

PORT & RESOURCE RECOVERY DEPARTMENT



2561 SOUTH BROADWAY
GREEN BAY, WI 54304

PHONE: (920) 492-4950 | FAX: (920) 492-4957

DEAN R. HAEN

DIRECTOR

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MINUTES OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on **Monday, October 11, 2021**
at the Port Offices, 2561 S Broadway, Green Bay, WI 54304

1) Call to Order:

The meeting was officially called to order by President Tom Klimek at 10:30 am.

2) Roll Call:

Present: President Tom Klimek
 Commissioner Barb LaMue
 Commissioner Hank Wallace
 Commissioner Mike Vizer
 Commissioner Tim Feldhausen
 Commissioner Pete Diemer

Excused: Vice President Bryan Hyska
 Commissioner Wes Kornowske
 Commissioner Ron Antonneau

Also Present: Dean Haen, Brown County P&RR
 Mark Walter, Brown County P&RR
 Ken Przybyla, GLC Minerals

3) Approval/Modification – Meeting Agenda

A motion to approve the agenda was made by Tim Feldhausen and seconded by Mike Vizer. Unanimously approved.

4) Approval/Modification – Minutes of August 16, 2021 Meeting

A motion to approve the minutes of the August 16, 2021 meeting was made by Hank Wallace and seconded by Barb LaMue. Unanimously approved.

5) Announcements/Communications

Director Dean Haen announced the Accountant position within the Port & Resource Recovery Department has been filled by Katie O'Connell.

6) WDNR Lower Green Bay Fox River Area of Concern Beneficial Use Impairment Removal Recommendations: Restrictions on Dredging

Mr. Haen explained that the Port of Green Bay had responded to WDNR's document that stated that the cleanup of the Fox River was complete. The Port had previously stated to the EPA and WDNR prior to the start of the clean-up project that the Port's facilities at Renard Island and Bayport had PCBs that were from the river, therefore the facilities should be included in the clean-up plan. With the WDNR concluding that Fox River and Bay of Green Bay are cleaned up, the Port went on record that Renard Island and Bayport continue to house the PCBs that were placed there. By their respected action the EPA and WDNR has essentially transferred the ownership and responsibility of PCB management from the responsible parties onto Brown County. The Port is currently facing challenges with beneficial reuse of Bay Port sediments due to concerns about PCBs.

The letter to the WDNR as well as the WDNR's response is on record and will play a part in the any success in for the beneficial reuse of dredged material.

Mr. Klimek asked if there was any response from the carbon copy list of Wisconsin State elected officials and suggested that the response be sent to the same list. Mr. Haen responded that there was no response, and that the WDNR's response did not include the same recipients.

Mr. Haen said that he will be taking Mr. Klimek's advice and sending out the WDNR's response to the Wisconsin State elected officials.

7) Approval/Modification - Pulliam Site Engineering Design and Cost Estimate RFP

Mr. Haen explained what has happened with the Pulliam Site project since the Harbor Commission met last in August. A closing date for property acquisition is set for January 3rd, 2022. Mr. Walter has submitted a Harbor Assistance Program Grant application which is pending approval. The County Budget includes \$1.3 million in ARPA funds for stormwater management at the Pulliam site. Additional assistance is being pursued through the state legislature and Governor Evers. Mr. Walter explained how the Port is pursuing additional assistance from ARPA and working towards Project Designation through the Marine Highway Program.

Mr. Haen said that the Port has been working with GEI to identify permitting requirements for the Pulliam site. A letter was sent to the state DNR regarding the bulkhead line in Green Bay and the Port's intention to fill behind the bulkhead line. The WDNR responded and agreed that the bulkhead exists, and the Port has the

right to fill behind it. Some permitting will be necessary. The RFP is intended to identify and hire an engineering firm to design the site getting the redevelopment essentially shovel ready.

Mr. Walter mentioned that the Neighborhood Investment Fund Grant (ARPA funds through the State of Wisconsin) is another grant that is being pursued.

Barb LaMue asked if the site has been identified as the future location of the coal piles and when they could be moved. Mrs. LaMue stated that to her understanding the City of Green Bay and Brown County would be applying for grant funding to physically move the coal piles to the Pulliam site. Mr. Haen explained that the coal piles would not be physically moved, rather the existing coal will be consumed and used, and the new piles will begin to be stored at a new site. The project involves the relocation of C. Reiss Coal Company. Mr. Walter further explained that the company that would be using the Pulliam Plant site has not been determined. From the grant side of things, there is a stronger grant application if it includes relocating the C. Reiss Coal Company from downtown Green Bay.

Mr. Haen was asked about the location of the bulkhead line and dockwall. Mr. Haen said that at some point, the northern part of the dockwall will have to be steel and transition to riprap rock. The location and extent of the dockwall will be based on further engineering.

Mr. Haen explained that additional site development details will follow industry standards. Mr. Walter clarified that the RFP is for the Port to hire an engineering consultant who will develop a site design and provide construction cost estimates for the Pulliam Site. Once the RFP has been approved by the County Board, any future information will be provided by the County's Purchasing Department.

Mr. Haen said that what can be included are factors that will not change, like that the longest vessel that site can accommodate is 850 feet. A question was asked by a Commissioner why the limit is 850 feet. Mr. Haen explained that the channel and turning basin depth is congressionally set and only able to economically accommodate 850' length of vessel at full capacity. The question was asked if the depth of the north-side of the site was deep enough for a vessel and the answer was no.

Without knowing the future company's needs that would be utilizing the site, some factors would be left to the consultants (i.e., asphalt vs. concrete, how many crane pads). It was suggested by Commissioner Diemer that the results of the various studies completed by GEI regarding permitting, soil sampling, etc. be included in the RFP. Mr. Haen noted that language will be added, and that Brown County will cover all permit application fees.

Mr. Walter clarified that the purpose of the RFP is to establish the Port's framework of needs for construction on the site, next would be to create the specific design, and third would be to create construction documentation.

A motion to approve the Pulliam Site Engineering Design and Cost Estimate RFP was made by Mike Vizer and seconded by Tim Feldhausen, with amendments. Approved with Pete Diemer abstaining.

8) Director's Report

Mr. Haen discussed the Port related items in the Director's report that continue to be worked on including the Port's 217 Agreement with the US Army Corps of Engineers for use of the Bay Port facility. A meeting occurred between the Port and the Corps and the agreement and accounting tables are being reviewed by the Corps. Beneficial reuse of dredge material continues to be discussed with the USEPA and WDNR staff. A letter from Flint Hills Resources was included as their dock lease will expire in 2022 which Flint Hills wants to pay for up-front for the remainder of their lease. Corporation counsel will draft a quit claim deed and send it back to Flint Hills Resources and they will pay the outstanding lease fees due to the County.

9) Tonnage Report

Tonnage reports for August and September were distributed for Commission review.

10) Acknowledgement of Bills

A listing of the bills paid in August and September was reviewed by the Commission.

11) Such Other Matters as Authorized by Law

No other matters.

12) Adjourn

A motion to adjourn the Harbor Commission meeting at 11:34 am was made by Hank Wallace and seconded by Tim Feldhausen. Unanimously approved.