

Letter to the editor from Charles Wooley, December 2000.

Dear Editor:

Wisconsin and the U.S. Fish & Wildlife Service (Service) have joined forces many times on common resource management issues. Now the Service, National Oceanic and Atmospheric Administration, Michigan, and the Oneida, Menominee, and Little Traverse Bay Tribes of Indians want to join forces with Wisconsin again on restoration of Green Bay. After years of intensive work by dozens of national experts in a process that was joined and endorsed by many local and State agencies and that was open to the public and scientific community, we arrived at conclusions regarding what is needed for a fair restoration of the Lower Fox River and Green Bay. Unfortunately, we have not yet reached a consensus with Wisconsin. Our conclusions, which are based on one of the few comprehensive Natural Resource Damage Assessments that has been conducted in the country, differ from the settlement recently struck between Wisconsin and Fort [Howard] Corporation. Why is significant restoration needed here? Because most of the PCBs have already escaped the Fox River (where they could have been cleaned up) and the natural treasures throughout thousands of square miles of Green Bay have been and will be injured for decades. The Service wants to forge a coordinated cleanup and restoration that is based on the comprehensive NRDA, fair to the public, and fair to the paper mills responsible for the Fox River and Green Bay PCB problem. But just as importantly, the Service still wants a cooperative working relationship with Wisconsin to further our shared cause which is ecological restoration of Fox River and Green Bay.

The Service's approach has been characterized as proposing extremely high and inflated claims and then settling for a fraction of that amount. However, it is inappropriate to suggest that our NRDA claims for Green Bay or elsewhere are artificially inflated to achieve a "better" settlement. We have conducted a comprehensive and detailed evaluation that is subject to public scrutiny and technical peer review. This evaluation was detailed in the recently published "Restoration and Compensation Determination Plan" (www.fws.gov/r3pao/nrda), which lays out the technical basis for our restoration proposal and damage estimates. It is true that government agencies often settle for less than their full estimate of damages. Indeed, this is the essence of a "settlement." However, negotiation strength increases with knowledge of the facts under discussion. The Service and its partners have conducted one of the most comprehensive, detailed assessments ever performed in the U.S. We believe our analysis is technically sound and thoroughly defensible. Our goal is a fair & equitable settlement.

Rather than attempting to decide issues unilaterally with the companies and leaving the public to muddle through widely differing damage estimates, the Service goal for the new year is to unify the public's NRDA claims. The Service is committed to redoubling our efforts to develop a unified position with Wisconsin."

Sincerely, Charles Wooley, U.S. Fish & Wildlife Service