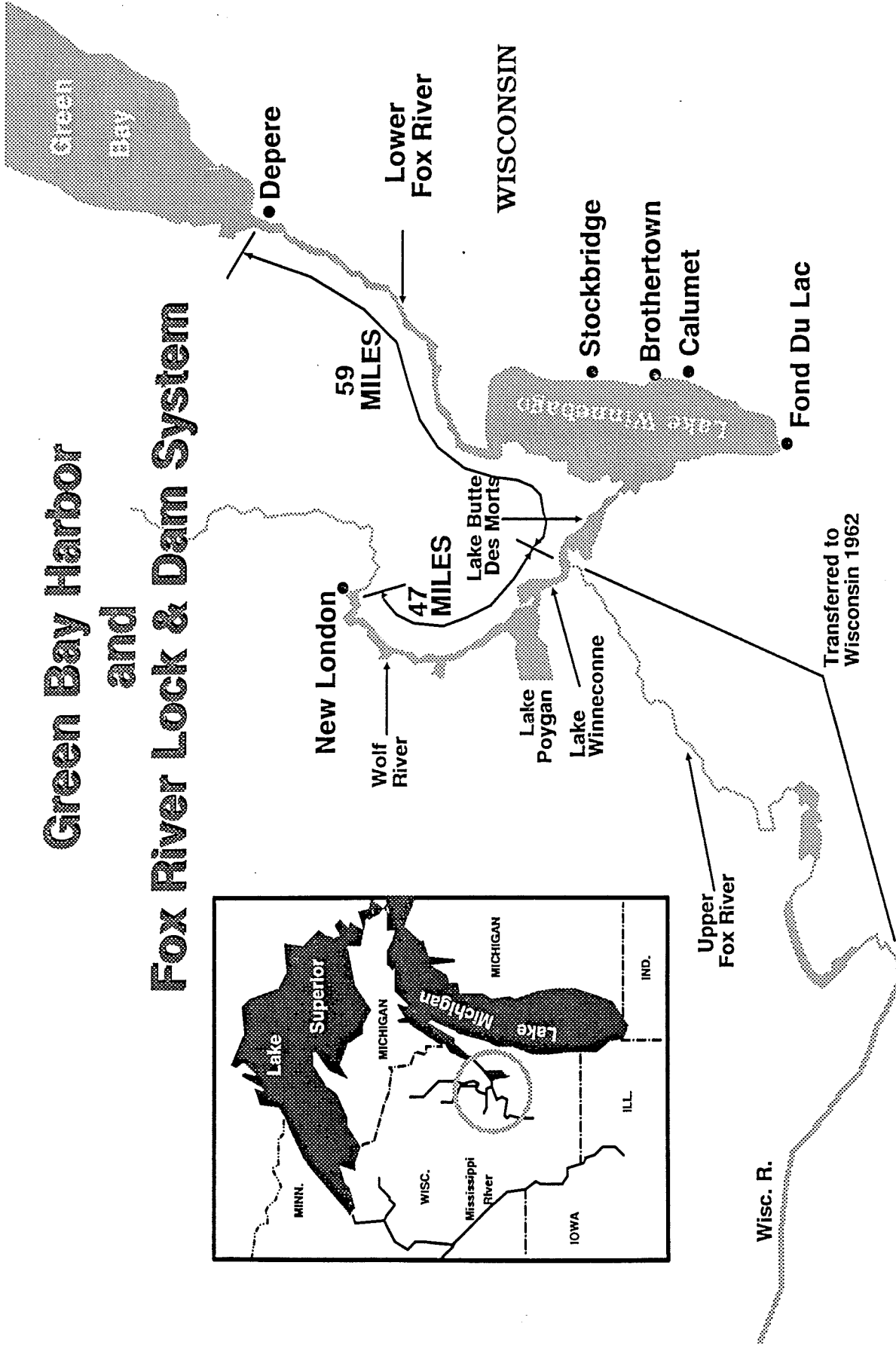


Fox River, Wisconsin

FOX RIVER Disposition Study

(Section 216)

Green Bay Harbor and Fox River Lock & Dam System





Fox River Project Disposition Study

Significant Events

- 1872 - Federal Government acquires project to meet commercial navigation needs of Fox River area
- 1959 - Barge hauling of coal to paper mills and public utilities discontinued; project now supports recreational boating
- 1984 - Corps Reconnaissance Study recommends deauthorization and transfer of navigation portion of the project
 - Navigation portion of the project placed in "caretaker" status
 - Corps and State establish agreement whereby the State will operate the locks
- 1985 to 1987 - Fox River Management Commission (FRMC) operates all locks
- 1988 - Sea Lamprey barrier installed at Rapide Croche Lock
 - FRMC operates only three locks: Menasha, Little Kaukauna, and De Pere
 - Corps and State begin negotiations for potential transfer



Fox River Project Disposition Study

Significant Events

- 1990 - Negotiations between the Corps and State are discontinued
- 1991 - Congress passes the 1992 Energy and Water Development Appropriations Act
Section 109 of this Act directs the Corps to engage in good faith negotiations with the State to facilitate an orderly transfer of the navigation portion of the project, and to negotiate a monetary compensation for the repair and rehabilitation of the navigation system.
 - Corps establishes current lump sum payment negotiation position
 - Corps completes Final Interim Disposition Study which recommends continued Federal operation and maintenance of the Federal dams for water regulation purposes
- 1992 - State negotiates directly with the Office of the Assistant Secretary of the Army for Civil Works [ASA(CW)]
- 1993 - State and ASA(CW) negotiations discontinued as talks reach impasse



Fox River Project Disposition Study

Significant Events

- 1994 - In March, Corps Headquarters Office approves 1991 Final Interim Disposition Study, directs District Office to negotiate with local governments, and to extend the negotiation period to allow for the completion of a local locks abandonment study and time for it's review by local governments
- In August, Mead & Hunt completes the Lower Fox River Locks Abandonment Study for the Fox Cities Chamber of Commerce & Industry
- In October, District initiates Draft Final Disposition Report for navigation portion of the project
- 1995 - In April, District holds meetings with county executives in the Fox River area who later receive a Preliminary Draft Final Report to review and comment on
- In August, Mead & Hunt completes Lower Fox River Rehabilitation Study for Oshkosh Chamber of Commerce
- In September, District submits Draft Final Disposition Report to its Headquarters Office
- In October, Governor requests that discussions on potential transfer of project be reopened



Fox River Project Disposition Study

Significant Events

- 1996 - Negotiation meetings between the State and the Corps: January 10, February 16, and October 18
 - In October, a Technical Working Group (TWG) formed to review Corps closure design and costs, as well as benefits of an operational navigation system
 - In October, District initiates Final Disposition Study phase for the navigation portion of the project
- 1997 - In May, District releases Draft Final Disposition Report and Draft EIS for public review and comment and agency coordination
 - Public Workshop to be held on June 12, 1997
 - Public review period ends June 30, 1997
 - In September, District submits Final Disposition Report and EIS to its Headquarters Office for review



Fox River Project

Draft Final Disposition Report, Navigation System

April 1997

Conclusions

Because there is no longer a Federal interest in or economic justification for continued operation and maintenance of the navigation portion of the project, there is no non-Federal entity willing to accept transfer of the navigation system, and placing the navigation system in a long-term inoperable condition is the NED plan, deauthorization procedures through Congress and disposal through the GSA are appropriate. The navigation system would be placed into long-term inoperable condition and then reported to the GSA as excess for ultimate disposal.

Proposed Recommendation

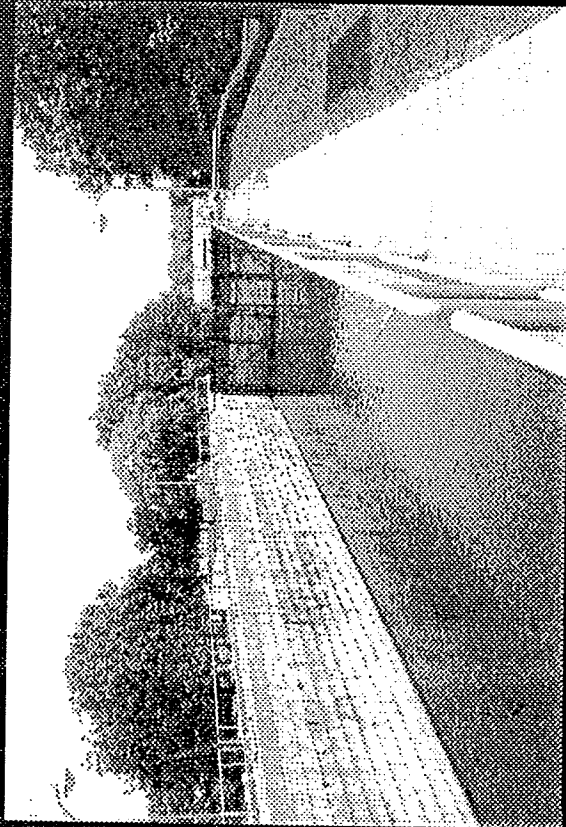
Based on the above conclusions, it is recommended that the Corps of Engineers seek legislation which would provide for the deauthorization and disposal of the navigation portion of the Fox River Project in accordance with the provisions of the law.



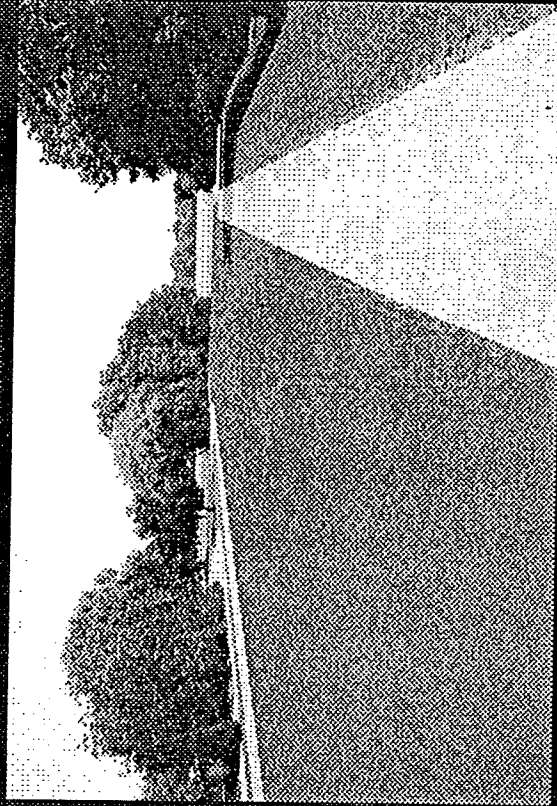
General Investigations

Fox River, Wisconsin

Before ▼



Cedars Lock



After ▲



Fox River Project Navigation Portion

Federal Negotiation Position (1)

- **Two Parts to lump sum payment**

Part 1 - The "without settlement" cost; that is, a lump sum equal to the cost of permanently closing down the system of locks

Part 2 - Is based on costs to repair and rehabilitate the system and the benefits of continued operation; that is, an amount equal to one-half of the difference between the "without settlement" cost and the total cost of any repair and rehabilitation, provided that the benefits of continued operation of the project equal or exceed the cost shared portion of the investment



Fox River Project Navigation Portion

Federal Negotiation Position (2)

- Federal payment dependent on the amount which the State is willing to cost share.

(1) Repair and Rehabilitation Cost	(2) Without Settlement Cost (Close Locks)	(3) Excess Above Without Settlement Cost	(4) Present Worth of Project Benefits	(5) Federal Cost Shared Payment	(6) State Cost Share	(7) Total Federal Lump Sum Payment
\$15.0M	\$8.9M	\$6.1M	\$9.6M	\$3.05M	\$3.05M	\$11.95M
\$18.5M	\$8.9M	\$9.6M	\$9.6M	\$4.8M	\$4.8M	\$13.7M
\$20.0M	\$8.9M	\$11.1M	\$9.6M	\$4.8M	\$4.8M	\$13.7M



Fox River Project Navigation Portion

Federal Negotiation Position (3)

- **Current estimate of lump sum payment for entire system is \$13.7 million**
- **Part 1: The current estimate to permanently close down all 19 navigation locks is \$8.9 million**
- **Part 2: The cost of repair and rehabilitation is not completely determined at this time; however, the current estimate of the maximum amount of additional costs of repair and rehabilitation work that can be supported by project benefits is \$9.6 million. The Federal share of this amount equals \$4.8 million.**