

From: Schroeder, Margaret O CIV USARMY CELRE (USA) <Margaret.O.Schroeder@usace.army.mil>
Sent: Wednesday, April 29, 2026 1:33 PM
To: John Neumeier
Subject: RE: Right-of-Entry for Survey and Exploration - Kaukauna Lock 3 Dry Dock
Attachments: KaukaunaDryDock_BriefSOW.docx

Hi John, Attached is a Brief Scope of Work for the project at the Dry Dock on the Fox River. Please let me know if you have any questions. I would be happy to set up a meeting to clarify further.

The U.S. Army Corps of Engineers (USACE), Chicago District, is conducting a formal environmental investigation at the Kaukauna Lock 3 Dry Dock due to historical lead contamination. Past activities, such as routine boat maintenance and the scraping of lead-based paint from wooden structures, have resulted in elevated lead levels in the soil berm surrounding the dock. To comply with federal environmental regulations, USACE must perform a Remedial Investigation and Feasibility Study to determine the exact spread of the contamination across soil, groundwater, and sediment, and to evaluate potential cleanup options.

As part of this assessment, USACE has identified that surface runoff may have carried these contaminants from the Dry Dock onto adjacent city-owned property. Consequently, USACE is requesting to include the City's parcel in their upcoming testing efforts. Importantly, if the sampling confirms that contamination on the City's land originated from the Dry Dock, USACE has stated that they will include the remediation of the City's property in their official cleanup alternatives and action plans. The proposed testing on the City's parcel will be thorough and adhere strictly to standard EPA testing methods.

Thank you,

Maggie Schroeder

From: Schroeder, Margaret O CIV USARMY CELRE (USA)
Sent: Monday, March 30, 2026 10:47 AM
To: 'John Neumeier' <jneumeier@kaukauna.gov>
Subject: RE: Right-of-Entry for Survey and Exploration - Kaukauna Lock 3 Dry Dock

Hi John,
Sorry for the lack of clarity, the parcels surrounding the docks are part of the survey and will be sampled, not just the dock and the canal itself. There are a few locations on the city's adjacent parcel that USACE would like to sample the soil as part of the Kaukauna Lock 3 Dry Dock Project.

I'll be out of town in training this week, but I can give you a call on Monday, 4/6 and we can discuss further.

Thanks!
Maggie

USACE, Chicago District will be conducting a Remedial Investigation/Feasibility Study (RI/FS) at Kaukauna Lock 3 Dry Dock (Dry Dock). The RI/FS will be completed in accordance with Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requirements and the National Contingency Plan (NCP), 40 C.F.R. Part 300, that characterizes environmental conditions and defines the nature and extent of contamination on site for any contaminants of concern.

The Remedial Investigation will consist of site characterization efforts (sampling and analysis) to delineate the nature and extent of the contaminants of concern at Dry Dock that resulted from past releases on the previously owned government parcels. Delineation of the contamination shall include the lateral and vertical extent in all impacted media (e.g., soil, groundwater, and sediment), and migration pathways/conveyances (e.g., utility corridors, etc.). The Feasibility Study will include a risk assessment of the site and develop Remedial Action Objectives (RAOs) specific to existing or reasonably anticipated site conditions and receptors. The Feasibility Study will also evaluate remedial alternatives against the nine criteria stated in the National Contingency Plan (NCP) 40 CFR 300.430(e)(9). The RI/FS shall comply with the requirements set forth in the NCP, including but not limited to 40 C.F.R. 300.430 (d) & (e).

Through previous investigations, elevated concentrations of lead were detected in soil of the berm surrounding the Dry Dock. This lead contamination is likely the result of historic scraping of lead-based paint from exterior walls of the wooden structures located on the parcel and/or historical maintenance of boats in the boat dry dock. Through the development of the Preliminary Conceptual Site Model, USACE believes that the City’s parcel should be included in the Remedial Investigation as there is a possibility that contaminants may have been transported from the Dry Dock berm to the soil on the City’s parcel through surface runoff. If contamination is found on the City’s parcel that is tied to the Dry Dock contamination, remediating the contamination on the City’s parcel will be included in USACE’s remedial alternatives. The contaminants of concern that the soil would be tested for are included in Table 1. If groundwater is present on the parcel, it will be tested for the contaminants included in Table 2..

Table 1: Soil Analysis Requirements

Test	Test Method	Media/Remarks
Target Analyte List (TAL) Metals	EPA 200.7/6010C	
TCLP (RCRA Metals)	EPA 1311, 6010/6020/7470	For Disposal Purposes
Reactivity	EPA 7.3.4.2	For Disposal Purposes
Corrosivity	EPA 9040C, EPA 9045C	For Disposal Purposes
Ignitability/Flash Point	EPA 1010/1030	For Disposal Purposes

Table 2: Groundwater Analysis Requirements

Test	Test Method
Target Analyte List (TAL) Metals	EPA 200.7/6010C
pH	*In Field Testing
Oil and Grease	EPA 1664A, EPA 9071B
Ammonia Nitrogen	EPA 350.1
Turbidity (NTU)	*In Field Testing
Conductivity	*In Field Testing

**DEPARTMENT OF THE ARMY
RIGHT OF ENTRY FOR SURVEY AND EXPLORATION**

Kaukauna Lock 3 Dry Dock (Project, Installation, or Activity)	322086400 (Tract Number or Other Property Identification)
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The undersigned, hereinafter called the “Owner,” hereby grants to the UNITED STATES OF AMERICA, hereinafter called the “Government,” a right-of-entry upon the following terms and conditions:

1. The Owner hereby grants to the Government, its agents and assigns an irrevocable right to enter upon the lands hereinafter described at any time within the period from August 1, 2026 to August 1, 2027 in order to survey, make test borings, and carry out such other exploratory work as may be necessary to complete the investigation being made of said lands by the Government.
2. This right-of-entry includes the right of ingress and egress on other lands of the Owner not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Government.
3. All tools, equipment, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this right-of-entry.
4. If any action of the Government’s employees or agents in the exercise of this right-of-way results in damage to the real property, the Government will, at its option, either repair such damage or make an appropriate settlement with the owner. In no event shall such repair or settlement exceed the fair market value of the fee interest of the real property at the time immediately preceding such damage. The Government’s liability under this clause may not exceed appropriations available for such payment and nothing contained in this agreement may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies. The provisions of this clause are without prejudice to any rights the Owner may have to make a claim under applicable laws for any other damages than provided herein.

The land affected by this right-of-entry is located in the State of Wisconsin, County of Outagamie, and which are depicted in “Exhibit A”, which is attached and made a permanent part thereof.

WITNESSES MY HAND AND SEAL this ____ day of _____, 2026.

CITY OF KAUKAUNA

Print Name

Title

Phone Number

Email Address

Signature

UNITED STATES OF AMERICA

By: _____
MICHAEL B. ROHDE
Chief, Real Estate Division
Real Estate Contracting Officer

Exhibit A
Real Estate Map

NOTE: THE CERTIFICATE OF AUTHORITY must be executed by an individual other than by the person who signed the agreement. The individual must certify that the official who signed the agreement was authorized to act in that capacity.

CERTIFICATE OF AUTHORITY

I, _____, do hereby certify that I am the
_____ of **CITY OF KAUKAUNA** and that
_____, who signed the agreement on behalf of **CITY
OF KAUKAUNA** was at the time of signature its _____,
and that the person who executed the agreement on behalf of **CITY OF KAUKAUNA** acted
within his/her statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification this _____ day
of _____, 2024.

(Name)

(Title)