



CITY OF PORTLAND ENVIRONMENTAL SERVICES



The Portland Building ■ 1120 SW Fifth Ave, Suite 613, Portland, Oregon 97204 ■ Dawn Uchiyama, Director

April 15, 2025

Sarah Miller
Heidi Nelson
Rebecca Digiustino
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, Oregon 97232

Re: Semi-annual Progress Report for Columbia Slough Consent Judgment

Dear Sarah, Heidi, and Rebecca:

In accordance with the Columbia Slough Consent Judgment between the City of Portland (City) and the Oregon Department of Environmental Quality (DEQ) entered into Multnomah County Circuit Court on May 8, 2024, the City submits this first semi-annual progress report to summarize progress and key action items the City has completed to fulfill obligations of the settlement agreement. Section 1.5 of Exhibit B, Scope of Work, of the Consent Judgment requires the City to submit semi-annual progress reports on April 15 and October 15 of each year to summarize the status of work required under each task. Final workplans generated for stormwater treatment, basin closure, and alternative remedial measures (ARMs) specify information to be provided in semi-annual progress reports on April 10 and October 10. Accordingly, this second semi-annual progress report summarizes the work status and work completed since October 15, 2024.

Payment of Remedial Action Costs:

Pursuant to section 4A of the Consent Judgment, the City wired \$5,000,000 to DEQ on June 10, 2024 within 45 days of entry of the Consent Judgment to fund performing or paying for investigation, removal, or remedial actions in the Columbia Slough. This was the first of three payments. The City will wire another payment of \$6,000,000 to DEQ no later than August 1st, 2025, and a third and final payment of \$5,000,000 no later than August 1st, 2026.

Payment of Natural Resources Damages:

Pursuant to section 5A of the Consent Judgment, the City wired \$2,000,000 to DEQ on June 10, 2024 within 45 days of entry of the Consent Judgment for use by DEQ in

Ph: 503-823-7740 ■ Fax: 503-823-6995 ■ portland.gov/bes ■ An Equal Opportunity Employer

The City of Portland ensures meaningful access to City programs, services, and activities to comply with Civil Rights Title VI and ADA Title II laws and reasonably provides: translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids and services. To request these services or file a complaint of discrimination, contact 503-823-7740 or 311 (503-823-4000), for Relay Service and TTY: 711.

consultation with Oregon Department of Fish and Wildlife to fund natural resource restoration projects, including remedial actions that provide natural resource benefits in the Columbia Slough. This payment completed the City's obligations to pay for Natural Resources Damages claims under the settlement agreement.

Payment of DEQ Source Control Personnel:

Pursuant to section 6A of the Consent Judgment, the City wired \$500,000 to DEQ on June 10, 2024 within 45 days of entry of the Consent Judgment dedicated to use by DEQ for funding of the work of DEQ or contract personnel to facilitate source investigation and control in the Columbia Slough. This was the first of three payments that shall total \$1,500,000 per Section 6 of the Consent Judgment. Funds provided with this payment are to be used only for work directly associated with the investigation and control of potential contamination to the Slough. DEQ shall provide an annual accounting of its charges made against these funds in a format similar to that used to document DEQ oversight expenditures. DEQ will submit the first of this annual accounting documentation in the summer 2025.

Basin Source Control Evaluation and Closure Documentation:

The City has been working with DEQ prior to and after entry of the Consent Judgment to identify potential ongoing significant sources of contaminants to the City stormwater conveyance system and implement upland source control measures where feasible. In compliance with Section 2.1 of Exhibit B, Scope of Work, of the Consent Judgment and the final *Columbia Slough Outfall Investigation and Basin Closure Work Plan* dated June 14, 2024, the City has begun source investigations within priority basins, evaluated previous stormwater and stormwater solids data to identify potential ongoing significant sources of contaminants of potential concern (COPCs) to the City's stormwater conveyance within these basins, and coordinated with DEQ to refer identified third-party ongoing significant upland sources to the City conveyance to appropriate regulatory enforcement programs. To effectively carry out this scope of work, multiple DEQ personnel along with members of the City's Industrial Stormwater Program, Columbia Slough Sediment Program, and Integrated Planning Groups have met on a regular basis (every other month) to discuss and review potential sources within priority basins. On months that DEQ and City staff do not meet to review basins, DEQ and City staff have completed basin inspections and reconnaissance walks in priority basins to verify or investigate points of interest discussed in prior meetings. The following work has been completed in support of this scope of work:

Priority Basin Inspections and Site Walks:

Tracking tables identifying potential sources of COPCs have been generated for priority basins 57, 58, 65, 73A, 59, 60, 61, 61A, 62, 62A, 63, 64, 65A, 56C, and CS-614 where CIP stormwater treatment is in planning, design or construction. Additionally, tracking tables were generated for basins 77A, 100, and 104B where stormwater treatment was constructed prior to the Consent Judgment. As it is a priority of the City to identify potential ongoing significant sources of contamination within basins where CIP stormwater treatment projects are planned, basin reconnaissance walks with DEQ have been conducted within most of these basins. As discussed in the previous semi-annual progress report, basin walks were completed prior to October 15, 2024 in basins 65, 73A, 57, 58, 59, 60, 61, 61A, 62, and 62A. Since October 15, 2024, the following DEQ/City basin reconnaissance walks have been conducted:

- Basin 63 and Basin 64 – Walk completed on 10/30/2024
- Basins 65A – Walk completed on 2/18/2025
- CS-614, and 56C to be scheduled in spring 2025

The City and DEQ have agreed to review existing basin tracking sheets and action items in April and May 2025 for basins where site walks have already been conducted. The objective of this review is to address remaining action items and determine what additional information is required to move basins towards closure in compliance with the final *Columbia Slough Outfall Investigation and Basin Closure Work Plan*.

Notable Action Items in Priority Basins:

Key information, decisions, and outstanding action items for priority basins are documented in the basin tracking tables referenced above. Tracking tables are updated iteratively as new information is gathered, basin site walks are conducted, and source tracing samples and data are collected within priority basins. As a result of basin inspections, reconnaissance walks, and source control enforcement the following notable action items have been completed since October 15, 2024 in priority basins.

- Basin 59 - Malarkey Roofing Co. ECSI #690, 3131 N. Columbia Blvd., submitted revised SCE Report to DEQ for review.
- Basin 60 – Tindall Family Properties, LLC near NW Cast ECSI #999, 9233 North Calvert Ave, has reentered VCP as discussed in previous semi-annual report. The City has collected additional stormwater and stormwater solids data indicating ongoing contaminated solids entering the City’s conveyance system from the properties.
- Basin 60 – Armac Construction, 9220 N Peninsular Ave, DEQ requested ISM sample of steep eroding slope and unimproved road on corner of N Peninsular Ave and N Newark St.
- Basin 61 – Pelett Property, 1812 N Columbia Blvd., same address as former Nicolai Co. ECSI #679, ISW carried out inspection of building interior to determine if any obvious inlets existed that could connect to unmapped laterals observed during Basin 61 video survey. No evidence of internal inputs to the City’s stormwater system were observed.
- Basin 61 – Blasen Family LLC ECSI #3785 operating under the name United Shippers, 1601 N Columbia Blvd. DEQ has approved a remedial action plan for the property. A CMMP will be finalized after further characterization of the northern fill portion of the property. Operators applying for a 1200Z permit for the entire property.
- Basin 61A – Glass to Glass, 866 N. Columbia Blvd, ISW required the facility to update its SWPCP and implement BMPs to control track out. Facility will submit revised plan in April 2025.
- Basin 61A – ODOT Yard Columbia Slough ECSI #5023, 1100 N Columbia Blvd, DEQ working with ODOT to investigate stormwater pipes via video survey and redraw maps for better understanding of the conveyance system. Also working to finalize Source Control Report for facility.
- Basin 62 – Waste Management, Wastech ECSI #1271, 701 Hunt St, DEQ working with facility on source control measures as part of recent construction. An Environmental Management Plan was submitted to DEQ and a methane barrier was installed in late 2024.
- Basin 62A – Star Oil Co., 8445 N. Kerby Ave, ISW required the property to install BMPs to prevent contaminated flow from leaving the site. A January site

inspection confirmed that the site has been regraded and a berm has been raised to promote infiltration.

- Basin 63 - NW Indian Creek (Formerly NW Solvent Portland, ECSI #5171), 635 N Columbia Blvd. Based on site reconnaissance, it was determined that stormwater flows to drywell and does not impact adjacent catch basin. Basin 63 delineation was revised to reflect basin boundaries.
- Basin 63 - Anchor Holdings LLC (Formerly Rose Auto Wrecking ECSI #5706), 8140 N Commercial Ave. NW Metals is currently subleasing the property. ISW visited the property and is working with tenant to install BMPs to remove exposure and prevent stormwater from entering onsite catch basins.
- Basin 64 - Ontime Truck Repair (formerly Pacific Coast Fruit Company, 8235 NE MLK Jr. Blvd. ISW requested the facility apply for a City SWPCP and remove exposure throughout the site.
- Basin 64 - Basic Fire Protection (formerly Allied Plating ECSI #6), 8135 NE MLK Jr. Blvd. ISW conducted die test in March 2025 and determined that all downspouts daylight to ground except NW corner of main building which is plumbed to sanitary sewer. Basin delineation will be updated.
- Basin 64 - American Barricade Co., 173 NE Columbia Blvd., ISW observed galvanized material storage in uncovered areas of the property, and informed owner that they must remove exposure or obtain a permit.
- Basin 64 - Peterson Trucks, 61 NE Columbia Blvd., ISW inspected facility and observed that fresh gravel was added to gravel parking lot to prevent solids trackout or migration through stormwater runoff.
- Basin 65A - Brundage Bone Concrete Pumping, 1627 NE Argyle Dr, facility triggered Tier II for TSS and is working with ISW to install adequate treatment and BMPs. A berm was built around the facility's wash bay in fall 2024.
- Basin 65A - Total Mechanical, 2634 NE Columbia Blvd, ISW issued NEC in fall 2024, and has confirmed that exposure of potential stormwater contaminants has been removed.
- Basin 65A - Diesel Cast West, Inc. ECSI #6453, 8100 NE 14th Pl, DEQ working with facility to finalize Source Control measures. ISW issued City SWPCP in January 2025.

Sampling and Analysis Plan (SAP) for Upland Source Control Evaluations:

The City and DEQ collaborated on planning stormwater and stormwater solids sample locations in the Kenton and Piedmont priority areas, and a Sampling and Analysis plan (SAP) was finalized on October 14th, 2024. Samples and sample locations were chosen to provide additional evidence where potential COPC sources may be entering the City's conveyance system. In total, 50 stormwater solids with 5 additional opportunistic samples, and 64 stormwater solids samples were proposed to answer additional source control questions in Basins 59, 60, 61, 61A, 62, 62A, 63, 64, and 65A. Samples will be collected through the storm season, and data will be used to better assess potential ongoing sources within the basins. As of early April 2025, 85% of the proposed stormwater samples and 88% of the proposed stormwater solids samples have been collected.

Stormwater Treatment Capital Improvement Program Projects:

Stormwater treatment design and construction is underway in the 15 basins identified within Section 2.2 of Exhibit B, Scope of Work, of the Consent Judgment as well as the

final *Columbia Slough Basin Stormwater Treatment Projects Work Plan* dated May 30, 2024. Project status is provided below for each of the projects in various stages of design or construction.

Completed Projects

Project No. E11279 in Outfall Basin 58 was completed in late 2024. The project entailed installation of a Contech Stormwater filter vault and sedimentation maintenance hole to manage and treat stormwater from City ROW in Basin 58. The filter vault was installed on a private property easement purchased by the City as no location within City ROW was suitable for installation of the vault. The current estimate of total cost at construction completion is \$1,558,545.

Project No. E11304 in Outfall Basin 65 was constructed in late 2024. The project entailed installation of a Contech Stormwater filter vault, sedimentation maintenance hole, and a diversion maintenance hole to manage and treat stormwater from City ROW in Basin 65. The current estimate of total cost at construction completion is \$1,962,717.82.

Final project reports are being generated for both Outfall Basins 58 and 65. In compliance with the final *Columbia Slough Basin Stormwater Treatment Projects Work Plan*, all final deliverables including the final project report and As-built drawings will be provided to DEQ.

Projects in Later Design or Construction:

Project No. E10918 in Outfall Basin 57 has moved through 90% design. The project entails installation of multiple filter vaults and UICs to manage and treat stormwater from City ROW in Basin 57 which includes all portions of Columbia Blvd within the basin, the Neighborhood Collector Streets, and large portions of the Local Service Traffic Streets. The current estimate at completion reflected in the current budget is \$6,772,167. Construction is anticipated to begin in the summer of 2025.

Project No. E10626 in Outfall Basin 73A has moved through 90% design. The project entails installation of multiple filter vaults and sedimentation maintenance holes to manage and treat stormwater from City ROW in Basin 73A including Columbia Blvd and 42nd Avenue. The project is part of a local improvement district (LID) approved by City Council in September 2023, and the current cost estimate at 90% design is \$2,028,247.

Projects in Preliminary Design:

CIP projects planned for basins 59, 60, 61, and 61A within the Kenton Priority Outfall Project (KPOP) area have recently gone through the City's integrated planning process where alternatives were developed, assessed, and recommended. Due to the basins contiguous layout along Columbia Blvd, project technologies in each basin were assessed together, and preliminary cost estimates were generated for multiple treatment alternatives considered (Project #E10690). After a thorough review through the planning process, it was determined that a pervious pavement grind and inlay (PPGI) currently utilized by local municipalities in Gresham and Milwaukie, OR would be particularly suitable and effective for this contiguous stretch of Columbia Blvd. On June 20, 2024, after a review of the proposal, DEQ wrote the City a letter of concurrence to move forward with the design of stormwater treatment within the four basins using PPGI.

Preliminary cost estimates for the KPOP basins total approximately \$18,900,000 for the PPGI and approximately \$5,500,000 for additional stormwater treatment components

that include a filter vault on N. Frontage Rd in Basin 60, multiple UICs south of Columbia Blvd, and two green streets. Further detail is available in the City's Solution Adoption report.

Projects in Planning:

Projects that are currently in planning and alternative development phase include Project #E10700 in the Piedmont Priority Outfall Project (PPOP) Basins 62, 62A, 63, 64, and 65A, as well as Outfall Basins 56C and CS-614. Preliminary cost estimates for several alternatives developed for Basins 62, 62A, 63, 64, 65A is being evaluated. Alternative evaluation and selection is underway and is expected to be completed in early summer 2025. Stormwater treatment for Basins CS-614 and 56C has just entered the planning phase, and priority area summary reports have been developed for each Outfall Basin area. Planning will be continued for Basins CS-614 and 56C throughout FY 25/26.

As with the projects in later design, all stormwater CIP projects in planning or preliminary design are being generated to comply with provisions outlined in the City's Stormwater Management Manual (SWMM), the scope of work outlined in the May 2024 Consent Judgment, and *the Columbia Slough Basin Stormwater Treatment Projects Work Plan*.

Long-term Sediment and Fish Tissue Sampling and Analysis:

In compliance with Section 2.3 and 2.4 of Exhibit B, Scope of Work, of the Consent Judgment and the final *Columbia Slough 2025 Long-term Fish Tissue Sampling and Analysis Plan Amendment* and the final *Columbia Slough 2026 Long-term Sediment Sampling and Analysis Plan Amendment* (both dated May 30, 2024), the City has planned for upcoming in-water sediment and fish tissue sampling events. The City's Columbia Slough Sediment Program worked with the City's Water Pollution and Control Laboratory to resolve remaining sampling and lab issues and obtain all necessary permits. A Federal Section 10 permit which allows for boat electrofishing in ESA listed waters, and a Scientific Taking permit to comply with state regulations were obtained in the fall 2024. Fish sampling began on April 14, 2025.

The City's Streamlining committee is currently working with representatives of DSL, Army Corps, and DEQ to review the sediment sampling work and obtain all necessary permits. Sediment sampling is anticipated to begin in 2026.

Alternative Remedial Measures:

In compliance with Section 2.5 of Exhibit B, Scope of Work, of the Consent Judgment and the final *Columbia Slough Alternative Remedial Measures Work Plan* dated June 5, 2024, the City has begun reviewing potential opportunities along the entirety of the Columbia Slough to identify locations where watershed health improvement projects could be conducted in collaboration with DEQ and community members. Subject matter experts at the City of Portland focused on the Columbia Slough have been meeting every other week for the past year to identify properties and project ideas that could provide significant watershed health benefits/ecological uplift as well community benefits such as job training, increased access to nature and recreation, and community gathering spaces. To date, over 120 project ideas or opportunities have been identified, and the group is working to focus the list to more feasible opportunities. Trips to specific project idea sites are being conducted every other week to ascertain feasibility and

opportunities. Notes from these visits are being catalogued and will be shared with DEQ in the summer 2025.

Upcoming Work:

The City will continue making progress in all required tasks under the Consent Judgment in the next semi-annual period. The next semi-annual progress report will be submitted prior to October 15, 2025. Work over that period will include further construction and design of stormwater treatment projects, further collaboration with DEQ on priority basin source control investigations, further planning and data sharing for current and upcoming sampling events, and further discussion of feasible Alternative Remedial Measures opportunities.

Please do not hesitate to reach out with any questions or concerns.

Andrew Davidson
Columbia Slough Sediment Program Manager

Cc:

Libby Smith, GSI Water Solutions, Inc.