Response to Legislative Council Rules Clearinghouse Report.
 - f) Fiscal Estimate.
 - g) Final Regulatory Flexibility Analysis.

If you have any questions regarding this matter, please do not hesitate to contact us.

Respectfully submitted,


Philip Edw. Albert
Secretary

RULE REPORT

Department of Commerce

Rule No.: Comm 110

Relating to: Brownfields Redevelopment Grants

Agency contact person for substantive questions:

Name Jason Scott

Title Brownfields Development Consultant

Telephone Number 261-7714

Agency contact person for internal processing:

Name Sam Rockweiler

Title Code Development Consultant

Telephone Number 266-0797

1. Agency statutory authority under which the agency intends to promulgate the rule(s).
560.02 and 560.13 (6), Stats.
2. Citation of federal regulations which require adoption or which are relevant to the proposed rule(s).
None known.
3. Citation of court decisions which are applicable to the proposed rule(s).
None known.

4. Description of the proposed rule(s).

The proposed rule is nearly identical to an emergency rule that was adopted on October 23, 2001. Both the proposed rule and the emergency rule expand chapter Comm 110 to (a) recognize trustees and nonprofit organizations as eligible applicants for brownfields redevelopment grants, and (b) include disallowing grant funds to pay either delinquent real estate taxes, or lien claims of the Department of Natural Resources or the federal Environmental Protection Agency. Both rules also update several aspects of the application procedure that have evolved since the chapter was initially created as an emergency rule in 1997.

In response to comments from the Legislative Council Rules Clearinghouse, the proposed rule was modified so that it only disallows funding for projects which will cause a net loss of permanent employees, instead of also disallowing otherwise-desirable projects which include temporary or other inconsequential displacement of workers.

5. Reason for the proposed rule(s).

The proposed update of chapter Comm 110 would (a) make the chapter consistent with the corresponding changes in s. 560.13 (6), Stats., that were enacted in 2001 Wisconsin Act 16, and (b) align the chapter's grant application criteria with various recent process improvements.

RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

Department of Commerce

CLEARINGHOUSE RULE NO.: 01-142

RULE NO.: Comm 110

RELATING TO: Brownfields Redevelopment Grants

Agency contact person for substantive questions.

Name: Jason Scott

Title: Brownfields Development Consultant

Telephone No. 261-7714

Legislative Council report recommendations accepted in whole.

Yes

No

1. Review of statutory authority [s. 227.15(2)(a)]

- a. Accepted
- b. Accepted in part
- c. Rejected
- d. Comments attached

2. Review of rules for form, style and placement in administrative code [s. 227.15(2)(c)]

- a. Accepted
- b. Accepted in part
- c. Rejected
- d. Comments attached

(Continued on reverse side)

3. Review rules for conflict with or duplication of existing rules [s. 227.15(2)(d)]

- a. Accepted
- b. Accepted in part
- c. Rejected
- d. Comments attached

4. Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]

- a. Accepted
- b. Accepted in part
- c. Rejected
- d. Comments attached

5. Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]

- a. Accepted
- b. Accepted in part
- c. Rejected
- d. Comments attached

6. Review rules for potential conflicts with, and comparability to, related federal regulations [s. 227.15(2)(g)]

- a. Accepted
- b. Accepted in part
- c. Rejected
- d. Comments attached

7. Review rules for permit action deadline [s. 227.15(2)(h)]

- a. Accepted
- b. Accepted in part
- c. Rejected
- d. Comments attached

FINAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

CLEARINGHOUSE RULE NO.: 01-142

RULE NO.: Comm 110

RELATING TO: Brownfields Redevelopment Grants

Final regulatory flexibility analysis not required. (Statement of determination required.)

1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.

The rule somewhat increases the flexibility for all businesses and owners associated with brownfields properties by (1) expanding the listing of applicants who are eligible to receive redevelopment grants, to include trustees and nonprofit organizations; and (2) revising the criteria for disallowing funding, to no longer exclude projects that include temporary or other inconsequential displacement of workers.

The rule also updates and clarifies several aspects of the application procedure that have evolved since the chapter was initially created as an emergency rule in 1997, which may enable some small businesses to more easily apply for the grants.

The rule also eliminates a current requirement to submit semi-annual financial reports, because these reports are no longer considered necessary.

2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.

No issues unique to small business were raised during the hearing process.

(Continued on reverse side)

3. Nature and estimated cost of preparation of any reports by small businesses.

The rule package does not increase the number of reports required from small businesses.

4. Nature and estimated cost of other measures and investments required of small businesses.

The rule will not impose additional costs or require additional investments by small businesses.

5. Additional cost to agency of administering or enforcing a rule which includes any of the methods in 1. for reducing impact on small businesses.

No additional costs will accrue to the Department.

6. Impact on public health, safety and welfare caused by including any of the methods in 1. for reducing impact on small businesses.

The rule will not adversely impact public health, safety or welfare.

FISCAL ESTIMATE
DOA-2048 (R06/99)

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
Comm 110
Amendment No. if Applicable

Subject
Brownfields Redevelopment Grants

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

- | | |
|--|---|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues |
| <input type="checkbox"/> Create New Appropriation | |

- Increase Costs - May be Possible to Absorb Within Agency's Budget Yes No
- Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

2. Decrease Costs
 Permissive Mandatory

4. Decrease Revenues
 Permissive Mandatory

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

The Department currently administers brownfields redevelopment grants. The proposed rule replaces current requirements with requirements that are not expected to result in significant additional costs.

Long-Range Fiscal Implications

None known.

Agency/Prepared by: (Name & Phone No.)
Jason Scott 261-7714

Authorized Signature/Telephone No.

Edna Akland

Date

10/23/01

FISCAL ESTIMATE WORKSHEET
Detailed Estimate of Annual Fiscal Effect
DOA-2047(R06/99)

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
Comm 110

Amendment No.

Subject
Brownfields Redevelopment Grants

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs By Category		
State Operations - Salaries and Fringes	\$	\$ -
(FTE Position Changes)	(0 FTE)	(- 0 FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs By Category	\$ 0	\$ - 0
B. State Costs By Source of Funds		
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S	0	- 0
III. State Revenues- Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S	0	- 0
TOTAL State Revenues	\$ 0	\$ - 0

NET ANNUALIZED FISCAL IMPACT

STATE

LOCAL

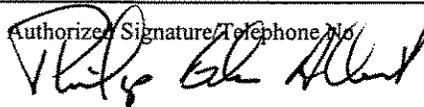
NET CHANGE IN COSTS \$ 0 \$ 0

NET CHANGE IN REVENUES \$ 0 \$ 0

Agency/Prepared by: (Name & Phone No.)

Jason Scott 261-7714

Authorized Signature/Telephone No.



Date
10/23/01



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 01-142

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

I. Statutory Authority

a. The corresponding statutory provision for s. Comm 110.03 (2) is s. 560.13 (2) (a) 2. a., Stats. The rule requires supporting documentation showing that the party that caused the "environmental contamination on the subject property" is unknown, cannot be located or is financially unable to pay for the cost of cleanup. The statute is much narrower in scope, requiring a finding only that the party that caused the "portion of the environmental contamination that is the basis for the grant request" is unknown, cannot be located or is financially unable to pay. As drafted, it appears that the rule would preclude a grant if a party that caused environmental contamination on the property is known, although that party did not cause the portion of the environmental contamination that is the basis for the grant request.

b. The rule, in s. Comm 110.03 (7) (d), requires a statement that the proposed project will not displace any worker in Wisconsin. It should first be noted that this is somewhat confusing because the introductory paragraph requires the statement to address "what is likely to result if assistance is not granted." However, the statement regarding the proposed project's effect on workers appears to require an assumption that the assistance will be granted or the project will take place whether or not the grant is made. Section 560.13, Stats., does not contain a requirement for grant eligibility that the proposed project may not displace any workers in Wisconsin, although this requirement does appear in ss. 560.605 and 560.84, Stats. If the department determines that it has authority to impose this requirement, the department should consider how this requirement may affect projects. For example, if the remedial action includes cessation of an existing business operation and razing of the building in which that business

operation was conducted, would that constitute displacement of a worker that precludes a grant under the program?

2. Form, Style and Placement in Administrative Code

In s. Comm 110.03 (3) (f), "the" should replace "such."

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. Section Comm 110.03 (2) uses the term "subject property," although that phrase is not defined in the rule or used in the statutes. The term "brownfield facility or site" is used in s. Comm 110.02 (10) and at several places in s. 560.13, Stats. That phrase may be more appropriate.

b. Section Comm 110.03 (3) (b) could be rewritten so that it does not end in a preposition, e.g., "... activities for which the applicant is seeking grant funds."

c. Although the "quality" of the applicant's financial contribution to the project is an element of s. 560.13 (3) (a) 3., Stats., it is difficult to know what that means. The rule merely repeats the statutory language. If the department has an interpretation of the meaning of this provision, it would be useful to add that interpretation to the rule.

d. Section Comm 110.03 (3) (d) requires information on the "certainty" of the applicant's financial contributions to the project. Does this merely repeat the requirement that is established in more detail in s. 110.03 (8)?

e. Section Comm 110.03 (3) (h) refers to "local infrastructure." Does "local" mean infrastructure that will be provided by a local unit of government?

f. Section Comm 110.03 (4) and (5) restate the criteria set forth in the statutes in s. 560.13 (3) (a) 1. and 2. How do these provisions relate to s. Comm 110.03 (3) (i)? This latter provision appears to be a broader statement regarding the effects of the project, and appears to be so broad that it is difficult to know what kind of information would satisfy this requirement.

g. Section Comm 110.03 (6) restates the statutory criterion in s. 560.13 (3) (a) 4., Stats. Does the requirement for innovativeness apply to remedial action? The methods of funding? Any other elements of the proposal?

h. It appears that proposed s. Comm 110.04 (1) (b) is a requirement that must be met in addition to, rather than instead of, renumbered sub. (1) (a). This would be clearer if the new material were created as a separate subsection, such as sub. (1m), rather than as sub. (1) (b).

Also, for consistency with other provisions in s. Comm 110.04, "will" should replace "does."



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 01-142

AN ORDER to repeal Comm 110.02 (6) and (7); to renumber Comm 110.02 (9) to (11) and 110.04 (1); to renumber and amend Comm 110.02 (8); to amend Comm 110.02 (2), 110.04 (intro.) and 110.08; to repeal and recreate Comm 110.03; and to create Comm 110.04 (1) (b), relating to brownfields redevelopment grants.

Submitted by **DEPARTMENT OF COMMERCE**

12-04-01 RECEIVED BY LEGISLATIVE COUNCIL.

01-07-02 REPORT SENT TO AGENCY.

RNS:MCP:ksm;jal

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



State of Wisconsin \ Department of Commerce

RULES IN FINAL DRAFT FORM

Rule No.: Comm 110

Relating to: Brownfields Redevelopment Grants

Clearinghouse Rule No.: 01-142

**ORDER OF THE
DEPARTMENT OF COMMERCE**

CREATING RULES

The Wisconsin Department of Commerce proposes an order to repeal Comm 110.02 (6) and (7);
to renumber Comm 110.02 (9) to (11) and 110.04 (2) and (3);
to renumber and amend Comm 110.02 (8);
to amend Comm 110.02 (2), 110.04 (intro.), and 110.08;
to repeal and recreate Comm 110.03;
and to create Comm 110.04 (2), relating to brownfields redevelopment grants.

ANALYSIS OF PROPOSED RULES

Statutory Authority and Statutes Interpreted

Statutory Authority: section 560.02 and 560.13 (6), Stats.
Statutes Interpreted: section 560.13 (1) to (7), Stats.

Under the statutes cited, the Department awards grants for redevelopment of abandoned, idle, or underused industrial or commercial facilities or sites that are adversely affected by actual or perceived environmental contamination. Pursuant to s. 560.13 (6), Stats., these grants are applied for and administered in accordance with criteria that are contained in chapter Comm 110 of the *Wisconsin Administrative Code*.

2001 Wisconsin Act 16 modified s. 560.13, Stats., by (1) expanding the listing of eligible grant applicants to include trustees and nonprofit organizations, and (2) prohibiting use of any grant funds to pay either delinquent real estate taxes, or lien claims of the Department of Natural Resources or the federal Environmental Protection Agency.

The proposed changes to chapter Comm 110 would (1) modify the definitions to match the statutory listing of eligible applicants, (2) expand the limitations on use of grant funds to include the statutory prohibition relating to delinquent taxes or lien claims, (3) update several aspects of the application procedure that have evolved since the chapter was initially created as an emergency rule in 1997, and (4) revise the criteria for disallowing funding, to no longer exclude projects that include temporary or other inconsequential displacement of workers.

File reference: Comm 110/Analysis

SECTION 1. Comm 110.02 (2) is amended to read:

Comm 110.02 (2) "Brownfields redevelopment" means any work or undertaking by a person, ~~municipality or local development corporation~~ to acquire a brownfields facility or site and to raze, demolish, remove, reconstruct, renovate, or rehabilitate the facility or existing buildings, structures, or other improvements at the site for the purpose of promoting the use of the facility or site for commercial, industrial, or other purposes. "Brownfields redevelopment" does not include construction of new facilities on the site for any purpose other than environmental remediation activities.

SECTION 2. Comm 110.02 (6) and (7) are repealed.

SECTION 3. Comm 110.02 (8) to (11) are renumbered Comm 110.02 (6) to (9) and Comm 110.02 (6), as renumbered, is amended to read:

Comm 110.02 (6) "Person" means an individual, partnership, limited liability company, corporation or limited liability company, nonprofit organization, city, village, town, county, or trustee, including a trustee in bankruptcy.

SECTION 4. Comm 110.03 is repealed and recreated to read:

Comm 110.03 Application content. Applications shall be submitted to the department. Each application shall contain all of the following:

- (1) The name, address, and designated contact person for the applicant.
- (2) Supporting documentation to demonstrate that the party which caused the portion of the environmental contamination that is the basis for the grant request is unknown, cannot be located, or is financially unable to pay for the cost of the cleanup.
- (3) A description of the proposed project and associated budget, including all of the following:
 - (a) The location and duration of the project.
 - (b) The brownfields redevelopment and environmental remediation activities for which the applicant is seeking grant funds.
 - (c) An itemized estimate of the proposed cost of each project activity.
 - (d) The amount and certainty of the applicant's financial contribution to the project, including in-kind service contributions.

(e) A description of the proposed match, and the professional qualifications of the persons conducting any in-kind services.

(f) A list of other federal, state, local, and private funding or financial sources the applicant may be seeking funding from, including the amount, timing, and certainty of the funding awards.

(g) A project implementation schedule, including the brownfields redevelopment activities, environmental remediation activities, and site redevelopment.

(h) A description of the infrastructure the project requires, and the source and certainty of financing for the needed infrastructure.

(i) A map showing the location of the project within the municipality having jurisdiction, and an indication if this project is located in any specially designated federal, state, or local economic financing or taxation zone.

(4) A description of the potential for the project to promote economic development in the area.

(5) A summary of the environmental condition of the site, and the impact the project will have on the environment.

(6) The innovativeness of the applicant's proposal for remediation and redevelopment, including, but not limited to, innovative funding, remediation, or reuse.

(7) An explanation of why assistance under the brownfields grant program is necessary and what is likely to result if assistance is not granted, including certified statements addressing all of the following:

(a) That sufficient funding is not available at reasonable terms from any other source.

(b) That state funds received under this chapter will not replace funds from any other sources, such as agri-chemical, petroleum environmental cleanup fund act, and superfund.

(c) That the project is not likely to take place without the grant.

(8) A certified statement, including supporting documentation, that the applicant is financially sound and has the financial resources to complete the project in a timely manner, assuming the grant is awarded.

(9) A certified statement and plan for conducting a financial audit of the grant and for submitting program reports to the department on the results of the project, pursuant to s. Comm 110.08.

(10) A certified statement that the proposed project will not result in a net loss of permanent employees.

(11) Copies of phase 1 and phase 2 environmental assessments conducted in regard to the property.

SECTION 5. Comm 110.04 (intro.) is amended to read:

Comm 110.04 (intro.) Eligibility. The department may award a grant to any person, ~~municipality, or local development corporation~~ if all of the following apply:

SECTION 6. Comm 110.04 (2) and (3) are renumbered Comm 110.04 (3) and (4).

SECTION 7. Comm 110.04 (2) is created to read:

Comm 110.04 (2) The recipient will not use the grant proceeds to pay lien claims of the department of natural resources or the federal environmental protection agency based on investigation or remediation activities of the department of natural resources or the federal environmental protection agency or to pay delinquent real estate taxes or interest or penalties that relate to those taxes.

SECTION 8. Comm 110.08 is amended to read:

Comm 110.08 Reporting and auditing. A grant recipient awarded a grant under this chapter shall provide the department semi-annual ~~financial and~~ program reports. A financial audit and final program ~~reports~~ report shall be submitted at the end of each contract. The financial audit and ~~the~~ program reports become the property of the department and are open to public inspection.

(End)

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (intro.), Stats., these rules shall become effective on the first day of the month following publication in the Wisconsin Administrative Register.

File reference: Comm 110/Perm rules lr

1/28/02

February 20, 2002

TO: Members of the Senate Environmental Resources
Committee

Senator Robert Wirch Senator Robert Cowles
Senator Dave Hansen Senator Dale Schultz

FROM: Senator Jim Baumgart, Chair

Re: Clearinghouse Rule referred to Committee

The following rule was referred to the committee

CLEARINGHOUSE RULE 01-142

Relating to brownfields redevelopment grants.
Submitted by Department of Commerce
Referred to Committee on 2-13-02

Enclosed is a copy of the rule. If you have any concerns or questions about the rule or want a public hearing on the rule, please advise immediately.

cc: John Stolzenberg, Legislative Council

(ad) "Qualified property" means machinery or equipment that is used exclusively in the process of recycling.

(ae) "Recyclable material" means a material identified in s. 287.07 (3) or (4) that is recovered from solid waste.

(ag) "Recycling" means the processing of recyclable material or the manufacture of products from recyclable material with or without treatment and excludes any form of energy recovery or composting.

(am) "Recycling enterprise" means a person who engages in recycling.

(2) DEPARTMENT POWERS AND DUTIES. The department shall develop, implement and administer a recycling rebate program. The department shall develop criteria for reporting on and evaluating the program.

(3) PURPOSES OF RECYCLING REBATE PROGRAM. The department shall develop the recycling rebate program to increase the recycling of recyclable material that is generated in this state by providing incentives to do all of the following:

(a) Use recyclable material generated in this state as a raw material.

(b) Establish and expand viable recycling enterprises in this state.

(c) Create new markets and expand or maintain existing markets for recyclable materials generated in this state.

(4) ELIGIBILITY. A municipality or other public entity, sole proprietorship, association, partnership, limited liability company, corporation or nonprofit organization may apply for a recycling rebate if all of the following apply:

(a) It is located in this state.

(b) It makes products or components using recyclable material generated in this state as a raw material or processes recyclable material generated in this state into a marketable form.

(d) It meets other eligibility requirements established by the department.

(5) REBATES FOR QUALIFIED PROPERTY. (a) Before July 1, 1995, the department shall pay recycling rebates to recycling enterprises for qualified property to be purchased by the recycling enterprise or, if already purchased, for which the recycling enterprise has executed a purchase order not more than 90 days before applying for the recycling rebate. The department shall pay recycling rebates for qualified property used to process types of recyclable materials selected by the department based on the state priorities established under s. 159.03 (1) (b), 1991 stats., in effect on January 1 of the year in which the department pays the rebate. The department may not pay recycling rebates under this subsection for qualified property used to process a recyclable material unless there is a market for the processed recyclable material.

(b) The department shall make a rebate under par. (a) as a one-time payment in an amount established by the department that is not less than 5% nor more than 25% of the cost of the qualified property and that is based in part on the amount of solid waste used by the recycling enterprise that is generated in this state and, if the qualified property replaces equipment or machinery used to make products from solid waste, in part on the increase in the amount of solid waste used by the recycling enterprise. The total amount of rebates awarded to any one facility under this subsection may not exceed \$250,000.

(c) In the period beginning on December 3, 1993, and ending on June 30, 1995, the department may not award more than \$5,000,000 for rebates under this subsection.

(6) REBATES FOR OTHER ACTIVITIES. (a) The department shall identify types of recyclable materials for which it will pay recycling rebates based on the goals of the recycling rebate program and the state priorities established under s. 159.03 (1) (b), 1991 stats., in effect on January 1 of the year in which the department makes the selection. The department may provide that recycling rebates will be available for a recyclable material only in specified areas of this state. The department may not pay recycling rebates under

this subsection for the processing of a recyclable material unless there is a market for the processed recyclable material.

(b) For each type of recyclable material identified under par. (a), the department shall establish the rate of payment and the total amount of recycling rebates to be paid. The department shall base the rate of payment and the total amounts of recycling rebates for each type of recyclable material on the amount of money available to pay rebates and the determination by the department of the amount of rebates necessary to accomplish the purposes of the recycling rebate program and the state priorities established under s. 159.03 (1) (b), 1991 stats., in effect on January 1 of the year in which the department makes the determination.

(c) The department shall make a commitment to pay recycling rebates under this subsection for a period of up to 5 years subject to the availability of funds. The department shall develop criteria for selecting the applicants to receive recycling rebates if eligible applications for any type of recyclable material exceed the total amount set aside for that type of recyclable material under par. (b). An applicant may be selected more than once to receive recycling rebates under this subsection. The department may establish a maximum payment to any applicant for a year.

(d) The department shall pay recycling rebates to each applicant selected to receive recycling rebates under this subsection.

(e) The department may not pay a recycling rebate under this subsection on or after July 1, 1995, unless the department made a commitment to an applicant before July 1, 1995, to pay the recycling rebate.

(7) APPLICATION. The department shall, by rule, develop application procedures for the recycling rebate program. The application for a rebate shall show that the applicant satisfies the requirements of sub. (4). The application for a rebate under sub. (5) shall identify the qualified property and the facility in which it is or will be used, state the cost of the qualified property and include an estimate of the amount of recyclable material that is used or that will be used by the applicant and that is generated in this state and documentation to support the estimate. The application for a rebate under sub. (6) shall include an estimate of the amount of recyclable material generated in this state that will be used by the applicant in the year for which the application is submitted.

History: 1989 a. 335; 1993 a. 16, 75, 112, 490; 1995 a. 227.

560.13 Brownfields grant program. (1) In this section:

(a) "Brownfields" means abandoned, idle or underused industrial or commercial facilities or sites, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

(b) "Brownfields redevelopment" means any work or undertaking by a person, municipality or local development corporation to acquire a brownfields facility or site and to raze, demolish, remove, reconstruct, renovate or rehabilitate the facility or existing buildings, structures or other improvements at the site for the purpose of promoting the use of the facility or site for commercial, industrial or other purposes. "Brownfields redevelopment" does not include construction of new facilities on the site for any purpose other than environmental remediation activities.

(d) "Environmental remediation activities" means investigation, analysis and monitoring of a brownfields facility or site to determine the existence and extent of actual or potential environmental pollution; abating, removing or containing environmental pollution at a brownfields facility or site; or restoring soil or groundwater at a brownfields facility or site.

(e) "Local development corporation" means a nonprofit corporation organized under ch. 181 that does all of the following:

1. Operates within specific geographic boundaries.
2. Promotes economic development within the specific geographic area.
3. Demonstrates a commitment to or experience in the redevelopment of brownfields.

(f) "Municipality" means a city, village, town or county.

(g) "Person" means an individual, partnership, corporation or limited liability company.

(2) (a) Subject to subs. (4) and (5), from the appropriations under s. 20.143 (1) (br) and (qm) the department may make a grant to a person, municipality or local development corporation if all of the following apply:

1. The recipient uses the grant proceeds for brownfields redevelopment or associated environmental remediation activities.

2. All of the following are unknown, cannot be located or are financially unable to pay the cost of brownfields redevelopment or associated environmental remediation activities:

a. The party that caused the portion of the environmental contamination that is the basis for the grant request.

b. Any person who possessed or controlled the environmental contaminant that is the basis for the grant request before the contaminant was released.

3. The recipient contributes to the cost of the project as provided in par. (b).

(b) 1. The contribution required under par. (a) 3. may be in cash or in-kind. Cash contributions may be of private or public funds, excluding funds obtained under the program under s. 560.17 or under any program under subch. V or VII of this chapter. In-kind contributions shall be limited to actual remediation services.

2. For a grant that does not exceed \$300,000, the recipient shall be required to contribute not less than 20% of the cost of the project. For a grant that is greater than \$300,000 but that does not exceed \$700,000, the recipient shall be required to contribute not less than 35% of the cost of the project. For a grant that is greater than \$700,000 but that does not exceed \$1,250,000, the recipient shall be required to contribute not less than 50% of the cost of the project.

(3) (a) The department shall award grants under this section on the basis of the following criteria:

1. The potential of the project to promote economic development in the area.

2. Whether the project will have a positive effect on the environment.

3. The amount and quality of the recipient's contribution to the project.

4. The innovativeness of the recipient's proposal for remediation and redevelopment.

(b) If possible, when making a determination under par. (a), the department shall accord a 50% weight to the criterion under par. (a) 1., a 25% weight to the criterion under par. (a) 2., a 15% weight to the criterion under par. (a) 3. and a 10% weight to the criterion under par. (a) 4.

(4) (a) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year 1999-2000, the department shall award all of the following:

1. A total of \$870,000 in grants that do not exceed \$300,000.

2. A total of \$2,030,000 in grants that are greater than \$300,000 but that do not exceed \$700,000.

3. A total of \$2,900,000 in grants that are greater than \$700,000 but that do not exceed \$1,250,000.

(am) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year 2000-01, the department shall award all of the following:

1. A total of \$960,000 in grants that do not exceed \$300,000.

2. A total of \$2,240,000 in grants that are greater than \$300,000 but that do not exceed \$700,000.

3. A total of \$3,200,000 in grants that are greater than \$700,000 but that do not exceed \$1,250,000.

4. At least \$400,000 in grants for projects evaluated without consideration of the number of jobs that will be created by the projects.

(b) The department may not award a grant that exceeds \$1,250,000.

(c) The department shall award at least 7 grants for projects that are located in municipalities with a population of less than 30,000.

(5) Before the department awards a grant under this section, the department shall consider the recommendations of the department of administration and the department of natural resources.

(6) The department shall promulgate rules that establish criteria, within the guidelines under subs. (2) and (3), for awarding grants under this section, including the circumstances under which grant proceeds may be used for assessment services.

(6m) Receipt of a grant under this section shall not render the recipient ineligible for a loan or any other grant awarded by the state, unless under the eligibility criteria of the loan or other grant the recipient is excluded by virtue of having received the grant.

(7) On or before December 31, 1998, and annually thereafter, the department shall submit a report on the effectiveness of the program under this section to the legislature under s. 13.172 (2) and to the governor and the department of administration.

History: 1997 a. 27; 1999 a. 9.

560.135 Mining economic development grants and loans. (1) In this section:

(a) "Area affected by mining" means an area in which all of the following apply:

1. Public and private infrastructure are or were provided to support mining activity.

2. Public funds are or were expended for costs associated with mining activity.

3. Construction of a mine has commenced and economic diversification is necessary to reduce dependence on mining activity for the long-term economic growth and stability of the area.

(b) "Board" means the development finance board.

(c) "Business" has the meaning given in s. 560.60 (2).

(d) "Community-based organization" has the meaning given in s. 560.14 (1) (c).

(e) "Local development corporation" means any of the following:

1. The elected governing body of a federally recognized American Indian tribe or band in this state or any business created by the elected governing body.

2. A nonprofit corporation organized under ch. 181 that does all of the following:

a. Operates within specific geographic boundaries.

b. Promotes the economic development within the specific geographic area.

(f) "Mining" means metallic mineral mining.

(2) Subject to subs. (3) and (4), the board may award a grant or loan for the purpose specified to any of the following entities located in an area affected by mining:

(a) A business, to finance costs associated with start-up, maintenance or expansion in an area affected by mining.

(b) A city, village, town or county, to develop an economic diversification plan.

(c) A city, village, town, county, community-based organization or local development corporation, to establish a local revolving loan fund to finance businesses that will create long-term employment opportunities.

(d) A community-based organization or local development corporation, to conduct a local economic development project that will create long-term employment opportunities and to provide assistance to businesses or entrepreneurs.

(e) A business, to obtain professional services related to the start-up, maintenance or expansion of the business, including assistance with feasibility studies or financial and marketing plans and managerial assistance after start-up or expansion.

Nothing
or
employment

5. Establish mechanisms to refer entrepreneurs to appropriate intermediaries in the metropolitan area or in other metropolitan areas.

6. Evaluate the effectiveness of the intermediary assistance program, including the collection of data necessary to conduct the evaluation.

History: 1987 a. 320.

560.54 State agency coordination. The department shall coordinate entrepreneurial assistance programs and intermediary assistance programs offered by agencies by doing any of the following:

(1) Identifying the needs of entrepreneurs and intermediaries relating to the development in the state of new businesses with high growth potential.

(2) Ensuring that individuals assisting entrepreneurs and intermediaries have the training necessary to provide adequate assistance.

(3) Ensuring that existing and new entrepreneurial assistance programs and intermediary assistance programs are matched to the needs of the entrepreneurs and intermediaries.

(4) Ensuring that agencies and other persons which provide entrepreneurial assistance programs and intermediary assistance programs understand the responsibilities of the agencies which provide entrepreneurial assistance programs and intermediary assistance programs.

History: 1987 a. 320.

560.55 Evaluation and report. (1) The department shall prepare an evaluation of the effectiveness of entrepreneurial assistance programs and intermediary assistance programs offered in this state. The department shall develop appropriate criteria and collect and analyze relevant information as a basis for the evaluation.

(2) No later than January 1 of each odd-numbered year, the department shall submit to the governor and to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report containing the evaluation prepared under sub. (1) and describing the result of the department's activities under s. 560.54 since the period covered in the previous report. The department may combine this report with other reports published by the department. The report may include recommendations for legislative proposals to change the entrepreneurial assistance programs and intermediary assistance programs.

History: 1987 a. 320.

SUBCHAPTER V

WISCONSIN DEVELOPMENT FUND

560.60 Definitions. In this subchapter:

(1m) "Biotechnology" means technology related to life sciences.

(1s) "Board" means the development finance board created under s. 15.155 (1).

(1v) "Brownfields" means abandoned, idle or underused industrial or commercial facilities, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

(2) "Business" means a company located in this state, a company which has made a firm commitment to locate a facility in this state or a group of companies at least 80% of which are located in this state.

(3) "Consortium" means an association of a business and a higher educational institution.

(4) "Eligible recipient" means a governing body or a person who is eligible to receive a grant or loan under s. 560.62, a grant or loan under s. 560.63 or a grant or loan under s. 560.65.

(6) "Governing body" means a county board, city council, village board, town board, regional planning commission or transit commission under s. 59.58 (2) or 66.1021.

(8) "Higher educational institution" means any of the following:

(a) The University of Wisconsin System.

(b) An institution which is located in this state and offers a post-baccalaureate or professional degree program.

(10) "Job" means a position providing full-time equivalent employment. "Job" does not include initial training before an employment position begins.

(11) "Major economic development project" means a project to which any of the following applies:

(a) The project is necessary to retain a significant number of jobs in a political subdivision.

(b) The project is necessary to significantly increase the number of jobs in a political subdivision.

(c) The project will lead to significant capital investment in this state by a business.

(d) The project will make a significant contribution to the economy of this state.

(13) "Political subdivision" means a county, city, town or village.

(14) "Project" means a business development that increases the productivity of a business or its employees in this state, leads to significant capital investment in a business in this state, leads to the retention of existing jobs in this state or creates new jobs in this state.

(15) "Small business" means a business operating for profit, with 250 or fewer employees, including employees of any subsidiary or affiliated organization.

(17) "Technology" includes biotechnology.

(18m) "Technology-based nonprofit organization" means a nonprofit corporation, as defined in s. 181.0103 (17), or an organization described in section 501 (c) (3) of the internal revenue code that is exempt from federal income tax under section 501 (a) of the internal revenue code, and that has as a mission the transfer of technology to businesses in this state.

History: 1987 a. 27, 399; 1989 a. 31; 1991 a. 39; 1993 a. 16, 232; 1995 a. 27, 201; 1997 a. 27, 79; 1999 a. 9; 1999 a. 150 s. 672.

560.602 Policies and standards for awarding grants and loans. The department, with the approval of the board, shall promulgate rules to establish policies and standards for awarding grants and loans under this subchapter. The rules shall include all of the following:

(1) A statement of the department's economic development policy that is consistent and coordinated with economic development policies expressed in the statutes and established by other state agencies.

(5) Provisions for the development of a biennial plan for awarding grants and loans under this subchapter, before the commencement of each odd-numbered fiscal year, and for the submission of the biennial plan to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

History: 1991 a. 269.

560.605 Grant and loan criteria; generally. (1) The board may award a grant or loan under s. 560.61 upon the receipt and consideration of an application by an eligible recipient for a project under ss. 560.62 to 560.66, if the board determines all of the following:

(a) The project serves a public purpose.

(b) The project will retain or increase employment in this state.

(c) The project is not likely to occur without the grant or loan.

(d) Financing is unavailable from any other source on reasonably equivalent terms.

(e) Except as provided in s. 560.68 (6), the eligible recipient receiving the grant or loan will contribute, from funds not provided by this state, not less than 25% of the cost of the project.

(f) The project meets all criteria set forth in s. 560.62, 560.63, 560.65 or 560.66, whichever is appropriate.

(g) Funds from the grant or loan under s. 560.62, 560.63, 560.65 or 560.66 will not be used to pay overhead costs, except as provided in s. 560.65 (1m) (b), or to replace funds from any other source.

(h) The project will not displace any workers in this state.

(i) The eligible recipient has not received a grant under s. 560.25.

(2) The board shall consider all of the following before awarding a grant or loan to an eligible recipient for a project under s. 560.62, 560.63 or 560.66:

(a) The extent to which the project will retain or increase employment in this state.

(b) The extent to which the project will contribute to the economic growth of this state and the well-being of the residents of this state.

(c) Whether the project will be located in an area of high unemployment or low average income.

(d) The financial soundness of the business.

(e) The intention of the eligible recipient to repay the grant or loan.

(f) Whether the project will be located in a targeted area.

(2m) When considering whether a project under s. 560.62, 560.63 or 560.66 will be located in a targeted area, the board shall consider all of the following:

(a) Whether the area has high unemployment.

(b) Whether the area has a low median household income.

(c) Whether there is a high percentage of households in the area receiving aid to families with dependent children under s. 49.19.

(d) Whether there has been a significant decline in the population in the area.

(e) Whether property values in the area have been declining.

(f) Whether a significant number of workers in the area have been permanently laid off by their employers or whether public notice has been given by an employer of either a plant closing or a substantial reduction in work force that will result in a significant number of workers in the area being laid off permanently.

(g) Whether the area is designated as a development zone under s. 560.71 or as an enterprise development zone under s. 560.797.

(h) Any other factor the board considers to be an appropriate indicator of a targeted area.

(4) The board shall give priority for grants or loans under this section to eligible recipients that certify that they use or will use techniques or processes that reduce or eliminate the use of ozone-depleting substances that are listed as class I substances under 42 USC 7671a.

(5) The board shall give more favorable terms on loans and grants awarded to projects that will be located in targeted areas than to loans and grants awarded to projects that will not be located in targeted areas.

(5m) The board shall give priority for grants or loans under this section to eligible recipients that certify that they give priority or will give priority in hiring employees to recipients of aid to families with dependent children under s. 49.19.

(6) The board shall give priority for grants or loans under this section for projects related to brownfields redevelopment.

History: 1987 a. 27, 399; 1989 a. 31, 335; 1991 a. 39, 269; 1993 a. 16, 75, 243; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

560.607 Miscellaneous and administrative expenditures. In each biennium, the department may expend or encumber up to a total of 1% of the moneys appropriated under s. 20.143 (1) (c) for that biennium for any of the following:

(1) Evaluations of proposed technical research projects under s. 560.62.

(2) Grants to small businesses for preparing proposals for the federal small business innovative research program under 15 USC 638.

(3) Evaluation costs, collection costs, foreclosure costs and other costs associated with administering the loan portfolio under this subchapter, excluding staff salaries.

History: 1999 a. 9 ss. 2993, 2996.

560.61 Wisconsin development fund. At the request of the board, the department shall do all of the following:

(1) Make a grant or loan to an eligible recipient for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under s. 20.143 (1) (c), (cb) and (ie).

(3) Make a grant under s. 560.16 from the appropriations under s. 20.143 (1) (c) and (ie) if the board determines that the grant meets the requirements of s. 560.16.

History: 1987 a. 27, 399; 1989 a. 31, 335; 1991 a. 39; 1993 a. 16, 75; 1995 a. 27, 417; 1997 a. 27; 1999 a. 9.

560.62 Technology development grants and loans. (1) The board may award any of the following under s. 560.61 to any of the following for any of the following purposes:

(a) A technology development grant or loan to a business or consortium to fund technical research intended to result in the development of a new, or the improvement of an existing, industrial product or process.

(b) A technology development loan to a business to provide working capital or fixed asset financing for the development of the infrastructure of the business or for the initial commercialization of a new industrial product or process. A business that receives a loan under this paragraph may use the proceeds only to pay costs related to the production, marketing or sales of a new or improved industrial product or process.

(2) The board may not award a technology development grant or loan under sub. (1) (a) unless the business or consortium seeking the grant or loan first enters into a written agreement regarding all of the following:

(a) The ownership of any patents or licenses which result from the technical research.

(b) Dissemination of information relating to the technical research.

(c) Responsibilities of persons conducting the technical research.

(2m) The board may award a grant under s. 560.61 to a consortium, a higher educational institution or a technology-based nonprofit organization to provide matching funds for establishing a manufacturing extension center that will promote technology transfer to businesses in this state. The proceeds of the grant may be used only to pay for fixed-asset costs related to the project and costs directly related to technology transfer activity between the manufacturing extension center and a business, excluding common overhead expenses and marketing or other administrative costs. The board may allow a portion of the match provided by the grant recipient to be in-kind.

History: 1987 a. 27, 399; 1989 a. 31; 1991 a. 39; 1993 a. 16, 232; 1997 a. 27; 1999 a. 9.

560.63 Customized labor training grants and loans. (1) The board may award a grant or loan under s. 560.61 to a business to fund a labor training program that provides state residents with job training in technology, industrial skills or manufacturing processes that are new to the business and in which advances have been made, as determined by the board, or with job training in other employment-related skills or techniques in which advances have been made, as determined by the board, in order to meet the staffing needs of the business. The board may not award a grant or loan to fund a labor training program if the training is fairly

2. The lesser of the funds received in a fiscal biennium in repayment of grants or loans under s. 560.83 or the funds appropriated for the fiscal biennium under s. 20.143 (1) (im).

(b) Award, to any one eligible recipient or for any one early planning project, grants under sub. (1) or s. 560.835 (6) that total more than \$15,000.

(5) The department may only award grants under sub. (1) or s. 560.835 (6) to individuals who are minority group members and residents of this state.

History: 1989 a. 31; 1991 a. 269; 1993 a. 16; 1995 a. 27, 216; 1997 a. 27.

560.83 Minority business development and revolving fund grants and loans. (1) Subject to s. 560.84, the board may award a grant or loan under this subsection to an eligible recipient or a local development corporation to fund eligible development project costs.

(2) The board may award a grant or loan under this subsection to a local development corporation if all of the following apply:

(a) The local development corporation agrees to use the proceeds of grants or loans under this section for any of the following:

1. To make grants or loans not exceeding \$50,000 each to eligible recipients to fund eligible development project costs.

2. To create, expand or continue a revolving fund program that is operated by the local development corporation and that benefits or will benefit minority businesses or minority group members who are residents of this state.

(b) The local development corporation agrees to use factors similar to those described in s. 560.84 (1) (a) to (k) and (2) (a) to (f) when making grants or loans under par. (a) 1. or under a revolving fund program under par. (a) 2.

(3) The board may not award a grant or loan under sub. (1) or (2) unless the eligible recipient or the local development corporation submits an application, or other materials, in a form specified by the department by rule.

(4) (a) In any fiscal biennium, the board may not award, to any one eligible recipient or local development corporation or for any one development project, grants or loans under sub. (1) that total more than \$100,000 in a fiscal biennium.

(b) In any fiscal year, the board may not award to any one local development corporation grants or loans under sub. (2) that total more than \$200,000.

(5) In addition to local development corporations, the board may award grants or loans under sub. (1) only to persons who are any of the following:

(a) Minority group members who are residents of this state.

(b) Minority businesses.

History: 1989 a. 31; 1997 a. 27; 1999 a. 9.

560.835 Minority business recycling development grants and loans. (1) Subject to s. 560.84 and except as provided in sub. (6), the board may award a grant or loan under this section to an eligible recipient to fund any of the following recycling development projects:

(a) The production of a product made from one or more materials recovered from postconsumer waste, as defined in s. 287.01 (7).

(b) The acquisition of equipment necessary to make a product under par. (a).

(c) The development and operation of a facility to process materials recovered from a solid waste management program that complies with s. 287.07 (1m), (3) or (4) or the development and operation of a solid waste collection business if the solid waste collected is used in the production of a product.

(d) The expansion, improvement or development of a diaper service, as defined in s. 234.67 (1) (am).

(1m) The board may request proposals for projects that do one or more of the activities specified in sub. (1) (a) to (d) if the board determines that such projects are needed to develop or expand the

market for one or more materials recovered from postconsumer waste.

(2) Section 560.83 (2), (3) and (5), as it applies to a development project under that section applies to a recycling development project under sub. (1).

(3) The board or a local development corporation may not award grants or loans under sub. (1) that total more than \$250,000 in a fiscal biennium to any one eligible recipient or for any one recycling development project.

(4) Before making a grant or loan under sub. (1), the board shall consider whether the recycling development project is consistent with the priorities established under s. 159.03 (1) (b), 1991 stats., that are in effect on January 1 of the year in which the eligible recipient submits a complete application for a grant or loan under sub. (1).

(5) An eligible recipient may use the proceeds of a loan under sub. (1) for capital expenses or working capital expenses.

(6) Subject to ss. 560.82 (2), (3), (4) (b) and (5) and 560.84, the department may award a grant to an eligible recipient for an early planning project for an activity described in sub. (1) (a) to (d). The total amount of grants for early planning projects awarded under this subsection may not exceed \$50,000 during a fiscal biennium.

(7) (a) The board may not award a grant or loan under sub. (1) and the department may not award a grant under sub. (6) after July 1, 1995.

(b) The department shall deposit in the appropriation account under s. 20.143 (1) (L) all moneys received after October 29, 1999, in repayment of loans made under this section.

History: 1989 a. 335, 359; 1991 a. 269; 1993 a. 16, 75; 1995 a. 227; 1999 a. 9.

560.837 Minority business development finance and education and training grants. (1) Subject to s. 560.84, the board may award a grant under this subsection to a nonprofit organization or private financial institution, as defined in s. 234.01 (5k), whether or not for profit, to fund a finance project if all of the following apply:

(a) The financial institution or nonprofit organization uses the grant proceeds for any of the following purposes:

1. To make loans for working capital to minority group members and minority businesses.

2. To pay origination fees or other administrative costs associated with making loans for working capital to minority group members and minority businesses.

(b) The loans for working capital under par. (a) 1. do not exceed \$5,000.

(2) Subject to s. 560.84, the board may award a grant under this subsection to a nonprofit organization that is a minority business to fund an education and training project.

History: 1997 a. 27.

560.84 General criteria. (1) The department or board may not award a grant or loan for a project under this subchapter unless, after considering the application or other material submitted by the eligible recipient or local development corporation, the department or board determines all of the following:

(a) That the project serves a public purpose.

(b) 1. If an early planning project under s. 560.82 or 560.835 (6), that the project will increase employment in this state.

2. If a development project or recycling development project, that the project will retain or increase employment in this state.

(c) That the project is not likely to occur without the grant or loan.

(d) That financing is unavailable from any other source on reasonably equivalent terms.

(e) That the eligible recipient or local development corporation receiving the grant or loan will contribute, from a source or sources other than the state, whichever of the following applies:

1. For grants funding early planning projects under s. 560.82 or 560.835 (6), not less than 25% of the cost of the project. Up to 50% of the contribution under this subdivision may be in the form of the in-kind services of a qualified 3rd party or qualified 3rd parties. The department shall determine what services may be used as in-kind contributions and whether a 3rd party is qualified, for purposes of this subdivision.

2. For grants and loans funding development projects or recycling development projects, a cash contribution of not less than 25% of the cost of the project.

3. For a grant or loan funding a revolving fund project, a cash contribution of not less than 50% of the cost of the project.

(f) That the project meets all criteria set forth in s. 560.82, 560.83, 560.835 or 560.837, whichever is appropriate.

(g) That funds from the grant or loan will not be used to replace funds from any other source.

(h) That the project will not displace workers in this state.

(i) That the project has sufficient potential to be profitable.

(im) If a development project, that the project has the potential to promote economic development and employment opportunities for minority group members or minority businesses.

(j) If a development project, recycling development project, finance project or education and training project, that funds from the grant or loan will not be used to refinance existing debt.

(k) That the project meets any other criteria established by the department by rule.

(2) The board or department shall consider all of the following before awarding a grant or loan to an eligible recipient or local development corporation for a project:

(a) 1. If an early planning project under s. 560.82 or 560.835 (6), the extent to which the project will increase employment in this state.

2. If a development project or recycling development project, the extent to which the project will retain or increase employment in this state.

(b) The extent to which the project will benefit minority group members who are residents of this state.

(c) If a development project or recycling development project, whether the project will be located in any or all of the following:

1. An area of high unemployment or low average income.

2. A development zone designated under s. 560.71, a development opportunity zone designated under s. 560.795 or an enterprise development zone designated under s. 560.797.

(d) The extent to which the project will attract capital into locations where unemployment exceeds the state average and per capita income is below the state average.

(e) The likelihood that the project will be successful.

(f) If a development project or recycling development project, the financial soundness of the minority business involved in the project and the commitment of the eligible recipient to repay the loan or grant.

History: 1989 a. 31, 335; 1993 a. 16; 1995 a. 27; 1997 a. 27.

560.85 Administration. (1) The department shall promulgate rules for the administration of this subchapter. The department may not promulgate a rule under this subsection unless the proposed rule has been reviewed by the board.

(2) The board shall develop a policy governing the repayment of grants and loans made under s. 560.83 or 560.835. The board or department shall deposit moneys received in repayment of grants and loans under s. 560.83 in the appropriation under s. 20.143 (1) (im).

(3) The department shall do all of the following:

(a) Develop procedures to evaluate applications and monitor project performance for grants awarded for early planning projects under s. 560.82 or 560.835 (6).

(b) Develop procedures, with the approval of the board, to evaluate applications, monitor project performance and audit grants and loans awarded for development projects under s. 560.83, recycling development projects under s. 560.835 and finance projects and education and training projects under s. 560.837.

History: 1989 a. 31, 335; 1993 a. 16, 75; 1997 a. 27.

SUBCHAPTER VIII

AMERICAN INDIAN ECONOMIC DEVELOPMENT

560.86 Definitions. In this subchapter:

(1) "American Indian" means a person who is recognized by a tribal governing body as a member of an Indian tribe.

(4) "Indian business" means a sole proprietorship, partnership, limited liability company, joint venture or corporation that satisfies all of the following requirements:

(a) Is at least 51% owned, controlled and actively managed by American Indians.

(b) Is currently performing a useful business function.

(5) "Indian reservation" means a reservation as defined in s. 139.30 (9).

(6) "Indian tribe" means a federally recognized American Indian tribe or band in this state.

(7) "Targeted program" means a program or form of assistance available to an American Indian, an Indian business or an Indian tribe that is administered by a state agency and that relates to any of the following:

(a) Economic development.

(b) Community development.

(c) Increasing employment among American Indians.

(d) Minority business certification under s. 560.036.

(e) Any other program or form of state assistance which the department considers relevant to American Indians, Indian businesses or Indian tribes.

(8) "Tribal enterprise" means a business that is all of the following:

(a) At least 51% owned and controlled by the governing body of one or more Indian tribes.

(b) Actively managed by the governing body, or the designee of the governing body, of one or more Indian tribes.

(c) Currently performing a useful business function.

(9) "Tribal governing body" means the elected governing body of an Indian tribe.

History: 1991 a. 39 ss. 3434g, 3463m; 1993 a. 112.

560.87 Economic liaison program. The department shall do all of the following:

(1) Provide to tribal governing bodies a directory or other list identifying state employees or officers who administer targeted programs.

(2) Provide information about economic development and targeted programs to American Indians, Indian businesses or tribal governing bodies by using brochures, conferences, counseling or other means determined by the department.

(3) Perform demographic and economic analyses of the American Indian population in this state to provide data for use in economic development and business recruitment on Indian reservations.

(4) Provide, upon request, assistance to American Indians, Indian businesses and tribal governing bodies to promote economic development through the use of targeted programs.

(5) Designate in the department a liaison between the state agencies that administer targeted programs and American Indians, Indian businesses and Indian tribes interested in targeted programs.

Brownfields Grant Program

"A program that stimulates economic activity by ensuring the efficient use of our land resources."

Biennial Report 2000 - 2001

Note from the Secretary

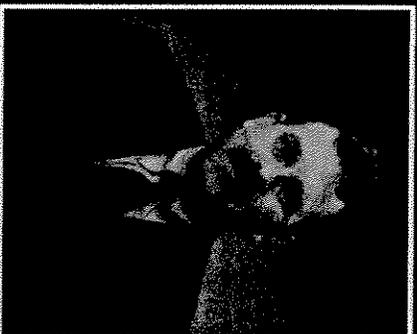
The State of Wisconsin and the Department of Commerce are committed to supporting current and future business activities in Wisconsin by ensuring the efficient use of our land resources. The Department's Brownfields Grant Program plays a key part in meeting that goal.

The Brownfields Grant Program redevelops and remediates underutilized or abandoned sites that have actual or perceived environmental contamination. Over the past two years, the Brownfields Program has awarded \$12.2 million to 30 recipients in the last two competitions, which will result in the clean-up and reuse of 365 acres of land, increased property values by \$195,631,500, and the creation of 1,170 jobs.

The 2000-2001 Brownfields program biennial report highlights these successful projects. Please take the opportunity to review the report and learn what has been accomplished through this state/local partnership. Thank you for your interest in economic development.



Phillip Edw. Albert
SECRETARY



Wisconsin
Department of Commerce

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Program Background

A brownfield is an abandoned, idle or underutilized property where redevelopment is complicated by either real or perceived environmental contamination. These properties represent lost tax revenue and further drain communities by fostering illegal activities such as graffiti or illegal dumping, which poses threats to public health and discourages further neighborhood investment.

However, brownfields also represent opportunities for communities to spur urban renewal, create jobs, increase tax revenue and clean up the environment. These sites are often in prime locations that benefit from existing infrastructure, nearby labor pools and adjacent transportation networks. The Brownfields Grant Program can help communities overcome obstacles and capitalize on the potential of these properties.

The State of Wisconsin created the Brownfields Grant program in the 1997-1999 biennial budget. The program is administered by the Department of Commerce and funded through the vehicle environmental impact fee. The program has awarded \$22.2 million since June 1998 and continues to provide financial and technical assistance to businesses and communities across Wisconsin.

Program Objectives

The Brownfields Grant Program was established to promote economic development and create a positive effect on the environment. In order to achieve these goals, funding has been set aside for the remediation* and redevelopment** of brownfield sites in Wisconsin. Section 560.13 of the Wisconsin Statutes defines the criteria for applicants to the Brownfields Grant Program.

Funds are awarded based on the following criteria:

- ✓ 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 applicant's contribution to the project.
- ✓ The innovativeness of the proposal for remediation and redevelopment.

In order to assure that the grants are evenly distributed to small and large communities, the Brownfields Grant Program is required to award seven grants each year to communities with populations under 30,000.

* "Brownfields Remediation" means investigation, analysis and monitoring of a brownfield site to determine the existence and extent of actual or potential environmental pollution; abating, removing or containing environmental pollution; or restoring soil or groundwater. Grant proceeds may only be used for environmental activities following the completion of Phase I and Phase II Environmental Assessments.

** "Brownfields Redevelopment" means any work to acquire a brownfields site and to remove or rehabilitate existing buildings for the purpose of promoting the use of the site for commercial, industrial or other purposes. Brownfields redevelopment does not include construction of new facilities on the site for any purpose other than environmental remediation activities.

Program Information

The Brownfields Grant Program is an annual competition with \$7 million available in the most recent year. Wisconsin Statutes 560.13 stipulate that grants be awarded in three separate funding categories with a corresponding minimum match contribution.

Category	Award Amount	Minimum Match Contribution*
One	\$0 to \$300,000	25%
Two	\$300,001 to \$700,000	35%
Three	\$700,001 to \$1,250,000	50%

*Minimum match contribution is the amount of money the applicant contributes to the project. It is a percentage of the total project cost.

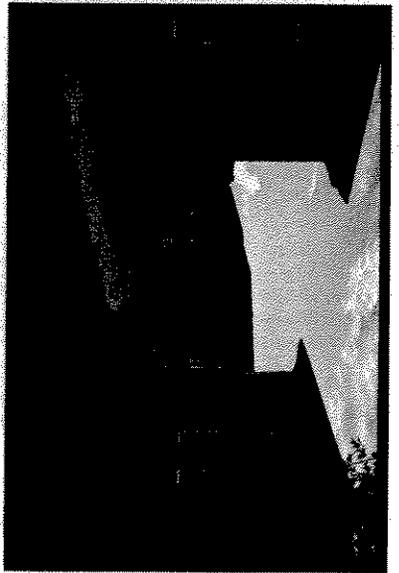
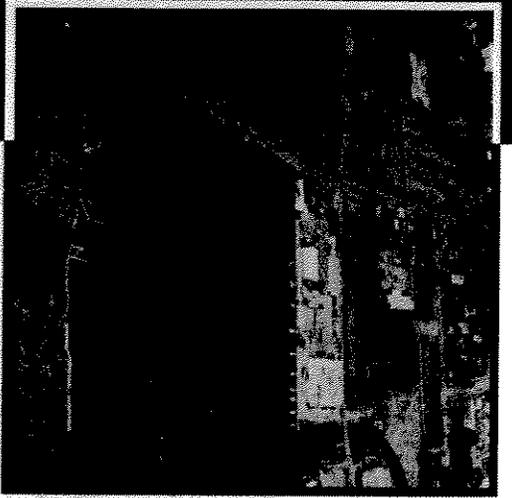
Any person* may apply if the following provisions are true:

- ✓The grant funds shall be used for brownfields redevelopment and/or associated environmental remediation activities.
- ✓The grant recipient contributes to the cost of the project.
- ✓The party that caused the environmental contamination and any person who possessed or controlled the environmental contaminant is either unknown, cannot be located or is financially unable to pay.

*"Person" means an individual, partnership, corporation, limited liability company, nonprofit organization, city, village, town, county or trustee.

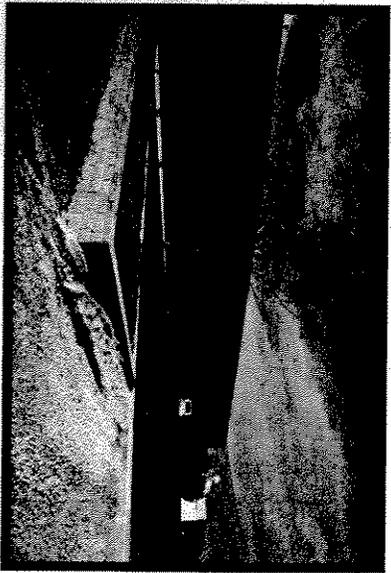
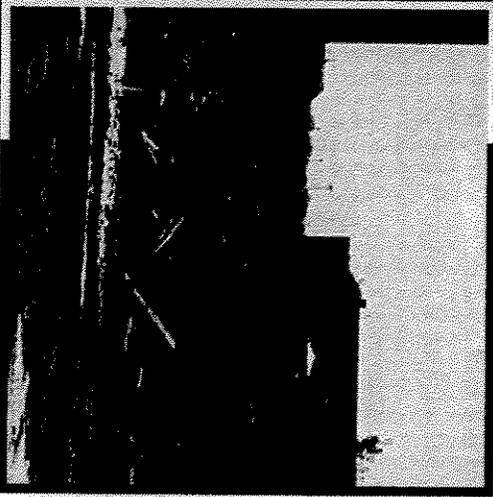
Highlights

Before & After



Oshkosh:
Pearl Avenue
Redevelopment

Several abandoned and deteriorating industrial properties along the Fox River were visible eyesores to downtown Oshkosh. The City has made significant strides to redevelop this area by purchasing these properties, cleaning up several areas of contamination, and constructing 60 multiple-family apartments.

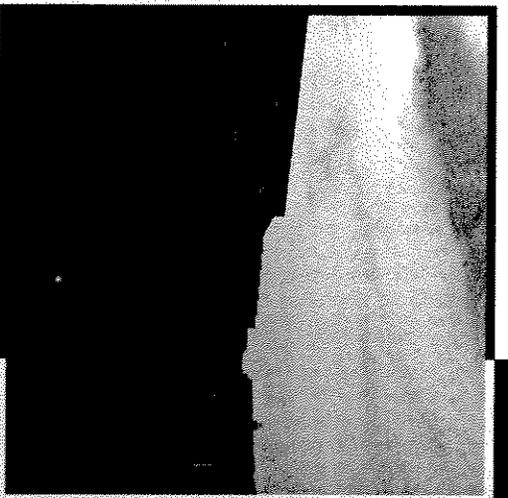
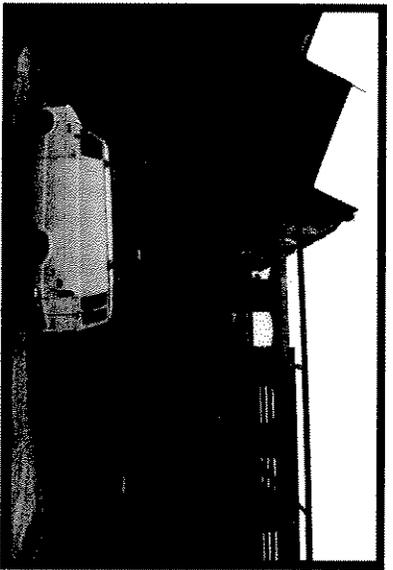


West Milwaukee:
DWK Investments, LLC

Three businesses, including an animal care clinic, a medical supply company, and a sign manufacturer, have moved into new buildings on the site. The Milwaukee Journal-Sentinel will build a printing facility that will result in the creation of 250 new jobs. When complete, the site will have an assessed value of over \$200 million.

City of Beloit:
Water Tower Industrial
Properties

This contaminated site is the center of the City of Beloit's 2000 redevelopment project. It is the location of several industries, including the national headquarters of ABC Supply Co. The project has created 70 jobs and has increased the property value by \$3.5 million.

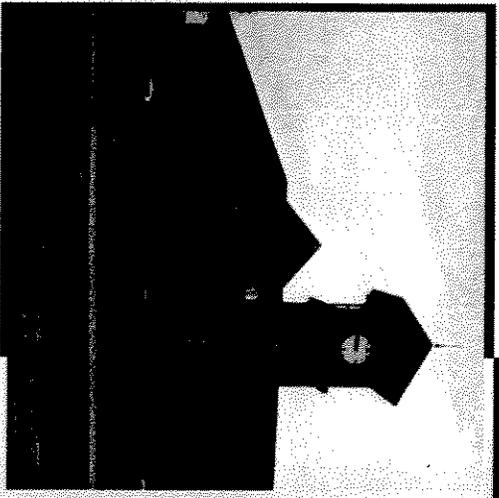


Before & After

Highlights

City of Mauston:
Hatch Public Library

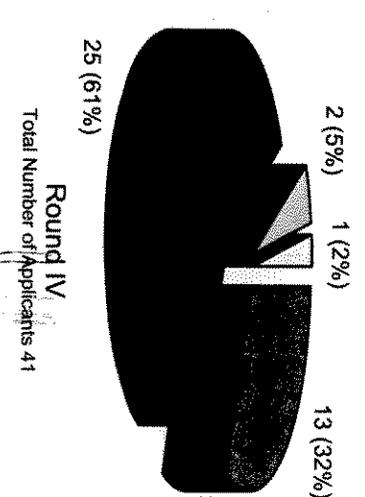
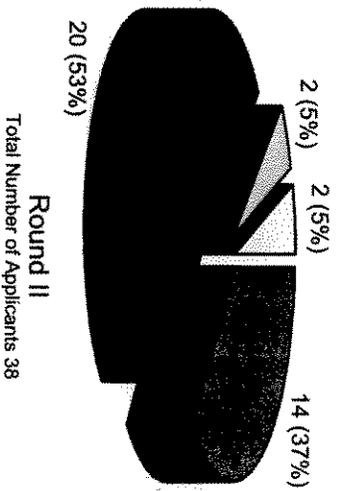
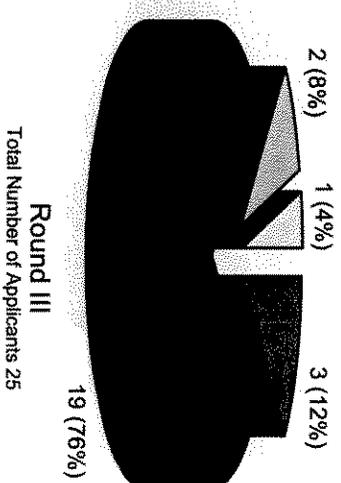
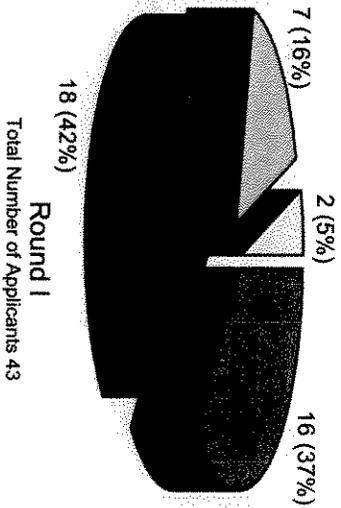
After a vigorous campaign raised \$2.3 million to privately fund the building of the Hatch Public Library, significant petroleum contamination was discovered on site. With the aid of a \$180,000 grant, the City of Mauston installed a working remediation system and opened the 30,000-square-foot library in May 2000.



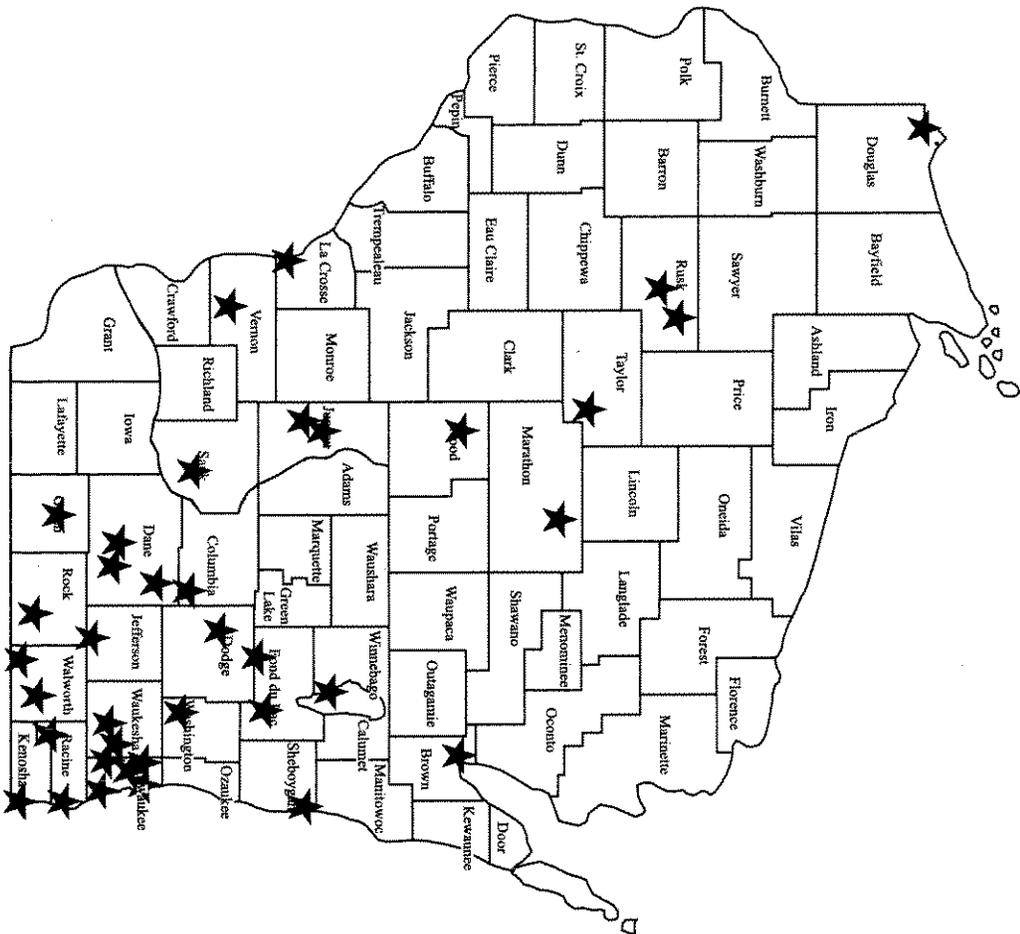
Demand for Grants

The Brownfields Grant Program has fostered the interest of 147 applicants asking for \$74,840,758, while the program has had a total of \$22.2 million available for disbursement. Applicants to this program are as follows:

- Submitted by individual people
- Submitted by municipalities
- Submitted by local development corporations
- Submitted by a combination of municipalities, individuals or local development corporations



Grant Locations



Round One

- Columbus
- Glendale
- Kenosha
- Medford
- Superior
- West Allis
- Flambeau
- Green Bay
- Lady Smith
- Milwaukee (4)
- Wauwatosa

Round Two

- Beaver Dam
- Elkhorn
- Hartford
- La Crosse
- Milwaukee (2)
- Viroqua
- Brookfield
- Glendale
- Hustler
- Madison
- West Allis

Round Three

- Beloit
- DeForest
- Mauston
- Oakfield
- Sheboygan
- Waukesha
- Browntown
- Marshfield
- Milwaukee (2)
- Oshkosh
- Town of Stettin

Round Four

- Baraboo
- Cudahy
- Kenosha
- Middleton
- Racine
- Walworth
- West Allis
- Burlington
- Edgerton
- Town of Madison
- Milwaukee (4)
- Sheboygan (2)
- Waupun

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Round One Competition

<i>Location</i>	<i>Recipient</i>	<i>Award</i>
*Glendale	The City of Glendale	\$850,000
Kenosha	The City of Kenosha	\$850,000
Green Bay	The City of Green Bay	\$800,000
Milwaukee	Ralos, LLC	\$400,000
Milwaukee	30th Street Industrial Corridor Corporation	\$400,000
*West Milwaukee	Mobile Blasting, LLC	\$390,000
Wauwatosa	Outpost Natural Foods Cooperative	\$300,000
*West Milwaukee	DWK Investments, LLC	\$260,000
Superior	The City of Superior	\$250,000
West Allis	The City of West Allis	\$200,000
*Columbus	The City of Columbus	\$167,000
*Medford	Taylor County	\$150,000
*Ladysmith	The City of Ladysmith	\$100,000
*Town of Flambeau	Rusk County	\$33,000

***Project communities with populations under 30,000.**

Round One Award Summaries

Silver Spring Drive Development

Recipient: City of Glendale
Location: West Silver Spring Drive, Glendale, Milwaukee County
Years Unused: 15
Job Creation: 150
Grant Award: \$850,000
Increase in Property Value: \$20 million

This 26-acre project site was acquired by the City of Glendale Community Development Authority (CDA) to perform environmental cleanup and redevelopment prior to marketing the properties to prospective developers. The CDA demolished several buildings and improved the infrastructure, street landscaping, and installed a stormwater pond. As a result of these efforts, the following businesses are in operation: a JewelOsco store, the Animal Emergency Center, Medpoint Family Care Center, Hassel Material Headquarters, the Silver Creek Village and the Parkside Commons senior apartments.



CONSTRUCTION COMPLETED

Harborpark Redevelopment

Recipient: City of Kenosha
Location: Downtown Laketrfront, Kenosha, Kenosha County
Years Unused: 10
Job Creation: 275
Grant Award: \$850,000
Increase in Property Value: \$55 million

The City of Kenosha has transformed this former auto manufacturing facility into a vibrant district for public, commercial and residential use. By addressing the soil contamination and preparing a water management plan, the City has been able to integrate new streets, walkways and a trolley system with the construction of a new public museum and condominiums. Investments totaling \$80 million will help create additional commercial opportunities with increased public access to Lake Michigan.



CONSTRUCTION COMPLETED

Riverfront Redevelopment

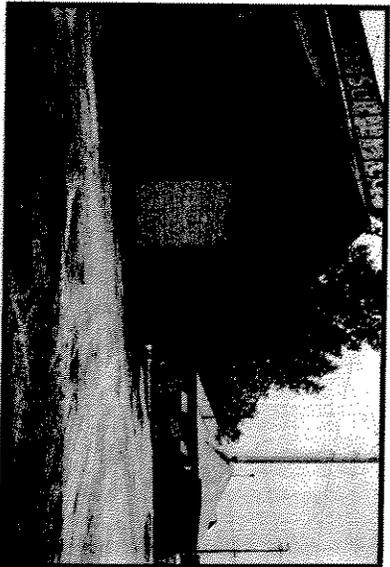
Recipient: City of Green Bay
Location: Downtown Green Bay, Fox River West Shore, Brown County
Years Unused: 6
Job Creation: 265
Grant Award: \$800,000
Increase in Property Value: \$35 million

The City of Green Bay has created a vision very similar to Chicago's Navy Pier for this 15-acre property, once used for coal storage. The City has demolished several dilapidated storage buildings, renovated the infrastructure, and relocated several high-voltage power lines and towers. Coal dust and petroleum that contaminated the soil at this site have been removed. Green Bay is currently marketing this site for development.

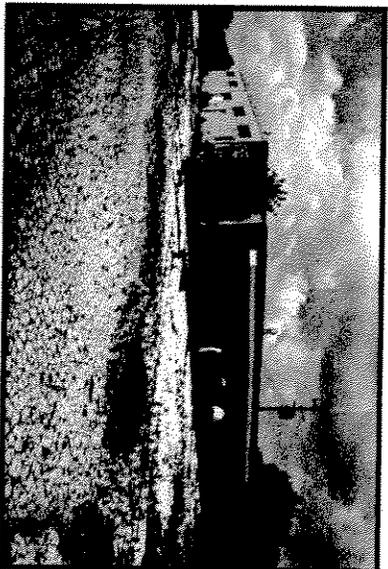
Excell Connection, Inc.

Recipient: Ralos, LLC
Location: 5375 South 9th Street, Milwaukee, Milwaukee County
Years Unused: 5
Job Creation: 50
Grant Award: \$400,000
Increase in Property Value: \$720,000

Ralos, LLC is in the process of acquiring the former Solar Paint and Varnish Company site using a recently enacted provision in Wisconsin law, Section 75.106. Ralos plans to remediate approximately 10,500-cubic-yards of contaminated soil and groundwater. With an investment of \$700,000, Ralos, LLC renovated an 8,400-square-foot building and is currently constructing a new 33,000-square-foot building. Half of the new facility will house Excel Connection, Inc. USA, while the other half will be leased to individual, small-business tenants for use as office, warehouse and manufacturing space. The City and County of Milwaukee each pledged \$100,000 in grant money towards this project, and the U.S. EPA agreed to forgive \$439,000 in liens through a Prospective Purchaser Agreement.



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PRIOR TO RENOVATION

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Metals Processing Project

Recipient: 30th Street Industrial Corridor Corporation

Location: 3148 West Auer Street, Milwaukee, Milwaukee County

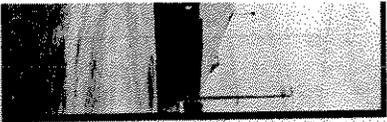
Years Unused: 33

Job Creation: 5 created, 25 retained

Grant Award: \$400,000

Increase in Property Value: \$25,000

The Metals Processing Company (MPC) purchased this one-acre site many years ago and later discovered soil and groundwater contamination. Once remediation of the petroleum and hydrocarbon contamination is complete, MPC intends to expand its operations. Because many companies have left the 30th Street Industrial Corridor in the last 20 years, MPC hopes its efforts will encourage further investment in the area.



Former Mobile Blasting Project

Recipient: Mobile Blasting, LLC

Location: 1604 South 43rd Street, West Milwaukee, Milwaukee County

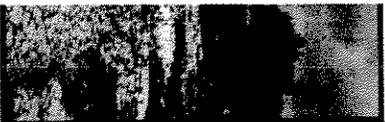
Years Unused: 12

Job Creation: 98

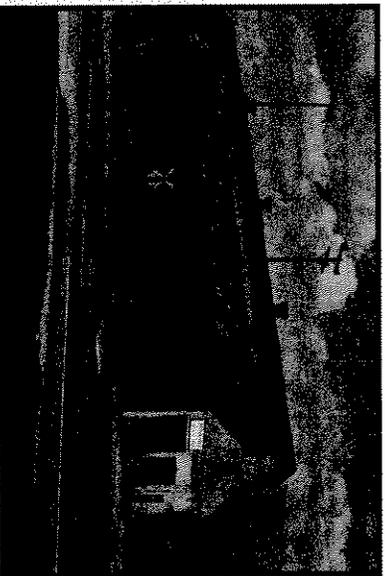
Grant Award: \$390,000

Increase in Property Value: \$1.7 million

This 3.3-acre site contains the former Mobile Blasting facility. Real Estate Recycling is constructing a 45,000-square-foot manufacturing/office facility that will be leased to various tenants. The remediation plan for the site is in progress, and work will begin upon final coordination of the plan. Due to the extensive petroleum contamination found on-site the project has also received additional funding from the Department of Natural Resources.



PRIOR TO RENOVATION



PRIOR TO CONSTRUCTION

Outpost Natural Foods

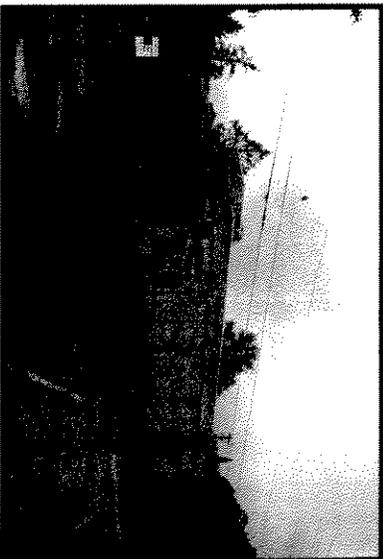
Recipient: Outpost Natural Foods Cooperative
Location: 1257 North 70th Street, Wauwatosa, Milwaukee County
Years Unused: 10
Job Creation: 135
Grant Award: \$300,000
Increase in Property Value: \$1.79 million

The Wauwatosa Outpost Natural Foods opened in March 2000. This is the second Outpost Natural Foods in the Milwaukee Area. The project entailed removing petroleum-free product, treating the soil, abating asbestos, demolishing existing buildings, grading the site and constructing the new building. The project created approximately 135 new jobs, ranging from entry level to managerial positions.

Former Inryco / Babcock & Wilcox Project

Recipient: DWK Investments, LLC
Location: 3839, 4000 West Burnham Street, Milwaukee, Milwaukee Co.
Years Unused: 16
Job Creation: 135 - 500
Grant Award: \$260,000
Increase in Property Value: \$200 million

DWK Investments, LLC acquired the property with the intention to remediate the site and then redevelop it for lease or sale. This included the rehabilitation of a 20,000-square-foot building, the addition of 4,000 square feet of office space and the modification of the infrastructure on the site to accommodate multiple tenants and owners. Several businesses have located on the site, such as the Milwaukee Area Domestic Animal Control Center, Digital Access, Wycomed Amersham and Priced Right Signs. The Milwaukee Journal-Sentinel broke ground for their new production facility on June 13, 2000. The 435,000-square-foot, \$200 million high-technology printing plant will occupy 41 acres of the remediated land. DWK Investments predicts the creation of approximately 500 jobs, almost four times as many jobs than originally projected.



CONSTRUCTION COMPLETED



CONSTRUCTION COMPLETED

Energy and Air Systems

Recipient: City of Superior
Location: 802 John Avenue, Superior, Douglas County
Years Unused: 10
Job Creation: 10
Grant Award: \$250,000
Increase in Property Value: \$250,000

The City of Superior has demolished the existing building and removed about 40 barrels of waste from the site. The City plans to include this half-acre former salvage site in their new industrial park. Once the remediation is complete, Energy & Air Systems will purchase the site from the City and construct a new facility for the expansion of their operations.

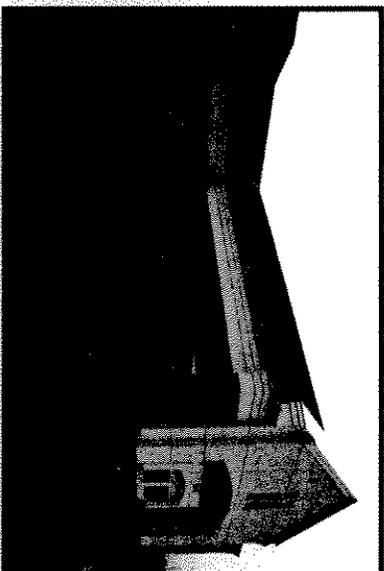


PRIOR TO CONSTRUCTION

Harborpark Redevelopment

Recipient: City of West Allis
Location: 801 South 70th Street, West Allis, Milwaukee County
Years Unused: 7
Job Creation: 40
Grant Award: \$200,000

The City of West Allis took significant steps at this site by demolishing the remaining buildings, removing contaminated hot-spots and cleaning the soil and groundwater. This work paved the way for the Opus North Corporation to construct and lease the building that now houses the Gateway Health Center, a \$4.5 million, 28,000-square-foot facility offering both traditional and alternative medicine services. The Health Center opened its doors September 13, 1999.



CONSTRUCTION COMPLETED

Wisconsin Ceramic Products

Recipient: City of Columbus
Location: 240 Birdsey Street, Columbus, Columbia County
Years Unused: 11
Job Creation: 33
Grant Award: \$167,000
Increase in Property Value: \$300,000

This 2.36-acre site was home to Metalfab, Inc., a metal fabrication and finishing facility, until 1989. The City of Columbus and Columbia County have been working closely to remediate PCB and chlorinated solvent contamination. On-site work includes roof and window replacement, façade restoration, building clean-up, caulking, painting and underground storage tank removal. Once these activities have been completed, Wisconsin Ceramic Products and two other businesses will expand onto this site.

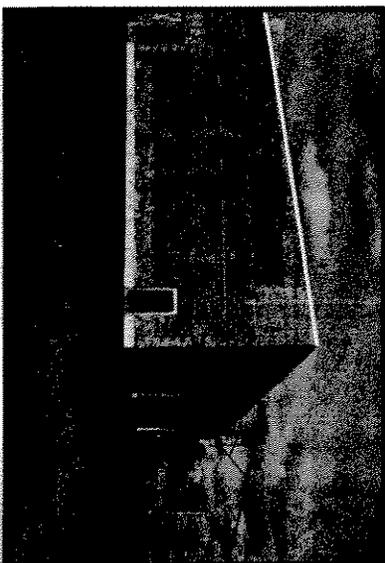
Former Doberstein Lumber and Sawmill

Recipient: Taylor County
Location: W6617 Highway 64, Medford, Taylor County
Years Unused: 9
Job Creation: 25
Grant Award: \$150,000 (Round I)
 \$25,000 (Round III)
Increase in Property Value: \$500,000

Doberstein Lumber and Sawmill treated lumber products on this 46-acre site for 25 years and consequently contaminated the site with lumber treatment chemicals. The EPA conducted an emergency intervention in 1992. Taylor County has since completed the remediation of the site and the rehabilitation of the main building. In addition to the original grant, this project received additional funding in Round III due to the unexpected quantity of contaminated fill discovered on the property. The County is currently marketing the facility for lease.



PRIOR TO RENOVATION

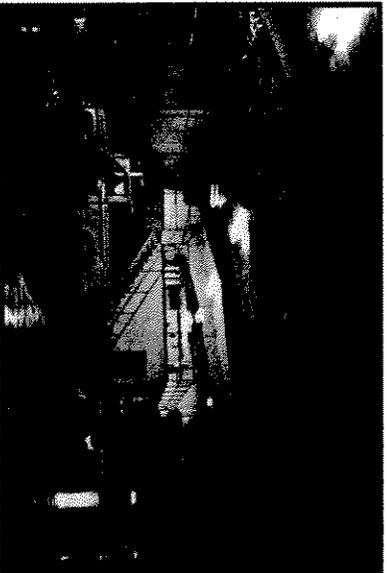


RENOVATION COMPLETED

Northern States Power

Recipient: City of Ladysmith
Location: 1407 Barnett Road, Ladysmith, Rusk County
Years Unused: 3
Job Creation: 8
Grant Award: \$100,000
Increase in Property Value: \$325,000

The site was contaminated with arsenic, chromium and other substances from metal smelting processes by the Aluminum Processing Company, which operated for 10 years before closing in 1997. The City of Ladysmith remediated this site, repaired the existing building and leased it to Northern States Power Company.



RENOVATION COMPLETED

Former Baliko Trailers Redevelopment

Recipient: Rusk County
Location: State Highway 27, Town of Flambeau, Rusk County
Years Unused: 4
Job Creation: 17
Grant Award: \$200,000
Increase in Property Value: \$200,000

This 3-acre site, once used by Baliko Trailers, Inc., will be marketed by Rusk County for industrial use upon project completion. Contamination includes solvents and other wastes. Rusk County has applied several financing methods in this project, including leveraging the Brownfields Grant with a U.S. Rural Development Grant and using a zero percent loan from Jump River Electric to create a Revolving Loan Fund for business development. The County is working with a potential occupant to renovate the building in order to meet their operational needs.



PRIOR TO RENOVATION

Round Two Competition

<i>Location</i>	<i>Recipient</i>	<i>Award</i>
La Crosse	City of La Crosse	\$1,000,000
Madison	The Fiore Company	\$750,000
*Hartford	Steel-Craft Corporation of Hartford	\$750,000
*Beaver Dam	Dodge County	\$550,000
Milwaukee	Elite Finishing, LLC	\$450,000
*Brookfield	Real Estate Recycling, LLC	\$400,000
West Allis	City of West Allis	\$350,000
*Glendale	City of Glendale	\$240,000
*Elkhorn	City of Elkhorn	\$240,000
Milwaukee	Sigma Environmental Services, Inc.	\$155,000
*Viroqua	City of Viroqua	\$65,000
*Hustler	Hotel Hustler, Inc.	\$50,000

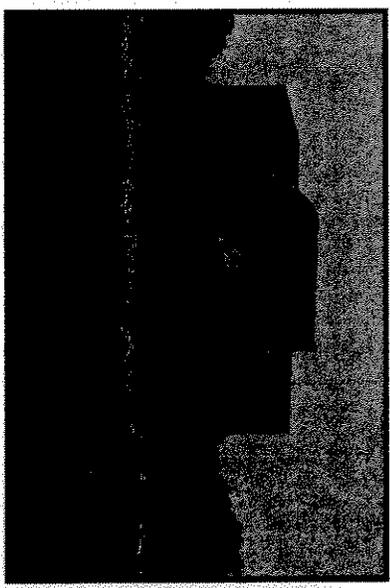
***Project communities with populations under 30,000.**

Round Two Award Summaries

Century Tel Project

Recipient: City of La Crosse
Location: Downtown La Crosse, La Crosse County
(Along the Mississippi River)
Years Unused: 0
Job Creation: 400
Grant Award: \$1,000,000
Increase in Property Value: \$9.4 million

Former uses of this 12-acre site included a rail yard, an auto salvage yard and a manufacturing company. Multiple contaminants including heavy metals and petroleum were found on the site. The city removed underground storage tanks and remediated the lead in the groundwater and the petroleum in the soil to prepare for Century Tels construction of a \$30 million, 150,000-square-foot building with the capacity to employ 820 people. Century Tel began operations here as the Midwest Region and Wisconsin Division Headquarters in May 2001. To date, 401 jobs have been created, resulting in almost \$9 million in annual wages.

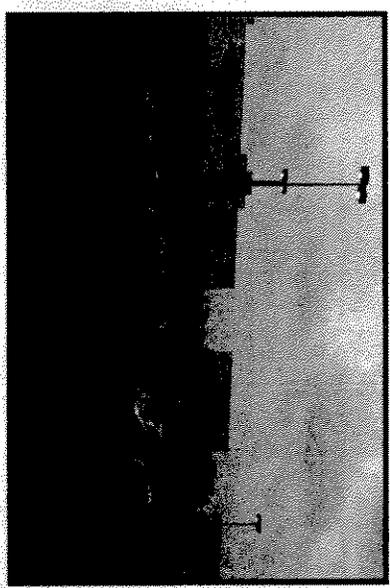


CONSTRUCTION COMPLETED

Nakoma Plaza Redevelopment

Recipient: The Fiore Company
Location: US Highway 12, Madison, Dane County
Years Unused: 0
Job Creation: 150
Grant Award: \$750,000
Increase in Property Value: \$5 million

Former businesses located on this 33-acre site include a tire and muffler shop, a cement plant, a fuel storage center and a dry cleaner. Contamination included benzene, diesel and other compounds. Fiore Coal and Oil Company completed remediation and redevelopment activities. Since July 2000, numerous businesses have located at Nakoma Plaza including Home Depot, Cub Foods, J.B. Craft Store, M.C. Sports and Goodwill. The project has created 135 jobs and is expected to create 600 in total.



CONSTRUCTION COMPLETED

Steel-Craft Project

Recipient: Steel-Craft Corporation of Hartford

Location: 105 Marine Drive, Hartford, Washington County

Years Unused: 9

Job Creation: 125

Grant Award: \$750,000

Increase in Property Value: \$3.9 million

This 30-acre site had a wide range of industrial uses from the 1890s to the late 1980s. Contaminants present on the site include chlorinated solvents and petroleum. While the former owner of this property completes remediation activities, the Brownfields Grant allows extensive building renovation to accommodate the operations of Steel-Craft Corporation and Hartford Finishing. These companies, which use high-tech methods for custom-metal fabrications, have operated in this 263,000-square-foot facility since July 2000.

Quality Fabricators Group

Recipient: Dodge County

Location: 401 Madison Street, Beaver Dam, Dodge County

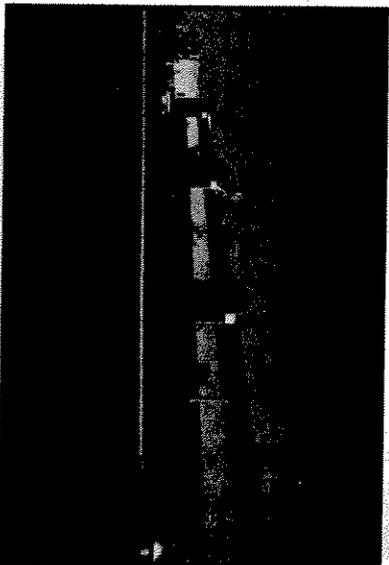
Years Unused: 5

Job Creation: 25 created, 32 retained

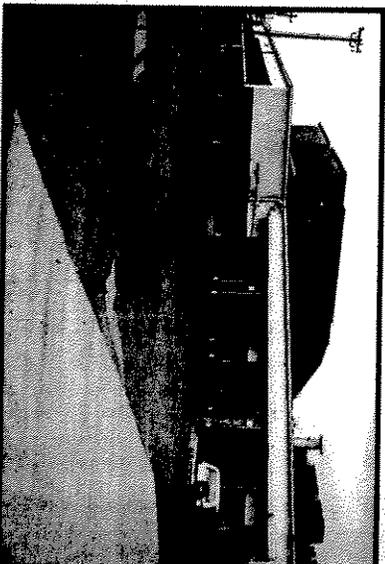
Grant Award: \$550,000

Increase in Property Value: \$1.1 million

From 1962 to 1995, Metafab, Inc., a metal fabricator, headquartered their operations on the site. As a result of their operations and the presence of leaking underground storage tanks, this site was contaminated with chlorinated solvents and petroleum. In 1995, Dodge County acquired the property through tax foreclosure and performed extensive remediation and building rehabilitation. Quality Fabricators Group, LLC intends to acquire the property once these activities are complete.



RENOVATION COMPLETED



RENOVATION IN-PROGRESS

Former Zecol, Inc. Project
Recipient: Elite Finishing, LLC
Location: 3270 South 3rd Street, Milwaukee, Milwaukee County
Years Unused: 10
Job Creation: 20
Grant Award: \$450,000
Increase in Property Value: \$562,000

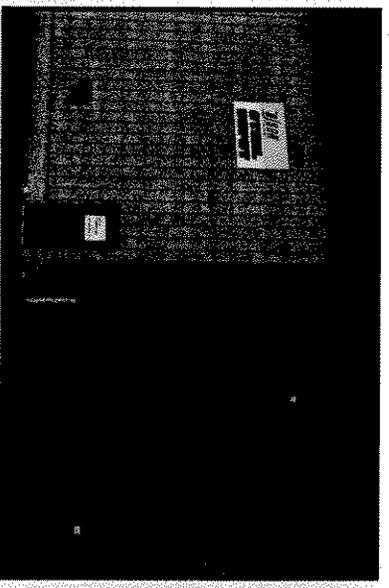
For over 40 years, Zecol, Inc. produced automobile chemicals and additives on this 1.5-acre property. Contaminants found on the site include petroleum and other products. Elite Finishing, LLC uses innovative techniques to provide clients such as Harley Davidson with specialized plating services. This building will be renovated and expanded to accommodate their operations. Contaminated areas will be capped and underground storage tanks closed.



PRIOR TO RENOVATION

Olson Company Project
Recipient: Brookfield Properties, LLC
Location: 19745 & 19775 Sommer Drive, Brookfield, Waukesha County
Years Unused: 7
Job Creation: 16
Grant Award: \$400,000
Increase in Property Value: \$1.2 million

In the fall of 1999, Brookfield Properties, LLC completed the remediation and renovation of a 115,000-square-foot industrial warehouse formerly owned by Cortec Industries. There were several contaminants on site, some of which were filtering into a nearby creek and wetlands area. The Olson Warehouse Company, a family-owned steel warehousing distribution and trucking operation based in Milwaukee and Waukesha, has leased the warehouse. They celebrated their grand opening in the summer of 1999.



RENOVATION COMPLETED

Washington Street Redevelopment

Recipient: City of West Allis
Location: 6642 West Washington Street, West Allis, Milwaukee County
Years Unused: 8
Job Creation: 300
Grant Award: \$350,000
Increase in Property Value: \$3.12 million

This 11-acre site used to be part of the Allis-Chalmers Manufacturing Complex. Since the bankruptcy of Allis-Chalmers, the City of West Allis has planned for the redevelopment of this site into a business park. This project is a top economic goal of the municipality, and to date they have invested over \$4 million at this site. Contamination includes PCBs and diesel compounds. A new water retention basin, expected to be completed by the end of 2001, will assist in the remediation of PCBs and petroleum contamination.

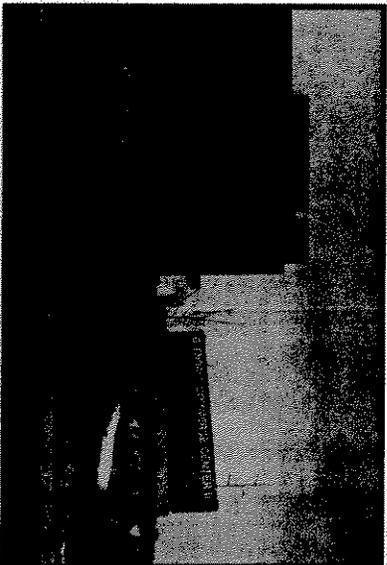
Glendale Technology Center

Recipient: City of Glendale
Location: 4300 block of North Port Washington Road, Glendale, Milwaukee County
Years Unused: 7
Job Creation: 112
Grant Award: \$240,000
Increase in Property Value: \$5.1 million

This 9.5-acre site was part of the Continental Can Company that operated from 1950 to 1992. The Continental Can Company contaminated the site by storing coatings, end-sealing compounds, and solvents on the property. The City of Glendale acquired the site, demolished the Continental Can Company building, and conducted remediation activities, including soil removal and the installation of injection wells. The Opus North Corporation acquired the property and constructed a 165,000-square-foot facility for light-manufacturing, offices and warehousing.



PRIOR TO CONSTRUCTION



CONSTRUCTION COMPLETED

Former Getzen Musical Project

Recipient: City of Elkhorn
Location: 211 West Centralia Street, Elkhorn, Walworth County
Years Unused: 9
Job Creation: 40
Grant Award: \$240,000 (Round II)
\$500,000 (Round III)
Increase in Property Value: \$57,000

The bankrupt Getzen Musical Instrument Company produced brass instruments on this 1.5-acre site from 1960-1991. Site operations resulted in extensive groundwater contamination of chlorinated solvents and heavy metals. Due to the degree of contamination, the City of Elkhorn received additional financial assistance from the DNR and EPA, as well as a supplemental grant in the Round III competition. Once significant remediation activities are complete, the site will be prepared for commercial or industrial use.



PRIOR TO CONSTRUCTION

Sigma Environmental Project

Recipient: Sigma Environmental Services, Inc.
Location: 1244-1326 West Canal Street, Milwaukee, Milwaukee County
Years Unused: 35
Job Creation: 10
Grant Award: \$155,000
Increase in Property Value: \$1.5 million

This 2.8-acre site, located in the Menomonee River Valley, historically has been used for coal, oil and boat storage. Sigma Environmental Services received approval from the DNR for soil and groundwater remediation plans. Once remediation activities are complete, Sigma Environmental Services will construct a 25,000-square-foot facility to house the company headquarters, including offices, laboratories and production space. Sigma's innovative building design will facilitate remediation of methane gas. Sigma plans to break ground in the spring of 2002.



PRIOR TO CONSTRUCTION