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State, feds feud over
Fox proposals

A spokesman for seven paper mills says
they will wait to see which has the
better plan

By Jeff Decker
News-Chronicle
MADISON - A major restoration and

compensation plan
starting line,
agencies
before it

for the Fox River and Green Bay is at the
but disagreements between state and federal
may throw the plan into courtrooms for years
sees the light of day.

Wisconsin
developed

The U.S. Fish & Wildlife Service and the
Department of Natural Resources have

the public
and
federal plan,
the DNR,

with
resources
Service,
projection," DNR
with the

clear that we
Wildlife
plans to
November.

service
his agency
supporting it and
compensation

supersede
state
claim them

Hartwig
"extremely
federal

settlement for
settlement, "then we

conflicting compensation plans to pay back
for damage wrought by PCBs. Six government
tribal organizations have joined with the
but a consensus has not been reached with
the trustee of Wisconsin resources.

"We will reach reasonable damage settlements
the responsible parties to settle natural
claims independent of the Fish & Wildlife
unless they come to a more moderate
Secretary George Meyer said in an interview
News-Chronicle.

The DNR has been negotiating with paper mill
representatives on its own since "it was
wouldn't find common ground (with the Fish &
Service)," Meyer said. The state agency
release its own compensation plan in late

Estimates of the cost of the Fish & Wildlife
plan range up to \$365 million. Meyer said
had not seen enough data to consider
DNR consultants believe the plan's
formulas to be weak.

He also said the state's settlement would
the Fish & Wildlife plan. "If we settle the
resources, then (Fish & Wildlife) couldn't
under their document," Meyer said.

JURISDICTION A MAJOR QUESTION
Fish & Wildlife regional director William
insisted that his researchers worked
closely" with DNR personnel and that the
agency's plan will be executed.

"If we had figures that support a better
the public" than the possible DNR

the public,"

remains in
court would

prepared to
still there, said
combined

DNR
reports are
asserted all of
except for
before the

states and
chief
there are
top trustee.

and
companies (The Fox
responsible for
the Fox

won't be
project is
and
the
damage

would like to argue for that on behalf of
Hartwig said.

If the issue of whose plan has jurisdiction
question, Hartwig said going before federal
be unavoidable.

"We would have to go to court, and we're
do that," he said. The offer to join is
Hartwig, and both he and Meyer said a
cleanup would be more efficient.

Meyer stated firmly that there will be no
cooperation until all relevant documents and
shared, and DNR input allowed. Hartwig
those documents and reports were shared,
the final elements that came in the night
report was officially released Wednesday.

Hartwig said jurisdictional disputes between
the federal government were common. He
acknowledged that the DNR generally is the
trustee of all land in Wisconsin, but that
situations and places where his agency is

KILLS COULD CHALLENGE SETTLEMENT

Whatever happens, the bill for compensation
restoration will fall to seven paper
River Group) that have been declared
the compensation and cleanup of 39 miles of
River.

The exact cost of the compensation plan
known fully until another enormous Fox River
began: The U.S. Environmental Protection Agency
DNR remediation and cleanup plan for the PCBs in
sediment. The more that is cleaned, the less
there is to compensate, Hartwig said.

for
Mayer said the DNR is ready and has been waiting
the EPA for more than a year.

money (the
than
"I would rather see the greatest bulk of the
paper mills must) pay up for cleanup rather
compensation," he said.

Service reach
challenged
the group's
who
plan.
Even if the DNR and the Fish & Wildlife
consensus, Hartwig said they could still be
in court by the Fox River Group, adding that
lawsuit would be strengthened by consultants
work for Wisconsin criticizing the federal
plan.

they are
Wildlife
would like
Fox River Group spokesman Tim Dantoin said
currently very skeptical of the Fish &
procedures used to calculate damage, and
to have two plans to pick from.

trustee in
out there," he
said.
"We support the Wisconsin DNR as the lead
this, so we'll wait and see what they put
said.

approach of
for the loss
GROUP DISLIKES 'PILING ON'
Dantoin also said the federal plan's
restoring one area of nature to compensate
of another is flawed.

do they ruin
the public
rather
"FCSs do not cause poor water clarity, nor
wetlands, so what this methodology asks of
to do is compare, and we think that's a
subjective process," he said.

is to be
people who
with the
say,
number?"
Hartwig said that the companies' criticism
expected. "It's no surprise to us that the
may have to pay for the conclusion disagree
conclusion. We don't go to the companies and
"Gee, how much can you afford of this big

with Fox
Department of Justice accountants would sit

financial
determined. Hartwig
goals was to

their
the
see this
environmental

River Group accountants and go over their
statements before a final bill is
noted one of the federal plan's three main
promote a stable local economy.

Dantoin said the DNR has more concern over
economic stability. "I'm glad to see one of
government agencies is concerned and doesn't
as an opportunity simply to pile on every
project in the region," Dantoin said.

Service include
Oswego
Traverse Bay
National
Michigan

The co-trustees with the Fish & Wildlife
the Menominee Indian Tribe of Wisconsin, the
Tribe of Lac Obe of Wisconsin, the Little
Bands of Ojibwa Indians of Michigan, the
Coastal and Atmospheric Administration, the
attorney general and the EPA.