FINAL

REVISED COMMUNITY INVOLVEMENT PLAN
LOWER FOX RIVER
NORTHEAST WISCONSIN
APRIL 2005

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1 OVERVIEW OF THE COMMUNITY INVOLVEMENT PLAN

U.S. Environmental Protection Agency and Wisconsin Department of Natural Resources developed this **Community Involvement Plan** (Technical and government terms appearing in **bold** are defined in Appendix A.) in preparation for community involvement activities to be done during the cleanup activities for the Lower Fox River site in northeast Wisconsin, between Little Lake Butte des Morts and Green Bay. Specific to the Lower Fox River site, EPA and DNR are partners with U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Oneida Tribe of Indians of Wisconsin, and Menominee Indian Tribe of Wisconsin. The partnership is defined in a **Memorandum of Agreement** provided in Appendix F.

The purpose of this document is to provide information about community concerns and present a plan that will enhance communication between local residents and EPA and DNR as the investigation and cleanup progress. The objectives of this Community Involvement Plan are:

1. To summarize concerns and issues of the community affected by the Lower Fox River cleanup, and in doing so, identify key communication challenges.
2. To identify outreach tools to keep the public informed of cleanup milestones and to provide opportunities for public participation.
3. To outline milestones for outreach and public involvement activities.
4. To provide appendices of resources in the Fox Valley and surrounding area such as media contacts, possible meeting room locations, and **information repository** locations.

The information in this plan is based primarily on interviews with local officials and residents during a community assessment by EPA and DNR on May 24 through May 28, 2004.

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2 SITE BACKGROUND

2.1 SITE DESCRIPTION

The site is defined as the Lower Fox River and the bay of Green Bay. Specifically, the site includes Little Lake Butte des Morts, the Neenah Channel and Menasha Channel sections of the Fox River, 38.2 miles upstream from Green Bay, and including the bay of Green Bay. The Lower Fox River flows northeast from Lake Winnebago, the largest inland lake in Wisconsin, to its mouth, which discharges into lower Green Bay, a large inlet of Lake Michigan (see Figure 2-1, Site Location Map). The Lower Fox River is located within portions of Outagamie, Winnebago, and Brown Counties in northeast Wisconsin. The bay of Green Bay is located in the northwest portion of Lake Michigan and is bordered by Brown, Oconto, Marinette, Kewaunee and Door Counties in Wisconsin and Menominee and Delta Counties in Michigan. Green Bay is approximately 119 miles long and an average 23 miles wide. The Fox River is the primary tributary to lower Green Bay and drains approximately 6,330 square miles. The river, once navigable between Lake Winnebago and Green Bay, now contains 12 dams and 17 locks. The last 3 miles have been kept open to commercial navigation. The river is still navigable to recreational boats, but the Rapide Croche lock is permanently closed to restrict sea lamprey movement.

The banks of the Fox River and Green Bay and surrounding counties have various land uses, including residential, agricultural, recreational, forest, commercial and industrial. Anyone who lives, fishes, or recreates on the Fox River or in Green Bay is potentially affected by the cleanup.

2.2 SITE HISTORY

2.2.1 Origin of Contamination

The Lower Fox River has been the site of industrial activity since the 1850s. The primary industry throughout this period has been paper-making. In fact, this section of the Fox River includes the highest concentration of paper mills in the world. Paper-making and paper recycling resulted in the discharge of large volumes of pollutants in the years before **wastewater** treatment technologies were adopted. More than 300 potentially **toxic** chemicals have been found in the water and **sediment** of the Lower Fox River. Many of these chemicals have also been found in the tissues of fish and other aquatic organisms.

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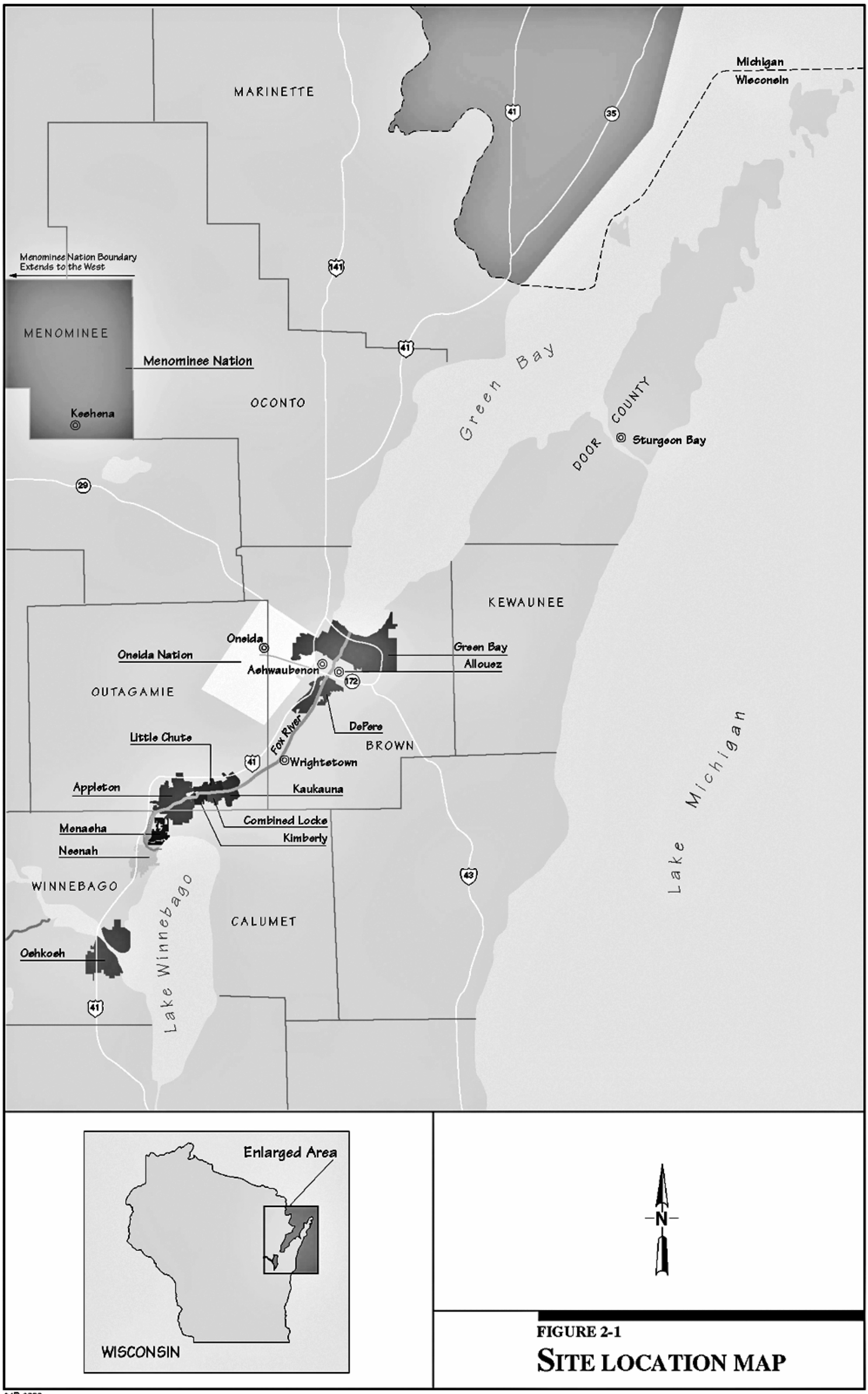

FIGURE 2-1
SITE LOCATION MAP

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PCBs (polychlorinated biphenyls) were used primarily in electrical transformers and other equipment. However, one of many other uses for PCBs was in the manufacture and recycling of carbonless copy paper. PCBs made up about 3.4 percent of the carbonless copy paper. From about 1954 until the 1970s, area paper mills discharged large amounts of PCBs into the Lower Fox River, and the PCBs settled into the river's sediment. The primary source of PCB discharges was from mills that recycled carbonless copy paper. Through the 1990s, discharges of PCBs to the river continued, but at much lower concentrations. PCBs have been detected in effluent discharges from 14 industrial and publicly owned wastewater treatment plants located on the Lower Fox River.

2.2.2 Description of PCB-Contamination Problem

One class of chemicals, PCBs, was discovered in the Lower Fox River in the early 1970s. EPA and DNR determined that PCBs were the primary contaminant of concern in the Lower Fox River. PCBs are a special concern because they concentrate in the food chain. Very small aquatic organisms may contain low concentrations of PCBs, but larger animals that eat these organisms tend to store the PCBs in their tissues and accumulate higher and higher concentrations over time. The process is repeated at each level of the food chain, so that the largest fish and fish-eating birds and animals may build up very high levels of PCBs. Scientists have linked these compounds to harmful health effects in humans, fish and wildlife. Effects from PCB exposure include the following health problems:

- Impacts on the nervous, immune, circulatory and hormonal systems.
- Liver, brain and skin disorders.
- Cancer

Because of these concerns, on May 31, 1979, EPA issue regulations prohibiting and restricting the continued use of PCBs.

In 1976, DNR issued a consumption advisory warning residents that fish in the river contain elevated levels of PCBs and may cause human health problems if eaten. Consumption advisories remain in effect today, but many anglers are reportedly unaware of them and the risks associated with eating fish from the Fox River and Green Bay. Waterfowl consumption advisories have also been in effect since the 1980s.

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2.2.3 Proposed Cleanup Plan

In October 2001, EPA published its proposed cleanup plan for the site and mailed the *Proposed Plan* to area residents and officials on the mailing list in order to give them an opportunity to review and comment on the plan. The plan was also sent to the site information repositories and can be found on EPA's Web site at www.epa.gov/region5/sites/foxriver/index.html. EPA and DNR scheduled a 60-day public comment period on the plan, which ran from October 5, 2001 to December 7, 2001. Due to citizen requests, the comment period was extended to January 21, 2002. During that time, meetings to explain the cleanup plan were held in Appleton and Green Bay. At those meetings, EPA and DNR officials explained the details of the plan and accepted oral and written comments. EPA also accepted written comments postmarked by December 7, 2001.

Because the Lower Fox River varies in depth, current, PCB concentrations and distributions, lock and dam structures, and other properties, EPA and DNR divided the river into four "reaches" and Green Bay to select a cleanup plan most appropriate for each area. These reaches (or sections) and Green Bay are also called operable units. The operable units corresponding with the following river reaches and bay zones are:

OU 1 Little Lake Butte des Morts Reach

OU 2 Appleton to Little Rapids Reach

OU 3 Little Rapids to De Pere Reach

OU 4 De Pere to Green Bay (Zone 1)

OU 5 Green Bay Zones 2-4

The total cost to clean up the river was estimated at $400 million. The proposed cleanup plans and costs for each of the river reaches and Green Bay were:

Little Lake Butte des Morts Reach – Dredging and off-site disposal of the PCBs. This would involve dredging up PCB-contaminated sediment, squeezing the water from the sediment, treating the water, returning the treated water to the river, and taking the contaminated sediment to a landfill for permanent disposal. Cost: $66 million

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Appleton to Little Rapids Reach – Monitored natural recovery. This relies on natural processes to break down, dilute or bury the contaminants. However, it also includes a long-term monitoring program to track trends in contaminant concentrations over time in sediment, water, invertebrates (e.g., insects, clams, worms), fish and birds. Cost: $10 million

Little Rapids to De Pere Reach – Dredging and off-site disposal of PCBs. Cost: $26 million

De Pere to Green Bay (Zone 1) Reach – Dredging and off-site disposal of PCBs. Cost: $258 million

Green Bay Zones 2-4 – Monitored natural recovery. Cost: $40 million

DNR and EPA considered the comments received during the comment period before making their final decision on the cleanup plan for the site. DNR and EPA responded to the comments, in writing, in a document called a responsiveness summary, which is part of the document, called the record of decision. The ROD formalizes the final cleanup plan selected by DNR and EPA.

2.2.4 Risk Assessment, Remedial Investigation and Feasibility Study

The risk assessment, remedial investigation and feasibility study were completed in December 2002 in support of the ROD. The risk assessment identified potential risks to people and wildlife from exposure to PCBs and other contaminants in the river and bay. It also developed the cleanup goals used to compare and evaluate the different cleanup alternatives. The risk assessment determined that exposure to PCBs and other contaminants in the river water, fish and sediment, etc. could cause potential cancer and other health risks to humans. It also determined that the PCBs posed risks to the Lower Fox River and Green Bay environment, particularly to fish, fish-eating animals, fish or meat-eating birds, and insects, clams and worms (which live in the sediment). The RI included a review and compilation of available information on the Lower Fox River and Green Bay's physical characteristics, wildlife and contaminants. Included in the RI is an analysis that provides information on PCB concentrations in fish tissue and sediment over time. The FS developed a range of cleanup alternatives and evaluated them against a set of nine evaluation criteria. It also evaluated a range of sediment cleanup levels to assess their effectiveness in reaching cleanup goals. Copies of the risk assessment, RI, and FS can be found on DNR's Web site at http://www.dnr.state.wi.us/org/water/wm/foxriver/index.html.

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2.2.5 Records of Decision

In order to keep the project moving, and for ease of management, DNR and EPA used a phased approach to making the final cleanup decisions. The first record of decision was signed in December 2002, and described the final cleanup plan for the Little Lake Butte des Morts and the Appleton to Little Rapids reaches of the river. The final cleanup decisions for those two reaches was the same as was proposed – dredging and off-site disposal for Little Lake Butte des Morts, and monitored natural recovery for the Appleton to Little Rapids reach. DNR and EPA decided not to dredge the Appleton to Little Rapids reach because:

- PCBs were removed in 1998 and 1999 as part of the demonstration project at Deposit N.
- active cleanup in that area would not significantly reduce risk.
- even without actively cleaning up that section, the average level of PCBs in that reach is close to a protective level.
- the number of dams and locks create access concerns making dredging or capping difficult
- the location of the bedrock may make removing all contaminated sediment difficult.

In addition, DNR and EPA decided to include a portion of the Appleton to Little Rapids reach in the cleanup of the next reach of the river. A copy of the ROD can be found on EPA's Web site at www.epa.gov/region5/sites/foxriver/index.html.

In January 2003, a $4 million interim agreement was signed by Georgia-Pacific Corp. to fund the preliminary engineering and design work for the De Pere to Green Bay section of the river. This allowed preliminary work to begin on that section of the river even before the ROD was signed later in the year and not lose a year's construction season. The De Pere to Green Bay section of the river contains more than 90 percent of the Fox River's PCBs in a large continuous deposit.

The ROD for the remaining sections of the river from Little Rapids to De Pere, De Pere to the mouth of the river at Green Bay, and Green Bay itself was signed in June 2003. The final cleanup decisions for these three

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reaches were the same as was proposed – dredging and off-site disposal for the Little Rapids to De Pere and De Pere to Green Bay reaches of the river and monitored natural recovery for Green Bay. Both ROD documents were placed in the site information repositories and on EPA's Web site at www.epa.gov/region5/sites/foxriver/index.html.

Once the RODs were signed, the next step in the process involved negotiations with the companies considered potentially responsible for the contamination to pay for the cleanup. A $60 million agreement was signed by DNR, EPA, WTM I (formerly Wisconsin Tissue Mills) and Glatfelter in September 2003 to clean up the Little Lake Butte des Morts section of the river. As part of the cleanup, Georgia-Pacific proposed using a landfill that it owns in the town of Vinland to hold the sediment. However, residents and some local officials were not happy about using that landfill and sent letters to DNR and EPA requesting that vitrification, a technology that turns PCB-contaminated sediment into a black glass aggregate resembling very coarse sand and rendering it harmless, instead of landfilling. While DNR and EPA carefully reviewed all of the letters they received, the agencies determined that, although vitrification may be possible for other sections of the river, it is not an option for Little Lake Butte des Morts. DNR and EPA gave several reasons for this decision:

- the length of time that would be needed to get a vitrification system up and running
- because a full-scale vitrification facility does not exist, nor has one been designed, a location to build one would have to be found and all necessary state and local permits obtained beforehand
- finding a landfill that would handle PCB-contaminated sediment would take much less time since many such landfills already exist in the Fox Valley
- although it was originally believed that vitrification could be cheaper than dredging and landfilling, revised estimates place the cost of vitrification at about $30 million more than originally anticipated.
- While it was agreed that landfilling would protect people and the environment in a cost effective way, the companies doing the cleanup picked a different landfill. This landfill is located in the town of Chilton.

In March 2004, Georgia-Pacific Corp. and NCR Corp. signed an agreement to design the cleanup the remaining sections of the river from

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Little Lake Butte des Morts to Green Bay, otherwise known as Operable Units 2, 3, 4 and 5. This, along with a 2001 agreement between the agencies and Appleton Papers, Inc./NCR Corp. to fund cleanup and **natural resource damage assessment** activities in the river and bay and the $4 million interim agreement signed by Georgia-Pacific will fund the design these remaining sections.

2.2.6 Cleanup of Little Lake Butte des Morts

Cleanup of Little Lake Butte des Morts began in June 2004 with building the staging area for a water treatment, a boat dock and the "geotubes" – large heavy plastic tubes that will be used to separate water from the sediment. Dredging started in September 2004. After the sediment was removed from the lake's bottom, it was be pumped into the geotubes. They were laid on a lined, gravel area where water drained from the sediment. This water was treated (cleaned) on site and pumped back into the lake. After the sediment was dry, it was taken away in covered trucks with plastic liners for proper disposal. Some of the tubes remained in use over the winter to complete the drying process..

In November 2004, sand was placed on the river bottom to see if this could be done without stirring up the river bottom. To do this, sand was placed over a small, non-contaminated area on the east side of the lake about one half mile north of state Route 441. This test should tell engineers if the sediment will remain stable here and in other sections of the river. It will also indicate if this can be done after dredging of if capping were to be used. A fact sheet explaining the cleanup of Little Lake Butte des Morts can be found on EPA's Web site at: www.epa.gov/region5/sites/foxriver.

(Please refer to the Final Community Involvement Plan dated May 2001 for more details on the site's history prior to the completion of the proposed plan.)

2.2.7 Natural Resource Damage Assessment

In addition to providing for the investigation and cleanup of a site, the **Superfund** law gives the authority to the states of Wisconsin and Michigan, FWS, NOAA, the Menominee Indian Tribe of Wisconsin and the Oneida Tribe of Indians of Wisconsin (the trustees) to do a natural resource damage assessment to restore the Lower Fox River and Green Bay environment to the condition it would have been in had PCBs never been released. The trustees studied the effect of PCBs on the environment and released several reports assessing the damage caused by PCBs to the

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environment. They used those reports to help them determine what projects they would recommend to restore the environment. In October 2000 as part of the NRDA, the trustees, except the state of Wisconsin, released a Restoration and Compensation Determination Plan for the Lower Fox River and Green Bay describing how environmental restoration programs, such as habitat preservation and restoration make the public whole after decades of problems caused by PCBs. The plan serves as a blueprint for how restoration decisions will be made in conjunction with the cleanup.

In December 2001, Appleton Papers Inc. and NCR Corp. agreed to fund interim cleanup and restoration projects while the comprehensive cleanup and restoration plans were developed as part of the remedial investigation/feasibility study and natural resource damage assessment. They agreed to make payments up to $40 million over four years to fund restoration and cleanup projects and to pay $1.5 million to DOI to help pay back expenses it has incurred in putting together the NRDA.

In June 2003, WTM I Co. signed a legal document called a consent agreement. It states the company will fund and do the remedial design at Operable Unit 1.

In August 2003, Glatfelter and WTM I Co. (Wisconsin Tissue Mills Inc.) agreed to fund the remedial action at Operable Unit 1 along with providing $3 million for restoration projects. In addition, the companies will reimburse EPA past response costs and FWS NRDA expenses. This agreement was entered by the federal district court on April 12, 2004.

In March 2004, a final settlement with Georgia-Pacific through its subsidiary, Fort James Operating Co. included the implementation of a series of land purchases, and recreational and environmental restoration projects in the Green Bay area. In addition, Georgia-Pacific agreed to reimburse FWS and DNR for a portion of the NRDA expenses and EPA for expenses incurred in the oversight of the SMU 56/57 PCB-contaminated sediment removal pilot project.

In May 2004, Fort James Operating Co. and NCR Corp. signed a consent agreement to fund and do the remedial design for Operable Units 2 to 5.

In June 2003, a final restoration plan was released, which outlined the criteria and categories for potential restoration activities. The trustees will consider funding projects if they propose to restore or help recover an injured resource. The plan's goals include the protection of wetlands, associated uplands and stream banks, improvement of water quality and fisheries habitat and the development of recreation projects. Projects

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proposed will be reviewed by the trustees to determine if they are consistent with the goals of the restoration plan. Final acceptance of the project is then left to a five-member board, called the trustee council, which is comprised of the authorized officials of the representing agencies. The representing agencies that have trustee representation include DNR, Michigan Attorney General, Michigan Department of Environmental Quality, FWS, NOAA, Oneida Tribe of Indians of Wisconsin, and the Menominee Indian Tribe of Wisconsin.

2.2.8 Major Project Milestones

- 2001 (August) – Appleton Papers Inc. and NCR Corp. sign a legal agreement, called a consent decree, to provide funding for interim cleanup and restoration projects on the Lower Fox River and Green Bay while the comprehensive cleanup and restoration plans are being developed.
- 2001 (August) – DNR and EPA publish a fact sheet explaining the consent decree signed by Appleton Papers Inc. and NCR Corp.
- 2001 (October) – DNR and EPA release *Proposed Remedial Action Plan Lower Fox River and Green Bay*.
- 2001 (October) – DNR and EPA publish a fact sheet summarizing the proposed cleanup plan entitled *Proposed Plan Summary for Cleanup of the Lower Fox River and Green Bay Site.*
- 2001 (December) – Wisconsin Department of Health and Family Services issues a draft *Public Health Assessment for PCB Contaminated Sediment in the Lower Fox River and Green* Bay to identify health hazards, address community health concerns, and recommend actions to reduce unhealthy exposures at the site.
- 2002 (September) – FWS releases *Draft Joint Restoration Plan and Environmental Assessment for the Lower Fox River and Green Bay Area.*
- 2002 (September) – FWS begins a 30-day public comment period on the draft restoration plan.
- 2002 (December) – DNR and EPA release the *Final Baseline Human Health and Ecological Risk Assessment, Remedial Investigation Report* and *Final Feasibility Study* for the Lower Fox River and Green Bay site.

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- 2002 (December) – DNR and EPA sign the *Lower Fox River and Green Bay, Wisconsin Site Record of Decision and Responsiveness Summary for Operable Units 1 and 2* explaining the final cleanup plans selected for the Little Lake Butte des Morts and the Appleton to Little Rapids reaches of the river.

- 2003 (January) DNR and EPA publish a fact sheet explaining the ROD for Operable Units 1 and 2.

- 2003 (June) – FWS releases the *Final Joint Restoration Plan and Environmental Assessment for the Lower Fox River and Green Bay Area* for restoring natural resources lost through the release of contaminants.

- 2003 (June) – DNR and EPA sign the *Record of Decision and Responsiveness Summary, Lower Fox River and Green Bay, Wisconsin Site, Operable Units 3, 4 and 5*.

- 2003 (July) – *Statement of Work for the Remedial Design for Operable Unit 1 at the Lower Fox River and Green Bay Site, Brown, Outagamie, and Winnebago Counties, Wisconsin.*

- 2003 (July) – WTM I Co. signs a legal agreement to design the cleanup of Operable Unit 1 at the Lower Fox River and Green Bay site.

- 2003 (July) – DNR and EPA publish a fact sheet announcing the signing of the ROD for Operable Units 3, 4 and 5 for the Lower Fox River and Green Bay site.

- 2004 (April) – Consent decree is entered by the federal court for WTM I and Glatfelter to clean up Little Lake Butte des Morts.

- 2004 (May) – Fort James Operating Co. and NCR Corp. sign a consent agreement to design the cleanup for Operable Units 2 to 5.

- 2004 (May) – EPA publishes a fact sheet explaining the cleanup of Little Lake Butte des Morts.

- 2004 (June) – Cleanup of Little Lake Butte des Morts begins.

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3 COMMUNITY BACKGROUND

3.1 REGIONAL HISTORY

The first known residents were the Effigy Mound people. It was a prehistoric tribe who lived in the region around 1000 A.D. These people built effigy mounds in the area now known as the cities of Neenah and Menasha. Archeologists believe that the mounds were built as the burial grounds of a chief or brave and/or as part of celebrations for the planting and hunting seasons.

The Winnebago Indians inhabited the area as early as the 1600s. French explorer Jean Nicolet, who was looking for a short cut to the Orient, approached the Winnebago in 1634. Historians report that Nicolet thought that he was nearing China; and to impress the natives, he wore robes of Chinese damask and shot his pistols in the air. The Winnebago were impressed and named him Manitouririnou, "The Wonderful One." Eventually, the arrival of the white man doomed the Winnebago. In 1827, the Winnebago prepared to fight the United States Army, but the army attacked and defeated the Indians. Ten years later, the Winnebago had to turn its land over to Wisconsin and were relocated to Iowa, eastern Minnesota, and South Dakota. Many Winnebago Indians currently live in northeastern Nebraska. In November 1994, the results of the Ho-Chunk Nation secretarial election were published approved the revised constitution. The proper name reverted to the Ho-Chunk Sovereign Nation. Today, the Winnebago tribe is known as the Ho-Chunk Nation.

Another primary Indian tribe is the Menominee. In 1821, Chief Oshkosh became the leader of the Menominee. The tribe followed his teaching of finding peaceful solutions to problems instead of war. In 1836, Wisconsin's territorial governor and Chief Oshkosh agreed upon the Treaty of the Cedars. The Menominee sold to the government approximately 4 million acres of land for $700,000 (about 17 cents an acre). The area now includes the cities of Marinette, Oconto, Appleton, Neenah, Menasha, Wausau, Wisconsin Rapids, and Stevens Point.

In 1848, Wisconsin became the 30th state of the Union. In that same year, the U.S. government determined that all the Indians were to be relocated west of the Mississippi River. The Menominee were given lands in Minnesota. Chief Oshkosh visited the new location and informed government officials that the land was not suitable to the Menominee and that they would not move. President Millard Fillmore gave the Menominee until June 1851 to move. The Menominee held out and

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refused to move from Wisconsin. On November 2, 1852, the government forced the tribe to move north. Chief Oshkosh led his people to their new home in Wisconsin, along the Wolf River. Today, the Menominee live in the same area.

The Oneida, Stockbridge, and Brothertown Indian tribes were relocated to the Fox River Valley from New York. The New York Land Co. wanted the Indian titles to the land to open the state to white settlers. The missionaries who taught the three Indian tribes Christianity also wanted to move the tribes from the more densely populated area. In 1820, Reverend Jedidiah Morse, a Presbyterian minister, chose the Fox River Valley and Menominee Indian land as the location for the tribe's new home. At first the Oneida settled along the Lower Fox River, but in 1832 they relocated to the reservation in Brown County. The Stockbridge tribe, a branch of the Mohicans, followed the Oneida and settled on the east shore of Lake Winnebago. In 1834, the Brothertown Indians, descendants of the Pequots and Narragansetts, settled in two townships adjacent to the Stockbridge tribe.

In the early days of western exploration and expansion, the French named the Fox River. The story unfolds with the identification of a band of Indians that lived in the Green Bay area and east of the river. The Chippewa Indians named the band "Outagamie" which meant "people of the wet land" or "people of the marsh." However, for reasons unknown, the French referred to the band of Indians as "Les Reynards," or "The Foxes." In the 1820s, Judge James Duane Doty wanted the Fox River renamed as the Neenah River to differentiate it from the Illinois Fox River. "Neenah" is a Winnebago Indian word that means "clear water." The settlers had already accepted the Fox River designation and the name remains to the present day.

The Lower Fox River was a magnet for settlers and industry. The settlers of the Fox River Valley were wheat farmers. Flour milling became a riverside industry. Jacob Franks built a grist-mill near De Pere in 1809. In 1835-36, the government built a mill at Neenah. At the time of statehood, private mills were also being developed. In the mid-1800s, because of political, economic, and religious unrest in Europe, millions of people immigrated to the United States. One of the earliest European groups to settle along the Lower Fox River were the natives of the Netherlands, known as Hollanders or Dutch. Dutch Catholics settled in the Fox River Valley to be with other Catholics of northern European ethnic groups, and escape the poverty and overpopulation in the rural areas of the Netherlands.

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Specifically, Father Theodore van den Broek, a native of the Netherlands and a missionary in Wisconsin, recruited the Dutch Catholics to settle along the river. In 1848, Fr. van den Broek brought over 300 Dutch Catholic settlers to Little Chute. The settlers were able to claim 80 acres of land. In 1850, another contingency of 200 Dutch Catholics arrived and settled in the Lower Fox River area. In subsequent years, many Dutch Catholics followed these first two groups and settled along the Lower Fox River. Year after year, the farmers grew wheat until the overworked soil could produce no more. Many farmers moved to Minnesota and North and South Dakotas to resume wheat farming. The farmers who stayed in the valley practiced crop rotation to renew the fertility of the soil and increased their livestock and dairy herds. In the 1880s, Wisconsin became the first dairy state in the United States.

With the decline of wheat production, flour mills were converted to paper and pulp mills. The Lower Fox River provided the water power and the nearness of forests for wood pulp shaped the valley as a perfect location for the paper manufacturing industry. The first paper mill was constructed in 1853 at Appleton by George Richmond. That mill made paper from rags and straw. Additional mills were built at Appleton, Neenah, Kaukauna, and other locations on the Lower Fox River. As the use of wood pulp in paper production increased, pulp mills were erected. The industry continued to grow and the communities prospered at the river's expense.

3.2 COMMUNITY PROFILES

The following subsections profile the primary communities along the Lower Fox River. Door County is profiled because of the commercial and sport fishermen who live in many of the county's communities who fish the bay area and Lake Michigan.

3.2.1 Oshkosh, Wisconsin

Oshkosh is located on the west side of Lake Winnebago and along the banks of the Fox River and Lake Butte des Morts. The city is named after a chief of the Menominee tribe. Per the 2000 census, the population of Oshkosh was 62,916 people. The area includes several historical sites such as the Experimental Aircraft Association Air Adventure Museum, featuring early airplanes, and the Grand Opera House, a restored 1882 Victorian theatre that provides dance, music, and children's programs. The University of Wisconsin has a campus at Oshkosh, with an enrollment of approximately 10,500 students. Several museums, art galleries, theater

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productions, concerts, and educational programs provide a cultural outlet for area residents and visitors. The area promotes a variety of recreational opportunities: biking, hiking, boat cruises, boating, camping, fishing, sledding, snowmobile trails, cross-country skiing, hockey, golf, swimming, tennis and horseback riding. The city is governed by a mayor and council and administered by a city manager.

3.2.2 "Fox Cities": Neenah, Menasha, Appleton, Kimberly, Combined Locks, Little Chute, and Kaukauna, Wisconsin

The Fox Cities are located along the Lower Fox River between Oshkosh and Green Bay. Per the 2000 census, the seven Fox Cities totaled a population of 142, 952. The minority population includes approximately 2,500 Asian or Pacific Islander (Hmong, Korean, Laotian and Vietnamese). The paper industry has been the economic foundation of the Fox Cities and provides 10.9 percent of total employment and 33.3 percent of all manufacturing employment in the area. The metals-machinery industry is of almost equal importance to the area. This industry includes production of fire and utility trucks, crushing and screening equipment, farm machinery, fourdrinier wires and iron and brass castings. Appleton is the home of Lawrence University and the University of Wisconsin Fox Valley Center. Fox Valley Technical College is also within the Fox Cities area. Eighteen colleges and universities are located within an hour's drive of the Fox Cities. Area parks provide picnic sites, camping, bike trails, boating, swimming, fishing, hunting, skating and cross-country skiing. Lawrence University and the University of Wisconsin Fox Valley Center sponsor a variety of cultural activities that include music, dance, theatre, art exhibitions and lectures. Twelve regional museums exhibit local art and historical collections. Mayors and city councils govern Appleton, Kaukauna, Menasha and Neenah. Village presidents and boards of trustees govern Kimberly, Combined Locks and Little Chute.

3.2.3 Wrightstown, Wisconsin

The Fox River divides the Village of Wrightstown into two almost equal parts. The village was settled at its present location because of the narrow width of the river, which made it a "ferry" town, and then grew as a "bridge" town. The majority of the residents are of Belgian, Dutch and German descent. Wrightstown has a few agricultural industries in town, and the most unique is the only place in the United States that manufactures cheeses in aerosol cans. A seven-member board governs the village, and an all-volunteer department provides fire protection. An industrial park is located on the west side of the river, which is balanced by residential development on the east side. Wrightstown supports a

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strong retail as modern goods and services are offered in renovated historical downtown buildings. The population of Wrightstown is 2,013.

3.2.4 Oneida Tribe of Indians of Wisconsin

The Oneida Nation is located west of Green Bay and adjacent to the Lower Fox River. The Oneida Nation's history is on display at the Oneida Nation Museum, where hands-on exhibits teach about Native American life. The members of the Oneida Nation, who follow their ancestor's way of life for hunting and fishing and consumption of food, are directly affected by the fish advisories in the Lower Fox River. The traditional Oneidas follow the seasons for their food sources. Now a primary source of food (fish from the Lower Fox River) has been almost eliminated, which has affected their diet and culture. To keep the Oneida culture strong and to educate its children, the Oneida Nation has adopted the "Our 7th Generation Commitment." The commitment statement involves the Oneidas working together to achieve harmony among the Oneida Nation and with others, with all living creatures and Mother Earth. The 7th Generation Mission has three goals.

- "The mission of the Oneidas is to sustain a strong Oneida Nation by preserving our heritage through the 7th generation.
- The Oneida Family will be strengthened through the values of our Oneida identity by providing housing, promoting education, protecting the land and preserving the environment.
- Our Oneida Nation provides for the quality of life where the people come together for the common good."

The Oneida Bingo and Casino attracts visitors from all over the country and is the largest gaming facility in Wisconsin. The casino and adjacent Radisson Hotel provide an economic basis for the Oneida Nation to serve its community and maintain its 7th Generation Commitment.

In 1934, the Oneidas formed a constitutional government under the Indian Reorganization Act. Today, the reservation includes approximately 5,000 acres and a population of approximately 4,000 tribal members.

3.2.5 Green Bay, Wisconsin

The city of Green Bay is located at the mouth of the Fox River where it empties into Green Bay. The Green Bay area is the oldest settlement in

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the Midwest and consists of the surrounding villages of Ashwaubenon, Allouez, Howard, and the cities of Green Bay and De Pere and the Oneida Nation. The Green Bay area remains a shipping port, but also offers many cultural and entertainment attractions. The city is the home of the Green Bay Packers professional football team and the Green Bay Gamblers hockey team. Residents and visitors enjoy the Bay Beach Amusement Park, the New Zoo, Heritage Hill Living History Museum and the Neville Public Museum. Attractions in the Green Bay area include Great Explorations Children's Museum, Green Bay Packers Hall of Fame, Lambeau Field Stadium tour, L.H. Barkhausen Waterfowl Preserve, the National Railroad Museum, Wildlife Sanctuary, Green Bay Botanical Garden and the Weidner Center for the Performing Arts. The University of Wisconsin system has a campus in northeastern Green Bay and De Pere is the home of St. Norbert College. A mayor and council govern Green Bay. The population of Green Bay is 102,313. Major industries of the area include food products, paper products, and non-electrical machinery. Green Bay is the largest meat-packing center east of the Mississippi River and is considered the tissue paper capital of the world.

3.2.6 Menominee Indian Tribe of Wisconsin

The Menominee Indians are Wisconsin's oldest continuing residents. The Menominee Reservation is 45 miles west of Green Bay, and consists of approximately 235,000 acres, of which, 220,000 acres are forested. In addition to foresting, Menominee enterprises include the Menominee Nation Casino, Menominee Tribal Bingo/Crystal Palace and the Menominee Logging Museum. There are three historic communities located on the reservation: Keshena, Neopit and Zoar. In 1995, another community, Middle Village, was established as a planned village on the reservation. The population of the reservation, according to the 2000 census, was 4,562. The Menominee Nation is a federally recognized sovereign nation and is governed by its own constitution and by-laws.

3.2.7 Door County, Wisconsin

Door County is a 75-mile long peninsula surrounded by Green Bay and Lake Michigan in northeastern Wisconsin. The population of the county is 27,961. Full-time residents earn their living by farming, commercial fishing and tourism. Door County is home to many weekend and summer vacationers. Residents and tourists participate in several recreational activities: biking, boating/sailing, charter fishing, golf and horseback riding. In addition to the state parks, sandy beaches and apple and cherry orchards, the area supports many museums and historical attractions: Anderson Barn and Store, Maritime Museum, Jacobsen Indian Museum,

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Miller Art Center, Washington Island Farm Museum and Fishing Museum, Cana Island and Eagle Bluff Lighthouses, Ephraim Monument and the log cabin of Asa Thorpe (founder of Fish Creek, Wisconsin).

3.3 CHRONOLOGY OF COMMUNITY INVOLVEMENT

DNR and EPA have sponsored numerous meetings since the late 1990s to keep the public aware of the various technical activities regarding the investigation and cleanup of the Lower Fox River. The Fox River Intergovernmental Partners, with leadership provided by DNR and EPA, produce a bimonthly newsletter, the *Fox River Current*. It is distributed to over 14,000 residences in the Lower Fox River Valley. The *Current* provides updates on technical aspects of the project, summaries of similar projects in the United States, explanations of cleanup alternatives, and profiles of staff members representing the various intergovernmental partners. The partners have also made many presentations to high school and college classes, union leaders, county and municipal officials, newspaper editorial boards, television and radio call-in and special programs and others.

In April 1999, EPA awarded a $50,000 Technical Assistance Grant to the Clean Water Action Council, located in Green Bay, Wis. Additional TAGs were awarded to the council in September 2001 and July 2003. The council is required to submit detailed reports and financial information to EPA showing its use of TAG funds. TAGs allow the recipients to hire technical advisors to assist in reviewing technical information presented by the partners regarding the cleanup. The council hired a toxicologist, a geologist and an engineer to review documents, discuss their interpretation of the reports and to assist with written comments to EPA and DNR for consideration. The council has also used the funding to distribute information to the public. The council maintains a Web site at http://www.foxriverwatch.com.

3.4 KEY COMMUNITY CONCERNS

On May 24-28, 2004, representatives of EPA and DNR met one-on-one with 32 Lower Fox River area residents and public officials, from Menasha to Green Bay, to discuss community concerns regarding the ongoing environmental activities of the Lower Fox River. The following is a summary of the major areas of concern raised during those interviews.

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3.4.1 Fish Advisories and Health Impacts

A few residents were concerned that the notifications of fish advisories were inadequate and too slow. They said the state's fish advisory slogan, "Hook into healthy fish," was confusing. They also said the slogan leads people to believe there are a lot of healthy fish in the river. Some disagreed with that line of thought. Residents also said the fish advisory signs along the river were not properly maintained. In some areas, the signs were missing. They assumed anglers would believe the water is clean and the fish are safe to eat. In addition, they thought the fish advisory signs should be in three "languages": English, Spanish and pictures. Others said no one really knows about the fish advisories. Another resident asked how long the fish advisories would/could last. On the other hand, a resident said people were aware of the fish advisories. Another person said he/she "couldn't imagine people fishing the river and eating the fish."

Some people were concerned about the health of the Hmong and other ethnic populations that fish along the river. They were aware of the Hmong culture to eat most every part of the fish they catch. They said there should be an outreach effort to the Hmong that is respectful of their culture and also make them aware of the fish advisories. Several people said they do not fish the Lower Fox River but have observed Hmong do so.

One resident was concerned that the contamination from the river affected the health of area residents. He/she observed children requiring physical therapy and "lots of kids with problems." He/she wondered if their difficulties could be linked to the river. The resident believed an epidemiology study of the area was needed. He/she said people worry about cancer, but there were other problems of which to make the public aware: developmental and pregnancy issues.

3.4.2 Cleanup Activities

Residents would like to have the cleanup done. One was concerned that the citizens of the town of Vinland refused to accept PCB-contaminated dredged material landfilled in their municipality. The resident said the "not in my backyard mindset" slows the cleanup process. Others said the public hears too many contradictory things about landfilling PCB-contaminated dredged material, and that their questions were not adequately answered. They said people want to know what is going to happen to the landfilled PCBs now and in the future – 50 years down the road. The residents said people do not know who to trust and trust no one. A resident asked if there was enough landfill space for all of the PCB-contaminated sediment.

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Some residents were concerned about the schedule of the cleanup. What was currently happening and what was planned for the future? One person asked about the schedule of the cleanup of Little Lake Butte des Morts. Another asked when an agreement between government agencies and paper companies could be reached on Operable Units 3, 4, and 5. One said the public was numb to the cleanup because it had been going on for so long. Another said people want to know the nuts and bolts of the cleanup plan and actions.

Some residents were concerned about the methods of cleanup: laying a pipeline along the bike trail, trucking contaminated material, and disposal techniques. A resident asked if there would be public input regarding placement of a pipeline along the trail. Another asked if the cleanup of Little Lake Butte des Morts would involve foul odors, noise (loud trucks and equipment), and disruption of boating in the lake. He/she also asked when the Little Lake Butte des Morts cleanup was completed if there would be any negative affects to the fish or the lake.

A few residents believed capping was not a good cleanup option because it was giving someone in the future the problem. They believed contamination created and identified in previous generations should not be left for future generations. These residents also said the volume of water moving through the river would eventually move the capped PCBs. A few residents thought **vitrification** of the contaminated sediment had possibilities and should be studied further. One resident who favored vitrification said cost should not be an issue.

Several residents were concerned about the cost of the cleanup and who pays for it. One person was concerned that throughout the cleanup of the river that the involved paper companies know where they stand and costs are identified. The resident said the paper companies agreed to $400 million for the cleanup. He/she added that there was a “need for paper companies to signoff and not bleed them for years.” The resident said running a pipeline along the trail is insanity and trying to clean up the river to zero levels was unnecessary and impossible. He/she was troubled that EPA/DNR could not give a definite cost to clean up the river. The resident was concerned that there was a perception that EPA and DNR were helping to destroy the paper industry in the Fox Valley.

A resident was concerned the cleanup costs would affect the paper industry. He/she was concerned the paper industry move divisions out of the Fox River Valley, lay off workers, or promote early retirement. The resident said no new paper machines have been installed since 1992, existing

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machines were not upgraded, and plants were being built in other areas because it was cheaper.

Another resident was "taking a watchful eye on the cleanup program" and believed the program was fair to paper companies and within the bounds of EPA/DNR authorities.

3.4.3 Riverfront Development and Bike Trail

Some residents were concerned that ongoing cleanup activities may affect the riverfront's current and future development. One person said there is $2 million commerce coming into the Port of Green Bay and hoped that business would not be lost due to cleanup activities. Another was concerned that capping areas of the river may affect boat and ship navigation on the river. Future plans include bringing in cruise ships to the Port of Green Bay and developing the riverfront to attract local people to the riverfront.

Another resident was involved in studying development of the riverfront through building condominiums and office buildings at a specific point along the river. He/she was involved in applying for several grants to assist a community in developing a trail system in the area.

Another person said it was essential to have riverfront places for people to assemble, shop, dine and recreate. He/she said the river is critical to development. He/she added that a viable riverfront is critical to any urban center. He/she added that communities were once dependent on the river for industry and were now turning around to face the river with both thriving industry and downtown.

Several residents were concerned about the Fox River State Recreational Trail, also referred to as the bike trail, which would be affected during the cleanup. The Fox River State Recreational Trail stretches 13.5 miles from downtown Green Bay to Greenleaf. They were concerned that a pipe would be installed along the bike trail and interrupt use and aesthetics of the trail. On the other hand, a resident said the pipeline was not a concern because the area would be restored.

One resident voiced concern about preserving the history of the area: the regional trail system and the Fox River Locks which were placed on the national historic register.

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3.5 FEEDBACK ON PUBLIC INVOLVEMENT EFFECTS

As part of the community interview process, EPA and DNR asked residents for their feedback on the partnership's public involvement efforts.

3.5.1 *Current* Newsletter and Other Mailings

The *Current* newsletter was easily recognized by most of those interviewed. Only a few said they were not familiar with the *Current*. (These individuals were placed on the site mailing list to receive the newsletter.) Most of them said they received much of their information on the Lower Fox River site from the *Current*. Most agreed the *Current* is informative and easy to read. One said "the message of 'good science' is valuable." Most said that the bi-monthly frequency of the newsletter is appropriate. Another resident said that the 11,000-plus mailing of the *Current* is not nearly enough because there are "a lot more caring people" regarding the site issues.

Most agreed that the other fact sheets and updates produced by the partnership were also useful and informative. A few requested to receive the *Current* and other mailings via e-mail.

A few residents said they obtain their primary information regarding the Lower Fox River site from the paper companies, local newspapers, local bureaucrats, and the Fox/Wolf River Alliance.

3.5.2 Public Meetings

Most said they have attended the EPA and/or DNR-sponsored public meetings since the beginning of the project. They said public meetings were a good way to inform the public and provide an opportunity to meet government representatives and ask questions. Most said they would travel to another town within the area to attend a public meeting.

Some residents said the presentations and the public meetings could be too technical for the general audience to understand. A few people said a separate meeting, such as an annual presentation, for municipal leaders would be a good method to provide technical information. Another resident suggested having public meetings in communities up and down the river and to plan two-tiered meetings with a public forum and then break into small groups. That resident said area-specific public meetings may be useful but would also like a broader meeting.

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One resident said only special interest groups attend the public meetings and the responses are skewed; however, he/she agreed the meetings were worthwhile because anyone can ask questions.

3.5.3 Web Sites

A few people interviewed said they went on the EPA and/or DNR Web sites to learn more. One resident who accessed the DNR Web site said it was good. On the other hand, a resident said he/she got lost navigating the EPA and the DNR Web sites. Another resident suggested placing chapter links for the various technical documents and that the *Current* is presented only in PDF format rather than also HTML. One resident said he/she was not a computer person and preferred information on paper. Another suggested that the Web sites be publicized. He/she said they should stand out more (i.e., bigger and on the front page) in the partnership publications.

3.5.4 Information Repositories

Most of the people interviewed said they were aware of the existence of the information repositories. Most said they had no need to visit the library, locate the repository, and review the information. However, a few residents had consulted one of the site information repositories for information. Another said he/she prefers files of paper information rather than a CD-ROM computer file.

3.5.5 News Media

A few said they obtain most of their site information form the local news media. Generally, most of the people interviewed said coverage and accuracy is good. One resident said that when there is controversy, such as the potential PCB-disposal in landfills, there were a number of letters to the editor in local newspapers. He/she said there needs to be an education program on the subject with better clarification.

Two residents said that the “volume of coverage is minimally adequate and accuracy is questionable.” One said he/she does not believe anything in a newspaper.

Another person suggested broadcasting a 15-minute presentation on the local government channel (Channel 4).

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3.5.6 Toll-Free Telephone Number

No one said they called the EPA toll-free telephone number.

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4 EPA/DNR's COMMUNITY INVOLVEMENT PROGRAM

As supported by the 1997 Memorandum of Agreement, the Fox River Intergovernmental Partnership will continue to work together to do outreach and public involvement activities for the community. The information in this section and in Section 5 addresses communication approaches for the partnership's community involvement effort.

The community involvement program is designed to provide an opportunity for the citizens to be educated about and to participate in the cleanup and restoration processes. To be effective, the community involvement program must be formulated according to the community's need for information, and its interest and willingness to participate in the process.

The community involvement program should continue to include the following categories and respective approaches.

4.1 LOCAL OFFICIALS AND LEADERS

Enlist the participation of local officials and leaders in coordinating community involvement activities. A list of officials is included in Attachment D. Local leaders include the officers of community/civic organizations, unions, chambers of commerce, and environmental groups. To maintain the support of local officials and community leaders, it is critical to inform them regularly of activities, plans, findings and developments. Based on community interviews, a separate meeting, such as an annual presentation to local officials and leaders would be a good method to provide technical information.

4.2 RESIDENTS

Identify and assess residents' perceptions of the river by soliciting input. Information regarding residents' perceptions and concerns about the Lower Fox River is important. At this time, the primary areas of concern are fish advisories and health effects, cleanup activities, riverfront development and bike trails. Understanding these concerns will focus the level of effort for community involvement. The partnership should address the various concerns/perceptions, identify community groups or resources to assist in communications, and implement communication techniques to which the public has continuously and favorably responded.

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4.3 TECHNICAL ACTIVITIES

Provide explanations about technical activities at the site to area residents. The partnership should make available to area residents information concerning the schedule of technical activities, their purpose and their outcome. It is important that people try to maintain an ongoing understanding of the technical activities and how each contributes to the overall cleanup for the Lower Fox River. Public understanding of technical procedures will be helpful when the actual cleanup activities are implemented in each section of the river.

4.4 PROCEDURES, POLICIES AND REQUIREMENTS

Educate area residents and local officials about the procedures, policies, and requirements of the cleanup and restoration programs. The partnership should make an effort to inform the community about the cleanup and restoration processes. Technical terms, acronyms, policies and procedures should also be explained as cleanup activities progress. It is important that the public has an understanding of the procedures, polices and requirements to have a better picture of milestones and responsibilities and authorities of the individual partners.

4.5 TECHNICAL ASSISTANCE GRANT

Maintain the Technical Assistance Grant program with an organized local group. The TAG program provides up to $50,000 to community groups for the purpose of hiring technical advisors to help citizens understand and interpret site-related technical information. Only one TAG may be awarded per site and at one time. In April 1999, EPA provided the Clean Water Action Council of Northeast Wisconsin a TAG. The council maintains a Web site on the project: www.foxriverwatch.com.

4.6 PARTNERSHIP COMMUNICATIONS

Effective partnership communication is essential in addressing community concerns. Communication and interaction occurs on a regular basis with the agencies and tribes regarding the Lower Fox River environmental programs. These interagency meetings and coordination of activities are necessary for the successful completion of the environmental restoration and community involvement programs.

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4.7 TIME FRAME SUMMARY FOR COMMUNITY INVOLVEMENT ACTIVITIES

Figure 4-1
Time Frame for Community Involvement Activities

Activity	Time Frame
1. Maintain contact with local officials and community leaders	As needed
2. Maintain contact with area residents	As needed
3. Maintain information repositories	Ongoing
4. Provide site and Superfund information on the Internet	Currently in operation
5. Write and distribute news releases	As needed
6. Prepare and distribute newsletters	Ongoing
7. Prepare and distribute fact sheets and update reports	As needed
8. Hold public meetings	As needed
9. Publish newspaper advertisements	As needed
10. Revise *Community Involvement Plan*	As needed
11. Program Evaluation	As needed

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5 COMMUNITY INVOLVEMENT TECHNIQUES

Although the Lower Fox River has only been proposed as a Superfund site, EPA and DNR have agreed that the cleanup process and associated community involvement program will reflect the spirit of the Superfund program. Superfund program requires, at a minimum, certain community involvement activities be done at designated milestones during the cleanup process.

In addition, EPA and DNR may do other activities to strengthen its communication with those affected by the Lower Fox River site. Members of the EPA and DNR community involvement staffs have been designated to respond directly to media and public inquiries regarding site activities. Activities that will be done during the cleanup of the Lower Fox River site are described in the following sections.

5.1 MAINTAIN CONTACT WITH LOCAL OFFICIALS AND COMMUNITY LEADERS

The process of community interviews has already established an initial communications link between the community, EPA and DNR. Furthermore, EPA and DNR have designated the community involvement coordinators for the site as contacts (See Appendix D). Access to a contact can reduce the frustration that may accompany attempts to obtain information. The community involvement coordinators should continue to maintain contact with the appropriate local officials and community leaders to provide them the opportunity to address any issues that may arise during the cleanup.

EPA and DNR should provide local officials and community leaders with periodic updates on site activities. Appropriate officials and community leaders to maintain contact with include: mayor, city council, city engineer, county environmental staffs and health officials, and local environmental groups. (The names, addresses and phone numbers of these individuals are listed in Appendix D of this *Community Involvement Plan*).

5.2 MAINTAIN CONTACT WITH AREA RESIDENTS

The background information that residents may provide about a site can be valuable to EPA and NDR in planning the cleanup. EPA will maintain a mailing list as one means of providing information to area residents and

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interested members of the general community. Residents can call the designated EPA and DNR representatives listed in Appendix D of this *Community Involvement Plan*).

5.3 MAINTAIN PROJECT MAILING LIST

EPA maintains a mailing list to provide information to interested residents and the general community. The project mailing list is continuously updated to ensure that the residents are notified of meetings, are informed of project milestones, and receive written material such as fact sheets, newsletters, announcements/invitations, and reminder post cards. A database of residents, officials and interested individuals (outside of the Lower Fox River area) has been developed to allow for efficient updating of the mailing list. The database is updated prior to each mailing. Residents who want to be placed on the Lower Fox River mailing list may contact at EPA or DNR. The public involvement contact information for EPA and DNR is provided in Appendix D.

5.4 MAINTAIN INFORMATION REPOSITORIES

Superfund requires the establishment of an information repository for all cleanup sites. An information repository is a designated location (usually a library or other public building), that houses a file of site-specific documents and general information about Superfund. A site file found in an information repository typically includes consent orders, work plans, technical reports, and copies of laws. An information repository is a way to provide site-related information to the public. EPA has established five repositories for the Lower Fox River site. Locations of the repositories are listed in Appendix B of this plan. Many documents, plans and other finalized written materials generated during the investigation and cleanup will be placed in the repositories.

The administrative record, which contains detailed information upon which the selection of the final site cleanup plan was based, is also available for review at two DNR offices:

801 E. Walnut St.	101 S. Webster St., 2nd Floor
Green Bay, Wis.	Madison Wis.

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An administrative record is also available at the

EPA Record Center
77 W. Jackson Blvd., 7th Floor
Chicago, Ill.

5.5 PROVIDE SITE AND SUPERFUND INFORMATION ON THE INTERNET

Many of the persons interviewed have access to and are accustomed to using the Internet. Information on the Superfund process and the site will be provided on EPA's Web site: www.epa.gov/region5sites. Click on Wisconsin and scroll through the list to find Fox River Cleanup. Information on the site will also be provided on DNR's Web site: www.dnr.state.wi.us/org/water/wm/foxriver/index.html.

5.6 WRITE AND DISTRIBUTE NEWS RELEASES

Prepared statements will be released to the local newspapers, and radio and television stations to announce any significant findings. A list of area media is provided in Appendix D. Regular updates will continue to be provided to all or a combination of four area newspapers, the Green Bay *Press-Gazette* and *News-Chronicle,* the Appleton *Post-Crescent* and the Oneida *Kalihwisaks,* and area television and radio stations. News releases are posted on EPA's Web site at: http://www.epa.gov/region5/sites.

5.7 PREPARE AND DISTRIBUTE FACT SHEETS, UPDATE REPORTS AND NEWSLETTERS.

Fact sheets and update reports, written in non-technical language and produced to coincide with particular milestones are intended to provide the community with detailed information about the site. These will be placed in the information repositories and sent to everyone on the site mailing list. In addition, other fact sheets or update reports may be developed to respond to specific community information needs. Information may also be placed on EPA Web site at: www.epa.gov/region5/sites/. EPA and DNR will continue to produce fact sheets, keeping the public informed about the site and activities.

The partnership produces and distributes a bimonthly publication, the Fox River *Current.* Each issue presents information from the partnership and other associated agencies as information specifies, provides an update on

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cleanup activities, explains technical cleanup concepts, and introduces various partnership representatives. The *Current* is distributed to approximately 14,400 addresses via the U.S. Postal Service standard class.

The partnership may also publish and distribute per the project mailing list or the standard class list smaller printed materials, such as post card announcements and reminders. The compact post card size provides enough space to include important information. The partnership has used post card mailings for reminding local officials of Superfund workshops and the standard class list of public meetings.

5.8 HOLD PUBLIC MEETINGS

Meetings can provide an opportunity for the partnership to present specific information and courses of cleanup action. These meetings are not necessarily formal public hearings. Instead, meetings can be useful to exchange information and for people to express their concerns to EPA, DNR or other partnership officials. Such meetings should remain flexible to account for technical milestones and public interest. Meetings and informal open house style sessions may also include representatives from paper companies as they work in cooperation with EPA and DNR. A list of potential locations for public meetings is provided in Appendix B.

5.9 PUBLISH ADVERTISEMENTS

Advertisements may be placed if significant findings are made during the cleanup at the site or upon completion of the cleanup. Advertisements also should be published to announce all public meetings sponsored by EPA and DNR. Advertisements will be published in all or a combination of four area newspapers, the Green Bay *Press-Gazette* and *News-Chronicle*, the Appleton *Post-Crescent* and the Oneida Tribe of Indians of Wisconsin *Kalihwisaks*.

5.10 REVISE *COMMUNITY INVOLVEMENT PLAN*

Through the various means of communication and interaction previously listed, EPA and DNR will note changes in community concerns, information needs and activities, and modify this community involvement plan as necessary to respond to those changes.

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5.11 PROGRAM EVALUATION

At milestones during the cleanup, EPA and DNR may evaluate the effectiveness of the community involvement program for the Lower Fox River site. Questionnaires or other evaluation tools may be designed to assess the effectiveness of public meetings, *Current* newsletter, fact sheets and other activities in conveying information and encouraging citizen participation.

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Appendix A

Glossary

Community Involvement Plan
A CIP is a document that outlines specific community involvement activities that occur during an investigation and cleanup at a Superfund site. The CIP outlines how EPA will keep the public informed of work at the site and the ways in which residents can review and comment on decisions that may affect the final cleanup actions at the site. The document is available in the site's information repositories maintained by EPA.

Information Repository
A file containing current information, technical reports, reference documents and fact sheets on a Superfund site. The information repository is usually located in a public building that is convenient for local residents, such as a public school, city hall or library.

Memorandum of Agreement
In the Lower Fox River project six governments – EPA, DNR, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, and the Oneida and Menominee Tribes signed an official document on July 11, 1997, agreeing to work together toward achieving cleanup and restoration of the Lower Fox River and Green Bay environment.

Natural Resource Damage Assessment
Measurement of the losses suffered by the public when air, water, lands, plants or animals have been injured by the release of hazardous substances. Authorized by the Federal Clean Water Act, Superfund law and Oil Pollution Act, the assessment is carried out by certain federal, state and tribal agencies that have been designated as natural resource trustees. The value of the losses suffered by the public is calculated by determining the extent of the injuries, and doing economic studies to determine the value that the public places on the injured resources and services.

In the Lower Fox River project, the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, and the Oneida and Menominee Tribes are doing a joint natural resource damage assessment. In addition, the State of Wisconsin and potentially responsible parties are jointly doing a separate natural resource damage assessment according to an agreement they signed in

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January 1997. The State of Michigan has also been added as a trustee.

PCBs (polychlorinated biphenyls)
A family of compounds commonly used in electric transformers as insulators and coolants, in lubricants, adhesives, and caulking compounds. [Please see http://www.epa.gov/pcbsincaulk/] From 1957 until 1971, they were also used in some processes for manufacturing recycled paper. PCBs are extremely persistent in the environment because they do not readily break down into less harmful chemicals.

Sediment
Soil, sand and minerals washed from land into water usually after rain to form mud. It piles up in reservoirs, rivers, and harbors, destroys fish-nesting areas and holes of water animals, and clouds the water so that needed sunlight might not reach aquatic plants. Careless farming, mining and building activities will expose sediment, allowing it to be washed off the land after rainfalls.

Superfund
The program operated under the legislative authority of the Superfund Amendments and Reauthorization Act that funds and carries out EPA solid waste emergency and long-term cleanup activities. These activities include establishing the National Priorities List, investigating sites for inclusion on the list, determining their priority, and doing and/or supervising the cleanup.

Toxic
Harmful to living organisms.

Vitrification
The process of trapping or immobilizing waste by converting it into a high-strength glass or glass-like substance. The process can treat excavated waste or soil in place. Vitrification is used to treat radioactive material, and soil contaminated with volatile organics and metals.

Wastewater
The used water from a home, community, farm or industry that contains dissolved or suspended matter.

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APPENDIX B

INFORMATION REPOSITORIES

The intergovernmental partners invite the public to review technical reports, fact sheets, and other documents related to the Lower Fox River cleanup at information repositories set up in the reference section of the local libraries listed below.

Appleton Public Library (920) 832-6170
225 N. Oneida St.
Appleton, Wis.

Brown County Library (920) 448-4381, Ext. 394
515 Pine St.
Green Bay, Wis.

Door County Library (920) 743-6578
107 S. Fourth Ave.
Sturgeon Bay, Wis

Oneida Community Library (920) 869-2210
201 Elm St.
Oneida, Wis.

Oshkosh Public Library (920) 236-5205
106 Washington Ave.
Oshkosh, Wis.

Information repositories at the public libraries in De Pere, Kaukauna, Little Chute, Neenah and Wrightstown have been discontinued. However, binders containing fact sheets are being maintained in the reference section of the following libraries.

Kress Public Library (920) 448-4407
333 N. Broadway
De Pere, Wis.

Kaukauna Public Library (920) 766-6340
111 Main Ave.
Kaukauna, Wis.

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Little Chute Public Library (920) 788-7825
625 Grand Ave.
Little Chute, Wis.

Neenah Public Library (920) 886-6315
240 E. Wisconsin Ave.
Neenah, Wis.

Wrightstown Public Library (920) 532-4011
529 Main St.
Wrightstown, Wis.

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APPENDIX C

LOCATIONS FOR PUBLIC MEETINGS

Appleton Public Library
225 N. Oneida St.
Appleton, Wis. 54911

Contact: Carolyn Lemke (920) 832-1695

Capacity of meeting room: 285; chairs can be arranged
Audio-visual equipment available through library
Handicapped accessible
No rental fee

Brown County Library
515 Pine St.
Green Bay, Wis. 54301

Contact: Bobbie Schultz (920) 448-4400 Ext. 354

Rooms 1 and 2
Capacity of meeting rooms: 70 and 300; chairs can be arranged
Availability of audio-visual equipment: overhead and slide projectors, large screen TV, VCR
Handicapped accessible
No rental fee

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APPENDIX D

LIST OF CONTACTS AND INTERESTED GROUPS

D.1 FEDERAL ELECTED OFFICIALS

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Senator Russell Feingold
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Green Bay, WI 54302-2639

(920) 465-7508
Fax: (920) 465-7729

Senator Herb Kohl
330 Hart Senate Office Building
Washington, DC 20510

(202) 224-5653
Fax: (202) 224-9787
Web site: kohl.senate.gov
or kim_cates@kohl.senate.gov

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Senator Herb Kohl
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Appleton, WI 54914

(920) 738-1640
Fax: (920) 738-1643

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Washington, DC 20515

(202) 225-2476
Fax: (202) 225-2356
Web site: petri.house.gov

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Oshkosh, WI 54901

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Fax: (920) 231-0464

Representative Mark Green
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Washington, DC 20515

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U.S. Fish and Wildlife Service
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De Pere, WI 54115

(920) 336-8830

Senator Robert L. Cowles (Senate District 2)
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(608) 266-0484
Fax: (608) 267-0304
E-mail: sen.cowles@legis.state.wi.us

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Green Bay, WI 54301

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P.O. Box 7882 E-mail: sen.breske@legis.state.wi.us
Madison, WI 53707-7882

District Office: (715) 454-6575
Senator Roger M. Breske
8800 State Highway 29
Eland, WI 54427

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Neenah, WI 54956

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D.8 BROWN COUNTY OFFICIALS

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Brown County Supervisors
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Jeff DuMez
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Chilton, WI 53014

Calumet County Supervisors (920) 849-2361
County Courthouse Fax: (920) 849-1469
206 Court St.
Chilton, WI 53014

Eugene McLeod (920) 849-1444
Conservationist Fax: (920) 849-1481
Calumet County Land & Water Conservation Department
County Courthouse
206 Court St.
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(920) 832-1684
Fax: (920) 832-1534
E-mail: mcnamasl@co.outagamie.wi.us
(Sherri McNamara, Deputy Executive Administrator)

Outagamie County Supervisors
Courthouse Complex
410 S. Walnut St.
Appleton, WI 54911
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Fax: (920) 832-1534

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Outagamie County Conservationist
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Outagamie County Watershed Project Manager
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Suzan McBurney
Outagamie County Watershed Project Manager
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Jim Poweleit
Outagamie County Watershed Technician
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E-mail: powelejj@co.outagamie.wi.us

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Outagamie County Planning Department
Courthouse Complex
410 S. Walnut St.
Appleton, WI 54911
(920) 832-5255
Fax: (920) 832-4770
E-mail: hendrimc@co.outagamie.wi.us

D.13 WINNEGAGO COUNTY OFFICIALS

Jane Van De Hey
Winnebago County Executive
448 Algoma Blvd., 1st Floor
Oshkosh, WI 54903
(920) 236-4896
Fax: (920) 424-7538
E-mail: countyexec@co.winnebago.wi.us

Winnebago County Supervisors
415 Jackson St.
P.O. Box 2803
Oshkosh, WI 54903
(920) 235-2500
Fax: (920) 303-3025

Tom Davies
Director, Winnebago County Land & Water Conservation Department
625 E. County Rd. Y, Suite 100
Oshkosh, WI 54901
(920) 232-1951
Fax: (920) 424-1277
E-mail: tdavies@co.winnebago.wi.us

Chad Casper
Conservation Technician, Winnebago County Land & Water Conservation Department
625 E. County Rd. Y, Suite 100
Oshkosh, WI 54901
(920) 232-1955
Fax: (920) 424-1277
E-mail: ccasper@co.winnebago.wi.us

Melanie Leet
Project Manager, Winnebago County Land & Water Conservation Department
625 E. County Rd. Y, Suite 100
Oshkosh, WI 54901
(920) 232-1953
Fax: (920) 424-1277
E-mail: mleet@co.winnebago.wi.us

Jerry Bougie
Winnebago County Planning Department
Orrin King Building
448 Algoma Blvd., 2nd Floor
Oshkosh, WI 54901
(920) 236-4839
Fax: (920) 303-3035
E-mail: jbougie@co.winnebago.wi.us

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D.14 CITY OF APPLETON OFFICIALS

Mayor (920) 832-6400
City of Appleton Fax: (920) 832-5962
100 N. Appleton St.
Appleton, WI 54911-4799

Aldermen (920) 832-6400
City of Appleton Fax: (920) 832-5962
100 N. Appleton St.
Appleton, WI 54911-4799

D.15 CITY OF CHILTON OFFICIALS

Mayor (920) 849-2451
City of Chilton Fax: (920) 849-2025
City Hall
42 School St.
Chilton, WI 53014

Aldermen
City of Chilton
P.O. Box 183
Chilton, WI 53014

D.16 TOWN OF CHILTON OFFICIALS

Chairman and Supervisors (920) 849-4720
Town of Chilton Fax: (920) 849-7475
Town of Chilton Offices
N4695 County Rd. Bb
Chilton, WI 53014

D.17 VILLAGE OF COMBINED LOCKS OFFICIALS

Administrator (920) 788-7740
Village of Combined Locks Fax: (920) 788-7742
Village Hall
405 Wallace St.
Combined Locks, WI 54113

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D.18 CITY OF DE PERE OFFICIALS

Mayor (920) 339-4040
City of De Pere Fax: (920) 339-4049
De Pere City Hall
335 S. Broadway St.
De Pere, WI 54115

Administrator (920) 339-4044
City of De Pere Fax: (920) 339-4049
De Pere City Hall
335 S. Broadway St.
De Pere, WI 54115

Aldermen (920) 339-4044
City of De Pere Fax: (920) 339-4049
De Pere City Hall
335 S. Broadway St.
De Pere, WI 54115

D.19 CITY OF GREEN BAY OFFICIALS

Mayor (920) 448-3005
City of Green Bay Fax: (920) 448-3081
City Hall
100 N. Jefferson St., Room 200
Green Bay, WI 54301

City Council (920) 448-3005
City of Green Bay Fax: (920) 488-3000
City Hall
100 N. Jefferson St.
Green Bay, WI 54301

D.20 TOWN OF GREENVILLE OFFICIALS

Board of Supervisors (920) 757-5151
Town of Greenville Fax: (920) 757-0543
Town Hall
W6860 Parkview Dr.
P.O. Box 60
Greenville, WI 54942

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D.21 CITY OF KAUKAUNA OFFICIALS

Mayor (920) 766-6310
City of Kaukauna Fax: (920) 766-6324
201 W. Second St. E-mail: mayor@kaukauna-wi.org
P.O. Box 890
Kaukauna, WI 54130-0890

Common Council (920) 766-5992
City of Kaukauna Fax: (920) 766-6324
405 W. Division St.
Kaukauna, WI 54130

D.22 TOWN OF KAUKAUNA OFFICIALS

Peter Van Wychen (920) 766-9247
Chairman, Town of Kaukauna Fax: (920) 766-6339
W 656 Golden Glow Rd.
Kaukauna, WI 54130

Marvin J. Fox (920) 766-3242
Supervisor, Town of Kaukauna Fax: (920) 766-6339
N2538 County Road J
Kaukauna, WI 54130

Robert A. Van DeLoo (920) 766-2950
Supervisor, Town of Kaukauna Fax: (920) 766-6339
209 Delanglade St.
Kaukauna, WI 54130

D.23 VILLIAGE OF KIMBERLY OFFICIALS

Village Board of Trustees (920) 788-7500
Kimberly Municipal Complex Fax: (920) 788-9723
515 W. Kimberly Ave.
Kimberly, WI 54136

D.24 VILLIAGE OF LITTLE CHUTE OFFICIALS

Board of Trustees (920) 788-7380
Village of Little Chute Fax: (920) 788-7394
Village Hall
108 W. Main St.
Little Chute, WI 54140

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D.25 CITY OF MENASHA OFFICIALS

Mayor (920) 967-5117
City of Menasha Fax: (920) 967-5271
City Hall
140 Main St.
Menasha, WI 54952-3190

Aldermen (920) 967-5117
City of Menasha Fax: (920) 967-5271
City Hall
140 Main St.
Menasha, WI 54952-3190

D.26 TOWN OF MENASHA OFFICIALS

Administrator (920) 720-7101
Town of Menasha Fax: (920) 720-7116
Town Hall
2000 Municipal Dr.
Neenah, WI 54956-5663

Supervisors (920) 720-7101
Town of Menasha Fax: (920) 720-7116
Town Hall
2000 Municipal Dr.
Neenah, WI 54956-5663

Planner (920) 720-7101
Town of Menasha Fax: (920) 720-7116
Town Hall
2000 Municipal Dr.
Neenah, WI 54956-5663

D.27 CITY OF NEENAH OFFICIALS

Mayor (920) 886-6104
City of Neenah Fax: (920) 886-6109
City Hall
211 Walnut St.
Neenah, WI 54956

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City Council (920) 886-6104
City of Neenah Fax: (920) 886-6109
City Hall
211 Walnut St.
Neenah, WI 54956

D.28 CITY OF OMRO OFFICIALS

Administrator (920) 685-7000
City of Omro Fax: (920) 685-7011
City Hall
205 S. Webster Ave.
Omro, WI 54963

Mayor (920) 685-7000
City of Omro Fax: (920) 685-7011
City Hall
205 S. Webster Ave.
Omro, WI 54963

City Council (920) 685-7000
City of Omro Fax: (920) 685-7011
City Hall
205 S. Webster Ave.
Omro, WI 54963

D.29 TOWN OF OMRO OFFICIALS

Town of Omro (920) 685-2111
Town Hall
4205 Rivermoor Rd.
Omro, WI 54963

Board of Supervisors (920) 685-5232
Town of Omro Fax: (920) 685-6662
5410 E. Reighmoor Rd.
Omro, WI 54963

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D.30 TOWN OF ONEIDA OFFICIALS

Norman Austin (920) 788-2145
Chairman
Town of Oneida
N5160 Advent Rd.
De Pere, WI 54115

Randall Robertson (920) 869-1368
Supervisor
Town of Oneida
N6622 County Rd. E
De Pere, WI 54115

Louis A. Dorn (920) 869-2928
Supervisor
Town of Oneida
N6307 County Rd. E
De Pere, WI 54115

D.31 CITY OF OSHKOSH OFFICIALS

Manager (920) 236-5000
City of Oshkosh Fax: (920) 236-5039
City Hall
215 Church Ave.
P.O. Box 1130
Oshkosh, WI 54902-1130

Mayor (920) 236-5000
City of Oshkosh Fax: (920) 236-5039
City Hall
215 Church Ave.
P.O. Box 1130
Oshkosh, WI 54902-1130

Common Council (920) 236-5000
City of Oshkosh Fax: (920) 236-5039
City Hall
215 Church Ave.
P.O. Box 1130
Oshkosh, WI 54902-1130

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D.32 VILLAGE OF WRIGHTSTOWN

Village Trustees (920) 532-5567
Village of Wrightstown Fax: (920) 532-4564
Village Hall
529 Main St.
Wrightstown, WI 54180

D.33 CIVIC AND ENVIRONMENTAL ORGANIZATIONS, CHAMBERS OF COMMERCE AND OTHERS

Rebecca Katers (920) 437-7304
Clean Water Action Council and Technical Fax: (920) 437-7326
Assistance Grant Recipient E-mail: CleanWater@cwac.net
1270 Main St., Suite 120
Green Bay, WI 54302

Bruce Johnson (920) 738-7025
Executive Director Fax: (920) 738-7037
Fox-Wolf Basin 2000
P.O. Box 1861
Appleton, WI 54912-1861

John Forster (920) 739-2591
President
Friends of the Fox River
3125 Mistwood Ln.
Appleton, WI 54914

John Kennedy (920) 432-4893
Chair Fax: (920) 432-4302
Science & Technical Advisory Committee (STAC)
Green Bay Metro Sewerage District
P.O. Box 19015
Green Bay, WI 54307-9015

Jerry Viste (920) 743-6003
Executive Director
Door County Environmental Council (DCEC)
1916 Viste Rd.
Sturgeon Bay, WI 54325

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Paul Wozniak (920) 433-1630
Fox/Wolf Rivers Environmental History Project
215 S. Superior
De Pere, WI 54115

Robert Merline (920) 868-3453
Chairperson
Gibraltar Preservation Council
7588 Peninsula Players Rd.
Fish Creek, WI 54212

Mike Grimm (920) 743-8695
The Nature Conservancy
311 Pennsylvania St.
Sturgeon Bay, WI 54235

Mito Kudaka (920) 832-5978
Intercultural Relations Coordinator (920) 832-5520
Appleton Police Department Fax: (920) 832-5553
222 S. Walnut St.
Appleton, WI 54911

Fox Valley Lao-Hmong Association (920) 739-7244
214 E. Wisconsin St.
Appleton, WI 54911

Hmong American Partnership (920) 739-3192
2198 S. Memorial Dr.
Appleton, WI 54915

Caryl Terrell (608) 256-0565
Chapter Director and Lobbyist E-mail: john.muir.chapter@sierraclud.org
Sierra Club – John Muir Chapter
222 S. Hamilton St., #1
Madison, WI 53703-3201

Emily Green (608) 257-4994
Sierra Club – John Muir Chapter (608) 257-3513
214 N. Henry St. #203
Madison, WI 53703-2200

Jennifer Feyerhern (608) 257-4994
Sierra Club – John Muir Chapter (608) 257-3513
214 N. Henry St. #203
Madison, WI 53703-2200

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Alan Lawrence (920) 730-9515
Chairman E-mail: alawrenc@execpc.com
Sierra Club – Fox Valley Group
153 Northbreeze Dr.
Appleton, WI 54911

League of Conservation Voters (202) 785-8683
1707 L St., NW, Suite 750 Fax: (202) 835-0491
Washington, DC 20036

Green Bay Area Chamber of Commerce (920) 437-8704
400 S. Washington St. Fax: (920) 437-9589
Green Bay, WI 54307

Oshkosh Chamber of Commerce (920) 424-7700
120 Jackson St. Fax: (920) 424-0804
Oshkosh, WI 54901

Fox Cities Chamber of Commerce & Industry (920) 734-7101
227 S. Walnut St. Fax: (920) 734-7161
P.O. Box 1855
Appleton, WI 54913-1855

Heart of the Valley Chamber of Commerce (920) 766-1616
101 E. Wisconsin Ave. Fax: (920) 766-5504
Kaukauna, WI 54130

Chilton Chamber of Commerce (920) 849-4541
17 E. Main St. Fax: (920) 849-4540
P.O. Box 28
Chilton, WI 53014

John T. Geenen (920) 766-9237
Region X International Representative Fax: (920) 766-0508
United Paperworkers International Union
805 Westfield St.
Kaukauna, WI 54130

John D. Kappell (920) 734-3048
President
Local 144 United Paperworkers International Union
1731 E. Frances St.
Appleton, WI 54911

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D.34 NEWSPAPERS

Appleton *Post-Crescent* (800) 236-6397
P.O. Box 59 Fax: (920) 733-1945
Appleton, WI 54912-0059

The Brillion News (920) 756-2131
425 W. Ryan St. Fax: (920) 756-2701
Brillion, WI 54110

Chilton *Spirit* (920) 849-4773
52 W. Main St. Fax: (920) 849-9568
Chilton, WI 53014

Chilton *Times-Journal* (920) 849-7036
P.O. Box 227 Fax: (920) 849-4651
Chilton, WI 53104

The Compass Newspaper (920) 437-7531
Catholic Diocese of Green Bay Fax: (920) 437-0694
P.O. Box 23825
Green Bay, WI 54305-3825

The Denmark Press (920) 863-2154
P.O. Box 610 Fax: (920) 863-6102
Denmark, WI 54208

De Pere *Journal* (920) 336-4221
P.O. Box 5066 Fax: (920) 336-1646
De Pere, WI 54115

The Fourth Estate (920) 465-2719
University of Wisconsin – Green Bay Fax: (920) 465-2895
2420 Nicolet Dr., U.U. 130
Green Bay, WI 54311-7001

Great Lakes Basin Publications (630) 941-1351
P.O. Box 297 Fax: (630) 941-1196
Elmhurst, IL 60126

Green Bay *News-Chronicle* (920) 432-2941
133 S. Monroe Ave. Fax: (920) 432-8581
Green Bay, WI 54306

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Green Bay *Press-Gazette* (920) 431-8212
P.O. Box 19430 Fax: (920) 431-8499
Green Bay, WI 54307-9430

Hmong Times (651) 224-9395
383 University Ave. Fax: (651) 288-9049
P.O. Box 17888
St. Paul, MN 55103

Kalihwisaks (920) 490-2452
Oneida Tribe of Indians of Wisconsin Fax: (920) 490-2453
894 Riverdale
P.O. Box 365
Oneida, WI 54155

Kaukauna *Times* (920) 759-2000
1900 Crooks Ave. Fax: (920) 759-7344
Kaukauna, WI 54130

Kiel *Tri-County Record* (920) 894-2828
P.O. Box 237 Fax: (920) 894-2161
Keil, WI 53042

Madison *Capital Times* (608) 252-6400
P.O. Box 8060 Fax: (608) 252-6426
1901 Fish Hatchery Rd.
Madison, WI 53706

Menasha *Register* (920) 426-6703
P.O. Box 467 Fax: (920) 426-6752
Menasha, WI 54952

Menominee Nation *News* (715) 799-5167
P.O. Box 910 Fax: (715) 799-5150
Keshena, WI 54135

Milwaukee *Journal-Sentinel* (800) 499-2806
333 W. State St. Fax: (920) 224-2909
Milwaukee, WI 53203-1309

New London *Press-Star* (920) 982-2511
P.O. Box 264 Fax: (920) 982-7672
New London, WI 54961

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New Holstein *Reporter* (920) 898-4276
P.O. Box 177 Fax: (920) 894-2161
New Holstein, WI 53061

Oshkosh *Northwestern* (920) 426-6688
224 State St. Fax: (920) 235-5606
P.O. Box 2926
Oshkosh, WI 54903-2926

Omro *Herald* (920) 361-1515
P.O. Box 10 Fax: (920) 361-1518
Berlin, WI 54923

Pulp and Paper Week (207) 269-2494
RR#1 Box 4180 Fax: (920) 269-2495
Etna, ME 04434

Seymour *Times-Press* (920) 833-2517
P.O. Box 276 Fax: (920) 833-2454
Seymour, WI 54165

Superfund Week (301) 587-6300, Ext. 3018
Business Publishers, Inc. Fax: (301) 587-1081
951 Pershing Dr.
Silver Spring, MD 20910-4464

Twin City News Record (920) 733-4243
216 W. Wisconsin Ave. Fax: (920) 729-6629
Neenah, WI 54956

Vercauteren Publishing (920) 849-4551
19 E. Main St. Fax: (920) 849-4651
Chilton, WI 53014

Winneconne *News* (920) 582-4541
P.O. Box 370 Fax: (920) 582-4417
Winneconne, WI 54986

Wisconsin Hmong Life (608) 257-9692
P.O. Box 258038 Fax: (608) 258-8646
Madison, WI 53725-8038

Wisconsin State Journal (608) 252-6119
1901 Fish Hatchery Rd. Fax: (608) 252-6203
Madison, WI 53713

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D.35 TELEVISION STATIONS

News Director (920) 733-3232
WACY-TV Channel 32 (UPN) Fax: (920) 494-9550
P.O. Box 12328
1391 North Rd.
Green Bay, WI 54307

News Director (920) 494-2626
WGBA-TV Channel 26 (NBC) Fax: (920) 490-2500
1391 North Rd.
P.O. Box 19099
Green Bay, WI 54307-0900

News Director (920) 432-3331
WBAY-TV Channel 2 (ABC) Fax: (920) 432-1190
115 S. Jefferson St.
Green Bay, WI 54305

News Director (920) 437-5411
WFRV-TV Channel 5 (CBS) Fax: (920) 437-4576
1181 E. Mason St.
Green Bay, WI 54307

News Director (920) 983-9014
WIWB-TV Channel 14 (WB) Fax: (920) 983-9424
975 Parkview Rd., Suite 4
Green Bay, WI 54304

News Director (920) 494-1407
WLUK-TV Channel 11 (Fox) Fax: (920) 494-9109
787 Lombardi Ave.
P.O. Box 19011
Green Bay, WI 54307-9011

News Director (920) 465-2538
Wisconsin Public Television Fax: (920) 465-2576
2420 Nicolet Dr.
Green Bay, WI 54311-7003

News Director (920) 923-7190
Marcus Cable – Fond du Lac Fax: (920) 921-7632
55 W. Scott St.
Fond du Lac, WI 54935

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News Director (920) 749-1400
Time Warner Cable Fax: (920) 831-9172
P.O. Box 145
Kimberly, WI 54136-0145

News Director (920) 236-5260
Oshkosh Community Access Television Fax: (920) 236-5262
215 Church Ave.
P.O. Box 1130
Oshkosh, WI 54902-1130

D.36 RADIO STATIONS

News Director (920) 468-4100
WDUZ/WQLH Radio Fax: (920) 468-0250
810 Victoria St.
Green Bay, WI 54305

News Director (920) 490-1067
Cumulus Broadcasting, Inc. Fax: (920) 497-8143
2304 Bel Air Ct.
Green Bay, WI 54304

News Director (920) 432-0506
WHBY/WAPL Radio Fax: (920) 749-1150
2727 Radio Rd.
P.O. Box 1519
Appleton, WI 54913-1519

News Director (920) 733-4990
WOZZ Radio Fax: (920) 733-5507
1500 N. Casaloma Dr.
Appleton, WI 54915

News Director (920) 236-4242
WPCK/WPKR Radio Fax: (920) 236-4240
2401 W. Wausau St.
P.O. Box 3450
Oshkosh, WI 54903-3450

News Director (920) 749-9456
Christian Family Radio Fax: (920) 749-0474
WEMI-FM
1909 W. Second St.
Appleton, WI 54914

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News Director (920) 431-0959
KISS-FM Radio Fax: (920) 431-8490
445 S. Madison St.
Green Bay, WI 54301-4126

News Director (920) 426-3239
WOSH/WVBO Radio Fax: (920) 236-1040
2333 Bowen St.
P.O. Box 1039
Oshkosh, WI 54902-1039

News Director (920) 921-1071
WFIZ-FM/News Talk WFIZ-AM Fax: (920) 921-0757
254 Winnebago Dr.
P.O. Box 1450
Fond du Lac, WI 54936-1450

News Director (920) 233-7943
WROE Radio Fax: (920) 725-0463
P.O. Box 1035
Neenah, WI 54957-1035

News Director (920) 231-9252
WUSW/WNAM Fax: (920) 722-0211
1427 S. Commercial St.
Neenah, WI 54956-4637

News Director (734) 647-3472
Great Lakes Radio Consortium Fax: (734) 647-3488
5000 LSA Building
500 S. State St.
Ann Arbor, MI 48109-1382

News Director (920) 749-1570
WRJQ Radio Fax: (920) 749-0282 (call first)
P.O. Box 4056
Appleton, WI 54915

News Director (920) 468-4100
WOGB-FM Radio Fax: (920) 468-0250
810 Victoria St.
Green Bay, WI 54302

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News Director (920) 435-3771
WNFL/WKFX/WNCY Radio Fax: (920) 455-1155
115 S. Jefferson St.
P.O. Box 23333
Green Bay, WI 54305

News Director (920) 849-7186
WMBE Radio Fax: (920) 766-1873
P.O. Box 30
Chilton, WI 53014

News Director (920) 431-0959
WKSZ Radio Fax: (920) 432-3291
445 S. Madison St.
Green Bay, WI 54301-4216

News Director (920) 465-2444
WGBW Radio Fax: (920) 465-2576
2420 Nicolet Dr.
Green Bay, WI 54311

News Director (920) 465-3947
WGBM Radio Fax: (920) 468-9471
2733 Manitowoc Rd., #8B Green Bay
Mishicot, WI 54311

News Director (920) 435-3771
WGEE Radio Fax: (920) 455-1155
115 S. Jefferson St.
Green Bay, WI 54301

News Director (920) 731-6309
WSGC Radio Fax: (920) 749-0474
1909 W. Second St.
Appleton, WI 54914

News Director (920) 424-0455
WRST Radio Fax: (920) 424-7317
800 Algoma Blvd.
Oshkosh, WI 54901

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APPENDIX E

COMMUNITY INTERVIEW QUESTIONS

1. How long have you been aware of the environmental problems of the Lower Fox River?
2. How important an issue is the Lower Fox River investigation and cleanup in the area? (What other issues are important?)
3. What is your understanding of the environmental problems and cleanup related to the Lower Fox River?
4. How have you participated in the cleanup decision-making process? How would you like to participate in the decision-making process?
5. What concerns do you have about this site? *(i.e., health, environmental, economics)*
6. Did you call anyone regarding these concerns, and if so, who? Were they helpful?
7. What concerns do you have about eating fish from the Lower Fox River?
8. Have you seen Hmong or other ethnic populations fishing on the Fox River? If so, where?
9. What organizations, government agencies, or individuals do you consider to be most credible when it comes to environmental issues?
10. What is your understanding of the roles of the intergovernmental group? How do you perceive the work of the group (EPA, DNR, U.S. FWS, NOAA, Menominee Nation, and Oneida Nation)? Are you interested in knowing more about their specific roles?
11. In your opinion, how does the public perceive:

    - EPA?
    - DNR?
    - U.S. FWS?
    - NOAA?
    - Menominee Nation
    - Oneida Nation

12. How or where have you received most of your information about the Lower Fox River?
13. What is your opinion of the Fox River Current newsletter? (*technical difficulty, scope of information presented, frequency*)
14. How can we best provide you with information concerning the cleanup of the river?

    1. Fact sheet/newsletter mailing?
    2. Public meetings?
    3. Web sites(s)?
    4. Toll-free number?
    5. News releases?
    6. Newspaper advertisements?
    7. Information repositories?
    8. Other ? __(*please specify*)_____

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15. How frequently do you want to receive information regarding site activities?

16. Have you attended any of the EPA- and/or DNR-sponsored public meetings held since the late 1990's? What would be the best location for public meetings? Would you travel outside of your community to attend a public meeting?

17. Have you or anyone you know used any of the site information repositories?

18. What radio stations, television stations, and newspapers do you listen to/watch/read?

19. How would you describe the coverage and accuracy of the news media coverage of activities pertaining to the Lower Fox River?

20. Who do you think we need to interview regarding the Lower Fox River?

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APPENDIX F

MEMORANDUM OF AGREEMENT

This is the text of the agreement signed by EPA and the other government agencies involved in the cleanup and restoration.

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MEMORANDUM OF AGREEMENT AMONG THE

Wisconsin Department of Natural Resources
United States Department of the Interior
Menominee Indian Tribe of Wisconsin
Oneida Tribe of Indians of Wisconsin
National Oceanic and Atmospheric Administration
United States Environmental Protection Agency

REGARDING RESTORATION OF THE LOWER FOX RIVER, GREEN BAY AND LAKE MICHIGAN ENVIRONMENT

I. INTRODUCTION AND PURPOSE

This Memorandum of Agreement ("Agreement") by and among the Wisconsin Department of Natural Resources ("WDNR"), the United States Department of the Interior ("DOI"), acting through its representative the Fish and Wildlife Service ("FWS"), the Menominee Indian Tribe of Wisconsin ("MITW"), the Oneida Tribe of Indians of Wisconsin ("OTIW"), the United States Environmental Protection Agency ("EPA"), and the United States Department of Commerce, through its representative the National Oceanic and Atmospheric Administration ("NOAA") (collectively referred to as the Parties) is entered into to provide for the coordination and cooperation of the Parties in addressing the release or threat of release of hazardous substances into the Lower Fox River, Green Bay and Lake Michigan environment ("the Affected Environment"). Activities of the Parties covered under this Agreement include, but are not limited to: (1) coordination of the Parties' response and restoration activities, including removal and remediation actions and the assessment of damages for natural resources injured by the release or threat of release of hazardous substances to the Affected Environment; and (2) negotiations with parties who are potentially responsible for the release or threat of release of hazardous substances to the Affected Environment ("PRPs") for the purpose of resolving the Parties' civil claims against them. The PRPs include, without limitation: Fort Howard Corporation, NCR Corporation, Appleton Papers, Inc., P.H. Glatfelter Company, Riverside Paper

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Corporation, U.S. Paper Mills Corp., and Wisconsin Tissue Mills Inc. The purpose of this Agreement is to provide a framework for coordination and cooperation among the Parties, and for the implementation of the activities of the Parties in the furtherance of their respective responsibilities and mutual goal of remediating and/or responding to hazardous substance releases and threats of releases to, and restoring injured and potentially injured natural resources in, the Affected Environment.

II. AUTHORITY

The Parties enter into this Agreement in accordance with the provisions of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), as amended, 42 U.S.C. §§ 9601, et seq., the Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 et seq., Sec. 292.11 Wis. Stats., and/or other applicable federal, state and tribal law and authority (hereinafter "applicable law") including, but not limited to, the National Oil and Hazardous Substances Pollution Contingency Plan ("NCP"), as amended, 40 C.F.R. Part 300, and, the DOI Natural Resource Damage Assessment Regulations, as amended, 43 C.F.R. Part 11. It is further recognized by the Parties to this Agreement that working together collectively and cooperatively towards common response and natural resource restoration goals is necessary because of the common supporting ecosystems.

III. THE AFFECTED ENVIRONMENT

This Agreement is intended to cover, but is not limited to, (1) the release or threat of release of any hazardous substance to the Lower Fox River, Green Bay and Lake Michigan environment, and (2) the natural resources as defined under the authorities cited above, and other applicable law, belonging to, managed by, controlled by, regulated by, or appertaining to the Parties in the Lower Fox River, Green Bay and Lake Michigan environment which may have been affected as a result of said release or threat of release of hazardous substances as defined under CERCLA and other applicable law.

IV. PARTIES

Parties Pursuant to the authorities cited in Section II of this Agreement, the WDNR, DOI, MITW, OTIW, and NOAA, have asserted that they have either exclusive or shared natural resource trusteeship over natural resources of the Affected Environment and the authority to act on behalf of the public to recover damages from PRPs for injury to natural resources resulting from the release of hazardous substances, and to take appropriate actions necessary to restore injured natural resources. Pursuant to the authorities cited in Section II of this Agreement, EPA and WDNR have response authority under CERCLA, the NCP, and/or applicable state law to ensure the removal and/or remediation of hazardous substance releases or threats of releases that pose an imminent and substantial danger to the public health, welfare or the environment in the Affected Environment. Consistent with the authorities cited in Section II of this Agreement, WDNR has a leadership role, in full partnership with EPA, in exercising response authority. The

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provisions of this Agreement are not intended to interfere in any way with any Party's responsibility to carry out those statutory and/or regulatory responsibilities. The following officials, or their designated representatives, shall act on behalf of their respective Party for all activities under this Agreement.

- WDNR Secretary of WDNR
- DOI Director of FWS Region III
- MITW Tribal Chairperson
- OTIW Tribal Chairperson
- NOAA Director, Office of Ocean and Coastal Resource Assessment
- EPA Administrator of EPA Region 5

In the event a Party designates a representative other than the official identified above to act on its behalf under this Agreement, the Party shall provide written notice of such designation to all other Parties at least two weeks prior to such designation becoming effective, unless otherwise agreed to by the Parties.

Reservation of Authority. The terms "trusteeship", and "trustees" or "trustee" are used in this Agreement only for the purpose of identification. No party to this Agreement is acknowledging or recognizing the trusteeship of any other Party or non-party to this Agreement, either generally or as to specific natural resources. Nothing in this Agreement is to imply, or operate in a manner, that any natural resource trustee with an interest in the Affected Environment, whether a Party to this Agreement or not, is in any way abrogating or ceding any natural resource trustee responsibility or authority over natural resources of the Affected Environment.

Other Natural Resource Trustees. Notwithstanding any other provisions of this Agreement, the Parties recognize that there may be other parties who are not signatories to this Agreement and who may assert a natural resource interest that is located in the Affected Environment or affected by the release or threat of release of hazardous substances to the Affected Environment. If such party requests to become a signatory to this Agreement, the Parties will in good faith consider modifying this Agreement to allow such party to participate in the activities contemplated under this Agreement. Such other parties may include tribal governments, other federal or state agencies, or affected trustee agencies from other states, which may be added by addendum to this Agreement, as necessary and appropriate under applicable law.

V. ORGANIZATION

Management Committee. The Parties recognize the importance of coordinating their efforts in order to address their respective concerns and fulfill their respective responsibilities effectively and efficiently. Accordingly, the Parties hereby agree to create the Lower Fox River/Green Bay/Lake Michigan Environment Management Committee (" Management Committee"). Each Party, as specified under Section IV shall designate one primary representative to the

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Management Committee and one alternative representative to act in the absence of the primary representative. The purpose of the Management Committee is to make recommendations to the Parties on issues related to remediation and restoration of the Affected Environment, including restoration of injured natural resources in the Affected Environment.

Duties and Responsibilities. In accordance with applicable law, the Management Committee shall coordinate and authorize all activities and matters under this Agreement including, but not limited to, the following:

Work to ensure that there is active coordination and participation of the Parties in their respective activities under the Authorities cited in Section II of this Agreement in order to accomplish effective and efficient response action, assessment of injury and damages for natural resources, and restoration of injured natural resources in the Affected Environment.

Consider proposals and recommendations made by the workgroups created pursuant to this Agreement for the purpose of reaching consensus on recommendations to be made to the Parties to this Agreement so that the Parties may carry out their responsibilities in a manner that fully considers natural resource trusteeship concerns and response authority concerns.

Coordinate efforts among the existing workgroups identified herein and create and establish guidelines for additional workgroups when they are deemed necessary to further the objectives of this Agreement. The purpose of the workgroups is to share data and information, assess proposals and make recommendations to the Management Committee. The existing workgroups are:

- the Assessment Workgroup;
- the Sediment Management Workgroup;
- the Model Workgroup; and
- the Restoration Workgroup.

Engage in discussions and negotiations with PRPs for the purpose of aiding in the resolution of the Parties' civil claims against the PRPs.

Take such actions as may be deemed necessary to manage and achieve the objectives of this Agreement and to fulfill the responsibilities of each Party.

Collaborate on the assessment of natural resource damages through the Management Committee. The parties agree that the ongoing federal/tribal activities or contractual relationships that are part of the natural resource damage assessment being performed in accordance with the Assessment Plan: Lower Fox River/Green Bay, as published at 61 F.R. 43558, and all amendments thereto, shall continue without interruption.

Decisionmaking. All decisions made by the Management Committee and the Consensus Committee under this Agreement shall be made by consensus among the members of such Committees.

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Dispute Resolution. In the event of a dispute involving any decisions to be made under this Agreement, the Management Committee shall initially attempt to resolve the dispute through good faith discussions directed toward obtaining consensus among the members of the Management Committee involved in the dispute and consensus by the Management Committee as a whole. If consensus cannot be achieved after good faith discussions, the matter shall be referred for resolution by consensus to a committee composed of six individuals ("Consensus Committee"). The Consensus Committee shall include: 1) an individual from the United States Department of Justice; 2) the Director of FWS Region III, representing FWS, NOAA, the Oneida and the Menominee, representing federal and tribal natural resource responsibilities; 3) an individual representing EPA; 4) an individual from WDOJ; 5) an individual from WDNR representing state natural resource trustee responsibilities; and 6) an individual from WDNR representing state response authorities. The Parties agree that an individual's appointment to the Consensus Committee shall be permanent whenever practicable.

Meetings. Any member of the Management Committee may, upon reasonable notice to all members of the, Management Committee, call a meeting of the Management Committee to be conducted either in person or by telephone conference call. No meeting of the Management Committee shall take place without reasonable notice to all members of the Management Committee. Such meetings shall generally be held in conjunction with other set meetings among the Parties to this Agreement.

Workgroups. All Parties shall have the right to appoint a representative to each existing workgroup or workgroup created by the Management Committee pursuant to this Agreement.

Public Information. The Parties agree that it is desirable to keep the public informed of their activities under this Agreement. Accordingly, consistent with the Parties' obligations to maintain the confidentiality of certain information as set forth in Section VIII of this Agreement or elsewhere, the Parties agree to make periodic joint statements to the public and/or conduct periodic public meetings.

VI. OBJECTIVES

The Parties agree to coordinate their efforts to the extent consistent with their respective responsibilities to address the release or threat of release of hazardous substances and injury to natural resources in the Affected Environment. The Parties further acknowledge that based on current information the removal of the PCB contaminated sediments in the Lower Fox River is expected to be the principal, but not exclusive, action undertaken to achieve restoration and rehabilitation of the injured natural resources and the services those resources provide in the Affected Environment. The Parties agree to work together to:

Create workgroups when they are deemed necessary and appropriate to further the purposes of this Agreement.

As appropriate, participate in removal, remedial, corrective or other actions under the authority of EPA, WDNR or other federal or state agencies in order to address contaminated sediments in the Affected Environment.

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Prevent or limit injury to natural resources through requests for initiation of removal and response actions by EPA, WDNR or authorized federal or state agencies, if appropriate.

Coordinate and/or carry out actions to contract with professional consultants, technical or otherwise, to provide services to effect the purposes of this Agreement.

Coordinate and/or carry out such other actions as may be necessary and appropriate to achieve the purposes of this Agreement.

VII. PRP FUNDING

Each Party agrees to cooperate in the administration of any funding source or sources that may become available to all Parties from the PRPs to further the objectives of this Agreement. The Management Committee established pursuant to this Agreement shall make recommendations to the Parties on the appropriate method for administering any such funds.

The Parties agree to consult concerning the use of any funds that may become available under the January 31, 1997 "Agreement Between the State of Wisconsin and Certain Companies Concerning the Fox River" ("State/Company Agreement") either to assess or to address injuries to natural resources in the Affected Environment. Any decision regarding the use of such funds is solely within the discretion of WDNR.

VIII. CONFIDENTIALITY

Need for Confidentiality Among Parties. As a result of the release or threat of release of hazardous substances into the Affected Environment, the Parties have potential claims for injunctive relief, restitution and/or damages and anticipate possible litigation with the PRP(s) in the event negotiations with the PRPs fail to achieve a resolution of all Parties' claims against them. In furtherance of their common interests, the Parties to this Agreement have been meeting and will continue to meet to discuss matters of common interest including possible litigation by the Parties against the PRPs. The Parties may also wish to exchange among themselves documents and information including draft reports, analyses, opinions, conclusions and advice prepared in anticipation of litigation. In order to preserve any claim of privilege that may apply to such communications and materials, the Parties will comply with the provisions set forth in Appendix A to this Agreement.

IX. GENERAL PROVISIONS

Reservation of Rights. Nothing in this Agreement is intended or shall be construed to be an admission by the Parties in any dispute or action between the Parties or between the Parties and a third party. Nothing in this Agreement is intended or shall be construed as a waiver by the Parties for any claims or defenses in any legal action, or of any other rights or remedies.

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Neither execution of this Agreement nor performance of any activities pursuant to this Agreement shall constitute an admission by any Party of (nor be construed as precedent for) any other Party's or non-party's legal authority or responsibility under federal, state, or tribal law to protect, restore, or enhance any natural resources associated with the Affected Environment. Furthermore, neither execution of this Agreement nor performance of any activities pursuant to this Agreement shall constitute an admission by any Party of (nor be construed as precedent for) any Party's liability for damage or injury which the natural resource damage assessment may show has occurred to any natural resources associated with the Affected Environment over which any other Party or non-party asserts trusteeship.

Nothing contained herein is intended or shall be construed to limit any Parties' authorities under the authorities listed in Section II of this Agreement.

Nothing contained herein is intended or shall be construed to modify the terms of the State/Company Agreement.

Nothing contained herein is intended to abridge the rights of any Party to negotiate independently with the PRPs regarding specific issues or a settlement of such Party's claims. Nevertheless, the Parties agree that a goal of this Agreement is to work cooperatively together to negotiate a resolution of all Parties' civil claims in connection with the Affected Environment. In the event a Party to this Agreement agrees to negotiate independently with one or more PRPs regarding specific issues or a settlement of such Party's claims, such Party shall provide written notice of its intent to negotiate independently to all members of the Management Committee. Such notice shall be provided by facsimile within 24 hours of agreeing to such independent negotiations.

Limitation of Authority. Nothing herein authorizes the Parties to enter into settlements on behalf of the other Parties and, absent separate consent, a Party does not represent another Party in any litigation that may be commenced by the other Parties. Nothing in this Agreement shall be construed as obligating any of the Parties to expend any funds in excess of appropriations or other amounts authorized by law.

Third Parties. This Agreement is not intended to, nor shall it, vest rights in persons who do not represent the Parties to this Agreement or who are not Parties to this Agreement.

Effective Date/Amendment and Termination. This Agreement shall be effective when executed by all of the Parties and may not be amended except by written agreement of all the Parties. This Agreement can be executed in one or more counterparts, each of which will be considered an original document. This Agreement shall continue in effect unless terminated by written agreement of all the Parties. However, any Party may terminate its participation in the Agreement upon giving thirty (30) days written notice to all other Parties or as otherwise provided for herein. The withdrawal of any Party to this Agreement for whatever reason, shall not affect the subsequent validity of this Agreement among the remaining Parties, and the remaining Parties agree to use any remaining funds made available by the PRPs for remediation and/or restoration of the Affected Environment.

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IN WITNESS WHEREOF the Parties have executed this Agreement on the dates attested to below.

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

UNITED STATES DEPARTMENT OF THE INTERIOR

MENOMINEE INDIAN TRIBE OF WISCONSIN

ONEIDA TRIBE OF INDIANS OF WISCONSIN

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APPENDIX A

CONFIDENTIALITY AGREEMENT

1. Except as provided below or otherwise provided herein, the Parties shall treat all designated privileged documents generated, and designated privileged communications, by, between or among the Parties as privileged attorney-client communications, attorney work product or protected by other applicable privileges such as the deliberative process privilege (or as a combination thereof), and shall protect such documents and communications from disclosure to the maximum extent possible under applicable Federal, State, and tribal law. A "designated privileged communication" is one which occurs with an expectation of confidentiality and includes, but is not limited to, communications between the Parties' attorneys or their staffs, agents, and/or experts in anticipation of litigation, in the seeking or giving of legal advice, and/or in the context of pre-decisional government and/or tribal deliberations. Similarly, a "designated privileged document" is a document which is drafted with an expectation of confidentiality, and includes, but is not limited to, communications between the Parties' attorneys or their staffs, agents, and/or experts in anticipation of litigation, in the seeking or giving of legal advice, and/or in the context of pre-decisional government and/or tribal deliberations.

2. The transmittal of a designated privileged document to, or a designated privileged communication between or among any of the Parties (and their counsel, representatives, contractors and consultants) does not waive, or imply any waiver, of any privilege or right which the transmitting Party may assert with respect to that document or communication.

3. Unless otherwise specifically provided, the parties shall each be entitled to assert an applicable privilege with respect to any document or communication jointly transmitted, prepared, or funded by the parties. Each Party shall be entitled to assert an applicable privilege with respect to any document or communication transmitted, prepared, or funded solely by that Party.

4. If a subpoena, discovery request, or other request in any form, for a designated privileged document or information provided under this MOA is received by any Party, a copy of the subpoena or request will be immediately forwarded to counsel for the Party or Parties to which

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the privilege applies and to the Party representative(s) who originally generated the document or communication requested. The Party who receives such a request shall also provide a draft of the Party's intended response to such request not less than ten (10) days prior to the date that the Party intends to issue its response. To the extent that applicable law may require a response more promptly than is consistent with the above temporal requirement, the parties agree to act in good faith to meet any such requirements.

5. Only by specific written agreement among the Parties or pursuant to Court Order shall disclosure of a designated privileged document or communication be made public or disclosed to a non-Party. Such agreement shall not be construed as a waiver of privilege or confidentiality regarding any other documents or communications.

6. Nothing herein in any way affects or limits the authority of any Party to waive any privilege and release any documents, information analyses, opinion, conclusion, or advice that are subject to privileges held exclusively by that Party.

7. Designated privileged documents shall be maintained in such a manner as to insure that no intentional or unintentional disclosure is made which would compromise any asserted privilege, including segregating designated privileged documents in files that are identified as containing privileged documents that are not to be disclosed publicly or in response to a discovery request in any litigation that may result in connection with the Parties' claims regarding the release of hazardous substances to the Affected Environment.

8. At the request and option of any Party, designated privileged documents shall be returned to the originating Party or destroyed, subject to the provisions of the Federal Records Act, 44 U.S.C. §§ 2901, et. seq.

WISCONSIN DEPARTMENT OF JUSTICE

UNITED STATES DEPARTMENT OF JUSTICE

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APPENDIX G

MAJOR PROJECT MILESTONES

The following list provides a timeline of regulatory and technical milestones for the Lower Fox River:

1970s to Present – U.S. Fish and Wildlife Service and others fund and study the potential impact of PCB contamination on wildlife.

1971 – EPA restricts production, transport and disposal of PCBs.

1976 – NDR and Wisconsin Department of Health and Family Services issue fish consumption advisories on the Fox River and Green Bay.

1978 – EPA bans production, transport and disposal of PCBs.

1986 – DNR publishes the Green Bay Remedial Action Plan which provides a long-range strategy to address environmental problems that impair the use of the Lower Fox River and the southern end of Green Bay. The remedial action plan is intended to serve as a guide for restoring beneficial uses of the lower river and bay-activities such as swimming, boating, fishing, wildlife watching, hunting and trapping.

1992 (July) – Representatives of the paper industry, local government, municipal wastewater treatment plants, the Lower Green Bay Remedial Action Plan Public Advisory Committee and DNR meet to form the "Fox River Coalition." The coalition set a goal "to develop a process for private and public participation in determining the degree of cleanup, cost-effective methods, funding and timetables for contaminated sediment remediation in the Lower Fox River.

1994 (May) – U.S. Fish and Wildlife Service launches the Natural Resource Damage Assessment to assess public losses suffered by injury to public air, water, land, plants and animals by the release of PCBs into the river. Seven paper mills, now knows as the Fox River Group, are named as potentially responsible parties for the contamination.

1996 (August) – U.S. Fish and Wildlife Service publishes the Natural Resource Damage Assessment Plan which confirms and quantifies suspected injuries to natural resources to the Lower Fox River, Green Bay and Lake Michigan.

1997 (January) – DNR and the Fox River Group sign an agreement to spend $10 million for modeling and designing cleanup and restoration projects, dredging and other restoration work.

1997 (January) – U.S. Fish and Wildlife Service issues to the Fox River Group notices of intent to file suit for recovery of economic damages for injury to natural resources.

1997 (July) – Federal, state and tribal governments sign a Memorandum of Agreement to work together to clean up and restore the Fox River.

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1997 (December) – EPA and DNR announce their intent to conduct a remedial investigation/feasibility study to document the nature and extent of PCB contamination and to identify and evaluate various cleanup options.

1998 (February) – EPA grants DNR $1.6 million to begin a remedial investigation/feasibility study.

1998 (July) – EPA announces its intent to propose the Lower Fox River to the Superfund National Priorities List.

1998 (July) – EPA formally proposes the Lower Fox River to the National Priorities List, a nationwide list of hazardous waste needing further investigation and possible cleanup. EPA's proposal is based on PCB-contaminated surface water, sediment and fish from the Lower Fox River. EPA accepts public comments on the proposed national listing until September 28, 1998. EPA sponsors open house-style sessions in communities along the Fox River to discuss the proposed listing.

1998 (September) – U.S. Fish and Wildlife Service issues the initial Restoration and Compensation Determination Plan which defines how natural resources damages will be calculated using restoration planning, economic valuation, and direct coordination with agencies conducting cleanup work.

1998 (November) – EPA announces the availability of a Technical Assistance Grant to provide a qualified community group up to $50,000 to hire a technical advisor to help interpret and provide comments on site-related information.

1998 (November) – DNR begins dredging PCB-contaminated sediment at Deposit N near Kimberly.

1998 (November) – U.S. Fish and Wildlife Service issues the Natural Resources Damage Assessment Fish Consumption Advisory Report which describes injuries to fish from PCBs.

1998 (December) – DNR stops dredging for the season at Deposit N due to subzero temperatures.

1999 (February) – DNR issues a draft remedial investigation, feasibility study and risk assessment and opens a 45-day public comment period.

1999 (April) – EPA awards a $50,000 Technical Assistance Grant to Clean Water Action Council.

1999 (April) – U.S. Fish and Wildlife Service releases the Natural Resource Damage Assessment Walleye Injury Report which documents how PCBs in the Fox River and Green Bay system have harmed walleyes.

1999 (May) – U.S. Fish and Wildlife Service releases the Natural Resource Damage Assessment Bird Injury Report which explains how PCBs in the Fox River and Green Bay system have injured birds.

1999 (June) – EPA submits a preliminary cleanup recommendation to EPA's internal national Remedy Review Board.

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1999 (August) – U.S. Fish and Wildlife Service releases the Natural Resource Damage Assessment PCB Release and Pathways Report which describe how PCBs moved from the paper mills into the ecosystem and the impact of PCBs on the natural resources of the Fox River, Green Bay and Lake Michigan.

1999 (August) – NDR releases a state-developed Natural Resource Damage Assessment Plan, opening a 30-day public comment period.

1999 (August) – Fox River Group Companies, under WNDR oversight, begins dredging contaminated sediment at Sediment Management Unit 56/57 near the Fort James West Mill in Green Bay.

1999 (August) – DNR resumes dredging contaminated sediment at Deposit N near Kimberly.

1999 (October) – EPA approves a $1.5 million grant to WNDR to continue work on the remedial investigation/feasibility study and to expand the remedial investigation/feasibility study to include the entire waters of Green Bay.

1999 (November) – DNR completes dredging at Deposit N (includes Deposit O also).

1999 (November) – EPA and DNR release the *Peer Review Report of the Remedial Investigation and Data Management Reports for the Lower Fox River Natural Resource Damage Assessment Site* and *Peer Review of Draft Feasibility Study for the Lower Fox River Natural Resource Damage Assessment Site*.

1999 (November) – U.S. Fish and Wildlife Service releases *Recreational Fishing Damages from Fish Consumption Advisories in the Waters of Green Bay, Fish Injury, and Water and Sediment Injury which* outlines the damages to recreational fishing as a result of PCB contamination of the river and Green Bay.

1999 (December) – Fox River Group of Companies stops dredging at Sediment Management Unit 56/57 for the season due to winter weather.

2000 (May) – EPA, DNR and Fort James Corp. sign a federal consent order to complete Sediment Management Unit 56/57 dredging project. Under the order, Fort James agrees to fund and conduct the dredging under EPA and DNR oversight.

2000 (May) – U.S. Fish and Wildlife Service, co-trustees and DNR issue an Assessment Plan Addendum identification, a process whereby the Natural Resource Damage Assessments could be merged.

2000 (August) – Fort James Corp. begins Sediment Management Unit 56/57 dredging under EPA and DNR oversight.

2000 (September) – Wisconsin Attorney General's Office joins U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration and the Oneida and Menominee Nations as a co-trustee for Natural Resource Damage Assessment efforts.

2000 (October) – U.S. Fish and Wildlife Service issues a Restoration and Compensation Determination Plan and begins a 45-day comment period.

2000 (November) – Fort James Corp. completes the dredging project at Sediment Management Unit 56/57.

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2001 (August) – Appleton Papers Inc. and NCR Corp. sign a legal agreement, called a consent decree, to provide funding for interim cleanup and restoration projects on the Lower Fox River and Green Bay while the comprehensive cleanup and restoration plans are being developed.

2001 (August) – DNR and EPA publish a fact sheet explaining the consent decree signed by Appleton Papers Inc. and NCR Corp.

2001 (October) – DNR and EPA release *Proposed Remedial Action Plan Lower Fox River and Green Bay*.

2001 (October) – DNR and EPA publish a fact sheet summarizing the proposed cleanup plan entitled *Proposed Plan Summary for Cleanup of the Lower Fox River and Green Bay Site.*

2001 (December) – Wisconsin Department of Health and Family Services issues a draft *Public Health Assessment for PCB Contaminated Sediment in the Lower Fox River and Green* Bay to identify health hazards, address community health concerns, and recommend actions to reduce unhealthy exposures at the site.

2002 (July) – The Michigan attorney general, representing the interests of the state of Michigan, joins the natural resource trustees for the Lower Fox River and Green Bay.

2002 (September) – FWS releases *Draft Joint Restoration Plan and Environmental Assessment for the Lower Fox River and Green Bay Area.*

2002 (September) – FWS begins a 30-day public comment period on the draft restoration plan.

2002 (December) – DNR and EPA release the *Final Baseline Human Health and Ecological Risk Assessment*, *Remedial Investigation Report* and *Final Feasibility Study* for the Lower Fox River and Green Bay site.

2002 (December) – DNR and EPA sign the *Lower Fox River and Green Bay, Wisconsin Site Record of Decision and Responsiveness Summary for Operable Units 1 and 2* explaining the final cleanup plans selected for the Little Lake Butte des Morts and the Appleton to Little Rapids reaches of the river.

2003 (January) DNR and EPA publish a fact sheet explaining the ROD for Operable Units 1 and 2.

2003 (January) – A $4 million interim agreement was signed by Georgia-Pacific Corp. to fund the preliminary engineering and design work for the De Pere to Green Bay section of the river.

2003 (May) – The Michigan Department of Environmental Quality, representing the interests of the state of Michigan, joins the natural resource trustees for the Lower Fox River and Green Bay.

2003 (June) – FWS releases the *Final Joint Restoration Plan and Environmental Assessment for the Lower Fox River and Green Bay Area* for restoring natural resources lost through the release of contaminants.

2003 (June) – DNR and EPA sign the *Record of Decision and Responsiveness Summary, Lower Fox River and Green Bay, Wisconsin Site, Operable Units 3, 4 and 5*.

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2003 (July) – *Statement of Work for the Remedial Design for Operable Unit 1 at the Lower Fox River and Green Bay Site, Brown, Outagamie, and Winnebago Counties, Wisconsin.*

2003 (July) – WTM I Co. signs a legal agreement to design the cleanup of Operable Unit 1 at the Lower Fox River and Green Bay site.

2003 (July) – DNR and EPA publish a fact sheet announcing the signing of the ROD for Operable Units 3, 4 and 5 for the Lower Fox River and Green Bay site.

2003 (September) – A $60 million agreement was signed my DNR, EPA, WTM I (formerly Wisconsin Tissue Mills) and Glatfelter to clean up the Little Lake Butte des Morts section of the river.

2004 (March) – Georgia-Pacific Corp. and NCR Corp. signed an agreement to design the cleanup of the remaining section of the river form Little Lake Butte des Morts to Green Bay, otherwise known as Operable Units 2, 3, 4 and 5.

2004 (April) – Consent decree is entered by the federal court for WTM I and Glatfelter to clean up Little Lake Butte des Morts.

2004 (May) – Fort James Operating Co. and NCR Corp. sign a consent agreement to design the cleanup for Operable Units 2 to 5.

2004 (May) – EPA publishes a fact sheet explaining the cleanup of Little Lake Butte des Morts.

2004 (June) – Cleanup of Little Lake Butte des Morts begins.

2004 (November) – The Michigan Department of Natural Resources, representing the interests of the state of Michigan, joins the natural resource trustees for the Lower Fox River and Green Bay.

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