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November 16, 2017

Lindy Peters  
Mayor, City of Fort Bragg  
416 N. Franklin St.  
Fort Bragg, CA 95437  
Sent: Via E-mail

Dear Mr. Mayor,

We are aware that the City Council is prepared to consider the October 24, 2017 Council Committee Item Summary Report to "Receive Report and Provide Direction Regarding Resolution Regarding Clean-up of the GP Mill Pond" and possibly take affirmative steps to endorse a resolution calling on DTSC to require active remediation of Pond 8, also known as the log pond, on the Georgia-Pacific site. We want to remind you and the City Council that the City, in order to settle claims between the City and Georgia-Pacific in the recent cost recovery litigation, agreed to certain terms and Georgia-Pacific accepted the City's settlement proposal and dismissed our claims. Should the City proceed with consideration of the Pond 8 resolution, we would view the City to be in breach of our agreement and would take such action as would be appropriate. We communicated to you in letters dated August 5 and August 28 our concerns and disappointment in several actions recently taken by the City regarding our former manufacturing site cleanup activities. As we have previously stated, we have no desire to be adverse to the City but we must also protect our interests and will do so.

We also want to emphasize that the City has a share of the liability for Pond 8. The City's storm water flows into Pond 8 and has for decades. That storm water contains contaminants, including dioxin, as evidenced by the data we provided to you. We continue to believe that Pond 8 does not present a risk, does not require active remediation and this is supported by the Risk Assessment approved by DTSC. However, should we be forced to undertake active remediation, we will require that the City fund its fair share of that remediation. Should you or any members of the Council wish to discuss this further, I would be happy to talk to you or them.

Sincerely

  
Traylor Champion

CC: City Council of Fort Bragg (via e-mail)