

James, Andrew G - DNR

From: Tobias, Sam <Sam.Tobias@fdlco.wi.gov>
Sent: Friday, December 7, 2018 3:12 PM
To: James, Andrew G - DNR
Cc: Buechel, Allen; Gerred, Erin
Subject: Tynan Property

Andrew,

Here is the follow up I promised you on our phone call. The county continues to hold ownership on the Tynan property. It appears the Highway 23 project will occur in the 2019-2022 period, the county will hold back on any environmental investigation or remediation work until then. The DOT's roadwork plans include excavation over the north half of the Tynan property. DOT staff tell me that their contractor will complete any needed remediation in the area excavated for road purposes.

The county is considering two options for dealing with the environmental issues in the south half of the Tynan property. One, the county might insist that the DOT take the lead on investigation and cleanup of the entire property, as it was the DOT land acquisition process that allowed the property owners to take a substantial easement payment and leave town before the owners completed and paid for the investigation and remediation of the property. The county's argument is that the DOT's acquisition process is flawed, leading to the situation we have today. Two, the county might simply piggyback on the DOT's environmental contractor, have them finish the investigation and remediation of the south half of the Tynan property and pay that bill.

This press release link explains the DOT timing on the road project. <https://wisconsindot.gov/Documents/projects/by-region/ne/23exp/news-eis.pdf> It might be 2020 before the road project is in the area of the Tynan property.

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