



November 19, 2012

**CERTIFIED MAIL**

Environmental Management Support, Inc.  
Attn: Mr. Don West  
8601 Georgia Avenue, Suite 500  
Silver Spring, MD 20910  
Phone: 301-589-5318

U.S Environmental Protection Agency Region 7  
Attn: Ms. Susan L. Klein  
11201 Renner Boulevard  
Lenexa, KS 66219  
Phone: 913-551-7786

**RE: FY 2013 U.S. EPA Coalition Brownfields Assessment Grant Application**

Dear Mr. West and Ms. Klein:

The Kansas Department of Health and Environment (KDHE), is pleased to submit this Brownfields Coalition Assessment Grant application for \$600,000 (\$300,000 hazardous substances and \$300,000 petroleum). The KDHE will lead the Coalition with our partners: City of Chanute, Fort Scott/Bourbon County Riverfront Authority, and City of Ottawa. A Memorandum of Agreement will be developed and signed by each Coalition member once the grant is awarded which will outline the site selection process, distribution of funds, and mechanism for implementing work under the grant.

The KDHE formed this Coalition as an opportunity to obtain critical funding to assist rural-based communities in Kansas, that would otherwise not have access to the necessary resources to perform environmental assessments, remedial action planning, and community outreach activities which will result in the redevelopment of underutilized properties. The Coalition communities are facing escalating challenges in an increasingly competitive regional, national, and global marketplace. It is imperative that Coalition members enhance their communities and economic development efforts in order to effectively contend for residents, jobs, and industry. Specific to the intent of EPA Brownfields funding, Coalition communities also face various environmental obstacles from poor water and air quality, to dilapidated building structures containing asbestos and lead paint. These conditions present exposure risks throughout the communities that particularly affect a disproportionate percentage of sensitive populations.

The Coalition has inventoried over 60 brownfields properties available for assessment, cleanup planning, and redevelopment and has leveraged local and private funding to redevelop brownfields within the target areas. The ability to leverage funding will reap significant economic and environmental benefits for the State.

As requested, please find the following **Transmittal Letter Contents:**

- a. Application Identification: KDHE Brownfields Program, 1000 SW Jackson, Suite 410, Topeka, Kansas 66612-1367
- b. DUNS Number: 175941483
- c. Funding Requested:
  - i. Grant Type: Assessment
  - ii. Federal Fund Requested: \$600,000
  - iii. Contamination: \$300,000 hazardous substances and \$300,000 petroleum
  - iv. Coalition

- d. Location: City of Chanute, Neosho County, Kansas  
City of Fort Scott, Bourbon County, Kansas  
City of Ottawa, Franklin County, Kansas  
Kansas Communities State-Wide
- e. N/A
- f. Contacts:
- i. Project Director: Maggie Weiser, Brownfields Coordinator  
1000 SW Jackson, Suite 410, Topeka, Kansas 66612-1367  
Phone: 785-296-5519 Fax: 785-296-7030 Email: [mweiser@kdheks.gov](mailto:mweiser@kdheks.gov)
- ii. Chief Executive: Robert Moser, Secretary, KDHE  
1000 SW Jackson, Suite 540, Topeka, Kansas 66612-1367  
Phone: 785-296-0461 Fax: 785-368-6368 Email: [rmoser@kdheks.gov](mailto:rmoser@kdheks.gov)  

- g. Date Submitted: November 19, 2012
- h. Project Period: 3 years from the date of grant award
- i. Population:
- i. State of Kansas: 2,871,238; City of Chanute: 9,085; City of Fort Scott: 7,990; City of Ottawa: 12,620 (According to 2011 US Census data)
- ii. N/A
- j. Special Considerations: As indicated on the checklist, portions of the Coalition members are communities of less than 10,000 residents. The Coalition also has firm leveraging commitments for facilitating brownfields project completion as documented in Attachment IV of the application.

KDHE is very excited to participate in this coalition grant as the lead applicant and looks forward to the opportunity to support economic growth and sustainability in our State.

Sincerely,



Robert Moser, M.D., Secretary  
Kansas Department of Health and Environment

cc: Rick Bean, KDHE

### 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 and may consider this information during the selection process. Describe how each consideration applies to your proposal and/or attach documentation.

- Community population is 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) (2005 or later). To be considered, applicant must identify here the timeframe and type of natural disaster.
- Project is primarily focusing on Phase II assessments
- Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation
- Community experiencing plant closures (or other significant economic disruptions) (2007 or later), including communities experiencing auto plant closures due to bankruptcy or economic disruptions. To be considered, applicant must identify here the timeframe and name of the plant recently closed and jobs lost, or reason for other significant economic disruption.
- Applicant is a recipient or a core partner of a HUD-DOT-EPA Partnership for Sustainable Communities (PSC) grant that is directly tied to the project area, and can demonstrate that funding from a PSC grant has or will benefit the project area. To be considered, **applicant must attach documentation** which demonstrates this connection to a HUD-DOT-EPA PSC grant.
- Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant
- Community is implementing green remediation plans.

**1. Community Need:** The Kansas Department of Health and Environment (KDHE) is the applicant for a \$600,000 Coalition Assessment Grant. The grant provides a unique opportunity for the State of Kansas and partnering communities to assist key rural-based areas by promoting redevelopment, job creation, tourism opportunities, housing, and creation of greenspace. The KDHE will lead the Coalition with our partners: *City of Chanute, Fort Scott/Bourbon County Riverfront Authority, and City of Ottawa*. Kansas, like other rural states, is currently facing unprecedented economic development and job creation challenges. A significant impediment to economic growth are hundreds of brownfields (approximately 60 identified in this proposal alone) across the State. The KDHE formed this Coalition as an opportunity to obtain critical funding to assist rural Kansas communities that would otherwise lack the necessary resources to address brownfields.

The target areas discussed in this proposal are within a primarily rural setting (i.e., population less than 100,000). Out of the 105 Kansas counties, 100 are almost entirely rural with populations less than 10,000.<sup>1</sup> These communities were built around main commercial streets and relatively compact, walkable neighborhoods, with valuable infrastructure that served their needs. Today, these same communities face an array of challenges: unemployment, poverty, population decline, aging of workforces, limited transportation options, and increasing demands for social services with less funding to pay for them, and are not subject to advantages provided by major metropolitan areas. Redevelopment of brownfields is often seen as a deterrent where greenspace is abundant and can easily be designated for future use/construction without the liability concerns associated with environmental contamination. Environmental concerns and potential public health risks are further compounded by neglecting brownfields that would otherwise be characterized and addressed through the normal course of environmental due diligence. The Financial Need Section shows Coalition partners and communities lack the resources to commit to brownfields redevelopment without financial assistance from EPA and other funding sources. This EPA grant funding will help stimulate brownfields redevelopment and enable the Coalition communities to develop affordable housing, create new/enhance existing trails and park space, and increase available commercial property to new business. The results; an increased tax base, employed residents, improved quality of life, and revival of the community. These goals align with the equitable development and livability principals, explained in the Project Benefits section.

a. *Health, Welfare, and Environment*: The Coalition has targeted 57 brownfields for redevelopment. The suspected contaminants of concern (COCs) associated with these properties include, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), heavy metals, polychlorinated biphenyls (PCBs) polynuclear aromatic hydrocarbons (PAHs), total petroleum hydrocarbons (TPHs), nitrates, chlorinated fumigants, herbicides, pesticides, asbestos, lead-based paint etc. Human health, particularly for sensitive populations, is threatened through exposure by direct contact, ingestion, and/or inhalation resulting in health effects that may include skin irritation, headaches, nausea, liver and kidney damage, blood diseases, birth defects, damage to the nervous, immune, and respiratory systems, and even cancer.<sup>2</sup> According to Scorecard.org, poverty-stricken Kansas children (16.2%) live near five airborne pollutant facilities per square mile while Kansas children above the poverty level live in areas with only one.<sup>3</sup> It is crucial for the health and well-being of Kansas residents, especially children, that brownfields are identified and cleaned up to reduce exposure to environmental toxins. The following paragraphs introduce our target areas, describe current challenges, and provide a brief summary of the priority properties.

The **City of Chanute's Economic Development Strategic Plan**, July 2011 (EDSP), identifies critical components for developing a successful downtown, retail district, and day travel tourist destination: attractive streetscapes surrounded by accessible retail and restaurants, attractive public areas and

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<sup>1</sup> 2011 Census data; <http://quickfacts.census.gov/qfd/states/20000.html>, accessed September 2012

<sup>2</sup> ATSDR. <http://www.atsdr.cdc.gov>

<sup>3</sup> Statistics provided from 2005 Green Media Toolshed – available online at [www.scorecard.org](http://www.scorecard.org)

greenspace. Unfortunately, brownfields create significant redevelopment obstacles. Eight priority brownfields, approximately 229 acres, have been identified within Chanute's brownfields redevelopment districts (BRDs) located along the U.S. 169 and Highway 39 corridors, the primary gateways to the city and main thoroughfares for tourism, travel, and pedestrian traffic. Brownfields create visible blight and negatively affects the welfare of the community through environmental exposure risks and diminished revenue from local and out of town spending. Chanute's commitment letter, Attachment II, describes priority brownfields and prospective future uses of these properties. The eight priority brownfields are located near schools and along designated safe routes to schools. More than 23% (national average) of Chanute's population are children under 18 with 20.3% living in poverty.<sup>1</sup> Chanute's overall poverty rate, 22.1%, almost doubles the state average, 12.4%, and is also higher than the national average, 13.8%. Chanute is 16.8% elderly which is higher than the state and national average of 13.3%.<sup>1</sup> Vacant and dilapidated buildings are often poorly secured and can be appealing to trespassers, including children, who might be exposed to chemicals, asbestos, lead-based paint, and other building hazards. Children, sensitive, and low-income populations rely heavily on local and public resources and are more likely to live near and frequent brownfields, increasing their exposure to airborne and other contaminants.

People of color make up approximately 2% of the total population in Chanute<sup>1</sup> and being located in southeast Kansas, are 11% more likely to be exposed to toxic chemicals.<sup>3</sup> A majority of this minority population live near at least one identified brownfields. Neosho County is in the 90<sup>th</sup> percentile for lead paint exposure risks for children ages five and under<sup>3</sup>, and 47% of children under five live in poverty. Chanute and Neosho County rank among the 90<sup>th</sup> percentile for impaired water bodies (overall water quality) and toxic releases associated with property development and construction. Chanute also ranks among the 80<sup>th</sup> percentile for contaminant releases to air<sup>3</sup>. These are serious environmental justice concerns that the Coalition will address with grant funding.

The **Fort Scott/Bourbon County Riverfront Authority (Riverfront Authority/Fort Scott)** was established in April 2007 to protect and restore the environmental integrity of the Marmaton River area in northern Fort Scott, Kansas. The Riverfront Authority worked with the public to develop the *Fort Scott Riverfront Development Concept Plan, 2007*, illustrated in their commitment letter (Attachment II), consisting of waterfront features, recreational and picnic areas, a botanical garden, open greenspaces, and pedestrian/bike trails that seamlessly connect the river with the historic downtown district. The Riverfront Authority's BRD is 26 acres of vacated riverfront property located near Fort Scott's main tourist destination, *Fort Scott National Historic Site*. Tourism is vital to the local economy and has been dampened by vacated and underutilized properties. Thus, environmental concerns and financial obstacles hinder redevelopment in this area. Sixteen priority brownfields have been identified within the BRD. Three of these properties have already had Phase I assessments conducted through the State of Kansas Brownfields Program (KBP) and require Phase II assessments. The Phase I suspected COCs and others yet undiscovered, present a wide range of potential health and environmental effects.

Northern Fort Scott has a lower income population and older run-down neighborhoods. Approximately 20.6% of the population lives in poverty as opposed to the national average, 13.8%.<sup>1</sup> The elderly population, 18.1%, exceeds the state and national average of 13.3%, a majority of whom are uninsured. About 19% of Bourbon County's elderly are uninsured. Local health care benefits fall short of the state average because many lack insurance.<sup>4</sup> Bourbon County's health outcomes are ranked 92<sup>nd</sup> out of the 105 Kansas counties.<sup>5</sup> Minorities account for almost 10% of the population and a county-wide study based on EPA exposure criteria found people of color are 11% more likely to be exposed to toxic chemicals.<sup>3</sup>

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<sup>4</sup> 2009-2010 Health data, <http://www.kansashealthmatters.org/index.php>, accessed September 2012

<sup>5</sup> <http://www.countyhealthrankings.org/#app/kansas/2012/rankings>, accessed September 2012 (Ranking from 1 to 100; best health to worst health)

Approximately 1,600 students attend two elementary, one middle, and two high schools within one-mile of the riverfront BRD. The closest elementary school is within one-half mile, thus increasing the concentration of young pedestrian traffic through and near brownfields, who unknowingly may be exposed to environmental and health hazards. As 22.4% of children live in poverty, nearly half of the student population receives reduced or free school meals. Disproportionate environmental conditions also extend to air quality with documented diesel soot levels more than 107 times the EPA threshold for acceptable cancer risk.<sup>3</sup> These sensitive populations struggle to afford routine medical screening and follow-up treatments and are more susceptible to environmental contaminants because such services are neglected.

The **City of Ottawa** is the commercial, manufacturing, and educational hub of Franklin County. However, U.S. 59, has been rerouted around the city, and several businesses have abandoned their downtown properties<sup>6</sup>. The City has three identified BRDs: North Main Street, Downtown Main Street, and South Main Street. Thirty-three properties on 85 acres have been prioritized for brownfields redevelopment and 10 more have been identified outside the BRDs. Sixty identified underground storage tanks sites are known sources for petroleum/hazardous substances. Children are 27% of Ottawa's population, exceeding the state (25.2%) and national (23.7%) averages.<sup>1</sup> Unified School District (USD) 290 serves 2,495 students in three elementary, one middle, and one high school. More than half, 51.4%, of the student population is eligible for reduced or free school meals, an increase since 2003 when only 37.3% qualified.<sup>7</sup> Four schools are within about one-half mile radius of the BRDs, and one within a mile. The closest elementary school is only six blocks from the Downtown Main Street BRD, thus a steady flow of young pedestrian traffic through and near identified brownfields. The *Prairie Spirit Trail*, a heavily used walking/biking trail, parallels the Downtown and South Main Street BRDs and a senior housing facility is located within six blocks of the BRDs. The elderly population of Ottawa is 13.2%.<sup>1</sup> Due to the high volume of foot traffic through the BRDs, sensitive receptors may be exposed to environmental and health hazards. Identifying and addressing brownfields is crucial to protect children and the elderly living at or near sources of pollution.

While most of the assessment funds will be used in the Coalition areas, remaining funds will be applied across **Kansas**. Properties are identified daily that require environmental assessment and cleanup planning. The number of Brownfield Targeted Assessments (BTAs) completed by the KBP has increased from six in 2003 to 49 in 2011. KDHE expects the inventory of brownfields to continue increasing as rural communities look for development strategies to pursue economic opportunities while maintaining the rural character that resident's value. The money from this grant will enable KDHE to help with assessment, cleanup, and redevelopment planning essential for rural communities and small towns to survive.

b. Financial Need: Regional and national economic trends have reduced job opportunities and desirable real estate within once thriving rural communities. Whether real or perceived, environmental contamination is a significant barrier to local entrepreneurs who wish to start or expand a business within their community, and to larger companies seeking expansion opportunities in Kansas who prefer greenspace rather than acquire properties with an uncertain bill of health. Whether big or small, costs of assessing and devising a cleanup plan can be prohibitive. Environmental due diligence thus becomes a costly burden, forstalling projects that would be financially attractive, create jobs, increase the tax base, and benefit the community as a whole. A majority of smaller Kansas communities simply do not have the resources to apply for 104(k) grant dollars and rely on State assistance with their brownfields development projects. With limited and shrinking 128(a) funding, receiving this Coalition grant will ensure assistance to small/rural communities in need, saving both time and federal resources through an established and streamlined process. Table 1

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<sup>6</sup> Garcia, Jodie. "Will bypass hurt downtown Ottawa?" *Ottawa Herald*. 9 Oct. 2008.

<sup>7</sup> 2012 Enrollment Data, USD 290

further demonstrates our need of financial support for local economic growth and brownfields redevelopment.

**Table 1: Target Areas, State, and U.S. Census Data**

Demographic Data	Chanute	Fort Scott	Ottawa	State of Kansas	National
Population <sup>1</sup> :	9,085	7,990	12,620	2,871,238	311,591,917
Unemployment:	8.5% <sup>3</sup>	8.4% <sup>2</sup>	6.6 <sup>2</sup>	6.7% <sup>2</sup>	8.2% <sup>4</sup>
Poverty Rate <sup>1</sup> :	22.1%	20.6%	8.1%	12.4%	13.8%
Percent Minority <sup>1</sup> :	7.6%	9.7%	9%	12.6%	21.9%
Median Household Income <sup>1</sup> :	\$32,850	\$33,765	\$43,166	\$49,424	\$51,914
Per Capita Income <sup>1</sup> :	\$15,909	\$17,004	\$20,604	\$25,907	\$27,334
Sensitive Populations <sup>1</sup> :					
Children:	25.3%	25.5%	27%	25.2%	23.7%
Below poverty level <sup>5</sup>	20.3%	22.4%	10.8%	16.2%	18.6%
Elderly:	16.8%	18.1%	13.2%	13.3%	13.3%
Uninsured (County) <sup>5</sup>	18.1%	18.9%	14.9%	13%	16.5%

<sup>1</sup>-2011 Census data; <http://quickfacts.census.gov/qfd/states/20000.html>, accessed September 2012

<sup>2</sup>-July 2012 Labor data, Kansas Department of Labor; <http://www.dol.ks.gov>, accessed September 2012

<sup>3</sup>- Chanute Economic Development Strategic Plan, 2011

<sup>4</sup>- Bureau of Labor Statistics; <http://www.bls.gov>, accessed September 2012

<sup>5</sup>- 2009-2010 Health data for respective county, <http://www.kansashealthmatters.org/index.php>, accessed September 2012

Children are over 25% of the population in all target areas, more than the national average of 23.7%. Unemployment is equal or slightly higher than state- and nation-wide, and those who have jobs work for less. The median household incomes in Chanute, Fort Scott, and Ottawa, range from 13% to 34% and 17% to 37% lower than the than the state and national averages, respectively. Per capita income \$15,909 (Chanute), \$17,004 (Fort Scott), \$20,604 (Ottawa), is very low compared to the national value (\$27,334). Kansas' median and per capita income is 5% lower than nationally. In addition, each Coalition target area also has its own limiting factors and challenges.

**Chanute's** population and economy peaked in the 1950s. Since then, younger workers have left the area making it harder to sustain the local economy. Chanute's labor basin, defined as those living within a 40 minutes of the city limits is 31,484 while the city population is 9,085. From 2000 to 2010, the labor basin fell by 5.7%, higher than Neosho County (2.9%).<sup>8</sup> These populations will continue to decline unless employment opportunities improve. Local tax revenues are down due to business closure, the lack of spending from the unemployed, and a decline in property values. Property taxes in Neosho County were \$1,224 per capita in 2011, lower than the state average of \$1,346.<sup>9</sup> Several employment opportunities will be stimulated by brownfields redevelopment and associated projects (Section 2.b.iii). However, a lack of supplemental funds, provided by this grant, may stymie such opportunities.

The **Riverfront Authority's** brownfields redevelopment plan emphasizes greenspace to create attractive riverfront properties; improve its appeal and boost nearby development opportunities. Lone Star Machining has already moved into an old depot building in the project area, and the former Smith and Chambers railroad salvage operations were recently purchased and continue to operate. However, two other industrial properties are now vacant and about 15 jobs were lost. Property devaluations cost the City

<sup>8</sup> Chanute's Economic Development Strategic Plan, July 2011

<sup>9</sup> State of Kansas, Department of Revenue Website, accessed October 2012

\$16,849 in 2011 property tax revenue.<sup>10</sup> Numerous households within and near the brownfields properties require some form of social security (37.5%) or public assistance (6.3%); much higher than the state (26.2% and 2.4%) and national (25.7% and 3.4%) figures.<sup>10</sup> Phase II assessments are needed but cannot proceed without funding currently unavailable to the Riverfront Authority.

In **Ottawa**, the economic downturn coupled with the U.S. 59 bypass has significantly reduced local sales volumes. Main Street, no longer a U.S. highway, has been re-designated a county road, and the City has lost \$323,850 of annual federal funds.<sup>11</sup> USD 290 must provide more free school meals with reduced funds and were forced to eliminate staff and close two elementary schools, adding more strain to the local economy.<sup>7</sup> The Ottawa Utility Assistance Program has seen the number of elderly customers, 13.2% of the population, needing assistance double over the last five years. Revenue generated from local taxes and fees declined approximately \$250,000 from 2008 to 2011.<sup>12</sup> The City also lost \$23,095 in transient guest taxes in 2009. Property taxes in Franklin County, were \$1,087 per capita in 2011, lower than the state average of \$1,346.<sup>9</sup> To offset these losses, Ottawa has raised their sales tax rate to 8.9%, higher than other Kansas towns which an average of 7.8%.<sup>9</sup> City revenues are projected to continue declining without this essential grant funding to encourage revitalization of the City's downtown.

Economic opportunities in small and rural **Kansas** communities are limited and more vulnerable to changing economic conditions such as the rerouting of railroad and highway traffic, or the closing of a major area employer. While the state's overall unemployment rate is better than the national rate, since November 2007, Kansas employment has fallen 5.3%.<sup>13</sup> Many Kansas communities have a population of less than 10,000, (a criterion on the Special Considerations Checklist) where the loss of jobs has a more significant impact for local residents and the economy. Disadvantaged children and the elderly become even more susceptible to environmental contaminants when routine screening and follow-up treatments are neglected.<sup>14</sup> To ensure their long-term viability, small and rural communities are seeking to increase their economic base by attracting and starting new businesses.<sup>15</sup> However, brownfields redevelopment has been hampered by the fear of exposure and exorbitant remediation cost associated with potential environmental hazards.

**2. Project Description and Feasibility of Success** a. *Project Description:* The Coalition held a meeting on September 17, 2012, to gather input on the brownfields assessment grant process and inventory properties within each Coalition area. Fifty-seven brownfields, summarized in Table 2, were identified and prioritized. The primary objective of this grant funding will be on assessment and cleanup planning (as necessary) of these priority properties. The existing brownfields inventory will be expanded based on future community need and funding availability.

**Table 2: Priority Properties Summary**

Target Area Properties Past/Current Uses	Suspected COCs	Prospective Land Uses
Chanute – 8 properties <i>commercial, industrial, manufacturing, motel, golf course, petroleum related activities, and mixed use</i>	VOCs, TPHs, metals, pesticides, herbicides, asbestos, and lead-based paint	Commercial Retail Incubator, Aircraft Manufacturing, Community Center, Greenspace, and Recreational Areas

<sup>10</sup> City of Fort Scott 2012 Budget Report

<sup>11</sup> Kansas Department of Transportation

<sup>12</sup> City of Ottawa, Kansas 2012 Budget Report

<sup>13</sup> State of Kansas Department of Labor, *2011 Kansas Economic Report*,

<sup>14</sup> Center for Disease Control and Prevention – Atlanta, GA; updated 2010

<sup>15</sup> Morgan, J. et al. 2000. Homegrown Responses to Economic Uncertainty in Rural America. *Rural Realities*, v.3, no. 2. <http://www.ruralsociety.org>.

Target Area Properties Past/Current Uses	Suspected COCs	Prospective Land Uses
Fort Scott/Riverfront Authority – 16 properties <i>foundry, bulk petroleum &amp; refining depot, freight depot, grain elevator, marble &amp; granite works, machine shop, service stations, etc.</i>	TPHs, benzene, chlorinated fumigants, herbicides, pesticides, heavy metals, and PAHs	Waterfront Recreational Areas, Gardens, Parks, Bike Trails, Greenspace, and Walking Paths
Ottawa – 33 properties <i>commercial &amp; retail business, manufacturing, restaurants, service stations, and mixed use</i>	TPHs, VOCs, PAHs, chromium, unknown metals, asbestos, and lead-based paint	Commercial & Retail business, Restaurants, YMCA, Low-Income Housing, Walking / Bike Trails, Community Center and Gardens

The Coalition's goals include: 1) protect/improve environmental conditions and natural resources, 2) improve quality of life by reducing environmental contaminants, 3) develop parks, trails, and greenspace to enhance the quality of life, 4) develop affordable housing, and 5) stimulate commercial and industrial growth. These goals are reflected in the community plans established for each target area. The properties identified in this proposal represent prime examples of this strategy.

The KDHE will be the administrator of the grant and will coordinate all aspects with a designated representative from each target area. KDHE has demonstrated experience with the EPA Brownfields Assessment process, (Section 2.c.), regional environmental and geological conditions, and rules and regulations administered by the Agency. KDHE has successfully managed a state-wide Kansas Brownfields Program (KBP) in EPA Region 7 since 2003 and is currently assisting the Kickapoo Tribe in establishing a viable brownfields program for their nation. The Coalition will utilize the KBP's established and successful Brownfields Targeted Assessment (BTA) process for assessing priority properties as well as identifying and selecting additional brownfields. The BTA process begins with submittal of a BTA application, readily available on the KDHE webpage. The State Brownfields Coordinator reviews each application to evaluate property eligibility, redevelopment potential, community need, and potential environmental concerns. For the petroleum assessment sites, liable/viable determinations will be made in cooperation with KDHE's Storage Tank Section. If the application is approved, KDHE proceeds with using one of their federally procured contractors (these contractors will meet the definition of an Environmental Professional) to conduct property-specific activities (e.g., Phase I and/or Phase II assessments). This established process is streamlined and cost-effective. In anticipation of this grant funding, Coalition members have already begun communicating with property owners to gain access and resolve any issues. The KBP has an instrument in place for obtaining property access which will be used for inventoried properties without existing agreements.

b. *Budget for EPA Funding, Tracking & Measuring Progress, and Leveraging*

i) **Table 3: Proposed Budget for Hazardous Substance & Petroleum Assessment Project**

Budget Categories	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	TOTALS
	Project Management	Community Outreach and Education	Phase I Assessment	Phase II Assessment	Other Assessment Activities (NESHAP/Lead-Base Paint Assessments)	Cleanup & Strategic Planning	
<b>Hazardous Substance</b>							
Personnel	\$4,700	\$2,400	\$4,500	\$6,000	\$5,000	\$7,000	<b>\$29,600</b>
Fringe	\$1,100	\$600	\$750	\$1,700	\$1,050	\$1,250	<b>\$6,450</b>
Travel	\$2,000	\$300	\$0	\$0	\$300	\$600	<b>\$3,200</b>
Supplies	\$0	\$300	\$0	\$1,000	\$250	\$0	<b>\$1,550</b>

**Table 3 Continued**

Budget Categories	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	TOTALS
Contractual	\$0	\$0	\$89,500	\$120,000	\$33,200	\$15,000	\$257,700
Other	\$250	\$250	\$250	\$250	\$250	\$250	\$1,500
<b>Subtotal</b>	<b>\$8,050</b>	<b>\$3,850</b>	<b>\$95,000</b>	<b>\$128,950</b>	<b>\$40,050</b>	<b>\$24,100</b>	<b>\$300,000</b>
<b>Petroleum</b>							
Personnel	\$4,700	\$2,400	\$4,500	\$6,000	\$5,000	\$7,000	\$29,600
Fringe	\$1,100	\$600	\$750	\$1,700	\$1,050	\$1,250	\$6,450
Travel	\$2,000	\$300	\$0	\$0	\$300	\$600	\$3,200
Supplies	\$0	\$300	\$0	\$1,000	\$250	\$0	\$1,550
Contractual	\$0	\$0	\$89,500	\$120,000	\$33,200	\$15,000	\$257,700
Other	\$250	\$250	\$250	\$250	\$250	\$250	\$1,500
<b>Subtotals</b>	<b>\$8,050</b>	<b>\$3,850</b>	<b>\$95,000</b>	<b>\$128,950</b>	<b>\$40,050</b>	<b>\$24,100</b>	<b>\$300,000</b>
<b>TOTAL</b>	<b>\$16,100</b>	<b>\$7,700</b>	<b>\$190,000</b>	<b>\$257,900</b>	<b>\$80,100</b>	<b>\$48,200</b>	<b>\$600,000</b>

Notes: The Coalition does not anticipate the need for "equipment" purchases (i.e., items costing ≥\$5,000); and, therefore this line item was not included in the budget table.

\* –As a State agency, KDHE cannot offer in-kind services like a City or other local government entity may provide. Using the State is more efficient than hiring additional City staff to administer the grant.

**Task 1: *Project Management, \$16,100*** – A total of \$11,600 (\$5,800 each for petroleum and hazardous substances) in personnel and fringe benefits has been allotted for the KDHE Brownfields Coordinator, and KDHE staff, to will manage, track, and measure project progress and prepare necessary reports (quarterly and ACRES). The Coordinator will assign projects to contractors, establish deadlines, monitor progress, and oversee the grant budget with support from KDHE financial staff. The Coordinator will also report progress to other Coalition members and the public through regularly scheduled meetings. This task includes property screening with regard to "liable and viable" requirements mentioned above for priority and new sites. There is an estimated \$4,000 for traveling to regional and national conferences, workshops, meetings, etc. and/or other training opportunities as they become available, and \$500 for other programmatic expenses such as telecommunications, printing, and copying. In addition, existing funds supporting Coalition member staff time will be used for this task per the *leveraging* section.

**Task 2: *Community Outreach and Education, \$7,700*** – Community involvement, from key stakeholders to the general public, is essential. Funds in this task will facilitate community outreach and education, coordinating/conducting community outreach events and meetings, and preparing, printing, and distributing project information and marketing documents. These tasks will engage the public and solicit public comment on brownfields investigations and cleanup planning activities, and market properties for future redevelopment. The Coalition will hold/participate in a minimum of 12 (one per year per target area) public outreach events throughout the grant period. Outreach efforts will also be leveraged with TAB resources per the *leveraging* section.

**Task 3: *Phase I Environmental Site Assessment (ESAs), \$190,000*** – Phase I ESAs will be conducted by KDHE's federal and state contractors, selected in accordance with procurement guidelines, for a total of \$179,000 (\$89,500 each for petroleum and hazardous substances). Phase I ESAs will comply with All Appropriate Inquiries (AAI) and the ASTM standard for Phase I ESAs (E1527-05). Phase I ESAs estimated costs range from \$2,500 to \$3,000 per property.<sup>16</sup> Estimated outputs include 57 Phase I ESAs divided

<sup>16</sup> Values based on KDHE's experience with hiring contractors and actual work performed over the past 10 years.

between hazardous substance and petroleum impacted properties with focus on the areas identified above in Table 2. In addition, \$11,000 has been allocated for KDHE staff to review Phase I reports, complete the AAI checklist and Brownfield Assessment Decision Forms and submit to the EPA, and to oversee consultant field work on a select number of projects.

**Task 4: Phase II Environmental Site Assessments (ESAs), \$257,900** – A total of \$240,000 (\$120,000 each for petroleum and hazardous substances) is estimated for Phase II ESAs. Phase II ESAs will be conducted by federal and state procured contractors on properties where recognized environmental conditions (RECs) have been identified during the Phase I. Estimated costs for completing Phase II ESAs range from \$8,000 to \$10,000 per property depending on its complexity<sup>16</sup>. Approximately 26 Phase II ESAs (14 hazardous substance and 12 petroleum impacted properties) will be conducted. Experienced and qualified KDHE staff will oversee all Phase II activities: review and approval of site-specific field sampling plans and reports, field oversight, travel to and from properties, and collection and analysis of quality assurance/quality control (“split samples”) samples and associated supplies (i.e., sample containers, gloves, filters etc.). A total of \$17,900 has been allotted for such oversight activities.

**Task 5: Other Assessment Activities (Phase III, NESHAP, and Lead-Based Paint Assessments), \$80,100** - Phase III supplemental assessments may be warranted if contamination, but not the source, is identified during a Phase II ESA. Phase III ESAs may also include add-scope items such as NESHAP-compliant bulk asbestos testing for renovations or demolition and/or lead-based paint characterization. Supplemental activities may increase Phase III ESA costs an estimated 10 to 20% (based on past experience). In some instances, ASTM-certified KDHE Staff may conduct Phase III supplemental assessments. It is anticipated that three to four Phase III supplemental assessments and about 10 asbestos or lead-base paint sampling projects may be needed.

**Task 6: Cleanup and Strategic Planning, \$48,200** – Properties with contamination above regulatory levels will be evaluated for potential cleanup strategies. KDHE and their consultants will provide technical expertise and facilitate cleanup and reuse planning for properties where redevelopment is imminent. Otherwise, KDHE will guide local communities and property owners to the appropriate state programs (i.e., Voluntary Cleanup and Property Redevelopment Program (VCPRP), LUST and Dry Cleaning Trust Funds, etc.) to address contamination issues. An Analysis of Brownfields Cleanup Alternatives (ABCA) will be conducted where EPA Brownfields cleanup or revolving loan fund grants will be pursued. Health department representatives will be on hand to discuss potential health risk associated with any identified contaminants, per the *leveraging* section.

b. ii) Throughout the grant period, KDHE will report on the following outputs and outcomes in quarterly reports to measure project success. Tracking will be accomplished through established KDHE tracking databases including the KDHE Brownfields and Identified Sites databases.

Task	Outputs	Outcomes
Task 1	Quarterly Reports and ACRES Submittals	Complete quarterly reports and ACRES updates
	Increase Brownfields Inventory	Number of new properties identified, inventoried, and prioritized
Task 2	Attend National/Regional Brownfields Conferences	Continuing education in brownfields funding, issues, and redevelopment strategies
	Develop at least four brownfields related fact sheets	Increase awareness of brownfields redevelopment
	Host/participate in at least 12 public outreach “events”	Number of groups and attendees at outreach events and number of public inquiries as a result
Task 3	Develop grant webpage tied to the KBP website	Monitor website traffic
	57 Phase I ESAs (petroleum & hazardous substances)	Number of properties and acres assessed, and environmental concerns identified

Task	Outputs	Outcomes
Task 4	26 Phase II ESAs (petroleum & hazardous substances)	Number of properties and acres assessed/cleared for redevelopment
Task 5	Three to four Phase III supplemental assessments 10 Asbestos or Lead-Based Paint surveys	Further identify contamination sources Prep structures for planned renovation/demolition
Task 6	Cleanup and Strategic Planning, if warranted	Number of: 1) properties redeveloped; 2) acres cleared for redevelopment/reuse and contaminants removed; 3) jobs created/retained; and 4) ABCAs (if appropriate) completed. Amount of dollars leveraged during redevelopment

b. iii) Leveraging: Federal funding to conduct assessments is not the only resource needed to facilitate redevelopment of brownfields. The Coalition has and will continue exploring possible synergies between each project and state, federal, and private resources. *Project 17*, a regionalization initiative to help improve the quality of life and economic opportunities for those who live and work in Southeast Kansas, was recently awarded a \$750,000 Rural Jobs and Innovation Accelerator Challenge Grant. These funds will be available to help facilitate redevelopment for brownfields assessed under this grant.

**KDHE**, as a Coalition member, has the ability to significantly expand existing relationships and associated leveraging opportunities with state-lead organizations including the Kansas Transportation Enhancement Program, Kansas Department of Commerce, Kansas Small Towns Environment Program (KAN STEP), U.S. Department of Housing and Development (HUD), U.S. Small Business Administration (SBA), Kansas Department of Wildlife and Parks (KDWP), the Kansas Water Office, and others. Community Block Grant (CDBG) funding up to \$400,000 is available to small communities from the Kansas Department of Commerce/U.S. HUD to support infrastructure, housing, economic development, and public facilities. KDHE's existing and proven KBP and BTA process will save the Coalition approximately \$140,000 on Tasks 1, 2, and 5, that would otherwise have been spent administering individual grants.<sup>17</sup> If a property requires cleanup, a number of KDHE programs can be implemented to leverage cleanup funding such as the Dry Cleaning and Storage Tank Trust Funds, the UST Property Redevelopment Trust Fund (up to \$25,000 on eligible properties), and the Kansas Brownfields Cleanup Program (up to \$25,000). The Kansas Agricultural Remediation Program may provide up to \$10,000 to qualified applicants to address contamination related to agri-business. The TAB Program will continue providing technical support and workshops for KDHE's brownfields redevelopment efforts, up to about \$15,000 per year. Coalition members from various communities will provide in-kind services such as staff time for: 1) coordination of property activities between property owners; 2) obtaining access on inventoried properties; 3) facilitating community outreach; and 4) strategically implementing the next stages of brownfields planning and redevelopment. Coalition partners have also established leveraging opportunities within their communities.

The **Chanute** Economic Development Committee (the City, Chanute Area Chamber of Commerce & Office of Tourism, and Main Street Chanute) has invested more than \$25,000 of resources, both in-kind and contractual, through development of the *Economic Development Strategic Plan*. The City recently leveraged their own employees to help rehabilitate a vacant building for a new business that will employ up to 150 people over the next five years. Chanute has established partnerships with several other public and private institutions that employ more than a third of the local labor force. These institutions will provide leveraging opportunities through business expansion, retention, and growth of the local labor force.

The **Riverfront Authority** raised over \$15,000 through outreach and fundraising events such as the Annual Riverfront Festival located within the target area. The Riverfront Authority has been awarded

<sup>17</sup> Budget Tables from FY 2012 104(k) assessment grant proposals submitted for Chanute, Riverfront Authority, and Ottawa.

\$125,000 from the KDWP and \$1,545,000 from the U.S. Department of Transportation for walking trails, a parking area, and a river loop road. Both the Fort Scott and Bourbon County have dedicated \$25,000, for park amenities, infrastructure, and maintenance. Through the Fort Scott Neighborhood Revitalization Program up to 90% property tax rebates are available for redeveloping properties along the Riverfront. Fort Scott also has funding through a HUD flood mitigation program to acquire flood prone properties and 34 acres have already been purchased. Lone Star Machining's recently opened business and continued operations at Smith and Chambers has created/retained over 100 jobs.

**Ottawa** has invested more than \$47,000 and several community organizations contributed \$40,000, both in actual funds and estimated volunteer labor, for improvements to the walking/biking trails leading to and from the downtown area. Ottawa has further committed \$15,000 for enhancing of the Prairie Spirit Trail and have allocated \$40,000 to their Safe Routes to Schools project as well as receiving \$210,000 from KDOT. Community members and local businesses donated \$30,000 and countless volunteer hours to improve the local parks. East Central Kansas Economic Opportunity Corporation (ECKAN), an identified partner, expended \$9,354 on an environmental assessment prior to constructing a six unit low-income housing complex located next to the North Main Street BRD. This housing development was strategically located to provide customers for businesses established in the BRDs. Ottawa also donated a parcel of land and over \$1,200 to install new water lines and hydrants for a community garden project. The Ottawa Main Street Association volunteers more than 1,000 hours of labor and materials to landscape storefronts in downtown Main Street, and the local utility department provides \$1,500 to \$2,500 of water and electric services. These efforts play a key role in marketing vacant buildings. The City's Neighborhood Revitalization Plan Tax offers incentives for redeveloping properties within the BRDs. The Kansas Legislature approved HB2434 in 2008, which established a 10% state income tax credit for any business that develops or maintains an existing facility within one mile of the City. Ottawa has two identified brownfields that also qualify for the 20% Historic Preservation Tax Credit.

c. *Programmatic Capability and Past Performance:* i) *Programmatic Capability:* KDHE, as grant administrator, possesses substantial capabilities and experience to manage all activities under this grant. KDHE successfully managed a federal grant to conduct BTAs from 1998-2004 (\$1,441,000) and an Enforcement Negotiation Grant from 2002-2004 (\$88,000). KDHE currently manages the Superfund Consolidated Grant (\$806,874), including Core, Pre-NPL, and Management Assistance Grants, and an EPA-awarded State Response Grant (\$838,018). KDHE has an established system to track and report all grant activities to EPA. Important program elements, such as an EPA-approved Quality Management Plan, already exist. In addition to federal grant programs, KDHE staff have extensive experience in managing state programs such as those mentioned throughout this proposal.

KDHE's staff includes licensed geologists, environmental scientists, environmental technicians, attorneys, and licensed engineers experienced in environmental investigations and cleanup. Staff have been certified through ASTM Phase I and II training and EPA's TRIAD training course. The Brownfields Coordinator, Ms. Maggie Weiser, coordinates the KBP with local units of government, regional councils, redevelopment agencies, tribal organizations, not-for-profit organizations, and other quasi-governmental agencies. Ms. Weiser is an Environmental Scientist with a B.A. in Environmental Studies from the University of Kansas and has field and remedial experience with both KDHE and a private consultant. In order to retain these highly qualified personnel, market adjustments have been implemented throughout the state to make state employment competitive with private industry. KDHE's financial staff has managed numerous grant programs such as: Superfund Consolidated, State Response, Underground Storage Tanks, Leaking Underground Storage Tanks, Formerly Used Defense Sites, Defense/State Memorandum of Agreement, Abandoned Mine Lands, and Administration and Enforcement of Mine Lands. KDHE maintains an Accounting Services department which tracks Federal Program expenses and reports

quarterly to the funding agency. KDHE will report activities and expenditures to EPA on a quarterly basis and through ACRES. All fund management for the Brownfields program is and will be managed pursuant to procedures outlined in 40 CFR Part 35 Subpart O. KDHE will utilize the Automated Clearing House Electronic Funds Transfer (ACH/EFT) system to obtain funds from EPA. KDHE employee time spent on any specific project will be tracked on a time management software system. KDHE has demonstrated its contractors are qualified and trained environmental consulting firms hired to perform sampling and investigations. These contractors are selected according to both state and federal procurement procedures, including those in 40 CFR 31.36.

ii) Adverse Audits: KDHE has not had any adverse audit findings from an OMB Circular A-133 audit or any grant management complications.

iii) Past Performance: KDHE was awarded a Brownfields Petroleum Assessment Grant for counties located in the Central Prairie RC&D Council's territory in 2008. All but \$688 of the \$200,000 awarded had been expended when the grant expired June 30, 2012. During the term of the grant period, KDHE remained in compliance with all grant requirements, and a total of 21 Phase I, 13 Phase II and three (3) Phase III (supplemental) assessments, comprising 52.55 acres, were conducted.

KDHE was awarded a Brownfields Petroleum Assessment Grant to be used in the City of Wichita in 2006. Of the \$200,000 that was awarded to KDHE, approximately 95% was expended when the grant expired September 30, 2010. KDHE remained in compliance with all grant requirements and worked closely with the City of Wichita to complete the grant. The Wichita grant produced a total of 58 Phase I assessments and eight Phase II assessments.

KDHE was the recipient of EPA Brownfields Cooperative Agreement #BF98726203. KDHE complied with all requisite reports and reporting measures throughout the agreement and closeout. During this cooperative agreement, a total of 121 assessments were completed on more than 391 acres. KDHE has a superb track record for grant reporting and tracking. KDHE will continue to ensure that all reporting for each specific parcel of property assessed under this Coalition grant will be submitted in the EPA ACRES database within 30 days of project completion. Reporting and project accomplishment updates will continue to be reported quarterly and success accomplishments will be posted on the KDHE Brownfields website.

**3. Community Engagement and Partnerships** a. Community Engagement: The Coalition will conduct a community outreach campaign to raise awareness and educate citizens on brownfields and to encourage public participation. Coalition members have already participated in three public outreach opportunities from August to October 2012 to exchange information with local citizens on the brownfields assessment grant process, planned assessment activities, cleanup plans and potential redevelopment opportunities. Coalition members will continue to use public meetings to inform communities on project progress and solicit input at each stage (i.e., assessment completed, cleanup planning, and redevelopment). This information will be used to help prioritize properties and develop reuse and redevelopment based on community need. There will be at least 12 (one event per target area, per year) public outreach events during the grant period. The Coalition will leverage TAB resources to provide workshops and technical assistance for local stakeholders. All public outreach events held by the Coalition will be handicap accessible to accommodate elderly and disabled residents. The Coalition target areas do not have a significant non-English speaking population, therefore, communications will be translated to other languages only as needed. Some of the public meetings will be held in the evenings to accommodate those that work during the day and daycare services will be provided so that parents can attend the meetings.

In addition to meetings, input from stakeholders will be solicited through mailed letters or distributed fact sheets, email distribution to focus groups, published public notices, news releases, and website

postings on Coalition members' websites and social media sites (i.e., Facebook and/or Twitter). Hard copies of fact sheets will be made available at public gathering areas such as City Halls, public libraries, and at public outreach events. Press releases announcing major project milestones will be sent to the local newspapers and radio stations. During the redevelopment planning stages, the Coalition will conduct workshops and/or visioning sessions to engage the community in the cleanup and redevelopment planning.

b. *Partnerships*: Coalition members have developed partnerships and working relationships with local, state, and federal entities to solve brownfields challenges. The KDHE has established partnerships with the *City of Chanute*, the *Riverfront Authority*, and the *City of Ottawa*. The KDHE also considers U.S. EPA Region 7 a partner with our brownfields program and will continue to work closely with the U.S. EPA Region 7, as well as other governmental agencies: *EPA Region 7's Partnership for Sustainable Communities*, *Kansas Department of Commerce*, *KDHE Division of Public Health*, and the *U.S. HUD*. The Coalition will work with various programs within KDHE such as the *KDHE Storage Tank Section* to determine eligibility of petroleum properties. The Coalition will work directly with *local health departments* for health monitoring. As health concerns are identified near known brownfields, assessment data will be communicated to the health departments so they can monitor the health of residents. The Coalition will work with the Division of Health and the local health departments to plan risk mitigation for area residents, particularly for sensitive populations, and provide a safer community. As necessary, health department representatives will be available during public meetings to help answer questions and provide additional information on real or perceived health risks. Other key partners include:

*Southeast Kansas Regional Planning Commission (SEKRPC)* provides services to the entire Southeast Kansas region for community oriented functions including economic and community development and will assist with community outreach to increase awareness of the Coalition's efforts.

*Chanute Regional Development Authority (CRDA)* is focused on growing existing and attracting new business in Chanute. CRDA will market redeveloped locations to new businesses, and are committed to moving their own offices to a redeveloped brownfields.

*Chanute Area Chamber of Commerce and Office of Tourism* will assist with community outreach and marketing the revitalized City as a destination for region-wide athletic events and recreational opportunities.

*City of Chanute Economic Development Strategic Plan Committee* performed a Community Engagement Study in 2011 which identified critical components for a successful downtown, retail district, and day travel tourist destination.

*City of Fort Scott* provides contacts within its community including stakeholders, property owners, and developers, and will help facilitate property access. The City will be actively involved in community outreach and education regarding brownfields redevelopment.

*Marmaton WRAPS* promotes watershed improvements and will collaborate with the Riverfront Authority on sustainable riverfront development practices.

*Fort Scott Chamber of Commerce* is the primary local economic growth organization and works with the Riverfront Authority to plan development that will benefit local business.

*Ottawa Area Chamber of Commerce* is committed to offering a forum for redevelopment projects identified in Ottawa, routinely communicating grant progress, and assisting with outreach events.

*Franklin County Economic Development Committee (OFCED)* seeks to improve opportunities for job creation/retention and development/redevelopment along Main Street and industrial parks. They will assist in identifying and prioritizing brownfields, coordinating with property owners, facilitating public events, and marketing economic opportunities in the redeveloped areas.

*Kansas State University (KSU) Technical Assistance to Brownfields (TAB)* offers technical assistance for redevelopment planning, goal setting, review of technical reports, and community outreach and

education. Per the leveraging section, TAB is committed to providing one to three workshops for local stakeholders within the Coalition communities.

The Coalition has also reached out to local colleges and universities in the target areas to discuss potential course work, class projects, internships, etc. related to brownfields assessment, cleanup planning and redevelopment. Open dialogue between the Coalition and these educational facilities (further described in Table 4) will continue throughout the grant period and beyond to engage students in brownfields and also encourage employment in the communities they helped to revitalize after graduation. Applying for federal job training grants will be explored with these educational entities to enhance local training opportunities.

c. Community Based Organizations (CBOs): The Coalition will work with residents and community-based organizations, Table 4, who have committed to assist with this grant. Letters of support are included in Attachment III. In addition to the CBOs contribution, most of the local governmental officials, such as mayor, city council and chamber members, etc., in small Kansas towns are *volunteering* their time to such services on top of their fulltime jobs. This demonstrates their personal commitment to their communities.

**Table 4: Community Based Organizations**

Organization	Contribution
Neosho County Community College (NCCC)	The energy management and building trades programs will be consulted during redevelopment to improve a building's energy efficiency and environmental sustainability and coordinating student assistance with rehabilitation projects.
Unified School District No. 413 (USD 413)	A partner with the NCCC in the building trades program and coordinating for student labor to assist with construction activities on some properties.
Main Street Chanute	Focused on redeveloping the downtown area and will play a vital role in placing retail and service businesses in rehabilitated brownfields properties.
Fort Scott/Bourbon County Riverfront Authority	An all-volunteer CBO which has been and will continue to be instrumental in identifying and prioritizing properties, assisting with the grant proposal, and leveraging additional funding.
Key Charitable Trust	Provided the initial \$10,000 grant to help establish the Riverfront Authority. Will be consulted for land trust considerations and a potential source for fund matching.
Fort Scott Community College (FSCC) Environmental Technology Program	Students given the opportunity to provide input related to riverfront projects, particularly in relation to water quality (researching/gathering data) and encouraged to participate in programmatic aspects of the grant.
Ottawa Main Street Association (Nationally recognized program)	Focus on restoring downtown areas as viable market places and community activities; provide assistance with identifying potential redevelopment projects, public outreach, and marketing. In the process of obtaining additional funds to support development of projects once the brownfields issues have been addressed.
ECKAN	Serve low-income persons in Ottawa through several programs; their Youth Action Council will provide daycare services during public meetings.
East Central Kansas Area Agency on Aging Resource Center	Will assist with outreach and marketing activities and will participate in workgroups and discussions regarding brownfields redevelopment opportunities.

**4. Project Benefits:** The Coalition's goals and anticipated outcomes include: 1) protect/improve environmental conditions and natural resources, 2) improve quality of life by reducing environmental

contaminants, 3) develop parks, trails, and greenspace to enhance the quality of life, 4) develop affordable housing, and 5) stimulate commercial and industrial growth. All Coalition members have historically applied for 104(k) funding in an attempt to promote positive redevelopment progress in their communities. This Coalition grant would allow those communities to pursue their redevelopment plans in a collaborative effort. KDHE's experience in coordinating, administering and reporting grants with a proven, cost-effective and streamlined process will result in a tremendous cost savings for the EPA and the Coalition. Project benefits also include, identifying and addressing potential soil and groundwater impacts, vapor intrusion concerns, contaminated runoff to local watersheds and connected ecosystems, and reducing exposure to asbestos and lead-based paint. By conducting assessments, engaging stakeholders and residents, and sharing information, the Coalition will be able to dispel any perceived concerns or quantify the nature and extent of environmental impacts. The Coalition will integrate Equitable Development and Livability Principles into reuse/redevelopment of properties as not to displace residents historically affected by brownfields. A secondary benefit, are the key partnerships and relationships gained by Coalition members working on a common problem that collectively impacts the economic vitality of each community.

a. Welfare and/or Public Health: KDHE's mission is "To protect and improve the health and environment of all Kansans." Brownfields assessments will help KDHE accomplish this goal by using the assessment data to provide Coalition members and the public with a better understanding of imminent health or environmental threats and approaches to address them. Assessment results will be compared to the standards outlined in the *Kansas Risk-based Standards for Kansas Manual* which include residential and commercial/industrial scenarios. Properties identified to have contamination above Kansas standards will be enrolled in an appropriate state response program for cleanup. Properties that are below such standards can be cleared for immediate redevelopment. Environmental Use Controls (institutional controls) can also be placed on properties to control land use and encourage redevelopment through KDHE's Environmental Use Control Program.<sup>18</sup> Assessments and eventual remediation (as needed) of brownfields reduces the risk contaminants pose for sensitive populations such as children, the elderly, low-income, and minorities. Reducing exposure to contaminants will result in lower incidences of liver and kidney damage, blood diseases, birth defects, and damage to the nervous, immune, and respiratory systems. Revitalized buildings are safer for occupants and are less attractive for trespassers.

Riverfront improvements will improve quality of life by providing recreational and waterfront amenities and outdoor education opportunities. Related amenities (e.g. walk/bike trails, safe routes to schools, etc.) within all target areas create opportunities for exercise, green transportation, and commercial improvements that will connect underutilized properties to the community. These improvements are critical for the young and elderly who do not drive and encourage more active and healthier lifestyles for all community residents. The revitalized downtown and riverfront areas will become focal points, attracting shoppers and visitors who will inject money into the local economy. Integrating smart growth and environmental justice practices by reducing pollutants, supporting existing communities through the protection of sensitive populations, enhancing economic competitiveness, and valuing community neighborhoods, all align with Equitable Development and Livability Principles.

b. Economic Benefits and/or Greenspace: i) Redevelopment of brownfields is essential for economic growth in rural communities. An assessed property increases its marketability and reduces blight. Investment in brownfields redevelopment creates jobs, new housing, and boosts property values, strengthening the tax base. A vacant 23.5 acre brownfields property in Ottawa is currently only \$253,520

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<sup>18</sup> K.S.A. (2004 Supp.) 65-1,221 through 65-1,235 Environmental Use Controls.

while a smaller nearby property housing a medical office building is valued at \$518,420.<sup>19</sup> Based on EPA figures<sup>20</sup>, the Coalition estimates that funding through this grant will leverage about 44 well-paying jobs relating to property remediation, construction, and redevelopment. Previous brownfields experience by KDHE reveals on average nine permanent jobs are created for each brownfields project completed. Funding from this grant will address at least 57 brownfields projects, resulting in an estimated 513 new jobs. Brownfields redevelopment will also enhance tourism. Recent annual tourism trends in Fort Scott range from 30,000 to 50,000 visitors, about half its estimated potential. The economic benefit of increased tourist traffic and spending is significant, therefore, brownfields redevelopment along the riverfront and downtown neighborhoods is vital. The “trickle down” seen in job and revenue loss, discussed in Section 1, will be reversed, and economic growth will accelerate.

ii) Greenspace: The Coalition communities have opportunities to create greenspace areas for passive public use, improved wildlife habitat and river corridors, buffers within residential neighborhoods, and improved greenspace links such as multiuse trails that encourage walkability. Trail construction has begun in some Coalition communities, and plans are in place to develop more as brownfields are investigated and remediated. In 2010, Ottawa constructed the Sunflower Trail to connect their downtown to residential neighborhoods and nearby schools, and has committed \$15,000 to expanding the Prairie Spirit Trail. Ottawa also recently created its first fully handicap accessible playground. Brownfields redevelopment within Chanute and Fort Scott will provide waterfront access, botanical gardens, native plant restoration, and various other recreational amenities (e.g., RV park, camping and picnic areas, equestrian trails) in addition to walking/biking trails. Future plans also include connecting local trails to the regional network trail systems that one day will provide access to trails all across Kansas.

c. Environmental Benefits from Infrastructure Reuse/Sustainable Reuse: The Coalition's general approach to reduce pollution, resource consumption and urban sprawl is to inspire brownfields and infill redevelopment as an alternative to greenfield expansion. This approach reuses existing infrastructure in established commercial districts, rather than pay for utility expansions and roadway improvements and passing associated costs on to the local taxpayer. This will allow Cities to leverage other projects with funds that would have been used to expand their services. Existing redevelopment plans, both within and adjacent to brownfields areas, incorporate a complimentary mix of land uses and aesthetic improvements with trails to encourage bicycle/pedestrian transportation. This design is expected to significantly reduce vehicle traffic, fossil fuel consumption, and associated pollution within each community. Non-motorized modes of transportation promote healthy and vibrant communities with less dependence on fossil fuels.

Coalition members are committed to contracting with developers and construction firms that follow and propose sustainable business practices. Specific statements of qualifications and solicitation for bid packages to this effect will be evaluated prior to selection of any project contractors. The Coalition will encourage the use of sustainable materials and energy conservation by promoting construction and renovation projects that follow green building and Leadership in Energy and Environmental Design (LEED®) certification standards. The Coalition aims to revitalize Kansas communities through building rehabilitation, adaptive reuse of existing building infrastructure to conserve building material resources (consistent with the Livability and Sustainability Principals), interconnected revitalization districts redevelopment, and preservation of greenspace. This approach will provide urban resources while maintaining small-town ideals and a focus on sustainable use of local resources.

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<sup>19</sup> Franklin County Appraisers website: [http://www.franklincoks.org/countyappraiser/countyappraiser\\_page.htm](http://www.franklincoks.org/countyappraiser/countyappraiser_page.htm), accessed October 2012.

<sup>20</sup> <http://www.epa.gov/brownfields/overview/Brownfields-Benefits-postcard.pdf>

## **ATTACHMENTS**

- I) Threshold Documentation
- II) Letters of Commitment/Resolutions from Coalition Members
- III) Letters of Support
- IV) Leveraged Funds Documentation
- V) Special Considerations Checklist

**ATTACHMENT I  
THRESHOLD DOCUMENTATION**

### **III. C. Threshold Criteria for Assessment Grants**

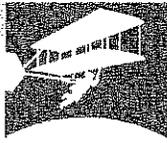
III.C.1 Applicant Eligibility: The Kansas Department of Health and Environment (KDHE) will serve as the lead agency and grant manager. KDHE is a duly authorized agency of the State of Kansas, created by act of the legislature in 1974 when the Kansas State Department of Health became the Department of Health and Environment. Kansas Statutes (K.S.A. 65-101 et seq.) provide KDHE general jurisdiction of matters involving hazardous substances and hazardous substance cleanups under the authority of the Kansas Environmental Response Act (K.S.A. 65-3452a. et seq.).

The cities of Chanute and Ottawa are local governmental entities as defined 40 CFR Part 31.3. Chanute and Ottawa are recognized as an independent municipality by Neosho County and Franklin County, respectively, the State of Kansas and the U.S. Federal Government. As a General Purpose Unit of Local Government, these Cities meet EPA applicant eligibility requirements. The Fort Scott/Bourbon County Riverfront Authority was created by the Kansas State Legislature in April 2007, Senate Bill 321, to revitalize the Marmaton River area along the north edge of the city of Fort Scott, Kansas. Letters of Commitment from Coalition members and documentation for the Riverfront Authority are included in Attachment iii.

III.C.2 Letter from the State Environmental Authority: KDHE is a state authority; therefore no letter is required.

III.C.3 Site Eligibility and Property Ownership Eligibility: KDHE is applying for a Coalition Assessment Grant; therefore site-specific eligibility is not applicable at this time.

**ATTACHMENT II**  
**LETTERS OF COMMITMENT/RESOLUTIONS FROM COALITION MEMBERS**



# Chanute

a TRADITION of INNOVATION

November 2, 2012

Gary Blackburn, Director  
Maggie Weiser, Brownfield Coordinator  
Kansas Department of Health and Environment  
Bureau of Remediation  
1000 SW Jackson, Suite 410  
Topeka, KS 66612-1367

Dear Gary and Maggie,

The City of Chanute, Kansas strongly supports and is a proud partner of the coalition of cities in Southeast Kansas as well as the KDHE area regarding the EPA Brownfield grant opportunity. We believe that working together will make the region stronger in our efforts to revitalize our communities.

Chanute's intention is to use the funds to bring buildings back to life and have them become useful again for local businesses. For example, one of the buildings we would like to convert to a retail business incubator. This incubator would serve as a platform for local entrepreneurs to start a business, and it will help them grow in a supportive environment. We would also like to have this same building become the home for the Chanute Regional Development Authority, which is our local economic development organization.

The City of Chanute is one of few full service cities in Kansas. We own and operate an electric, natural gas, water, wastewater and fiber optic utilities and have some very talented staff, which can be utilized to support future rehabilitation efforts in addition to financial support. In fact, recently we utilized many of our own employees to rehabilitate a building, which now houses Spirit AeroSystems new facility in our community who will employ up to one hundred and fifty people within the next five years.

Again, we are very enthusiastic about our partnership with all of the other entities involved in our coalition, and we are committed to using the grant funds to continue to revitalize our community and grow the employment base. Our community has determined from a series of public meetings that building the health and economic conditions are our top goals for Chanute. This grant will help us move toward this goal.

Sincerely,

John D. Lester  
Chanute City Manager



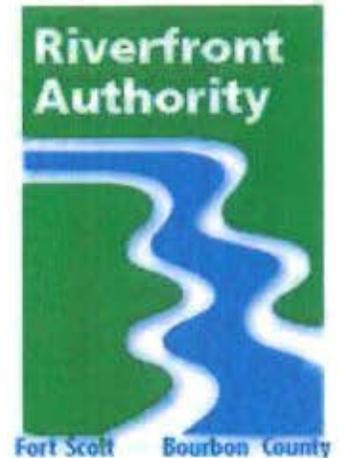
**Chanute**  
a TRADITION of INNOVATION

### City of Chanute's Priority Properties

Property Description	County Reference ID	Former or Current Land Use	Prospective Land Use	Land Area (acres)	Structural Improvements
112 W. Main	2169	Commercial Retail & Storage	Mixed use with retail "incubator" on ground level	1	Commercial Retail & Warehouse
1201 Santa Fe	1162	Industrial Manufacturing	Expansion of Surrounding Industrial Parks	19.1	Former improvements have been demolished
800 S. County Club Road	5964	Air Transportation & Industrial Park	Aircraft Manufacturing & Ancillary Businesses	87	Remnants for former Air Field Facilities
208 W. 35 <sup>th</sup> St	6134	Golf Course	Greenspace and Community Recreational Center	76	Storage Sheds, Out Buildings & Ancillary Structures
South Garfield Ave	6169	Petrochemical Production	Waterfront Greenspace	24	Previous improvements demolished
Park Motel – 3030 Santa Fe	5166	Abandoned Motel	Commercial Retail and Related Improvements	4.2	Vacant Hotel Building & Pool
1100 E. 14 <sup>th</sup> Street	4375	Suspect Petroleum Refinery	Greenspace	12	Vacant building and facility remnants
Katy Park	3453	Mixed Use	Greenspace & Recreational Areas	5.5	Former improvements have been demolished

November 1, 2012

Ms. Maggie Weiser, Brownfields Coordinator  
KDHE: Bureau of Remediation  
1000 SW Jackson, Suite 410  
Topeka, KS 66612-1367



Dear Ms. Weiser:

The Fort Scott/Bourbon County Riverfront Authority is pleased to serve as a Coalition member for the FY 2013 U. S. EPA Brownfields assessment grant. We understand that KDHE will serve as the lead applicant and will include our request for \$400,000. The Riverfront Authority intends to use assessment funds to perform environmental assessments on eligible sites in support of local riverfront development projects. These funds will additionally support recommended Phase II assessment activities based on Phase 1 BTA findings of three BTAs completed through the Kansas Brownfields' Program. We also intend to use grant funding to pursue human health and ecological risk analyses, cleanup planning, and community outreach in support of the Grant Program.

The purpose of the Authority is to revitalize the Marmaton River area along the north edge of the city of Fort Scott, KS. Goals of the project include protecting and restoring the environmental integrity of the riverfront. Additionally, the Authority plans to develop multiple outdoor recreational opportunities related to the river as well as educate residents and visitors on the cultural, historical, and natural history of the area. We hope to begin our project with an assessment of potential sources of environmental pollution.

We are committed to serving as a partner with Kansas Department of Health and Environment in this Coalition to help facilitate Brownfields assessments in our respective communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Mann", is written over a horizontal line.

Dean Mann, Chairman  
Fort Scott / Bourbon County Riverfront Authority

Enclosure



**Legend**

- 1. RV Campground
- 2. Botanic Gardens / Event Space
- 3. Park Structure & Restroom
- 4. One Way Road & Adjacent Bike Trail
- 5. Equestrian Trail Head & Parking
- 6. Youth Remote Camping
- 7. Vault Toilet
- 8. View of River & Bridge
- 9. Park Entry Markers
- 10. Future Trail
- 11. Welland Overlook
- 12. Existing Track to Remain in Place
- 13. Welland Development
- 14. New Lake
- 15. Paved Multi-use Trail
- 16. Existing Trail
- P. Parking

CHAPTER 120  
SENATE BILL No. 321\*

AN ACT enacting the Fort Scott/Bourbon county riverfront authority act; creating a riverfront authority and prescribing the powers and duties thereof.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. This act shall be known and may be cited as the Fort Scott/Bourbon county riverfront authority act.

Sec. 2. As used in this act:

- (a) "Authority" means the riverfront authority created by this act.
- (b) "Board" means the riverfront board created by this act.
- (c) "City" means the city of Fort Scott.
- (d) "Commission" means the county commission of Bourbon county.
- (e) "Council" means the city council of Fort Scott.
- (f) "County" means Bourbon county.
- (g) "Manager" means the city manager of Fort Scott.
- (h) "Mayor" means the mayor of Fort Scott.
- (i) "Metropolitan area" includes the area within the corporate limits of the city of Fort Scott and within five miles of the corporate limits along the Marmaton river.
- (j) "Riverfront" means all real estate, equipment, rights and property useful for the purpose of recreation, along the banks of the Marmaton river that runs through the city of Fort Scott and Bourbon county.

Sec. 3. There is hereby created the Fort Scott/Bourbon county riverfront authority. The purpose of the authority is to promote the general welfare and encourage private capital investment by fostering the creation of recreational, retail, entertainment, economic development and housing within the riverfront.

Sec. 4. The authority may sue and be sued in its corporate name. The authority may adopt a common seal and change the same at pleasure.

Sec. 5. For the first three years of its existence, the authority shall engage in planning and design of the riverfront. At all times the authority shall have power to acquire, construct, own, operate and maintain for public service a riverfront system in the metropolitan area and all the powers necessary or convenient to accomplish the purposes of this act, including, without limiting the generality of the foregoing, the specific powers enumerated herein.

Sec. 6. (a) Except as provided by subsection (c), the authority shall have power to acquire by purchase, lease, gift or otherwise all or any part of real property, property, rights in property, water rights and riparian rights for the purpose of planning, development and creation of a riverfront within the metropolitan area as herein defined.

(b) Except as provided by subsection (c), the authority shall have power to acquire by purchase, lease, gift or otherwise any property and rights useful for its purposes and to sell, lease, transfer or convey any property or rights when no longer useful or exchange the same for other property or rights which are useful for its purposes.

(c) The authority shall not have the power to take property by eminent domain.

Sec. 7. (a) The authority shall have power to purchase equipment, recreational equipment and make public improvements, construct dams and docks and may execute agreements, leases and equipment trust certificates. All money required to be paid by the authority under the provisions of such agreements, leases and equipment trust certificates shall be payable solely from the revenue or income to be derived from the riverfront authority and from grants. Payment for such equipment, or rentals therefor, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates payable solely from such revenue or income, and title to such equipment shall not vest in the authority until the equipment trust certificates are paid.

(b) The agreement to purchase may direct the vendor to sell and assign the equipment to a bank or trust company, duly authorized to transact business in the state of Kansas, as trustee, for the benefit and security of the equipment trust certificates and may direct the trustee to deliver the equipment to one or more designated officers of the authority and may authorize the trustee simultaneously therewith to execute and

deliver a lease of the equipment to the authority.

(c) The agreements and leases shall be duly acknowledged before some person authorized by law to take acknowledgments of deeds and in the form required for acknowledgment of deeds and such agreements, leases and equipment trust certificates shall be authorized by vote of the board and shall contain such covenants, conditions and provisions as may be deemed necessary or appropriate to insure the payment of the equipment trust certificates from the revenue or income to be derived from the riverfront authority.

(d) The covenants, conditions and provisions of the agreements, leases and equipment trust certificates shall not conflict with any of the provisions of any trust agreement securing the payment of bonds or certificates of the authority.

(e) An executed copy of each such agreement and lease shall be filed in the office of the city and county clerk of the city and county in which said authority is operating and such filing shall constitute notice to any subsequent judgment creditor or any subsequent purchaser.

Sec. 8. The authority shall have power to apply for and accept grants from the federal or state government or any local government, or any agency thereof, or from any other public or private entity, to be used for any of the purposes of the authority and to enter into any agreement with the federal or state government or any local government, or any agency thereof, or any other public or private entity, in relation to such grants; provided that such agreement does not conflict with any of the provisions of any trust agreement securing the payment of bonds or certificates of the authority.

Sec. 9. The authority shall have power to invest and reinvest any funds held in reserve or sinking funds not required for immediate disbursement, in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein or in bonds or notes of the United States, bonds of the state of Kansas or bonds of any county, unified school district or city of the first class in which said authority is operating a system or in bonds or certificates of the authority at not to exceed their par value or their call price and to sell these securities whenever the funds are needed for disbursement. Such investment or reinvestment of any funds shall not be in conflict with any provisions of any trust agreement securing the payment of bonds or certificates of the authority.

Sec. 10. The authority shall have power to procure and enter into contracts for any type of insurance and indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any person, against employers' liability, against any act of any member, officer or employee of the board or of the authority in the performance of the duties of his or her office or employment or any other insurable risk.

Sec. 11. (a) The governing and administrative body of the authority shall be a board consisting of six members, to be known as the riverfront board. Members of the board shall be residents of Kansas. No member of the board shall be an elected official.

(b) Members shall not be paid a salary, but shall be reimbursed for actual expenses incurred by them in the performance of their duties.

(c) Members of the board shall be appointed as follows: Three shall be appointed by the mayor with the approval of the council and three shall be appointed by the commission. Of the first appointees, the council and mayor shall designate one member to serve a term of one year, one to serve two years and one to serve a three-year term. The commission shall designate the terms of its appointees likewise. Should the city and county consolidate, then the members shall be appointed by the governing body of the consolidated government as set forth above.

(d) Upon the expiration of the term of any member, all successor members of the board shall be appointed and hold office for terms of three years from the date of appointment. The city clerk or county clerk shall certify the action of the respective governing body with respect to such appointments and file such certificates as a part of the records of the office of either the city or county clerk. Before entering upon the duties of office, each member of the board shall take and subscribe the constitutional oath of office and same shall be filed in the office of the city clerk and county clerk.

(e) Any member may resign from office to take effect when a suc-

cessor has been appointed and has qualified. The mayor, with the approval of the council and the commission, may remove any member of the board in case of incompetency, neglect of duty or malfeasance in office. The member shall be given a copy of the charges and an opportunity to be publicly heard in person or by counsel upon not less than 10 days' notice. In case of failure to qualify within the time required, or of abandonment of office, or in case of death, conviction of a crime involving moral turpitude or removal from office, the office of a member shall become vacant. A vacancy shall be filled for the unexpired term by appointment in the same manner as the original appointment.

(f) As soon as possible after the appointment of the initial members, the board shall organize for the transaction of business, select a chairperson and a temporary secretary from its members and adopt bylaws, rules and regulations to govern its proceedings. The initial chairperson and successors shall be elected by the board from time to time for the term of the chairperson's office as a member of the board or for the term of three years, whichever is shorter.

(g) Regular meetings of the board shall be held at least once each calendar month, the time and place of such meetings to be fixed by the board. Four members of the board shall constitute a quorum for the transaction of business.

(h) All action of the board shall be by resolution and the affirmative vote of at least three members shall be necessary for the adoption of any resolution. All such resolutions before taking effect shall be approved by the chairperson of the board and, if the chairperson approves thereof, the chairperson shall sign the same. If the chairperson does not approve any such resolution, the chairperson shall return it to the board with the chairperson's written objections thereto at the next regular meeting of the board occurring after the passage thereof. If the chairperson fails to return any resolution with the objections thereto by the prescribed time, the chairperson shall be deemed to have approved the same and it shall take effect accordingly. Upon the return of any resolution by the chairperson with the chairperson's objections, the vote by which such resolution was passed shall be reconsidered by the board. If upon reconsideration the resolution is passed by the affirmative vote of at least five members, it shall go into effect notwithstanding the veto of the chairperson. All resolutions and all proceedings of the authority and all documents and records in its possession shall be public records, and open to public inspection, except such documents and records as shall be kept or prepared by the board for use in negotiations, actions or proceedings to which the authority is a party.

Sec. 12. (a) The board shall appoint a secretary and a treasurer, who need not be members of the board, to hold office during the pleasure of the board, and fix their duties and compensation. Before entering upon the duties of their respective offices they shall take and subscribe the constitutional oath of office, and the treasurer shall execute a bond with corporate sureties to be approved by the board. The bond shall be payable to the authority in whatever penal sum may be directed by the board conditioned upon the faithful performance of the duties of the office and the payment of all money received by the treasurer according to law and the orders of the board. The board at any time may require a new bond from the treasurer in such penal sum as may then be determined by the board. The obligation of the sureties shall not extend to any loss sustained by the insolvency, failure or closing of any national or state bank wherein the treasurer has deposited funds if the bank has been approved by the board as a depository for these funds. The oaths of office and the treasurer's bond shall be filed in the principal office of the authority.

(b) All funds deposited by the treasurer in any bank shall be placed in the name of the authority and shall be withdrawn or paid out only by check or draft upon the bank, signed by the treasurer and countersigned by the chairperson of the board, except that the board may designate any of its members or any officer or employee of the authority to affix the facsimile signature of the chairperson and another to affix the facsimile signature of the treasurer to any check or draft.

(c) In case any officer whose signature appears upon any check, draft, bond, certificate or interest coupon, issued pursuant to this act, ceases to hold such officer's office before the delivery thereof to the payee or the purchaser of any bond or certificate, the officer's signature nevertheless shall be valid and sufficient for all purposes with the same effect as if the

officer had remained in office until delivery thereof.

Sec. 13. The board may appoint a general manager and such other persons who are necessary to make the authority succeed. The general manager shall hold office at the pleasure of the board. The general manager shall manage the properties and business of the authority and the employees thereof, subject to the general control of the board, shall direct the enforcement of all resolutions, rules and regulations of the board, and shall perform such other duties as may be prescribed by the board. No discrimination shall be made in any appointment or promotion because of race, creed, color, disability, religious or political affiliations.

Sec. 14. The board shall make all rules and regulations necessary to govern the operation of the riverfront and its property and facilities and to exercise the powers granted to the authority.

Sec. 15. (a) The board shall establish a fiscal operating year. At least 30 days prior to the beginning of the first full fiscal year after the creation of the authority, and annually thereafter, the board shall cause to be prepared a tentative budget which shall include all operation and maintenance expense for the ensuing fiscal year. The tentative budget shall be considered by the board and, subject to any revision and amendments as may be determined, shall be adopted prior to the first day of the ensuing fiscal year as the budget for that year. No expenditures for operations and maintenance in excess of the budget shall be made during any fiscal year except by the affirmative vote of at least four members of the board. It shall not be necessary to include in the annual budget any statement of necessary expenditures for pensions or retirement annuities, or for interest or principal payments on bonds or certificates, or for capital outlays, but it shall be the duty of the board to make provisions for payment of same from appropriate funds.

(b) As soon after the end of each fiscal year as may be expedient, the board shall cause to be prepared and printed a complete and detailed report and financial statement of its operation and of its assets and liabilities. A reasonably sufficient number of copies of such report shall be printed for distribution to persons interested and copies of such report shall be filed with the city and county clerks of the city and county.

Sec. 16. (a) The board shall withdraw from the gross receipts of the authority and charge to operating expenses such an amount of money as in the opinion of the board shall be sufficient to provide for the adjustment, defense and satisfaction of all suits, claims, demands, rights and causes of action and the payment and satisfaction of all judgments entered against the authority for damage caused by injury to or death of any person and for damage to property resulting from the construction, maintenance and operation of the riverfront and the board shall deposit such moneys in a fund to be known and designated as the damage reserve fund.

(b) The board shall use the moneys in the damage reserve fund to pay all expenses and costs arising from the adjustment, defense and satisfaction of all suits, claims, demands, rights and causes of action and the payment and satisfaction of all judgments entered against the authority for damages caused by injury to or death of any person and for damage to property resulting from the construction, maintenance and operation of the authority. At any time and from time to time the board may obtain and maintain insurance coverage or protection partially or wholly insuring or indemnifying the authority against loss or liability on account of injury to or death of any person and for damage to property resulting from the construction, maintenance and operations of the authority. The cost of obtaining and maintaining such insurance shall be paid out of the moneys in the damage reserve fund. All moneys received from such insurance coverage or protection shall be paid into the damage reserve fund.

Sec. 17. The authority pursuant to resolutions adopted from time to time by the board may establish and create such other and additional special funds as may be found desirable by the board and in and by such ordinances may provide for payments into all special funds from specified sources with such preferences and priorities as may be deemed advisable and may also by any such resolution provide for the custody, disbursement and application of any moneys in any such special funds consistent with the provisions of this act.

Sec. 18. The authority is a municipality as defined by the Kansas Tort Claims Act, K.S.A. 75-6101 et seq., and amendments thereto, and entitled

to avail itself of the protections therein. No civil action shall be commenced in any court against the authority by any person for any injury to such person unless it is commenced within two years after the date that the injury was received or the cause of action accrued.

Sec. 19. If any provision of this act is held invalid, such provision shall be deemed to be excised from this act and the invalidity thereof shall not affect any of the other provisions of this act. If the application of any provision of this act to any person or circumstance is held invalid, it shall not affect the application of such provisions to persons or circumstances other than those as to which it is invalid.

Sec. 20. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 13, 2007.

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CITY OF



November 2, 2012

Gary Blackburn, Director  
Maggie Weiser, Brownfield Coordinator  
Kansas Department of Health and Environment  
Bureau of Remediation  
1000 SW Jackson, Suite 410  
Topeka, KS 66612-1367

Dear Gary and Maggie,

On behalf of the City of Ottawa, Kansas, please accept this letter of support for the Kansas Department of Health and Environments (KDHE) competitive Brownfields grant application for an EPA Brownfields Assessment grant.

We applaud KDHE's efforts in support of the revitalization/redevelopment efforts in our community and hope that every possible consideration will be given to the application for the EPA Brownfield Assessment funds. The three Brownfield Development Zones targeted by KDHE are key areas to our growth following the re-routing of Highway 59, a major thoroughfare, that now runs East of Ottawa. The City of Ottawa is an eligible partner for the coalition grant and is fully committed to the efforts of KDHE and to that of other cities in the coalition. The coalition-based effort of this grant request will benefit the regional efforts being realized through the Project 17 coalition, where common economic conditions are worked collectively for the health and benefit of the larger population.

The City of Ottawa has been proactively planning and working toward the City-wide incorporation of improvements that benefit the cross-section of citizens within its City limits. Collectively we have made efforts toward walk-ability and bike-ability of City streets, but we have much work to do. The improvement of available Brownfield areas within the core of the City will provide the ability of the population to access needed retail spaces, manufacturing, and commercial properties, while allowing citizens to use the enhanced trails and sidewalks that exist within the City.

The City of Ottawa will proactively discuss needed improvements, and pursue working agreements with its citizens and business owners to allow the collection and review of properties for assessment. The City will also provide personnel to provide technical assistance and recorded information to assist in the review of properties within the City. The City will take an active role in discussions and request citizen involvement in all areas of planning to ensure that a collective analysis of community needs takes place.

If you have any questions or need additional information, please contact me at 785-229-3637 or [rienstedt@ottawaks.gov](mailto:rienstedt@ottawaks.gov). We look forward to working with KDHE now and in the future.

Sincerely,

Richard U. Nierstedt  
City Manager

**ATTACHMENT III  
LETTERS OF SUPPORT**



*Our Future is Building*

OTTAWA AREA CHAMBER OF COMMERCE

October 26, 2012

Mr. Richard Nienstedt, City Manager  
City Hall  
101 South Hickory Street  
Ottawa, Kansas 66067

RE: EPA Community-Wide Assessment Application for the City of Ottawa

Dear Richard:

The Ottawa Area Chamber of Commerce is very pleased that Ottawa is pursuing opportunities to make our city safer and more appealing. Our organization and membership are proud to support in any way possible the City of Ottawa's application for the EPA's Community-Wide Assessment funding.

The Chamber is willing through its membership to commit the resources you need in identifying projects that could specifically provide the most substantial benefits to our community. Once the sites or projects that provide the most return for dollars invested are pinpointed, we can additionally aid in recruitment of new business or services to move into the rejuvenated area and also help in developing business plans and locating financing for the potential new occupant of the revitalized area.

Addressing blighted and environmentally unsafe areas within our community which are in need of reinvigoration fits well within the objective of the Chamber to enhance the quality of life for all citizens. We can additionally help this effort by being a convener of local agencies, property owners and interested community members to help inform and move everyone forward with valuable information. We find an informed citizenry allows moving projects ahead at quicker paces.

Continue to let us know how we may help and positively effect this effort and application. The Ottawa Area Chamber of Commerce is ready and willing to partner with any and all that are working for a better future for Ottawa and its surrounding areas.

Sincerely,

A handwritten signature in blue ink, appearing to read "John C. Coen".

John C. Coen  
President/CEO



# ECKAN

East Central Kansas Economic Opportunity Corporation  
1320 S. Ash • PO Box 40 • Ottawa, KS 66067-0040  
(785) 242-7450 FAX (785) 242-0305

October 29, 2012

Richard Nienstedt, City Manager  
City Hall, 101 S. Hickory Street  
Ottawa, KS 66067

Re: EPA Coalition Assessment Grant Application for the City of Ottawa

Dear Richard:

Please accept this letter as our formal pledge of support for the City of Ottawa's application for the EPA's Brownfield Coalition Assessment Grant.

As a Community Action Agency serving the needs of the low-income members of our community for 45 years, we see great value in addressing environmental concerns with our city of which affect low-income neighborhoods. Redevelopment of these areas is often costly, being undertaken by community organizations and non-profits like ourselves, with limited capital and few resources to cover the expense of environmental clean-up. Unfortunately, these barriers prevent reinvestment in these neighborhoods all too often with the environmental damage going unaddressed.

In the development of a recent low-income housing project, we found ourselves dealing with potential contamination from a previous use of the site. Environmental testing of the site alone cost \$9,354. Fortunately, our land cleared further testing. Had it not, however, we would not have had the resources to continue the project without assistance from a program like the Brownfield grant and ultimately, the community would have lost six units of greatly needed affordable housing.

Programs and partnerships like this enable positive change to occur in our neighborhoods and communities. As a demonstration of our resolve, our Youth in Government and Youth Action Council is willing to provide childcare services during the public meetings of the Coalition. You have our support for your application and our ongoing commitment to serving the citizens of Ottawa.

Sincerely,

Richard Jackson, CEO, CCAP  
RJ/ss

*Helping People • Changing Lives*

Anderson, Coffey, Douglas, Franklin, Johnson, Lyon, Miami, Morris, and Osage Counties

An Equal Opportunity Program

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November 2, 2012

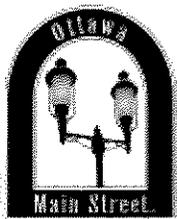
Jeff Oleson  
City of Ottawa  
101 South Hickory Street  
Ottawa, Kansas 66067

Dear Jeff,

On behalf of the Ottawa main Street Association, please accept this letter of support for the City of Ottawa's competitive Brownfields grant application. We applaud the City of Ottawa's efforts in support of the revitalization/redevelopment efforts in our community. We support the coalition grant and will continue our on-going support to revitalize the downtown area per the attached article.

Sincerely,

Becci Shisler,  
Ottawa Main Street Director



109 East 2<sup>nd</sup> Street  
Ottawa, Kansas 66067

PHONE 785-242-2085

E-MAIL [ottawamainstreetdirector@yahoo.com](mailto:ottawamainstreetdirector@yahoo.com)

WEB SITE [ottawamainstreet.org](http://ottawamainstreet.org)

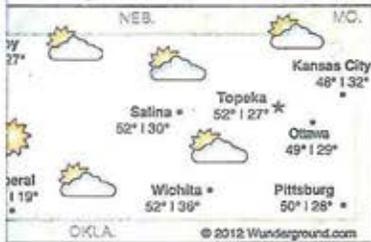
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WEDNESDAY	MONDAY	TUESDAY
73/30 Sunny	56/40 Mostly sunny	60/35 Partly sunny

## Day's Forecast

Forecast for Saturday, Oct. 27

City/Region  
High | Low temps



## Statistics

Record high	88, 1939	Sunrise Tonight	6:26
Record low	22, 1917	Sunrise Sunday	7:44
High	53	Sunset Sunday	6:25
Low	35	Sunset Monday	7:45
Record high	80, 1939	Sunrise Monday	6:54
Record low	25, 1972	Sunrise Tuesday	7:46

## National Weather

By The Associated Press

National temperature extremes in the lower 48 states Sunday ranged from 7 at West Yellowstone, Mont., to 98 at Alice and Edinburg, Texas.

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## Vote Ottawa!



Submitted photo

Becci Shisler and Ann Maxwell, Ottawa, stand in Times Square, New York City. They recently returned from a five-day trip, in the 41st floor above the corner where the "Good America" TV show was broadcasting, Coen said. They took a carriage ride through Central Park, visited the 9/11 memorial, bus rides through Brooklyn and Manhattan, several Broadway plays, and sights from the Empire State Building. "Walking the streets around New York in the bustling crowds was quite a contrast to our home town," Coen said. "We vote Ottawa!"

Want your vacation or travel photo published? Just snap a picture of yourself with a copy of The Herald on the trip and email it, along with a brief description of the trip and the identities of those photographed, to [ottawaherald.com](mailto:ottawaherald.com)



Photo by Matt Bristow/The Ottawa Herald

Becci Shisler, Ottawa Main Street Association program director, joined by her husband, Stan Shisler, Ottawa Main Street Association design chairman, and Bob Marsh, Ottawa Main Street Association former design chairman, sit on a new bench at a corner garden near Edward E. Haley Community Park, Second and Main streets, Ottawa. Andy Haney, Ottawa public works director, was recognized with a Community Image Award during the Kansas Main Street Awards of Excellence banquet Oct. 18, in Emporia. Haney credits the award to the efforts of the Ottawa Main Street Association for helping to beautify the downtown area.

# Main Street beautification work earns Haney recognition

By DOUG CARDER  
Herald Senior Writer

Andy Haney admires the flowers and shrubs planted on the corners of Ottawa's downtown intersections as he drives to City Hall for work each day, he said.

But more than the explosion of brightly-colored bouquets that greet residents and visitors, the city's public works director said he appreciates the people who toil in the soil to keep each intersection looking vibrant.

"I like to drive down Main Street early in the morning and see all the people working in their flower beds — long before there's any activity downtown," Haney, the city's public works director, said. "There's a lot more work that goes into each intersection than I think most people realize."

Though he is quick to deflect any credit for the beautification project, Haney's efforts to help beautify downtown Ottawa did not go unnoticed by the former Topeka-based Kansas Main Street Association.

Haney was awarded the state association's Community Image Award during its Awards of Excellence banquet Oct. 18 in Emporia. The banquet capped off the last official event sponsored by the state association after the Kansas Department of Commerce shuttered the organization Sept. 20 in an effort to meet tightened budget constraints. Becci Shisler, Ottawa Main Street Association program director, said. Shisler nominated Haney for the award on behalf of the Ottawa Main Street Association and its design committee.

"Over the past few years, Ottawa Main Street has been aggressive in developing programs and projects that can be used in making sure the downtown arena is a safe, beautiful and enjoyable place to shop and eat," Shisler said. "With the help of the city and Mr. Haney, the benches have been replaced. The old benches are being refurbished and will also be set at various locations downtown for [residents'] enjoyment. The corners have been adopted and replanted for the beautification of our citizens."

The Community Image Award is given in recognition of individuals and businesses that have made an outstanding contribution to a local Main Street program, the state Main Street Association said in a news release.

"Andy was nominated by the local program because of his support and dedication of the beautification of our downtown streets," Shisler continued. "He has helped as a liaison between the Main Street program and the city in making things happen. We, as a program, want to thank him for his support and help

To volunteer to tend a downtown flower bed, call the Ottawa Main Street Association at (785) 242-2085.

in the projects we endeavor, and nominating him for the award was the right thing to do."

Haney said he is appreciative of the award, but he said the volunteers who regularly work to beautify the corners are the ones who deserve the recognition.

"[Ottawa Main Street] had people within their organization that were far more deserving of this award," Haney, who recently replaced 11 benches downtown, said. "When they came to me with the idea of beautifying the corners, all I did was say, 'Yes.'"

But Shisler and retired Ottawa architect Bob Marsh, who was chairman of the association's design committee when the beautification program began in 2010, said Haney has been invaluable in helping orchestrate the initiative.

Shisler cited how on one occasion, when the effort first began in fall 2010, Haney purchased dozens of rose bushes from Loma Vista Nursery and brought them back to the volunteers.

"I probably bought every rose they had," a smiling Haney said.

He credited Loma Vista Nursery, with locations in Ottawa and the surrounding area, for selling the roses to the city at wholesale costs, rather than retail prices.

And Marsh pointed out Walmart Supercenter in Ottawa discounted the price of its mulch for volunteers to use in the flower beds. Marsh and Shisler also said representatives with the local agriculture extension office — Kansas State University's Frontier District No. 11, which serves Franklin and Osage counties — offered planting and gardening tips to volunteers.

"We have about \$2,500 in the budget to put into this [downtown beautification effort]," Haney said Tuesday, as he stood at the corner of Second and Main streets in front of Edward E. Haley Park. "That is not close to the amount of money that has probably been invested in this corner alone. A lot of the expense comes out of these volunteers' pockets."

In addition to financial constraints, Haney said the volunteer program is invaluable because the public works staff doesn't have the manpower to maintain the flower beds that have sprung up on every corner.

"It used to be the only water these corners got was when it

rained," Haney said, half jokingly. "It takes someone here to turn on the water — but it goes well beyond watering the flowers."

Marsh nodded in agreement as he stood with Haney at the southeast corner of Second and Main — the corner Marsh first attended when the program began two years ago.

With 18 corners to care for, Marsh said, volunteers have to work in the flower beds regularly to keep them looking good.

"It isn't just watering — it's pulling weeds, changing out flowers, 'dead-heading,' picking up trash — it takes a lot of dedication," Marsh said of volunteers' work.

He and Shisler credited longtime volunteers Marie Seneca, Jane Creighton and others with spending a considerable number of hours tending to the flowers and shrubs.

Marsh and Shisler said the beautification initiative came out of an Ottawa Main Street Association-sponsored public forum in February 2010. At the end of the meeting, attendees indicated what improvement projects should take top priority by placing dot stickers next to a list of possible projects tacked on the wall.

"The downtown beautification project was the overwhelming top vote-getter," Shisler said.

With the initiative now picking up steam, Haney said, he was approached by the association's design committee chairman Marsh and others about beautifying the corners, which at that point consisted of mostly shrubs and a limited number of flowers.

"I call Marsh the instigator, and I say that in a good way," Haney said. "Basically, I told them to go ahead, and I got out of the way."

The end result were corners lined with about every type of flower imaginable, from petunias to roses.

"One of the things I like is that every corner is different," Haney said. "Every volunteer has made their corner look unique."

Shisler said seven of the 18 corners currently are not spoken for.

"Other volunteers have been tending to those corners," Shisler said. "We could use some other volunteers."

To volunteer to tend a downtown flower bed, call Shisler at the Ottawa Main Street Association's office, (785) 242-2085.

The downtown beautification effort speaks to how important volunteers are to the city, Haney said.

"I think the level of volunteerism that has gone into this beautification effort says a lot about this community," he said.

Doug Carder is senior writer at The Herald. Email him at [dcarder@ottawaherald.com](mailto:dcarder@ottawaherald.com)



East Central Kansas  
Area Agency on Aging  
Resource Center

Serving Anderson - Coffey - Franklin - Linn - Miami - Osage

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TO: RICHARD NIENSTEDT  
CITY MANAGER

FROM: ELIZABETH MAXWELL  
EXECUTIVE DIRECTOR

RE: LETTER OF SUPPORT

DATE: OCTOBER 26, 2012

This letter is to express the support of the application for the EPA's Brownfields Community-Wide Assessment Grant by East Central Kansas Area Agency on Aging.

Our agency provides care and support and services of aging Kansans and their families in the counties of Anderson, Coffey, Franklin, Linn, Miami, and Osage. Our agency is a non-profit organization receiving federal and state funding. Many of our consumers are low-income and many are receiving Medicaid services. There is value in addressing Ottawa's environmental concerns as these impact our most vulnerable frail, elderly low income consumers, as well as others in the aging population.

The East Central Kansas Area Agency on Aging is willing to participate in partnership discussions, brainstorming sessions, workgroups, outreach and marketing activities. Positive changes that can occur from this assessment will benefit all aging Ottawans and we wish to be supportive and a part of this project.



## FRANKLIN COUNTY DEVELOPMENT COUNCIL

October 25, 2012

Richard Nienstedt, City Manager  
City Hall  
101 S. Hickory St.  
Ottawa, KS 66067

Re: EPA Community-Wide assessment Application for the City of Ottawa

Dear Richard,

This letter is intended to endorse the application form the City by the Franklin County development Council for the EPAs Community-Wide Assessment funding. Any effort made in our county to improve the health and wellness of the community is one we support. But in particular, with our mission to improve the economic conditions here, we are thrilled at the City's efforts to identify and create solutions for sites that may be contaminated.

As a lifelong resident, I am quite familiar with many of the landmark sites that once housed manufacturing or even fuel stations that were once productive but which now inhibit redevelopment due to environmental issues. As an example, the dilapidated Skyhook facility in the 1600 block of South Main Street may have ground contamination, but it is a vital redevelopment site that is holding back development in the otherwise vibrant southern retail district. Downtown Ottawa is also home to some areas that may have issues to resolve as well as North Main, which has many vacancies and redevelopment opportunities. The Development Council seeks to improve opportunities for job creation, job retention, and development or redevelopment of land along our commercial corridors and industrial parks.

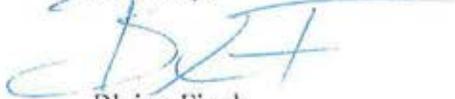
To that end we pledge our support in the following four areas should the city obtain this grant:

1. Assist in identification and prioritization of Brownfield sites.
2. Provide research and historic background on selected sites to better identify potential hazards as well as prior offers or zoning requests that were abandoned due to contaminants.

3. Cooperate on the development of marketing plans for selected sites.
4. Implement targeted marketing efforts in conjunction with other community organizations to highlight the rehabilitated property to targeted market sectors.

It is imperative to our community's growth that these areas be addressed for cleanup in the near future. The Development Council will cooperate with the City in the ways specified above as well as any other necessary way to address remediation and reuse of these sites. If the City needs additional assistance in facilitating public meetings or coordinating with property owners, we would be pleased to offer additional assistance. Thank you for your commitment to improve our community's health and image.

Sincerely,



Blaine Finch

Interim Director

Franklin County Development Council, Inc.

# SEKRPC

## Southeast Kansas Regional Planning Commission

*Serving the Counties of:* **Allen** **Bourbon** **Coffey** **Labette** **Montgomery** **Wilson**  
**Anderson** **Cherokee** **Crawford** **Linn** **Neosho** **Woodson**

November 2, 2012

J.D Lester  
City Manager  
101 South Lincoln  
Chanute, KS 66720

**RE: 2012 EPA BROWNFIELD COALITION ASSESSMENT GRANT APPLICATION**

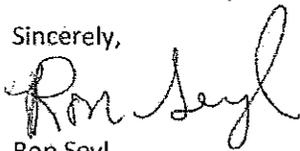
Dear Mr. Lester:

This letter is being submitted for the purpose of showing support for the 2012 U.S. EPA Brownfield Coalition Assessment Grant application that is being submitted by the Kansas Department of Health and Environment on behalf of the City of Chanute, the Fort Scott/Bourbon County Riverfront Authority and the City of Ottawa. At one time, southeast Kansas was one of the most heavily industrialized areas in the U.S. due to an abundance of coal and other mineral resources. However, the region is now the most economically distressed area in the state of Kansas. The region has also been experiencing a decline in population for several decades, and one of the unfortunate results of this decline is an abundance of brownfield properties within our area.

One of the primary purposes of the SEKRPC is to assist communities in southeast Kansas with community development issues. We share the Coalition's commitment to improving the quality of life for the residents in our area. We believe that the redevelopment of these sites will not only improve health of the area's residents, but also provide an economic shot in the arm to a region that is working hard to increase economic opportunities for citizens in the area. The SEKRPC will be happy to provide in-kind community outreach services such as conducting local meetings to increase awareness of the Coalition's efforts.

Again, I would like to express the SEKRPC's support for the efforts outlined in this grant application. We strongly encourage the U.S. EPA to fund this grant application.

Sincerely,



Ron Seyl

Planning and Development Consultant



**Chanute Regional Development Authority**  
1 South Lincoln  
Chanute, Kansas 66720  
620-431-5222

---

**November 5<sup>th</sup>, 2012**

John Lester

City Manager

101 South Lincoln

Chanute, KS 66720

Re: Brownfield Assessment Grant Application

Mr. Lester,

On behalf of the Chanute Regional Development Authority (CRDA) I would like to express our support for the Brownfield Assessment Grant being submitted by the City of Chanute to the U.S. Environmental Protection Agency. We see the great importance of assessing and repurposing the Brownfield areas in our community.

As the CRDA moves forward with current and future economic development projects for the community it is clear that Brownfield areas within our community need to be evaluated and remediated so these areas can become a safe asset to our community. Specifically we see the needs at the Old Refinery site and the Wax Plant site. By revitalizing these sites the entire community would benefit and the sites could be converted from a liability to an asset for economic development.

On behalf of CRDA I want to restate our support for this grant application. We are prepared to assist the city in any way possible.

Respectfully,

Murray McGee, Executive Director

Chanute Regional Development Authority

CHANUTE, CAMPUS  
800 WEST 14TH STREET  
CHANUTE, KS 66720

PHONE 620-431-2820  
FAX 620-431-0082



OTTAWA, CAMPUS  
900 EAST LOGAN STREET  
OTTAWA, KS 66067

PHONE 785-242-2067  
FAX 785-242-2068

November 1, 2012

Mr. John (J. D.) Lester  
Chanute City manager  
101 S. Lincoln  
Chanute, KS 66720

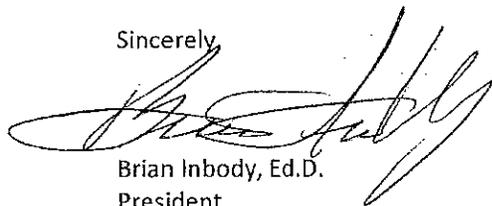
Dear Mr. Lester,

This letter is written in support of the Brownfields Assessment Grant application to be submitted by the City of Chanute to the U.S. Environmental Protection Agency. Neosho County Community College recognizes the need for the City of Chanute to put back into practical use various sites in our community that have long been unused. These sites include the old wax plant, the land south of the Ash Grove refinery, and various other commercial properties.

This project will allow the City to rehabilitate the properties that have environmental concerns and/or verify that no concerns exist. NCCC supports brownfield redevelopment as sustainable practice and offer our continued support of this effort. This may even lead to a possible partnership with NCCC's building trades program for facility improvements.

NCCC will be pleased to serve on advisory committees, community action groups, and in any other capacity necessary to assist in this project.

Sincerely,



Brian Inbody, Ed.D.  
President

# CHANUTE PUBLIC SCHOOLS

Unified School District No. 413

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November 2, 2012

City of Chanute, Kansas  
Attn: J.D. Lester, City Manager  
101 S Lincoln  
Chanute, KS 66720

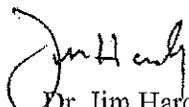
Re: Brownfields Community-Wide Assessment Grant for Chanute, Kansas

Dear Mr. Lester:

This letter is written in support of the Brownfields Assessment Grant Application to be submitted on behalf of the City of Chanute to the U.S. Environmental Protection Agency (USEPA). USD413 understands the city has an emphasis on rehabilitating commercial and old industrial properties with the goal of utilizing them for growing new and existing business as well as creating recreational opportunities. Identifying potential ways to return these sites back to practical uses for the community will add value to the community for economic use. There is also the potential of the Chanute USD 413/Neosho County Community College partnership construction trades classes being involved in the effort.

With these goals in mind we offer our support as a school district and would entertain any requests to become more involved in this project or any future development opportunities which may come about as a result of these efforts.

Sincerely,

  
Dr. Jim Hardy  
Superintendent  
USD 413 Chanute



Fort Scott Community College  
2108 South Horton  
Fort Scott, KS 66701

October 24, 2012

Mr. Dean Mann, Chairman  
Fort Scott / Bourbon County Riverfront Authority  
200 South Main  
Fort Scott, KS 66701

RE: Brownfields Assessment Grant Application  
Fort Scott / Bourbon County Redevelopment Authority

Dear Mr. Mann:

Fort Scott Community College is pleased to provide support for your application for a Brownfields Assessment Grant. We are pleased that the Authority is working to revitalize the Marmaton River area along the north edge of the city of Fort Scott. We understand that the federal funds received from EPA will be applied to protect and restore the environmental integrity of the riverfront and to create outdoor recreational opportunities in connection with the river. This project will also serve to educate residents and visitors on the cultural, historical, and natural history of the area.

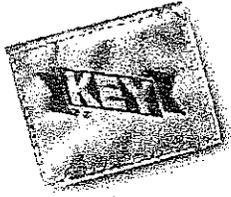
We support Brownfield redevelopment and this project as it will create a greater awareness of our environment and the how a beautiful natural resource can be restored to be enjoyed by all of our citizens and visitors.

You will continue to receive our support and we will entertain any requests to assist you in this project.

Sincerely,

*Clayton N. Tatro*

Clayton Tatro, Ph.D.  
President



October 24, 2012

Mr. Dean Mann, Chairman  
Fort Scott / Bourbon County Riverfront Authority  
200 South Main  
Fort Scott, KS 66701

RE: Brownfields Assessment Grant Application  
Fort Scott / Bourbon County Redevelopment Authority

Dear Dean:

I am glad to provide this letter of support for the Fort Scott Riverfront Brownfields Assessment Grant Application to be submitted by the Fort Scott / Bourbon County Riverfront Authority. We are excited that the Riverfront Authority is working to create new outdoor recreational facilities along the Marmaton River along the north side of our city. KEY supports this project, as it will reconnect the community to the revitalized Marmaton riverfront and other local natural and cultural points of interest, enhance tourism, offer historical and educational amenities for visitors along the trail, and promote bicycle and pedestrian mobility.

KEY Industries, Inc. and the KEY Charitable Trust will continue to support the Riverfront Authority in its work.

Sincerely,

Cordially,  
KEY Industries, Inc.  
KEY Charitable Trust

A handwritten signature in cursive script that reads "Bill Pollock". The signature is written in black ink and is positioned above a horizontal line.

Bill Pollock  
Chairman

Bill Pollock • Key Industries, Inc. • P.O. Box 389, Fort Scott, KS 66701-0389

(620) 223-2000 • (800) 835-0365 • Fax: (620) 223-5822 • Email: [bpolllock@keyapparel.com](mailto:bpolllock@keyapparel.com)



October 26, 2012

Mr. Dean Mann, Chairman  
Fort Scott/Bourbon County Riverfront Authority  
200 South Main Street  
Fort Scott, KS 66701

Re: EPA Brownfields Coalition Grant Proposal -Letter of Support

Dear Mr. Mann:

We are pleased to endorse the Brownfields Coalition Assessment Grant Application to be submitted by the Fort Scott/Bourbon County Riverfront Authority. We understand the purpose of the Authority is to revitalize the Marmaton River area along the north edge of Fort Scott, KS. The federal funds received from EPA will be applied to protect and restore the environmental integrity of the riverfront. More specifically, we are in support of the Riverfront Authority's intention to create outdoor recreational opportunities in connection with the river, as well as educate residents and visitors on the cultural, historical, and natural history of the area.

Our organization supports the Brownfield redevelopment and this project as we feel it will allow local residents to enjoy the economic and social benefits of Brownfield revitalization and planned green space, and provide them a healthy alternative for exercise and enjoyment.

We offer our continued support and thank you for your consideration.

Sincerely,

Lindsay B. Madison  
Executive Director



# Marmaton

## WRAPS

1000 Promontory Dr.  
P. O. Box 4  
Uniontown, KS 66779  
Phone: 620-756-1000  
Fax: 620-756-4600  
marmatonwraps.com

November 1, 2012

**Stakeholder  
Leadership Team**

Bob Love  
Chairman

Jingles Endicott  
Vice Chairman

Randy Nelson  
Secretary/Treasurer

**Members:**

Brad Blythe

Dean Mann

Matt Powe

Rollin Wiley

Mr. Dean Mann, Chairman  
Fort Scott/Bourbon County Riverfront Authority  
200 S. Main  
Fort Scott, KS 66701

RE: Brownfields Cleanup Grant Application  
Fort Scott / Bourbon County Redevelopment Authority

Dear Mr. Mann:

This letter is provided as support of the Brownfields Cleanup Grant Application to be submitted by the Fort Scott / Bourbon County Riverfront Authority. We understand the purpose of the Authority is to revitalize the Marmaton River area along the north edge of the city of Fort Scott, KS. The federal funds received from EPA will be applied to protect and restore the environmental integrity of the riverfront.

Our organization supports Brownfield redevelopment and this project as it will assist in the restoration and protection of the region's water quality. The ultimate goal of the Marmaton WRAPS Project is to restore and protect the Marmaton Watershed, and in doing so, enhance the water quality in the region. Thus, the Riverfront Authority project falls in line with the goals of Marmaton WRAPS.

We offer our continued support and will entertain any request to become more involved in this project.

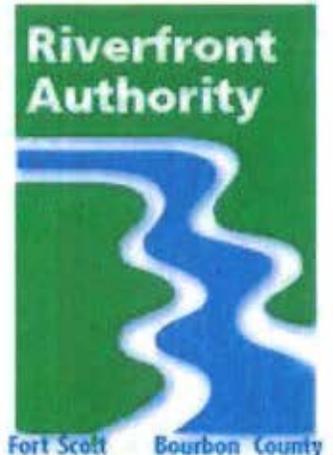
Sincerely,

Bob Love, Chairman

Watershed Restoration and Protection Strategy

Funded in part by a U.S. EPA Section 319 Grant & Kansas Water Plan Funds provided by the Kansas Department of Health and Environment.

**ATTACHMENT IV  
LEVERAGED FUNDS DOCUMENTATION**



## **RIVERFRONT AUTHORITY LEVERAGED FUNDS**

The Riverfront Authority has recently received two grants:

1. A \$125,000 Grant from the Kansas Department of Wildlife, Parks, and Tourism to build a pedestrian walking trail and parking area on the north side of the Marmaton River.
2. A \$1,545,000 Grant from the US Department of Transportation's Public Lands Highway Discretionary Program to design and build The River Loop Road and trails on the south side of the Marmaton River.

Both the City and County have committed support to assisting in these projects. They will provide in-kind service to meet the 20% match on grant 1. The City is also acting as sponsor of the grant 2 project which does not require a match.

The Riverfront Authority has conducted an annual Riverfront Festival for the last 3 years and which has raised over \$15,000. The festival is an old fashion hot dog roast and picnic open to the public for a free will donation.

Operations Office  
512 SE 25<sup>th</sup> Ave.  
Pratt, KS 67124-8174



Phone: (620) 672-5911  
Fax: 620-672-6020  
www.kdwp.state.ks.us

Robin Jennison, Secretary

Sam Brownback, Governor

June 21, 2010

Fort Scott/Bourbon County Riverfront Authority  
ATTENTION: Dean Mann  
200 S. Main  
Fort Scott, KS 66701

RE: Trail Project Riverfront Trail and amenities, Phase I, Grant Amount \$100,000

Dear Grant Administrator:

Congratulations! After much waiting for final funding approval to work its way through Congress and other agencies, your trail project has been approved by the Federal Highway Administration and the Department of Wildlife and Parks. Would you please have the attached agreement appropriately signed and returned to me? Please provide your "Sponsor Fed ID #" in the appropriate blank. We cannot process a reimbursement for you without this number.

If there were environmental concerns during the review of your project, those concerns are noted on the enclosed sheet. Please follow the advice on those sheets as you proceed.

When all the information is complete, I will sign the agreement and return a copy to you for your records. Work can begin on your project as soon as you receive the signed agreement back from us. You will need to document all time records, equipment usage records, invoices and payments relating to this project. Your project number is NRH-001-5. Please use this number on all records and requests for reimbursement. If possible, the project should start within the next few weeks.

Please contact me if your project scope needs to be changed or if major delays occur. Remember that this project is on a reimbursable basis. You must spend money first and request a reimbursement for up to 80% of your cost, up to the maximum amount approved. In-kind labor, equipment, and volunteer hours or donations can be used as part of your match. Donated labor should be figured at the rate you would pay an employee qualified to perform such work. You will need to document the donated labor by name and social security number, donated materials by source and value, and donated equipment by source, value and type. A suggested format for documenting these costs is enclosed. You may use your own forms as long as the appropriate information is included. You do not have to complete the project before requesting a reimbursement; you may request reimbursement on work completed at any time.

Please contact me if you have questions; don't wait until the project is complete. A department employee will inspect your project from time to time and a final inspection will need to be done before a final reimbursement can be made. A form to submit for reimbursement is enclosed.

Good luck on your project and thank you for becoming a partner in providing trails for Kansans.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathy Pritchett".

Kathy Pritchett, Trail Grants Coordinator  
Parks Division

kp  
File: NRH-001-5



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## Briefing Room

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### U.S. Transportation Secretary Ray LaHood Announces \$3.9 Million in Grants for Kansas Highway Projects



U.S. Department of Transportation  
Office of Public Affairs  
Washington, D.C.  
[www.dot.gov/affairs/briefing.htm](http://www.dot.gov/affairs/briefing.htm)

#### News

FHWA 37-11  
Wednesday, August 17, 2011  
Contact: Doug Hecox  
Tel: 202-366-0660

#### U.S. Transportation Secretary Ray LaHood Announces \$3.9 Million in Grants for Kansas Highway Projects

*Funds will help create jobs by building new bridge and using new real-time data system for driver safety*

WASHINGTON – U.S. Transportation Secretary Ray LaHood today announced more than \$3.9 million in grants to fund an array of highway-related efforts in Kansas, including the introduction of an "intelligent transportation system" that – using real-time traffic data – can help drivers make safer route decisions, and the construction of a bridge in Wichita using innovative materials which will improve durability and reduce construction time.

"Transportation investments like these will create jobs and improve the quality of life for Kansans as well as strengthen the state's economy," said Secretary LaHood. "The demand from the states for these funds shows just how critical the need is for infrastructure investment."

The Federal Highway Administration (FHWA) invited states to apply in June for federal funding from 14 grant programs. Requests poured in from every state, Puerto Rico and Washington, D.C. – more than 1,800 applications, totaling nearly \$13 billion, which is more than 30 times the funds available.

"At a time when states are facing serious budgetary constraints, these grants will help fill a critical need," said Federal Highway Administrator Victor Mendez. "Investments like these are immediate and long-lasting, and will help create jobs."

Congress created the discretionary grant programs to give FHWA the latitude to support projects that maintain the nation's roads and bridges, improve roadway safety and make communities more livable. In previous years, Congress designated some of this grant money for specific projects and FHWA awarded the remainder through a competitive process. Because the FY11 budget passed by Congress last April directed that all such funds be discretionary, FHWA awarded these funds through a competitive process.

Kansas received funding for the following projects:

PROJECT	AWARD
Implementation of SMART Work Zone Technology statewide to use real-time traffic data to inform drivers of work zone traffic conditions	\$1,650,000
This project is to provide road access and a connecting loop road to a new riverfront park being developed adjacent to the Fort Scott National Historic Site	\$1,545,000
Construction of South Broadway bridge over railroad using Geosynthetic Reinforced System Integrated System abutments in Wichita	\$320,000
Reconstruction of two entrances and parking area at Kickapoo Tribe Community Building in Horton	\$197,900
Specialized training to help Kansas DOT prepare minorities, women and disadvantaged individuals in northeast Kansas for careers in highway construction	\$147,375

December 29, 2011



To Whom It May Concern,

The City of Ottawa is excited about the opportunity to address some long-overdue connection barriers to our downtown and major institutions in the community through the TCSP Discretionary Grant Program. The desires of the citizens of Ottawa to improve all modes of transportation for connection to institutions, services and goods, and employment have been evidenced by many efforts in recent years. Community members have written letters to the newspaper and letters of support for grants such as Transportation Enhancement, and shared their vision in surveys and meetings for additional safe routes for pedestrians and bicyclists. Because of this strong community desire to provide a "complete streets" approach to transportation, **the City pledges \$15,000** from our 2012 budget toward the \$100,000 total project cost. We will also lend our staff support – from producing maps to conducting surveys – to help reduce the project costs in any other way possible so that the consultant is truly focused on using his/her skills to provide the necessary outside services. The City of Ottawa looks for opportunities to be collaborative with our local and state partners, so we are looking forward to collectively creating a great project!

Ottawa has a typical Kansas pattern of development, including a grid system for the "old town" that generally has intersecting roads and sidewalk connections. Our downtown is central to the grid, and our historic amenities are without compare in Kansas. We are fortunate to also be a Main Street City, with a central Historic District and thriving business area. Our street system remains generally on the grid, but there were several decades of growth when sidewalks were not installed to give larger-appearing yards and to force more dependence on automobiles. For the last fifteen years, the City has required sidewalks in all subdivisions. Accordingly, there are gaps in connectivity. Furthermore, areas of the community that are lower income, older neighborhoods that haven't been able to reinvest in their sidewalks, and some of the old brick sidewalks have fallen into disrepair. Often these neighborhoods house the very citizens who have limited access to vehicles, making them more dependent on pedestrian or bicycle transportation. Often during those same years of development without sidewalks, streets were constructed wider than today's standards, resulting in existing curbing and stormwater management infrastructure that would be expensive to change. These streets are perfect for road diets and the addition of bike lanes. Existing opportunities such as these could produce a network of pedestrian and bicyclist solutions and are why we are pursuing this project. A true network gives the users more flexibility, is more interesting to travel, allows for multiple destinations such as work, recreation, shopping and medical services, and creates transportation solutions that reduce the vehicular trips citizens sometimes find necessary when given no other options.

Gaps in our transportation network are regularly identified by the community any time we have a meeting. Citizens want us to resolve the problem, improve our transportation network, our health and economy. While these problems exist throughout the community to varying degrees, our downtown district poses specific challenges. For more than ten years, the City has provided incentives to encourage reinvestment in the downtown and Main Street areas through Neighborhood Revitalization rebates and decreased permit fees. This foregone revenue makes it harder for the City to reinvest, but we still maintain a priority to the preserve and develop the area. Most recently, the Ottawa Main Street Association hosted focus group meetings and invited community members to express concerns and ideas.

When the Prairie Spirit Rail Trail (PSRT) was constructed in the late nineties, there was a visible surge in walkers and bicyclists. This created a demand to use the trail as a "spine" of sorts, with other connections to the grid. However, it remains difficult to get to our core business area from the

north, as well as to major institutions in Ottawa when walking or biking. Ottawa is transected by the Marais des Cygnes River, which inhibits connectivity from north to south. In the past, there were only three ways – all highways – to cross the river. With the relocation of Highway 59, opportunities to do something different on Main Street and in the downtown district are worth studying, including consideration of signage, signalization and the community desire to focus on walking and bicycling.

One specific area discussed in the Ottawa Main Street Association meeting was the large gap in the PSRT on Walnut adjacent to downtown, which has the potential to serve as a major bicycle and pedestrian connection. Currently bikers and walkers just try to find their way either on the sides of the street or on adjacent sidewalks. The area has many varieties of driveways and parking solutions, so it is very unclear to users where to be and how to feel safe. This gap has been awkward for years, but contemporary trends and alternatives now offer solutions that can successfully address this community concern. To illustrate this concern and other gaps, we are providing a map of the downtown area, institutions and other sites of note to illustrate the areas Ottawa hopes to study and concerns we hope to resolve.

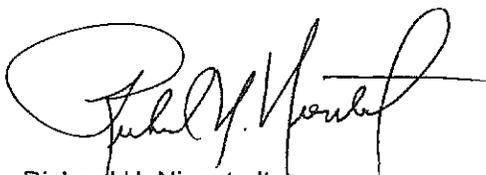
In the past ten to fifteen years, diligent efforts to address these issues have included: partnering with property owners on sidewalk repair and replacement; City projects which include new sidewalks on both sides of the street; grants sought for trails and sidewalks whenever possible; and improvements when new projects were constructed. Most recently, the City, USD 290, Ottawa Recreation Commission, and ECKAN (East Central Kansas Economic Opportunity Corporation) partnered for a Sunflower trail with sidewalk connections funded by both public and private dollars. The City has recently reinvested in the PSRT with new asphalt. Currently, we are constructing a Transportation Enhancement project, and next spring Safe Routes to School Project segments will be ready for bid letting. These projects have received significant citizen support, but the remaining gaps still must be addressed. The opportunity for this project comes at a critical time and allows us to partner to more efficiently and effectively solve problems.

To achieve future results, we propose to partner with KDOT, Ottawa Main Street Association, and KDOC to study Ottawa and determine where we can provide “community connections” that make sense for all modes of transportation. Careful consideration must be made of existing infrastructure; traffic; sidewalk and bike amenities; institutional destinations; as well as the growing trend of walking or biking to work, for shopping and/or recreation. Improved wayfinding signs for all transportation modes will allow both residents and visitors to easily find major destinations in our community. We are certain this project will improve the livability of Ottawa and the health, wellness and satisfaction of our residents.

This project has the City’s support as well as our pledge to partner with funding and efforts to see the project through to completion. Please approve this funding request; we know it will make a significant difference in the lives of the citizens of Ottawa.

If you need additional input from me, please do not hesitate to contact me at 785-229-3637 or [rniensstedt@ottawaks.gov](mailto:rniensstedt@ottawaks.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Richard U. Nienstedt". The signature is fluid and cursive, with a large initial "R" and "U".

Richard U. Nienstedt  
City Manager

## **Maggie Weiser**

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**From:** Jeff Oleson [joleson@ottawaks.gov]  
**Sent:** Monday, October 01, 2012 9:35 AM  
**To:** Maggie Weiser  
**Cc:** j.nolanseymour@gmail.com; 'James Bradley'; 'Richard Nienstedt'; 'Wynndee Lee'  
**Subject:** FW: Information on recent Ottawa coalition-based projects

Maggie,

Additional coalition-based projects that were completed or are ongoing in Ottawa:

### Ottawa Community Garden (2012)

This was a project where a City-owned property, at 311 West 11th St., was developed with ECKAN and volunteers to provide Green Space for planting and cultivating food within the City for individuals and groups. The City worked with ECKAN and volunteers to select a site, the City installed a water supply to the property, and the City and ECKAN both financially supported the installation of the water service lines and watering hydrants for use on the property. ECKAN provided \$1,000 and manages the property through their Food and Nutrition programs. The property maintenance and upkeep are maintained by garden volunteers. The City provided \$1,400 for the service line installation and all of the materials and labor for the water supply line. The value of the supply line installation was over \$1,000.

### Ottawa Main Street Corners (2011 and ongoing)

This project is where the street corners within the downtown Ottawa Main Street are maintained by volunteers, with funding for plants, materials, electric service, and water being provided by the City. Through Ottawa Garden Club volunteers, business owners, and individuals, the street corners within the downtown district are improved with plants, flowers, mulch, and bushes, then maintained on an ongoing basis by individuals. Water is supplied by the City and electric service is installed and provided, as necessary, to support the public benefit of the downtown Business and Historic district. The value of the water and electricity is several hundred dollars annually (Utility Dept). The financial support by the City (Public Works Dept.) is between \$1,500 - \$2,500 dollars annually, and the volunteers hours are estimated to be over a thousand hours annually.

Jeffrey S. Oleson  
Asst. Utility Director  
City of Ottawa, Kansas  
785-229-3633  
785-229-3639 FAX  
[joleson@ottawaks.gov](mailto:joleson@ottawaks.gov)

---

**From:** Jeff Oleson [<mailto:joleson@ottawaks.gov>]  
**Sent:** Monday, October 01, 2012 8:50 AM  
**To:** 'Maggie Weiser'  
**Cc:** 'j.nolanseymour@gmail.com'; 'James Bradley'; 'Richard Nienstedt'; 'Wynndee Lee'  
**Subject:** Information on recent Ottawa coalition-based projects

Maggie,

Below is information about recently completed or planned coalition-based projects for Ottawa. These were forwarded by Wynndee Lee from Ottawa Planning Dept. from her files. I have underlined and made some minor changes to the original e-mail information.

### Sunflower Trail (2009 - 2010)

This was a project where we had some limited grant funds and limited city funds, so we asked for partners in the USD 290, Ottawa Recreation Commission (ORC), and ECKAN, to ensure a complete trail and sidewalk loop, that had interconnections to other built sidewalks. The Sunflower Trail, funded in large part by Sunflower Foundation, includes \$

20,225 from them, \$ 21,900 in city funds with the significant contribution of labor, valued at \$25,100, and cash match funds of \$40,000 from the other three partners. The trail was eight foot wide, about 1/3 mile long, with another 800 linear feet of new sidewalk. The loop created was about 2/3 mile long and also provided primary pedestrian to the new Ottawa Recreation Commission (ORC) Goppert Building, with connectedness to neighborhoods and local schools.

#### Kanza Park Build (2011)

This project was led by the Play Task Force, a group founded to improve our parks and opportunity for youth to play outdoors. The initial grant funding was provided by KaBOOM!, \$20,000, with funds of nearly \$30,000 provided by individual donors, business donors, memorial contributions, and fundraisers, along with city funds and city staff skilled labor. The most successful part of this project was the Community Volunteers coming together on two different days to build the playground, assemble benches and tables, and install mulch and edging for the park.

#### Safe Routes to Schools (2012 - 2013)

Safe Routes to Schools is a project that will enable construction of four different sidewalk connections or extensions in Ottawa in locations key routes to local schools. There are five parts to any SRTS, Education, Encouragement, Enforcement, Engineering (Construction) and Evaluation to be done by the partners, which include the City planning (administration/design), Police Department(Enforcement), Ottawa Herald(Education and Encouragement), USD 290 (Education & Encouragement) and all doing Evaluation. The total project includes \$19,000 of value in-kind from all the partners to be matched with city funds for engineering, about \$40,000 and KDOT funds of approximately \$210,000.

Community Connections Study (2012 - 2013) – not sure with changes in Kansas Commerce, *a further update will be forwarded, when known.*

Jeffrey S. Oleson  
Asst. Utility Director  
City of Ottawa, Kansas  
785-229-3633  
785-229-3639 FAX  
[joleson@ottawaks.gov](mailto:joleson@ottawaks.gov)

November 2, 2012

Maggie Weiser  
KDHE Brownfields Coordinator  
1000 SW Jackson, Suite 410  
Topeka, KS 66612-1367



Center for Hazardous  
Substance Research  
College of Engineering  
104 Ward Hall  
Manhattan, KS 66506 -2502  
785-532-6519  
Fax: 785-532-5985

**Subject:** Letter of Support for KDHE  
EPA Brownfields Coalition Assessment Grant Application

Dear Ms. Weiser,

This letter follows-up TAB's September 17, 2012 meeting with you and other stakeholders in Fort Scott, and subsequent discussions regarding the above-referenced proposal effort. The Technical Assistance to Brownfields (TAB) Program, at Kansas State University, will continue providing technical support to the Kansas Department of Health and Environment's Brownfields redevelopment efforts, as outlined below.

TAB plans to assist with Task 2 (Community Outreach) in the above-referenced proposal, as needed, by providing review and input on the Community Involvement Plan and with one to three workshops for local stakeholders discussed in the proposal. The workshops will highlight the steps and benefits of brownfield revitalization and urban renewal, and the importance of the community's involvement. We will follow the model used for previous workshops hosted by TAB, and other cities and the KDHE, which garnered good attendance and generated widespread interest among local lending institutions, developers, real estate investors, planning committees, residents, and city officials. We will also provide follow-on technical assistance such as redevelopment goal setting, review of technical reports, and community outreach and education. KDHE frequently refers communities to TAB for additional assistance and vice versa, so that a larger spectrum of communities and needs are being met. TAB will also provide technical support to other Tasks, as needed. Based on the last four years of partnering with the KDHE, we anticipate that three workshops will constitute approximately \$6,000 of leveraged effort, and that TAB will expend up to approximately \$15,000 per year on leveraged workshop and other technical assistance.

We wish you luck on your proposal and with your Brownfields Redevelopment efforts in general.

Sincerely,

A handwritten signature in blue ink that reads "Blase A. Leven".

Blase A. Leven  
TAB Program Coordinator

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OCT 24 2012

BUREAU OF  
ENVIRONMENTAL REMEDIATION



October 25, 2012

Maggie Weiser  
Brownfield Coordinator  
KDHE-BER  
1000 S.W. Jackson St., Suite 410  
Topeka, KS 66612-1367  
(785) 296-5519

Re: Project 17 Support of KDHE EPA Brownfield Application

Dear Ms. Weiser,

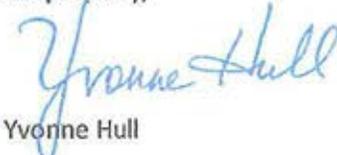
The Project 17 Economic Development Subcommittee is pleased to provide this letter in support of the Kansas Department of Health and Environment's application to the EPA Brownfield Program on behalf of the Southeast Kansas community coalition which includes Chanute, Fort Scott, and Ottawa.

Project 17 is a new 17-county initiative focused on developing regional capacity to grow a strong, thriving, and self-reliant economy for all Southeast Kansans by cultivating regional leadership, growing new and existing industries, and improving the health of its citizens. We share the coalition's belief that the redevelopment of brownfield sites in Southeast Kansas will not only benefit the health of the region's citizens, but also improve the economic development opportunities afforded the coalition's communities and the larger region.

Project 17 was recently awarded an EDA/USDA-Rural Development funded Rural Jobs and Innovation Accelerator Challenge Grant to support the development of a regional approach focused on leveraging the assets and resources of the region to compete for new regional, national, and global opportunities. Project 17 is designed to facilitate the growth of the 'connective tissue' among the region's communities enabling them to compete for new economic opportunities and solve problems that are larger or more complex than can be addressed by a single community. With the EPA identified as one of the official supporting federal agencies of the Rural Jobs and Innovation Accelerator Challenge, we believe the proposed application ties our collective efforts together both from a public health and economic development perspective for the benefit of the broader region.

The economic development leaders of Project 17 understand that once the properties in these respective communities are assessed, cleared for reuse and/or cleaned up, they will become assets both within their communities and the broader region. Connecting assets, such as these, to opportunities is one of the charter missions of Project 17 and the recently awarded Rural Jobs and Innovation Accelerator Challenge Grant. To that end we fully support the proposed application by the KDHE and community coalition.

Respectfully,



Yvonne Hull  
Economic Development Subcommittee  
Project 17

**ATTACHMENT V**  
**SPECIAL CONSIDERATIONS CHECKLIST**

### 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 and may consider this information during the selection process. Describe how each consideration applies to your proposal and/or attach documentation.

- Community population is 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) (2005 or later). To be considered, applicant must identify here the timeframe and type of natural disaster.
- Project is primarily focusing on Phase II assessments
- Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation
- Community experiencing plant closures (or other significant economic disruptions) (2007 or later); including communities experiencing auto plant closures due to bankruptcy or economic disruptions. To be considered, applicant must identify here the timeframe and name of the plant recently closed and jobs lost, or reason for other significant economic disruption.
- Applicant is a recipient or a core partner of a HUD-DOT-EPA Partnership for Sustainable Communities (PSC) grant that is directly tied to the project area, and can demonstrate that funding from a PSC grant has or will benefit the project area. To be considered, **applicant must attach documentation** which demonstrates this connection to a HUD-DOT-EPA PSC grant.
- Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant
- Community is implementing green remediation plans.