December 6, 2006

Northwest Louisiana Council of Governments
Executive Committee
401 Market Street
Shreveport, LA 71101

Dear Sirs:

I have been asked to opine on the authority of the Northwest Louisiana Council of Governments (NLCOG) to apply for and administer Federal Brownfields Grants including the Revolving Loan Fund.

As you all are aware, the NLCOG was established under the authority of Louisiana Revised Statutes, Title 33, Section 1321, et seq. addressing intergovernmental relations and known as the Local Services Law. By direct legislative direction, the Social Services Law is to be liberally construed.

Under the Local Services Law, any parish, municipality or political subdivision may make arrangements to engage jointly in the exercise of any power, provided that at least one of the participants to the agent is authorized under a provision of general or special law to perform such activity or exercise such power as may be necessary for completion of such undertaking.

Since the formation of NLCOG, the Local Services Law has not been repealed.

A Brownfields is defined by the 2002 Brownfields law enacted by Congress, as real property, the expansion redevelopment, or reuse of which may be complicated by the presence of a hazardous substance, pollutant, or contaminate. The US Environmental Protection Agency’s (EPA) Brownfields Program is designed to empower states, communities and other stakeholders, to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse Brownfields. Brownfields Grants serve as the foundation of the Brownfields Program and facilitate revitalization by funding environmental assessment, clean up and job training activities. Assessment grants provide funding for Brownfields inventories, planning, environmental assessments and community outreach. Revolving Loan Grants provide funding to capitalize a revolving loan fund that provides sub-grants to carry out assessment and/or clean up activities at Brownfields. Revolving Loan Grants are community wide and not site specific. Entities eligible for Revolving Loan Grants are state and local governments and general purpose units of local government. Regional councils like NLCOG are also eligible.

The NLCOG has applied for both Assessment Grants and Revolving Loan Grants.
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It is the opinion of the undersigned that the Northwest Louisiana Council of Governments is duly and lawfully organized, constituted and has met all legal requirements to operate as a Regional Council as described in the EPA’s Brownfields Program and is eligible for Brownfields Grants.

It is also my opinion that Northwest Louisiana Council of Governments is legally and duly authorized to apply for and administer all Brownfields Grants, including, but not by way of limitation, Assessment Grants and Revolving Loan Grants.

Sincerely,

R. Cody Mayo, Jr.

RCM/aaw