

**Notice:** Use this form to request a **written response (on agency letterhead)** from the Department of Natural Resources (DNR) regarding technical assistance, a post-closure change to a site, a specialized agreement or liability clarification for Property with known or suspected environmental contamination. A fee will be required as is authorized by s. 292.55, Wis. Stats., and NR 749, Wis. Adm. Code., unless noted in the instructions below. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records law [ss. 19.31 - 19.39, Wis. Stats.].

## Definitions

**"Property"** refers to the subject Property that is perceived to have been or has been impacted by the discharge of hazardous substances.

**"Liability Clarification"** refers to a written determination by the Department provided in response to a request made on this form. The response clarifies whether a person is or may become liable for the environmental contamination of a Property, as provided in s. 292.55, Wis. Stats.

**"Technical Assistance"** refers to the Department's assistance or comments on the planning and implementation of an environmental investigation or environmental cleanup on a Property in response to a request made on this form as provided in s. 292.55, Wis. Stats.

**"Post-closure modification"** refers to changes to Property boundaries and/or continuing obligations for Properties or sites that received closure letters for which continuing obligations have been applied or where contamination remains. Many, but not all, of these sites are included on the GIS Registry layer of RR Sites Map to provide public notice of residual contamination and continuing obligations.

## Select the Correct Form

This form should be used to request the following from the DNR:

- Technical Assistance
- Liability Clarification
- Post-Closure Modifications
- Specialized Agreements (tax cancellation, negotiated agreements, etc.)

**Do not use this form if one of the following applies:**

- Request for an **off-site liability exemption or clarification** for Property that has been or is perceived to be contaminated by one or more hazardous substances that originated on another Property containing the source of the contamination. Use DNR's Off-Site Liability Exemption and Liability Clarification Application Form 4400-201.
- Submittal of an Environmental Assessment for the **Lender Liability Exemption**, s 292.21, Wis. Stats., **if no response or review by DNR is requested**. Use the Lender Liability Exemption Environmental Assessment Tracking Form 4400-196.
- Request for an **exemption to develop on a historic fill site** or licensed landfill. Use DNR's Form 4400-226 or 4400-226A.
- **Request for closure** for Property where the investigation and cleanup actions are completed. Use DNR's Case Closure - GIS Registry Form 4400-202.

**All forms, publications and additional information are available on the internet at:** [dnr.wi.gov/topic/Brownfields/Pubs.html](http://dnr.wi.gov/topic/Brownfields/Pubs.html).

## Instructions

1. Complete sections 1, 2, 6 and 7 for all requests. Be sure to provide adequate and complete information.
2. Select the type of assistance requested: Section 3 for technical assistance or post-closure modifications, Section 4 for a written determination or clarification of environmental liabilities; or Section 5 for a specialized agreement.
3. Include the fee payment that is listed in Section 3, 4, or 5, unless you are a "Voluntary Party" enrolled in the Voluntary Party Liability Exemption Program **and** the questions in Section 2 direct otherwise. Information on to whom and where to send the fee is found in Section 8 of this form.
4. Send the completed request, supporting materials and the fee to the appropriate DNR regional office where the Property is located. See the map on the last page of this form. A paper copy of the signed form and all reports and supporting materials shall be sent with an electronic copy of the form and supporting materials on a compact disk. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rrr/RR690.pdf>

The time required for DNR's determination varies depending on the complexity of the site, and the clarity and completeness of the request and supporting documentation.

# Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

Form 4400-237 (R 10/21)

Page 2 of 7

## Section 1. Contact and Recipient Information

### Requester Information

This is the person requesting technical assistance or a post-closure modification review, that his or her liability be clarified or a specialized agreement and is identified as the requester in Section 7. DNR will address its response letter to this person.

Last Name Abram	First Chad	MI	Organization/ Business Name Redevelopment Authority of the City of Prairie du Chien
Mailing Address PO Box 324			City Prairie du Chien
			State WI
			ZIP Code 53821
Phone # (include area code) (608) 326-6406	Fax # (include area code) (608) 326-8182	Email cabram@prairieduchien-wi.gov	

The requester listed above: (select all that apply)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Is currently the owner  | <input type="checkbox"/> Is considering selling the Property              |
| <input type="checkbox"/> Is renting or leasing the Property                                       | <input checked="" type="checkbox"/> Is considering acquiring the Property |
| <input type="checkbox"/> Is a lender with a mortgagee interest in the Property                    |   |
| <input type="checkbox"/> Other. Explain the status of the Property with respect to the applicant: |   |

### Contact Information (to be contacted with questions about this request) Select if same as requester

Contact Last Name Frable	First Garth	MI W	Organization/ Business Name City of Prairie du Chien / Redevelopment Authority
Mailing Address PO Box 324			City Prairie du Chien
			State WI
			ZIP Code 53821
Phone # (include area code) (608) 326-6406	Fax # (include area code) (608) 326-8182	Email gfrable@prairieduchien-wi.gov	

### Environmental Consultant (if applicable)

Contact Last Name Langdon	First Robert	MI	Organization/ Business Name SCS Engineers
Mailing Address 2830 Dairy Drive			City Madison
			State WI
			ZIP Code 53718
Phone # (include area code) (608) 216-7329	Fax # (include area code)	Email rlangdon@scsengineers.com	

### Attorney (if applicable)

Contact Last Name Czajkowski Higgins	First Lara	MI	Organization/ Business Name Czajkowski Higgins & Tisdale, S.C.
Mailing Address PO Box 7			City Prairie du Chien
			State WI
			ZIP Code 53821
Phone # (include area code) (608) 326-8434	Fax # (include area code)	Email lara@prairieduchienlaw.com	

## Section 2. Property Information

Property Name Former Blackhawk Junction Mall (BLACKHAWK DRYCLEANERS)	FID No. (if known) 612034170
BRRTS No. (if known) 02-12-552357 & 07-12-585198	Parcel Identification Number 12-271-0749-0000 & 12-271-0750-0000

## Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

Form 4400-237 (R 10/21)

Page 3 of 7

Street Address 700 & 708 East Blackhawk Avenue		City Prairie du Chien	State WI	ZIP Code 53821
County Crawford	Municipality where the Property is located <input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village of	Property is composed of: <input type="radio"/> Single tax parcel <input checked="" type="radio"/> Multiple tax parcels	Property Size Acres 9.14	

1. Is a response needed by a specific date? (e.g., Property closing date) Note: Most requests are completed within 60 days. Please plan accordingly.

No  Yes

Date requested by: 12/07/2021

Reason: To finalize development agreements for the commercial redevelopment.

2. Is the "Requester" enrolled as a Voluntary Party in the Voluntary Party Liability Exemption (VPLE) program?

No. **Include the fee that is required for your request in Section 3, 4 or 5.**

Yes. **Do not include a separate fee.** This request will be billed separately through the VPLE Program.

**Fill out the information in Section 3, 4 or 5 which corresponds with the type of request:**

**Section 3. Technical Assistance or Post-Closure Modifications;**

**Section 4. Liability Clarification; or Section 5. Specialized Agreement.**

### Section 3. Request for Technical Assistance or Post-Closure Modification

Select the type of technical assistance requested: **[Numbers in brackets are for WI DNR Use]**

- No Further Action Letter (NFA) (Immediate Actions) - NR 708.09, [183] - Include a fee of \$350. Use for a written response to an immediate action after a discharge of a hazardous substance occurs. Generally, these are for a one-time spill event.
- Review of Site Investigation Work Plan - NR 716.09, [135] - **Include a fee of \$700.**
- Review of Site Investigation Report - NR 716.15, [137] - **Include a fee of \$1050.**
- Approval of a Site-Specific Soil Cleanup Standard - NR 720.10 or 12, [67] - **Include a fee of \$1050.**
- Review of a Remedial Action Options Report - NR 722.13, [143] - **Include a fee of \$1050.**
- Review of a Remedial Action Design Report - NR 724.09, [148] - **Include a fee of \$1050.**
- Review of a Remedial Action Documentation Report - NR 724.15, [152] - **Include a fee of \$350**
- Review of a Long-term Monitoring Plan - NR 724.17, [25] - **Include a fee of \$425.**
- Review of an Operation and Maintenance Plan - NR 724.13, [192] - **Include a fee of \$425.**

Other Technical Assistance - s. 292.55, Wis. Stats. [97] (For request to build on an abandoned landfill use Form 4400-226)

- Schedule a Technical Assistance Meeting - **Include a fee of \$700.**
- Hazardous Waste Determination - **Include a fee of \$700.**
- Other Technical Assistance - **Include a fee of \$700.** Explain your request in an attachment.

Post-Closure Modifications - NR 727, [181]

- Post-Closure Modifications: Modification to Property boundaries and/or continuing obligations of a closed site or Property; sites may be on the GIS Registry. This also includes removal of a site or Property from the GIS Registry. **Include a fee of \$1050, and:**
  - Include a fee of \$300 for sites with residual soil contamination; and
  - Include a fee of \$350 for sites with residual groundwater contamination, monitoring wells or for vapor intrusion continuing obligations.

Attach a description of the changes you are proposing, and documentation as to why the changes are needed (if the change to a Property, site or continuing obligation will result in revised maps, maintenance plans or photographs, those documents may be submitted later in the approval process, on a case-by-case basis).

### Section 4. Request for Liability Clarification

Select the type of liability clarification requested. Use the available space given or attach information, explanations, or specific questions that you need answered in DNR's reply. Complete Sections 6 and 7 of this form. **[Numbers in brackets are for DNR Use]**

**Technical Assistance, Environmental Liability  
Clarification or Post-Closure Modification Request**

Form 4400-237 (R 10/21)

Page 4 of 7

"Lender" liability exemption clarification - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the real Property, and/or the personal Property and fixtures;
- (2) an environmental assessment, in accordance with s. 292.21, Wis. Stats.;
- (3) the date the environmental assessment was conducted by the lender;
- (4) the date of the Property acquisition; for foreclosure actions, include a copy of the signed and dated court order confirming the sheriff's sale.
- (5) documentation showing how the Property was acquired and the steps followed under the appropriate state statutes.
- (6) a copy of the Property deed with the correct legal description; and,
- (7) the Lender Liability Exemption Environmental Assessment Tracking Form (Form 4400-196).
- (8) If no sampling was done, please provide reasoning as to why it was **not** conducted. Include this either in the accompanying environmental assessment or as an attachment to this form, and cite language in s. 292.21(1)(c)2.,h.-i., Wis. Stats.:
  - h. The collection and analysis of representative samples of soil or other materials in the ground that are suspected of being contaminated based on observations made during a visual inspection of the real Property or based on aerial photographs, or other information available to the lender, including stained or discolored soil or other materials in the ground and including soil or materials in the ground in areas with dead or distressed vegetation. The collection and analysis shall identify contaminants in the soil or other materials in the ground and shall quantify concentrations.
  - i. The collection and analysis of representative samples of unknown wastes or potentially hazardous substances found on the real Property and the determination of concentrations of hazardous waste and hazardous substances found in tanks, drums or other containers or in piles or lagoons on the real Property.

"Representative" liability exemption clarification (e.g. trustees, receivers, etc.) - s. 292.21, Wis. Stats. [686]

❖ **Include a fee of \$700.**

Provide the following documentation:

- (1) ownership status of the Property;
- (2) the date of Property acquisition by the representative;
- (3) the means by which the Property was acquired;
- (4) documentation that the representative has no beneficial interest in any entity that owns, possesses, or controls the Property;
- (5) documentation that the representative has not caused any discharge of a hazardous substance on the Property; and
- (6) a copy of the Property deed with the correct legal description.

Clarification of local governmental unit (LGU) liability exemption at sites with: (select all that apply)

- hazardous substances spills - s. 292.11(9)(e), Wis. Stats. [649];
- Perceived environmental contamination - [649];
- hazardous waste - s. 292.24 (2), Wis. Stats. [649]; and/or
- solid waste - s. 292.23 (2), Wis. Stats. [649].

❖ **Include a fee of \$700, a summary of the environmental liability clarification being requested, and the following:**

- (1) clear supporting documentation showing the acquisition method used, and the steps followed under the appropriate state statute(s).
- (2) current and proposed ownership status of the Property;
- (3) date and means by which the Property was acquired by the LGU, where applicable;
- (4) a map and the ¼, ¼ section location of the Property;
- (5) summary of current uses of the Property;
- (6) intended or potential use(s) of the Property;
- (7) descriptions of other investigations that have taken place on the Property; and
- (8) (for solid waste clarifications) a summary of the license history of the facility.

**Technical Assistance, Environmental Liability  
Clarification or Post-Closure Modification Request**

Form 4400-237 (R 10/21)

Page 5 of 7

**Section 4. Request for Liability Clarification (cont.)**

- Lease liability clarification - s. 292.55, Wis. Stats. [646]
- ❖ **Include a fee of \$700 for a single Property, or \$1400 for multiple Properties and the information listed below:**
  - (1) a copy of the proposed lease;
  - (2) the name of the current owner of the Property and the person who will lease the Property;
  - (3) a description of the lease holder's association with any persons who have possession, control, or caused a discharge of a hazardous substance on the Property;
  - (4) map(s) showing the Property location and any suspected or known sources of contamination detected on the Property;
  - (5) a description of the intended use of the Property by the lease holder, with reference to the maps to indicate which areas will be used. Explain how the use will not interfere with any future investigation or cleanup at the Property; and
  - (6) all reports or investigations (e.g. Phase I and Phase II Environmental Assessments and/or Site Investigation Reports conducted under s. NR 716, Wis. Adm. Code) that identify areas of the Property where a discharge has occurred.

General or other environmental liability clarification - s. 292.55, Wis. Stats. [682] - Explain your request below.

- ❖ **Include a fee of \$700 and an adequate summary of relevant environmental work to date.**
- No Action Required (NAR) - NR 716.05, [682]
- ❖ **Include a fee of \$700.**
- Use where an environmental discharge has or has not occurred, and applicant wants a DNR determination that no further assessment or clean-up work is required. Usually this is requested after a Phase I and Phase II environmental assessment has been conducted; the assessment reports should be submitted with this form. This is not a closure letter.
- Clarify the liability associated with a "closed" Property - s. 292.55, Wis. Stats. [682]
- ❖ **Include a fee of \$700.**
- Include a copy of any closure documents if a state agency other than DNR approved the closure.

Use this space or attach additional sheets to provide necessary information, explanations or specific questions to be answered by the DNR.

The entire site, which is enrolled in the VPLE program, has been surveyed and split into three parcels: Lot 1, Lot 2, and Lot 3 of Crawford County Certified Survey Map 1503. The contamination resulting from the former drycleaners on the site is limited to Lot 2 (2.07 acres). The RDA and City continue to work with WDNR on assessing the Lot 2 contamination. A Phase 1 and Phase 2 as well as other investigation and assessments were completed for the entire site. Lots 2 and 3 will be redeveloped for multi-family residential and Lot 1 will be redeveloped for commercial. Based upon the results of the previous investigations and assessments, including the Phase 1 and Phase 2, no contamination has been identified on Lot 1 (4.91 acres) and Lot 3 (2.16 acres), and consequently no action is required. Lot 1 will be further split into three additional parcels for commercial development. The RDA respectfully requests a letter that summaries the history of the parcels and confirms, that based on the findings in the various reports, there is no need to do any investigation or remediation of Lots 1 and 3. The RDA also requests that the letter be jointly addressed to the RDA, Pelton Development Group PDC LLC (Lot 3), Royal Bank (Lot 1), Mississippi Meats (Lot 1), and County Seat Laundry (Lot 1). Site plan for the overall redevelopment of the property is attached.

**Section 5. Request for a Specialized Agreement**

Select the type of agreement needed. Include the appropriate draft agreements and supporting materials. Complete Sections 6 and 7 of this form. More information and model draft agreements are available at: [dnr.wi.gov/topic/Brownfields/lgu.html#tabx4](http://dnr.wi.gov/topic/Brownfields/lgu.html#tabx4).

- Tax cancellation agreement - s. 75.105(2)(d), Wis. Stats. [654]
- ❖ **Include a fee of \$700, and the information listed below:**
  - (1) Phase I and II Environmental Site Assessment Reports,
  - (2) a copy of the Property deed with the correct legal description.
- Agreement for assignment of tax foreclosure judgement - s.75.106, Wis. Stats. [666]
- ❖ **Include a fee of \$700, and the information listed below:**
  - (1) Phase I and II Environmental Site Assessment Reports,
  - (2) a copy of the Property deed with the correct legal description.
- Negotiated agreement - Enforceable contract for non-emergency remediation - s. 292.11(7)(d) and (e), Wis. Stats. [630]
- ❖ **Include a fee of \$1400, and the information listed below:**
  - (1) a draft schedule for remediation; and,
  - (2) the name, mailing address, phone and email for each party to the agreement.

Technical Assistance, Environmental Liability  
Clarification or Post-Closure Modification Request

Form 4400-237 (R 10/21)

Page 6 of 7

**Section 6. Other Information Submitted**

Identify all materials that are included with this request.

Send both a paper copy of the signed form and all reports and supporting materials, and an electronic copy of the form and all reports, including Environmental Site Assessment Reports, and supporting materials on a compact disk.

Include one copy of any document from any state agency files that you want the Department to review as part of this request. The person submitting this request is responsible for contacting other state agencies to obtain appropriate reports or information.

- Phase I Environmental Site Assessment Report - Date: 11/01/2021
- Phase II Environmental Site Assessment Report - Date: 04/23/2020
- Legal Description of Property (required for all liability requests and specialized agreements)
- Map of the Property (required for all liability requests and specialized agreements)

Analytical results of the following sampled media: Select all that apply and include date of collection.

- Groundwater
- Soil
- Sediment
- Other medium - Describe: vapor

Date of Collection: \_\_\_\_\_

- A copy of the closure letter and submittal materials
- Draft tax cancellation agreement
- Draft agreement for assignment of tax foreclosure judgment
- Other report(s) or information - Describe: Limited Site Investigation complete. Further Site Investigation ongoing.

For Property with newly identified discharges of hazardous substances only: Has a notification of a discharge of a hazardous substance been sent to the DNR as required by s. NR 706.05(1)(b), Wis. Adm. Code?

- Yes - Date (if known): \_\_\_\_\_
- No

**Note:** The Notification for Hazardous Substance Discharge Form - Non-Emergency Only (Form 4400-225) is accessible through the RR Program Submittal Portal application. Directions for using the form and the Submittal Portal application are available on the [Submittal Portal web page](#).

**Section 7. Certification by the Person who completed this form**

- I am the person submitting this request (requester)
- I prepared this request for: PDC Redevelopment Authority  
Requester Name

I certify that I am familiar with the information submitted on this request, and that the information on and included with this request is true, accurate and complete to the best of my knowledge. I also certify I have the legal authority and the applicant's permission to make this request.

*Keith W. Frable*  
Signature

11/03/2021  
Date Signed

Planner  
Title

(608) 326-6406  
Telephone Number (include area code)

# Technical Assistance, Environmental Liability Clarification or Post-Closure Modification Request

Form 4400-237 (R 10/21)

Page 7 of 7

## Section 8. DNR Contacts and Addresses for Request Submittals

Send or deliver one paper copy and one electronic copy on a compact disk of the completed request, supporting materials, and fee to the region where the property is located to the address below. Contact a [DNR regional brownfields specialist](#) with any questions about this form or a specific situation involving a contaminated property. For electronic document submittal requirements see: <http://dnr.wi.gov/files/PDF/pubs/rr/RR690.pdf>.

### DNR NORTHERN REGION

Attn: RR Program Assistant  
Department of Natural Resources  
223 E Steinfest Rd Antigo, WI 54409

### DNR NORTHEAST REGION

Attn: RR Program Assistant  
Department of Natural Resources  
2984 Shawano Avenue  
Green Bay WI 54313

### DNR SOUTH CENTRAL REGION

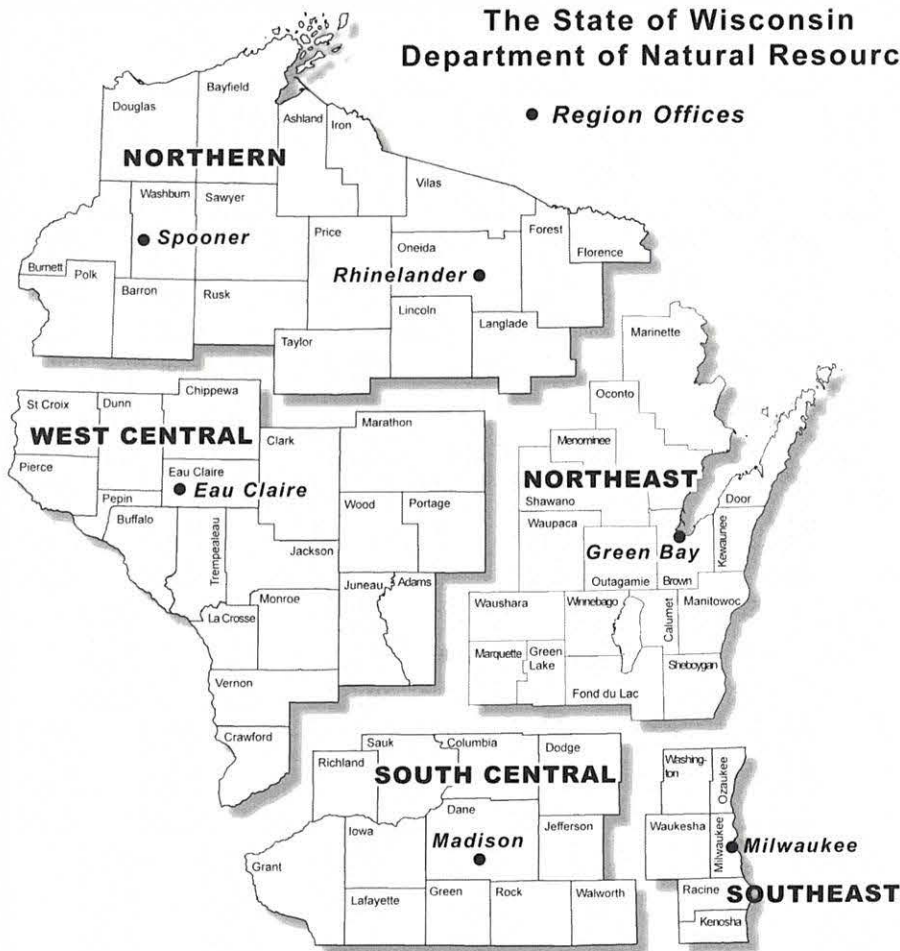
Attn: RR Program Assistant  
Department of Natural Resources  
3911 Fish Hatchery Road  
Fitchburg WI 53711

### DNR SOUTHEAST REGION

Attn: RR Program Assistant  
Milwaukee DNR Office  
1027 West St. Paul Ave  
Milwaukee WI 53233

### DNR WEST CENTRAL REGION

Attn: RR Program Assistant  
Department of Natural Resources  
1300 Clairemont Ave.  
Eau Claire WI 54702



*Note: These are the Remediation and Redevelopment Program's designated regions. Other DNR program regional boundaries may be different.*

DNR Use Only			
Date Received	Date Assigned	BRRTS Activity Code	BRRTS No. (if used)
DNR Reviewer		Comments	
Fee Enclosed? <input type="radio"/> Yes <input type="radio"/> No	Fee Amount \$	Date Additional Information Requested	Date Requested for DNR Response Letter
Date Approved	Final Determination		



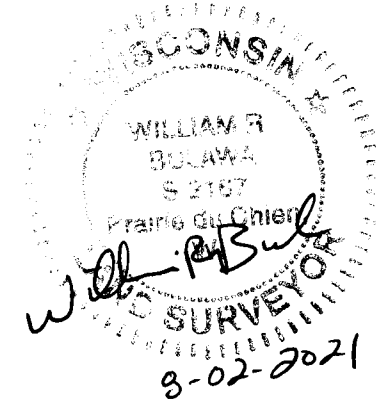
346136

RECORDED 08/19/2021 10:28 AM  
MELISSA C NAGEL  
REGISTER OF DEEDS OFFICE  
CRAWFORD COUNTY, WI  
RECORDING FEE 30.00

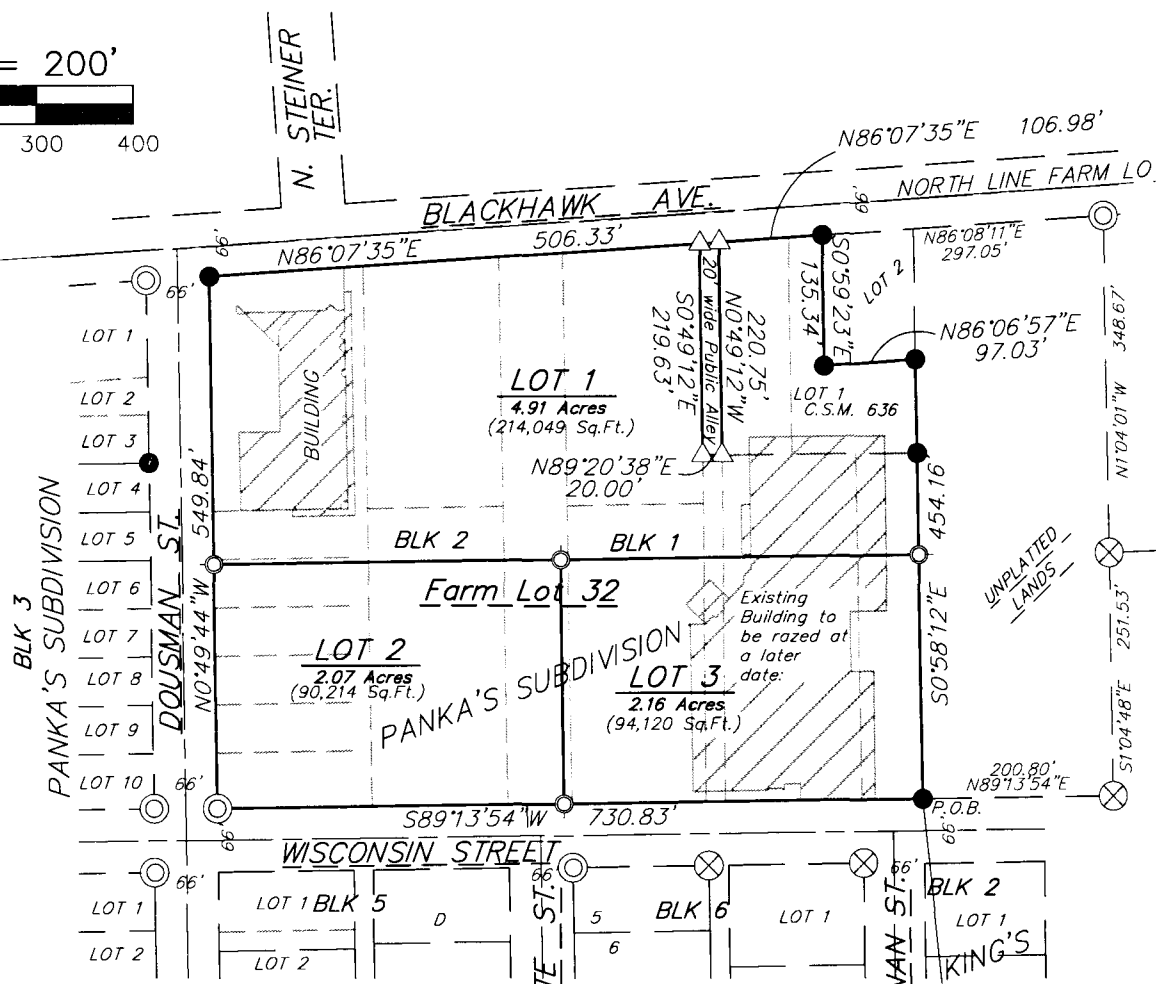
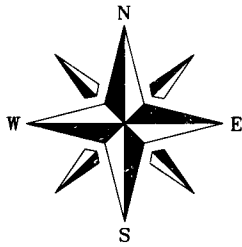
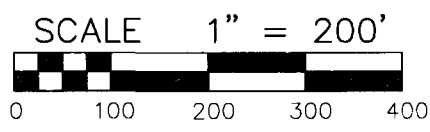
PAGES: 4

# CRAWFORD COUNTY CERTIFIED SURVEY MAP NO. 1503

LOCATED IN FARM LOT 32, OF THE PRIVATE LAND CLAIMS AT PRAIRIE DU CHIEN, CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN, ALSO BEING LOT 1, CRAWFORD COUNTY CERTIFIED SURVEY MAP NUMBER 636, RECORDED IN VOLUME 5, C.S.M.'S, PAGES 42 and 42A, DOCUMENT #238238, AND ALL OF BLOCK 1, EXCEPT LOTS 1, AND 2 ACCORDING TO PANKA'S SUBDIVISION, ALL OF BLOCK 2 ACCORDING TO PANKA'S SUBDIVISION, ALSO INCLUDING THE FOLLOWING VACATED STREETS AND ALLEYS LYING WITHIN THE BOUNDS OF BLOCKS 1, AND 2 OF PANKA'S SUBDIVISION, ALL OF STATE STREET AND BUCHANAN STREET THE 20 FOOT ALLEY IN BLOCK 2, AND THE PART OF THE ALLEY IN BLOCK 1 LYING SOUTH OF THE SOUTH LINE EXTENDED WESTERLY OF LOTS 1, AND 2 OF BLOCK 1, CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN.



BEARINGS REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, CRAWFORD COUNTY ZONE, NAD 83, 2011 ADJUSTMENT THE SOUTH LINE OF FARM LOT 32, MEASURED AS BEARING S83°56'43"W



- SURVEY LEGEND**
- PUBLIC LAND CORNER AS NOTED
  - ⊙ FOUND 1" Ø IRON PIPE
  - ⊗ FOUND 2" Ø IRON PIPE
  - FOUND 3/4" Ø IRON ROD
  - △ FOUND P.K. NAIL
  - ⊙ SET 3/4" DIA. X 18" IRON RE-BAR, 1.50 LBS./LIN.FT.

SE CORNER FARM LOT 32  
FOUND A 1" IRON ROD AND CAP TIES  
VERVERIFIED  
1743.10'

SW CORNER FARM LOT 32  
FOUND A 1" IRON ROD TIES  
VERVERIFIED

3061.52'  
# S83°56'43"W 4804.62' #  
SOUTH LINE FARM LOT 32

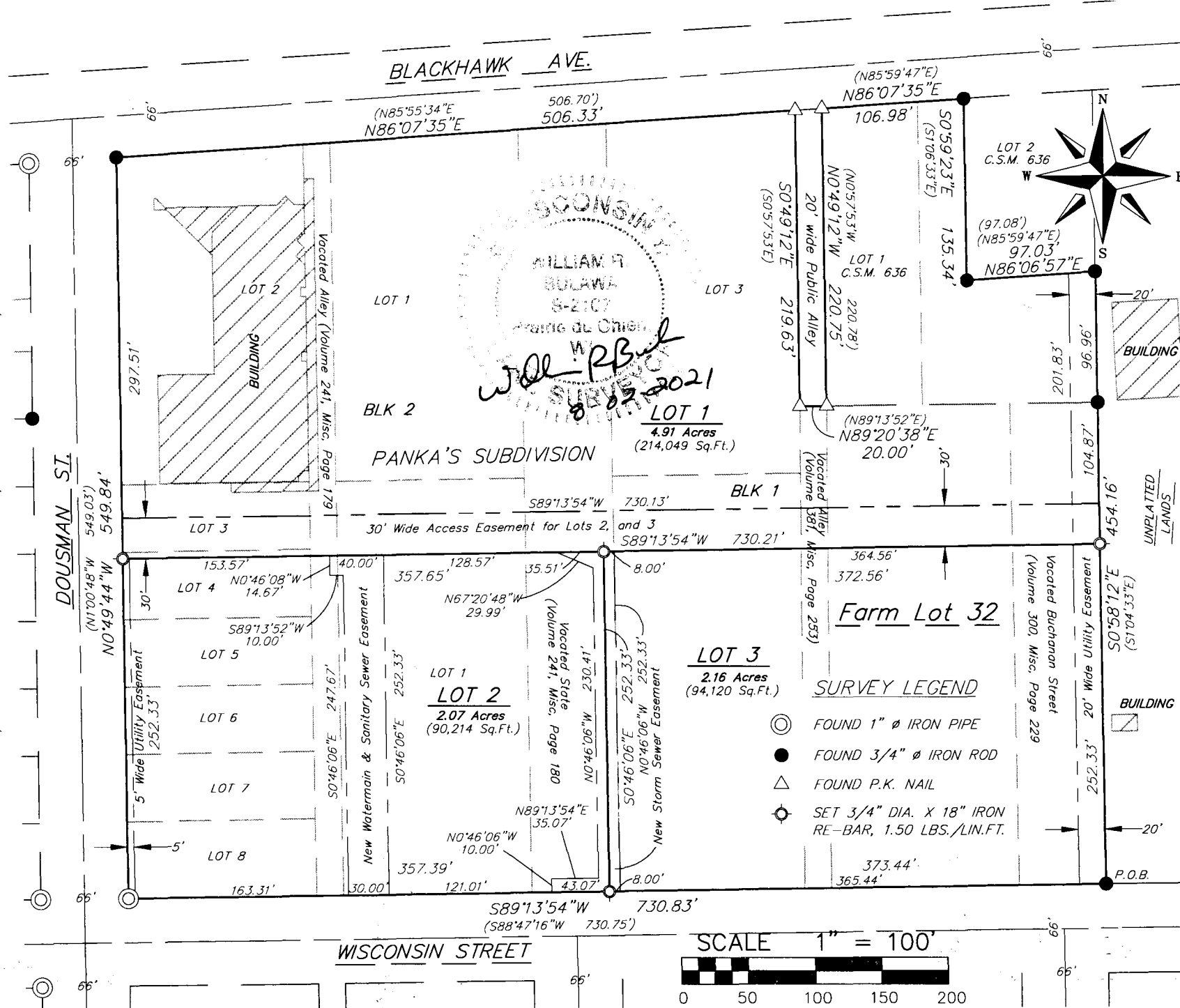
 <b>planners   engineers   advisors</b> REEDSBURG - MADISON - PRAIRIE DU CHIEN 108 W. Blackhawk Ave. Prairie du Chien, Wisconsin 53921 Phone: (608) 326-1051 Fax: (608) 326-1052	SURVEYED FOR: Redevelopment Authority of the City of Prairie du Chien, 214 E. Blackhawk Ave. PO Box 214 Prairie du Chien, WI 53921	C.S.M. No. <b>1503</b> Doc. No. <b>346136</b> Vol. <b>13</b> Page <b>45</b>	SHEET <b>1 OF 4</b>
	FN: 210140 DATE: 8/02/21 REV: Drafted By: wbul Checked By: mlton	vierbicher SHEET <b>1 OF 4</b>	

45



# CRAWFORD COUNTY CERTIFIED SURVEY MAP NO. 1503

LOCATED IN FARM LOT 32, OF THE PRIVATE LAND CLAIMS AT PRAIRIE DU CHIEN, CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN, ALSO BEING LOT 1, CRAWFORD COUNTY CERTIFIED SURVEY MAP NUMBER 636, RECORDED IN VOLUME 5, C.S.M.'S, PAGES 42 and 42A, DOCUMENT #238238, AND ALL OF BLOCK 1, EXCEPT LOTS 1, AND 2 ACCORDING TO PANKA'S SUBDIVISION, ALL OF BLOCK 2 ACCORDING TO PANKA'S SUBDIVISION, ALSO INCLUDING THE FOLLOWING VACATED STREETS AND ALLEYS LYING WITHIN THE BOUNDS OF BLOCKS 1, AND 2 OF PANKA'S SUBDIVISION, ALL OF STATE STREET AND BUCHANAN STREET THE 20 FOOT ALLEY IN BLOCK 2, AND THE PART OF THE ALLEY IN BLOCK 1 LYING SOUTH OF THE SOUTH LINE EXTENDED WESTERLY OF LOTS 1, AND 2 OF BLOCK 1, CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN.



WILLIAM R. BULAWA  
8-21-07  
PRAIRIE DU CHIEN, WI  
J.R. Bulawa  
8/09/2021

<b>vierbicher</b> planners   engineers   advisors REEDSBURG - MADISON - PRAIRIE DU CHIEN 108 W. Blackhawk Ave. Prairie du Chien, Wisconsin 53821 Phone: (608) 326-1051 Fax: (608) 326-1052	SURVEYED FOR: Redevelopment Authority of the City of Prairie du Chien, 214 E. Blackhawk Ave. PO Box 214 Prairie du Chien, WI	C.S.M. No. <b>1503</b> Doc. No. <b>34134</b> Vol. <b>13</b> Page <b>145A</b>	SHEET <b>2 OF 4</b>
	FN: 210140 DATE: 8/02/21 REV: Drafted By: wbul Checked By: mlion	45A	

# CRAWFORD COUNTY CERTIFIED SURVEY MAP 1503

Located in Farm Lot 32 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin. Also being Lot 1, Crawford County Certified Survey Map Number 636, Recorded in Volume 5, C.S.M.'s, Pages 42, and 42A, Document #238238, and All of Block 1, except Lots 1, and 2 according to Panka's Subdivision, All of Block 2, according to Panka's Subdivision, also including the following vacated streets and alleys lying within the bounds of Block 1, and 2 of Panka's Subdivision, all of State Street and Buchanan Street. The 20 Alley in Block 2, and that part of the Alley in Block 1 lying south of the south line extended westerly of Lots 1, and 2 of Block 1.

## SURVEYOR'S CERTIFICATE

I, William R. Bulawa, Registered Land Surveyor, hereby certify that I have surveyed, divided, mapped, and dedicated a parcel located in the Farm Lot 32 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin. Also being Lot 1, Crawford County Certified Survey Map Number 636, Recorded in Volume 5, C.S.M.'s, Pages 42, and 42A, Document #238238, Block 1, except Lots 1, and 2, all of Block 2, also including the following vacated streets and alleys lying within the bounds of Block 1, and 2 of Panka's Subdivision, all of State Street and Buchanan Street. The 20 Alley in Block 2, and that part of the Alley in Block 1 lying south of the south line extended westerly of Lots 1, and 2 of Block 1, described as follows:

Commencing at the Southeast Corner of Farm Lot 32 of the Private Land Claims at Prairie du Chien, said point being a found aluminum cap; thence S83°56'43"W, along the south line of Farm Lot 32, 1743.10 feet; thence N6°03'17"W, 620.11 feet to the intersection of the north right of way line of Wisconsin Street and the easterly right of way line vacated Buchanan Street, said point being the Point of Beginning of this description;

thence S89°13'54"W, along said north right of way line of Wisconsin Street, 730.83 feet, to the southwest corner of Block 2, Panka's Subdivision; thence N0°49'44"W, along the westerly line of said Block 2, 549.84 feet to the northwest corner of said Block 2; thence N86°07'35"E, along the north line of said Block 2, the southerly right of way line of Blackhawk Avenue, and the north line of Block 1, Panka's Subdivision 506.33 feet to the westerly line of the 20 foot wide Alley in said Block 1; thence S0°49'12"E, along the westerly line of the 20 foot wide Alley, 219.63 feet to the northwest corner of the vacated alley recorded in Volume 381, Misc deeds, Page 253; thence N89°20'38"E, along the southerly line of the 20 foot wide alley, 20.00 feet to the southwest corner of Lot 1, Crawford County Certified Survey Map #636, recorded in Volume 5, C.S.M.'s pages 42, and 42A, Document #238238; thence N0°49'12"W, along the easterly line of the 20 foot wide alley, and the westerly line of said Lot 1, 220.75 feet to the northwest corner of said Lot 1; thence N86°07'35"E, along the north line of said Lot 1, 106.98 feet to the northeast corner of said Lot 1; thence S0°59'23"E, along the easterly line of said Lot 1, 135.34 feet; thence N86°06'57"E, along the easterly line of said Lot 1, 97.03 feet; thence S0°58'12"E, along the easterly line of said Lot 1, and the easterly line of said vacated Buchanan Street 454.16 feet to the Point of Beginning.

Containing 9.14 Acres, more or less.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division thereof made.

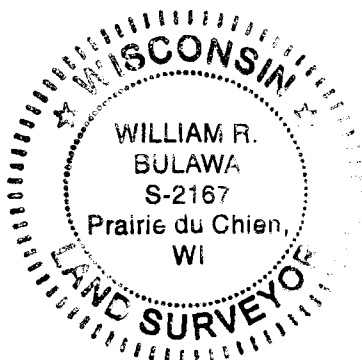
That I have made such survey, divided, mapped, and dedicated by the direction of Chad Abram, City of Prairie du Chien Administrator, agent for the owners of said land, according to the description furnished.

That I have fully complied with the requirements of Section 236.34 of the Wisconsin State Statutes, the City of Prairie Du Chien Subdivision Regulations.

Dated on this 2nd day of August, 2021.

William R. Bulawa

William R. Bulawa RLS-2167  
Vierbicher Associates, Inc.  
P.O. Box 542  
Prairie du Chien, WI 53821



CRAWFORD COUNTY CERTIFIED SURVEY MAP 1503

Located in Farm Lot 32 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin. Also being Lot 1, Crawford County Certified Survey Map Number 636, Recorded in Volume 5, C.S.M.'s, Pages 42, and 42A, Document #238238, and All of Block 1, except Lots 1, and 2 according to Panka's Subdivision, All of Block 2, according to Panka's Subdivision, also including the following vacated streets and alleys lying within the bounds of Block 1, and 2 of Panka's Subdivision, all of State Street and Buchanan Street. The 20 Alley in Block 2, and that part of the Alley in Block 1 lying south of the south line extended westerly of Lots 1, and 2 of Block 1.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

As owners, we hereby certify that we caused the land described on the certified survey to be surveyed, divided, mapped, and dedicated, as represented on the map. We also certify that the certified survey is to be submitted to the following for approval: City of Prairie du Chien.

Robert Standorf  
Robert Standorf, Chairman  
Redevelopment Authority of the City of Prairie du Chien

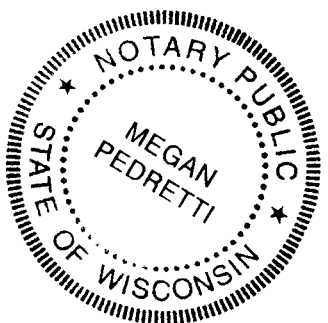
Chad Abram  
Chad Abram, Secretary  
Redevelopment Authority of the City of Prairie du Chien

State of Wisconsin )  
Crawford County )

Personally came before me this 16<sup>th</sup> day of August, 2021, Robert Standorf, Chairman, and Chad Abram, Secretary Redevelopment Authority of the City of Prairie du Chien., to me known to be the persons who executed the foregoing instrument, and to me known to be such Chairman, and Secretary, of said Redevelopment Authority of the City of Prairie du Chien, and acknowledged that they executed the foregoing instrument as such officers as the deed of Redevelopment Authority of the City of Prairie duChien, by its authority.

Megan Pedretti  
Notary Public, Prairie du Chien Crawford County, Wisconsin

My commission expires 08-29-2025.



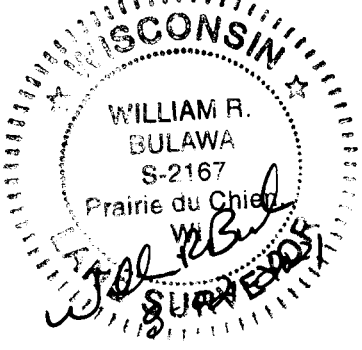
CITY COUNCIL APPROVAL

Resolved that this Certified Survey in Farm Lot 32 of the Private Land Claims at Prairie du Chien, City of Prairie du Chien, Crawford County, Wisconsin. Also being Lot 1, Crawford County Certified Survey Map Number 636, Recorded in Volume 5, C.S.M.'s, Pages 42, and 42A, Document #238238, and All of Block 1, except Lots 1, and 2 according to Panka's Subdivision, All of Block 2, according to Panka's Subdivision, also including the following vacated streets and alleys lying within the bounds of Block 1, and 2 of Panka's Subdivision, all of State Street and Buchanan Street. The 20 Alley in Block 2, and that part of the Alley in Block 1 lying south of the south line extended westerly of Lots 1, and 2 of Block 1, Redevelopment Authority of the City of Prairie du Chien. owners, is hereby approved by the City Council of the City of Prairie Du Chien.

I hereby certify that the foregoing is a copy of a resolution adopted by the City Council of the City of Prairie Du Chien.

8/18/21  
DATE

Chad Abram  
Chad Abram, City Administrator



452

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## City of Prairie du Chien

214 East Blackhawk Avenue • P. O. Box 324 • Prairie du Chien, WI 53821  
Phone: 608-326-6406 • FAX: 608-326-8182

### Re: Blackhawk Junction

matthew.vitale@wisconsin.gov

Re: Blackhawk Junction

**Received:** Nov 8, 2021 9:53 AM  
**Expires:** Dec 8, 2021 9:53 AM  
**From:** gfrable@prairieduchien-wi.gov  
**To:** matthew.vitale@wisconsin.gov, michael.prager@wisconsin.gov  
**Cc:** rlangdon@scsengineers.com  
**Subject:** Re: Blackhawk Junction

**Attachments:** Demolition Photos.docx , Letter Request Form 4400-237\_Signed.pdf

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Michael/Matt,

Attached is the signed form 4400-237 requesting a letter regarding Lots 1 and 3 of the Blackhawk Junction site. A few questions:

1. as you already have all the reports, investigations, test results, etc, do you want me to resend them?
2. based upon the form, I am assuming we do not send a fee in with the request as it will be charged to the VPLE deposit.
3. Is emailing this to you satisfactory or do you want me to mail it in to the address listed?

Please let me know if you need any additional information or further clarification/description of the request.

FYI - I have attached demolition photos. As of Friday, the building is down. The contractor has done a great job of recycling, site control, dust management, and keeping the site neat. Asphalt and concrete are next and we grinding/crushing all this material on site so that it can be reused.

Garth Fable

**From:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>  
**Sent:** Friday, November 5, 2021 2:32 PM  
**To:** Garth Fable <gfrable@prairieduchien-wi.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>  
**Subject:** RE: Blackhawk Junction

Given that we treated this as one site for the WAM Phase I and Phase II and the information about all of the parcels is in the same reports, you can request one letter that applies to both 1 and 3. Or you can request one for each. Some depends on your needs and the needs to the buyers. Did you want to request one letter now for just the one parcel being developed first and another in the future for the others or request them all at the same time? One thing to mention, in the course of the demolition and site development, if there are any unexpected tanks or contaminated soil or other things that show a spill or hazardous substance discharged occurred, you are required to report that.

Michael Prager

Phone: 608-225-7950

Michael.prager@wisconsin.gov

**From:** Garth Fable <gfrable@prairieduchien-wi.gov>  
**Sent:** Friday, November 05, 2021 10:46 AM  
**To:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>  
**Subject:** Re: Blackhawk Junction

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Michael,

As you know, the property is divided into three parcels (Lots 1, 2, and 3 of CSM 1503) (attached). Lot 2 is where the contamination is located and be redeveloped for residential. Lot 3 will also be redeveloped for residential. Lot 1 will be redeveloped for commercial.

Lot 1 will be further subdivided at some point with three separate businesses planning to own their own parcel and build their own building. So if I am reading the form correctly, if I wanted a letter for each of the commercial developers and for the residential developer for Lot 3, there would be a \$700 fee for each or \$2800 in total. Is there anyway that one letter could be addressed jointly to all of them to save on that \$2800? If not, I understand, but it all adds up quickly and the letter is basically the same for all four. And if it is the \$2800, I am assuming I need to complete a form for each one? Thanks

Garth

**From:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>  
**Sent:** Friday, November 5, 2021 9:47 AM  
**To:** Garth Fable <gfable@prairieduchien-wi.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>  
**Subject:** RE: Blackhawk Junction

Hi Garth – glad to hear that the project is moving along. Take some photos.

Regarding the letter, the form you want to use to request the letter is here:

[https://link.zixcentral.com/u/06f26735/glxdf0g\\_7BGpqWndhnsMg?u=https%3A%2F%2Fdnr.wi.gov%2Ffiles%2FPDF%2Fforms%2F4400%2F4400-237.pdf](https://link.zixcentral.com/u/06f26735/glxdf0g_7BGpqWndhnsMg?u=https%3A%2F%2Fdnr.wi.gov%2Ffiles%2FPDF%2Fforms%2F4400%2F4400-237.pdf)

It only opens in some browsers for some reason so I have attached it as well.

On page 5, I think you should request No Action Required but also in the open space on that page you should explain what you want or questions you want the letter to answer and make sure to be clear about which parcels you want the letter to address, with a map. SCS could help you prepare this request or you could do it yourself. You should provide the Phase I and Phase II that were done by Bay West and any other investigations or environmental assessments as well as any other information about what has happened at the parcels. You should ask for a letter that summarizes the history of the parcels and confirms that based on the findings in those reports, there isn't a need to do any investigation or cleanup.

If you have questions about how to submit the request and fee, reach out to me or Matt.

**Michael Prager**

Phone: 608-225-7950

Michael.prager@wisconsin.gov

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**From:** Garth Fable <gfable@prairieduchien-wi.gov>  
**Sent:** Friday, November 05, 2021 8:56 AM  
**To:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>  
**Subject:** Re: Blackhawk Junction

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Michael,

I think we do want to go ahead and get these liability clarification letters to provide some level of ease for the developers. How quickly could these be generated? Progress is moving along on the site. The large building is completely down as of yesterday. Thanks.

Garth Fable

**From:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>  
**Sent:** Friday, September 10, 2021 9:05 AM  
**To:** Garth Fable <gfable@prairieduchien-wi.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>  
**Subject:** RE: Blackhawk Junction

Hi Garth – I can see why you may want VPLE for all three properties. It is the most clear seal of approval that everything that says there is no environmental issues to address and that there is a liability exemption. But on the other hand it could be more simple to just have VPLE for Lot 2 and the other lots and proceed to be sold and developed as any clean property.

We could potentially write a liability clarification letter for Lots 1 and 3 that would basically say that based on the Phase I and Phase II no action is needed. There is a separate fee for those letters (\$700). No one needs to get a liability clarification letter and those lots can proceed with development without one or without approval from us. If contaminated soil or waste were discovered as part of the demolition and construction, that should be reported to us and managed properly.

I'm not sure if this helps.

On the vapor closure question, yes, if a vapor mitigation system were determined to be needed in the new development being constructed or in off-site properties, the system needs to be installed and tested to make sure it is working properly before the site can be closed and until the Certificate of Completion can be issued.

Matt, anything to add about either of those issues?

**Michael Prager**

Phone: 608-225-7950

Michael.prager@wisconsin.gov

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**From:** Garth Frable <gfrable@prairieduchien-wi.gov>

**Sent:** Thursday, September 09, 2021 6:37 PM

**To:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>

**Subject:** Re: Blackhawk Junction

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Michael,

We had talked about the VPLE on the whole site but from my perspective it seems superfluous to hold up development on Lots 1 and/or 3 if from WDNR's perspective there is no justification for applying it to Lots 1 and/or 3. Perhaps, there could be some kind of letter from WDNR saying to effect that Lots 1 and 3 have no evidence, etc of contamination.

On another point, my understanding is the vapor system would need to be in place for VPLE CoC to be issued. Is that a correct understanding?

Garth

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**From:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>

**Sent:** Thursday, September 9, 2021 3:33 PM

**To:** Garth Frable <gfrable@prairieduchien-wi.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>

**Subject:** RE: Blackhawk Junction

That is right.

You could narrow the focus to Lot 2, that is up to you. I am not sure if there are any agreements between the city and the developers regarding the environmental situation that would affect that decision.

**Michael Prager**

Phone: 608-225-7950

Michael.prager@wisconsin.gov

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**From:** Garth Frable <gfrable@prairieduchien-wi.gov>

**Sent:** Thursday, September 09, 2021 2:00 PM

**To:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>

**Subject:** Re: Blackhawk Junction

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Michael,

Just to clarify - from WDNR's perspective there is no contamination to address on 1 and 3 so a VPLE could not be issued for them as stand alone parcels? That makes sense. And with that said, perhaps it does make sense to narrow the focus of the VPLE to just Lot 2. Thanks.

Garth

**From:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>

**Sent:** Thursday, September 9, 2021 1:43 PM

**To:** Garth Frable <gfrable@prairieduchien-wi.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>

**Subject:** RE: Blackhawk Junction

Hello Garth – Glad to hear about the lower than expected demolition costs and sending the CSM. I don't think we could issue the Certificate of Completion for Lots 1 and 3 before the main site is closed. Because Lot 1 and Lot 3 appear to be clean, they couldn't be their own VPLE site since there isn't contamination to address. If they properties are all combined into one property for the VPLE program, that is ok but we couldn't get the closure letter issued and Certificate of Completion until the cleanup is done for the dry cleaner contamination and it meets the closure requirements.

Let me know if you want to discuss this further or if there is another way we can help.

On the VPLE site progress, Matt will continue to work with SCS on the off-site investigation to evaluate the potential vapor issues and I don't think there is anything needed from you at this time. Matt please let Garth know if there is anything we are needing or waiting for.

**Michael Prager**

Phone: 608-225-7950

Michael.prager@wisconsin.gov

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**From:** Garth Frable <gfrable@prairieduchien-wi.gov>

**Sent:** Tuesday, September 07, 2021 1:11 PM

**To:** Prager, Michael A - DNR <Michael.Prager@wisconsin.gov>; Vitale, Matthew J - DNR <Matthew.Vitale@wisconsin.gov>

**Subject:** Blackhawk Junction

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Michael and Matt,

No project ever seems to move in a straight line. We continue to hash out the development agreement. We have completed the bidding process for removing the large vacant building as well as half of the remaining parking lot - we had a lot of interest and the low bid came in at \$255,000! (I was estimating \$700,000 to \$800,000). The contract should be awarded tonight and I expect the building will be gone by the end of the year. The needed extension of sewer and water mains is also now out for bid.

With the delay in the development agreement for the residential component and the fact the building will be coming down sooner than later, the developer may now be interested in starting on the eastern half (which we presume is "clean") (Lot 3) and then save the western half (contaminated area) (Lot 2) for Phase 2. For purposes of the development, the City has split the property into the 3 separate parcels - two on the south for the residential and the northern one for commercial redevelopment (see attached certified survey map). The goal of course is the VPLE for entire site. We may have discussed this before but can the VPLE be issued for Lots 1 and 3 before Lot 2?

Also, would you give me an update on VPLE process, anything you need from us, etc. I just want to make sure we are not delaying anything

Garth Frable

'City of Prairie du Chien

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# FORMER BLACKHAWK JUNCTION SITE DEMOLITION

## Prepping the Site and Asbestos Abatement Begins

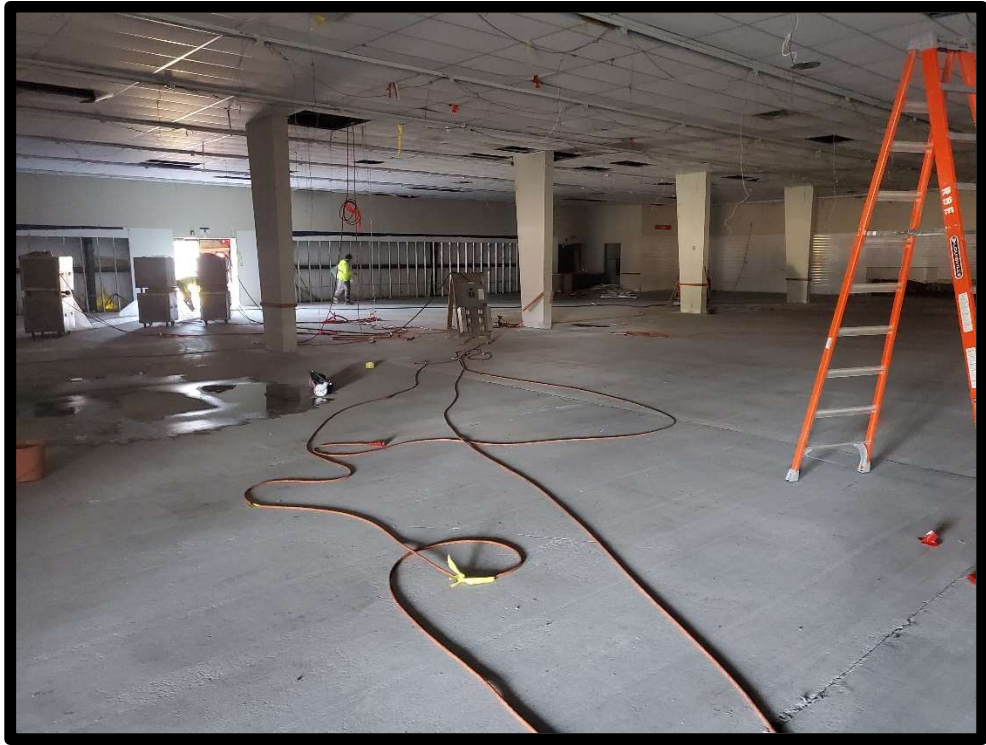


# FORMER BLACKHAWK JUNCTION SITE DEMOLITION

## Floor Tile Removed



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION

## Ballasts and Bulbs Removed



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION

Site is Fenced and Razing Begins



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION

Materials Separated – Metals for Recycling, Masonry to be Ground and Reused on Site, and Other Debris for Disposal



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION





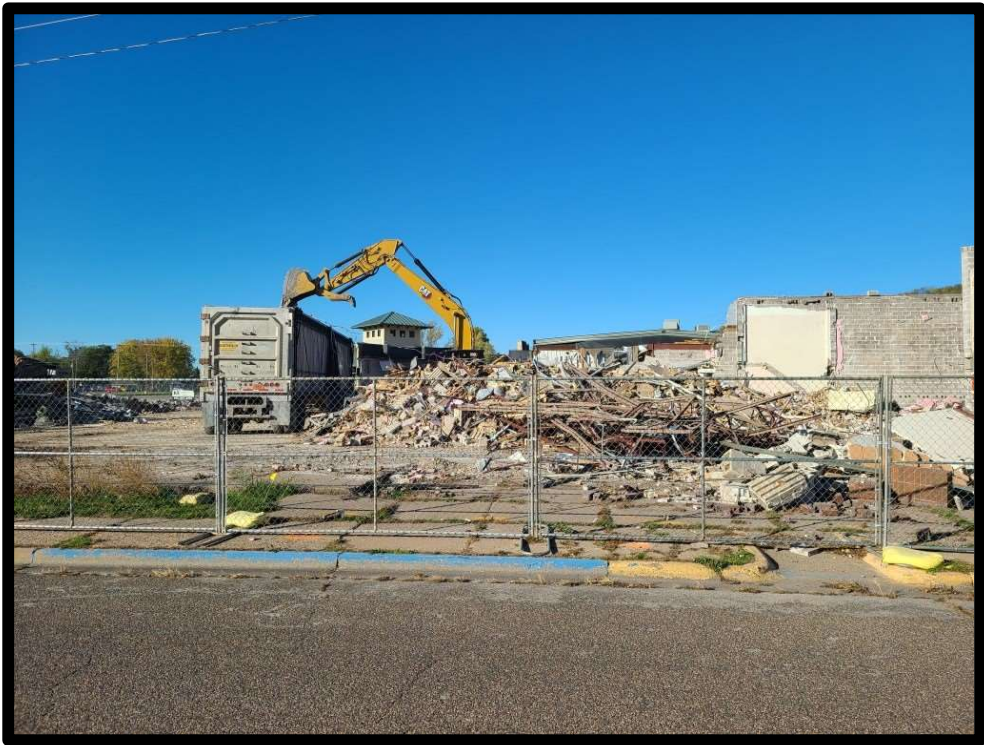
# FORMER BLACKHAWK JUNCTION SITE DEMOLITION



**FORMER BLACKHAWK JUNCTION SITE DEMOLITION**



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION



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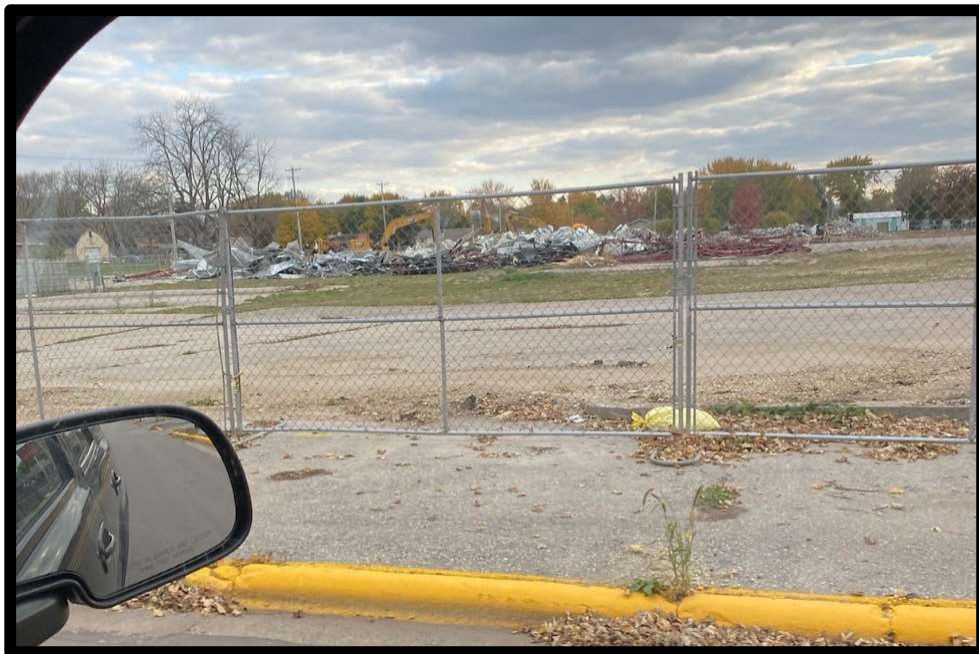
# FORMER BLACKHAWK JUNCTION SITE DEMOLITION



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION



# FORMER BLACKHAWK JUNCTION SITE DEMOLITION

**November 5<sup>th</sup> – the building is completely down and most of the debris has been removed. Up next removal of slabs, foundations, footings, and pavement.**

