

## SECTION IIIC – THRESHOLD CRITERIA FOR EPA BROWNFIELDS MULTI-PURPOSE GRANT CRITERIA

### 2. Applicant Eligibility

- a) Eligible Entity – The City of Oshkosh Redevelopment Authority is chartered by the State of Wisconsin.
- b) Site Ownership – The Property is currently owned by the City of Oshkosh Redevelopment Authority

### 3. A letter from the State of Wisconsin is attached.

### 4. Site Eligibility and Property Ownership Eligibility

#### a. Basic Site Information:

- a) Site Name – Boat Works Property
- b) Site Address – 362 Michigan Avenue, Oshkosh, Wisconsin
- c) Current Owner – City of Oshkosh Redevelopment Authority

#### b. Status and History of Contamination at the Site:

- a) Hazardous or Petroleum – Based on preliminary knowledge of the historical use of the property, we believe there is the potential for the site to be impacted by hazardous substances.
- b) Operational History and Current Use – The Boat Works property was historically used for a variety of industrial and commercial purposes dating back to at least 1903. The historical use of the subject property prior to 1903 could not be determined. The first development of the subject property was associated with a lumber mill. From 1922 circa 1971, the subject property was used for boat building. From 1971 to 2000 the subject property was used as a marina but by 2004 the marina was no longer in use but for boat storage. The site is currently vacant.

C & D) Environmental Concerns – Past industrial use of the property has the soils, sediments, and/or groundwater with metals, polynuclear aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), and PCBs.

#### c. Sites Ineligible for Funding:

The Boat Works Property is:

- a) NOT listed or proposed for listing on the National Priorities List;
- b) NOT subject to unilateral administrative orders, court orders administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
- c) NOT subject to the jurisdiction, custody or control of the United States government and as such is NOT ineligible for funding.

#### d. Sites Requiring a Property-Specific Determination:

The Boat Works Property is:

- a) NOT subject to a CERCLA planned or ongoing removal action;
- b) NOT subject of a unilateral administrative order, a court order, an administrative order on consent or a judicial consent decree that has been issued to or entered into by the parties, or a facility to which a permit has been issued by the U.S. or a State under the Solid Waste Disposal Act (SWDA), the

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Federal Water Pollution Control Act; the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act;

- c) NOT subject to corrective action under the SWDA and has a corrective action permit or order that has been issued or modified to require the implementation of corrective measures;
- d) NOT a land disposal unit with respect to which a closure notification under subtitle C of the SWDA has been submitted and closure requirements have been specified in the closure plan or permit;
- e) NOT a portion of a facility at which has been a release of polychlorinated biphenyls (PCBs) and that is subject to remediation under TSCA; or
- f) Is NOT a portion of a facility, for which, assistance for response activity has been obtained under subtitle I of the SWDA from the Leaking Underground Storage Tank Trust Fund established under Section 9508 of the IRS Code of 1986.

If the site falls into one of these categories, it will need a property-specific determination from EPA to be eligible for funding.

#### **e. Environmental Assessment Required for Multi-Purpose Proposal**

A Phase I ESA was conducted on September 21, 2004 to evaluate the subject site's history and potential RECs under the City's EPA Assessment Grant. The assessment funds will further assess and delineate soil, groundwater, and sediment impacts detected in the previous assessments.

#### **f. Information on Liability and Defenses/Protections**

- a) Timing of Hazardous Substance Disposal – The City has not arranged for the disposal of hazardous substances at the site or transport hazardous substance to the site. Furthermore, the City has not caused or contributed to any releases of hazardous substances at the site.
- b) Relationship to Owner - The City of Oshkosh is not related to the former owners in any kind.

#### **g. Enforcement Actions**

The City of Oshkosh (City) is not aware of any of any environmental enforcement actions related to this site.

#### **h. Information on Liability and Defenses/Protections**

##### **i) Information on the Property Acquisition.**

- a) The City of Oshkosh purchased the property.
- b) July 15, 2005
- c) Sole ownership
- d) Mr. Fred Oskar
- e) The City of Oshkosh has no contractual, corporate, or financial relationships or affiliations with prior owners or operators of the property.

ii) Identify whether or not all disposal of hazardous substances at the site occurred before you acquired the property – All uses and disposal of hazardous substances that may have occurred on the property were prior to the purchase of the property and are not associated with the City of Oshkosh.

iii) Describe how, prior to taking ownership, you performed all appropriate inquiry (e.g., ASTM Phase I or equivalent) into the previous ownership and uses of the property – Under a previous EPA Assessment Grant City of Oshkosh completed a Phase I ESA on September 21, 2004, Phase II ESA on January 31, 2005, and sediment

sampling on May 12, 2005 as part of the pre-purchase inquiry. STS Consultants performed the assessment and had the qualification to perform the work. The original Phase I ESA was performed 180 days prior to the purchase of the property. However, additional assessment was performed as part of the EPA Assessment Grant Phase II ESA and sediment sampling. It should be noted the 180 day rule did not go into effect until November 1, 2006 after the property was purchased.

iv) Post-Acquisition Uses – The site has been vacant since it was purchased.

v) Continuing Obligations – The City has taken reasonable steps to stop any continuing releases; prevent any threatened future releases and limit exposure to previously released hazardous substances. The City is committed to comply with all land use restrictions and institutional controls; assist and cooperate with those performing the cleanup and to provide access to the property; comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and provide all legally required notices.

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**NARRATIVE PROPOSAL**  
**CITY OF OSHKOSH APPLICATION FOR EPA BROWNFIELDS MULTI-PURPOSE GRANT**  
**JANUARY 26, 2012**

**Section V.B.**

**Ranking Criteria for Assessment Grants**

**1. Community Need**

The City of Oshkosh (City), located in east central Wisconsin adjacent to where the Fox River joins Lake Winnebago has a long history of manufacturing. The City was known as the sawdust city due to its long industrial history centered on logging and wood product manufacturing dating back to the late 1800's. A large industrial base was established to support the lumber industry, which included foundries, manufacturing of logging tools, finished wood products, and railroad and river boat transportation. By the 1960's, the logging industry came to a halt and so did Oshkosh's economic boom. Many of the properties left behind from the demise of the logging industry continue to be blighted. Many of them are contaminated with petroleum and other hazardous substances due to past industrial uses.

Not only is the City dealing with its past industrial heritage the City's current manufacturing sector has drastically diminished. The recent loss of several hundred manufacturing jobs associated with the closing of Morgan Door Company and Buckstaff, a manufacture of wood furniture, was a significant loss for this community. In addition, the recent economic recession has resulted in the closing or work force layoffs of several important employers, which include the Sears Holding Corporation, Hartwig Transit, Inc., Oshkosh B'Gosh Inc., Marvel Mfg. Company Inc., Jeld-Wen, GE Oil and Gas Operations, Buckstaff, Hoffmasters, Oshkosh School district, Bemis Tape Plant, and Oshkosh Corporation (manufacture of vehicles). The closing or work force layoffs of these businesses resulted in the loss of 1,852 additional jobs in the last three years. In September 2011, the United States Postal Service (USPS) closed the Oshkosh Processing and Distribution Center with another loss or relocation of 149 employees and an estimated annual loss of \$31,000,000 in generated revenue.

The EPA Brownfields Multi-Purpose Grant (Multi-Purpose Grant) will provide the funding to the City for the redevelop of the Boat Works property which will reduce impacts to human health and the environment. In addition, the Multi-Purpose grant will also redirect funds that were set for Boat Works to fund projects dedicated to address the environmental and health issue plaguing this community as discussed below. As indicated in the Financial Need Section below EPA assistance is critical part of Oshkosh's redevelopment plans.

**a. Health, Welfare, and Environment**

i) Boat Works is located in Census Tract #12 on the south side of the Fox River and across from Census Tract #5 on the north side of the Fox River. Both Census Tracts are considered prime redevelopment areas. Previous EPA Assessment Brownfields Grants were used to inventory over two hundred different parcels in both these areas of which 75 were Brownfield sites (including the former Boat Works property). Because of the City of Oshkosh's industrial past, many of these Brownfields are former heavy manufacturing facilities that used a broad array of hazardous chemicals. Specific examples are the former Morgan Doors and Buckstaff manufacturing facilities. The Morgan Door site, which is located adjacent to the Boat Works property is comprised of 24.46 acres and has approximately 150,000 square feet of buildings dating back to the late 1800's. Some of the outbuildings are in poor condition and the site is known to be a former landfill. The Buckstaff site is comprised of 14 acres and is occupied by various buildings in poor condition. Contamination at the sites may include solvents, metals, asbestos, petroleum, and chlorophenolic chemicals used in the treatment of timber and lumber. Based on review of the Wisconsin Department of Natural Resources (WDNR), Bureau of Remediation and Redevelopment Tracking System (BRRTS) online database, and Oshkosh's Brownfields GIS database, 390 leaking underground storage tank (LUST) sites, environmental repair program (ERP) sites, and 75 Brownfield sites have been identified in the City of Oshkosh. The City has identified Priority Brownfield Sites located in Census Block #5 and #12 (see table below).

Priority Site	Contaminants*	Health Effects**	Size*** (Acres)
Jeld-Wen (aka Morgan Door)	Industrial fill, solvents, metals, asbestos, polycyclic aromatic hydrocarbons (PAHs), and volatile organic compounds (VOCs)	Carcinogens, developmental, neurological, renal, and reproductive.	25
Gunderson Cleaners	Chlorinated Solvents	Developmental and neurological	.5
Buckstaff	Industrial fill, solvents, metals, asbestos, PAHs, and VOCs	Carcinogens, developmental, neurological, renal, and reproductive.	14
Pioneer	Industrial fill, solvents, metals, asbestos, PAHs, and VOCs	Carcinogens, developmental, neurological, renal, and reproductive.	18
Boat Works	Industrial fill, VOCs, PAHs, metals, and PCBs	Carcinogens, developmental, neurological, renal, and reproductive.	5

\*WDNR BRRTs site and available environmental reports \*\*ToxFAQs \*\*\*City of Oshkosh GIS database

Direct contact with contaminated surface soils and risks associated with potential vapor intrusion/volatile inhalation from these Brownfields sites is a possibility. Many of the common contaminants on the Brownfield sites in Oshkosh are VOCs and PAHs which have been identified as human carcinogens. Elevated lead and arsenic concentrations are also common in the prevalent foundry sand and slag fill. Lead poisoning of children has been reported to cause learning disabilities, neurological defects, mental retardation, and kidney and heart disease. Arsenic exposure can cause cancer and damage to the brain, nervous system, and immune system. Unfortunately many of these Brownfields areas are located in residential areas that are home to sensitive populations, particularly of children under 5 years old and senior citizens over the age of 65. According to the 2000 Census and EPA EnviroMapper data, 20.2% of the population in the central city area was below 5 years old or above the age of 60, greater than the Wisconsin average of 19.9% and the US average of 19.8%. In addition, the EPA Environmental Justice Viewer (EJView) indicates the two main census tracts where majority of Brownfields are located have a disproportionate population that is 10% to 30% minority. These sensitive populations often have a disproportionate rate of lead poisoning, asthma, and chronic illnesses. A Phase II Environmental Site Assessment (Phase II ESA) performed on the Boat Works property detected many of the compounds discussed above including Metals, VOCs, and PAHs. Further discussion of the impacts at the Boat Works property can be found in Section 2.a.i.

Due to older industrial facilities located in the Oshkosh Redevelopment Areas, exposure to poor air quality is a potential issue. According to [www.Scorecard.org](http://www.Scorecard.org), the Pollution Information Site, Oshkosh Redevelopment Areas ranked in the top 80% of counties in the US for the air releases of recognized carcinogens. Based on EPA Envirofacts, this includes 13 facilities that produce and release air pollutants (primarily VOCs). One of the goals of the City's Comprehensive Plan and the Downtown Design and Redevelopment Plan is to move the older industrial facilities to new or improved facilities located in established industrial parks. One of the EPA Grant project areas is to expand the Wittman Airport Industrial district to include several older industrial properties. Expansion of the Wittman Airport Industrial district will open additional properties to move some of the older industrial facilities out of the residential redevelopment areas reducing exposure to carcinogens.

In addition to industrial facilities, the Oshkosh Redevelopment Areas also contain a number of older residential areas. The higher percentage of population in the central city area which is below 5 years old or above the age of 60 is significant issue because majority of the homes in these areas were constructed

prior to 1950 and may have lead-based paints and asbestos containing materials. [www.Scorecard.org](http://www.Scorecard.org), ranked the Oshkosh Redevelopment Areas in the top 90% of housing units with a high risk of lead hazards, and the top 90% of homes built before 1950. The City has used previous EPA Grants to identify, characterize, and raze homes that are abandoned or pose a risk to the public.

Due to the higher poverty rate in the two Census tracts, the availability of a good nutritious sustainable food source is nonexistent in these areas. In fact, the United States Department of Agriculture (USDA) has designated these two areas as Food Deserts (2011 USDA Food Desert Locator). According to the USDA, a Food Desert has been defined as low-income communities without ready access to healthy and affordable food. Local community groups and the City are looking at replacing Brownfield sites in these two areas with an Oshkosh Food Co-op and urban gardens.

While the issues described above are greater than just the Boat Works property it is important to understand that the EPA Brownfields Multi-Purpose Pilot Grant help play a role with addressing these issues. As described in the Financial Need section below, the City is in need of funding to address the issues described above and move forward with the redevelopment plans. This new grant will help offset funding that was targeted for Boat Works to the City's efforts to further characterize neighborhoods and homes to limit exposure of children and older adults to hazardous materials and to further reduce poverty levels in the redevelopment areas.

Not only do these Brownfield areas affect the public welfare, but also the environment. The migration of contaminants from the Brownfield areas via storm water and/or groundwater is a threat to Lake Winnebago and the Fox River ecosystems. Unfortunately, both Lake Winnebago and Fox River have been listed on the 2011 State of Wisconsin and EPA Impaired Waters database for PAHs, PCBs, Mercury, and total phosphorus impairments. As noted above, many of these contaminants are found on Oshkosh Brownfield sites including Boat Works. Soil, groundwater, and sediment sampling performed in the Boat Works lagoon detected elevated metals, PAHs, and PCBs (further discussed in Subsection 2.a.i.). Since Lake Winnebago is home to the world's largest concentration of fresh water sturgeon (2011 WDNR Website), it is important to reduce the risk of impacts from the Oshkosh Brownfields Areas redevelopment and the Boat Works property.

**Financial Need**

i) As indicated in Section 1 above, Oshkosh has seen a decline in its manufacturing based since the 1960's. According to the Wisconsin Department of Workforce Development (DWD), the annual average unemployment rate for the City of Oshkosh was 8.4% in June, 2011, which is higher than it was for the Appleton-Oshkosh-Neenah Metropolitan Area (7.4%), and the State of Wisconsin (8.1%). This higher unemployment rate can be attributed to several manufacturing businesses closing or downsizing over the past year. When 22.3% of a community's jobs are related to the manufacturing industry, downsizings and closings have a significant effect on many Oshkosh citizens and families. Below is a table that outlines incomes of Oshkosh versus state and national data.

Target Community	Per Capita Income	Household Income	Percent Below Poverty Level
Oshkosh	\$18,964	\$38,982	14.5%
Wisconsin	\$21,271	\$49,994	10.5%
National	\$26,530	\$50,221	13.2%

2010 US Census Quick Facts Database

The Boat Works Property is located in area designated by the Department of Housing and Urban Development as Low to Moderate Income (LMI) census tracts. Based on EPA Enviromapper data, these areas have 30% to 40% of families below the poverty rate, this is significantly above the US average of 9.2% according to data from the 2000 US Census. In addition, 31.3% of household incomes are below \$25,000 (EPA Enviromapper), which is significantly lower as compared to the US Medium Household Income of \$41,994. Redevelopment and blight elimination is an important part of reversing these difficult statistics. While we have been able to utilize some local funds (typically confined to Tax Incremental District areas), the role of state and federal grant funds has been continually important in the assessment

and cleanup of Brownfields sites in the City, in which the City does have a successful track record in such efforts as evidenced by the number of assessments completed and sites cleaned utilizing EPA funds.

Due to the current status of the economy and the expected reduction in key state revenues, the 2012 City budget will see a reduction of \$1.9 million in major state aids. Other factors that will also impact the City's 2012 budget are reductions in Federal transit aid and a 16% cut in 2011 Federal Community Development Block Grant (CDBG) entitlement funds, with additional cuts anticipated for 2012. In the past, the City used CDBG funds on a very limited basis for assessment activities. However, with the continuing cuts, CDBG funds are more beneficial for activities benefitting low to moderate income individuals. These reductions put a strain on the City's budget to address environmental issues.

The City does not have the staff expertise to conduct environmental assessment or cleanup activities, and the reductions in State and Federal aids, makes it nearly impossible for the City to budget any Brownfield-related assessment or cleanup funds. Currently, the City has an EPA Community-Wide Hazardous Assessment Grant. However, this grant is nearly exhausted with approximately \$40,000 left. Additional funds (\$385,000) are needed to address other sites (beyond Boat Works) in designated redevelopment areas and across the community to maintain the momentum generated by previous success stories. The following is estimated costs to complete the assessment activities at the many Redevelopment Areas targeted.

Priority Site	Type of Assessment	Estimated Cost*
Jeld-Wen (aka Morgan Door)	Phase I, II, Cleanup Planning	\$45,000 (haz) \$25,000 (petro)
Gunderson Cleaners	Phase I, II, Cleanup Planning	\$55,000 (haz)
Buckstaff	Phase I, and II	\$30,000 (haz) \$20,000 (petro)
Pioneer	Phase I, II, Cleanup Planning	\$40,000 (haz) \$15,000 (petro)
Additional Projects	Phase I, II, Cleanup Planning	\$150,000 (haz and petro)

\*Subject to change as more information becomes available

This new grant will help offset funding that was targeted for Boat Works to the City's efforts to further characterize the areas discussed above.

**2. Project Description and Feasibility of Success**

**a. Project Description**

i) Brownfields in the City are predominantly along both sides of the Fox River corridor and in the central city area. The City has a long history of manufacturing and industrial uses on the banks of the Fox River and Brownfields redevelopment is one of several efforts the City is making to change the face of the river corridor. The effects of Brownfields on the community include a reduced property tax roll, inefficient use of land, and incompatible/conflicting land uses. Downtown Oshkosh is in a "rebirth/renewal" phase as is evident with the implementation of the Downtown Action Plan and the construction and conversion of several housing units to low-income housing. Old, vacant, and blighted properties are not complementary neighbors for the central city area.

Areas with high priority have been identified in special area plans and redevelopment plans. Also, the City's vision for promoting Brownfield redevelopment is reinforced in the City's Comprehensive Plan. The Comprehensive Plan includes several goals related to Brownfield redevelopment, including: 1) Continue revitalization efforts of the downtown and central city area; 2) Promote environmentally sensitive and responsible utilization of land, incorporating permanent open space and natural resources; 3) Encourage the efficient and compact utilization of land; 4) Promote the re-use of land and buildings; 5) Encourage redevelopment in the central city to be oriented toward the lakefront and riverfront. Many of the goals outlined in Oshkosh's plans and guidelines follow the 2009 six EPA Livability Principles.

To achieve the Brownfield redevelopment goals established within the City's Comprehensive Plan, the City developed the Downtown Design and Redevelopment Plan and Fox River Corridor Riverwalk Plan and Design Guidelines. These plans are a result of several community "Town Hall" meetings, small group sessions, and one-on-one interviews. The economic, transportation, public parks/open space needs of the adjacent neighborhoods is taken into account through the continued partnership between the public and the private sector. The plans also take into account the role of the Fox River, which is part of the City's rich heritage. The Fox River will be made more accessible to the public through the use of public parks/open space and trail systems. All three of the plans have identified redevelopment of Boat Works as a key component to bring back the Fox River back to the public.

To facilitate the above mentioned plans the City conducted a Phase I ESA in September 2004 to evaluate the subject site's history and potential RECs under the City's EPA Assessment Grant. The Boat Works property was historically used for a variety of industrial and commercial purposes dating back to at least 1903. The historical use of the subject property prior to 1903 could not be determined. The first development of the subject property was associated lumber mill. From 1922 circa 1971, the subject property was used for boat building. From 1971 to 2000 the subject property was used as a marina but by 2004 the marina was no longer in use but for boat storage. At the time of the Phase I ESA walk over a total of five buildings occupied the 5 acre property. The buildings were built on the subject property from 1948 to 1963. The remaining area is covered with grass and a few trees. There were boat slips present on the east, west, and southwest banks of the lagoon. The lagoon connects to the Fox River. An island is located in the middle of the lagoon. There is sheet piling along the lagoon and Fox River. The sheet piles and docks are deteriorated, and the surrounding soils are eroded. Historically, the surrounding property uses included residential and industrial. The following Recognized Environmental Concerns (RECs) were identified at or in connection to the site:

- Fill soils are known to be present on the subject property including rubbish, sawdust, other wood products, glass, and cinders.
- Paint/varnish remover containing 1,1,1-trichloroethane was available on the subject property for customer use as well as Boat Works personnel use. Elevated 1,1,1-trichloroethane concentrations were identified in a soil sample analyzed in 1990. Past use and disposal practices for 1,1,1-trichloroethane are unknown.
- Two 250-gallon capacity ASTs containing fuel oil were present in the boat maintenance building (Building 4). The tanks did not have spill containment measures. Past overfills potentially could have impaired the subsurface of the subject property.
- One historical REC was identified for the subject property. Records indicate there is petroleum-impacted soil present associated with a former LUST case. The LUST case has been closed by the WDNR; however, impacted soil remains on site. If the impacted soil is disturbed, it would pose an REC to the subject property.

To assess the identified Phase I ESA RECs, a Phase II ESA was performed in under the City's EPA Assessment Grant in January 2005. The Phase II conclusions indicated subject site is underlain by solid waste materials consisting of rubbish, sawdust, other wood products, glass, and cinders. Analytical soil sampling detected PAHs, arsenic and lead above State of Wisconsin direct contact and soil to groundwater pathways RCLs. VOC were also detected in the soils but below State Standards. Arsenic was detected in the groundwater above its State of Wisconsin Preventative Action Limit (PAL). Because of the detected VOCs, PAHs and metals and the proposed use of the lagoon as a marina, the Phase II ESA study under the EPA Assessment Grant was expended to assess the lagoon. In March 2005, sediment samples were collected in the lagoon. Arsenic, lead and PHAs were detected above State of Wisconsin direct contact



RCLs in the sediments. PCBs were also detected in the sediments but below State of Wisconsin cleanup levels.

The Boat Works public marina project will include development of a boat launch, boat slips, and associated parking lot with public restrooms and a picnic area. The marina lagoon and connection to the Fox River is to be dredged for sufficient depth for boats. An island located in the middle of the lagoon, will be planted with native plant species and will be reserved as a wildlife refuge. The property will be connected to the Riverwalk via a walk and bridge spanning the lagoon. Based on the planned use the conceptual remedial approach to the property will include installation of a direct contact barrier over ninety percent of the site in the form of an asphalt cap (parking lot areas). This barrier will also prevent infiltration of surface water through the impacted soils reducing the chance of soils impacting the groundwater. In addition, the cap will limit erosion of surface soils impacted with PAHs and metals to the Fox River. Surface run off will be directed to stormwater biofiltration swales for stormwater treatment prior to discharge to the Fox River. A second component of the conceptual remedial approach will be selective excavation and capping of the impacted soils in the picnic/landscaping areas to limit public exposure to the containments of concern. The remedial approach in the picnic/landscaping areas will be an excavation of two feet with a cap comprised of a fabric warning barrier, two feet of clean soil, and a native vegetative landscaping at the surface. Over the years sediments have silted up the lagoon and access to the lagoon for boating is limited. The conceptual lagoon remedial plan is limited dredging with possible capping.

The requested assessment funds are necessary to further assess the upland area and the lagoon and the lagoon island. Phase II ESA Soil borings advanced on the upland parts of the Boat Works property were limited along the shore line of the lagoon due the property occupied by the former buildings. The buildings were recently razed by the City and additional soil borings are needed to further delineate the extent of the solid waste, PAHs, VOCs and metals in the remaining unassessed upland areas of the Boat Works property. The additional sampling data is also needed to determine if the conceptual remedial plan for capping the site is sufficient. Site assessment work has not been performed on the island located in the middle of the lagoon. Due to the PCBs, PAHs, and metals detected in the lagoon sediment there is concern the island maybe impacted as well. Assessment of the island is necessary to determine if there is a potential exposure of the environment to the same compounds detected in the lagoon. It is unclear the extent and source of the detected arsenic in the groundwater. Additional monitoring wells are need to further determine the extent of the arsenic impacts, source, and if natural attenuation is the appropriate remedial approach. Chapter NR 347 of the Wisconsin Administrative Code (WAC) provides the criteria for sediment sampling and dredging. Chapter NR 347 requires a certain number of sediment samples collected per volume of sediment removed and of the exposed finally grade after dredging. Additional sampling of the sediment and final dredging grade will be necessary to fulfill those requirements. Also, in accordance with NR 347, A Sediment Sampling Plan and a Sediment Dredging Management Plan are required. The EPA Multi-Purpose Grant Assessment funds are needed to complete the two plans.

While some assessment work has been performed by City through previous EPA Assessment Grant funds additional funds are necessary to complete assessment in the areas discussed above and move remedial plans from concept to final approved WDNR plans. The grant will also be used to conduct community outreach, performance reporting, construction oversight, environmental monitoring of cleanup work, and funds management.

- iii) The following provides a summary of estimated time frames for each phase of the project (if awarded by August 2012).
- Community Meeting, Quality Assurance Project Plan (QAPP), Sampling Analysis Plan (SAP), NR 347 Sediment Sampling Plan, and Health and Safety Plan (HASP) with approvals from the regulatory agencies – **August 2012 to November 2012**

- Assessment of uplands and Lagoon Island and sediment sampling with reports – **November 2012 to February 2013**
- Complete Analysis of Brownfield Cleanup Alternatives (ABCA), NR 347 Sediment Dredging Management Plan, WDNR Chapter 30, WDNR NOI with approvals from regulatory agencies and community notification and meetings – **February 2013 – Early Summer 2013**
- Uplands remedial action and sediment dredging – **Mid-Summer 2013 – End of 2013**
- Completed Boat Works Redevelopment – **2013 to 2014**

**b. Multi-Purpose Grant Budget**

i)

**Proposed Budgets for Assessment Funds**

Budget Categories	Task 1 – Uplands and Lagoon Island Assessment	Task 2 – Lagoon Sediment Assessment	Task 3 – Remediation Planning	Task 4 – Community Outreach	Task 5 – Eligible Programmatic Costs	Total
Personnel						
Fringe Benefits						
Travel					\$5,000	\$ 5,000
Equipment						
Supplies				\$ 500		\$ 500
Contractual	\$30,000	\$35,000	\$78,000	\$3,500		\$146,500
<b>Total</b>	<b>\$30,000</b>	<b>\$35,000</b>	<b>\$78,000</b>	<b>\$4,000</b>	<b>\$5,000</b>	<b>\$152,000</b>

**Proposed Budgets for Cleanup Funds**

Budget Categories	Task 1 – Site Cleanup	Task 2 – Monitoring and Documentation	Task 3 – Community Outreach	Total
Personnel				
Fringe Benefits				
Travel				
Equipment				
Supplies			\$ 500	\$ 500
Contractual	\$176,000	\$20,000	\$3,500	\$199,500
<b>Sub Total</b>	<b>\$176,000</b>	<b>\$20,000</b>	<b>\$4,000</b>	<b>\$200,000</b>
<b>Cost Share (20%)</b>	<b>\$40,000</b>			<b>\$40,000</b>
<b>Total with Cost Share</b>	<b>\$216,000</b>			<b>\$240,000</b>

**Description of Task Categories for Assessment Funds**

**Task 1 – Uplands and Lagoon Island Assessments:** This task will include the contractual costs associated with conducting necessary updates to the City's existing QAPP. Task will include completion of SAPs, HASPs, and Assessments. Uplands assessment may include 10 to 12 soils borings with 6 of the borings converted to groundwater monitoring wells. Lagoon Island may include 3 to 4 soil borings with 2 of the borings converted into monitoring wells. This task includes boat rental to transport drilling rig to island.

Draft copies of reports will be forwarded to the WDNR and EPA Region 5 staff for final approval. WDNR VPLE and WDNR assistance fees will also be included in this Task. Environmental sampling and assessment will be completed in accordance with approved QAPP, SAP, and Wisconsin regulations.

Task 2 – Lagoon Sediment Sampling: This Task will include completion of SAPs, HASPs, and NR 347 Sediment Sampling Plan. Draft copies will be forwarded to the WDNR and EPA Region 5 staff for final approval. Numbers of sediment sampling locations will depend upon final total volume of sediment anticipated to be removed. Based on conceptual plan we anticipate up to 8 sampling locations. Environmental sampling and assessment will be completed in accordance with approved QAPP, SAP, and Wisconsin regulations.

Task 3 – Remediation Planning: Remedial Action Plans and Assessment of Brownfields Cleanup Alternative (ABCA)'s will be developed for properties that require remediation prior to or in concert with redevelopment. In addition, all state permitting necessary to proceed with the remedial actions will be completed under this section. This includes: a NR 347 Sediment Dredging Management Plan, WDNR Chapter 30, Dredging Permit, WDNR Noticed of Intent will be developed under this Task. Along with developing these plans, meetings will be held to review alternatives and strategize on the most effective remedial options while considering redevelopment. Remedial Action Plans and ABCA's will be submitted to the appropriate regulatory agency for review and approval. Community Relations Plan (CRP) will also be completed under this Task.

Task 4 – Community Outreach: This task includes activities that will continue to enhance the City's involvement efforts to keep citizens informed and involved. Community outreach efforts include public informational meetings. These costs include contractual costs for the environmental consultant to attend and help coordinate meetings. Supply costs are for preparing, printing, and mailing project information and marketing information.

Task 5 – Eligible Programmatic Costs: This task includes costs associated with travel by city staff to Brownfield-related conferences and meetings, monitoring and enforcement of institutional controls(s).

#### Description of Task Categories for Cleanup Funds

Task 1 – Site Cleanup – The contractual costs are associated with the contractor on site to implement the approved remedial plans. This may include the removal, transportation, and disposal of impacted soil and sediment and the construction of engineered barriers. The remedial construction costs will be much higher than the costs presented in this task. Therefore, the city will pay for the construction costs with other funding sources and use these eligible expenses as the 20% match.

Task 2 – Monitoring and Documentation – Remedial activities will be documented for reporting to the EPA and WDNR. An environmental specialist will be on the site to observe the remedial construction activities, document remedial activities, and be available to answer any questions that may arise as construction progresses.

Task 3 – Community Involvement – Community outreach efforts include public informational meetings regarding the proposed cleanup activities. It is anticipated this meeting will be prior to any cleanup activities. These costs include contractual costs for the environmental consultant to attend and help coordinate meetings. Supply costs are for preparing, printing, and mailing project information and marketing information.

ii) **Tracking and Measuring Progress:** The City plans to track and measure their success relative to the grant in general accordance with EPA Order 5700.7 and EPA 2003 Strategic Plan. The City will look at their progress by the completion of certain project outputs and outcomes for certain sites. Successful outputs may include the completion of at least two public meetings, a public review of one ABCA and Remedial Action Plan, one NR 347 Sediment Sampling Plan, and one NR 347 Sediment Dredging Management Plan with a WDNR Chapter 30, Dredging Permit.

The City hopes to achieve several intermediate and final outcomes. Request for bids submitted to contractors, assessment of the uplands, lagoon island, and sediments will be considered successful intermediate outcomes. Successful final outcomes includes the installation of the approximately 5.0 acres of engineered barrier to limit exposure of impacted soils to the public and surface water to contaminated soil, 800 feet of public walking and biking paths, 10,000 square feet area of restored wildlife area, 4.0 acres

of navigable lagoon for boats, installation of one boat ramp, the construction of 18 public boat piers, and 10,000 square feet of picnic area and restrooms.

The City will track the success of the outputs and outcomes through quarterly reports, which will be submitted to the EPA.

iii) **Leveraging:** The City has committed general revenue funds for in-kind services with Planning Services Division staff administering Brownfields grants. The City does not have any environmental staff. If additional environmental services are required beyond grant funds, Tax Increment Financing funds will be used to fill any funding gaps. Several Tax Incremental Districts exist within the City, seven of which are downtown in the targeted area where Brownfield funds have been concentrated. In addition, the City has set aside \$31 million for redevelopment (design, remediation, and construction of improvements) in the 2012 to 2015 CIP budget funding for the Redevelopment Areas including the Boat Work property. Outline of the CIP and TIF funding is attached as funding documentation.

In the past the City has used federal, state, and private funds for cleanup activities and will continue to pursue these grants as projects are proposed and as grant funds become available. The City was just awarded a \$600,000 WDNR Waterways and \$45,000 Recreational Trails Program grant for the north side Riverwalk. The City also received \$320,000 in State Stewardship Urban Rivers Program, \$45,000 in Federal Recreational Trails funds, and \$177,000 in State Stewardship Acquisition and Development of Local Parks grants for the development of the south side Riverwalk trail system. The grants will be used for design, construction, and the installation of a direct contact cover for the Fox River Riverwalk.

c. **Programmatic Capability and Past Performance**

i) **Programmatic Capability:** The grant will be managed by the City Community Development and the Finance Departments. These two departments will use procedures currently in place for the City's existing grant funds. The Project Manager will be Planning Director Darryn Burich of the Community Development Department and the Assistant Project Manager will be Ms. Darlene Brandt of Community Development. Both Mr. Burich and Ms. Brandt have managed EPA Grants since 2000 and have attended EPA Grant training sponsored by the EPA including the 2009 Chicago training and ACRES training. The City is currently utilizing interns from the local university to help with categorizing greenhouse emissions. The City will work with the university to identify additional intern recruitment. The City has a public bidding system to request for bids from remedial contractors. An advertisement and bids are placed on the Cities website for a prescribed amount of time. Following the time frame, a public bid opening is then performed for transparency during the bidding process. Monies will, as they currently are, be drawn using the Automated Standard Application for Payments (ASAP) Voice Response System (VRS). Quarterly updates will be submitted and updated via ACRES.

ii) **Adverse Audit Findings:** To date, the City has not had any adverse audit findings and has not been required to comply with special "high risk" terms.

iii) **Past Performance**

1. **Currently or Has Ever Received an EPA Brownfields Grant**

**Past and Current Cooperative Agreements Between the City and the EPA:**

o **Fund Expenditure**

EPA Cooperative Agreement	Year of Award	Project Award	Remaining Funds
BP-975386-01 (Pilot)	2000	\$200,000	\$0
BF-96520101 (Assessment)	2003	\$400,000	\$0
BF-96553901 (Cleanup)	2004	\$400,000	\$0
BF-00E04601 (Cleanup)	2006	\$400,000	\$0
BF-00E67201 (Assessment)	2007	\$200,000	\$40,000
BF-00E67201 (Cleanup)	2010	\$200,000	\$200,00

The remaining Assessment funds are earmarked to perform additional assessments on soil removal associated with possible redevelopment/construction, right-of-way improvements or a community garden.

○ **Compliance with Grant Requirements**

The City is current with their quarterly reports, their payment requests, and their financial reports. Preparation of the quarterly reports and the property profiles has been and will continue to be a joint effort between the city and its selected environmental consultants. The quarterly reports will be submitted on ACRES.

○ **Accomplishments**

Significant accomplishments have been achieved in the recent past with EPA grant funding as outlined Section 2.a. Significant accomplishments achieved with the Pilot Grant and Assessment Grants includes a creation of a background study with a Geographic Information System (GIS) database with information on over 200 properties in the central city and riverfront areas, 23 Phase I ESAs, 16 Phase II assessments, five Remedial Action Plans, and three ABCAs and CRPs. The three ABCAs included the EPA "Green Remediation Principals," which was the first time in Region 5 where these principals were included in an ABCA.

Often times, parcels that are the subject of Brownfield assessment are either vacant or underutilized and, therefore, the assessed value of the property is not maximized. Brownfields also affect the value of other properties in the surrounding neighborhood. Nearby vacant, contaminated, or blighted land is a detriment when selling property. This in turn affects the fair market value of the property, which is directly related to the assessed value of the land and buildings. Two recent examples of underutilization include the 100 Block of North Main Street and a portion of the Marion Road Redevelopment Area.

When designated as a redevelopment area in 1985, eight parcels on the 100 Block of North Main Street had a total assessed value of \$119,700. Some of the parcels were vacant and structures on the other parcels ranged in condition from fair to poor to very poor. By designating the block as a redevelopment area, the City began to purchase parcels, demolish buildings, conduct environmental tests, and remove underground storage tanks. Following this initial investment by the City, a request for proposals was distributed and a development was selected that includes a seven-story building with commercial businesses on the first floor, and 64 high-end residential apartments, and underground parking. A certificate of occupancy was issued in September 2003 and the current assessed value is \$4,473,000.

The second example of where Brownfield funds have been utilized is within the first phase of the Marion/Pearl Redevelopment Area, the former site of an abandoned foundry. Since redevelopment activities have commenced, the area has realized the development of four new commercial structures totaling approximately 32,000 square feet of leased or leasable space. The job creation report to the Wisconsin Department of Commerce in February 2005 stated that 32 full-time employees and 98 part-time employees are employed between the four commercial buildings. Currently, the fair market value for these buildings is \$4,295,600. The Phase II development of the Marion/Pearl Road Redevelopment Area started at the early part of October 2009 and was completed by the summer of 2010. The new development increased the assessed value of the Marion/Pearl Redevelopment Area by \$28.3 million. EPA Assessment funds and three EPA Cleanup Grants (BF-96553901 and BF-00E04601) were used to assist with the cleanup and redevelopment. In addition, these three EPA Cleanup Grants remediated 46 acres and help install approximately 700 feet of stormwater bio-swales to treat stormwater before entering into the Fox River.

**3. Community Engagement and Partnerships**

a. A web page has already been created summarizing the City's current and previous brownfields grant proposals including this current grant proposal. Website visitors are given the opportunity to submit comments electronically about the grants and also give the name, phone number, and address of the project contact to submit any oral or written comments. The website address is: [http://www.ci.oshkosh.wi.us/Community\\_Development/Brownfield/Brownfield\\_plan.htm](http://www.ci.oshkosh.wi.us/Community_Development/Brownfield/Brownfield_plan.htm). If successfully awarded, the City will publish a block advertisement in the "Oshkosh Northwestern" informing the public of the award and provide a 30-day comment period prior to executing the contract documents and work plan with the EPA. Within the advertisement, readers would be informed of the grant proposal, the website

address, contact information, and details regarding the public comment period. The notice would also include information about the locations where a copy of the grant proposal is available for public review. These locations are the website, the City's Department of Community Development, and the Oshkosh Public Library Reference Desk. The grant proposal will be made available online and at the library in order to provide opportunities to review the proposal at a time other than regular business hours.

The City will continue to update the webpage designed specifically for the City's current EPA grant awards and any future grant awards. Major accomplishments will be conveyed through press releases to the local newspaper, radio stations, and public access television station.

In February 2003, the Common Council approved a resolution creating the "Redevelopment Authority of the City of Oshkosh, Wisconsin" (RDA). The RDA is a seven-member board whose primary focus is blight elimination, slum clearance, and urban renewal type programming for general redevelopment activities. Progress of the City's grant projects will be reported at RDA meetings, which occur every other month. Meetings are open to the public and advance notice of the meeting's agenda is available to the public. Developers, citizens, consultants, and City staff have been and will continue to be involved in redevelopment planning at different phases of the reuse planning process.

The City will use an open house process to solicit additional input for redevelopment projects and update the public on the assessment grant project. Recommendations from the neighborhood (i.e. a boat launch, rehabilitation of existing homes, streetscaping) will be incorporated into the final plans prior to public hearings, and adoption with the RDA and Common Council. CRPs and draft ABCAs will be available for public review per the 30 day required time period on the above mentioned forums discussion and comments. A Decision Document reviewing public comments will be released and the draft ABCA will be finalized following receipt of public comments.

As noted above, the City will take a varied approach to enable citizens the opportunity to comment in oral, written, and electronic formats. Also on the web page, the following statement was added "If persons requiring special accommodations (large-print, interpreters, etc.) wish to have these documents presented in a different format, please contact the Department of Community Development at 920-236-5055." This statement provides an additional opportunity for citizens needing any special accommodations to learn about the project. To reach Hmong and Hispanic residents, the City will publish materials in Hmong and Spanish. In addition, representatives from both communities will be invited to attend meetings and will be provided with information materials for each meeting.

This application was presented to the public during the recent January 25, 2012 Oshkosh RDA meeting and a block advertisement was presented in the "Oshkosh Northwestern" informing the public of the availability of review at the Department of Community Development office for a 14-day comment period.

**b.** The City will continue to coordinate its redevelopment efforts with state, regional, and local WDNR offices. The City has worked, and will continue to work, with local environmental authorities throughout their redevelopment process. On the local level, Ms. Kathy Sylvester (WDNR) has been integral in focusing our Phase I and Phase II assessments to meet the needs of developers while keeping the state's cleanup regulations a priority to protect human health and the environment. Ms. Kathy Sylvester and the WDNR will be part of the review and approval process for any remedial action plans and institutional and engineering controls. We will close sites using many different state mechanisms including their flexible closure regulations and VPLE program. The VPLE program basically gives the City exemption from future liability for any past contamination on the site once the site reaches a certain cleanup criteria. The State assumes the liability for any past contamination after the impacts on site have been assessed and remediated to the satisfaction of the WDNR. The liability exemption can be passed on to future property owners such as developers, which is a very attractive marketing tool for redevelopment. The City is currently pursuing a VPLE Certificate of Completion (COC) on five parcels within the Marion Road Redevelopment Area and has already received a VPLE COC on two parcels within the Marion Road Redevelopment Area. The city is also looking at VPLE process for several parcels located on the South Shore Redevelopment Area.

Generally, Mr. Tom Verstegen and Mr. Jason Scott from the Wisconsin Department of Commerce (Commerce) have been integral in overseeing and answering questions related to properties where Commerce redevelopment grants and the state petroleum cleanup funds have been used to investigate, remediate, and develop contaminated sites. On the State level, Ms. Darsi Foss and Mr. Bruce Urben have continued to be advocates for the redevelopment efforts of the City. The local and state representatives as well as the local public health department ensure that the public health issues are considered on each site for each contaminant of concern while allowing for a degree of creativity and innovation in handling environmental issues to allow for redevelopment. The City has open communication with all of these regulatory authorities in the form of phone calls, meetings, project updates, required reports, and presentations. The City redevelopment sites have been featured on many WDNR and Commerce promotional items.

Where appropriate, the City will also coordinate projects with the East Central Wisconsin Regional Planning Commission (ECWRPC). The Commission is the official comprehensive planning agency for the East Central Wisconsin counties of Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara, and Winnebago. The ECWRPC has provided assistance with developing the city's transportation and comprehensive plans.

c. Representatives of community-based organizations were contacted regarding the development of this proposal and play a significant part in the redevelopment of Oshkosh. Each entity listed below is willing to serve as the organization's contact for any reference checks the EPA may conduct and provided support of this application or a role in the grant process.

**University of Wisconsin-Oshkosh (UWO):** Originally founded as the Oshkosh State Normal School in 1871, the university campus has had a presence in Oshkosh for over 130 years. The UW system owns over 150 acres in the central city with a portion of the property along the river in close proximity to the city's redevelopment areas. The University believes that these redevelopment projects are vitally important to the future of the city and the University and they fully support the grant proposals. The City is currently using an intern from the university to develop a greenhouse gas inventory as part of the City's effort to reduce greenhouse emissions. This intern will provide assistance to determining how greenhouse emissions can be reduced during Brownfield redevelopment. This partnership will help educate future environmental professionals.

**Oshkosh Area Community Foundation/Community Partnership Committee:** The Oshkosh Area Community Foundation (OACF) is a public charity serving Winnebago, Green Lake, and Waushara Counties. The Executive Director serves on the Community Partnership Committee, a committee that was charged with the responsibility of selecting a design consultant for updating the Downtown Action Plan. The OACF will continue to be one of the City's partners with the implementation of recommendations from the Downtown Action Plan and will provide a role in helping to keep the community informed.

**Oshkosh Chamber of Commerce** is a business organization that promotes and addresses business needs of the community. Prominent business and Chamber Board members with ties to the community would assist the City in public outreach. The Chamber is interested in how this EPA community wide assessment grant could affect future employment in the community.

**Fox-Wisconsin Heritage Parkway (FWHP):** The purpose of the FWHP is to exemplify and promote the natural, recreational and historic resources within the Fox River corridor and create additional opportunities for history interpretation, education, recreation, and tourism.

#### **4. Project Benefits**

##### **a. Welfare and/or Public Health**

One of the main concerns in the Boats Works property is the elevated metals, VOCs, and PAHs that have been detected in soil and/or groundwater. These concentrations are generally a result of 100 years of historical manufacturing and lumberyard operations. EPA funds will be used to complete the site assessments, evaluate exposure routes for contaminants of concern, and prepare remedial action plans for development of the Boat Works property. Access to the site will be prohibited during the assessment and cleanup activities per the HASP. The SAP and HASP will also outline protocols to protect workers and the

public during the assessment activities. The assessment investigation waste will be containerized on-site, placarded as hazardous material, and appropriately disposed. Once the site is fully assessed, a remedial action plan can be developed to meet the needs of the development while addressing the contaminants of concern, and eliminating the threat of exposure due to direct contact, ingestion, inhalation, or impact to groundwater and surface water. In the past, we have used a combination of remedial measures including excavation and off-site disposal, capping impacted fill soil on site, performing risk assessments, performing statistical evaluations to demonstrate background conditions, and where "hot spots" exist, using state's VPLE program and evaluation of more innovative remedial measures to protect human health and the environment.

Many times it is both economical and feasible to determine the extent of impacts and leave these impacts on site using engineering controls that are integrated with the development of the site. In such cases, engineering controls would prevent the groundwater impacts from migrating further and providing barriers (parking lots, buildings, or berms) that will prevent direct contact. Sites with contaminants left in-place will require that institutional controls be placed on the property. Institutional controls can be in the form of a deed restriction, maintenance of engineering controls, and placement on the state's GIS database for contaminated sites. Placement on the WDNR GIS registry of Remediation sites allows anyone with internet access to review the most current environmental data on a site that has been submitted to the State. It allows the public to be aware of what environmental risks are associated with the property. All of the above will be consider in the remedial approach for the Boat Works property. In the end, the Boat Work property will be a safe redeveloped area for public use.

**b. Economic Benefits and/or Green Space**

**i) Economic Benefits:** The residential conversions and the Riverwalk plan meets the goals of the City's Comprehensive Plan and the basic tenets of new urbanism. Also, for developers interested in new urbanism-type projects, the City added "Article XIX Traditional Neighborhood Development" chapter to the Zoning Code in December 2001. In this new urbanism chapter, provisions are made for smaller infill projects, for mixed uses and mixed housing styles, green space, and aesthetic enhancements to provide a neighborhood atmosphere. The city is moving forward with this concept within several areas of Census Tract #5 and #12, and redevelopment of the Boat Works property is a significant component of this plan. Using grant funds for assessment and cleanup activities for the Boat Works property will help lessen the burden on the City's general revenue fund, so that general revenue funds can be shifted to Brownfields redevelopment projects to achieve these goals.

The downtown will also become more attractive and accessible with construction of the Riverwalk that links to the existing WIOUWASH trail. This Riverwalk trail will add over 3.5 miles to the regional WIOUWASH trail which then will be connected multiple communities in Northeast Wisconsin. This connection to the WIOUWASH trail system will help bring people to the central parts of Oshkosh. Options for transportation choice and recreational choice will be attractive for all who choose to visit and live in Oshkosh. Developing and sustaining new business opportunities for the central portions of Oshkosh.

The redevelopment of Brownfields areas into public spaces such as Boat Works promotes adjacent reuse of the properties for light commercial, small businesses or mixed use commercial/residential. Increased affordable housing is necessary to increase the tax base, attract additional services and sustain local small business.

**ii) Greenspace:** Providing sufficient park and outdoor recreation facilities and open space is an integral part of each redevelopment plan along the Fox River. Many of the parks and recreational opportunities located in the redevelopment areas are either deficient in recreational facilities or separated from the neighborhoods that will utilize them. In an effort to improve recreational opportunities, the City adopted the "Fox River Corridor Riverwalk Plan and Design Guidelines" that is consistent with the City's goal of creating an accessible riverfront trail along the Fox River. The trail system is over 3.5 miles in length and will provide a paved path through the heart of the downtown area on both sides of the river. To preserve this trail system, easements will be obtained where the City does not already own the property. The trail system will be a part of the City's public park system and publicly managed and maintained. The trail system will be accessible to pedestrians, boaters, fishermen, and other recreational users.



In 2012, the City anticipates commencement of the construction of Riverwalk along the south side of the Fox River identified in the Riverwalk Plan. Planning for a section of the Riverwalk (William Steiger Park) located directly adjacent to the Boat Works has begun in 2011 and construction is anticipated in 2012 for this section. William Steiger Park will add approximately 2.0 acres of green space.

Boat Works redevelopment will add approximately 5 acres of public space. Shoreline improvements include removing old concrete structures and reestablishment of natural habitat. Landscaping of the green space and Riverwalk will consist of native perennial plants and native canopy trees. The landscape materials selected should require relatively low maintenance and have the ability to survive in extreme conditions, which will reduce maintenance and resource consumption. In October 2011, the city met with officials from the WDNR Fish and Wildlife departments to discuss ways of improving wildlife habitat along the Riverwalk and the Boat Works Redevelopment project. A significant part of the meeting was focused on the Boat Works lagoon island, which has become overgrown with invasive plants. Suggested ideas were to remove the invasive plants and reestablish native species. The island will be established as wildlife refuge for birds, turtles, and smaller mammal species. The island will be connected to the Riverwalk system via a bridge spanning the island. A wildlife viewing platform may be incorporated into the bridge. The Riverwalk will provide better access to shoreline fishing for people with handicap disabilities.

**b. Environmental Benefits from Infrastructure Reuse/Sustainable Reuse:** The City's 2005 Comprehensive Plan incorporates "Smart Growth" policies that look within their existing boundaries and utilize land that is already served by city services for development opportunities as opposed to continuing to annex Greenfield sites for growth on the periphery of the municipality. Redevelopment projects, such as the Boat Works property are consistent with Smart Growth principles.

In the 2005 Comprehensive Plan, the goal "Promote the re-use of land and buildings" was included to develop programs and incentives that decrease consumption of new land and new materials. For example, on demolition projects, the City has the building(s) evaluated for salvage potential in order to reduce the amount of material going to the landfill (and paying for tipping fees), and to possibly create some income potential from the sale of these materials. The City has completed and is planning large demolition projects of existing buildings on several redevelopment sites. Concrete and masonry from the 142,000-square foot Miles Kimball building and the 70,000 square foot Mercury Marine building were crushed on site and some of the material was used as backfill on the City's Marion/Pearl Riverwalk section. It is anticipated the remaining amount of crushed concrete will be used for backfill along both sections of William Steiger Park and the Boat Works property. The City incorporates mandatory recycling of materials in all demolition contracts specifications. A unique reuse of building materials being considered is utilizing old building piles as fish cribs. The cribs will provide additional habitat for fish and other wildlife along the Boat Works Fox River frontage. The City is also considering reusing existing piers from the old Boat Works marina. If the piers are deemed reusable, they will be up graded with new safety and ADA features. If not reusable, the piers will be removed and reused in the landscaping or converted into picnic benches.

The City is committed to moving forward with green energy efficient building standards with its developments. In June, 2011, the City's Sustainability Advisory Board approved a draft Sustainability Plan for Oshkosh. Public input is now being accepted and it is anticipated that the Oshkosh Common Council will act on this Plan in early 2012. A main goal of the Plan is infrastructure reuse and sustainable reuse. Future redevelopment projects will need to include some components of the Plan, such as green construction or LEED certification. The planned Boat Works restroom building will look at incorporating green building features such as a south side facing atrium that will take advantage of direct sunlight for heating and light. A waterless restroom is also being considered. Solar will also be considered for the restroom building and for the pier lighting systems. The Boat Works redevelopment will also look at creating landscaped buffers along the Fox River to reduce stormwater sheet flow into the Fox River. The development plans can also incorporate engineering controls that limit stormwater runoff from contacting impacted soils and assist with the design of stormwater treatment controls (bio-swales). Stormwater will then be directed to existing City stormwater systems reducing the need for additional storm sewer infrastructure. In addition, parking lots and decorative landscaping berms will be used to provide barriers to the fill soils. In this way, the impacted fill soils will be beneficially reused on site. Excess fill material that cannot be reused on site will be used on a landfill for daily cover. The restroom building design will also

incorporate foundation design that will be used as a cap over the impacted fill soils, which will limit the amount of soils going to a landfill.

The City in conjunction with EPA Region 5 completed the first ABCA in the nation that provides a green cleanup review of remedial options. The City voluntarily incorporated the six core elements of green remediation established by the US EPA in our ABCA, showing our commitment to sustainable reuse.

Keeping true to its Comprehensive Plan, the City is essentially trying to give the river back to the residents of the City one parcel at a time. For decades, the riverfront has been home to industrial properties that helped to build this City and the Fox River corridor. Now, the industrial facilities are being moved to planned industrial parks and the riverfront is being transformed into a place for personal enjoyment and enhancing one's environmental well being. The appropriate reuse of these Brownfield areas will provide for additional open space projects including the construction of a segment of the City's Riverwalk, additional green space, and public parking for access to the Riverwalk. By promoting public spaces and Brownfields redevelopment in accordance with the City's 2005 Comprehensive Plan and Downtown Action Plan, the City of Oshkosh is becoming a community which will be known for its river and lake access for many years to come. The redevelopment of the Boat Works property is a key component to the City's plan and city looks forward to the EPA as a continued key partner.

### Appendix 3

#### Special Considerations Checklist

Please identify (with an X) if any of the below items apply to your community or your project as described in your proposal. EPA will verify these disclosures prior to selection of the grant.

- Community population 10,000 or less
- Federally recognized Indian tribe
- United States territory
- Applicant assisting a Tribe or territory
- Targeted brownfield sites are impacted by mine-scarred land
- Targeted brownfield sites are contaminated with controlled substances
- Community is impacted by recent natural disaster(s) – *Flooding from the Fox River in 2009 and 2010 damaged public buildings.*
- Community demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation – *Funding through the City's Tax Incremental Financing Districts and Capital Improvement Funding.*
- Community experiencing plant closures (or other significant economic disruptions), including communities experiencing auto plant closures due to bankruptcy – *Approximately 2,000 people have been laid off due to plant closures or work force reduction since 2008.*
- Applicant is a recipient of a HUD/DOT/EPA Partnership for Sustainable Communities grant