

-----Original Message-----

From: Sturgell, Jeffrey S. [mailto:jsturgell@town-menasha.com]

Sent: Thursday, August 20, 2009 5:31 PM

To: Mark Radtke

Cc: Dearborn, George; Hull, Ria; Don Merkes

Subject: FW: RE: CWF Land Purchases

Mark,

Below is the clarification e-mail I mentioned in the meeting this morning—the state will allow land acquisition to be taken from the loan portion of the program but not the grant portion of the program. However, the grant amount is based on 50% of the total project (including the land acquisition) so in a sense the grant covers the land acquisition.

Jeff

From: Nick Vande Hey [mailto:NVandehey@mcmgrp.com]

Sent: Tuesday, August 18, 2009 8:48 AM

To: Sturgell, Jeffrey S.; Piergrossi, Myra R.

Cc: Amy VACLAVIK; Andy Schmidt; Lee Reibold

Subject: Fwd: RE: CWF Land Purchases

Jeff & Myra,

See DNR's response to the land acquisition question posed for Tayco the Pond project. Thanks. Nick

Nick Vande Hey, PE

Associate / Senior Project Engineer

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>>> "Cargill, Jeanne H - DNR" <Jeanne.Cargill@Wisconsin.gov> 8/18/2009 8:44 AM >>>

Hi Amy,

That is correct. We cannot fund land with ARRA funds; however, because we are funding approximately half of each project with CWFP loan dollars, we intend to fund land costs through that portion of the funding. In the majority of cases where we are financing the entire project, 50% of the project costs will be a loan and 50% will be grant.

If a municipality received a CDBG or a grant through Rural Development or some other funding source, and that other source indicated that it is not paying for the land through their grant, we could potentially end up giving a municipality less than 50% principal forgiveness, depending on the cost of the land, the size of the grant and the amount being funded by the CWFP.

Please let us know if you need further information. Jeanne

Jeanne H Cargill

Financial Assistance Specialist

Environmental Loans Section

Bureau of Community Financial Assistance

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(✉) e-mail: jeanne.cargill@wisconsin.gov

From: Amy VACLAVIK [mailto:AVACLAVIK@mcmgrp.com]

Sent: Tuesday, August 18, 2009 8:10 AM

To: Olson, Daniel J - DNR; Cargill, Jeanne H - DNR

Cc: Nick Vande Hey

Subject: CWF Land Purchases

Hi - Please provide a written (email)response to this question.

It is our understanding that land purchases will be covered by the ARRA/CWF financing. The ARRA won't cover the land cost, but the CWF portion does. The effect will be that essentially the grant amount is based on the total project cost, therefore in a sense 50% of the land cost would be a grant.

Please confirm this, several clients have requested confirmation of this as they move forward with the land purchase.

Thanks, Amy

Amy Vaclavik

Associate/Senior Project Engineer

McMAHON

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August 17, 2009

Jeff Sturgell, Administrator
 Town of Menasha
 2000 Municipal Drive
 Neenah, WI 54956-5665

Re: Tayco Pond
 Town of Menasha, WI
 McM. No. M0003-980146.02

Dear Jeff,

I am writing to provide the City of Menasha and Town of Menasha with the water quality results for the Tayco Pond project. As indicated in the Stormwater Management Plan (dated June 25, 2009), Tayco Pond achieves a 52.1% total suspended solids (TSS) reduction for a 1,217 acre watershed. Specific TSS benefits to each municipality are summarized herein.

The TSS reduction for the 1,217 acre watershed and future land use condition (assuming the watershed is fully developed) is as follows:

MS4	Area (acres)	Area (%)	No Controls TSS (lbs)	Reduction TSS (lbs)	Reduction TSS (%)
City	859	70.6%	245,240	127,786	74.6%
Town	358	29.4%	83,686	43,606	25.4%
Total	1,217		328,926	171,392	

The TSS reduction for the 1,217 acre watershed and existing land use condition (excluding 75 acres of undeveloped property located within the watershed) is as follows:

MS4	Area (acres)	Area (%)	No Controls TSS (lbs)	Reduction TSS (lbs)	Reduction TSS (%)
City	805	70.5%	225,187	117,337	74.2%
Town	337	29.5%	78,455	40,880	25.8%
Total	1,142		303,642	158,217	

Using the existing land use condition, the TSS net gain for the Town of Menasha is estimated to be 27,720 pounds for the Town's 337 acre developed urban area. For purposes of this letter, net gain is defined as the additional TSS reduction provided by the Tayco Pond as compared to the TSS reduction already provided by the Town's street sweeping program and grass swale conveyances. The TSS net gain for the City of Menasha is not known, since McMahon did not prepare the City's municipal-wide stormwater management plan.

The capital cost for Tayco Pond is estimated to be \$1,949,705. The attached Clean Water Fund Program ranking indicates the project will receive \$974,853 (50%) in ARRA grant funds and \$974,853 (50%) in CWFP low interest rate loan. The City and Town will jointly be responsible for repayment of the \$974,853 CWFP loan. Based on the inter-municipal agreement, the Tayco Pond costs are to be allocated based on TSS load. As such, the City's portion of the CWFP loan is estimated to be \$723,341 (74.2%) and the Town's portion is estimated to be \$251,512 (25.8%) if the existing land use condition is used.

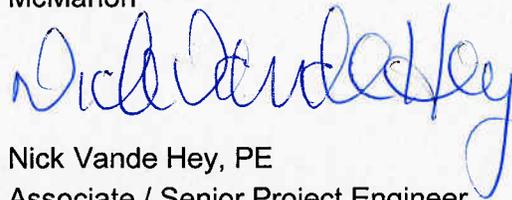
The operation and maintenance (O&M) cost for Tayco Pond is estimated to be \$11,290 annually. Based on the inter-municipal agreement, the Tayco Pond costs are to be allocated based on TSS load. As such, the City's portion of the annual O&M cost is estimated to be \$8,377 (74.2%) and the Town's portion is estimated to be \$2,913 (25.8%) if the existing land use condition is used.

McMahon used the existing land use condition to allocate Tayco Pond costs since the 75 acres of undeveloped property located within the watershed will not be able to use Tayco Pond for future regulatory compliance. New development larger than 5 acres will be required to achieve an 80% TSS reduction. Tayco Pond only achieves a 52.1% TSS reduction.

If you have any questions, please give me a call at 920-751-4200 or send me an email at nvandehey@mcmgrp.com.

Very truly yours,

McMahon



Nick Vande Hey, PE
Associate / Senior Project Engineer

Cc: Mark Radtke, City of Menasha
Lee Reibold, McMahon

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DRAFT Clean Water Fund Program American Recovery and Reinvestment Act Funding List

Priority Score	Municipality	Project No.	Project Description	Estimated Project Cost (\$103.75M)	DRAFT ARRA Funds Allocated (\$103.75M)	Estimated CWFP Loan Funds	20% Green Project Reserve (>\$21.19M) ²	25% High Unemployment Counties (>\$26.49M) ³	DNR Region	Project Manager
128.875	BALDWIN, V.	4540-05	Modify WWTP Chemical Feed, Watermain to Plant, and for UV	\$ 866,200	\$ 433,100	\$ 433,100	\$ -	\$ -	WC	Sullivan
113.723	RHINELANDER, C.	4132-04	WWTP Improvements - New Site	\$ 27,517,703	\$ 13,758,852	\$ 13,758,852	\$ 8,459,300	\$ -	NO	Hubeler
113.723	RHINELANDER, C.	4132-05	New Force Main	\$ 5,394,921	\$ 2,697,461	\$ 2,697,461	\$ -	\$ -	NO	Hubeler
106.067	WALWORTH, V.	4719-03	Expand Extended Aeration Activated Sludge Process	\$ 2,122,200	\$ 1,061,100	\$ 1,061,100	\$ 1,061,100	\$ 1,061,100	SE	Jarugumilli
105.444	FONTANA-ON-GENEVA LAKE, V.	4159-04	Expand Extended Aeration Activated Sludge Process	\$ 4,341,700	\$ 2,170,850	\$ 2,170,850	\$ 2,170,850	\$ 2,170,850	SE	Jarugumilli
102.419	BEAVER DAM, C.	4377-04	Expand & Rehabilitate WWTP	\$ 19,998,000	\$ 9,999,000	\$ 9,999,000	\$ 9,999,000	\$ 9,999,000	SC	Sullivan
97.482	GREEN BAY MSD	4198-37	Upgrade Leonard WWTP; Convey WW & WA Sludge to Quincy WWTP	\$ 32,273,994	\$ 16,136,997	\$ 16,136,997	\$ -	\$ -	NE	Hubeler
97.289	CAMBRIA, V.	4724-02	Repair Clarifier Mechanism; Rehab WWTP Headworks	\$ 255,000	\$ 127,500	\$ 127,500	\$ 20,000	\$ -	SC	Hubeler
95.535	GREEN BAY MSD	4198-35	Upgrade De Pere & Green Bay Fac. Solids Handling & Disposal	\$ 3,202,500	\$ 1,601,250	\$ 1,601,250	\$ -	\$ -	NE	Hubeler
95.535	GREEN BAY MSD	4198-41	Reline Sludge Storage Tanks at Quincy WWTP	\$ 565,000	\$ 282,500	\$ 282,500	\$ -	\$ -	NE	Hubeler
95.535	GREEN BAY MSD	4198-42	Upgrade WAS Gravity Belt Thickeners for Remote Operation	\$ 674,865	\$ 337,433	\$ 337,433	\$ -	\$ -	NE	Hubeler
95.520	GREEN BAY MSD	4198-38	Replace Isolation Gate Guides, Gates & Seals at Quincy WWTP	\$ 2,108,314	\$ 1,054,157	\$ 1,054,157	\$ -	\$ -	NE	Hubeler
95.520	GREEN BAY MSD	4198-39	Replace Ferric Chloride System at Quincy WWTP	\$ 1,017,990	\$ 508,995	\$ 508,995	\$ -	\$ -	NE	Hubeler
95.520	GREEN BAY MSD	4198-40	Replace Pump Station Bar Screens System at Quincy WWTP	\$ 3,080,031	\$ 1,540,016	\$ 1,540,016	\$ -	\$ -	NE	Hubeler
95.482	GRAND CHUTE - MENASHA WEST SC	4033-04	Wastewater Treatment Facilities Upgrade	\$ 40,900,743	\$ 20,450,372	\$ 20,450,372	\$ 20,297,500	\$ -	NE	Maka
95.316	ALLOUEZ, V.	4194-05	Construct Hoffman Road Wet Detention Pond	\$ 327,133	\$ 163,567	\$ 163,567	\$ -	\$ -	NE	Cargill
95.310	TWO RIVERS, C.	4107-13	Construct Wentker Court Wet Detention Pond	\$ 941,523	\$ 470,762	\$ 470,762	\$ -	\$ 470,762	NE	Jarugumilli
95.300	TWO RIVERS, C.	4107-09	Construct Caron Wet Detention Pond	\$ 1,000,167	\$ 500,084	\$ 500,084	\$ -	\$ 500,084	NE	Jarugumilli
95.289	MENASHA, T.	5171-05	Construct Cold Spring Wet Detention Pond	\$ 813,999	\$ 407,000	\$ 407,000	\$ -	\$ -	NE	Scott
95.199	TWO RIVERS, C.	4107-12	Construct West Hawthorne Wet Detention Pond	\$ 474,724	\$ 237,362	\$ 237,362	\$ -	\$ 237,362	NE	Jarugumilli
95.186	OMIRO, T.	5410-01	Convert a Dry Detention Basin into a Wet Detention Basin	\$ 172,525	\$ 86,263	\$ 86,263	\$ -	\$ -	NE	Wilson
95.146	LITTLE CHUTE, V.	5346-02	Construct Evergreen Storm Water Pond	\$ 328,250	\$ 164,125	\$ 164,125	\$ -	\$ -	NE	Sullivan
95.000	NEENAH, C.	5307-02	Construct Commerce Court Pond, an Urban Wet Pond Retrofit	\$ 1,232,766	\$ 616,383	\$ 616,383	\$ -	\$ -	NE	Maka
95.000	TWO RIVERS, C.	4107-11	Construct South Columbus Wet Detention Pond	\$ 371,755	\$ 185,878	\$ 185,878	\$ -	\$ 185,878	NE	Jarugumilli
95.000	MARINETTE, C.	4699-05	Construct 3 Wet Detention Ponds: Angwall, Murray, & Parsek	\$ 708,115	\$ 354,058	\$ 354,058	\$ -	\$ 354,058	NE	Calhoon
92.470	BROOKFIELD, C.	4275-13	Bio-Solids Thickening Project	\$ 2,500,000	\$ 1,250,000	\$ 1,250,000	\$ 150,000	\$ -	SE	Miller
92.470	BROOKFIELD, C.	4275-14	Add 2 Deep Bed Filters	\$ 1,100,000	\$ 550,000	\$ 550,000	\$ -	\$ -	SE	Miller
92.415	WHITEWATER, C.	4558-03	Upgrade WWTP Equipment, Cover With Dome, Buy Land Appl Equip	\$ 5,000,000	\$ 2,500,000	\$ 2,500,000	\$ 889,000	\$ 2,500,000	SE	Olson

DRAFT Clean Water Fund Program American Recovery and Reinvestment Act Funding List

Priority Score	Municipality	Project No.	Project Description	Estimated CWFP Eligible Project Cost		DRAFT ARRA Funds		20% Green Project Reserve (>\$21.19M) ²	25% High Unemployment Counties (>\$26.49M) ²	DNR Region	Project Manager
				CWFP Eligible Project Cost	Estimated CWFP Loan Funds Allocated (\$103.75M)	Estimated CWFP Loan Funds	20% Green Project Reserve				
92.327	DOUSMAN, V.	4277-02	Upgrade WWTP, Phase 1: Headworks, Clarifier, Phos. Rem., UV	\$ 6,795,870	\$ 3,397,935	\$ 3,397,935	\$ 532,700	\$ -	SE	Wilson	
92.049	EVANSVILLE, C.	4739-02	Upgrade WWTP - Sanitary Sewers - Lift Station	\$ 8,155,479	\$ 4,077,740	\$ 4,077,740	\$ 3,725,000	\$ 4,077,740	SC	Scott	
91.752	MILWAUKEE MSD	3191-01	Basin B & C Intercepting Structure Construction C06003	\$ 2,717,018	\$ 1,358,509	\$ 1,358,509	\$ -	\$ 1,358,509	SE	Olson	
91.380	APPLETON, C.	4459-06	Construct Kensington Stormwater Detention Pond	\$ 1,088,520	\$ 544,260	\$ 544,260	\$ -	\$ -	NE	Maka	
91.334	MENASHA, T.	5171-02	Construct Tayco Road/Wet Detention Pond with City of Menasha	\$ 1,949,705	\$ 974,853	\$ 974,853	\$ -	\$ -	NE	Scott	
91.321	MENASHA, T.	5171-03	Construct Northern Road Wet Detention Pond	\$ 634,360	\$ 317,180	\$ 317,180	\$ -	\$ -	NE	Scott	
91.303	ALLOUJEZ, V.	4194-06	Construct Kiwanis Park Wet Detention Pond	\$ 204,823	\$ 102,412	\$ 102,412	\$ -	\$ -	NE	Cargill	
91.303	COMBINED LOCKS, V.	5339-07	Construct Riverview Heights Detent. Pond Near Prospect & Elm	\$ 1,124,805	\$ 562,403	\$ 562,403	\$ -	\$ -	NE	Maka	
91.300	LITTLECHUTE, V.	5346-03	Construct Heesäkker Storm Water Pond	\$ 394,730	\$ 197,365	\$ 197,365	\$ -	\$ -	NE	Sullivan	
90.423	MIDDLETON, C.	5407-01	Stabilize Pheasant Branch Creek - Park St to Century Ave	\$ 250,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ -	SC	Wilson	
90.363	SUPERIOR, C.	4186-09	Reduce Combined Flow w/Billings Pk Strm Swr/Wtr Qual Basin	\$ 4,764,903	\$ 2,382,452	\$ 2,382,452	\$ -	\$ -	NO	Calhoon	
90.345	SUPERIOR, C.	4186-11	South Superior Stormwater Interceptor, Phase II	\$ 1,700,000	\$ 850,000	\$ 850,000	\$ -	\$ -	NO	Calhoon	
90.319	SHARON, V.	4472-02	Storm Wtr Convey & Detention Pond & Sewer Along Hwy C	\$ 1,093,598	\$ 546,799	\$ 546,799	\$ -	\$ 546,799	SE	Jarugumilli	
90.287	SAINT NAZIANZ, V.	4007-04	Upgrade WWTP; Add Septage Receiving	\$ 542,000	\$ 271,000	\$ 271,000	\$ 35,000	\$ 271,000	NE	Calhoon	
90.285	GARNERS CREEK STORM WATER UTIL	5354-02	Construct Main Street Wet Detention Pond	\$ 930,890	\$ 465,445	\$ 465,445	\$ -	\$ -	NE	Olson	
90.234	MILWAUKEE, C.	4428-12	2008 Sanitary & Combined Sewer Rehab	\$ 2,541,718	\$ 1,270,859	\$ 1,270,859	\$ -	\$ 1,270,859	SE	Olson	
90.234	MILWAUKEE, C.	4428-13	2009 Sanitary & Combined Sewer Rehab	\$ 35,698,347	\$ 6,659,032	\$ 29,039,315	\$ -	\$ 6,659,032	SE	Olson	
Draft Fundable Range Total:				\$ 229,876,883	\$ 103,748,300	\$ 126,128,583	\$ 63,601,447	\$ 31,663,031			
Green Project Reserve and Unemployment Reserve Overlap:							\$ 17,879,950	\$ -			
Adjusted for Overlap:							\$ 45,721,497	\$ 31,663,031			
Goals:							43%	30%			
90.060	BUCHANAN, T.	5409-01	Construct Speedway Heights Wet Detention Pond	\$ 305,712	\$ -	\$ 305,712	\$ -	\$ -	NE	Wilson	
90.000	GARNERS CREEK STORM WATER UTIL	5354-03	Construct Regal Wet Detention Pond	\$ 97,888	\$ -	\$ 97,888	\$ -	\$ -	NE	Olson	
90.000	FOX POINT, V.	4640-02	Improve Indian Creek Park & Public Works Parking Lots	\$ 50,270	\$ -	\$ 50,270	\$ -	\$ 25,135	SE	Calhoon	
88.550	WHITEFISH BAY, V.	4639-07	2010 Sewer Rehab - Refining, Spot Repair, Replacement/Relay	\$ 3,987,209	\$ -	\$ 3,987,209	\$ -	\$ 1,993,605	SE	Miller	
88.550	WHITEFISH BAY, V.	4639-08	2009 Sewer Rehab - Refining, Spot Repair, Replacement/Relay	\$ 2,651,260	\$ -	\$ 2,651,260	\$ -	\$ 1,325,630	SE	Miller	
86.482	JANESVILLE, C.	4335-09	Expansion & Major Upgrade of WWTP	\$ 32,100,000	\$ -	\$ 32,100,000	\$ 3,598,000	\$ 12,452,000	SC	Maka	
86.269	GARNERS CREEK STORM WATER UTIL	5354-01	Construct Springfield Pond, an Urban Wet Pond Retrofit	\$ 1,607,592	\$ -	\$ 1,607,592	\$ -	\$ -	NE	Olson	
86.000	KAUKAUNA, C.	5344-01	Construct 17. Acre Pig Regional Detention Pond	\$ 175,561	\$ -	\$ 175,561	\$ -	\$ -	NE	Calhoon	

**INTERMUNICIPAL AGREEMENT
TAYCO POND OPERATION & MAINTENANCE**

Town of Menasha and City of Menasha

This Agreement is being entered into between the City of Menasha, a Wisconsin Municipal Corporation located in Winnebago County and Calumet County, State of Wisconsin, and the Town of Menasha, a Wisconsin Municipal Corporation located in Winnebago County, State of Wisconsin;

1. The City of Menasha and Town of Menasha desire to jointly operate and maintain the Tayco Pond which is depicted in Figure A.
2. The City and Town agree that Tayco Pond will directly benefit the City and Town. Pursuant to NR 216.07(6), the City and Town recognize that they are each mandated to achieve a 40% reduction in total suspended solids (TSS) by March 10, 2013.
3. The Tayco Pond watershed is estimated to be 1,217 acres in size. Of the 1,217 acres, 859 acres of land are currently located in the City of Menasha and 358 acres of land are located in the Town of Menasha.
4. Based on current DNR guidance, Tayco Pond is designed to achieve a 52.1% TSS reduction for the 1,217 acre watershed. Tayco Pond's TSS reduction was evaluated using the Source Loading and Management Model (SLAMM).
5. The City and Town recognize that Tayco Pond requires routine operation and maintenance in order to function properly and achieve the 52.1% TSS reduction.
6. Based on the existing land use condition contained within the Tayco Pond Stormwater Management Plan, the 1,217 acre watershed contains 1,142 acres of developed urban area and 75 acres of undeveloped area. Of the 1,142 acres of developed urban area, 805 acres are currently located in the City of Menasha and 337 acres are located in the Town of Menasha. On an average annual basis, Tayco Pond provides an 117,337 pound (74.2%) TSS reduction for the 805 acres of City developed urban area and a 40,880 pound (25.8%) TSS reduction for the 337 acres of Town developed urban area.
7. The Town of Menasha shall be the lead agency in the Tayco Pond operation and maintenance activities. Activities are more fully described within the Tayco Pond Operation & Maintenance Plan. Parties must mutually agree to any future changes to the Operation & Maintenance Plan (dated June 25, 2009). Generally, operation and maintenance activities include the following:
 - a. Debris & Litter
 - b. Vegetation & Noxious Weeds
 - c. Algae
 - d. Erosion
 - e. Sediment
 - f. Mosquitoes

DRAFT AUGUST 25, 2009

- g. Nuisance Wildlife
 - h. Structures
8. The Town of Menasha shall be the paying party for all operation and maintenance activities. The Town shall provide a tabulation of all costs to the City of Menasha. Costs shall be shared and paid based on the TSS reduction percentages provided in paragraph 6. Said billing shall be paid in full within thirty days of receipt of billing.
 9. The City and the Town agree that any maintenance project estimated to cost \$7,500 or more will require the agreement of both communities before the project may proceed.
 10. Beginning November 1, 2009, this agreement will be reviewed every five (5) years to reconsider the percentage of TSS reduction allocated to each community in paragraph 6. An engineer agreed upon by both the City and the Town will reanalyze the percentage allocation of TSS reduction and make a recommendation to the municipalities as to whether to adjust the percentage allocation. Upon agreement of both municipalities, the percentage allocation in paragraph 6 may be adjusted. The City and Town agree that any future adjustment of the percentage allocation will only impact the division of costs for future maintenance, and will not be utilized to adjust any past, present, or future debt service costs.
 11. This agreement shall remain in effect unless the parties mutually agree to terminate the agreement. Project costs incurred to date at the time of any termination shall be shared and paid based on the percentages provided in paragraph 6.

Dated this _____ of _____, 2009.	Dated this _____ of _____, 2009.
TOWN OF MENASHA	CITY OF MENASHA
By: _____ Arden Tews, Town Chairman	By: _____ Donald Merkes, Mayor
_____ Karen Backman, Town Clerk	_____ Deborah A. Galeazzi, City Clerk
APPROVED AS TO FORM: _____	APPROVED AS TO FORM: _____
Herrling & Clark Law Firm Town of Menasha Attorney	City of Menasha Attorney _____ Thomas R. Stoffel, Director of Finance

TAYCO POND PROJECT BUDGET SHEET		
1	Force Account Work	n/a
2	Interim Financing	n/a
3	Stormwater Management Plan Prep.	\$500
4	Plans/Specifications Prep.	
a	engineering design	\$68,000
5	Land or Easement Acquisition	
a	purchase price	\$364,500
b	legal/appraisal costs	\$2,000
c	broker fee/closing cost	\$28,186
	#5 Total	\$394,686
6	Engineering/Construction Management	
a	CWFP loan application preparation	\$1,800
b	bidding/construction services	\$60,000
c	CWF financing assistance during construction	\$4,000
	#6 Total	\$65,800
7	Construction/Equipment	
a	contractor	\$1,201,101
8	Contingencies	\$120,110
9	Miscellaneous Costs	
a	administration expenses	\$3,000
b	legal	\$2,000
c	wetland delineation	\$2,400
d	soil borings	\$2,120
e	8 lot plat	\$4,500
f	review/permit fees	\$2,735
g	Phase 1 ESA	\$2,000
	#9 Total	\$18,755
10	CWFP Closing Costs	
a	bond counsel	\$10,000
b	financial advisor	\$7,000
	#10 Total	\$17,000
11	TOTAL PROJECT COSTS	\$1,885,952