



**Date:** February 12, 2024

**From:** Willamette Riverkeeper, Portland Harbor Community Coalition, Portland Harbor Community Advisory Group, Portland All Nations Canoe Family

**To:** Caleb Shaffer, Remedial Project Manager, US Environmental Protection Agency [shaffer.caleb@epa.gov](mailto:shaffer.caleb@epa.gov)

Dave Lacey, Portland Harbor Source Control Coordinator - Oregon Department of Environmental Quality, [lacey.david@deq.state.or.us](mailto:lacey.david@deq.state.or.us)

**Re:** McCormick and Baxter Site

Dear Mr. Shaffer and Mr. Lacey,

We are writing to you to urge the Environmental Protection Agency (“EPA”) and Oregon Department of Environmental Quality (“DEQ”) to take aggressive action to bring the McCormick and Baxter site located within the Portland Harbor Superfund area into productive, beneficial public use.

McCormick and Baxter comprises approximately 41 acres of land and an additional 23 acres of in-water habitat that was heavily contaminated with creosote, copper, PAHs, arsenic and other contaminants over decades of industrial use by the McCormick and Baxter Creosote Company which operated from 1944 until 1991. It was one of the first sites remediated in the Portland Harbor Superfund area. Remediation occurred between 1996 and 2005 and included excavation and off-site disposal and treatment of contaminated soil, construction of a clean soil cap over the entire site, capping sediment in the Willamette River; construction of a subsurface barrier wall to control NAPL migration from the site to river sediments; institutional controls; and long-term

monitoring.<sup>1</sup> The American taxpayers contributed over \$60 million to implement this remedy.

Despite this public investment, the site has sat inaccessible and unutilized by the public for nearly two decades. It represents one of the most significant opportunities to advance public uses that promote equity, inclusion, environmental restoration, fish and wildlife habitat, environmental justice and public access in the North Reach of the Willamette.

We urge EPA and DEQ to use all of the tools at their disposal to encourage the expeditious transfer of ownership of this site to an entity that is capable and committed to advancing a community-based and Tribal-based vision. While the site remains under the ownership of Charlie McCormick, it is taxpayers that paid for the cleanup and it is long past time that real public benefits be secured at this site.

We are deeply concerned that at least three entities with the capacity, desire and fundraising ability to realize public benefits at the McCormick and Baxter site have walked away over the past three years due to lack of responsiveness from the site's owner.

We are opposed to the site's owner's interest in a future botanical garden on the property. The property owner has focused his attention with the Portland Botanical Garden in protracted, multi-year discussions that have caused more viable entities to abandon their efforts. We believe that the Botanical Garden faces unrealistic funding and permitting hurdles that will make the project infeasible. We also do not believe that if a Botanical Garden is to be constructed, that it would meet community needs. The years that this option has been under discussion and the lack of viable progress, while other community-based opportunities fell by the wayside, speaks for itself. Our groups do not support further negotiations with the Portland Botanical Garden based on both the substance and viability of this proposal.

The North Reach of the Willamette River is the most degraded stretch of river in Oregon. The Superfund process is moving at a glacial pace and will span

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<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Cleanup&id=1000339#bkground>

generations before it is complete. McCormick and Baxter represents a unique and unparalleled opportunity to realize tangible and significant community and tribal benefits that could be realized now. Far too much time has already elapsed and too many viable opportunities have been missed at this site. It is both unreasonable and unacceptable to allow another generation to pass before it is put to real community benefit.

Our organizations stand ready to collaborate with EPA and DEQ to develop a community-based vision and to move the McCormick and Baxter site forward. It is also important that the agencies pursue government to government consultation to determine the level of interest that regional Tribes' have in the future of the McCormick and Baxter site.

Thank you for your consideration of this letter,

Respectfully,

Travis Williams  
Riverkeeper & Executive Director  
Willamette Riverkeeper

Cassie Cohen  
Executive Director  
Portland Harbor Community Coalition

Michael Pouncil  
Executive Director  
Portland Harbor Community Advisory Group Executive Director

Renea Perry  
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CC:

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