



# **Land Use Control Implementation Plans— coordinating *state and local governments***

**Joe Schilling, ICMA**  
**Director of Economic Development**  
[Jschilling@icma.org](mailto:Jschilling@icma.org)



# Preview

---

- ICMA and its LUCs research and resources
- Critical observations about LUC policy and practice
- Model LUCIP project in Denver, CO



# What Is ICMA?

---

- Association of over 8,000 local government managers and their staff
- Mission: enhance the profession of local government management
- Services include:
  - Education & training
  - Research on cutting-edge issues
  - Information clearinghouse



# ICMA's LUCs Resources

---

- **Research Forums (2001-2002)**

- San Diego: LUC information infrastructure
- San Antonio: local government costs
- National Stakeholders Forum on Federal sites

- **LUCIP—Denver and Colorado (2003)**

- **[www.LUCs.org](http://www.LUCs.org)**

- Virtual encyclopedia of resources and information
- BFs, military bases, and SF sites

- **Publications:**

- *Beyond Fences (2000)*
- *Peer Exchange (2003)*
- *Tracking (2003)*



# Basic Assumptions

---

- Different Terminology: LUCs vs. ICs vs. AUL
- LUCs integrate public health, land use, and economic revitalization
- Variety of sites (BFs, SF, DOE, active & closed military bases, etc.) and laws/regulations.
- Variety of institutional understanding and capacity
- Different LUC models



# Overall LUCs Observations

---

- LUCs complete the Brownfields Redevelopment Cycle
- LUC complexities demand collaboration among sectors and disciplines
- Effective LUC systems require:
  - Solid state environmental law and program
  - Tracking and information network
  - Implementation plan



# What is a LUCIP?

---

- Land Use Control Implementation Plan
  - Non-binding agreement
  - Outlines responsibilities of LUC administration and long-term management
  - Functions similar to MOU
  - Scope: all contaminated sites within a geographic area and/or adapted to a specific site



# History of the Project

---

- Supported by EPA Cooperative Agreement
  - Selected Denver and State of Colorado for the LUCIP pilot
  - Facilitated the negotiation, drafting, testing of the LUCIP
  - Sought input from other local departments and state agencies, community residents, and EPA regional office
  - Final MOU ready for approval





# Who was Involved?

---

- **Local Government**

Economic Development, City Attorney, Planning, Information Technology, Environmental Health, Public Works, Housing & Neighborhood Dev.

- **State Government**

Public Health & Environment, Attorney General, Labor (USTs), Water Resources

- **Involved (but not part of MOU)**

Community groups, EPA Region 8



# Goals of Denver/CO LUCIP

---

- Bridges state environmental regulations and local land use processes
- Outlines roles and responsibilities in the long term management of LUCs.
- Protects human health and the environment by minimizing exposure risks and protecting cleanup remedies and engineering controls
- Promotes economic development and community revitalization by ensuring the protectiveness of LUCs



# Elements of the LUCIP

---

- Scope – all contaminated sites with LUCs within Denver City/County limits.
- List of participants and their legal authority/obligations.
- Roles and Responsibilities
  - LUC Tracking and Data Management
  - Coordination
  - Information Exchange



# Elements of the LUCIP – Cont.

---

- Roles and Responsibilities – Cont.
  - Notification Procedures
  - Monitoring (tiered approach)
  - Enforcement Authority
- Tracking LUCIP Costs
- LUCIP Working Group Procedures
- Appendixes
  - Detailed Triggers & Response Procedures
  - Detailed Notification Procedures



# Next Steps

---

- Make final revisions to LUCIP structure and text
- Sign and implement LUCIP
- Announce Denver/Colorado LUCIP as flagship collaborative effort
- Work with other communities to transfer and adapt the model LUCIP



# Contact Information

---

- Joe Schilling, Director of Community & Economic Development  
[Jschilling@icma.org](mailto:Jschilling@icma.org); 202-962-3663
- David Borak, LUC Project Manager  
[Dborak@icma.org](mailto:Dborak@icma.org); 202-962-3506
- [www.LUCs.org](http://www.LUCs.org)