

①

5/16/15

Dear Ms. Randall ~

My name is Carla Biety and I live at 22159 SW Kelsey Court in Sherwood, OR. I received the notice of the "Oregon Street Grading SP 15-03" site plan and wanted to ensure my family's comments were heard and considered.

Here are my family's main concerns:

① - Dust Control

- Considering The tannery that used to occupy the land used harsh chemicals and buried their waste, I am concerned for the health of my 7-yr old and my husband because of the dust that will be kicked up in the air during this project. I am requesting that extensive dust mgmt be practiced to limit the impact of dust that is inhaled by the families and children in my neighborhood. When previous grading projects in this area occurred, our entire neighborhood was blanketed with dust all summer long which reduced our quality of life and caused allergies and coughing more than normal.

(2)

## (2) - Noise Control -

The noise generated by the excavation equipment and trucks, as well as the excavation itself, is disruptive to the families in the vicinity. I am requesting that the excavation start no earlier than 9:00 am and complete no later than 3:00 pm. It is frustrating and reduces quality of life because not only will our windows need to be shut the entire time, now we won't be able to escape the noise.

## (3) - Clean-up -

Please ensure that Oregon Street is regularly maintained by street sweepers throughout this process. Large trucks typically bring and spread debris on the road. SW Oregon is highly traveled by cars, pedestrians and cyclists alike and the gravel, dirt, large rocks, etc... create unfavorable conditions.

Regarding site clean-up, last time this site was re-graded, the contractors left a pile of dirt next to the road that was unsightly. We take pride in our neighborhood →

and ask that if this project proceeds, that the contractors clean their site appropriately and respect our neighborhood.

Thank you for the opportunity to share my concerns regarding this project. In summary, my family's health, well-being and quality of life is my main concern and I request that the managers on this project take these concerns seriously and support the many families who will be impacted negatively by the dust, noise and debris that this project will create.

If you have any questions or would like additional information, please feel free to contact me.

Respectfully Yours,

Carla Biety  
22159 SW Kelsey Court  
Sherwood, OR 97140

503-253-5111



# Engineering Land Use Application Comments

---

To: Brad Kilby, Planning Manager  
From: Craig Christensen, P.E., Engineering Associate II  
Project: (SP 15-03) Oregon Street Grading  
Date: May 26, 2015

---

Engineering staff has reviewed the information provided for the above cited project. Final construction plans will need to meet the standards established by the City of Sherwood and Clean Water Services (CWS), in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

## Sanitary Sewer, Water Storm Sewer and Transportation

The proposed work consists of regrading of an existing parcel of property. With no development being performed for this site plan, no public utility or public transportation improvements are required to be constructed.

## Grading and Erosion Control:

City policy requires that prior to any grading, a grading and erosion control permit shall be obtained from the Building Department for all grading activities on private property. In addition, an approved grading and erosion control plan is also required prior to any grading and to obtain a Storm Water Connection Permit from Clean Water Services.

## Other Engineering Issues:

A Service Provider Letter and Stormwater Connection Authorization Permit shall be obtained from Clean Water Services.

The project exceeds 5 acres of disturbance requiring a DEQ 1200-C permit.

Since no site development is being performed at this time, no dedication of an 8-foot wide public utility easement (PUE) is required for this onsite work.

Since no site development is being performed at this time, installation of Sherwood Broadband utilities is not required for this onsite work.

**End of Engineering Land Use Review Comments.**



## MEMORANDUM

**Date:** May 28, 2015  
**To:** Connie Randall, Associate Planner, City of Sherwood  
**From:** Jackie Sue Humphreys, Clean Water Services (the District)  
**Subject:** Oregon Street Industrial Site Grading Project, SP 15-03, 2S129DC00500, 00600, 00700

Please include the following comments when writing your conditions of approval:

### **PRIOR TO ANY WORK ON THE SITE**

A Clean Water Services (the District) Storm Water Connection Permit Authorization must be obtained. Application for the District's Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 07-20, (or current R&O in effect at time of Engineering plan submittal), and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.2.b-1.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit. If site area and any offsite improvements required for this development exceed five-acres of disturbance, project will require a 1200-C Erosion Control Permit.
- c. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- d. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

### **CONCLUSION**

This Land Use Review does not constitute the District's approval of storm or sanitary sewer compliance to the NPDES permit held by the District. The District, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.

**Connie Randall**

---

**From:** Ted Buerger <ted\_buerger@fws.gov>  
**Sent:** Friday, May 29, 2015 1:33 PM  
**To:** Connie Randall  
**Subject:** FW: Proposal for site grading on SW Oregon Street in Sherwood  
**Attachments:** DEQ Letter Summarizing CrVI Sample Results.pdf

Hi Connie:

Per our discussion just now, below is the email that I sent earlier this week to Erin Holmes.

Please let me know if you have any questions.

Regards,

Ted Buerger

Theodore T. Buerger, Ph.D.  
Manager, Conservation Planning Assistance and Environmental Contaminants Division  
U.S. Fish and Wildlife Service  
Oregon Fish and Wildlife Office  
2600 SE 98th Avenue, Suite 100  
Portland, Oregon 97266

Phone: 503-231-6179

FAX: 503-231-6195

[ted\\_buerger@fws.gov](mailto:ted_buerger@fws.gov)

---

**From:** Ted Buerger [mailto:[ted\\_buerger@fws.gov](mailto:ted_buerger@fws.gov)]  
**Sent:** Wednesday, May 27, 2015 11:24 AM  
**To:** Erin Holmes  
**Cc:** 'PUGH Mark'  
**Subject:** Proposal for site grading on SW Oregon Street in Sherwood

Hi Erin:

The proposed work described in the Type II Fast Track Site Plan Review that you forwarded last week is for an area adjacent to the former Frontier Leather Tannery (which was formerly located on tax lot 1100). The approximately 6.06-acre project area is located on current tax lots 500, 600, and 700 (note that some tax lot designations have changed over the years, which makes comparison to historical information more difficult). The current project area includes the former battery plant that was on land leased from the former Frontier Leather Tannery and portions of the landfill area associated with the former Frontier Leather Tannery. Online information from Oregon DEQ states that that landfill area "includes the remains of the battery casings, the sulfuric acid discharge area, the landfarmed sludges, and the hide splits (which were stacked on the ground in three foot piles and covered with two feet of soil). In addition to this material, the landfill area also contains wood and metal scraps, concrete rubble, and household garbage, all of which was apparently brought in from the City of Sherwood and used as fill." I do not know most of the details, but there have been actions taken over the years to remove some of these materials and there is a long history of Oregon DEQ involvement on the

site. I gave Mark Pugh, Oregon DEQ Northwest Region, a call to discuss and he forwarded the attached letter (dated 2/2/15) that Oregon DEQ sent to the current owner of the subject properties. In short, Oregon DEQ concluded "the site properties are protective of occupational exposure and therefore suitable for commercial or industrial development." Based on their knowledge of the site, Oregon DEQ does not believe there is a risk of the current proposed activities resulting in off-site movement of any contaminants or contaminated materials, so I do not believe FWS has any concerns to raise in that regard. Oregon DEQ is aware of the FWS's ongoing concerns about the area, particularly the tax lots to the east of the proposed project, and continues to monitor developments.

The Executive Summary of the Application Materials available from the City of Sherwood's website states that "The property owner is requesting Type II Fast Track Site Plan Approval to improve the marketability of the subject site by grading the property to eliminate noxious vegetation and soil stockpiles. All material removed from the site will be taken to a qualified landfill. The intent is to make the subject property level and more attractive to potential purchasers, developers, and the general public. No development is planned with the application." I assume the "soil stockpiles" are from more recent activity on these tax lots rather than historic activities associated with the former Frontier Leather Tannery or other facilities. Mark Pugh confirmed that these stockpiles are from more recent activity at the site and also contain rubble from the demolition of the former tannery buildings (following the fire on site).

Based on my review, I do not see any reference to the former Frontier Leather Tannery and associated activities anywhere in the application materials, which is somewhat troubling, particularly when the letter that Mark provided clearly states that "any soil, crushed rock, or other non-organic material . . . removed from the site property . . . will be disposed of at an appropriate landfill approved by the DEQ." The application states that materials "removed from the site will be taken to a qualified landfill" but there is no further definition of "qualified" landfill and whether the project proponents have or will coordinate with Oregon DEQ on this disposal. Although this issue is not really within FWS's jurisdiction, there would not be any harm if you wanted to comment on this to the City of Sherwood.

I hope my review was helpful.

Regards,

Ted

---

**From:** PUGH Mark [<mailto:PUGH.Mark@deq.state.or.us>]  
**Sent:** Thursday, May 21, 2015 2:49 PM  
**To:** 'ted\_buerger@fws.gov'  
**Subject:** FW: Visser Building Property, Sherwood Oregon

---

**From:** PUGH Mark  
**Sent:** Monday, February 02, 2015 3:09 PM  
**To:** [chip@visserbuilding.com](mailto:chip@visserbuilding.com)  
**Cc:** 'Rick Nesor'; POULSEN Mike; PARRETT Kevin; 'Christopher Rycewicz'  
**Subject:** Visser Building Property, Sherwood Oregon

Chip,

Attached is the final letter regarding the CrVI issue that reflects our agreed upon content based on Chris Rycewicz's review and feedback. Thank you for working with us on this. I can send an original "cleaner" copy by mail if you need it. Let me know.



# Oregon

John A. Kitzhaber, M.D., Governor

## Department of Environmental Quality

Northwest Region Portland Office  
 2020 SW 4<sup>th</sup> Avenue, Suite 400  
 Portland, OR 97201-4987  
 (503) 229-5263  
 FAX (503) 229-6945  
 TTY (503) 229-5471

February 2, 2015

Chip Gallagher  
 Visser Building Co.  
 8312 W. Northview St. Suite 120  
 Boise, Idaho 83704

*Sent via E-mail*

Re: Soil Testing Results  
 Frontier Leather Site  
 15104 SW Oregon St.  
 Sherwood, Oregon  
 ECSI #116

Dear Chip:

This letter contains a brief summary of environmental background information, the results of recent soil sampling undertaken by the Oregon Department of Environmental Quality (DEQ), and the current regulatory status of the property. In short, DEQ has concluded that the site is fully protective of human health during occupational uses of the property.

The site is located at 15104 SW Oregon Street (formerly 1210 NE Oregon Street) in Sherwood, Oregon. The site originally consisted of tax lots (TLs) 400, 500, 503 and 600 of Section 29D, and tax lot 400 of Section 28C of Township 2 North, 1 West (Figure 1).

In January 1995, DEQ added the site to the Environmental Cleanup Site Information (ECSI) database. (ECSI #116.) In September 2000, DEQ divided the site into two separate ECSI sites on a tax lot basis. TL 600 was assigned ECSI #2638, and named the Frontier Leather Company Sedimentation Lagoon site, while ECSI #116 was redefined as TLs 400 and 500. TL 503 was not formally addressed in the Prospective Purchaser Agreement (PPA) or ongoing work on TL 600. In 2003 TL 400 was divided into TL 900, 1000 and 1100. According to the Washington County records these parcels are now referred to as TL 600, 700 and 800, respectively.

On January 31, 2002, DEQ entered into a PPA with Pacific III LLC for investigation and cleanup of TLs 400 (now TL 600, 700 and 800) and 500. These lots contained the main operational areas of the Frontier Leather Site. The PPA limited the use of the property by not allowing groundwater to be used as drinking water, requiring residential development to be approved by DEQ, and not allowing agricultural use.

DEQ issued No Further Action (NFA) determinations for TL 500 in November 2004 and TL 900 (now TL 600) and TL 1000 (now TL 700) in October 2005. Oregon Self Storage Sherwood LLC purchased tax lot 500 in 2005. Tax Lots 600 and 700 were purchased by the Grabowski Family Trust in 2012.

In June 2014 Visser Building Company, a company affiliated with Oregon Self Storage Sherwood LLC, contacted DEQ and indicated that they desired to prepare tax lot 500 for development, and were also interested in developing tax lots 600 and 700. Because of regulatory changes to hexavalent chromium (CrVI) standards, DEQ conducted soil sampling in September 2014 to collect representative data for an updated risk evaluation, as described below.

### **Soil Sampling Results**

In September 2014 DEQ collected 27 shallow soil samples at locations shown on Figure 1. The samples were analyzed for CrVI, total chromium and lead. The results are summarized on Table 1.

As specified under DEQ regulations, site data were reduced to a single exposure point concentration using a statistical metric. The 90% UCL for CrVI was calculated to be 3.2 mg/kg (see attached statistics work sheet). This concentration is well below the risk-based standard for occupational exposure (but above the risk-based standard for urban residential exposure). Thus, CrVI does not present human health concerns during occupational uses of the property.

Total chromium concentrations were all below risk-based concentrations. Thus, total chromium does not present health concerns. Only 2 of 27 detected lead concentrations were above applicable risk-based concentrations, so lead does not present health concerns.

Based on this risk screening DEQ concludes that the site properties are protective of occupational exposure and therefore suitable for commercial or industrial development. Site conditions are not presently suitable for residential development without additional investigation and/or remedial action.

In summary, recent DEQ testing has resolved the concern regarding CrVI and shows that the site is fully protective of human health during occupational use of the property. The DEQ requires No Further Action of the aforementioned parcels provided 1) they are developed for commercial, light industrial or industrial use as allowed under site zoning, and 2) if any soil, crushed rock, or other non-organic material is removed from the site property it will be disposed of at an appropriate landfill approved by the DEQ.

If organic material generated during clearing and grubbing is to be moved off-site, associated soil should be removed to the extent practical prior to transport. The DEQ requires No Further Action on the aforementioned parcels if developed for commercial, light industrial or industrial use provided all non organic materials remain on site or are removed and disposed of at an appropriate land fill approved by the DEQ.

I will post this letter on DEQ's web site. You should also maintain a copy in your files. Please contact me at (503) 229-5587 or Pugh.Mark@deq.state.or.us with questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'M Pugh', with a large, stylized flourish at the end.

Mark Pugh, R.G.  
Project Manager  
Cleanup and Tanks

Attachments: Table 1. Frontier Leather Soil Sampling Results for Tax Lots 500, 600 and 700  
Figure 1. DEQ Sampling Locations on TL 500, 600 and 700  
90% UCL Worksheet

cc: Kevin Parrett, DEQ NWR Cleanup and Tanks (e-copy)  
Mike Poulsen, DEQ NWR Cleanup and Tanks (e-copy)  
Chris Rycewicz, Miller Nash Graham & Dunn LLP (e-copy)

Table 1. Frontier Leather Soil Sampling Results for Tax Lots 500, 600 and 700

Sample Identification	Lab Sample Name	CrVI	Data Qualifier	Total Chromium	Data Qualifier	Lead	Data Qualifier	Mercury	Data Qualifier
C	L721335-04	0.784		1,600		53		0.22	
4	L721335-05	0.193		710		71		0.039	
2	L721335-06	1.32		45		89		0.039	
J	L721335-07	0.277		54		54		0.04	
E	L721335-08 S1	0.091	U	30		23		0.026	
D	L721335-09 S1	0.091	U	75		24		0.031	
I	L721335-10	1.18		750		880		0.69	
M	L721335-11	0.272		340		68		0.54	
L	L721335-12	0.091	U	110		23		0.061	
K	L721335-13	0.377		1,300		50		0.58	
Z	L721335-14	0.246		68		26		0.3	
U	L721335-15	0.128		27		98		0.055	
T	L721335-16	0.729		480		37		0.68	
V	L721335-17	0.862		280		98		0.091	
X	L721335-18	10		460		230		0.26	
N	L721335-19	0.695		120		15		0.039	
S	L721335-20	0.74		120		33		0.25	
W	L721335-21	0.08		28		11		0.033	
R	L721335-22	0.219		32		20		0.022	
Q	L721335-23	0.085		31		41		0.024	
P	L721335-24	1.46		87		19		0.1	
O	L721335-25	2.94		260		120		0.23	
H	L721335-26	12		710		78		0.75	
G	L721335-27	6.32		250	J3, J6	38		0.29	
A	L721335-28	3.59		220		170		0.078	
B	L721335-29	0.119		25		170		0.011	J
F	L721335-30	0.1		240		1,100		0.43	

90% UCL	3.159	NC	NC	NC
DEQ RBC (occ.)	5.5	>Max	800	310
DEQ RBC (urban res.)	0.66	120,000	400	47

Notes

All concentrations in mg/kg

DEQ RBC (occ.) -DEQ Risk-Based Concentrations for Occupational Exposure

DEQ RBC (urban res.) -DEQ Risk-Based Concentrations for urban Residential Exposure

>Max- The RBC is greater than 1,000,000 mg/kg and not deemed to pose a risk for this exposure scenario

Highlighted concentrations exceed the DEQ RBC for occupational and urban residential exposure

Highlighted concentrations exceed the DEQ RBC for urban residential exposure

NC - Not calculated

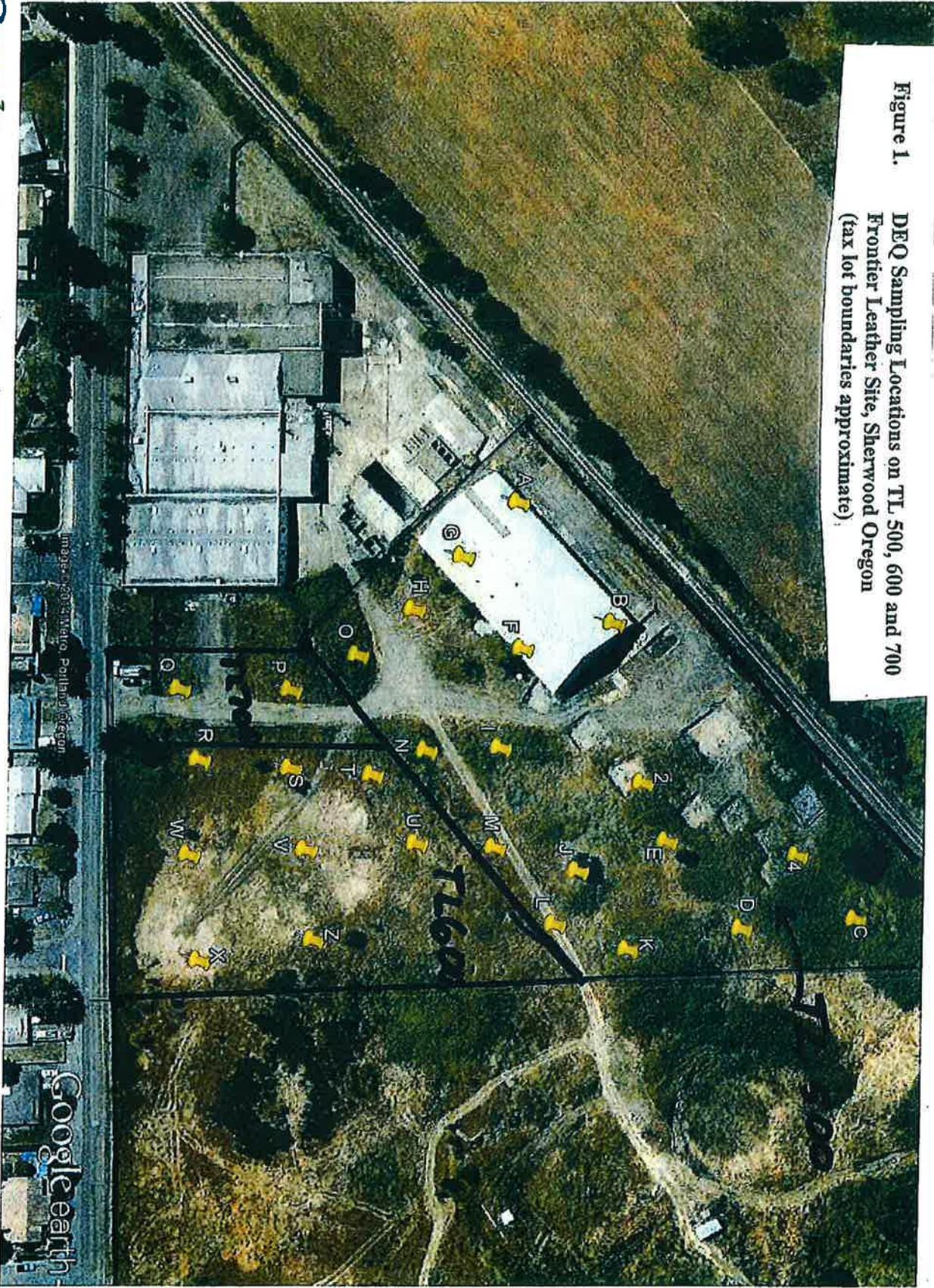
Qualifiers:

J6 The sample matrix interfered with the ability to make any accurate determination; spike value is low

J3 The associated batch QC was outside the established quality control range for precision.

J (EPA) - Estimated value below the lowest calibration point.

Figure 1.  
DEQ Sampling Locations on TL 500, 600 and 700  
Frontier Leather Site, Shervood Oregon  
(tax lot boundaries approximate).



Google earth

feet  
meters



	A	B	C	D	E	F	G	H	I	J	K	L				
1	<b>UCL Statistics for Uncensored Full Data Sets</b>															
2																
3	<b>User Selected Options</b>															
4	Date/Time of Computation		10/16/2014 11:28:37 AM													
5	From File		CrVI Data for ProUCL.xls													
6	Full Precision		OFF													
7	Confidence Coefficient		90%													
8	Number of Bootstrap Operations		2000													
9																
10																
11	<b>C0</b>															
12																
13	<b>General Statistics</b>															
14	Total Number of Observations				27				Number of Distinct Observations				25			
15									Number of Missing Observations				0			
16	Minimum				0.08				Mean				1.666			
17	Maximum				12				Median				0.377			
18	SD				3.033				Std. Error of Mean				0.584			
19	Coefficient of Variation				1.62				Skewness				2.591			
20																
21	<b>Normal GOF Test</b>															
22	Shapiro Wilk Test Statistic				0.572				Shapiro Wilk GOF Test							
23	5% Shapiro Wilk Critical Value				0.923				Data Not Normal at 5% Significance Level							
24	Lilliefors Test Statistic				0.342				Lilliefors GOF Test							
25	5% Lilliefors Critical Value				0.171				Data Not Normal at 5% Significance Level							
26	<b>Data Not Normal at 5% Significance Level</b>															
27																
28	<b>Assuming Normal Distribution</b>															
29	90% Normal UCL						90% UCLs (Adjusted for Skewness)									
30	90% Student's-t UCL				2.434				90% Adjusted-CLT UCL (Chen-1996)				2.622			
31									90% Modified-t UCL (Johnson-1978)				2.482			
32																
33	<b>Gamma GOF Test</b>															
34	A-D Test Statistic				1.588				Anderson-Darling Gamma GOF Test							
35	5% A-D Critical Value				0.805				Data Not Gamma Distributed at 5% Significance Level							
36	K-S Test Statistic				0.186				Kolmogrov-Smirnoff Gamma GOF Test							
37	5% K-S Critical Value				0.178				Data Not Gamma Distributed at 5% Significance Level							
38	<b>Data Not Gamma Distributed at 5% Significance Level</b>															
39																
40	<b>Gamma Statistics</b>															
41	k hat (MLE)				0.529				k star (bias corrected MLE)				0.495			
42	Theta hat (MLE)				3.15				Theta star (bias corrected MLE)				3.367			
43	nu hat (MLE)				28.56				nu star (bias corrected)				26.72			
44	MLE Mean (bias corrected)				1.666				MLE Sd (bias corrected)				2.369			
45									Approximate Chi Square Value (0.1)				17.88			
46	Adjusted Level of Significance				0.089				Adjusted Chi Square Value				17.52			
47																
48	<b>Assuming Gamma Distribution</b>															
49	90% Approximate Gamma UCL (use when n>=50))				2.49				90% Adjusted Gamma UCL (use when n<50)				2.541			
50																
51	<b>Lognormal GOF Test</b>															
52	Shapiro Wilk Test Statistic				0.917				Shapiro Wilk Lognormal GOF Test							

	A	B	C	D	E	F	G	H	I	J	K	L
53			5% Shapiro Wilk Critical Value			0.923		Data Not Lognormal at 5% Significance Level				
54			Lilliefors Test Statistic			0.135		Lilliefors Lognormal GOF Test				
55			5% Lilliefors Critical Value			0.171		Data appear Lognormal at 5% Significance Level				
56			Data appear Approximate Lognormal at 5% Significance Level									
57												
58			Lognormal Statistics									
59			Minimum of Logged Data			-2.526		Mean of logged Data				-0.68
60			Maximum of Logged Data			2.485		SD of logged Data				1.53
61												
62			Assuming Lognormal Distribution									
63			90% H-UCL			3.362		90% Chebyshev (MVUE) UCL				3.159
64			95% Chebyshev (MVUE) UCL			3.91		97.5% Chebyshev (MVUE) UCL				4.953
65			99% Chebyshev (MVUE) UCL			7.002						
66												
67			Nonparametric Distribution Free UCL Statistics									
68			Data appear to follow a Discernible Distribution at 5% Significance Level									
69												
70			Nonparametric Distribution Free UCLs									
71			90% CLT UCL			2.414		90% Jackknife UCL				2.434
72			90% Standard Bootstrap UCL			2.404		90% Bootstrap-t UCL				2.826
73			90% Hall's Bootstrap UCL			2.539		90% Percentile Bootstrap UCL				2.443
74			90% BCA Bootstrap UCL			2.64						
75			90% Chebyshev(Mean, Sd) UCL			3.418		95% Chebyshev(Mean, Sd) UCL				4.211
76			97.5% Chebyshev(Mean, Sd) UCL			5.312		99% Chebyshev(Mean, Sd) UCL				7.474
77												
78			Suggested UCL to Use									
79			Recommendation Provided only for 95% Confidence Coefficient									
80												