

**REMEDIAL ACTION PLAN UPDATE**  
**for the**  
**LOWER GREEN BAY AND FOX RIVER AREA OF CONCERN**



**December 2013**



**Wisconsin Department of Natural Resources**  
**Office of the Great Lakes**

**Remedial Action Plan Update  
for the  
Lower Green Bay and Fox River Area of Concern  
December 2013**

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With special thanks to members of the Lower Green Bay Technical Advisory Committees (Biota & Habitat Workgroup, Science and Technical Advisory Committee, and Social Uses Workgroup) and the Citizen Advisory Committee for their assistance in developing and reviewing earlier drafts of this document.

Several committee members were especially generous with their time and shared data and charts for this report, including the following: Bart De Stasio (Lawrence University), Steve Hogler (WDNR), Jerry Kaster (University of Wisconsin – Milwaukee), Theresa Qualls (University of Wisconsin – Sea Grant Institute), and Tracy Valenta (Green Bay Metropolitan Sewerage District).

Cover photo: Erin Hanson, WDNR

**Disclaimer**

The Great Lakes Water Quality Agreement is a non-regulatory agreement between the U.S. and Canada, and criteria developed under its auspices are non-regulatory. The actions identified in this document as needed to meet beneficial use impairment (BUI) delisting targets are not subject to enforcement or regulatory actions.

The actions identified in this Remedial Action Plan Update do not constitute a list of preapproved projects, nor is it a list of projects simply related to BUIs or generally to improve the environment. Actions identified in this document are directly related to removing a BUI and are needed to delist the Area of Concern.

## **EXECUTIVE SUMMARY**

The Lower Green Bay and Fox River are one of 43 Great Lakes Areas of Concern (AOC) established in the mid-1980s because of major environmental problems caused by toxic substances (primarily polychlorinated biphenyls, or PCBs), excessive nutrient and sediment loads from point and nonpoint sources, and physical habitat alterations. Thirteen beneficial use impairments (BUIs) were identified for this AOC, two of which were listed as suspected at that time. In the twenty-five years since the original Remedial Action Plan (RAP) local, state, and federal partners have made significant progress toward addressing the causes of impairments within the AOC. However, no BUIs have been removed and the Lower Green Bay and Fox River is still very much an Area of Concern.

The original Toxic Substances Management report stated that “cleaning up contaminated river sediments will be our greatest challenge” (Allen et al., 1987) and the last phase of the Lower Fox River Contaminated Sediment Remediation began in May 2009. This cleanup project is expected to last through 2017 and will address approximately 13 miles of the Lower Fox River from the mouth to just upstream of the Little Rapids Dam. Nine beneficial use impairments are at least partially, if not completely, dependent on completion of this remediation to meet the RAP Targets.

Eight BUIs also depend on reductions in nutrient and sediment loads to meet the RAP Targets. The U.S. Environmental Protection Agency approved the Wisconsin Department of Natural Resources’ (WDNR’s) Lower Fox River Watershed Total Maximum Daily Load (TMDL) for total phosphorus and suspended solids in May 2012. This TMDL identifies substantial reductions needed to meet water quality goals in the AOC. Next steps include implementation planning and actions to reduce phosphorus and sediment loading to the AOC.

The sediment cleanup and TMDL projects are critically important for the AOC but are being implemented through other programs. There are several additional areas where the AOC program can build momentum for addressing BUIs, and these are reflected in the Lower Green Bay and Fox River AOC Coordinator priority actions for 2014. These priorities include the following:

- Initiate data gathering for the development of a monitoring plan to assess the Bird or Animal Deformities or Reproduction Problems BUI, and explore options for developing such a plan;
- Work with WDNR Drinking Water staff and others to gather existing data on AOC water quality and the source water quality and treatment methods and costs for various drinking water plants in order to compare the AOC to other areas and estimate treatment costs for the evaluation of the Restrictions on Drinking Water BUI;
- Work with WDNR staff and stakeholders to evaluate existing blue-green algae and microcystin data from NEW Water, USGS, Bay Beach restoration project, and other sources to determine future monitoring needs and data gaps;
- Reach out to WDNR’s Hmong liaison to ask for his perspective on whether the 2013 AOC angler survey should be expanded to target the Hmong community;
- With assistance from WDNR Social Scientist and others use results from the 2013 AOC angler survey to evaluate the status of the Tainting of Fish and Wildlife Flavor BUI (after considering targeted outreach to Hmong community);
- Continue to expand and improve the Volunteer Aesthetics Monitoring program to gather the opinions of more citizens;
- Use the results of the Volunteer Aesthetics Monitoring program to identify issues that contribute to degraded aesthetics and work with local stakeholders to identify potential remedial actions;
- Assist in the completion of a report summarizing Aesthetics Monitoring Program 2011-2013 survey results and providing recommendations for the future;

- Work with WDNR staff to complete the 2014 AOC trapper survey project;
- Gather and/or develop and submit proposals for the 2014 WDNR AOC Monitoring and Support Grant funds;
- Track and support all 2014 WDNR AOC Monitoring and Support Grant projects;
- Be the point of contact for any AOC-related grant proposals that may be developed by AOC partners;
- Work with the AOC Citizen Advisory Committee and UW-Extension on community outreach;
- Work with the Biota and Habitat Committee to refine and better define the targets, monitoring needs, and projects for the Degradation of Fish and Wildlife Populations and Loss of Fish and Wildlife Habitat BUIs; and,
- Seek opportunities to implement projects that will help to achieve fish and wildlife population and habitat objectives. Specifically, seek funding to implement a habitat assessment and restoration plan project in the AOC.

This RAP Update builds upon the 2012 RAP Update and concisely lists the current status of each beneficial use impairment, the next actions needed, potential issues, and stakeholder outreach needs associated with each. Citizen engagement has been an integral component of the Area of Concern program since the beginning and continues to be a priority as additional actions are identified and implemented.

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**List of Acronyms**

AOC	Area of Concern
BUI	Beneficial Use Impairment
cfu/100ml	Colony forming units per 100 milliliters
FY	Fiscal year
GBMSD	Green Bay Metropolitan Sewerage District / NEW Water
GLRI	Great Lakes Restoration Initiative
LLBdM	Little Lake Butte des Morts
µg/L	Micrograms per liter
mg/L	Milligrams per liter
NRCS	Natural Resources Conservation Service
PCB	Polychlorinated biphenyl
ppm	Part per million
RAP	Remedial Action Plan
TMDL	Total Maximum Daily Load
TP	Total phosphorus
TSS	Total suspended solids
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey
USFWS	U.S. Fish and Wildlife Service
WDNR	Wisconsin Department of Natural Resources
WisCALM	Wisconsin Consolidated Assessment and Listing Methodology

## **DEFINITIONS**

### **Area of Concern (AOC)**

Defined by Annex 2 of the 1987 Protocol to the U.S.-Canada Great Lakes Water Quality Agreement as “geographic areas that fail to meet the general or specific objectives of the Agreement where such failure has caused or is likely to cause impairment of beneficial use of the area’s ability to support aquatic life.” These areas are the “most contaminated” areas of the Great Lakes, and the goal of the AOC program is to bring these areas to a point at which they are not environmentally degraded more than other comparable areas of the Great Lakes. When that point has been reached, the AOC can be removed from the list of AOCs, or “delisted.”

### **Beneficial Use Impairment (BUI)**

A "beneficial use" is any way that a water body can improve the quality of life for humans or for fish and wildlife (for example, providing fish that are safe to eat). If the beneficial use is unavailable due to environmental problems (for example if it is unsafe to eat the fish because of contamination) then that use is impaired. The International Joint Commission provided a list of 14 possible beneficial use impairments in the 1987 Great Lakes Water Quality Agreement amendment.

### **Delisting Target**

Specific goals and objectives established for beneficial use impairments, with measurable indicators to track progress and determine when BUI removal can occur. Targets should be locally derived.

### ***Escherichia coli (E. coli)***

A bacterium commonly found in natural bodies of water that serves as an indicator of the possible presence of other health risks in the water, such as bacteria, viruses, and other organisms.

### **Goal**

Goals are broad ideas that may take a long time to achieve. They usually don’t change significantly over the life of a project. An example goal statement is, “*Nesting populations of a diverse array of wetland-dependent and riparian-associated birds are consistently present within the AOC.*” The delisting targets for the impairments may also be considered the goal statements (in some cases they may be objectives).

### **Objective**

Objectives are the detailed activities that are needed in order to meet goals. Objectives are normally accomplished in less time than goals. They are important because they provide a means of measuring progress toward plan implementation. Objectives should be SMART: Specific, Measurable, Achievable, Realistic, Time-Constrained.

### **Project**

As defined for this document, a project is a specific activity that has been defined with enough detail to understand who will do the work, how it will be done, and where it will be done. The end result of the activity should be visible and concrete. One or more projects may be defined to meet the goals and objectives for the impairments, if the AOC is not yet eligible for delisting. With this definition, “Coordinating with partners to make sure data is consistently collected and used” would not be a project. However, “XY Agency will host a symposium and write a set of standards for data collection and analysis for the Example AOC” would be a project.

**Remedial Action Plan (RAP)**

According to the 1987 Protocol to the U.S.-Canada Great Lakes Water Quality Agreement, a RAP is a document that provides “a systematic and comprehensive ecosystem approach to restoring and protecting beneficial uses in Areas of Concern...” RAPs were required by the 1987 Protocol to be submitted to the International Joint Commission at three stages:

- Stage 1: Problem definition
- Stage 2: When remedial and regulatory measures are selected
- Stage 3: When monitoring indicates that identified beneficial uses have been restored

Note that a renegotiated Great Lakes Water Quality Agreement was signed in 2012 by the U.S. and Canada which removed the “stage” terminology from the AOC Annex, and simply requires Remedial Action Plans to be “developed, periodically updated, and implemented for each AOC.”

**Total Maximum Daily Load (TMDL)**

A TMDL is the amount of a pollutant a waterbody can receive and still meet water quality standards. It can be thought of as a pollution "budget" for a water body or watershed that establishes the pollutant reduction needed from each pollutant source to meet water quality goals.

## **PURPOSE STATEMENT**

The purpose of this document is to serve as a Remedial Action Plan update. Remedial Action Plans are required by Annex 1 of the Great Lakes Water Quality Protocol of 2012 (which replaced the 1987 Protocol amending the Revised Great Lakes Water Quality Agreement of 1978). The 2012 Protocol indicates that Remedial Action Plans must include the following elements:

1. Identification of beneficial use impairments and causes;
2. Criteria for the restoration of beneficial uses that take into account local conditions and established in consultation with the local community;
3. Remedial measures to be taken, including identification of entities responsible for implementing these measures;
4. A summary of the implementation of remedial measures taken and the status of the beneficial use; and
5. A description of surveillance and monitoring processes to track the effectiveness of remedial measures and confirm restoration of beneficial uses.

This Remedial Action Plan Update was prepared by the Wisconsin Department of Natural Resources in consultation with its partners and is intended to be a concise summary of beneficial use impairment status and specific actions that will be important for reaching the delisting targets. "Actions" may include on-the-ground restoration projects, monitoring and assessment projects, and stakeholder engagement processes. It is also a tool for documenting and communicating progress to agency partners and technical stakeholders. The Remedial Action Plan will be updated as needed to incorporate new information that may become available.

## **INTRODUCTION**

Areas of Concern (AOCs) are severely degraded geographic areas within the Great Lakes. The areas – 43 within the Great Lakes region – were designated as AOCs primarily due to contamination of river and harbor sediments by toxic pollutants (sometimes referred to as “legacy” pollutants due to the historical industrial development that often was the source of the pollution). Cleaning up these severely degraded areas is a first step toward restoring the chemical, physical, and biological integrity of the lakes as required by the Great Lakes Water Quality Agreement. When the areas have been cleaned up to the point where they are not more degraded than other, comparable non-AOC areas, they are “delisted” as AOCs; they are then considered to be part of the Lakewide Management Plan (LaMP) program, a “whole lake” program that is also set forth in the Agreement. The Agreement provides the framework for the U.S. and Canada to work together to restore the chemical, physical, and biological integrity of the lakes.

The Lower Green Bay and Fox River AOC is one of five AOCs in Wisconsin. This AOC spans seven miles of the Lower Fox River (downstream from the De Pere Dam to the mouth) and approximately 22 mi<sup>2</sup> of southern Green Bay (from the Fox River mouth to an imaginary line drawn between Long Tail Point and Point au Sable, Figure 1). The relatively small geographic area officially recognized as the AOC is the location where cumulative impacts from the much larger Fox-Wolf watershed are manifested and the environment is most severely impaired.

The Lower Green Bay Remedial Action Plan (RAP; WDNR, 1988) and RAP Update (WDNR, 1993) provide extensive descriptions of the historic and environmental setting of the AOC, the original environmental problems that led to designation of this area as an AOC, and the sources of those problems. These plans also include goals, objectives, and strategies to address these problems and restore the Lower Bay and Fox River. Interested readers are encouraged to consult these documents (available at <http://dnr.wi.gov/topic/greatlakes/greenbay.html>) for a complete description of the AOC that is not included here.

At the time of the first RAP, the major environmental problems in the Lower Bay and Fox River that led to AOC designation were caused by sources that can be divided into four broad categories:

- Toxic Substances: Polychlorinated biphenyls (PCBs), historically discharged by mills during the manufacture and recycling of carbonless copy paper, were of primary concern although the RAP mentions several chemicals including 20 that were on the U.S. Environmental Protection Agency’s (USEPA’s) priority pollutant list at that time.
- Point Source and Runoff Pollution: Phosphorus and sediment discharges from municipalities and industries lining the Fox River corridor and nonpoint sources in the Lower Fox Watershed.
- Physical Habitat Alterations: including wetland filling and draining, shoreline erosion and filling.
- Other: water level fluctuations and non-native invasive species.

These sources of impairment led to designation of eleven of the possible fourteen beneficial use impairments (BUIs) as applicable to this AOC (Table 1). Additionally, two of the fourteen beneficial use impairments were listed as “suspected,” meaning that they were likely to be a problem but data were lacking or inconclusive.

The original RAP (WDNR, 1988) and RAP Update (WDNR, 1993) contained goals and objectives for restoring beneficial uses in the AOC. In the twenty-five years since these were first developed, local, state, and federal partners made significant progress towards addressing the causes of impairments. However, no beneficial use impairments were removed and the Lower Green Bay and Fox River still

remain very much an Area of Concern. In an effort to recognize progress towards meeting RAP goals, USEPA requested that States generate “Delisting Targets” for each BUI. The targets clearly define when impairments are to be considered sufficiently addressed so that they can be removed from the AOC. The Wisconsin Department of Natural Resources (WDNR) worked with local stakeholders in early 2009 to develop the targets for the Lower Green Bay and Fox River AOC (WDNR, 2009).

WDNR has worked with partners and stakeholders since 2011 to develop annual RAP Updates (WDNR, 2011; WDNR, 2012) to summarize the current status of the BUIs and identify actions needed to reach the delisting targets. This document is a 2013 update to account for changes in status, projects, and priorities since 2012, and to provide more details on the actions that will help us reach our AOC goals and targets.

Very brief updates of past activities are provided in the following sections of this introduction. The current status of each beneficial use impairment is summarized in Table 2 and described more fully in the sections that follow. The 2009 target is also listed in each section along with any modifications that have been suggested since that time.

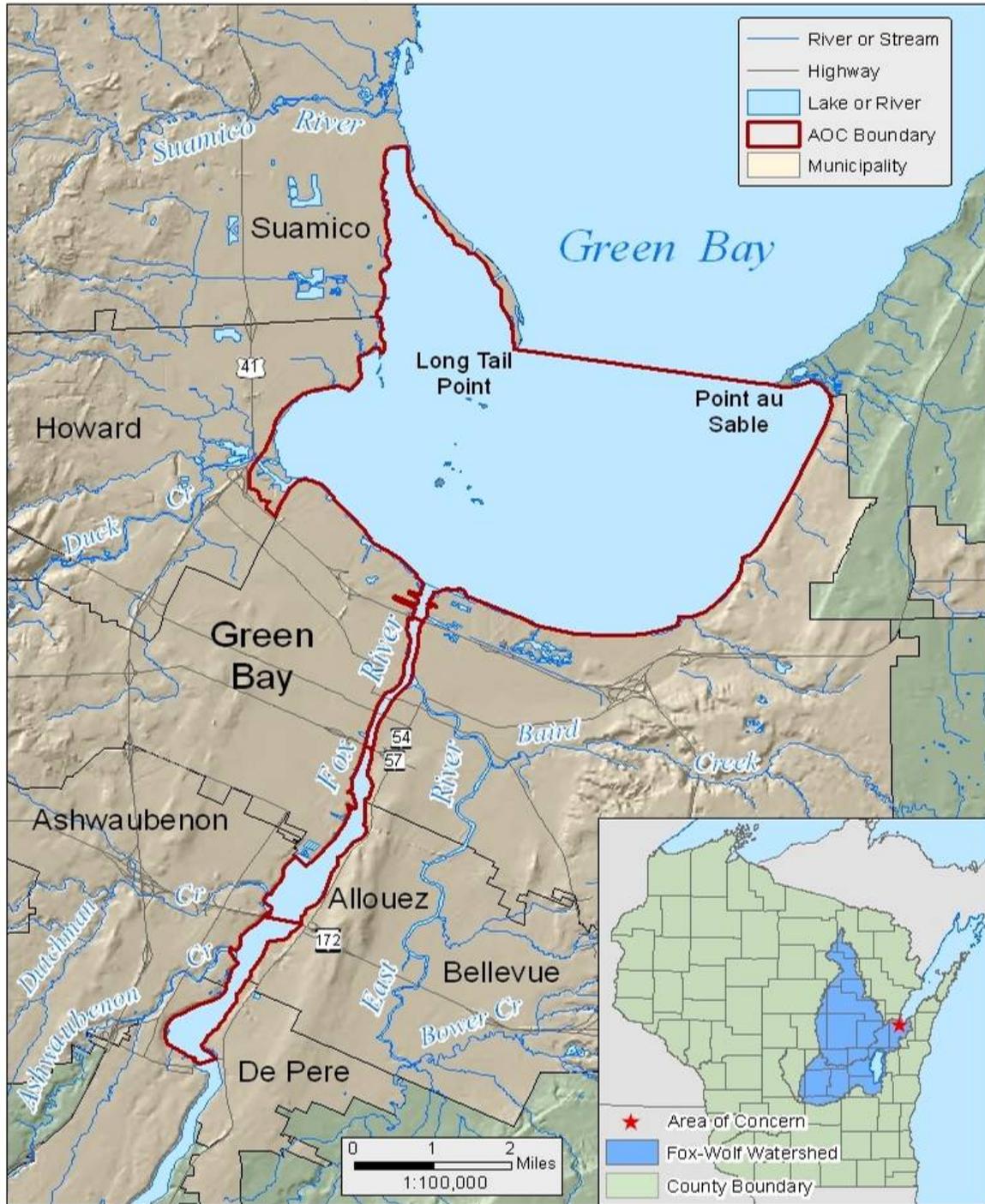


Figure 1. The boundaries of the Lower Green Bay and Fox River Area of Concern

**Table 1.** Primary Causes of Beneficial Use Impairments in the Lower Green Bay and Fox River Area of Concern

<b>Beneficial Use Impairments</b>	Toxic Substances	Point Source & Runoff Pollution	Physical Habitat Alterations	Other
Restrictions on Fish and Wildlife Consumption	X			
Tainting of Fish and Wildlife Flavor ( <i>suspected</i> )	X			
Degradation of Fish and Wildlife Populations	X	X	X	X
Fish Tumors or Other Deformities ( <i>suspected</i> )	X			
Bird or Animal Deformities or Reproduction Problems	X			
Degradation of Benthos	X	X		
Restrictions on Dredging Activities	X			
Eutrophication or Undesirable Algae		X		
Restrictions on Drinking Water Consumption, or Taste and Odor Problems	X	X		
Beach Closings		X		
Degradation of Aesthetics		X		
Degradation of Phytoplankton and Zooplankton Populations	X	X		
Loss of Fish and Wildlife Habitat		X	X	X

“Added costs to agriculture or industry” is the only beneficial use impairment identified in the Great Lakes Water Quality Agreement that is not identified for the Lower Green Bay and Fox River Area of Concern.

### Toxic Substances

The last phase of the Lower Fox River Contaminated Sediment Remediation project began in May 2009 and includes remediation of all sediment with total PCB concentrations greater than or equal to 1.0 part per million (ppm) in the area from the mouth of the Fox River (and a short distance into Green Bay) to just upstream of the Little Rapids Dam (an approximately 13 mile stretch of River). The lower 7 miles of the project is in the Lower Green Bay and Fox River Area of Concern, and dredging work in 2012 and 2013 occurred within the AOC. Project news and updates and a video about the current phase of the project can be found at <http://www.foxrivercleanup.com/>.

At the time the original RAP was developed, concerns were also noted about the presence of more than 100 chemicals, including 20 then listed on USEPA's priority list of pollutants that pose a risk to the environment and human health (Allen et al., 1987). The current contaminated sediment remediation project will address many of those chemicals, though the emphasis has been placed on PCBs in sediments since the remedy to address PCB exposure effectively addresses the other compounds as well. The project includes a combination of dredging, dredging and capping, and sand covering over an estimated 7 years of dredging (from 2009 through 2015) and 9 years of capping and sand covering (from 2009 through 2017).

The upstream Little Lake Butte des Morts (LLBdM) remediation, in which approximately 370,000 cubic yards of sediment was dredged, was completed in 2009. Remediation in Operable Unit (OU) 2-3 (just above the Little Rapids Dam to De Pere Dam) was completed in 2011 and included a combination of dredging 235,900 cubic yards and capping approximately 26 acres of sediment. The total volume of sediment dredged in LLBdM and the first five years of operation (2009 through 2013) in the current phase is approximately 3.1 million cubic yards, which was dewatered and disposed of in a landfill. Annual dredge volumes are anticipated to be approximately 500,000 to 660,000 cubic yards per year, providing remediation proceeds on schedule.

### Point Source and Runoff Pollution

The USEPA approved the WDNR's Total Maximum Daily Load (TMDL) for total phosphorus and total suspended solids in the Lower Fox Watershed in May 2012 (available online at [http://dnr.wi.gov/topic/tmdls/foxriver/documents/LFR\\_TMDL\\_EPA\\_Submittal\\_Aug\\_2011.PDF](http://dnr.wi.gov/topic/tmdls/foxriver/documents/LFR_TMDL_EPA_Submittal_Aug_2011.PDF)). This report includes a summary of "current" land use and total phosphorus and suspended solids loads and reductions needed to meet water quality targets. Overall, a reduction of 59% in total phosphorus and 55% in total suspended sediments is required from baseline loads (2004-2005) within the Lower Fox Watershed to meet water quality goals. The TMDL lists reductions for each 303(d) listed stream segment in the Lower Fox Watershed including wasteload allocations for point sources and load allocations for nonpoint sources. Achieving the water quality targets established in this report is expected to result in improved water clarity and dissolved oxygen and conditions in the Lower Bay that will restore beneficial use impairments in the AOC.

TMDL implementation planning is on-going, and the four Counties (Brown, Calumet, Outagamie, and Winnebago), the Oneida Nation, and the Natural Resources Conservation Service (NRCS) continue to plan, design, and implement conservation practices and projects to address rural nonpoint pollution in the basin. WDNR is cooperating with the Great Lakes Commission (GLC) and NRCS to develop a framework for water quality trading and possibly watershed adaptive management in the Lower Fox. This project is referred to as "Fox P Trade." In addition, the GLC and NRCS are collaborating on a demonstration farm network that will showcase the best, leading-edge conservation practices to reduce sediment and phosphorus runoff.

Statewide efforts to control phosphorus separate from the TMDL have also moved forward in recent years. These include changes to Wisconsin rules resulting in a ban on phosphorus in fertilizer applied to most lawns or turf (April 2010), a reduction in phosphorus in household dishwasher detergents (June 2010), establishment of phosphorus water quality standards criteria and rule changes to allow water quality based phosphorus limits for wastewater discharges from industries and municipalities in addition to categorical limits (December 2010), and changes aimed at reducing phosphorus runoff from farms (January 2011). WDNR has been working on guidance documents for Adaptive Management and Water Quality Trading—two tools that may be used to help us achieve the goals of the TMDL. See <http://dnr.wi.gov/topic/surfacewater/adaptivemanagement.html> and <http://dnr.wi.gov/topic/SurfaceWater/WaterQualityTrading.html> for more information on those efforts. In addition, Wisconsin's Nutrient Reduction Strategy was completed in 2013 (see <http://dnr.wi.gov/topic/surfacewater/nutrientstrategy.html>). The Nutrient Reduction Strategy is a broad overview of nutrient management activities for both point sources and nonpoint sources in Wisconsin. This strategy documents on-going activities, whether they are implemented by federal, state or local agencies, and identifies areas where further progress is needed.

#### Physical Habitat Alterations

Two large restoration efforts stand out among the many projects initiated to restore environmental conditions within and adjacent to the AOC: Cat Island Chain Restoration and Green Bay's west shore wetlands.

The Cat Island Chain Restoration project developed out of the RAP process as a top priority for habitat restoration. During times of high water and storms in the 1970s, this island chain in the southwestern portion of lower Green Bay disappeared. Brown County, the U.S. Army Corps of Engineers (USACE), and other partners are currently focused on beneficially reusing dredge materials from navigation dredging of outer Green Bay to rebuild these islands that once sheltered large areas of shallow water and coastal wetlands, providing important fish and wildlife habitat. Beginning in June of 2012, Brown County began construction of a rock spine structure that will act as a wave barrier and provide the foundation for restoring the Cat Island Chain. The wave barrier provides the base for constructing three islands which will be built from beneficially reused fine sands dredged from the outer navigation channel. The islands will then be filled by the USACE using clean dredge material from the maintenance of the Green Bay Harbor over the next thirty years. More information about the history and progress of this project is available online at the Port of Green Bay website: <http://www.portofgreenbay.com/>.

The extensive coastal wetlands along the west shore of Green Bay have also been a top priority for habitat restoration and protection by multiple partners for many years. It is commonly stated that 70% of the original wetlands along or adjacent to Green Bay's west shore have been lost. The West Shore area includes approximately 140 miles of streams, a quarter of which are considered critical for northern pike spawning and rearing habitat. Recent efforts supported by 2010 Great Lakes Restoration Initiative (GLRI) funding from USEPA that overlap the AOC include the following: northern pike habitat restoration (Brown County Land and Water Conservation Department), integrated stream and wetland restoration in the Duck-Pensaukee watershed (The Nature Conservancy), and efforts to control invasive common reed grass (*Phragmites australis*) in conservation opportunity areas along Wisconsin's Lake Michigan shoreline (WDNR).

#### Other

Although water level fluctuations and the impact of non-native invasive species are now considered largely outside of the scope of the Area of Concern program, they were previously identified as contributing to impairments. In the time since the original RAP, new invasive species that have a

substantial impact on impairments have become established within the AOC, notably zebra and quagga mussels (*Dreissenids*) and common reed grass (*Phragmites australis*). Whenever possible, projects to control the impact of invasive species may need to be considered to restore impairments within the AOC.

#### Public Involvement

The original RAP and RAP Update were the result of significant public consultation and involvement and included multiple technical advisory committees and a citizen advisory committee. For the 2011 Stage 2 RAP Update, the 2012 RAP Update, and this 2013 RAP Update, WDNR involved established technical advisory workgroups (Biota & Habitat Workgroup, Social Uses Workgroup, and Science and Technical Advisory Committee) and a newly re-formed citizen advisory committee (first met in August 2011). In addition, the draft 2013 RAP Update was posted online for public review and comments. A press release was sent out to Brown County media to inform citizens of the 2-week public review period ending December 1st, 2013. No public comments were received.

Future plans include broadening general public participation in AOC activities using funds provided by USEPA to WDNR to support Citizen Advisory Committees. There are multiple other efforts to involve the public and gain their support for actions to improve environmental conditions in the Lower Fox River and Green Bay. WDNR will attempt to coordinate with these groups as much as possible when their goals overlap with the AOC program goals.

**Table 2.** Current Status of Beneficial Use Impairments in the Lower Green Bay and Fox River AOC (Refer to Appendix A for more detail)

<b>Beneficial Use Impairment</b>	<b>Beneficial Use Remains Impaired</b>	<b>Summary Status</b>
Restrictions on fish and wildlife consumption	Yes	Wildlife consumption assessment is in progress. Sampling to occur 2013-2015. Fish consumption advisories for PCBs specific to the AOC will be addressed by the Fox River Contaminated Sediment Remediation.
Tainting of fish and wildlife flavor	Suspected	WDNR 2013 survey of AOC anglers will be used to determine the status of this impairment (final report 2014).
Degradation of fish and wildlife populations	Yes	No one discrete project will be sufficient to address the complex needs of this BUI. Various monitoring, planning, and projects are listed in Appendix C. Also depends on completion of on-going Fox River Contaminated Sediment Remediation and TMDL implementation.
Fish tumors or other deformities	Suspected	BUI will be assessed following WDNR criteria after Lower Fox River Contaminated Sediment Remediation is complete (expected 2017)
Bird or animal deformities or reproduction problems	Yes	BUI removal will depend on completion of contaminated sediment remediation; however, WDNR should take the opportunity to request funds through GLRI if needed. Next steps are to gather and assess all available relevant data and then to work collaboratively with stakeholders and experts to develop a monitoring plan to assess this BUI.
Degradation of benthos	Yes	The 2012 and 2014 USGS benthos study will provide baseline information for assessing the status of this BUI. In 2014, one Fox River site will be resampled, and new sites will be added in Lower Green Bay in order to assess that portion of the AOC.
Restrictions on dredging activities	Yes	This use will remain impaired until the on-going Fox River Contaminated Sediment Remediation has been completed and the Institutional Control Implementation and Assurance Plan (ICIAP) is in place and fully implemented.
Eutrophication or undesirable algae	Yes	A TMDL report for total phosphorus and total suspended solids in the Lower Fox Watershed was approved by USEPA in 2012 and identifies reductions needed to meet goals for the AOC. A WDNR TMDL Project Manager who was hired in October 2012 worked with local stakeholders on TMDL implementation planning in 2013. The TMDL Implementation Plan will be completed in 2014. On-going and new monitoring of Harmful Algal Blooms will be evaluated to determine the appropriate timing to initiate a study to assess the status of this impairment with regard to the target for undesirable algae.
Restrictions on drinking water consumption, or taste and odor problems	Yes	WDNR will gather existing data on AOC water quality and the source water quality and treatment methods and costs for various drinking water plants in order to compare the AOC to other areas and estimate treatment costs. AOC Coordinator should then consult with local stakeholders and technical experts to see whether any additional information is necessary to assess the status of this BUI.
Beach closings	Yes	Beach program monitoring at locations used by the public for recreation indicate <i>E. Coli</i> levels are good overall. However, recent monitoring indicates that blue-green algae and toxins are present in the AOC, possibly at unhealthy levels. Bay-Lake Regional Planning Commission is currently performing <i>E. Coli</i> and microcystin toxin monitoring for the purpose of writing a Restoration Action Plan for Bay Beach. WDNR will work with stakeholders to evaluate existing data to determine future monitoring needs and data gaps for this impairment.

Degradation of aesthetics	Yes	WDNR initiated a pilot volunteer monitoring program in 2011 that was expanded in 2012 and 2013. This program will be continued for at least 5 more years. Results will be used to identify the current status and causes of this impairment and to identify priority projects, such as clean-up efforts, to address the problems revealed in the surveys. A summary report for 2011-2013 will be prepared and available by February 2014.
Degradation of phytoplankton and zooplankton populations	Yes	The 2012 and 2014 USGS phytoplankton and zooplankton study will provide baseline information for assessing the status of this impairment and determining if additional information is needed.
Loss of fish and wildlife habitat	Yes	No one discrete project will be sufficient to address the complex needs of this BUI. Various monitoring, planning, and projects are listed in Appendix C. Key projects include Cat Island Chain and Point au Sable habitat restoration projects, both of which made significant progress in 2013. A project has been proposed for 2014-2015 to assess habitat in the AOC, catalog past and current habitat projects, and write a habitat restoration plan.

**Table 3. Stakeholder Engagement****Information/Education/Outreach Campaign**

**To keep the local community of residents, businesses and tourists updated on and supportive of projects, and aware of needed actions/cooperation**

<b>Media</b>	<b>Target Audience</b>	<b>Messages</b>	<b>Implementer(s)</b>	<b>Collaborators</b>	<b>Funded by</b>	<b>Year(s)</b>
<b>BUI Videos</b>	General public, high school students, conference attendees	Green Bay and Fox River are polluted. Awareness of BUIs (7/13 BUIs)	Pulaski High School AP Environmental Science Class	UW-Extension (UWEX), WDNR	WDNR	2012-2013
<b>AOC Map, Fact sheet, Fish consumption advisory, WI AOC article</b>	General public and anglers who fish in AOC	If you fish in the AOC, please fill out a survey. Learn more about the AOC by checking out these documents and asking questions.	WDNR (Booth at Green Bay Tall Ship Festival)	UW-Sea Grant	WDNR and UW-Sea Grant	2013
<b>AOC Map/AOC Brochures/Presentation Talking Points</b>	Kayakers/Canoeists	Green Bay and Fox River are polluted. Awareness of BUIs. Various messages surrounding on-going AOC-related projects	Barkhausen Waterfowl Preserve Interpretive Guide for Adventure Kayaking and UWEX	WDNR	WDNR	2013
<b>BUI Status Report</b>	Citizen Advisory Committee Members and others familiar with the AOC	Update on status of BUIs affecting the AOC in an at-a-glance format	UWEX/DNR	UWEX/WDNR	UWEX/WDNR	2013
<b>BUI Videos</b>	General public, high school students, conference attendees	Green Bay and Fox River are polluted. Awareness of BUIs (3 additional BUIs)	Pulaski High School AP Environmental Science Class	UWEX, WDNR	NA	2013-2014
<b>In-school stormwater presentations; River Cleanup flyers, posters, PSAs</b>	General public, esp. middle and high school students and their families; elected officials; community leaders; local celebrities; other non-profit	Let's get together and help clean up our waterways. Information and tips related to stormwater.	Fox-Wolf Watershed Alliance (River Cleanup)	WDNR	WDNR	2014

	organizations					
<b>Guest Presentations</b>	Citizen Advisory Committee Members	Various messages surrounding on-going AOC-related projects	WDNR and UWEX		NA	On-going
<b>UWEX AOC Website</b>	General public, Citizen Advisory Committee members	Updates on Committee meetings and other events. Share links to AOC-related videos and websites. Share AOC-related documents.	UWEX	WDNR	UWEX	On-going
<b>WDNR AOC Website</b>	General public	Provide background and description of AOC. Share AOC-related documents. Share links and information about AOC-related projects.	WDNR		WDNR	On-going
<b>AOC Map/AOC Brochures/Presentation Talking Points</b>	Kayakers/Canoeists	Green Bay and Fox River are polluted. Awareness of BUIs. Various messages surrounding on-going AOC-related projects	Barkhausen Waterfowl Preserve Interpretive Guide for Adventure Kayaking and UWEX	WDNR	Will request 2014 AOC support funds	2014
<b>AOC Status Report</b>	General Audience	Lower Green Bay and Fox River are degraded but restoration is in progress and improvements are happening.	CAC Public Outreach Committee	WDNR, UWEX	Will request 2014 AOC support funds	2014
<b>AOC Map/AOC Brochures/Talking Points (Boat Tour)</b>	General public, Citizen Advisory Committee members	Green Bay and Fox River are polluted. Awareness of BUIs. Various messages surrounding on-going AOC-related projects	CAC Public Outreach Subcommittee and UWEX	Pending, possibly Grand Valley State U.	Will request 2014 AOC support funds	2014
<b>AOC Materials, Talking Points (Kayak/Canoe Tour)</b>	Area politicians, decision-makers, media	Awareness of AOC and BUIs. Importance of local waters and how they can help.	CAC Public Outreach Subcommittee and UWEX	Pending, possibly GBMSDF or NEW Paddlers	Will request 2014 AOC support funds	2014

## **BENEFICIAL USE IMPAIRMENT UPDATES**

The following pages summarize the current status of each Beneficial Use Impairment using the format below. An explanation of each section is provided after the heading.

### **2009 Target and Status**

<b>Beneficial Use Impairment Name</b>	<b>Status</b>
The 2009 Lower Green Bay and Fox River AOC delisting targets (WDNR, 2009) are listed here as separate target components on each row to clearly show status of each part of the target.	May be: <ul style="list-style-type: none"> <li>- "Complete"</li> <li>- "In progress"</li> <li>- "Action needed"</li> <li>- "Unknown"</li> <li>- "Assessment in progress" (data collection occurring in years listed in parentheses)</li> <li>- "TBD" (to be determined)</li> </ul>

**Note:** may list one or more of the following:

- potential concerns about the target, particularly if the target is not specific enough to define a measurable endpoint for the BUI
- if revisions are anticipated and how such changes might be approached including responsible party and timeline
- if the 2009 target was modified and details of any changes

### **Rationale for Listing**

The section briefly summarizes the reason the BUI was known or suspected at the time of listing. If sources contributing to the impairment have been identified since listing, those are included in this section as well.

### **Summary of key remedial actions since the 2012 RAP Update and current status**

"Key remedial actions" are those that directly contributed to the current status of the BUI. A table may be included as an appendix to capture a detailed list of past projects. The narrative here explains and leads to the "Next action needed".

### **Next action(s) needed**

1. This section is a narrative listing of assessments, on-the-ground projects, and stakeholder engagement processes that are clearly delineated and directly address the specific BUI.
2. Project titles that are underlined are also included in Appendix A "Lower Green Bay and Fox River AOC BUI Tracking Matrix".
3. Plans for verifying achievement of delisting targets are listed here if known.

### **Issues (challenges, risks) affecting progress on this BUI**

This section lists project contingencies (i.e., one thing has to happen before another can occur), funding obstacles and any other considerations that could affect the timeline for delisting.

### **Stakeholder Engagement**

The role of Technical and Citizen Advisory Committees are listed here. Key outreach activities or needs related to the specific BUI are listed and connected to overall timelines for implementing actions.

RESTRICTIONS ON FISH AND WILDLIFE CONSUMPTION**2009 Target and Status**

Restrictions on Fish and Wildlife Consumption	Status
The Fox River Contaminated Sediment Remediation has been completed and meets the target established in the plan (Surface Area Weighted Concentration of 0.25 ppm or that determined acceptable by the agencies for completion of the PCB remedial action)	In progress
Fish and wildlife consumption advisories are the same or lower than those in the associated Great Lake or appropriate control site.	Assessment in progress (for waterfowl)

**Rationale for Listing**

This impairment was originally identified because of the presence of persistent, bioaccumulative, and toxic substances, primarily PCBs, in sediments that resulted in consumption advisories for certain species of fish and waterfowl specifically in AOC waters. At the time the RAP was developed concerns were also noted about the presence of more than 100 chemicals including 20 then listed on USEPA's priority list of pollutants that pose a risk to the environment and human health (Allen et al., 1987).

**Summary of key remedial actions since the 2012 RAP Update and current status**

Sources of PCB discharges to the river have been largely eliminated and completion of the on-going Fox River Contaminated Sediment Remediation will address PCBs remaining in sediments along with mercury and other potentially toxic chemicals. The long-term goal of the remediation is to protect human health by removing fish consumption advisories as quickly as possible, although it may take years before this occurs. Encouraging signs that the remediation will be successful in reducing fish consumption advisories were seen in the Lower Fox River and Green Bay in summer 2013. Contaminant levels have been dropping for some species, allowing the consumption advisories to be relaxed somewhat. The PCB advisory for white bass was relaxed in the Fox River below the De Pere Dam, and advice was also relaxed for the smaller sizes of northern pike and white bass in Green Bay (WDNR news release: [http://dnr.wi.gov/news/weekly/Article\\_Lookup.asp?id=2651](http://dnr.wi.gov/news/weekly/Article_Lookup.asp?id=2651) ).

Current fish consumption advisories are listed on page 20-21 of Wisconsin's 2013 "Choose Wisely—A health guide for eating fish in Wisconsin" available at <http://dnr.wi.gov/topic/fishing/documents/consumption/FishAdvisorywebblow2013.pdf>. In 2013, consumption advisories for PCBs specific to the Fox River below the De Pere dam ranged from "eat no more than 1 meal/month" to "do not eat" for a variety of size classes of 15 different fish species. Slightly different specific consumption advisories for PCBs are also in place for Green Bay south of the City of Marinette. Additional fish species not listed for the Fox River are included in the Green Bay advisories (Brown Trout, Chinook Salmon, Musky, and others) and in some cases advisories for larger fish are less strict in Green Bay than they are in the Fox River. For example, in the Fox River, northern pike larger than 33" should not be consumed more than once every two months, and pike smaller than 33" should not be consumed more than once a month. In Green Bay, anglers are advised to eat pike larger than 27" not more than once a month and pike smaller than 27" not more than once a week. Anglers should consult the most recent "Special Advice for PCBs and other chemicals" for current fish consumption advisories.

The current wildlife advisory is listed on page 26 of the 2013 Wisconsin Migratory Bird Regulations available at <http://dnr.wi.gov/files/pdf/pubs/wm/wm0010.pdf>. In 2013, hunters were advised to "Remove all skin and visible fat before cooking" and "Discard drippings or stuffing because they may retain fat that contains PCBs" for mallards harvested from the AOC and an upstream segment of the Lower Fox River

from Lake Winnebago to Kaukauna. The advisory has been in place since 1987, and has not been re-evaluated since then. The WDNR has recently received funding for three years of legacy contaminants analyses from three types of waterfowl (a dabbler species: mallards, a diving species: scaup, and resident Canada geese) to determine if the existing advisory is still warranted. Sampling will occur summer-winter in 2013, 2014, and 2015 and a final report will be completed in spring 2016. In conjunction with this project, a formal process is being developed for waterfowl consumption advisory monitoring, listing, and removal in Wisconsin.

#### **Next action(s) needed**

1. Waterfowl Consumption Advisory Update: Complete 3-year waterfowl consumption advisory evaluation to determine if the existing advisory is still warranted (final report spring 2016).
2. Complete the Lower Fox Contaminated Sediment Remediation (currently expected to be complete in 2017).
3. Complete fish consumption advisory (PCB) analysis as required by Fox River Contaminated Sediment Remediation approved Long Term Monitoring Plan.
4. Complete fish consumption advisory analysis as required by WDNR and Wis. Dept. of Health Services (WDHS) procedures. Data from the sediment remediation project can be used for this process, but additional monitoring (e.g., of other fish species) will be necessary for updating the consumption advisory.

#### **Issues (challenges, risks) affecting progress on this BUI**

- Removal of this impairment depends on completion of the Lower Fox Contaminated Sediment Remediation. Any delay in the sediment remediation will also delay removal of this impairment.
- Time may be needed for the fish and wildlife contaminant levels to decline after completion of the Lower Fox Contaminated Sediment Remediation.
- Comparing fish or wildlife contaminant concentrations to samples from Lake Michigan or another control site will be difficult due to expense and potential differences in species and growth rates. Likewise, comparing consumption advisories to another control site will be difficult due to these potentially confounding factors.

#### **Stakeholder Engagement**

Appendix B is a fact sheet developed by WDNR and the Wisconsin Department of Health Services in 2013 listing current fish consumption advisories. There are no additional outreach or communication needs identified at this time; however, this will change as remediation progresses and adjustments are made to consumption advisories.

TAINTING OF FISH AND WILDLIFE FLAVOR**2009 Target and Status**

<b>Tainting of Fish and Wildlife Flavor</b>	<b>Status</b>
No target was developed in 2009 as this is a suspected impairment.	Assessment in progress

**Rationale for Listing**

This impairment was briefly mentioned in the 1993 RAP Update as suspected based on 1) occasional angler reports of problems with fish taste and odor and 2) the potential for components in industrial and municipal effluents (resin acids, chlorophenols) to cause off-flavors in fish (WDNR, 1993).

**Summary of remedial actions since the 2012 RAP Update and current status**

The RAP Update stated "With the application of effluent treatment to all municipal and industrial wastewater discharges and the closing of most pulp mills on the Fox River, the likelihood of fish tainting has been greatly reduced" (WDNR, 1993). WDNR continues to regulate wastewater discharges following Wisconsin Administrative Code, including Ch. NR 102.14 that includes a list of compounds regulated based on taste and odor criteria. No wastewater discharge permits in Lake Winnebago or the Lower Fox River downstream to the mouth include limits based on taste and odor criteria, which indicates that discharge levels of these compounds are not high enough to be a potential water quality concern (James Schmidt, WDNR, personal communication).

This suspected impairment is likely not a problem within the Lower Green Bay and Fox River AOC; however, the current status is unknown as WDNR does not routinely collect reports about problems with fish taste. WDNR fisheries and enforcement staff who have regular contact with local anglers indicate that comments about flavor of AOC fish are highly variable, ranging from "I never eat them" to "they taste fine."

In order to determine whether this impairment currently exists in the AOC, an angler survey was conducted in 2013. The majority of the surveys were distributed in conjunction with WDNR's annual creel survey, which is conducted to estimate fishing effort, catch, and harvest rates using angler counts and interviews. The creel clerk handed out survey forms with pre-addressed, postage-paid envelopes to anglers she encountered during her regular creel surveys. In addition, a few surveys were distributed by other means, such as via the Green Bay Area Great Lakes Sport Fishermen and during the Green Bay Tall Ship Festival. The AOC angler survey asked anglers a variety of questions about fishing in the AOC, including the following: whether they ate fish from the AOC; if they did, to rate the taste and odor of the fish they ate; whether they noticed a difference in the taste and odor of fish caught in the AOC versus other locations; and if they didn't eat fish from the AOC, why they did not. The survey also asked some questions related to the fish consumption advisory and the aesthetics/beauty of the area. The results of the survey will be analyzed and a report completed in 2014.

**Next action(s) needed**

2013 Survey of Lower Fox and Green Bay Anglers: A survey of anglers in the AOC is underway. Results from this survey will be used to determine the current status of this impairment. The AOC Coordinator will contact the WDNR Hmong liaison for advice on targeted outreach to the Hmong community. The final report will be completed in 2014.

**Issues (challenges, risks) affecting progress on this BUI**

- Fish flavor is a subjective judgment and subject to personal bias based on previous experiences and anecdotal information shared by other anglers.
- Fish flavor can be impacted by other factors such as season, species, fish condition (e.g., recently spawned or not), and blue-green algae. It may be difficult to frame the questions to remove the impact of these potentially confounding factors and identify problems specific to the AOC.
- Fish consumption advisories limit the amount and types of fish from the AOC consumed by anglers.
- Some anglers simply will not eat any fish from the AOC. This will confound attempts to solicit opinions on fish flavor from local anglers.
- The current survey project was not designed to collect data that would be statistically representative of the actual population of anglers using the AOC. Instead, it is designed to be opportunistic, taking advantage of existing programs and other means of survey distribution. This will need to be taken into account when interpreting the results.

**Stakeholder Engagement**

WDNR engaged established technical advisory work groups (Social Uses and Biota & Habitat) in the development of the survey, and has kept those groups and the Citizen Advisory Committee informed of the progress of the project. The survey results and final report will be shared with these technical and citizen advisory groups, and they will be consulted in the final decision of whether or not this BUI should be considered impaired.

WDNR targeted anglers actively using the Area of Concern when conducting the survey to determine the current status of this impairment. The Green Bay Area Great Lakes Sport Fishermen group was contacted for assistance in distributing the surveys. Additional outreach may be needed to reach anglers in Hmong or other communities where fishing is culturally important and opportunistic survey methods have not captured input from these communities.

DEGRADATION OF FISH & WILDLIFE POPULATIONS**2009 Target and Status**

<b>Degradation of Fish &amp; Wildlife Populations</b>	<b>Status</b>
The AOC contains healthy, self-sustaining, naturally reproducing, and diverse populations of native fish species (including walleye, northern pike, yellow perch, lake sturgeon, Great Lakes spotted muskellunge, and centrarchids) in abundances sufficient to provide ecological function in the fish community	Partially complete (walleye); more assessment needed
Populations of traditionally harvested fish species are capable of supporting some level of exploitation	Partially complete (walleye); more assessment needed
The AOC contains healthy, self-sustaining, naturally reproducing, and diverse populations of native furbearers (including mink, muskrats, and otter), amphibians (including spring peepers, leopard frogs, American toads, eastern gray tree frogs, green frogs, bullfrogs, and salamanders), reptiles (including snapping and painted turtles), terns (common and Forster's), migratory diving ducks, dabbling ducks, marsh nesting birds and island-dependent colonial nesting birds in abundances sufficient to provide ecological function	Assessment needed
Populations of traditionally harvested wildlife species are capable of supporting some level of exploitation	Assessment needed
Invasive species (lamprey, carp, gobies, white perch, and others) expansion is minimized and controlled as needed to protect native species within the AOC and upstream	In progress
Contaminant levels in forage fish populations do not impair the reproductive success of fish-eating birds and wildlife (including predatory fish) and meet the criteria established in Annex 1 of the 1978 Great Lakes Water Quality Agreement as amended by Protocol in 1987, specifically "the concentration of total polychlorinated biphenyls in fish tissues (whole fish, calculated on a wet weight basis), should not exceed 0.1 micrograms per gram for the protection of birds and animals which consume fish"	Assessment needed
The AOC supports fish and wildlife populations at levels consistent with extant fish and wildlife management plan objectives. Specifically, the following objectives should be met unless extant management plans have updated criteria. <b>(Specific objectives are listed below)</b>	Partially complete; more assessment needed

**Notes:** 1) The last portion of the 2009 Target "Fish and wildlife community structures within the AOC are statistically similar to populations in unimpacted reference sites of highly productive, warm water freshwater estuaries of the Great Lakes" was determined to be an unrealistic target by the Lower Green Bay and Fox River AOC Biota & Habitat Committee in early 2011. It would be extremely difficult to determine an appropriate comparison location for the Lower Fox River and Green Bay AOC (few areas exist with comparable depth, substrate, temperature, etc.) that are not also AOCs. Thus, this portion of the target has been deleted.

2) When composing these targets in 2009, the Lower Green Bay and Fox River AOC Biota & Habitat Committee recognized the importance of using an ecosystem approach, and felt that choosing narrative goals would allow experts to use their best judgment to determine when the targets had been met.

3) The Lower Green Bay and Fox River AOC Biota & Habitat Committee made only minor modifications to the objectives below from the specific objectives listed in the 2009 Targets. As more monitoring data becomes available, other modifications to these objectives may also be necessary. WDNR should

consult with the Lower Green Bay and Fox River AOC Biota & Habitat Committee when considering future revisions to the 2009 target.

#### Fish Objectives

- Average sport angler harvest over a 3-4 year period of 7,000 walleyes harvested annually and 150,000 yellow perch harvested annually
- Predator-prey biomass ratio of fish species in the AOC is 1:10 to 1:20
- Lower Fox River capable of supporting a Lake sturgeon spawning population of a minimum of 750 mature adults (per Welsh et al., 2010).

#### Wildlife Objectives

##### Colonial Waterbirds:

- Presence of a diverse array of colonial waterbirds such as, but not limited to: great egrets, great blue herons, black-crowned night herons, double-crested cormorants, white pelicans, common terns, Forster's terns, black terns, herring gulls, and ring-billed gulls.

##### Waterfowl:

- Resident nesting waterfowl production in the Area of Concern of mallards, blue-winged teal, wood ducks, and Canada geese totals at least 1 young produced per acre of brood water.
- Migratory concentrations of dabbling ducks reach peak numbers of 5,000 in the Area of Concern.
- Bay habitat improves so that diving duck migratory populations increase on the West Shore of Green Bay. Divers should have access to ample submergent vegetation in addition to fingernail clams. A diverse assemblage of diving ducks should be present during migration. Diving duck use of the Bay from the Fox River to the Wisconsin border in Green Bay should reach 2,000,000 use days during fall migration and the species using the Bay should be a mixture of mussel feeding ducks and vegetation feeding ducks.

##### Marsh Birds:

- A diverse assemblage of marsh-nesting birds should be present in suitable habitat in the Lower Bay. An aggregate total of 5 nesting pairs per acre of marsh habitat would indicate a healthy marsh bird community. Rails, grebes, herons, wrens, and blackbirds are some of the groups of birds which should be present.

##### Mammals:

- Furbearers in the AOC should recover to the point that otters and mink are present. Abundant muskrat populations should be present particularly when water conditions in the Lower Bay result in emergent marshes.

##### Amphibians and Reptiles:

- A diverse assemblage of anurans including: wood frogs, spring peepers, leopard frogs, American toads, eastern gray tree frogs, green frogs and bullfrogs.

### **Rationale for Listing**

The major causes of degraded fish and wildlife populations in the AOC listed in the original Remedial Action Plan (WDNR, 1988) and Update (WDNR, 1993) include the following:

- Changes in habitat due to wetland filling, hardened shorelines, and development associated with urban and industrial areas
- Impact from exotic species of fish (alewife, sea lamprey, rainbow smelt, gobies, white perch, and carp) and vegetative invasive species
- Toxic chemicals – suspected impacts of toxics on other wildlife (mink, bald eagle, osprey, otter, terns nesting in unsuitable locations such as Renard Island)
- Unbalanced fish community with low abundance and diversity of top predators (northern pike) and native forage fish (spot tail shiner)

- Waterfowl – lack of preferred foods (invertebrates, submerged aquatic plants)
- Periods of low dissolved oxygen caused by hypereutrophication
- Loss of habitat, including reduced submerged aquatic vegetation due to poor light transmissivity through turbid waters and reduced hydrologic connections between the Bay and coastal wetlands.

### **Summary of remedial actions since the 2012 RAP Update and current status**

#### Fish

WDNR Lake Michigan Management Reports contain annual updates for several fish populations including Green Bay yellow perch, walleye in southern Green Bay, Great Lakes Muskellunge, and Green Bay forage trawls (available online at <http://dnr.wi.gov/topic/fishing/lakemichigan/ManagementReports.html>).

Walleye are the only fish species in the AOC with data available to suggest the 2009 Target and Objectives are being met. Brown County open water harvest exceeded 7,000 walleye each year in the period between 2006 – 2012, ranging from a low of 13,000 in 2006 to a high of 44,000 in 2009, with a 4-year average (2009-2012) of 36,000 (Figure 2, WDNR creel census data provided by Steve Hogler). The walleye population in southern Green Bay and the Lower Fox River (AOC) is considered self-sustaining since stocking has not occurred in southern Green Bay since 1984. Overall, with five strong year classes “the future of the southern Green Bay/lower Fox River walleye stock and sport fishery appears to be very promising” (Hogler and Lange, 2012).

Brown County yellow perch open water harvest did not meet the 2009 Target and Objectives of an average above 150,000 perch in the period between 2006 and 2012. Although the target was met in 2006 and 2007 (405,000 and 177,000, respectively), harvest declined in the following 5 years (2008-2012). The most recent 4-year average was 45,000 and the 3-year average was 56,000. This decline was not specific to Brown County waters and also occurred in harvest numbers for the entire Bay (Figure 3, WDNR creel census data provided by Steve Hogler). It may be difficult to achieve the AOC goal because the perch population and therefore sport harvest is a bay-wide issue. Annual assessments of the Wisconsin waters of Green Bay for yellow perch indicate that recruitment has been steady for the last ten years, with peak year classes occurring in 2003, 2005, and 2010. The lack of a corresponding increase in the total adult population is a concern. It is thought that this lack of increase may be due to fewer yellow perch surviving to age one and beyond (Paoli, 2012).

WDNR does not currently collect information that could be used to calculate a predator-prey biomass ratio of fish species in the AOC, though it is unlikely that the 1:10 to 1:20 ratio is being met (Steve Hogler, personal communication). The AOC Biota and Habitat Committee will investigate alternative metrics, such as community structure, which could be determined using data already being collected or with minimal additional effort.

Visual observations conducted by U.S. Fish and Wildlife Service (USFWS) and WDNR biologists and Thilmany Paper Nicolet Mill staff every spring indicate that approximately 25-75 lake sturgeon adults spawn in the Lower Fox River below the De Pere dam each year (Elliott and Gunderman, 2008; Steve Hogler, WDNR, and Robert Elliott, USFWS, personal communication), and that spawned eggs do hatch and larvae drift downstream from the spawning grounds into the lower Fox River (Elliott and Gunderman, 2008).

While abundance of the lake sturgeon population spawning in the lower Fox River could be increased through stocking additional fish using techniques such as streamside rearing, it is first important to establish that recruitment from natural spawning in the lower Fox River occurs and could sustain a larger

population once established through stocking. Studies are being proposed and planned to establish that larvae produced in the lower Fox River do survive and recruit to adulthood at sufficient rates to support a larger self-sustaining population beyond the current periodic or gradual immigration of fish from the large upriver population residing in Lake Winnebago. This will lay the groundwork for initiating streamside rearing on the lower Fox River.

A significant improvement in public access and opportunities for viewing spawning sturgeon occurred with the opening of De Pere River Walk and Wildlife Viewing Pier directly below the De Pere Dam in 2013.

One of the original RAP Key Recommendations was to “increase numbers of predator fish” and included an action to reintroduce Great Lakes strain muskellunge in the AOC (WDNR, 1988). WDNR began a reintroduction program in 1989 with the goal of reestablishing a self-sustaining population in Green Bay. Since that time the Green Bay population has grown as stocked fish mature and increase in size; however, no natural reproduction has been documented within the AOC (WDNR, 2012). Current research is focused on determining habitat attributes that favor natural reproduction. Once the characteristics of preferred habitat are determined, that information can be used to develop new habitat and improve stocking techniques that increase the likelihood of increased natural reproduction. Muskellunge fishing in Green Bay has grown in popularity to a point where local fishermen consider Green Bay a world class musky fishing destination with a reputation for large fish.

#### Wildlife Species

Wildlife objectives were established for several broad types of birds (colonial waterbirds, waterfowl, and marsh birds), mammals, and anurans (amphibians and reptiles) as these are important populations within the AOC. These types of wildlife are managed on a broader scale than just the AOC, and there is little recent information on the abundance and distribution of these populations specific to the AOC area. Consequently, several of the next actions identified for wildlife are monitoring projects.

Cat Island, which is a remnant of a larger chain of islands, is listed as an important colonial bird nesting area. In the 1990s, American white pelican, double-crested cormorants, great egrets, black-crowned night herons, and herring gulls were documented as nesting on the island (Wires et al., 2010). Nest counts have been conducted on Cat Island during cormorant control efforts periodically through the 2000s. The species assemblage may have changed over time with habitat changes on the island. Proposed plans for restoration of the Cat Island chain include monitoring of wildlife use. Monitoring of shorebird use was included as part of a 2013 study conducted by a UW-Green Bay graduate student. Cat Island was the most productive site in the study, with 30 different species including some rare birds. A USFWS technician also monitored the project in 2013 to ascertain the impact of construction on colonial bird nesting on Cat and Lonetree Islands.

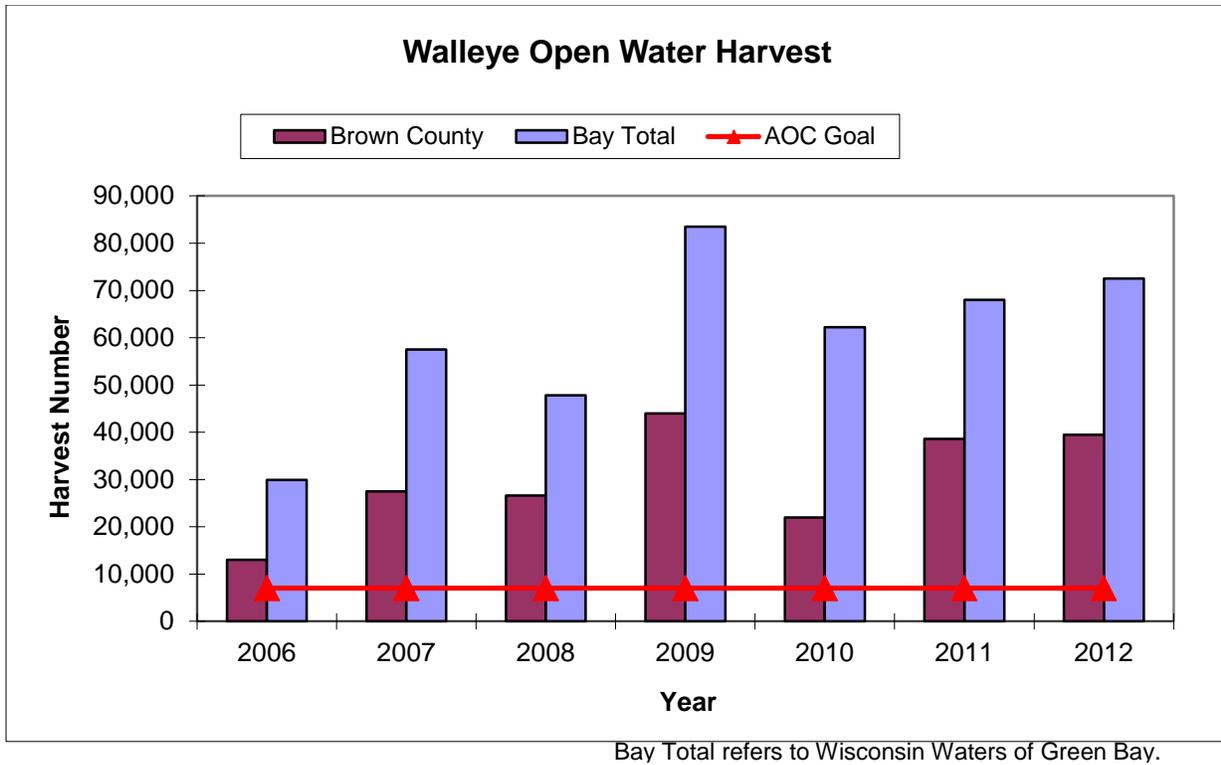
A survey of migratory waterfowl was conducted in fall 2012. Results of this survey will be available in 2014. Surveys in the 1990s (Harris, 1998) and incidental observations of waterfowl indicate increased use of the Bay in recent years with large concentrations of diving ducks including scaup, goldeneye, lesser and greater redheads, ruddy ducks, and canvasbacks. Mussel-eating ducks have dramatically increased use of the bay since the invasion of Dreissenid mussels (Harris, 1998). The mid-winter waterfowl survey is conducted annually, and in years when ice cover permits use of the Bay, concentrations of mallards, goldeneyes, and mergansers have been documented.

WDNR Bureau of Science Services staff members have been contacted about surveying Brown County trappers to determine furbearer presence in the AOC. The trapper surveys will be conducted in 2014, funded by an AOC monitoring and support grant. Muskrat hut surveys should also be done, but these

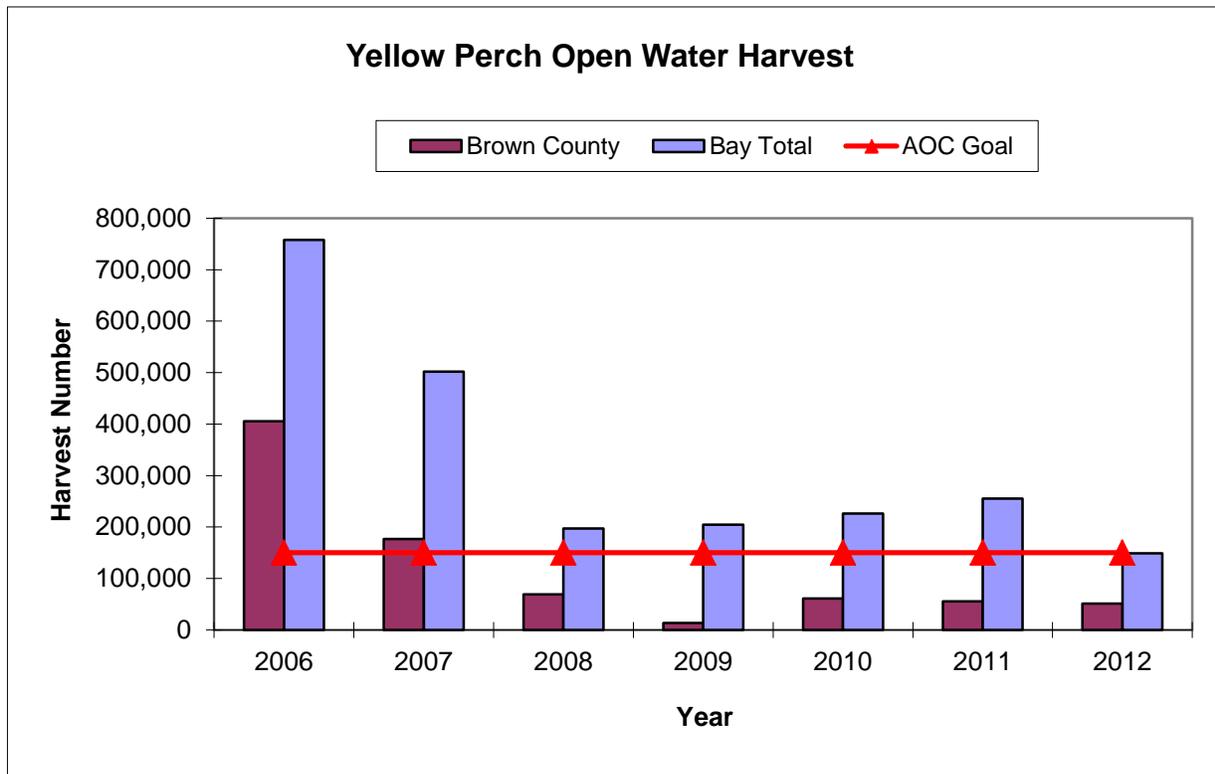
should wait until the water levels in the Bay have increased enough from current historic lows to support emergent marshes.

Locations for anuran (frog and toad) and marsh-bird surveys for the Marsh Monitoring Program have been identified in the AOC and recruitment of volunteers to conduct surveys is on-going. In addition, since 2011, field teams have been monitoring birds, anurans, and fish in wetlands within and adjacent to the AOC as part of the Great Lakes Coastal Wetland Monitoring Program. These data should be compiled and analyzed to see what they say about the status of the AOC and whether additional marsh bird and anuran data will be needed.

Recent contaminant data will soon be available for tree swallows in the AOC as a result of a GLRI-funded project conducted by the U.S. Geological Survey (USGS; T. and C. Custer, USGS, personal communication). Tree swallows are a well-accepted model of monitoring reproductive success in birds and provide information about specific areas because of their limited feeding range when nesting. Please see the Bird or Animal Deformities or Reproduction Problems section (p. 28) for more information on this project.



**Figure 2.** Walleye Open Water Harvest (2006-2012)



**Figure 3.** Yellow Perch Open Water Harvest (2006-2012)

**Next action(s) needed**

1. Various monitoring, planning, and projects listed in the table in Appendix C. No one discrete project will be sufficient to address the complex needs for restoration of fish and wildlife populations within the AOC.
2. Conduct an assessment of recruitment success of juvenile sturgeon resulting from spawning below De Pere Dam.
3. Conduct a survey of area trappers for the presence of furbearers in the AOC. The trapper surveys will be conducted in 2014, funded by an AOC support grant.
4. Conduct an aerial survey of muskrat huts in the Bay. Muskrat hut surveys should wait until the water levels in the Bay increase enough from current historic lows to support emergent marshes.
5. Continue monitoring of shorebirds in the AOC in 2014 to document status and changes due to Cat Island Chain Restoration Project. UW-Green Bay will apply for 2014 AOC monitoring and support funding.
6. Completion of Lower Fox contaminated sediment remediation (currently expected to be complete in 2017).
7. TMDL implementation planning and actions to reduce phosphorus and sediment loading to the AOC to meet water clarity goals. A TMDL implementation plan is being developed by WDNR's Fox Wolf TMDL Project Coordinator and is expected to be available in 2014. Specific actions to address AOC issues related to phosphorus and sediment loading will be derived from this plan.

**Issues (challenges, risks) affecting progress on this BUI**

- Natural events (such as flooding or drought) create variability in assessments of fish and wildlife populations.
- Natural variability between the Fox River and Lower Bay creates two very different systems and provide additional complexity when assessing current conditions relative to the delisting targets.
- Fish and Wildlife populations are mobile and not restricted to the area simply within the AOC boundary and as such, actions to address local populations will need to occur in a broad area, beyond the AOC boundary.
- Restoring connectivity of wetlands to Bay and areas of important habitat is hampered by continuing development. Habitats are increasingly fragmented.
- The fish objectives do not include a specific target for northern pike and this could be further discussed by the Biota & Habitat committee given the extensive work being done on Green Bay's west shore.

**Stakeholder Engagement**

The Lower Green Bay Biota & Habitat Committee met actively in 2011 to identify restoration actions for "Degraded Fish and Wildlife Populations" and "Loss of Fish and Wildlife Habitat" impairments (see Appendix C). This group will continue to be consulted on the planning and prioritization of projects.

FISH TUMORS OR OTHER DEFORMITIES**2009 Target and Status**

<b>Fish Tumors or Other Deformities</b>	<b>Status</b>
No target was developed in 2009 as this is a suspected impairment.	Assessment needed

**Note:** Andrew Fayram, WDNR Great Lakes Monitoring Coordinator, developed assessment criteria to be used for this BUI in Wisconsin AOCs that include minimum sample size and tumor incidence rate for white suckers (Appendix D). The current status of this BUI will be evaluated against these criteria when it is deemed appropriate by WDNR in consultation with the Lower Green Bay and Fox River AOC Science and Technical Advisory Committee.

**Rationale for Listing**

This BUI was listed as suspected due to the presence of persistent, bioaccumulative, and toxic substances, primarily PCBs, in Lower Fox River sediments thought to induce external and liver tumors in fish. At the time the RAP (WDNR, 1988) and RAP Update (WDNR, 1993) were developed there was not enough evidence of tumors or other deformities in fish collected from the AOC to definitively list this BUI. Baumann et al. (1991) only identified 1 hepatocellular neoplasm in 40 walleye and no liver neoplasms in brown and black bullheads collected from the Fox River. It was then recognized that only a small number of fish (10 per location) were taken at random for histopathology and that “a larger study would be required to determine a frequency of neoplasms or cellular alteration with confidence” (Baumann et al., 1991).

More recently, walleye samples collected in 1996-7 for the Fox River / Green Bay Natural Resources Damage Assessment “demonstrate significant elevation in hepatic preneoplastic lesions and hepatocellular adenomas and carcinomas in assessment area walleye exposed to elevated concentrations of PCBs” (Barron et al., 1999). This supports continued consideration of this BUI as suspected in the Lower Green Bay and Fox River AOC.

**Summary of remedial actions since the 2012 RAP Update and current status**

The last phase of the Lower Fox River Contaminated Sediment Remediation project began in May 2009 and includes remediation of all sediment with PCB concentrations greater than or equal to 1.0 ppm in the area from the mouth of the Fox River (and a short distance into Green Bay) to just upstream of the Little Rapids Dam (approximately 13 mile stretch of River). This project is expected to run through 2017 and includes a combination of dredging, dredging and capping, and sand covering in selected areas.

A USFWS and USGS GLRI project to evaluate the impacts of “Chemicals of Emerging Concern” will provide histopathology data that can be used to estimate current tumor incidence rates in the Lower Green Bay and Fox River Area of Concern. Results are expected to be available in 2014. USFWS collected smallmouth bass (20 in fall 2010, 20 in spring 2011, and 20 in spring 2012) and white suckers (19 in fall 2010) for a complete fish health assessment by USGS (Steve Choy, USFWS, personal communication). However, the sample sizes in this study are too small to fully evaluate the status of this impairment.

**Next action(s) needed**

1. Completion of the Lower Fox Contaminated Sediment Remediation (currently expected to be complete in 2017) and the East River manufactured gas plant (MGP) site remediation.
2. BUI Assessment following WDNR criteria after Lower Fox Contaminated Sediment Remediation is complete. The earliest that a BUI assessment could be initiated is 2018 based upon the anticipated completion date of the sediment remediation. Note: The samples collected in the USFWS-USGS “Chemicals of Emerging Concern” study will not provide sufficient evidence to definitively conclude whether or not this BUI should be considered impaired. However, histopathology data from the three combined sampling years will allow USFWS-USGS to estimate a tumor incidence rate for these two species (results available 2014), which could be helpful in planning for the WDNR assessment.

**Issues (challenges, risks) affecting progress on this BUI**

- Determining the appropriate time to conduct histopathology analyses on sufficient numbers of fish since full completion of the Lower Fox River contaminated sediment remediation is not expected until 2017 and smallmouth bass and white suckers may live fifteen years or more (Scott and Crossman, 1998).
- Accounting for other factors likely to influence tumor incidence rates, such as fish age (relative to remediation progress) and residence time in the AOC.
- Polycyclic aromatic hydrocarbon (PAH) contamination is more often associated with fish tumors than PCBs. Depending on the results of the fish tumor sampling it may be worthwhile to conduct a review of current research on these compounds in the Lower Green Bay and Fox River AOC.
- Determining an appropriate reference site for comparison with data from the AOC, if necessary.

**Stakeholder Engagement**

There has not been any recent stakeholder engagement related to this BUI. WDNR may consult with the Lower Green Bay and Fox River AOC Science and Technical Advisory Committee on the appropriate course of action for this BUI after results of the USFWS-USGS study are available.

**BIRD OR ANIMAL DEFORMITIES OR REPRODUCTION PROBLEMS**

**2009 Target and Status**

<b>Bird or Animal Deformities or Reproduction Problems</b>	<b>Status</b>
PCB remedial actions have been implemented and the AOC is in recovery	In progress
<p>Studies indicating the incidence rates of deformities (e.g., crossbill syndrome) or reproductive problems (e.g., eggshell thinning) in sentinel wildlife species (avian, amphibian, mammalian, predatory fish, and reptilian) do not exceed background levels of reference populations from unimpacted sites of comparable physical and chemical characteristics.</p> <p>A stepwise approach will be used to conduct <u>both</u> of the following evaluations in the AOC to determine when the BUI can be delisted:</p> <ol style="list-style-type: none"> <li>1. If fish tissue or other food sources (e.g., insects and amphibians) concentrations of contaminants of concern identified in the AOC are:             <ol style="list-style-type: none"> <li>a. at or lower than the Lowest Observable Effect Level (LOEL) known to cause reproductive or developmental problems in fish, fish-eating birds, and mammals, the BUI can be delisted, or</li> <li>b. not statistically different than Lake Michigan (at 95% confidence interval), then the BUI can be delisted.</li> </ol> <p>Fish and other food sources (e.g., insects and amphibians) should be of a size and species considered prey for the species under consideration;</p> </li> <li>2. Field studies including observational data and direct measures of birds and other wildlife (including predatory fish) exhibit deformities or reproductive problems are verified through an:             <ul style="list-style-type: none"> <li>– Evaluation of observational data of bird and other animal deformities for a minimum of two successive monitoring cycles in indicator species identified in the initial studies as exhibiting deformities or reproductive problems. If deformity or reproductive problem rates are not statistically different than those at minimally impacted reference sites (at a 95% confidence interval), or no reproductive or deformity problems are identified during the two successive monitoring cycles, then the BUI can be delisted. If the rates are statistically different than the reference site it may indicate a source from either within or outside the AOC. Therefore, if the rates are statistically different or the data are insufficient for analysis, then:</li> <li>– Evaluation of tissue contaminant levels in egg, young and/or adult wildlife. If contaminant levels are lower than the Lowest Observable Effect Level (LOEL) for that species for a particular contaminant that are not statistically different than those at minimally impacted reference sites (at a 95% confidence interval), then the BUI can be delisted.</li> </ul> </li> </ol>	<p>Assessment Needed</p>

**Note:** The 2009 target calls for extensive studies of food sources and birds and/or wildlife. This target may need to be modified if research in Great Lakes AOCs or elsewhere develop metrics that are more sensitive or reliable indicators of the status of this impairment.

**Rationale for Listing**

This BUI was originally listed because of the impact of contaminants on bird reproduction and suspected impacts on mammals (WDNR, 1993). Strong evidence of adverse impacts on reproductive success and/or embryonic deformations linked to PCB exposure were documented in fish-eating birds, including Forster’s, Common, and Caspian terns and less conclusively in double-crested cormorants and bald eagles (Stratus, 1999). Only circumstantial evidence, primarily the lack of their presence in potential

habitat, existed to suggest mink and river otter were impacted by contaminants in the AOC (Allen et al., 1987).

### **Summary of remedial actions since the 2012 RAP Update and current status**

The last phase of the Lower Fox River Contaminated Sediment Remediation project began in May 2009 and includes remediation of all sediment with PCB concentrations greater than or equal to 1.0 ppm in the area from the mouth of the Fox River (and a short distance into Green Bay) to just upstream of the Little Rapids Dam (approximately 13 mile stretch of River). This project is expected to run through 2017 and includes a combination of dredging, dredging and capping, and sand covering in selected areas. It's expected that the remediation project will also effectively address other potentially toxic compounds in the AOC.

Stratus (1999) summarized PCB accumulation in bird tissues as having been “greatest in the early 1970s (the first dates for which data are available), declined through the 1970s and through the early 1980s, and has remained relatively stable since then.” Few current reports exist on bird deformities in the species listed in the section above; however, physical deformities have not been observed in recent years during double-breasted cormorant chick banding in northern Door County (Ken Stromborg, USFWS-retired, personal communication).

Tree swallows are a well-accepted model of monitoring reproductive success and have been used in the past to suggest that, although exposure to PCBs is higher in tree swallows nesting on Renard Island (a sediment disposal facility near the mouth of the Fox River) than those at reference sites, there is no impact on hatching success (Custer et al., 1998). Tree swallow nesting studies were repeated at Renard Island in 2010-2011 and have been conducted at a site further upstream in the Fox River AOC (Ashwaubomay Park) in 2012-2013. In addition to reproductive success measurements, genetic damage using flow cytometry methods is being assessed. Genetic damage, as well as oxidative stress and liver enzyme assays, provides additional information on cellular and genetic effects that may be useful in understanding the effects of environmental contaminants on tree swallows. Results should be evaluated once they are available to assist in determining the next actions needed for this impairment (T. and C. Custer, USGS, personal communication). More information on the project can be found online at [http://www.umesc.usgs.gov/wildlife\\_toxicology/glri\\_project80.html](http://www.umesc.usgs.gov/wildlife_toxicology/glri_project80.html).

Another project that might be used to inform the status and next actions needed for this impairment is a WDNR study that investigated contaminant loads and reproductive rates for the Wisconsin Green Bay/Lake Michigan/lower Fox River eagle population for the 23-year period from 1990 to 2012. Preliminary results showed that the bald eagle population along the Lower Fox River and Green Bay/Lake Michigan has rebounded significantly over the past 15 years. The increase in nesting bald eagles has paralleled a decrease in PCBs and organochlorine pesticides, especially in the Lower Fox River population. The decrease in levels of contaminants in eaglets from the Lower Fox River is especially apparent along the areas of the river that have been remediated. Eagles in the AOC portion of the Fox River, where the sediment is still being remediated, continue to show elevated levels of contaminants (Meyer, Strom, and Easterly, 2013).

### **Next action(s) needed**

1. Gather and review all relevant data—published or unpublished—that might be used to assess historical and current status of this impairment. Tree swallow monitoring results from Christine and Thomas Custer, USGS, should be evaluated during this process, possibly considering the following: comparison of reproductive success to other, appropriate locations; comparison of tissue concentrations to levels known to cause adverse effects on avian reproduction; models of

exposure of birds in higher trophic levels; rates of deformities or other malformations in nestlings; and comparison of biomarker responses to responses at other Great Lakes and reference locations. Results from WDNR studies of contaminants and nesting success in Lower Fox River and Green Bay bald eagles should also be considered.

2. Develop the monitoring plan to assess this BUI: WDNR will work with stakeholders and experts to identify appropriate species, metrics, sampling methods, timing, locations, and a lead entity to collect sufficient data to demonstrate whether or not this BUI is still impaired. The primary monitoring for this project should wait until after the remediation of contaminated sediments in the Lower Fox River is complete (2017). However, designing the monitoring plan will take some time in order to have the plan in place when the remediation is complete. Also, some interim monitoring might be desirable to help determine current status and trends. Consider a workshop as one method for gathering input on the monitoring plan..
3. Conduct a survey of area trappers for the presence of furbearers in the AOC. The trapper surveys will be conducted in 2014, funded by an AOC support grant.
4. Completion of the Lower Fox River Contaminated Sediment Remediation (expected in 2017).

#### **Issues (challenges, risks) affecting progress on this BUI**

- It will be costly and time intensive to collect sufficient data to statistically document whether or not this use remains impaired following the procedures outlined in the 2009 Target. WDNR should consider whether other appropriate metrics are available to evaluate the current status of the impairment.
- The Lower Fox Contaminated Sediment Remediation project long term monitoring plan does not include bird or wildlife monitoring.

#### **Stakeholder Engagement**

There has not been any recent stakeholder engagement related to this BUI. WDNR may consult with the Lower Green Bay and Fox River AOC Science and Technical Advisory Committee when making future decisions about whether or not current conditions meet the 2009 targets, any potential changes to the targets, and development of additional actions to remove this BUI. No outreach needs for the general public specific to this impairment have been identified at this time.

DEGRADATION OF BENTHOS**2009 Target and Status**

<b>Degradation of Benthos</b>	<b>Status</b>
All remediation actions for known contaminated sediment sources are completed and monitored according to the approved plan and have met their remedial action goal	In progress
The benthic community IBI within the site being evaluated is statistically similar to a reference site with similar habitat and minimal sediment contamination	Assessment in progress (2012 and 2014)
Burrowing mayfly ( <i>Hexagenia</i> ) populations return to the AOC in stable annual abundances between 100-400 nymphs/m <sup>2</sup> (measured as a 3-year running average) or as otherwise indicative of adequate levels of dissolved oxygen in overlying waters and uncontaminated surficial sediments in Lake Michigan	Assessment needed
Sediment toxicity (due to ammonia, PCB, or dissolved oxygen) is not present at levels that are acute or chronically toxic (as defined by relevant, field validated, bioassays with appropriate quality assurance/quality controls) to the benthic community	Assessment needed
Native benthic communities adequately support the trophic levels that depend upon them	Assessment needed

**Notes:** 1) *Hexagenia* densities proposed in this delisting target (100-400 nymphs/m<sup>2</sup>) are within the range considered “good” or “excellent” for Lake Erie populations and may need to be revised if future monitoring indicates other densities are more appropriate for Lake Michigan. The *Hexagenia* target may be evaluated by WDNR and AOC Technical Advisory Committees (Biota & Habitat, Science and Technical Advisory Committee) using recent data for the River and Bay as they become available.

2) Established invasive species are likely to have an impact on native benthic communities and will need to be considered when evaluating the current status of this impairment. Strict controls on sources of new invasive species are critical and should be maintained.

3) WDNR should consult with a multi-stakeholder AOC Technical Advisory Committee (Biota & Habitat and/or Science and Technical Advisory Committee) when determining the appropriate threshold for removing this BUI.

**Rationale for Listing**

This impairment was originally identified based on studies indicating low species diversity, low numbers of individuals and a benthic community dominated by oligochaetes and chironomids in the AOC (WDNR, 1993). A burrowing mayfly, *Hexagenia*, was not collected from Green Bay since 1955 and its return was suggested to be a key indicator of macroinvertebrate recovery in Green Bay (Ball et al., 1985). Tests of sediment pore water toxicity from the Lower Fox River determined that ammonia was toxic to a variety of aquatic organisms and possibly the result of not only direct inputs from point sources but also enrichment of the system by various nutrients (Ankley et al., 1990).

**Summary of key remedial actions since the 2012 RAP Update and current status**

The last phase of the Lower Fox River Contaminated Sediment Remediation project began in May 2009 and includes remediation of all sediment with PCB concentrations greater than or equal to 1.0 ppm in the area from the mouth of the Fox River (and a short distance into Green Bay) to just upstream of the Little Rapids Dam (approximately 13 mile stretch of River). This project is expected to run through 2017 and includes a combination of dredging, dredging and capping, and sand covering in selected areas.

#### Current Status: Fox River

Macroinvertebrate populations within the Fox River below the De Pere dam have remained impaired since the time this impairment was identified. A 1999 study of depositional substrates within the AOC stated that the benthic community “throughout the past 19 years has remained relatively poor and suggests compromised physiochemical conditions” (Integrated Paper Services, 2000). More recently, WDNR deployed a Hester-Dendy artificial substrate sampler in the Lower Fox River in 2005 and 2011 following standardized procedures for baseline assessment of nonwadeable rivers (Weigel, 2011). The 2005 and 2011 Lower Fox River calculated overall Index of Biotic Integrity (IBI) scores were 10 and 9, respectively, or “very poor” on a qualitative ratings scale of 20-point increments between 0 (worst) and 100 (best; Weigel and Dimick, 2011). Macroinvertebrate monitoring is a new addition to WDNR’s Tier I Monitoring Program and will be repeated in the Lower Fox River on a 5 year cycle. Results of this monitoring may be used by WDNR and AOC Technical Advisory Committees to reassess the status of this impairment in the future.

WDNR received GLRI funding from USEPA to evaluate the current status of this BUI in four Wisconsin Lake Michigan AOCs by comparing them to six relatively unimpacted or less-impacted non-AOCs. This study, *Benthos & Plankton BUIs Evaluation in Wisconsin’s Lake Michigan Areas of Concern*, is being carried out by the USGS for WDNR. Benthos samples were collected using ponar grabs and artificial substrate samplers three times at each site in spring and summer of 2012. In the Lower Green Bay and Fox River AOC, benthos samples were collected from two sites in the Fox River. The results of this assessment are expected to be available in 2014. Additional funding has been obtained to repeat the sampling for this study in 2014, including one site on the Fox River.

#### Current Status: Lower Green Bay

Great Lakes WATER Institute collected benthos samples from twenty-one stations in mid and upper Green Bay in June 2011 for comparison with historic data collected by Harris 1978, Howmiller 1969, and Surber 1952 (Rupp and Kaster, 2011). Rupp and Kaster (2011) list changes from historic samples that include “notable decline in populations of worms (*Oligochaeta*), midge larvae (*Chironomidae*), isopods, and fingernail clams within the past thirty years,” and no *Hexagenia* were recorded in any of the samples. Adult *Hexagenia* mayflies have been occasionally observed in the area and a single nymph was found during an educational sampling activity by the RV Jackson near the Green Bay Metropolitan Sewerage District (GBMSD) outfall (Victoria Harris, UW-Sea Grant Institute, personal communication). *Hexagenia* may be present in the AOC but in quantities insufficient to be documented in recent studies.

*Hexagenia*, a burrowing mayfly and indicator of a healthy water body, disappeared from Green Bay in 1955. In the latter twentieth century, remediation efforts to improve water quality of the Bay were implemented which should ultimately facilitate reestablishment of the mayfly population. Long-term microcosm enclosures spiked with *Hexagenia* eggs were deployed in Lower Green Bay in the summer of 2012 to determine the viability of *Hexagenia* in a controlled environment. No *Hexagenia* nymphs were found a year later upon retrieval of enclosures in the summer of 2013, but the enclosures did contain two species of amphipods (*Echinogammarus* and *Gammarus*) and four genera of gastropods (*Valvata*, *Campeloma*, *Helisoma*, and *Goniobasis*) which indicated adequate oxygen levels at two sites in Lower Green Bay, for at least the annum the enclosures were in situ. Both groups are significant because their presence suggested elevated oxygen levels in the Bay. Earlier studies (2011) showed that *Hexagenia* could complete their full life cycle in lower Green Bay mud, thus suggesting the absence of mayflies is not a contaminant issue. The Green Bay substrate used in the 2012 deployed microcosms was a highly fluid gyttja (organic black ooze) found extensively in lower Green Bay. *Hexagenia* requires a stable burrow so when the substrate is too “loose” the burrow collapses and the mayflies become locally extinct. Moreover, the 2013 results suggested that much of the benthic sediment in lower Green Bay was not firm enough

for *Hexagenia* to build and maintain burrows and that may be an important restricting factor in their re-establishment in lower Green Bay. On November 7, 2013, a new set of microcosms were deployed to determine if tubificid oligochaetes can limniform loose ooze making it more consolidated and thus more compatible for retaining mayfly burrows. Moreover, limniforming the sediment using tubificids may reduce bottom hypoxia by decreasing sediment oxygen demand and reduce nutrient regeneration from the loose sediment now present. (Jerry Kaster, School of Freshwater Sciences, UW-Milwaukee, personal communication)

#### **Next action(s) needed**

1. Evaluate the results of the 2012 USGS Benthos Assessment (available in 2014) to determine if it is necessary to do the following:
  - Expand the study to other rivers and/or bays in eastern Lake Michigan or the Great Lakes region to find a more suitable location to compare to the Fox River and Lower Bay.
  - Include additional years to adequately characterize local conditions. At this time, the project is funded to do additional sampling at one Fox River site in 2014.
2. Green Bay Benthos Assessment in 2014: Additional assessment work will be required to complete an evaluation of the status of this BUI in the Bay portion of the AOC, which was not included in the 2012 USGS study or the Great Lakes WATER Institute 2011 samples. Sampling should be sufficient to determine fauna associations (isopods, gammarids, etc.) and sediment characteristics. Current plans are for the USGS to sample several locations in the Bay in 2014. The locations will likely correspond to sites sampled in the past so results can be compared to historical data.
3. *Hexagenia* viability assessment: Continue laboratory and *in situ* studies to test the viability of *Hexagenia* in Green Bay sediments. Depending on the results, consider stocking of *Hexagenia* populations at high density levels in selected areas of the bay (to achieve reproductive threshold levels). Potential cage studies and stocking in the Bay should consider if other species (e.g., fingernail clams) are appropriate to include. Local populations, perhaps from Lake Winnebago or Sturgeon Bay, should be considered as a source to ensure appropriate species are selected.
4. WDNR should develop the following, in consultation with a multi-disciplinary AOC Technical Advisory Committee:
  - conditions that will trigger the start of monitoring for the 3-year rolling average for *Hexagenia*, and
  - an appropriate sampling scheme and timetable for monitoring.

#### **Issues (challenges, risks) affecting progress on this BUI include:**

- It is difficult to determine an appropriate comparison location for the Lower Fox River and Green Bay AOC as few areas exist with comparable depth, substrate, temperature, and nutrient conditions.
- Invasive species impact benthic community structure and function yet are outside of the control of the AOC program.
- System manipulations (such as remedial and navigation channel dredging) and natural events (such as flooding or drought) create unknowns and variability in assessment results and the benthos communities.
- Natural variability between the Fox River and Lower Bay creates two very different systems and provides additional complexity when assessing current conditions relative to the delisting targets.
- *Hexagenia* are sensitive to low dissolved oxygen and their populations may be impacted by periods of hypoxic conditions in Green Bay.

**Stakeholder Engagement**

A multi-disciplinary AOC Technical Advisory Committee (Biota & Habitat and/or Science and Technical Advisory Committee) that includes members with technical background in this specific area should be involved in future decisions about whether or not current conditions meet the 2009 targets, any potential changes to the targets, and development of additional actions to restore this BUI.

No outreach needs for the general public specific to this impairment have been identified at this time. Other groups not currently represented on AOC committees may be brought in when specific information is available. Future outreach to engage the general public in supporting AOC restoration goals could possibly consider using the return of the mayfly as a symbol of improved conditions in the River and Bay as described by the Wisconsin State Committee on Water Pollution (1939):

The burrowing mayfly, *Hexagenia* sp., locally called the “Green Bay fly,” is quite abundant in this region. The adults are known to gather under outdoor electric lights in the City of Green Bay, literally by the bushel on many summer evenings.

## RESTRICTIONS ON DREDGING ACTIVITIES

### 2009 Target and Status

Restrictions on Dredging Activities	Status
All remediation actions for known contaminated sediment sources are completed and monitored according to the approved remediation plans, the remedial action goals have been achieved, and institutional controls have been implemented.	In progress

**Note:** This delisting target is not intended to create specific measures that would restrict agency decision-making and will not be used as the basis for cleanup levels for contaminated sites or for regulatory enforcement.

### Rationale for Listing

This impairment was originally identified due to the presence of toxic substances in sediments that prevented unrestricted dredging and sediment disposal in the AOC. At that time concerns were noted about the presence of more than 100 chemicals including 20 then listed on USEPA's priority list of pollutants that pose a risk to the environment and human health (Allen et al., 1987). Emphasis has been placed on PCBs in the sediments since the remedy to address PCB exposure effectively addresses the other compounds as well.

### Summary of key remedial actions since the 2012 RAP Update and current status

The last phase of the Lower Fox River Contaminated Sediment Remediation project began in May 2009 and includes remediation of all sediment with PCB concentrations greater than or equal to 1.0 ppm in the area from the mouth of the Fox River (and a short distance into Green Bay) to just upstream of the Little Rapids Dam (approximately 13 mile stretch of River). This project is expected to run through 2017 and includes a combination of dredging, dredging and capping, and sand covering in selected areas. The lower 7 miles of the project is in the Lower Green Bay and Fox River Area of Concern, and dredging work in 2013 occurred within the AOC. Project news and updates, including a video describing the project, are available to the public at <http://www.foxrivercleanup.com>.

The upstream Little Lake Butte des Morts (LLBdM) remediation, in which approximately 370,000 cubic yards of sediment was dredged, was completed in 2009. Remediation in OU 2-3 (just above the Little Rapids Dam to De Pere Dam) was completed in 2011 and included a combination of dredging 235,900 cubic yards and capping approximately 26 acres of sediment. The total volume of sediment dredged in LLBdM and the first five years of operation (2009 through 2013) in the current phase is approximately 3.1 million cubic yards, which was dewatered and disposed of in a landfill. Annual dredge volumes are anticipated to be approximately 500,000 to 660,000 cubic yards per year, providing remediation proceeds on schedule.

### Next action(s) needed

1. Completion of the on-going Lower Fox Contaminated Sediment Remediation will address the PCB contamination that is the basis for restrictions on dredging in the AOC. When the remedy is done and the Institutional Control Implementation and Assurance Plan (ICIAP) is in place and fully implemented, then this BUI can be removed (approximately 2020).

### Issues (challenges, risks) affecting progress on this BUI

- Removal of this impairment depends on completion of the Lower Fox Contaminated Sediment Remediation. Any delay in the sediment remediation will also delay removal of this impairment.

**Stakeholder Engagement**

There are no current outreach needs related to this impairment although future needs might arise once the contaminated sediment remediation has been completed and the institutional controls are in place.

EUTROPHICATION OR UNDESIRABLE ALGAE**2009 Target and Status**

<b>Eutrophication or Undesirable Algae</b>	<b>Status</b>
Total phosphorus and total suspended solids concentrations at the mouth of the Lower Fox River meet water quality standards and/or water quality targets specified in a State and US EPA approved Total Maximum Daily Load. The approved TMDL targets are summer median concentrations of 0.10 mg/L TP and 20 mg/L TSS at the mouth of the river.	Action Needed
There are no violations of the minimum dissolved oxygen concentrations established in Wisconsin Administrative Code Chapter NR 102 within the AOC due to excessive sediment deposition or algae growth.	Action Needed
No waterbodies within the AOC are included on the 303(d) list of impaired waters due to nutrients or blue-green algae in the most recent Wisconsin Impaired Waters list.	Action Needed
<ul style="list-style-type: none"> <li>– Blue-green algae will be evaluated using the following methodology: 90% of the geometric means of at least 5 monthly samples (collected between May 1 and September 30<sup>th</sup> in at least 2 years) of phytoplankton samples from waterbodies in the AOC contain less than 100,000 cyanobacterial cells/ml or less than 20 µg/L of microcystin-LR.</li> <li>– Blue-green algae may also be evaluated using the predicted relative biomass of blue-green algae in phytoplankton when total phosphorus at the mouth of the Lower Fox River reaches the TMDL target of 100 µg/L (0.1 mg/L) (based on Trimbee and Prepas 1987). Delisting of this BUI could occur when less than 50 - 60% of the relative biomass of phytoplankton is blue-green algae.</li> </ul>	Action Needed

**Notes:** 1) Total phosphorus and blue-green algae should be evaluated for the 303(d) list in accordance with Wisconsin's Monitoring Strategy and most recent Consolidated Assessment and Listing Methodology (WisCALM) document available at <http://dnr.wi.gov/topic/surfacewater/assessments.html>.

2) The Lower Green Bay and Fox River AOC Social Uses Workgroup decided in 2013 to change the original targets for blue-green algae and microcystin-LR from 20,000 cells/ml and 1 microgram per liter (µg/L) to 100,000 cells/ml and 20 µg/L, respectively, because the original targets were deemed to be too stringent (they were based on a drinking water standard). The new targets align with the World Health Organization's threshold for high risk of adverse health impacts in recreational waters.

3) If total phosphorus levels at the mouth of the Lower Fox reach the TMDL target but the percentage of blue-green algae in phytoplankton does not decrease as expected, the applicability of the Trimbee and Prepas model to this area will be evaluated and other factors examined (for example: nitrogen concentrations).

4) The Lower Green Bay and Fox River AOC Social Uses Workgroup decided in 2012 to add the numerical targets from the approved TMDL for total phosphorus and total suspended solids to the first portion of the delisting target.

### **Rationale for Listing**

The original listing of eutrophication or undesirable algae was based on historically elevated phosphorus levels that resulted in hypereutrophic (overly productive) conditions, excessive algal blooms in the AOC, and low dissolved oxygen concentrations in the Lower Bay (WDNR, 1993; also refer to Figure 4). These algal blooms contributed to decreased water clarity in the AOC that restricted the growth of underwater plants. More recently, since the invasion of zebra mussels, these blooms are increasingly dominated by potentially toxic blue-green algae (De Stasio et al., 2008). Blue-green algal blooms are considered undesirable as they are a less preferred food source for zooplankton and fish and contribute to depleted oxygen and ammonia toxicity in sediments when decomposed by bacteria (WDNR, 1993). These blue-green algal blooms also have the potential to produce toxins that are potentially harmful to humans, pets, and livestock.

### **Summary of remedial actions since the 2012 RAP Update and current status**

Efforts to decrease phosphorus loads delivered to Lower Green Bay have been on-going since the first RAP was developed. Past activities include, but are not limited to, the Duck/Apple/Ashwaubenon Creeks and East River priority watershed projects that directed substantial resources and cooperative efforts to reduce phosphorus and sediment loading in these watersheds. More recently, USEPA approved WDNR's TMDL for total phosphorus and sediment in the Lower Fox Watershed in May 2012 (see <http://dnr.wi.gov/water/projectdetail.aspx?key=16084305> for more information). This, combined with statewide efforts to control phosphorus in waterways (see introduction), are significant steps forward. The Lower Fox Watershed is recognized in several plans as a priority for phosphorus reductions, including the Federal fiscal year (FY) 2010-2014 GLRI Action plan ([http://greatlakesrestoration.us/pdfs/glri\\_actionplan.pdf](http://greatlakesrestoration.us/pdfs/glri_actionplan.pdf)) and Wisconsin's 2009 Great Lakes Strategy (<http://dnr.wi.gov/topic/greatlakes/documents/GLStrategy2009Final.pdf>). The Lower Fox River is one of three priority areas in Federal FY 2012-2013 targeted by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) for phosphorus reductions.

Implementation of the Lower Fox TMDLs is on-going. Beginning in 2012, WDNR began re-issuance of WPDES permits, with effluent limits consistent with the TMDL waste load allocations, to point sources (industrial and municipal) within the Lower Fox basin. In 2013, WDNR initiated drafting of the Municipal Separate Storm Sewer System (MS4) Permit in accordance with the TMDL waste load allocations. The MS4 Permit is expected to be re-issued to applicable municipalities (regulated urban stormwater) in 2014. The four counties (Brown, Calumet, Outagamie, and Winnebago) located within the basin, the Oneida Nation, and NRCS continue to plan, design, and implement conservation projects and practices to address agricultural/rural nonpoint runoff within the basin.

In 2013, WDNR formed three committees (Agricultural Runoff, Monitoring, and Outreach) to plan and assist with TMDL implementation planning. The Lower Fox TMDL Agricultural Runoff Committee is responsible for the development and preparation of a plan/strategy to address agricultural runoff. In 2013, the committee compiled a brief inventory of cropland and farm information to assist in planning and cost estimating. A Monitoring Committee and an Outreach Committee were also formed in 2013. The Monitoring Committee is responsible for developing and implementing a water quality monitoring plan in the Lower Fox basin, and the Outreach Committee is responsible for the development and delivery of information and education in the Lower Fox basin.

To meet water quality targets in the Lower Fox Watershed, the TMDL states that a reduction within the watershed of 59% total phosphorus and 55% total suspended sediments is required from baseline loads (2004-2005). Models have calculated that soluble phosphorus makes up 39% of the total phosphorus yield in the Lower Fox River Watershed. Given that soluble phosphorus is a significant portion of the

phosphorus load to the AOC, meeting the phosphorus reduction targets established in the TMDL will require an improved understanding of the sources and potential management options for soluble phosphorus. Outlets from drain tiles have been identified as significant sources for soluble phosphorus to surface waters. A project to identify and map drain tiles in the watershed has been identified as a potentially important step towards addressing excess soluble phosphorus contributions to the AOC.

In 2013, USEPA and WDNR initiated the development of TMDLs for total phosphorus (TP) and total suspended solids (TSS) in the Upper Fox basin and Wolf basin (approx. 5,900 sq mi). Both basins empty into Lake Winnebago, which discharges to the Lower Fox River. The 2012 Lower Fox TMDL report indicates that an estimated 40% reduction of TP and an estimated 48% reduction of TSS are necessary from the Lake Winnebago outlet (i.e., load entering the basin) in order to achieve the Lower Fox TMDLs.

The current 303(d) list of impaired waters includes the Lower Fox River and the AOC portion of Green Bay as impaired by total phosphorus causing low dissolved oxygen levels. WDNR did not complete a thorough analysis of oxygen conditions within the AOC as part of this RAP Update since other portions of the 2009 Target are not met. However, GBMSD's Ambient Water Quality Monitoring Program does collect data that could be used for this purpose when appropriate. Periods of oxygen depletion have been observed in the AOC and likely occur on a regular basis during intrusions of cold, hypoxic water from upper Green Bay (Tracy Valenta, GBMSD, personal communication). Nutrient loading from the Fox-Wolf Watershed likely exacerbates these hypoxic conditions. The nature and extent of these problems in Green Bay is currently the focus of a National Oceanic and Atmospheric Administration (NOAA)-funded hypoxia research project led by the Great Lakes WATER Institute.

University of Wisconsin Sea Grant Institute recently updated graphs of historic mean summer total phosphorus (Figure 4) and total suspended solids (Figure 5) in the Lower Bay of Green Bay (also known as Zone 1) using data from the GBMSD Ambient Water Quality Monitoring Program (Qualls et al., 2013). The RAP target shown on the total phosphorus graph is the target mentioned in the 1988 and 1993 RAPs and is included here for reference only. The TMDL established numeric targets only for the mouth of the Lower Fox River and included a narrative statement for the Lower Bay. The expectation is that achieving the TMDL targets will result in the following:

“improved water clarity in Lower Green Bay is expected, as well as other conditions suitable to support a diverse biological community, including a robust and sustainable area of submersed aquatic vegetation (e.g., *Vallisneria americana*) in shallow water areas” (Cadmus, 2012).

The State of the Bay Report examines potential causes related to the fluctuations of TP over time, particularly post 2000. At present, it appears that no single factor can account for the erratic behavior of TP concentrations in the Fox River and lower Green Bay (Qualls et al., 2013).

WDNR is cooperating with the Great Lakes Commission and USDA NRCS to develop a framework for water quality trading and possibly watershed adaptive management in the Lower Fox. A trading program has the potential to improve water quality in the Lower Fox River and Green Bay by allowing all those who discharge phosphorus into the Lower Fox River to seek the lowest cost option to achieve phosphorus reduction goals. The credits can come from various actions, which may include purchasing pollution reductions from another source or voluntary conservation actions by private landowners to protect and restore priority watersheds. The process developed in the Lower Fox may serve as a template for others (NRCS and states) to use nationwide. This project is referred to as “Fox P Trade.”

WDNR began a pilot project in 2012 to evaluate the feasibility of using satellite remote sensing in Wisconsin's AOCs to assist in characterizing water quality related BUIs. Two AOCs, including the Lower Green Bay and Fox River AOC, and two relatively un-impacted non-AOCs would be included for comparison. Field samples would be collected at the same time the satellites were capturing images, in order to calibrate a model. Unfortunately, the satellite company could not make any passes over Green Bay in the allotted time, so the study was not completed and no samples were collected. The study may be pursued again in the future. Although only a pilot study, it would provide valuable information related to delisting of the Eutrophication or Undesirable Algae BUI in this AOC.

In addition to the more specific "Next actions needed" listed below, local stakeholders have identified the following general actions as important in improving conditions and removing this impairment in our AOC:

- Complete non-point projects, such as agricultural best management practices, to reduce TSS and TP loading to Lower Green Bay as opportunities arise (do not wait for TMDL Implementation Plan to be finalized).
- Fully implement Wisconsin's runoff management administrative rules, including Chapters NR 151 and NR 243, and ensure that the state and counties have the staff to enforce them.
- Explore whether the phosphorus (P) Index will need to be lower in some subwatersheds in order to meet the TMDL goals.
- Encourage use of adaptive management as a more flexible and cost-effective way for facilities to achieve phosphorus limits.
- Encourage municipalities (i.e., municipal separate storm sewer systems or MS4s) to fully implement their stormwater plans and install green infrastructure.
- Complete and implement the Upper Fox River and Wolf River TMDLs.

#### **Next action(s) needed**

1. TMDL Implementation Planning: The Lower Fox River TMDL approved by USEPA calls for the development of detailed implementation plans to meet the reductions specified in the TMDL. "The next step following approval of the TMDL is to develop an implementation plan (or multiple implementation plans – one for each sub-basin) that specifically describes how the TMDL goals will be achieved. The implementation planning process may develop strategies to most effectively utilize existing federal, state, and county-based programs to achieve wasteload and load allocations outlined in the TMDL. Details of the implementation plan may include project goals, actions, costs, timelines, reporting requirements, and evaluation criteria" (Cadmus, 2012). A WDNR TMDL Project Manager was hired in October 2012 to assist with planning and implementation of the TMDL. The TMDL Implementation Plan(s) will be developed in 2013 and 2014.
2. Complete actions identified in the detailed implementation plan.
3. Complete Great Lakes Commission and USDA-NRCS Lower Fox Watershed phosphorus credit trading program (Fox P trade project) to establish a pilot program in the watershed. The goal is to establish a framework with credit trading to begin in 2016.
4. Determine if conditions meet the water quality targets established in the TMDL following the evaluation criteria outlined during the TMDL implementation planning.
5. WDNR will work with stakeholders to evaluate available blue-green algae data to determine data gaps and the appropriate timing for an assessment of the current status of this impairment following the current delisting target methods. Data from the 2012 and 2014 USGS AOC plankton sampling should be considered, when available. Additional data from a USEPA GLRI award to Michigan Technological University to use satellite imagery to generate baseline maps of Harmful

Algal Blooms in the Great Lakes (2008-2012) might also be used to help determine the status of this impairment (see <http://apache.mtri.org/wordpress/habsmapping/green-bay-lake-michigan/>).

### **Issues (challenges, risks) affecting progress on this BUI**

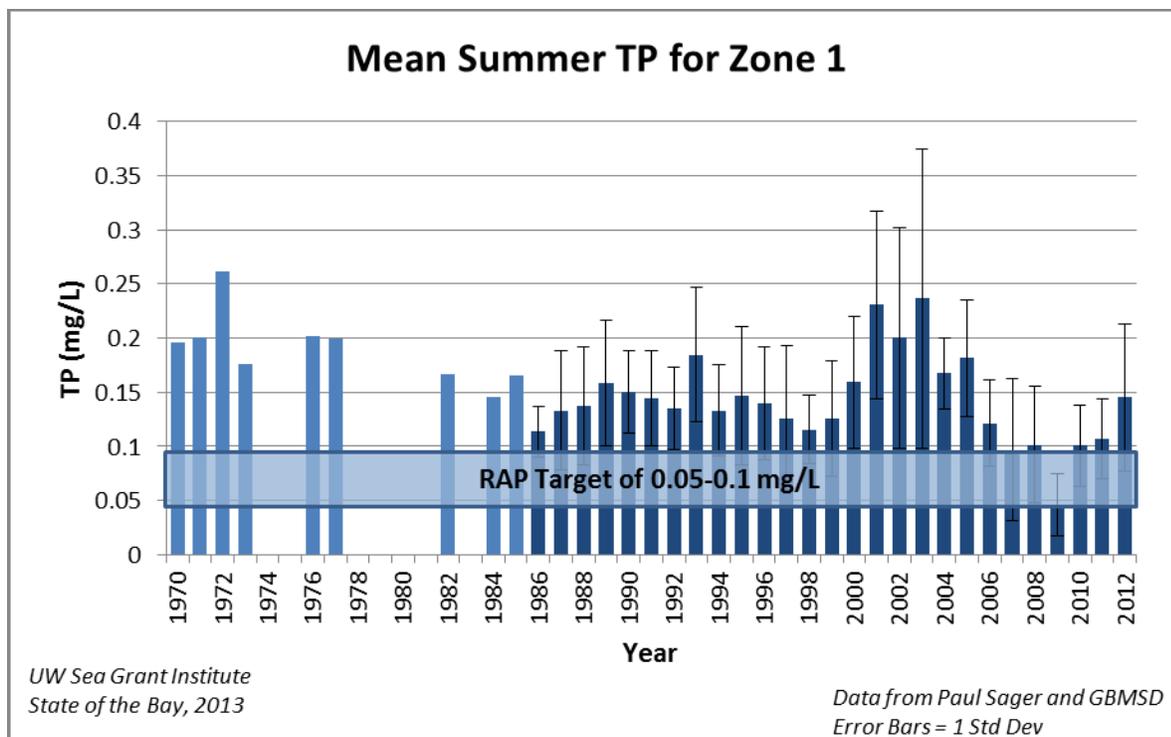
- Even though “this TMDL will be implemented through enforcement of existing regulations, financial incentives, and various local, state, tribal, and federal water pollution control programs” (Cadmus, 2012), significant challenges exist to meet the substantial reductions identified for total phosphorus at the mouth of the Lower Fox River. “Development of a TMDL implementation plan will require a continued collaborative effort that utilizes the funding and technical expertise of various agencies and private organizations” (Cadmus, 2012).
- Success of the Lower Fox TMDL depends on success of the TMDLs for the Upper Fox and Wolf, which empty into Lake Winnebago, which discharges to the lower Fox River.

### **Stakeholder Engagement**

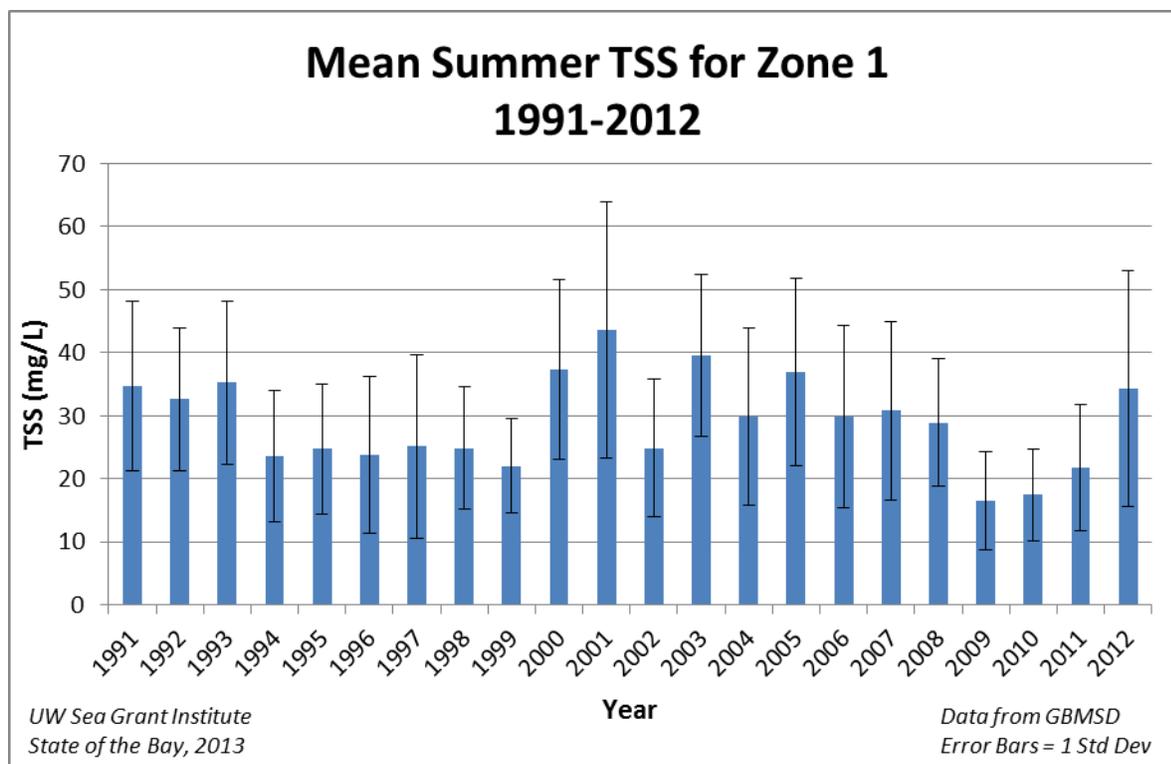
WDNR included a substantial effort to involve local stakeholders during development of the Lower Fox Watershed TMDL. These efforts are detailed in TMDL Section 8 (Public Participation) and included an Outreach Team led by Victoria Harris, UW-Sea Grant Institute, an Ad-Hoc Science Team, and a Technical Team. Currently, WDNR is in the TMDL implementation planning stages and is proposing a TMDL Implementation Team that would include six different committees: Point Source, MS4/Stormwater, Agriculture, Outreach, Monitoring, and Technical. Where possible, WDNR will engage with already existing groups rather than create new committees for this process.

WDNR may consult with the Lower Green Bay and Fox River AOC Science and Technical Advisory Committee and/or subcommittees when making future decisions about whether or not current conditions meet the 2009 targets, any potential changes to the targets, and development of additional actions to remove this BUI.

The original TMDL Outreach Team identified a need to improve the knowledge and support of multiple audiences (stakeholders, elected officials, general public) for the phosphorus reductions needed to restore the Lower Fox River and Lower Green Bay. The newly revived Outreach Team will continue to explore the needs for outreach through the TMDL implementation process. There are multiple other efforts underway in this area to fill this need and WDNR will attempt to partner with these groups as much as possible when their goals overlap with the AOC program goals.



**Figure 4.** Mean Summer Total Phosphorus (TP) in Lower Green Bay (1970-2012)



**Figure 5.** Mean Summer Total Suspended Solids (TSS) in Lower Green Bay (1991-2012)

RESTRICTIONS ON DRINKING WATER CONSUMPTION, OR TASTE AND ODOR PROBLEMS**2009 Target and Status**

<b>Restrictions on Drinking Water Consumption, or Taste and Odor Problems</b>	<b>Status</b>
Densities of disease-causing organisms or concentrations of hazardous or toxic chemicals or radioactive substances do not exceed human health standards, objectives, or guidelines	Assessment needed
Taste and odor problems are not present	Assessment needed
Treatment and costs needed to make raw water suitable for drinking is the standard treatment used in comparable portions of the Great Lakes which are not degraded, specifically disinfection, coagulation, sedimentation and filtration	Assessment needed

**Note:** This target refers to treated drinking water supplies, not the raw source water. WDNR's standards for drinking water in Wisconsin Administrative Code Ch. NR 809 apply after treatment and are evaluated based on samples collected at the point of distribution to the public water supply. WDNR has not yet defined criteria to determine the cost threshold above which this BUI should be considered impaired.

**Rationale for Listing**

The original listing of restrictions on drinking water as an impaired use was based upon the "unknown risks of toxic substances to human health" and the "health risks of exposure to the multitude of chemicals suspected" to exist in the AOC (Allen et al., 1987). Additional concerns were raised about potential taste and odor problems and high cost of water treatment related to removal of suspended solids, bacteria, and viruses from the water (Allen et al., 1987). An earlier comprehensive water study for Brown County had concluded that Lake Michigan was a preferable water supply over the Fox River or Green Bay because of water quality considerations (Donohue, 1976). Other factors favoring Lake Michigan as a water supply included the potential for accidental discharges from industries along the Fox River, the long distance from shore to reach an adequate depth for an intake in Green Bay, and potential high operating costs in a treatment plant related to algal growth impacting filtration and taste/odor problems (Donohue, 1976).

**Summary of remedial actions since the 2012 RAP Update and current status**

No communities adjacent to the Area of Concern use Lower Green Bay or the Lower Fox River below the De Pere dam as a public drinking water supply. The City of Green Bay has used Lake Michigan water from a point near Kewaunee for drinking water since the mid-1950s and also currently supplies this water to the Village of Ashwaubenon and the Town of Scott. Concerns about long term supply and elevated radium levels in groundwater wells prompted six other communities in the Green Bay area to join together as the Central Brown County Water Authority. A second pipeline was completed in 2007 to access Lake Michigan water purchased from the City of Manitowoc and Manitowoc Public Utilities for these communities.

Lake Michigan water is a viable option for communities adjacent to the AOC and relatively few communities in Wisconsin use surface water as a drinking water supply. Those that do, draw mainly from lakes including Lake Winnebago, Lake Superior and Lake Michigan. Since other practicable sources (including groundwater and lakes) are available, many communities choose to avoid potential difficulties associated with water intake structures in shallow water and more frequent filtration associated with high sediment and algae loads.

**Current status**

The first two sections of the 2009 Target listed above refer to treated drinking water supplies of communities adjacent to the AOC, not raw source water. The third section of the 2009 Target applies to the treatment and costs necessary to make raw water suitable for drinking and might be considered to apply to AOC waters. The status of this impairment is unknown.

**Next action(s) needed**

1. WDNR will gather existing data on AOC (Lower Green Bay) water quality and the source water quality, treatment methods, and treatment costs used at various drinking water plants in order to compare AOC waters with other drinking water source waters and estimate the costs for treatment.
2. WDNR AOC Coordinator will consult with local stakeholders and technical experts to identify if any additional information is needed to evaluate the current status of this impairment relative to the 2009 target.
3. Collect any additional necessary data and evaluate current status of this impairment.

**Issues (challenges, risks) affecting progress on this BUI**

- Assessment of this impairment is challenging because surface waters in the AOC are not currently used as a drinking water supply.

**Stakeholder Engagement**

There are no outreach or communication needs identified at this time, however this will be revisited when more is known about the status of the impairment relative to the 2009 targets.

BEACH CLOSINGS**2009 Target and Status**

<b>Beach Closings</b>	<b>Status</b>
Public swimming beaches within the AOC, including Bay Beach, Community Park, and Long Tail, are open for 95% of the swimming season (between Memorial day and Labor Day) for any 5 year period based on Wisconsin Coastal Beach monitoring protocols for <i>E. coli</i> monitoring...	Assessment of Bay Beach data needed
...and meet the blue-green algae target for 95% of the swimming season (geometric means of phytoplankton samples contain less than 100,000 cyanobacterial cells/ml or less than 20 µg/L of microcystin-LR based on at least 5 monthly samples over at least 2 years)	Assessment needed (2011 study indicates possible impairment)
No waterbodies within the AOC are included on the list of impaired waters due to pathogen contamination or blue-green algae in the most recent Wisconsin Impaired Waters list	Complete (assessment of blue-green algae data needed)

**Notes:** 1) The Lower Green Bay and Fox River AOC Social Uses Workgroup confirmed in 2012 and 2013 that they would like to include Bay Beach in the evaluation of this target, although it is not currently used for swimming. The group decided in 2013 to modify the first target to include the specific beaches that need to be evaluated.

2) When this Target was established WDNR noted that it would need to be revised and updated to ensure consistency with future guidance on blue-green algae and *E. coli* from USEPA or the State of Wisconsin. Criteria listed below are from the 2014 *Wisconsin Consolidated Assessment and Listing Methodology* (WisCALM), WDNR's guidance for 303(d) listing of impaired waters.

3) The Lower Green Bay and Fox River AOC Social Uses Workgroup decided in 2013 to change the original targets for blue-green algae and microcystin-LR from 20,000 cells/ml and 1 microgram per liter (µg/L) to 100,000 cells/ml and 20 µg/L, respectively, because the original targets were deemed to be too stringent (they were based on a drinking water standard). The new targets align with the World Health Organization's threshold for high risk of adverse health impacts in recreational waters.

*E. coli*

The current guidance for evaluating Great Lakes Beaches for recreational impairment is the following:

WDNR aggregates by month all data collected from beaches during the "beach season" (defined as May 1 through September 30) over the past five years. The data is aggregated by month because it more closely approximates the "five samples per month" requirement of the geometric mean criterion and recognizes that typical sampling frequencies are often less than five times per month. For example, Monthly aggregate data sets with fewer than five data points are considered insufficient for assessing recreational use support. If one or more of the monthly aggregated geometric means exceeds the criterion of 126 cfu/100ml, the beach will be identified as not supporting its recreation use and placed on the Impaired Waters List (WDNR, 2013).

A public swimming beach is closed when water samples exceed 1000 colony-forming units per 100 milliliters (cfu/100ml) of *E. coli*.

### Blue-green Algae

The current blue-green algae (cyanobacteria) guidance calls for biologists to use “best professional judgment” to determine if “High Risk” thresholds of chlorophyll-a ( $> 50 \mu\text{g/L}$ ), cyanobacteria cell counts ( $\geq 100,000$  cells/ml) and microcystin ( $> 20 \mu\text{g/L}$ ) are exceeded on a regular basis (WDNR, 2013).

### Impaired Waters List

It should be noted that some areas with the potential to be public swimming beaches (e.g., Bay Beach) are not monitored and therefore their status relative to the Impaired Waters List is unknown.

### **Rationale for Listing**

The AOC was historically used for recreational activities, including swimming at Bay Beach on the southern shore of Green Bay near the mouth of the Fox River. Bay Beach closed in 1938 due to excessive bacterial contamination and since that time sedimentation between Renard Island and the beach has reduced the area available for recreational activities (WDNR, 1993).

### **Summary of remedial actions since the 2012 RAP Update and current status**

The swimming beach at Bay Beach has remained closed since 1938, and there are no similar public beaches in the AOC. However, much of the Fox River and Bay is used for swimming, wading, tubing, jet skiing, water skiing and other water sports. Two locations in and adjacent to the AOC—Communiversity Park and Long Tail Point—are commonly used for swimming and other water-based recreation and are monitored by the Brown County Health Department following Wisconsin Beach Monitoring Program protocols (Figure 6, protocols available online at <http://dnr.wi.gov/topic/beaches/monitoring.html>). Long Tail Point samples have typically been collected on the north side of Long Tail Point at two locations just outside the AOC boundary, but are considered here because of their immediate proximity to the AOC. Unfortunately, due to a lack of funding for beach monitoring in 2013, only one location at Long Tail was monitored and Communiversity Park was not monitored at all this year. *E. coli* is monitored weekly since it is an indicator species that may indicate the presence of other harmful pathogens (bacteria, viruses) in the water. Beach monitoring data are available for download at [www.wibeaches.us](http://www.wibeaches.us).

*E. coli* levels measured at Communiversity Park and Long Tail Point in recent years indicate that water quality relative to *E. coli* is good overall. There were only two times at Communiversity Park from 2008 through 2012 when *E. coli* exceeded 1,000 cfu/100ml, the level at which a public beach is closed to swimming (and thus does not meet the target of being open). *E. coli* did not exceed the closure level of 1000 cfu/100ml at Long Tail Point during the last six years, from 2008 through 2013. In addition to closures, advisories are issued when water samples exceed 235 cfu/100 ml, to advise the public of a potential increased health risk. In the last six years, no advisories were issued for Long Tail Point, and only nine were issued for Communiversity Park from 2008 through 2012.

Total coliform and *E. coli* data are also collected by GBMSD at two locations near the mouth of the Fox River (Metro Boat Launch and GBMSD's outfall); however, these data are not collected as part of the beach monitoring program. Discussion of these samples is included here for sake of completeness in evaluating all recent bacteria data available for the AOC. Total coliform bacteria live in large numbers in soils, plants, and intestines of animals and are not as sensitive an indicator of potential risk to humans as *E. coli*. WDNR does include criteria for fecal coliform (not total coliform) in flowing rivers and streams in the WisCALM guidance, but points to *E. coli* as supplementary data to be used in making judgments of impairments (WDNR, 2013). In the last five years, between 2009 and 2013, *E. coli* data at both locations

rarely exceeded the closure level of 1000 cfu/100ml (never at the Metro Boat Launch and once at the outfall) or the advisory level of 235 cfu/100 ml (9 samples of 100). Furthermore, monthly geometric means do not exceed the WisCALM criteria for recreational restrictions and do not suggest the need for an impaired waters listing (WDNR, 2013).

No AOC waters are currently on, or proposed for addition to, the most recent Wisconsin 303(d) list of Impaired Waters for recreational restrictions due to blue-green algae or *E. coli* (August 2013 revised 2012 list available online at [http://dnr.wi.gov/topic/impairedwaters/2012IR\\_IWList.html](http://dnr.wi.gov/topic/impairedwaters/2012IR_IWList.html)). WDNR evaluates long-term *E. coli* data sets to determine if an area should be included on this list, aggregating data for Great Lakes Beaches by month during the typical swimming season (May – September; WDNR, 2013). For this version of the 303(d) list of impaired waters WDNR calculated monthly geometric means using data from 2006 through 2010 at both Communiversity Park and Long Tail Point. None approached or exceeded the threshold of 126 cfu/100ml. The range of *E. coli* results and the few high values measured at Communiversity Park are typical of beaches near urban areas and don't warrant an impaired waters listing (Chris Pracheil, WDNR, personal communication). It is important to note that the WDNR does not generally list water bodies for algae at this time because there is no routine monitoring being done.

There has been a recent initiative to bring Bay Beach back as a public swimming beach. Toward that end, the Bay-Lake Regional Planning Commission received a USEPA Urban Waters Grant in 2012 to conduct two years of *E. coli* and other water quality monitoring at Bay Beach to identify sources of pollution and develop a restoration action plan. The Commission has been working in partnership with the NEW Wilderness Alliance and the City of Green Bay to use sampling and routine and annual sanitary surveys conducted by UW-Oshkosh to develop a restoration action plan for Bay Beach that includes engineered redesign recommendations with the goal of making Bay Beach swimmable. The initial sampling plan did not include cyanobacteria or microcystin, but weekly microcystin sampling was added in 2013. This project will provide valuable information on the current status of Bay Beach and what it would take to make it a safe swimming beach once again.

Although *E. Coli* may not be present at levels that would pose a risk to swimmers, there is potential for blue-green algae blooms to contain toxins that pose a risk to humans and/or their pets. Risks vary depending on the type of algae, but may include skin irritation, vomiting, nausea and headaches in humans (see <http://dnr.wi.gov/lakes/bluegreenalgae/#effects> for more information). GBMSD collected blue-green algae samples in conjunction with *E. Coli* sampling at Communiversity Park and near Long Tail Point in the summer of 2011 to assist in determining the current status of this impairment. Samples were collected 5 times from July 26 to August 31 at each location for microcystin and algal composition analyses. Approximately 60% of the samples taken at the Communiversity Park station were above the 2009 delisting target of 1 µg/L of microcystin-LR, and 40% of the samples taken at the Long Tail station were above the 2009 target level. None of the samples exceeded the revised delisting target of 20 µg/L. The cyanobacteria results were not directly comparable to the target, since they were in natural units/ml rather than cells/ml. Neither of these stations exceeded the *E. coli* advisory level of 235 cfu/100ml during the study period. Although this was a very small study, the results show that cyanobacteria at these two locations are producing toxins that may be harmful to human health.

Past monitoring of blue-green algae also indicates that it is likely this use is impaired (Bart De Stasio, Lawrence University, personal communication). Samples collected in 2010 and 2011 from Lower Green Bay stations were generally below the microcystin threshold in the 2009 Target (1 µg/L) and the revised target (20 µg/L), but did exceed the 1 µg/L threshold in August 2011. Other measures were also high in both years. Cyanobacteria cell counts exceeded both the 2009 Target (20,000 cells/ml) and the revised target (100,000 cells/ml) in at least one of five sampling dates in 2010 and all five dates in summer 2011,

at two separate locations in the AOC. These elevated cell counts usually included large numbers of *Microcystis*.

**Next action(s) needed**

1. WDNR will work with stakeholders to evaluate existing cyanobacteria and microcystin data to determine future monitoring needs and data gaps. Data from the 2012 and 2014 USGS AOC plankton sampling should be considered, when available. Additional data from a USEPA GLRI award to Michigan Technological University to use satellite imagery to generate baseline maps of Harmful Algal Blooms in the Great Lakes (2008-2012) might also be used to help determine the status of this impairment (see <http://apache.mtri.org/wordpress/habsmapping/green-bay-lake-michigan/>).
2. When appropriate, initiate a study to assess the current status of this impairment relative to blue-green algae following the current delisting target methods. The study should include Bay Beach, Long Tail, and Communiversity Park.
3. Complete project at Bay Beach to confirm likely frequency of beach closures and develop restoration action plan and engineering design for construction to reduce any likely closures (2012-2015). This project was modified in 2013 to include monitoring for microcystin as well as *E. coli*, so the results will be helpful in evaluating the status of this impairment. (Funded through a 2012 USEPA Urban Waters Grant).
4. Consider whether it is necessary to continue weekly monitoring for *E. coli* at Communiversity Park, Long Tail Point, and Bay Beach at this time. Obtain additional funding if needed.
5. Implement the Bay Beach re-design plan developed during the above project.
6. Develop and implement Lower Fox River TMDL implementation plan and actions to reduce phosphorus and sediment loads to the AOC.

**Issues (challenges, risks) affecting progress on this BUI**

- Decreased water clarity because of large amounts of suspended solids or algal blooms may impact people's willingness to swim in the Area of Concern and/or reduce natural disinfection of the upper layer of the surface water (rely on *E. coli* as indicator).
- Achieving the substantial reductions identified for total phosphorus and total suspended solids in the TMDL will be challenging and take sustained and coordinated efforts by multiple stakeholders in the Lower Fox Watershed. Recent efforts to build grassroots public support for restoring water quality at Bay Beach in the Lower Bay may assist in this effort.



**Figure 6.** Recreation areas in the Lower Green Bay and Fox River AOC

### **Stakeholder Engagement**

WDNR may consult with a multi-disciplinary AOC Technical Advisory Committee (Social Uses Workgroup) when making future decisions about whether or not current conditions meet the 2009 target, any potential changes to the target, and development of additional actions to restore this BUI.

Beach advisories are available online at the Wisconsin Beach Health website ([www.wibeaches.us](http://www.wibeaches.us)), and interested members of the public are able to enroll in customized email alerts or RSS feeds for specific beaches.

DEGRADATION OF AESTHETICS**2009 Target and Status**

<b>Degradation of Aesthetics</b>	<b>Status</b>
Total phosphorus and total suspended solid concentrations at the mouth of the Lower Fox River meet water quality standards and/or water quality targets specified in a State and US EPA approved Total Maximum Daily Load (TMDL). The approved TMDL targets are summer median concentrations of 0.10 mg/L TP and 20 mg/L TSS at the mouth of the river.	Action needed
Monitoring data within the AOC and/or surveys for any five year period indicates that water bodies in the AOC do not exhibit unacceptable levels of the following properties in quantities which interfere with the Water Quality Standards for Surface Waters: (a) Substances that will cause objectionable deposits on the shore or in the bed of a body of water shall not be present in such amounts as to interfere with public rights in waters of the state or impair use. (b) Floating or submerged debris, oil, scum, or other material shall not be present in such amounts as to interfere with public rights in waters of the state or impair use. (c) Materials producing color, odor, taste, or unsightliness shall not be present in such amounts as to interfere with public rights in waters of the state or impair use.	Assessment in Progress (initiated 2011)

**Notes:** 1) The second portion of the target is based on the “Water Quality Standards for Wisconsin Surface Waters” in Chapter NR 102 of the Wisconsin Administrative Code. In the case of these targets public rights generally refer to protection of the public interest and the use of water resources for all lawful purposes as outlined in Chapter NR 102.01(2).

2) The Lower Green Bay and Fox River AOC Social Uses Workgroup decided in 2012 to add the numerical targets from the approved TMDL for total phosphorus and total suspended solids to the first portion of the delisting target.

**Rationale for Listing**

This impairment was originally identified based on the appearance of the AOC’s water. WDNR (1993) listed large total suspended solids loads, algal blooms (and occasional odor from decaying algae), and turbidity from wave action as the primary causes of this impairment.

Public perception of the AOC was measured in 1990 using a telephone survey of Brown County residents (Baba et al., 1990). The average ranking of water quality in the Lower Bay near the mouth of the Fox River was 4.1 on a scale of 1 (worst possible) to 10 (best possible). Although this survey did not ask specific questions about aesthetics, responses clearly indicated that people perceived the water quality to be below what would be desirable for boating and swimming.

**Summary of remedial actions since the 2012 RAP Update and current status**

The USEPA approved the WDNR’s TMDL for total phosphorus and total suspended sediments in May 2012 (approval and report available online at <http://dnr.wi.gov/water/projectDetail.aspx?key=16084305>). This report specifies significant reductions to achieve water clarity goals that would also be expected to improve the water’s aesthetic quality. A full implementation plan for the TMDL is currently in development, and expected to be complete in 2014. This plan will describe specific actions needed to achieve the goals of the TMDL. However, work to reduce nonpoint sources of phosphorus and sediment from the Lower Fox Watershed has been on-going for years. For more information, please see the section on Eutrophication or Undesirable Algae in this report.

University of Wisconsin–Extension surveyed urban residents in the East River watershed to determine their perception of nonpoint source water quality issues in 2010. The same question as that posed in 1990 (rate the water quality in the Lower Bay near the mouth of the Fox River on a scale of 1 to 10) was repeated in 2010. Although the responses are not directly comparable because of differences in the survey methods, the results suggest that public perception of AOC waters has not improved. The mean response was 3.6 and half of the people rated the water quality at 3 or below (Genskow and Wood, 2010). However, the majority of respondents rated the overall water quality in Green Bay for scenic beauty as “Good” (49%) or “Okay” (39%), suggesting that aesthetics may not be a substantial concern in this area (Genskow and Wood, 2010).

The second portion of the target makes specific reference to monitoring data of “unacceptable levels” of properties including “objectionable deposits.” WDNR recognizes that these judgments are subjective. To incorporate local opinions of AOC aesthetics, WDNR initiated a citizen volunteer monitoring program to assess the current status of this BUI in September 2011. Volunteers are asked to determine the aesthetic quality of the water and what is, and is not, objectionable by filling out a datasheet with questions that directly correspond to the 2009 target. Each volunteer also collects supporting data to describe conditions during the time of his or her assessment. A unique aspect of this program is that volunteers rotate through monitoring sites, so that multiple volunteers complete an assessment at each location.

The volunteer monitoring program was expanded and refined in 2012 and 2013 to include more volunteers and eleven monitoring sites throughout the AOC. In 2013, a university student was also hired to visit the survey sites and use a short version of the survey to gather the opinions of a larger group of users. The program is still developing, with volunteer feedback and results being used to help shape it. Preliminary results show that volunteers’ perceptions of sites can differ widely, depending on their backgrounds, experiences, and other factors. This reinforces the goal of the program to expand and include more citizens in the future. In addition, there are sites in the AOC that are not aesthetically pleasing for various reasons, including excessive algae, turbid water, invasive species (primarily *Phragmites*), and garbage and other materials on the shore and in the water. Information from these surveys can be used to identify problem areas and potential solutions. Benefits of this approach include expanding public participation in AOC activities, generating needed data at minimal cost, and incorporating public perceptions in evaluation of this BUI.

#### **Next action(s) needed**

1. Continue Volunteer Monitoring of Aesthetics: WDNR will continue to refine and expand the Volunteer Aesthetics Monitoring program in 2014 and beyond to include the opinions of more citizens. In addition to the regular monitoring being done by dedicated volunteers, in 2013 a student surveyor was hired to approach members of the public and ask them questions from an abbreviated version of the survey, in order to gain input from a wider range of citizens. Another possibility for expanding the program would be to allow surveys to be completed by smart phone, such as through the pilot Wisconsin Sea Grant spatial narratives project. A summary report of the results to date (2011-2013) will be prepared and available by February 2014. The report will also include a program evaluation. Approximately \$7,000 will be required annually for at least five years to fund the program, which has been funded with USEPA AOC capacity funds.
2. Identify improvement opportunities: WDNR will use the results of the volunteer monitoring to identify site-specific issues that contribute to degraded aesthetics and work with local stakeholders to identify potential remedial actions. Possible projects would include beach or river clean-ups and small invasives control projects that are focused on public access points.

3. TMDL Implementation: Achieving the reductions in total suspended solids and total phosphorus specified in the TMDL is expected to reduce turbidity, algal blooms, and the occasional odor from decaying algae that were the primary causes of this impairment at the time of listing.

**Issues (challenges, risks) affecting progress on this BUI**

- Although volunteer monitoring is cost effective, it is not without costs. WDNR will need to continue to provide support for this project in order to maintain existing volunteers, recruit new volunteers, ensure data are consistently collected and entered into WDNR's Surface Water Integrated Monitoring System (SWIMS) database, and assist the AOC Technical Advisory Committee with evaluation of the results.
- Reaching the goal of having each site monitored by at least three volunteers for at least two seasons has been challenging; some volunteers get busy and do not monitor as often as they had planned.
- Public access to some areas along Green Bay, including Bay Beach, is limited by extensive stands of *Phragmites* that restrict access to the water and a full survey may not be possible at all locations.
- An individual's determination of what is "unacceptable" and "objectionable" is a subjective decision. The challenge will be to engage sufficient numbers of individuals in the volunteer monitoring program to adequately represent the general public's perception of the AOC waters.
- Some causes contributing to degraded aesthetics may be beyond the scope of the AOC program. Whenever possible, WDNR will work with local stakeholders to identify specific solutions; however, it may be that not all aesthetic problems can be addressed by the AOC program.

**Stakeholder Engagement**

A multi-disciplinary AOC Technical Advisory Committee (Social Uses Workgroup) assisted WDNR in the development of the citizen volunteer monitoring program and may assist in review and interpretation of results of the project. WDNR may consult this workgroup when making future decisions about whether or not current conditions meet the 2009 targets, any potential changes to the targets, and development of additional actions to restore this BUI.

WDNR encourages local citizens to become involved in the volunteer monitoring program to offer their perceptions of the aesthetic quality of AOC waters. In addition, in 2013 the student surveyor approached members of the public at the monitoring sites to ask them questions from an abbreviated version of the survey, in order to gain input from a wider range of citizens.

DEGRADATION OF PHYTOPLANKTON AND ZOOPLANKTON POPULATIONS**2009 Target and Status**

<b>Degradation of Phytoplankton and Zooplankton Populations</b>	<b>Status</b>
<p>Plankton and zooplankton structure and function do not significantly diverge from unimpaired reference conditions with comparable physical and chemical characteristics, recognizing the uncontrollable impact of invasive species. The following specific objectives should also be met:</p> <ul style="list-style-type: none"> <li>– Sources contributing to nutrient enrichment are identified and controlled; and</li> <li>– AOC total phosphorus concentrations consistently meet water quality standards and/or water quality targets of a State and US EPA approved TMDL; and</li> <li>– In lower Green Bay, the amount of energy from phytoplankton and zooplankton that reaches the open water food chain has increased, and the amount of energy reaching the bottom sediments has decreased. (In other words, the carbon transfer efficiency of the phytoplankton and zooplankton levels of the food chain in lower Green Bay is increased such that the amount of energy channeled into the detrital food chain is decreased and the amount of energy channeled into the pelagic food chain is increased). This is expected to occur when phosphorus levels and the corresponding percentage of blue-green algae in the phytoplankton are reduced.</li> </ul>	<p>Assessment in progress for first part of target (2012 and 2014)</p>
<p>Phytoplankton or zooplankton bioassays confirm no significant toxicity in ambient waters in the AOC.</p>	<p>Unknown</p>

**Note:** A metric to define the amount of energy transfer from phytoplankton and zooplankton to other levels of the food chain is needed. The target as it is now worded intends to define the desired state as a balanced energy flow in the food web. This will be complicated by the presence of Dreissenid mussels.

**Rationale for Listing**

This impairment was originally identified because excessive nutrients altered both phytoplankton and zooplankton populations in the AOC (WDNR, 1993). Community changes noted included dominance of blue-green algae in phytoplankton populations, smaller zooplankton with low grazing effectiveness, and a large portion of primary production reaching bottom sediments rather than passing into the pelagic food web (WDNR, 1993).

**Summary of remedial actions since the 2012 RAP Update and current status**

Recent research strongly indicates that this impairment remains in the Lower Green Bay and Fox River Area of Concern. Blue-green algae have shifted to dominate phytoplankton populations since the invasion of zebra mussels (De Stasio et al., 2008). Direct measures of trophic transfer between phytoplankton and zooplankton were conducted during 2006 and 2007. Those studies demonstrate that rates of energy transfer were not significantly different than they were in 1986-1988 or 1990-1992 (Sager and Richman, 1991). Approximately 10% or less of the phytoplankton production was grazed by the zooplankton communities in the AOC, indicative of impaired conditions. Blue-green algae blooms were present in the AOC in 2010, 2011, 2012, and 2013 and continue to dominate the phytoplankton community biomass (Bart De Stasio, Lawrence University, personal communication). Michigan Tech Research Institute has been collaborating with GBMSD to map harmful algal blooms in the Great Lakes, including work in Green Bay.

WDNR received GLRI funding from USEPA to evaluate the current status of this BUI in Wisconsin's four Lake Michigan AOCs by comparing them to six relatively unimpacted or less-impacted non-AOCs. This

study, *Benthos & Plankton BUIs Evaluation in Wisconsin's Lake Michigan Areas of Concern*, is being carried out by the USGS for WDNR. Plankton samples were collected using a plankton tow net and a Van-Dorn-style water sampler (for integrated water-depth profiles) three times at each site in spring and summer of 2012. In the Lower Green Bay and Fox River AOC, plankton samples were collected from one site in the Fox River and one site in Green Bay. The results of this assessment are expected to be available by the end of 2013. The project has now received additional funding and all plankton sampling is scheduled to be repeated in 2014 in order to better characterize local conditions.

**Next action(s) needed**

1. 2012 and 2014 USGS Plankton Assessment: Repeat the phytoplankton and zooplankton sampling in 2014 at the same locations. The results of the 2012 assessment will be evaluated to determine if it is necessary to expand the study to other rivers and/or bays in eastern Lake Michigan or the Great Lakes region to find a more suitable location to compare to the Fox River and Lower Bay. The final report for the project should be available in 2015.
2. Reductions in total phosphorus loads from the Lower Fox River watershed to Green Bay.

**Issues (challenges, risks) affecting progress on this BUI**

- Selection of appropriate reference conditions for comparison of plankton and zooplankton structure and function will need to carefully consider Green Bay's unique physical, chemical and biological conditions.

**Stakeholder Engagement**

There has not been any recent stakeholder engagement related to this BUI. WDNR may consult with the Lower Green Bay and Fox River AOC Science and Technical Advisory Committee on the appropriate course of action for this BUI after results of the 2012 and 2014 USGS assessment are available.

LOSS OF FISH & WILDLIFE HABITAT

Loss of Fish & Wildlife Habitat	Status
Fish and wildlife management goals are achievable as a result of the physical, chemical, and biological integrity of the AOC waters, including wetlands	Action Needed
A balance of diverse habitat types exists within the AOC that supports all life stage requirements of fish and wildlife populations including: <ol style="list-style-type: none"> <li>Multiple wetland types (for example: submerged aquatic vegetation, emergent vegetation, sedge meadows, forested &amp; shrub) that adequately represent historic wetland types</li> <li>Quality fish spawning habitats</li> <li>Islands for colonial nesting birds, amphibians, and furbearers</li> <li>Intact migration corridors (both shoreline and water)</li> <li>Unconsolidated beaches (for shorebirds)</li> <li>Habitat for State or Federally listed species (special concern, threatened, or endangered)</li> </ol>	Action Needed
The hydrologic connectivity between wetlands and the AOC is maintained and restored sufficiently to support fish spawning and allow for fish passage	In progress
The Green Bay portion of the AOC contains water clarity and other conditions suitable for support of a diverse biological community, including a robust and sustainable area of submersed aquatic vegetation in shallow water areas	Action Needed
The AOC contains a diversity of plants, an abundance of submersed aquatic vegetation, and sufficient invertebrates to provide adequate food supplies to support a diverse assemblage of migratory diving ducks (both mussel and vegetation feeding), fish, and other wildlife (including aquatic invertebrates, amphibians, and reptiles)	Action Needed
The AOC meets water quality standards and/or water quality targets of a State and US EPA approved TMDL. The approved TMDL targets are summer median concentrations of 0.10 mg/L TP and 20 mg/L TSS at the mouth of the river.	Action Needed
The AOC meets Wisconsin water quality criteria for dissolved oxygen and water temperature that are protective of fish and wildlife populations	Action Needed
No waterbodies within the AOC are listed as impaired due to physical or water chemistry conditions in the most recent Wisconsin Impaired Waters List (303(d) List)	Action Needed

**Notes:** 1) Portions of this delisting target are goal statements that may be too broad to define specific endpoints. As specific restoration and/or monitoring projects are initiated, WDNR and the Lower Green Bay and Fox River Biota & Habitat Committee will decide if it is feasible to determine specific endpoints for this impairment.

2) The Lower Green Bay and Fox River AOC Biota & Habitat Committee decided in 2012 to add the numerical targets from the approved TMDL for total phosphorus and total suspended solids to the sixth portion of the delisting target.

**Rationale for Listing**

The major causes of lost habitat in the AOC listed in the original Remedial Action Plan (WDNR, 1988) and Update (WDNR, 1993) include:

- Habitat destruction and fragmentation due to urban and industrial development, channelization, dredging and filling along the River corridor.
- wetland losses from human activity and changing water levels and loss of hydrologic connectivity.

- lack of submerged aquatic vegetation in the Duck Creek delta area of the Lower Bay because of turbid water, hypereutrophication, destruction of the Cat Island Chain of islands by high water and storms, and carp impact on underwater plants and littoral vegetation.
- silt deposition and resuspension of sediments in the Lower Bay.
- invasive vegetative species.

### **Summary of remedial actions since the 2012 RAP Update and current status**

Many projects to improve fish and wildlife habitat have been initiated since the RAP was first developed, both within and adjacent to the AOC. Examples include fish spawning habitat enhancements adjacent to Voyageur Park in De Pere, Brown County Fairgrounds, and at South Bay Marina. Two other key restoration efforts briefly described in this document's introduction are the Cat Island Chain Restoration and efforts of multiple agencies on Green Bay's west shores.

Construction of the Cat Island Chain restoration project is now underway. Beginning in June of 2012, Brown County began construction of a rock spine structure that will act as a wave barrier and provide the foundation for restoring the Cat Island Chain. The rock spine structure was completed in 2013. The wave barrier provides the base for constructing three islands which will be built from fine sands dredged from the outer navigation channel. The islands will then be filled by the USACE using clean dredge material from the maintenance of the Green Bay Harbor over the next thirty years. Planning for restoration of the Cat Island chain continues to include a strong emphasis on habitat values of the island, including sheltering aquatic vegetation by the barrier island chain as well as upland and nearshore island habitat. The Lower Green Bay Biota & Habitat Committee has been actively involved in discussions with Brown County on the plans and timing for the project.

Within the AOC, properties within the Green Bay West Shore Wildlife Area acquisition boundary and additional properties with hydrologic connection to the Bay have been purchased for permanent protection. Acquisition efforts for coastal wetlands continue with a number of partners. A prioritization tool for ranking wetland areas for importance (see <http://maps.tnc.org/duckpentool/>) has been developed and is currently in use within the AOC and elsewhere around Green Bay. This online prioritization tool also contains results from a northern pike connectivity survey. Barriers for fish passage have been identified in the Duck-Pensaukee subwatershed and prioritized based on both the financial cost to remove the barrier and the amount of stream and wetland spawning habitat that would be opened up if remedied. The top 2 barriers had already been removed. The fish passage survey was expanded in 2012 to include all tributaries to Green Bay up to the first major dam. The results of this survey are also available online at <http://maps.tnc.org/coastalwetlandtool/>. Historic and current phosphorus and sediment data have also been collated for the Duck-Pensaukee watershed and potential ideas to address the problems have been included.

Invasive species control efforts continue within the AOC. Large-scale aerial spraying of *Phragmites* took place in the Green Bay West Shore Conservation Opportunity Area in 2011. This included 768 acres treated in and adjacent to the AOC. Removal of dead canes and follow-up treatments continued during the field seasons of 2012 and 2013. The WDNR has produced two videos describing the project: <http://dnrmedia.wi.gov/main/Viewer/?peid=8006afc820734ed09f56f02e3cd0a93e> (project description) and <http://dnrmedia.wi.gov/main/Viewer/?peid=b592242262ab4dab89bec4edec3905f> (project update). In addition, Ducks Unlimited recently received funding for a project that will include follow-up monitoring and treatment to these areas in 2014 and 2015.

The Green Bay West Shore northern pike habitat project continued in 2013. This project, led by the Brown County Land and Water Conservation Department, has been funded from a variety of sources,

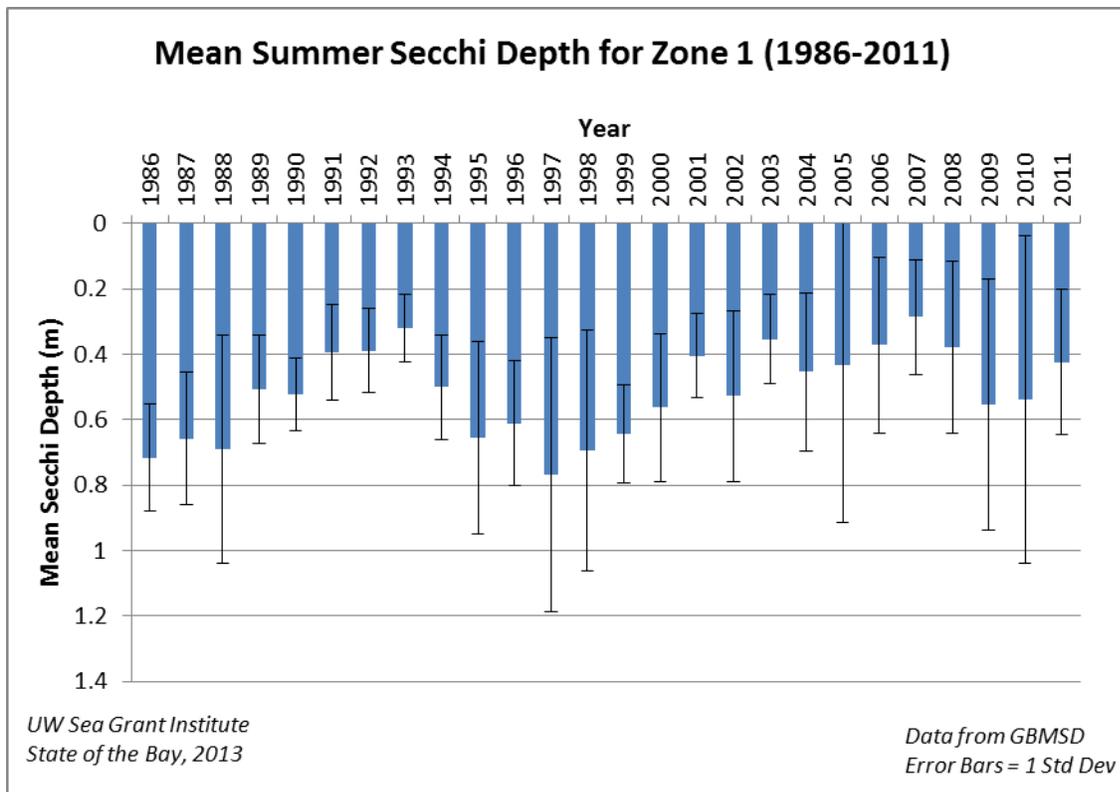
including a GLRI grant, Natural Resource Damage Assessment (NRDA) funds, USFWS grants, and donations from conservation groups. So far, approximately 17 miles of stream corridor have benefited from this project; 7 miles were enhanced and protected and another 10 miles were made accessible for migrating fish by replacing perched culverts. In addition, over 33 acres of wetlands (spawning marshes), 44 acres of vegetated riparian buffers, and over 45 acres of critical area plantings were installed. Six perched culverts were replaced with project money and another 2 replaced by the Village of Suamico. (Mike Mushinski, Brown County Land and Water Conservation Department, personal communication). The WDNR has produced two videos describing this project:

<http://dnrmedia.wi.gov/main/Viewer/?peid=dbfc21660e5c472aa993b9209a7e5f49> (description) and <http://dnrmedia.wi.gov/main/Viewer/?peid=79522b61d9724634ae0b105611a02087> (project update).

On the other side of the bay, a project was begun in 2012 to restore approximately 114 acres of coastal wetlands and adjacent uplands at Point au Sable, a prominent peninsula that forms the northeast “corner” of the AOC. The wetland complex is part of a 181.6 acre University of Wisconsin-owned natural area adjacent to approximately 70 acres of undeveloped private lands. Together, these tracts encompass the largest coastal wetland along the eastern shore of Green Bay. This project will restore and improve habitat for numerous fish and wildlife species, including species of conservation concern, and also includes components of aquatic invasive species control (*Phragmites australis*), reduction of phosphorous inputs, and providing technical assistance to private landowners. A prescribed burn was completed in June 2012 to prepare the site for aerial herbicide applications to control *Phragmites*, and aerial herbicide applications occurred in September 2012. As part of the educational component of the project, UW-Green Bay students enrolled in a conservation biology course visited this site in fall 2012 and prepared restoration plans tailored to the site. Upland invasive species were treated in fall 2012. The wetland restoration project to restore the interior marsh on the peninsula began in 2013 (Betsy Galbraith, USFWS, personal communication).

Spawning conditions for lake sturgeon also have been improved through increased coordination between the U.S. Army Corps of Engineers, who manage flows in the lower Fox River, Thilmany Papers, who use flows for hydropower generation at the De Pere Dam, and the agencies (USFWS and WDNR). Procedures are now formalized as part of a Sturgeon Protection Plan as part of the Federal Energy Regulatory Commission (FERC) license for hydro operation by Thilmany Papers. This cooperative effort has been in place since 2006 and has provided more dependable minimum flows sufficient for successful spawning and egg and larval incubation. Previously, spawning habitat was often dewatered during the spawning season.

Despite these efforts, habitat for fish and wildlife populations still remains impaired. An inventory of aquatic plants conducted in summer 2010 in the Lower Bay adjacent to the proposed Cat Island Chain Restoration area identified only sparse vegetation with a few species (Alison Mikulyuk, WDNR, personal communication). This may be partly caused by excess suspended solids in the water column, which decreases available light necessary for submerged aquatic vegetation growth in the Lower Bay (Figure 7, Qualls et al., 2013). The Lower Fox Watershed TMDL estimated that achieving the water quality goals would expand the area available for submerged aquatic vegetation growth in the Lower Bay by as much as 35-45 % because of improved water clarity (Cadmus, 2012). Improved water clarity, combined with Cat Island Chain restoration, is expected to greatly improve habitat for fish and wildlife within the Lower Bay. A UW-Green Bay graduate student conducted a research project in the summer 2013 to evaluate the initial success of the Cat Island project after the wave barrier was in place. Preliminary results show that aquatic vegetation is improving, but it is hard to tell how much of this is due to the wave barrier versus the low water levels in the Bay.



**Figure 7.** Mean summer secchi depth for Lower Green Bay (1986-2011). Secchi depth is a measure of water clarity.

#### Next action(s) needed

1. Complete AOC habitat assessment and habitat restoration plan (proposed for 2014 USEPA GLNPO grant funding). This assessment would be used to determine baseline conditions and to recommend specific targets and actions needed to restore this impairment. The proposed project would recommend a desired future condition of fish and wildlife habitat in the AOC and develop a project ranking protocol. It would catalog past and current AOC habitat projects to integrate their contribution towards the recommended delisting thresholds. It would identify current and potentially restorable wetlands and rank them for several watershed functions, including wildlife value. It would also include an invasive species inventory, with *Phragmites* and other target species mapped and prioritized for treatment and control. Proposed 2-year project would be led by UW-Green Bay and The Nature Conservancy and would cost \$464,052.
2. Continue Cat Island Chain Restoration Project. The construction of the wave barrier and side dikes of the three islands will be completed in 2013. The islands will be built over the next 20 to 30 years using clean sediment dredged from the outer navigation channel. Monitoring of aquatic vegetation and water quality that occurred in 2013 should be continued in 2014 in order to track the success of the project. Also, additional funding will be needed to complete plans for wildlife monitoring and final habitat design.
3. Continue Point au Sable restoration project. Phase I was completed in 2013. Phase II, which has been funded through a Sustain Our Great Lakes grant, will include the following: 1) improvements for fish spawning (northern pike and other species) on Wequiock Creek through a partnership with the Brown County Land and Water Conservation Department, 2) continued

- invasive species management and reestablishment of native vegetation, especially along shorelines, and 3) monitoring and evaluation by UW-Green Bay faculty and students.
4. Complete design for fish habitat restoration in the Fox River in De Pere. The Fox-Wisconsin Heritage Parkway recently received funding through the USFWS to create plans for fish spawning and rearing habitat in the Fox River near Voyageur Park in De Pere. The goals of the project are to collect data relevant to the biological, chemical, and physical attributes of instream habitat at, across, and downstream of Voyageur Park; fill in data gaps where necessary through field assessments; and use that data to create a design or plan for the restoration of fish spawning and rearing habitat post remediation that will be as “shovel-ready” as possible.
  5. Continue to expand fish habitat connectivity around the AOC by removing fish barriers and replacing culverts. Some potential spawning areas are still cut off from the Bay. Use the results of the WDNR/TNC Green Bay coastal zone fish passage inventory (see <http://maps.tnc.org/coastalwetlandtool/>) to prioritize projects.
  6. TMDL implementation planning and actions to reduce phosphorus and sediment loading to the AOC to meet water clarity goals.
  7. Various monitoring, planning, and projects listed in the table in Appendix C. No one discrete project will be sufficient to address the complex needs for habitat restoration within the AOC.

#### **Issues (challenges, risks) affecting progress on this BUI**

- Fish and Wildlife populations are mobile and not restricted to habitat simply within the AOC boundary. Actions to address the habitat needs of local populations will need to occur in a broad area, beyond the AOC boundary. For example, restoring hydrologic connections between wetlands and the AOC will depend on implementing projects not only within the AOC but outside the AOC as well.
- Improving water quality in the Fox River and lower Green Bay will depend on implementing projects in the upstream watersheds.
- *Phragmites*, an invasive common reed grass, has a substantial impact on habitat within the AOC. WDNR initiated control of this invasive along the west shore of Green Bay; however, other portions of the AOC and repeated follow-up work will be needed.
- The continued influx of invasive species will make many goals difficult to maintain in the long term.
- Restoring connectivity of wetlands to Green Bay and areas of important habitat is hampered by continuing development. Habitats are increasingly fragmented.

#### **Stakeholder Engagement**

The Lower Green Bay Biota & Habitat Committee met actively in 2011 to identify restoration actions for “Degraded Fish and Wildlife Populations” and “Loss of Fish and Wildlife Habitat” impairments (see Appendix C). This group will continue to be consulted on the planning and prioritization of projects. Efforts to engage stakeholders in restoration within the AOC, particularly in supporting reductions in total phosphorus and total suspended solids, will be necessary for this impairment.

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**APPENDICES**

Appendix A – Lower Green Bay and Fox River BUI Tracking Matrix

Appendix B – WDNR and DHS Fish Consumption Advisory Fact Sheet (summer 2013)

Appendix C – Fish and Wildlife Populations and Habitat Actions Table

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## **Appendix A**

### **Lower Green Bay and Fox River BUI Tracking Matrix**

#### Appendix A

Note that projects listed in the table below are the next clearly delineated action steps that have been identified by WDNR in collaboration with AOC partners and stakeholders to make progress toward delisting the AOC. This list does not necessarily reflect all actions that will ultimately be needed to remove impairments, and will be updated as more information is collected and as actions are completed.

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**Lower Green Bay and Fox River BUI Tracking Matrix**

<b>Beneficial Use Impairment Name</b>	<b>Status assessment needed? If yes, is it scheduled? (If yes, provide dates)</b>	<b>Actions/Tasks Needed</b>	<b>Funding Source; estimated cost if known</b>	<b>Action status: In progress, Completed, Not started</b>	<b>Project type*</b>	<b>Project Lead</b>	<b>Timeframe for Project Completion</b>	<b>Comments</b>
Restrictions on Fish and Wildlife Consumption	Yes, in progress (2013-2015)	Waterfowl Consumption Advisory Update	USEPA; \$106,743 (funded)	In progress	1	WDNR – Sean Strom	2 years	10 samples from 3 species (resident mallards, scaup, and resident Canada geese) will be collected each year for 3 years.
Tainting of Fish and Wildlife Flavor (suspected)	Yes, in progress (2013)	Survey of Lower Fox and Green Bay Anglers	WDNR AOC capacity grant; \$4,908 (funded)	In progress	1	WDNR	2 months	Assess the current status of suspected impairment through questions targeted at anglers in the AOC. Report in 2014.
Degradation of Fish and Wildlife Populations	Yes, some in progress, some not scheduled	See Appendix C	Various/unknown	Not started / In progress	1, 2, 3	Various		
Fish Tumors or other Deformities (suspected)	Yes, not scheduled	BUI Assessment following WDNR criteria (when appropriate)	\$86,900 for intensive sampling (200 white suckers); \$83,500 for comparison site sampling if needed	Not Started	1, 2	WDNR	Begin after sediment remediation is complete (possibly 2018)	Evaluate current status relative to WDNR criteria after Lower Fox River contaminated sediment remediation is complete.
Bird/animal deformities or reproduction problems	Yes, not scheduled	Gather and assess available data	TBD (could apply for WDNR AOC capacity grant)	Not Started	1, 2, and/or 5	WDNR and partners	TBD—begin data gathering in 2014	BUI removal will depend on completion of contaminated sediment remediation; however, should take the opportunity to request funds through GLRI if needed.

Beneficial Use Impairment Name	Status assessment needed? If yes, is it scheduled? (If yes, provide dates)	Actions/Tasks Needed	Funding Source; estimated cost if known	Action status: In progress, Completed, Not started	Project type*	Project Lead	Timeframe for Project Completion	Comments
Degradation of Benthos	Yes. 1) Fox River assessment in 2012 and 2014. 2) Green Bay Assessment in 2014.	1) 2012 and 2014 USGS Benthos Assessment in Fox River 2) 2014 USGS Benthos Assessment in the Lower Bay.	1) USEPA 2) USEPA	1) In Progress 2) Not started	1	1) USGS – Barb Eikenberry 2) USGS – Barb Eikenberry	1) 2 years 2) 2 years	Funding has been obtained to continue benthos sampling in 2014. One Fox River site will be resampled and several Green Bay sites will be added. Results will be available in 2015.
Restrictions on Dredging Activities	No	No additional tasks beyond completion of contaminated sediment remediation.					Sediment remediation project expected to run through 2017	
Eutrophication or Undesirable Algae	Yes, not scheduled	1) TMDL Implementation Plan Development 2) Evaluate existing blue-green algae data to determine data gaps and timing for assessment	1) Various 2) TBD (could apply for WDNR AOC support grant)	1) In progress 2) Not started	3, 4	1) WDNR and partners 2) WDNR and partners	1) 2014 2) TBD (start 2014)	TMDL is approved. Developing a detailed implementation plan for the TMDL is the next step and the WDNR Lower Fox TMDL Project Manager began working on this in 2013, and expects to complete the plan in 2014.

Beneficial Use Impairment Name	Status assessment needed? If yes, is it scheduled? (If yes, provide dates)	Actions/Tasks Needed	Funding Source; estimated cost if known	Action status: In progress, Completed, Not started	Project type*	Project Lead	Timeframe for Project Completion	Comments
Restrictions on Drinking Water or Taste/Odor Problems	Yes, begin 2014	Gather existing data on AOC and drinking water treatment plants, see if additional information is needed, and assess current status of this impairment	TBD (could apply for WDNR AOC support grant)	Not started	1 and/or 5	WDNR	TBD (start 2014)	WDNR will gather data on AOC and various drinking water plants to compare the AOC to other areas and estimate treatment costs; then consult with local stakeholders and technical experts to identify whether additional information is needed to assess the current status of this impairment relative to the 2009 target.
Beach Closings/Recreational Restrictions	Yes, not scheduled (blue-green algae)	Evaluate existing blue-green algae and microcystin data to determine data gaps and future monitoring needs	TBD (could apply for WDNR AOC capacity grant)	Not started	1	WDNR and partners	TBD (start in 2014)	<i>E. coli</i> data collected by Brown County health department indicate good water quality overall. Preliminary blue-green data indicate toxin levels may be above target.
Degradation of Aesthetics	Yes, 2011 (pilot) and subsequent years	Volunteer Monitoring of Aesthetics	WDNR capacity grant; approximately \$7,000 for at least 5 more years.	In progress	1,4,5	WDNR	When target is met (at least 2018)	Target calls for 5 years of favorable monitoring data (good aesthetics scores). Summary report for 2011-2013 data will be available in February 2014. This BUI also depends on achieving the goals identified in the TMDL

Beneficial Use Impairment Name	Status assessment needed? If yes, is it scheduled? (If yes, provide dates)	Actions/Tasks Needed	Funding Source; estimated cost if known	Action status: In progress, Completed, Not started	Project type*	Project Lead	Timeframe for Project Completion	Comments
								for total suspended solids and total phosphorus.
Degradation of Phytoplankton and Zooplankton populations	Yes, 2012 and 2014	2012 and 2014 USGS Plankton Assessment	USEPA	In Progress	1	USGS – Barb Eikenberry	2015 (final report)	Funding has been obtained to repeat plankton sampling in 2014. Results will be available in 2015. BUI removal will depend on reducing excessive nutrient loads from the Lower Fox River watershed to Green Bay.
Loss of Fish and Wildlife Habitat	Yes, proposed for 2014-2015	AOC habitat assessment and habitat restoration plan; also see Appendix C	Proposed (USEPA); \$464,052.	Not started	1, 2	TNC and UW-Green Bay	2 years	Proposed project would assess AOC habitat, catalog past and current habitat projects, rank and prioritize needed projects, and write a habitat restoration plan.

\*Project types:

- 1 Baseline assessment through data gathering
- 2 Compile & analyze existing data
- 3 On-the-ground remediation or restoration project
- 4 Stakeholder engagement and/or community education & outreach
- 5 Verification of target achievement through monitoring or other documentation
- 6 BUI status change process

## **Appendix B**

### **WDNR and DHS Fish Consumption Advisory Fact Sheet (summer 2013)**

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# Fish Consumption Advice for Green Bay and the Lower Fox River Area of Concern



## Benefits of eating your catch

Fish are a nutritious family food. Some of the benefits of catching and eating 1-2 servings of fish per week include:

- Low cost and fun to catch your own fish
- Low in fat, yet high in protein
- Great source of vitamins, minerals, and omega-3 fatty acids

However, polychlorinated biphenyls (PCBs) pose health risks and prompt the need for fish consumption advice. See the next two pages for recommendations on eating fish from the lower Fox River and Green Bay.



Young angler's catch from the Peshtigo River.

## What are polychlorinated biphenyls (PCBs)?

PCBs are man-made chemicals that were used in electrical equipment, industrial processes, and manufacturing and recycling of carbonless copy paper. PCBs were discharged into the Fox River for decades before it was discovered that these chemicals build up in the environment and pose health risks to humans and wildlife. Restrictions on PCB use, manufacturing, and disposal began in the 1970's, but PCBs remain in the sediment of these rivers. Wisconsin and the federal government are working with responsible parties to remediate PCB contaminated sediments in the Lower Fox River and Green Bay. For more information please visit [dnr.wi.gov/org/water](http://dnr.wi.gov/org/water).

## Tell me about PCBs in fish and what types of fish are safe to eat.

- PCBs are resistant to degradation and bioaccumulate to higher concentrations through the food chain
- Younger, smaller fish have lower amounts of PCBs than larger, older predator fish
- PCBs accumulate in the fatty tissue, so fatty fish such as carp and catfish have higher levels of PCBs.

## What are the health risks?

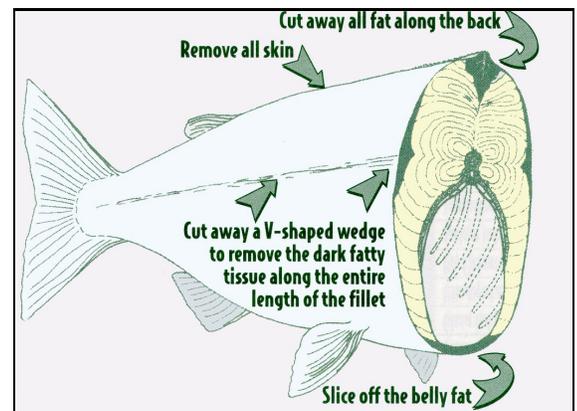
PCBs are stored in your body fat for years. Your health risk may increase as you eat more fish that are high in

- Developmental impairments in children
- Harmful to the immune system
- Harmful to the reproductive system
- Alters thyroid hormones
- Associated with a higher risk of cancer

## How should I prepare and cook my fish?

Proper cleaning and cooking techniques can reduce PCB levels by up to 70%. Follow the following preparation techniques:

- Fillet your fish
- Remove the skin
- Trim away belly fat, fat on the backsides and fatty dark meat
- Do not eat the eggs
- Bake, broil, or grill

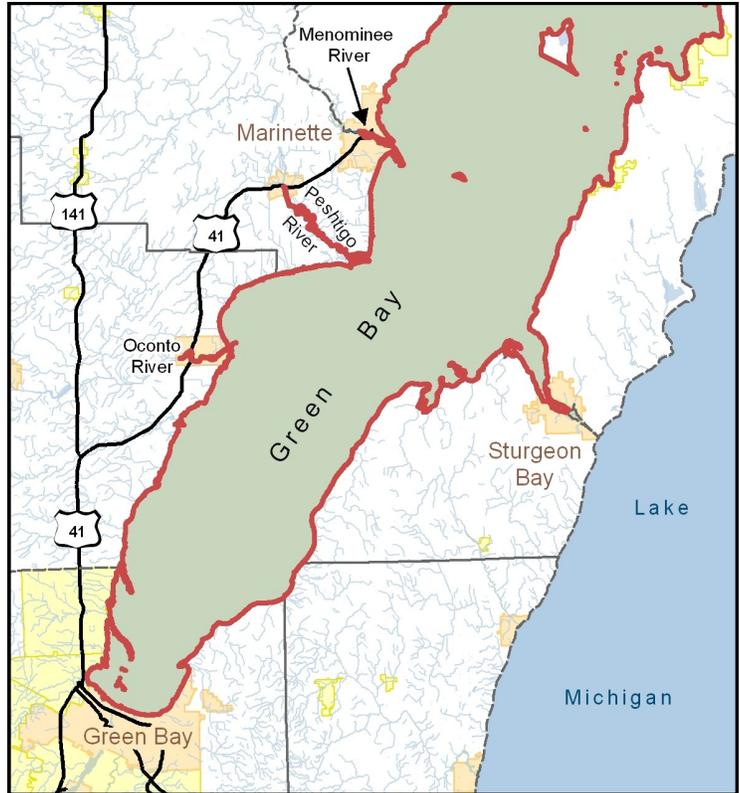




Family fishing at Leicht Park in Green Bay.



Western shore of the Fox River near the Highway 172 bridge.



Green Bay and its tributaries (except the Lower Fox) south of Marinette

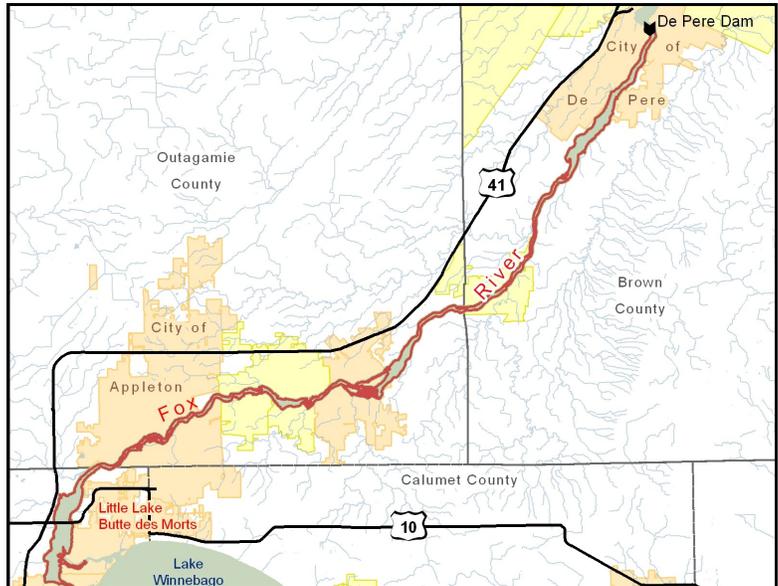
**Green Bay south of Marinette and its tributaries (except the Lower Fox) including the Menominee, Oconto, and Peshtigo Rivers from their mouths up to the first Dam**

Species	Eat no more than 1 meal/week	Eat no more than 1 meal/month	Eat no more than 1 meal every 2 months	Do Not Eat
Yellow perch, white sucker, burbot	All sizes 			
Rainbow trout, sheepshead, walleye, lake whitefish		All Sizes		
Smallmouth bass 	Under 13"	Over 13"		
Northern pike	Under 27"	Over 27"		
Chinook salmon		Under 30"	Over 30"	
Channel catfish, white bass, white perch			All Sizes	
Brown trout		Under 28"		Over 28"
Muskellunge			Over 50"	
<b>Carp, Lake sturgeon</b>				<b>All Sizes</b>

See WI DNR's website: [dnr.wi.gov/topic/fishing/consumption](http://dnr.wi.gov/topic/fishing/consumption)



Fox River from the De Pere Dam to the mouth



Fox River from Little Lake Butte des Morts to the dam in De Pere

Species	Unrestricted	Eat no more than 1 meal/week	Eat no more than 1 meal/month	Eat no more than 1 meal every 2 months	Do Not Eat
<b>Fox River from the De Pere Dam downstream to the mouth</b>					
Black crappie, bluegill, lake whitefish, rock bass, smallmouth bass, white sucker, yellow perch			All Sizes 		
White perch, white bass				All sizes	
Northern pike 			Under 33"	Over 33"	
Sheepshead			Under 19"	19" - 23"	<b>Over 23"</b>
Walleye			Under 21"	21" - 25"	<b>Over 25"</b>
<b>Carp, channel catfish, buffalo</b>					<b>All Sizes</b>
<b>Fox River from Little Lake Butte des Morts downstream to the dam at De Pere</b>					
Channel catfish, walleye, white bass, white perch, yellow perch			All Sizes		
Bluegill, crappie, sunfish, bullheads	All Sizes <sup>1</sup>	All Sizes <sup>2</sup>			
All other species		All Sizes <sup>1</sup>	All Sizes <sup>2</sup>		
<b>Carp</b>					<b>All Sizes</b>

<sup>1</sup> Men and older women

<sup>2</sup> Women of childbearing age and children under 15

See WDNR's website: [dnr.wi.gov/topic/fishing/consumption](http://dnr.wi.gov/topic/fishing/consumption)



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## **Appendix C**

### **Fish and Wildlife Populations and Habitat Actions Table**

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This table lists actions necessary to remove the "Degraded Fish & Wildlife Populations" and "Loss of Habitat" Beneficial Use Impairments in the Lower Green Bay and Fox River AOC.

X = action benefits listed fish/wildlife/habitat groups

Actions		Timeframe		Fish							Wildlife					Habitats				
		Start	Complete	Walleye	Northern Pike	Yellow Perch	Lake Sturgeon	Great Lakes Spotted Muskellunge	Centrarchids	Forage Fish	Colonial Nesting Birds	Waterfowl	Mammals	Marsh Birds	Shorebirds	Amphibians and Reptiles	Wetlands	Shoreline	Hydrologic Connections	Water Quality
Global	Complete Lower Fox Contaminated Sediment Remediation Project.	Ongoing	2017 (Estimated)	X	X	X	X	X	X	X	X	X	X	X					X	
	Implement actions to achieve TMDL Total Phosphorus and Total Suspended Solids targets for improved water quality, and water clarity and growth of submerged aquatic plants in the lower Bay.	Ongoing	Long	X	X	X	X	X	X	X	X	X	X	X					X	
Habitat Assessment & Planning	1A - AOC assessment of shoreline and wetlands habitat to determine baseline conditions, establish specific objectives for habitat BUI, and evaluate success of restoration projects. Include identification of wetlands to target for acquisition, inventory of existing habitat behind bulkhead lines (especially on the west shore of Green Bay) to identify priority areas to target for protection, and a habitat threat assessment by collecting planning documents (Harbor Commission, City of Green Bay, Port Strategic Plan, and Brown County) to look for potential conflicts between remaining habitat and proposed future development.	Short	Short												X	X	X	X	X	
	1B - Cat Island Restoration Planning - develop specific goals for target species and conceptual design for final habitat (desired topography, soil amendments, substrate types, control of pioneer invasive species)	Short	Ongoing		X	X	X	X	X	X	X	X	X	X	X	X	X		X	X
	1C - Maintain aquatic invasive species barriers in local plans.	Ongoing	Ongoing													X				
Fish Populations**	<b>Spawning</b>																			
	Determine need for additional spawning rock enhancements at Joliet Park, Lone Tree Island near frying pan shoal, and/or offshore South Bay Marina and below De Pere dam	Short	Short	X (goal met)			3		1											
	Determine need for additional spawning vegetation enhancements within AOC	Short	Short		1	2		2	2	1										
	Determine need for additional habitat connectivity for all life stages	Ongoing	Short		2	3	2			2										
	<b>Juveniles</b>																			
	Quantify juvenile habitat use, recruitment, and predation	Short	Short		3			1	2	3	3									
	<b>Assessment</b>																			
	Expand WDNR creel and commercial fish census in Brown County	Short	Ongoing		4	4	1	2	4											
	Better characterize adult fish populations, growth, & survival			X (goal met)	4	1	4	3	5											
	<b>Habitat</b>																			
Conduct habitat enhancement if appropriate based upon the results of habitat and recruitment surveys		Medium	X (goal met)	5	5	5	4	6												
<b>Stocking</b>																				
Initiate streamside sturgeon rearing to increase numbers of adults returning to the Lower Fox.	Long	Long					5													
Continue stocking of Great Lakes spotted muskellunge until sufficient natural reproduction occurs to maintain population	Ongoing	Long					1													

\* Ongoing, Short (0-5 years), Medium (5-10 years), Long (10+ years)

\*\* Numbers in columns indicate priority for Fish Populations Actions

			Fish							Wildlife					Habitats							
			Walleye	Northern Pike	Yellow Perch	Lake Sturgeon	Great Lakes Spotted Muskellunge	Centrarchids	Forage Fish	Colonial Nesting Birds	Waterfowl	Mammals	Marsh Birds	Shorebirds	Amphibians and Reptiles	Wetlands	Shoreline	Hydrologic Connections	Water Quality	Rocky Reefs		
Actions		Timeframe																				
		Start	Complete																			
Wildlife Populations	Measure contaminants in waterfowl to determine if current consumption advisory is warranted.	Ongoing	Short								X											
	Measure contaminants in colonial waterbirds and/or tree swallows (possible surrogate for biota following contaminated sediment remediation).	Ongoing	Medium							X												
	Count migrating waterfowl in Green Bay to evaluate population status relative to targets.	Complete	Complete								X											
	Count muskrat houses in emergent marshes using aerial photos to determine current population status.	Short	Short									X										
	Mailed survey of local trappers (if they expect to encounter mink in the lower Bay then population has met target)	Short	Short									X										
	Conduct baseline population survey for snapping & painted turtles in Lower Bay	Short	Short												X							
	Frog populations survey	Short	Ongoing												X							
	Bird survey using DNR methods	Short	Ongoing										X									
Habitat Protection, Rehabilitation and Enhancement	Complete Cat Island Chain restoration	Ongoing	Long		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Control Phragmites in Green Bay West Shore Conservation Opportunity Area (west shore south to mouth of Duck Creek).	Ongoing	Ongoing		X						X	X	X	X	X	X	X	X				
	Restore west shore wetland hydrologic connections to Green Bay in Barkhausen Creek Watershed and other known pike spawning sites.	Ongoing	Ongoing		X	X				X	X				X							
	Complete currently proposed dam removals on Duck Creek in golf course and Pamperin Park.	Complete	Complete	X	X				X	X												
	Remove Nicolet Dr. bridge blockage at cement culvert									X												
	Point Sable wetlands protection, invasive species control, and connection to bay.	Ongoing	Short		?	?		?		X	X	X	X	X	X	X	X	X	X			
	Enhance wetlands and manage invasive species at Corrections/DNR site, slough near Tower Dr., and near Heritage Hills.		Medium		X	?			?	X	X	X	X	X	X					X		
	Enhance shoreline at various locations possibly including: Ashwaubomay Park, Brown County Fairgrounds, or others identified by habitat assessment.		Medium	X																X		
	Neville public museum shoreline reconstruction - terraces to create backwater habitat & connect people to waterfront.		Medium	X					X													
	Improve in-stream habitat in Ashwaubenon and Dutchman's Creeks for fish spawning & nursery areas.		Medium		X	X			X	X												
Peats Lake vegetation enhancement and management including research on the impact of carp on submersed aquatic plants.		Long		X	X	X	X	X	X	X	X	X	X	X	X				X			

\* Ongoing, Short (0-5 years), Medium (5-10 years), Long (10+ years)

\*\* Numbers in columns indicate priority for Fish Populations Actions