

Community Relations Plan

U.S. EPA Brownfield Cleanup Grant City of Oshkosh Marion/Pearl Redevelopment Area

Overview

This Community Relations Plan (CRP) describes the City of Oshkosh's strategy to address any concerns of residents potentially affected by environmental remediation activities conducted at the former Mercury Marine Plant 24 property, former Wisconsin Automated Machinery Property, and adjacent parcels formerly used for light industrial, in the Marion Road/Pearl Avenue Redevelopment area in Oshkosh, Wisconsin. The CRP also summarizes public notifications and community involvement which has occurred throughout the project.

Spokesperson and Administrative Record

The spokesperson for the project is Mr. Darryn Burich, Director of Planning Services, Department of Community Development, City of Oshkosh. The administrative record file is located at the address below and is available for public review during the hours of 8:00 a.m. and 4:30 p.m. on weekdays. The administrative record file is maintained by Ms. Darlene Brandt. Mr. Burich and Ms. Brandt may be contacted at:

Address: 215 Church Avenue, P.O. Box 1130, Oshkosh, Wisconsin 54903-1130
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Phone: (920) 236-5055

If community members wish to review the administrative record after normal business hours, please contact the spokesperson to make arrangements.

The administrative record file includes the following documents related to environmental assessment and remediation of the project site:

- Community Relations Plan (CRP)
- Phase I Environmental Site Assessment Reports
- Phase II Environmental Subsurface Assessment and Remedial Action Plan Reports
- Environmental Protection Agency (EPA) Brownfield Cleanup Grant Application

Site Description and History

Site Location

The City of Oshkosh is progressing with a redevelopment project along the Fox River in downtown Oshkosh that will remove a blighted area, significantly reduce the potential for adverse impacts to human health and the environment, and promote further redevelopment of the downtown area. The redevelopment includes multiple property parcels collectively referred to as the Marion Road/ Pearl Avenue Redevelopment area. Parcels include the former Mercury Marine Plant 24 site located southwest of the intersection of Marion Road and Jackson Street and the former Wisconsin Automated Machinery property located northwest of the intersection of Marion Road and Jackson Street. Other properties neighboring Wisconsin Automated Machinery which comprise the redevelopment parcel north of Marion Road include Zion Eldercare, Triangle Tavern, and the former Stadtmueller facility.

The Marion Road/Pearl Avenue redevelopment area is a former industrial riverfront corridor that essentially links the University of Wisconsin-Oshkosh campus to downtown Oshkosh. The Brownfield properties which are the subject of this CRP have significant redevelopment potential, but are hindered by the challenges related to the environmental contamination and the unsuitable

nature of the fill material to support surface features. To attract the redevelopment opportunities consistent with the prime location of these parcels, the EPA has awarded Brownfield Cleanup Grants to offset the expenses related to environmental management of subsurface soils and fill material. The EPA Brownfield Cleanup Grants are specific to the former Mercury Marine property and the former Wisconsin Automated Machinery property.

Site History

The proposed riverfront parcel south of Marion Road includes the property formerly occupied by Mercury Marine. The former Mercury Marine property has been used for industrial purposes since 1890. From at least 1890 to 1949, the property was occupied by Morgan Lumber Company. From at least 1949 to 1964, the Oshkosh Candle Company occupied the center portion of the property. The Kiehaefer Aeromarine Company occupied the center portion of the property and Badger Concrete Company occupied the eastern part of the property. By 1971, the Badger Concrete Company, Oshkosh Candle Company, and Bolt Fuel facility had gone out of business and no longer occupied this site; the Kiehaefer Aeromarine Company was out of business and Mercury Marine occupied the entire parcel. In March 2006, the City of Oshkosh acquired the property from Mercury Marine.

The Redevelopment area north of Marion Road includes the former Wisconsin Automated machinery property and adjacent properties collectively referred to as Parcel H. These parcels have been developed with industrial and commercial facilities since the 1850s. Former operations include sawmills, lumber yards, wood product manufacturing, railroad tracks, and a foundry.

Nature and Threat to Public Health and Environment

Environmental conditions at these sites include elevated levels of metals, volatile organic compounds (VOCs), and petroleum volatile organic compounds (PVOCs). Fill soils ranging in thickness from 5 feet to over 10 feet are present throughout the site. This fill material consists of wood chips, concrete, cinders, occasional foundry sand, and brick. The fill material is not related to the recent industrial operations, but associated with the historical site activities. Based on characteristics of the fill material, the Wisconsin Department of Natural Resources (WDNR) has required that all fill material disturbed during construction be managed as a solid or hazardous waste.

In addition to the fill material, other environmental conditions include the following:

1. Chlorinated compounds impacting soil and groundwater quality were present in a limited area near the southeast corner of the former Mercury Marine property.
2. Petroleum-impacted soil existed at low levels near former underground storage tank locations.
3. Low-level concentrations of benzene, vinyl chloride, and trichloroethylene were persistent in the groundwater at some monitoring well locations.

To facilitate redevelopment the City of Oshkosh intends to pursue a Certificate of Completion (COC) from the WDNR through the Voluntary Party Liability Exemption (VPLE) program. Additional investigation and remediation will be necessary to progress from industrial closure to closure conditions consistent with a COC under the VPLE program.

Details of environmental conditions on these redevelopment parcels are provided in the Phase I and Phase II Reports available in the administrative records file.

Property Redevelopment Plans

The proposed development concepts include plans for designated parcels on both the north and south sides of Marion Road. The property north of Marion Road will be developed as a

retail/business/commercial area with a pharmacy (approximately 14,000 square feet) and a separate mixed use commercial/residential three-story structure with a 7,600 square foot footprint that includes a 4,000 square foot restaurant. A separate office building, approximately 5,000 square feet, is also anticipated on the north side of Marion Road. The former Mercury Marine property located on the south side of Marion Road will be developed into a senior living apartment complex. This development will include 60 senior apartments and 60 underground parking stalls in a three-story structure. Supplemental surface parking will also be provided.

Community Profile

The City of Oshkosh is located in east central Wisconsin on the western shore of Lake Winnebago. With the population of approximately 60,000, the City of Oshkosh has created a reputation for outdoor activities, music festivals, and aviation. Oshkosh is the home to Country USA, a four-day country music/camping festival which draws country music fans from around the world. Oshkosh is also recognized for the Experimental Aircraft Association annual convention which has occurred since 1970 and is now attended by over 750,000 visitors. Waterfest, the summer concert series and music festival held at Riverside Park in the Leach Amphitheater is located on the banks of the Fox River, just east of the proposed development project.

The City of Oshkosh has consistently had a higher unemployment rate compared to the local Appleton/Oshkosh/Neenah metropolitan statistical area, Winnebago County in the State of Wisconsin. Approximately 22% of the City's jobs are related to the manufacturing industry where downsizing and closings have impacted many Oshkosh citizens. Brownfield properties in the City of Oshkosh exist predominantly along the north and south sides of the Fox River corridor, as well as the central city area. With its history of manufacturing and industrial uses on the banks of the Fox River, projects like this must succeed to revitalize this river corridor. For decades, the riverfront has been populated by industrial properties and now these industries are being relocated to planned industrial parks in an attempt to transform the waterfront.

Chronology of Community Involvement

The Marion Road/Pearl Avenue redevelopment area was included in the 1993 City of Oshkosh Comprehension Plan along with the following recommendations:

1. Gradually phase out existing industries in the Marion Road area,
2. Establish the clearance and redevelopment of the Oshkosh Foundry as a high priority redevelopment project,
3. Target the Radford plant site for redevelopment,
4. Provide public access to the riverfront,
5. Encourage the redevelopment of the river frontage parcels,
6. Expand and improve campus oriented commercial district on Wisconsin Street,
7. Expand and upgrade commercial uses fronting Jackson Street, and
8. Realign Marion Road.

The City of Oshkosh has made significant progress in accomplishing these goals. The Oshkosh Foundry and Radford plant were formerly razed and these sites redeveloped as commercial and multi-family residential housing. With the recent realignment of Marion Road and the acquisition of the Mercury Marine property, conditions are favorable to continue meeting the objectives of the comprehensive plan. Redevelopment plans include maintaining city ownership of a 30-foot wide parcel fronting the Fox River to allow public access along the riverfront and complete a pedestrian/bike path as an important link in an extensive community wide river-walk that will eventually extend along both the north and south shores of the Fox River.

The Marion Road/Pearl Avenue redevelopment plan was adopted by the Oshkosh Redevelopment Authority on December 15, 2004, and subsequently adopted by the City Common Council on January 11, 2005.

The Marion Road/Pearl Avenue redevelopment area was identified as part of the Central City Planning Area in the City of Oshkosh 2006 Action Plan. The 2006 Action Plan further identified specific objectives for the planning areas, including the following:

- Purchase select parcels.
- Assemble smaller blighted parcels into larger parcels.
- Make these larger parcels available for redevelopment.
- Assess parcels considered Brownfield properties due to real or perceived environmental contamination.
- Demolish blighted structures.

The citizen participation process for the 2006 Action Plan was held in conjunction with the preparation of the city's budget process in the fall of 2005. As part of the preparation and planning, a neighborhood public meeting was held at the Oshkosh Senior Center on October 26, 2005. Copies of the 2006 Action Plan were made available in a variety of venues and a legal advertisement was published in the Oshkosh Northwestern on October 28, 2006 notifying readers of the public hearing with the Plan Commission and Common Council. A notice was also included on the website such that the Action Plan could be accessed online if the public wanted to view the plan or obtain a copy.

All meetings held in conjunction with the preparation of the Action Plan were held in handicapped accessible buildings and meeting rooms. This included a public meeting which was held on November 1, 2005, with the Oshkosh Plan Commission. This meeting was televised on the local cable access channel. A public hearing meeting was held on November 22, 2005, with the Oshkosh Common Council at which the Council and public were given an opportunity to provide input regarding the proposed plan objectives. This public hearing was also broadcasted on the local cable access channel.

Since then, there have been numerous public meetings with the City Council, Plan Commission, and Redevelopment Authority. These meetings are open to the public and routinely televised. Notably, on October 8, 2008, there was a public forum for citizen input on the Marion Road/Pearl Avenue redevelopment area. This meeting took place at 6:00 pm at the Oshkosh Senior Center and included an overview of proposed redeveloped concepts, a discussion of the Brownfield Grant programs, and a question and answer session between the public and city staff. This public forum was also televised over the local cable access channel.

In addition to these public meetings, the public also has access to the Wisconsin Department of Natural Resources (WDNR) online remediation and redevelopment mapping system. This website allows public access to the status of all state environmental response cases established in the Marion Road/Pearl Avenue redevelopment area.

Key Community Concerns

No adverse public comments have been received regarding community health or environmental remediation plans related to the project.

Continued Community Involvement

Any significant changes to development agreements, conditional use permits or remediation plans will be discussed before Oshkosh Common Council and Redevelopment Authority. All Common Council and Redevelopment Authority meetings are open to the public and televised.

A public notice will be published in the local newspaper regarding the status of proposed environmental mitigation and utilization of EPA Brownfield Cleanup funds. The public notice will request any public comment during a 30-day comment period. The City of Oshkosh will issue a decision document at the end of the 30-day public comment period to confirm the corrective action alternative approved by EPA and WDNR. This document will be included in the administrative record file. The City of Oshkosh will maintain the administrative record file to reflect the status of the cleanup, public comments, response to public comments, and other significant decisions regarding environmental remediation.