



RESOLUTION 2024-076

APPROVING A \$5M BROWNFIELD CLEANUP GRANT COOPERATIVE AGREEMENT & WORK PLAN WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR THE TANNERY SITE CLEANUP PROJECT

WHEREAS, the Tannery Site Cleanup Project is a top priority for the City with several other large City projects dependent upon the timely cleanup of contaminated materials from this site; and

WHEREAS, in fall 2023 City staff responded to EPA Request for Applications (RFA) No. EPA-I-OLEM-OBLR-23-15 to receive up to \$5M in Brownfield Cleanup Grant funds with applications due November 13, 2023; and

WHEREAS, staff successfully submitted a grant application for the maximum \$5M in grant funding; and

WHEREAS, on May 20th, 2024, the EPA notified City officials of the selection to receive \$5M in Brownfield Cleanup Grants and began negotiating a final work plan to award a cooperative agreement for the City to expend those funds; and,

WHEREAS, the direct cleanup costs are expected to equal the available cleanup funds at \$5M and no matching or supplemental funds are required for the cooperative agreement cleanup project; and

WHEREAS, the final attached Cooperative Agreement Work Plan has been negotiated and issued (Cooperative Agreement Grant Number 4B-02J89701) by EPA administrators; and

WHEREAS, although no direct participating matching City funds are required for this Cooperative Agreement, staff recommends setting a contingency amount of \$700,000.00 (14% of the \$5M cleanup grant) in budgeted funds to handle unforeseen conditions and issues encountered over the next 2 to 2 ½ years.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

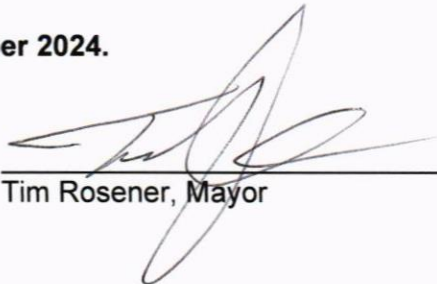
Section 1. The Sherwood City Council hereby approves the final cleanup grant Cooperative Agreement Work Plan No. 4B-02J89701 attached hereto as Exhibit A.

Section 2. The City Manager is authorized to accept the final Cooperative Agreement and begin expending the EPA cleanup grant funds as soon as possible.

Section 3. The City Manager is authorized to expend up to an additional \$700,000.00 in budgeted City funds for unforeseen conditions required to complete the site cleanup project.

Section 4. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 3rd day of December 2024.



Tim Rosener, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder

**EPA REGION 10
FY2024 BROWNFIELDS CLEANUP COOPERATIVE AGREEMENT
BROWNFIELD CLEANUP GRANT
WORKPLAN**

FOR

CITY OF SHERWOOD, OR

**Period of Performance (4 years for Community-Wide and Coalition Assessment Grants):
October 1, 2024 – September 30, 2028**

Date(s) of Draft Workplan (date each revision): November 5, 2024

Submitted by

**The City of Sherwood
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EPA Cooperative Agreement Number: 4B-02J89701

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1. INTRODUCTION

1.1 Project Description, Goals and Objectives

The City of Sherwood Oregon ("City"; population 20,222; area 4.5 square miles), is in Washington County, approximately 20 miles southwest of Portland. The City's backyard is the 900-acre Tualatin River National Wildlife Refuge (TRNWR), and the City is within the ancestral homelands of the Tualatin Band of the Kalapuyan Tribe, now part of the Confederated Tribes of Grand Ronde. The City incorporated in 1893, and a brickyard developed around the same time, fueled by rich clay deposited by the Missoula Ice Age floods. The City's economy then developed around leather tanning and fruit and vegetable canning. The target area for this work is the City's industrial corridor in northeast Sherwood (census tract 321.04). This area is home to the City's lowest income neighborhood, Brickyard Terrace, which sits across Southwest (SW) Oregon Street from the proposed Brownfields site, the former Frontier Leather Tannery. The target area has been impacted by the City's industrial history and strict state and regional land use requirements, which create Brownfields challenges by limiting land available to accommodate growth.

The City's population grew 521% from 1990 to 2010. Even after slowing to 12% between 2010 and 2020, the City significantly exceeded the 7% median growth rate for Oregon municipalities over that period. Growth has increased demand for municipal services, such as public works, emergency response, and parks. Oregon's unique statewide land use system requires all cities to restrict growth and preserve farmland and forests with an Urban Growth Boundary (UGB). Brownfield reuse is the City's only option for creating space to serve its increasingly diverse residents. It will also protect the adjoining and sensitive TRNWR, bolster resilience by improving floodplain conditions, and reduce the risk that future flood events might spread contamination and impact nearby residents, who are disproportionately renters, lower income, and already impacted by environmental justice (EJ) concerns. Brownfield reuse will also support economic development goals by making the City's main jobs center more attractive to employers and will provide access to greenspace and the TRNWR for workers and underserved residents.

Reuse strategies focus on public uses, and on protecting the floodplain, wetlands, and TRNWR. A 50-foot environmental buffer will separate the developable portion of the Site from the floodplain, providing a wildlife corridor and habitat, plus public education and recreational opportunities. By supporting increased water storage capacity in the 100-year floodplain, the buffer enhances Site resilience: regional climate change models estimate a 32% increase in 100-year extreme precipitation events by 2050, and added on-Site flood storage reduces flood risks. This reuse strategy could also support establishment of a City-run wetland mitigation bank. Reuse strategies for the wetlands portion include a new green infrastructure regional water quality installation to treat currently untreated stormwater from across east Sherwood (a 50-acre basin) before discharging into Rock Creek. Reuse strategies for the developable portion include greenspace and/or an expanded public works and emergency operations center, to include community space and a resilience hub, like a heating or cooling center. The City plans robust public visioning and engagement to further specify reuse strategies.

Different community groups and project partners have expressed a desire for Site redevelopment for over 20 years. Since 2015, the City has maintained a project website and held numerous public meetings regarding the Site, which has targeted hard-to-reach groups, including people with low-income and people with disabilities.

Description of the Brownfield Site

The City's proposed Brownfield site ("Site") is the former Frontier Leather Tannery, located at 1210 SW Oregon Street. The Site is vacant with no structures, except for one small former pump house. It consists of 25 acres, over half of which (17.36 acres) is wetlands. These include two 3.4-acre former sedimentation (waste) lagoons. A portion of the Site is located in the 100-year floodplain. Rock Creek and associated wetlands along the Site's eastern boundary connect the Site to TRNWR. SW Oregon Street – a major thoroughfare – separates the Site from Brickyard Terrace to the south. From 1947, Frontier Leather used chromium oxide to tan cow and deer hides from the local slaughterhouse at the Site and split them into halves. The less valuable halves were buried on Site, and sludge from wastewater treatment processes was discharged into the two lagoons. Frontier Leather also leased an onsite building to a series of lead-acid battery manufacturers from 1956 to 1972, which resulted in the removal of 743 tons of lead-contaminated soil in the mid-1990s. A fire nearly destroyed the facility in 1981. Portions were rebuilt, and the tannery remained in use until 1998, when Frontier Leather went bankrupt, leaving no viable responsible party. The tannery had been vacant for almost 10 years when it burned to the ground in 2006.

The Oregon Department of Environmental Quality (DEQ) added the Site to its Orphan Site List in 2002, and initial assessments identified chromium, lead, and other heavy metals in soil and sediment at concentrations exceeding human health and ecological risks. A FY14 EPA Brownfields Site-Specific Assessment grant funded a Phase II Environmental Site Assessment (ESA) and draft Analysis of Brownfields Cleanup Alternatives (ABCA). Washington County acquired the Site through tax foreclosure between 2012 and 2014, and the City purchased the Site in 2023.

The Site is an attractive nuisance due to its unsecured location, frequent illegal dumping, and presence of wetlands, which is especially problematic given the surrounding residential, commercial, and light industrial uses. The Site also threatens the surrounding natural environment: previous assessments have identified metals in soil and sediment samples in Rock Creek, which discharges to TRNWR. Metal concentrations are highest in the hide-split landfill and downstream of breaches in the former waste lagoons. Chromium-contaminated hides, stacked in layers and exposed by erosion, are easily accessible by wildlife and people, including those camping due to homelessness. Police activity has been documented related to criminal mischief, arson, and odor complaints.

1.2 Organizational Structure and Responsibilities

The City has the knowledge and experience required to manage this grant. City staff engaged in this project are experienced grant administrators capable of successful and timely expenditure of EPA funds, meeting all technical, administrative, financial, and reporting requirements.

Jason Waters, P.E. is the City Engineer and director of the project. Jason has over 20 years' experience managing and delivering large public improvement projects and will manage the project day-to-day. He will work with the Qualified Environmental Professional (QEP) to develop, review, and approve all reports, Assessment, Cleanup and Redevelopment exchange System (ACRES) submissions, and deliverables. He will also lead City efforts to select a remediation contractor and will serve as the City's primary budget manager.

David Bodway is the city's finance director and the project's financial manager. He will work closely with Jason to coordinate the project finances. David will manage and approve EPA funds tracking and submission of reimbursement requests. David has 18 years' experience in government finance and accounting, and holds a Masters in Public Administration from Portland State University.

Jo Guediri is the Engineering Program Associate and will serve as administrative support. Jo has over 20 years' experience administering complex public construction contracts, including project setup and payments. She will support development of payment requests, review of payment processing, and preparing and submitting grant reimbursement requests.

Tammy Stevens is the City's volunteer coordinator and will serve as the City's community outreach lead, coordinating with Jason. Tammy has worked with the City for 10 years and enjoys strong connections with local nonprofits and other partners.

Craig Sheldon is the Acting City manager and Public Works Director, and will serve as the Project Supervisor. He will be accountable for the project and the City team's success. He will support Jason with reports to City Council. Craig has over 34 years' experience completing construction and public works projects.

The City has staff and systems in place to assist with and support efficient staff transitions should unforeseen events take place. This will eliminate project delays and ensure staff have appropriate qualifications and experience. The City procures \$2.2 million of contractor services annually and has the staff and procedures in place to acquire these through a competitive, qualifications-based process compliant with 2 CFR 200.317 - 200.326. Through its partnership with Sherwood School District, as well as Portland Community College and Oregon Tradeswomen, the City will leverage this grant to connect diverse community members with Brownfields redevelopment careers. This could include facilitating field trips, holding Q&A sessions with professionals working at the Site, and sharing project updates.

1.3 Project Outputs and Outcomes

Pursuant to EPA Order 5700.7, "Environmental Results under EPA Assistance Agreements," EPA requires that all grant recipients adequately address environmental outputs and outcomes. Outputs and outcomes differ both in their nature and in how they are measured.

Outputs refer to measurable quantitative or qualitative activities, efforts, deliverables, or work products during the project period. The following outputs are anticipated for each project task.

Task 1: Project Management Outputs. 48 project team meetings, 15 quarterly reports, 4 MBE/WBE reports, 4 Federal Financial Reports, attendance at 1 National Brownfields Training Conference, attendance at 3 state/regional Brownfields conferences, 16 quarterly ACRES updates.

Task 2: Community Engagement and Site Selection Outputs. 1 PIP, 16 City Council updates, 7 community meetings and notes/attendance/recordings, website and online information repository, 16 press releases/blogs/website updates/social media posts, and direct community outreach as needed.

Task 3: Cleanup Planning Outputs. 1 final, updated, Analysis of Brownfields Cleanup Alternatives (ABCA) (ABCA-Rev 2); 1 site-specific Health and Safety Plan (HASP), 1 Quality Assurance Project Plan (QAPP), 1 Sampling and Analysis Plan (SAP); 1 cleanup plan (Remedial Action Plan [RAP], 100% design documents; and 1 set of bid documents.

Task 4: Site Cleanup Outputs. 1 memorandum at the completion of excavation activities and 1 grant close-out report detailing cleanup progress and any remaining needs.

Outcomes refer to the result, effect, or consequence that will occur from carrying out the activities or outputs of the project. Outcomes may be environmental, behavioral, health-related, or programmatic; must be quantitative; and may not necessarily be achievable during the project period. EPA will work with cooperative agreement recipients (CARs) to demonstrate the impact of assessing and cleaning up brownfields by measuring the amount of land on which environmental threats have been determined, what risks have been addressed, and the number of acres made ready for reuse. Outcomes from a grant might include the number of jobs leveraged and other funding leveraged through the economic reuse of properties, or acres of greenspace created for communities.

The City will track and evaluate progress monthly, coordinating with the QEP and project contractor. It will measure/report outputs and other deliverables with quarterly progress reports and in ACRES. Measurement will compare quarterly achievements to output/outcome goals, so that deviations can be identified and corrected as they occur. The following outcomes are anticipated:

- Reuse will protect City residents, Rock Creek, and TRNWR's sensitive environment, including endangered and threatened species, from contamination.
- The City will explore establishing a wetland mitigation bank and will consider donating part of the Site's wetlands to TRNWR.
- Reuse could also benefit City operations and therefore all residents by providing additional space for public functions and services. This is particularly important given the City's rapid growth and expanded service needs. Public works personnel are critical emergency first responders, but the current public works building is projected to be unusable following a major earthquake. An improved emergency operations center would improve resilience to earthquakes, floods from larger storms and other disasters, and support emergency response and long-term social and economic recovery. This would benefit vulnerable and sensitive populations who are more likely to be disproportionately impacted. Any public buildings at the Site would be constructed to energy-efficient standards (e.g., LEED or similar), and reuse plans would consider development of solar generation and a disaster-resilient microgrid.
- Site reuse will facilitate development of a critical segment of the regional, multi-use Tonquin Ice Age Trail ("Trail") along SW Oregon Street, which will include signage explaining the impact of the Missoula Ice Age floods on the City's geology. Reuse will therefore improve access to trails for Brickyard Terrace residents, who are farther from existing trails and are also more likely to be low-income or people of color.
- The Trail will make the 250-acre Tonquin Employment Area (TEA), located 500 feet east of the Site, more attractive to employers; reuse therefore supports job creation and local economic development. The TEA is the City's primary employment cluster, and by 2028, it will host over 3,500 family-wage light manufacturing and technology jobs. 90% of the local workforce commutes outside the City, and 53% of these commute 10-25 miles or more. The Climate and Economic Justice Screening Tool (CEJST) ranks the City in the 80th percentile nationally for transportation barriers (average of relative cost and time spent on transportation), which likely relates to commuting burdens. More local, family-wage jobs benefit residents at all income levels by reducing out-commuting and related emissions and diversifying the economy and taxbase.
- Removal of approximately 45,025 cubic yards of contaminated soil, sediment, and hides from the Site; decrease in chromium, lead, and other metals in soil and Rock Creek sediments.
- Preservation easements for 50-foot wetland buffer.
- Consolidated lot lines, with potential donation of sensitive wetlands at Site's east to TRNWR.
- Increase in wetland buffer and wetland area.
- Increased floodplain capacity due to environmental restoration.

2. PROJECT TASK DESCRIPTIONS

Project Tasks include project management, community engagement, cleanup planning, and site cleanup. The following tables provide additional information including:

- Objective of the task
- Who has the lead for each task
- Milestones and deliverable(s)
- Estimated submittal or completion dates

2.1 TASK 1 – PROJECT MANAGEMENT

Task 1 – Project Management	
i.	<u>Project Implementation, EPA resources.</u> The City will be responsible for overall project execution and management, and will monitor schedule and budget, report on activities and accomplishments to stakeholders, and oversee the QEP, which will support documentation and reporting. City and QEP will meet monthly. Three City staff will attend 1 National Brownfields Training Conference and 3 state or regional conferences.
ii.	<u>Schedule.</u> QEP procured in compliance with 2 CFR 200.317-326 and all applicable EPA guidelines and best practices in Oct. 2023 (see threshold criteria). Work will begin upon completion of EPA-approved workplan, assumed Oct. 1, 2024 to Sept. 30, 2028.
iii.	<u>Task/Activity Lead.</u> City <u>Assist:</u> QEP
iv.	<u>Outputs.</u> 48 project team meetings, 15 quarterly reports, 4 MBE/WBE reports, 4 Federal Financial Reports, attendance at 1 National Brownfields Training Conference, attendance at 3 state/regional Brownfields conferences, 16 quarterly ACRES updates.

2.1.1 Project Management

Activities necessary to manage the project in accordance with the workplan include selection of contractors following all procurement guidelines, establishment and maintenance of necessary cooperative agreement records and files. Additional project management work includes financial management, project oversight, and attendance at necessary project meetings.

2.1.2 Project Reporting - Periodic

Required periodic reports including Quarterly Progress Reports will be submitted within 30 days of the end of each federal fiscal quarter ending December, March, June, and September (due by January 30, April 30, July 30, and October 30). Additionally, the Project Director will submit property specific information reflecting site specific activities within 30 days after the end of the Federal fiscal quarter in which the event occurred via the ACRES on-line reporting system, the . The Project Director will enter ACRES to report the initiation of assessment and completion of assessment activities.

2.1.3 Staff Training/Travel

One City staff member will attend one National Brownfields Training Conference and three state/regional conferences.

2.1.4 Contractor Procurement

Upon final acceptance by the EPA of the City's workplan and execution of an agreement, the City will procure all necessary contractors in accordance with the City's procurement procedures and with 2 CFR Part 200 Uniform Administrative Requirements for Grants and Cooperative Agreements for Federal Awards and EPA specific Regulations for Grants and Agreements at 2 CFR Part 1500.

2.1.5 Final Performance Report

The City will prepare a final performance report and submit it to the EPA Brownfields Project Manager within 120 calendar days after the expiration or termination of the award. The report will cover the entire project period, including the same information as the Quarterly Progress Reports and may include before and after photos of the cleanup of the site. In addition, the Final Performance Report will specifically address lessons learned in implementing the brownfields cleanup, successes achieved, and a summary fact sheet of the project.

2.2 TASK 2 – COMMUNITY ENGAGEMENT

Task 2 – Community Engagement	
i.	<u>Project Implementation.</u> City will develop a Public Involvement Plan (PIP) and conduct 8 community meetings at key project milestones. City will work closely with project partners to conduct direct outreach to impacted neighbors, especially Brickyard Terrace, Hawk's View Elementary School, and The Springs senior living facility. City has budgeted participant support costs, including stipends to cover time, loss of wages to attend meetings, and other incentives/costs associated with meeting attendance, including transportation and childcare.
ii.	<u>Schedule.</u> Oct. 1, 2024 to Sept. 30, 2028. Community meetings in Nov. 2024 (kickoff, ABCA review, reuse visioning), Mar. 2025 (ABCA review/finalization, reuse visioning), Jul. 2025 (reuse visioning), Dec. 2025 (pre-construction, cleanup plan development), May and Dec. 2026 (cleanup), May 2027 (post-cleanup) and Mar. 2028 (grant completion). Other meetings as needed.
iii.	<u>Task/Activity Lead.</u> City Assist. QEP
iv.	<u>Outputs.</u> 1 PIP, 16 City Council updates, 8 community meetings and notes/attendance/recordings, website and online information repository, 16 press releases/blogs/website updates/social media posts, and direct community outreach as needed.

2.2.1 Community Outreach and Involvement

The City's priority is to meaningfully engage and solicit from stakeholders directly impacted by the project, especially underserved communities in Brickyard Terrace. The City will develop a PIP to build on past community engagement efforts and meaningfully engage as many diverse stakeholders as possible. The PIP will outline planned engagement activities according to project timelines, target audiences, and engagement best practices. The City anticipates holding eight in-person community meetings, with virtual options to facilitate maximum participation. Reuse visioning will occur at several meetings (Table 7), and meetings will coincide with major project milestones like project initiation (meeting 1), ABCA-Rev 2 finalization (meeting 2), development of cleanup plans and selection of remediation contractor (meetings 3, 4), cleanup (meetings 5, 6), post-cleanup (meeting 7) and grant closeout (meeting 8).

The City will engage the following partners:

Organization	Contact Name & Info	Organization Purpose & Project Role
Sherwood City Council	Mayor Tim Rosener rosenert@sherwoodoregon.gov 503.625.4246	Advertise community meetings via websites, newsletters, and social media. Facilitate public meetings and engage the community around Site reuse. Collect and share community feedback and questions with City staff and advise on community engagement and messaging.
Clean Water Services (regional water resource management utility)	Elle Wörrlein, PE, Development Services Program Manager; 503.681.3650 worrleine@cleanwaterservices.org	Provide subject matter expertise and engage community on Site redevelopment, infrastructure development, and watershed impacts. Advertise community meetings via website, billing notices, newsletters, and social media.
Sherwood School District	Jessie Palmer, Environmental Science Teacher (Sherwood High School) jpalmer@Sherwood.k12.or.us 503.825.6000	Engage youth in educational opportunities related to environmental careers and provide project details/community meeting information in multiple languages to students and families.
Tualatin River National Wildlife Refuge (US Fish and Wildlife Service)	Richard Mykut, Wildlife Biologist Richard_Mykut@fws.gov 503.625.5944	Subject matter expert on benefits of protecting and connecting bike/ped with TRNWR. Help with outreach via events, e.g. TRNWR Migratory Bird Festival.
Sherwood Chamber	Renee Brouse, Exec. Director Chamber@sherwoodchamber.org 503.625.7800	Engaging/informing business leaders, hosting speakers and outreach events, advertising, and hosting public meetings.
Tualatin Valley Fire & Rescue	Deric Weiss, Fire Chief; dweiss@tvfr.org ; 503.649.8577	Hosting public meeting events at Station 33's community meeting room, near Site.

2.2.2 Project Updates and Other Public Information

The City will work with project partners to advertise meetings via partner newsletters, social media, websites, and the newspaper. The City will collect meeting attendance, record all public comments, and consider them in cleanup implementation. The City will transparently post online and share in subsequent public meetings which feedback it incorporated and how, and which it did not or could not, and why.

The City will publish monthly blogs, articles, social media posts, website updates, or press releases to keep the community informed throughout the project, including quarterly updates at City Council meetings. It will work with project partners to provide at least two field trips to support community and career education for diverse stakeholders like youth, Brickyard Terrace residents, and underserved communities.

2.3 TASK 3 – CLEANUP PLANNING

Task 3 – Cleanup Planning
i. <u>Project Implementation</u> . Activities will include a 30-day ABCA public review and comment period; finalizing the updated ABCA (ABCA – Rev 2) to incorporate comments from public notice and regulatory review; obtaining approval from R10 EPA Project Manager; securing all permits/regulatory approvals;

developing Site cleanup plans including HASP, QAPP and SAP; completing 100% design documents; preparing bid documents for soliciting cleanup contractors; and completing bidding process.	
ii. <u>Schedule</u> .	Jan. 1, 2025 to June 30, 2026
iii. <u>Task/Activity Lead</u> .	QEP
<u>Assist</u> .	City
iv. <u>Outputs</u> .	1 final ABCA; 1 HASP, QAPP, SAP; 100% design documents; 1 set of bid documents; 1 cleanup plan

2.3.1 Proposed Cleanup Plan

The preferred remedial action (ABCA Alternative 2) includes excavation and off-site transportation of animal hides and contaminated soils and sediments with metals concentrations above cleanup levels. This includes approximately 25,300 cubic yards of hides and comingled soils, 17,000 cubic yards of contaminated soils and sediments from the north and south sedimentation lagoons, 2,725 cubic yards of sediments outside the lagoons in the Rock Creek floodplain.

2.3.2 ESA and NHPA requirements

All project activities will be conducted in full compliance with the Endangered Species Act (ESA) and National Historic Preservation Act (NHPA). The project manager shall be responsible for providing the EPA's Project Officer all of the necessary documentation to expedite review under ESA and NHPA. This information will include the location of the project, any threatened or endangered species or habitat which may be affected by the project, whether the site is considered to be of concern by the State Historic Preservation officer, a list of Tribes who may believe the site or project could disturb cultural resources, and an evaluation as to whether remediation plans could have adverse effects on endangered species or cultural resources.

2.3.3 Quality Assurance Project Plan (QAPP), Sampling and Analysis Plan (SAP), and Health and Safety Plan

A robust Quality Assurance/Quality Control (QA/QC) process will be implemented. This will include preparation of a Quality Assurance Project Plan (QAAP), Sampling and Analysis Plan (SAP), and Contaminated Media Management Plan, which will cover all project sampling activities. In addition, a site-specific Health and Safety Plan (HASP) will be prepared. The HASP will protect on-site workers and other on-site personnel, and will be prepared in accordance with the Occupational Safety and Health Administration (OSHA). Specific procedures will be followed to reduce or eliminate the potential exposure to contamination.

The QAPP and SAP will be prepared and submitted to DEQ and EPA for review and approval before any cleanup work commences. A copy of the HASP also will be submitted to DEQ. The City's selected QEP will have the lead responsibility for preparing the required QAPP, SAP, and HASP documents and submitting them and securing all appropriate signatures. A copy of the QAPP and SAP will be placed in the cooperative agreement file.

2.3.4 Final Cleanup Plans: Remedial Action Plan (RAP) and Contaminated Media Management Plan (CMMP)

The Final Cleanup Plans (RAP and CMMP) will cover all aspects of the cleanup process, including objectives, approach, safety considerations, timelines for the soil removal and transport, stormwater management during construction activities and infrastructure installation. Information will include dust control measures to protect individuals from contaminant or dust exposure and truck egress and fencing controls to prevent exposure to contamination. On-site activities will be restricted to daytime working hours to limit noise exposure. The City and QEP will coordinate with DEQ and EPA so that appropriate protection is provided for sensitive populations during cleanup activities.

The documents will be submitted to the Oregon DEQ project manager for concurrence that the Cleanup Plans will meet State cleanup requirements. Because part of the site will be used as a public space, public confidence in the adequacy of the cleanup is paramount. The City's selected QEP will have the lead responsibility for preparing the required RAP and CMMP documents and submitting for DEQ approval.

2.3.5 Cleanup (Remedial) Design

The City's selected QEP will have the lead responsibility for preparing draft and final versions of the Remedial Design (RD) plans and specifications, and preparation of bidding documents, with oversight from the City's project manager and DEQ. A copy of the RD will be provided to DEQ.

2.4 TASK 4 – SITE CLEANUP

Task 4 – Site Cleanup	
i.	<u>Project Implementation.</u> The majority of grant funds support Site cleanup. The City will competitively procure a remediation contractor(s) in compliance with state regulations and 2CFR 200.317-326, which Project Manager will oversee with QEP assistance. Contractor cleanup activities will include excavation, removal, and disposal of contaminated soil, sediment, and hides, as well as wetland restoration. QEP will work with City to ensure cleanup meets state, City, and federal regulations.
ii.	<u>Schedule.</u> May 1, 2026 to Apr. 30, 2028
iii.	<u>Task/Activity Lead.</u> Contractor <u>Assist.</u> City and QEP
iv.	<u>Outputs.</u> 1 grant close-out report detailing cleanup progress and any remaining needs

2.4.1 Cleanup Activities

The cleanup task will be led by the QEP with oversight from the City's project manager. The preferred cleanup remedy is Alternative 2 from the ABCA and is based upon DEQ requirements. Contaminated sediments will be excavated during dry weather conditions when the water table is lower and sediments are not saturated. If necessary, sediments will be temporarily stockpiled on plastic sheeting and allowed to dry before transporting off site to an appropriate landfill (anticipated to be Hillsboro Landfill 18 miles away). Approximately 45,025 cubic yards of total material (hides, contaminated soils, and contaminated sediments) will be excavated. Excavated areas will be backfilled and compacted to existing grade with suitable fill from the berms of the existing sedimentation lagoons or imported from a local source. An area of 3.9 acres of designated wetlands in the excavated area will be restored and enhanced, including sedimentation lagoon berm areas, which will be converted into a constructed wetland. The City is exploring options with the Oregon Department of State Lands (DSL) that could allow it to use cleanup to establish these 3.9 acres of restored and improved wetlands as a mitigation bank. This alternative will allow for the greatest amount of wetland reconstruction and would contribute to enhanced flood control along Rock Creek and TRNWR. The City will follow green remediation best practices where possible, such as use of biodiesel where practical. Oregon DEQ will provide state oversight for the Voluntary Cleanup Program, and will oversee the requirements of the Prospective Purchaser Agreement's Easement and Equitable Servitudes.

2.4.2 Confirmation sampling

Post-cleanup confirmatory sampling and monitoring will be performed. Confirmatory soil sampling will be performed to document concentrations of contaminants on the "leave" surface. Depending on the concentrations remaining in soil, follow-up groundwater monitoring (monitored natural attenuation [MNA]) in up to four groundwater monitoring wells may then be implemented for up to four quarters. DEQ and EPA approval of the QAPP and SAP will be obtained before sampling begins. In addition to sampling/monitoring for contaminants, the success of the revegetation will also be monitored. Memo-style reports will be prepared that

will include a discussion of field activities, copies of analytical reports, and tables and graphs (for ease in tracking cleanup progress).

2.4.3 Final Cleanup Report

At the end of monitoring (groundwater and revegetation monitoring as required), the QEP will prepare a comprehensive Cleanup Completion Report that confirms the cleanup is complete and meets the cleanup standards identified in the Final Cleanup Plans. The report will include a Residual Risk Assessment (RRA). Institutional controls will consist of the same Easement and Equitable Servitude (EES) that currently exists for the Site. This will enforce the maintenance of engineering controls and prevent use of groundwater. The CMMP will be updated, as necessary, for use by future contractors. It is anticipated that following the completion of this task the Oregon DEQ will issue a No Further Action (NFA) finding for the Site.

FINAL APPROVED
DRAFT

3. SCHEDULE AND DELIVERABLES

DUE DATE For grant award 10/24/2024	ITEM	Send to:			
		EPA PO	STATE	EPA GRANTS	EPA FINANCE
Month 1	Property Profile Form entered in ACRES or submitted to PO	X			
Month 1	Fact sheet - project starting	X			
Month 2	Final ABCA	X	X		
Month 3	Procure Environmental Cleanup Planning, Cleanup Activities contractor, and Public Involvement Contractors	X			
Month 5	Contractor Selection Process Completed, Contract Executed	X			
Month 5	Public Involvement Plan	X			
Month 6	Final Cleanup Plan	X	X		
Month 7	Remedial Design	X	X		
Before fieldwork begins	QAPP / Health and Safety Plan	X			
Before field work begins	Endangered Species Act (ESA) & National Historic Preservation Act (NHPA) Letters	X			
Months 9-30	Cleanup implementation	X			
Month 30-32	Final Cleanup Report	X			
Every three months	Quarterly Progress Report (QPR)	X			
Annually by Oct. 30	DBE Report (MBE/WBE) (DBE = Disadvantaged Business Enterprises) Reports must be submitted annually by October 30th of each year. For forms & more information, visit: https://www.epa.gov/resources-small-businesses	X (copy)		X	
With Quarterly Progress Reports (QPR)	Photos and Lessons Learned	X			
As Needed	Requests for Reimbursement – see Administrative Terms & Conditions				X
Month 36	Fact Sheet - Cleanup results	X			

DUE DATE For grant award 10/24/2024	ITEM	Send to:			
		EPA PO	STATE	EPA GRANTS	EPA FINANCE
Month 36 - 39	Final Federal Financial Report (FFR) (SF425) & Final Drawdown For forms & more information, visit: https://www.epa.gov/grants/epa-grantee-forms	X (copy)		X (copy)	X
Month 36 - 39	Closeout: Final Project Report with Summary Fact Sheet, Photos, and Lessons Learned	X			

4. BUDGET

4.1 Budget Table

Brownfield Cleanup Project Budget Table					
Budget Category	Task 1 Project Management	Task 2 Community Outreach	Task 3 Cleanup Planning	Task 4 Site Cleanup	Total
Personnel	\$15,680	\$12,460	\$9,100	\$16,800	\$54,040
Fringe Benefits	\$6,272	\$4,984	\$3,640	\$6,720	\$21,616
Travel	\$10,650	\$0	\$0	\$0	\$10,650
Equipment	\$0	\$0	\$0	\$0	\$0
Supplies	\$0	\$2,500	\$0	\$0	\$2,500
Contractual	\$21,200	\$25,800	\$179,400	\$205,185	\$431,585
Construction	\$0	\$0	\$0	\$4,413,259	\$4,413,259
Participant Support Costs	\$0	\$15,000	\$0	\$0	\$15,000
Other	\$1,350		\$20,000	\$30,000	\$51,350
Total Direct Costs	\$55,152	\$60,744	\$212,140	\$4,671,964	\$5,000,000
Indirect Costs	\$0	\$0	\$0	\$0	\$0
Total Budget (Direct + Indirect Costs)	\$55,152	\$60,744	\$212,140	\$4,671,964	\$5,000,000
✓ Travel to brownfields-related training conferences is an acceptable use of these grant funds. Conference registration fees should be included under the "Other" budget category.					

- ✓ EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year. Items costing less than \$5,000 are considered supplies. Generally, equipment is not required for Brownfield Grants.
- ✓ Administrative costs (direct and/or indirect) for the Assessment Grant applicant itself cannot exceed 5% of the total EPA-requested funds.

Pre-Award Costs:

Pre-award costs will support the following tasks and items if EPA awards the grant after October 1, 2024:

- **Public Involvement Plan.** The City will prepare a draft Public Involvement Plan (PIP) to facilitate community outreach and education about the planned cleanup and redevelopment.
- **DEQ kick-off meeting.** The City and its QEP will attend a project kick-off meeting with DEQ. The meeting will 1) identify what additional environmental testing is required at the site to address data gaps, and 2) confirm reporting requirements, including the types and formats of reports DEQ is expecting.
- **Fencing.** Perimeter fencing will be installed to secure the site and prevent potential exposure to contaminants.
- **Site topographic survey.** A site survey will be conducted to provide data necessary for preparation of cleanup plans and specifications.
- **Preliminary permitting meetings.** The City and its QEP will hold pre-permit application meetings with regulatory agencies and stakeholders such as US Army Corps of Engineers, Clean Water Services, and Oregon Department of State Lands.
- **Conduct Environmental Data Gap Sampling.** Based on the kick-off meeting with DEQ, the City's QEP will prepare a Sampling and Analysis Plan (SAP) for DEQ approval. Sampling and analytical testing will commence upon approval.
- **Project management.** This includes any coordination with EPA, the QEP, and other stakeholders, as well as required grant reporting.

All pre-award costs are included in the budget with the exception of fencing (estimated at \$29,700) and data gap sampling, which is projected at approximately \$40,000. A final number will be available following the kick-off meeting with DEQ. If needed, the City will reallocate funding from task 4 (Site Cleanup) to cover these unbudgeted pre-award costs.

4.2 Budget Narrative

Personnel time outlined in all tasks is for Jason Waters, a full time employee with the City of Sherwood and amounts to approximately 1% of Jason's hours charged during the four year duration of the grant.

Task	Cost Basis and Assumptions (Average Rate of \$70 per hour for City personnel, \$190 per hour for QEP)
1. Project Management	Personnel and Fringe Benefits: \$21,952 (\$15,680 personnel + \$6,272 fringe benefits) <ul style="list-style-type: none"> • 48 monthly team meetings with prep/follow-up (\$98/hr [\$70/hr personnel + \$28/hr fringe] x 48 hrs = \$4,704) • Provide project oversight, such as reviewing QEP-prepared reports (\$98/hr x 80 hrs = \$7,840)

Task	Cost Basis and Assumptions
Average Rate of \$70 per hour for City personnel, \$190 per hour for QEP	

Travel Costs: \$10,650

- National Brownfields Training Conference (1 conference x 3 people x \$1,600/person = \$4,800). Attendees will include three (3) City staff. Assumes:
 - Three nights' lodging @ \$250/night (\$250 x 3 nights x 3 people = \$2,250)
 - Per diem @ \$65/day (\$65 x 3 days x 3 people = \$585)
 - Airfare @ \$355/person (\$300 x 3 people = \$1,065)
- Total travel to National Brownfields Training Conference = \$3900 State or regional Brownfields conferences (3 conferences x 3 people x \$800/person = \$7,200) Attendees will include three (3) City staff. Assumes:
 - Three nights' lodging @ \$150/night (\$150 x 3 nights x 3 people x 3 conferences) = \$4,050
 - Per diem @ \$65/day (\$65 x 3 days x 3 people x 3 conferences = \$1,755)
 - Mileage @ \$0.56/mile (\$0.56/mile x 187 miles roundtrip average/conference x 3 people x 3 conferences = \$943)
 - Conference registration @ \$50/person (\$50 x 3 people x 3 conferences = \$450)
 - Total travel to regional or state conferences = \$6750

Contractual Costs: \$21,200.

- 48 project team meetings (48 x \$200/hr x 1 hr = \$9,600)
- 15 quarterly reports (15 x \$200/hr x 2 hrs = \$6,000)
- 1 final summary report (12 hours x \$200/hr = \$2,400)
- ACRES updates (16 x \$200 x 1 hr = \$3,200)

Other Costs: \$1350

- National Conference registration @ \$300/person (\$300 x 3 people = \$900)
- State or Regional Conference registration @ \$50/person (\$50 x 3 people x 3 conferences = \$450)

2. Community Engagement

Personnel and Fringe Benefits: \$17,444 (\$12,460 personnel + \$4,984 fringe benefits)

- Review/finalize PIP (\$98/hr [\$70 personnel + \$28 fringe] x 8 hrs = \$784)
- Plan/facilitate 8 community outreach meetings (\$98/hr x 48 hrs = \$4,704)
- Conduct direct outreach to key constituencies (\$98/hr x 50 hrs = \$4,900)
- Monthly updates for social media, website, press (\$98/hr x 72 hrs = \$7,056)

Supplies: \$2,500.

Production of printed outreach materials and information signage for direct community outreach, such as fliers and posters (\$2,500)

Contractual Costs: \$25,800.

- Public Involvement Plan (12 x \$200/hr = \$2,400)
- Community outreach meetings (8 x \$200/hr = \$1,600)
- Articles/media and website updates (39 hrs x \$200/hr = \$7,800)
- Direct engagement with impacted stakeholders (50 hrs x \$200/hr = \$10,000)
- Interpretation and translation (20 hrs x \$200/hr = \$4,000)

Participant Support Costs (PSCs): \$15,000.

City will obtain approval from EPA before paying out PSCs and will track disbursements. Assumes:

Task	Cost Basis and Assumptions (Average Rate of \$70 per hour for City personnel, \$190 per hour for QEP)
	<ul style="list-style-type: none"> \$5,000 (\$100/hr x 50 hours) for childcare provider for after-hours community meetings \$6,000 (\$30/hour x 200 hours) in stipends to cover time and lost wages due to meeting attendance \$3,000 to support transportation expenses for meeting attendance \$1,000 (\$50 x 20) to support incentives for attendance and feedback, such as gift cards
3. Cleanup Planning	<p><u>Personnel and Fringe Benefits: \$12,740 (\$9,100 personnel + \$3,640 fringe benefits)</u> Project oversight, including ABCA review/finalization, review remedial design documents, support permitting efforts, review site workplans, prepare bid documents, attend pre-bid site meetings, evaluate bids and check references, select contractor and coordinate with/oversee QEP (\$98/hr [\$70 personnel + \$28 fringe] x 130 hrs = \$12,740)</p> <p><u>Contractual Costs: \$179,400.</u></p> <ul style="list-style-type: none"> Update and finalize ABCA incorporating comments from public notice and regulatory review (average rate of \$150/hr x 50 hours = \$7,500) Remedial design (\$170/hr x 105 hrs = \$17,850) Permitting (\$170/hr x 175 hours = \$29,750 + \$15,000 permit fees = \$44,750) Develop Site Workplans including HASP, QAPP, and SAP (\$150/hr x 60 hour = \$9,000) Prepare 100% design documents; prepare bid documents; attend pre-bid site meetings; assist as requested with bid evaluation and reference checking to support contractor selection (\$170/hr x 90 hours = \$15,300) Sampling/Testing of Soil samples for Per- and polyfluoroalkyl substances (PFAS/PFOS) (\$150/hr x 100 hours = \$15,000 + \$4,000 driller costs + Lab tests @ 10 samples x \$500 = \$5,000; Total = \$24,000) Surveying (\$200/hr x 250 hrs = \$50,000 + \$11,000 equipment = \$61,000) <p><u>Other Costs: \$20,000</u> DEQ oversight (\$200/hr x 100 hrs = \$20,000)</p>
4. Site Cleanup	<p><u>Personnel and Fringe Benefits: \$23,520 (\$16,800 personnel + \$6,720 fringe benefits)</u> Oversight of QEP, regulatory communication and correspondence, closeout report (\$98/hr [\$70/hr personnel + \$28/hr fringe] x 240 hrs = \$23,520)</p> <p><u>Contractual Costs: \$205,185</u></p> <ul style="list-style-type: none"> Excavation oversight/monitoring and closure sampling (\$111/hr x 885 hrs = \$98,235) Surveying (\$200/hr x 100 hrs = \$20,000) Regulatory correspondence and communications throughout project, prepare construction/closeout reports (\$175/hr x 450 hrs = \$78,750) Laboratory analysis for chromium (\$20/sample x 410 samples = \$8,200) <p><u>Construction costs: \$4,413,259</u></p> <ul style="list-style-type: none"> Cost estimates from 2018 draft ABCA, updated to 2023 dollars. Contractor site preparation/mobilization/demobilization (588.25 hrs x \$170/hr = \$100,000) Vegetation removal (\$3,500/acre x 17 acres = \$59,500) Install gravel surfacing to minimize erosion, prevent contamination spread (\$50/CY x 3,500 CY = \$175,000) Excavation and grading (\$20/CY x 50,000 CY = \$1,000,000)

Task	Cost Basis and Assumptions	Average Rate of \$70 per hour for City personnel, \$190 per hour for QEP
	<ul style="list-style-type: none"> Transport/disposal of contaminated soil/hides to appropriate landfills (\$67/ton x 37,836 tons = \$2,535,009) Wetland restoration (\$43,500/ac x 12.5 ac = \$543,750) 	
	<u>Other costs: \$30,000</u> <u>DEQ oversight (\$200/hr x 150 hrs = \$30,000)</u>	

Notes

ABCA=Analysis of Brownfield Cleanup Alternatives

ACRES=Assessment, Cleanup & Redevelopment Exchange

HASP=Health & Safety Plan

hr=Hour

QAPP=Quality Assurance
Project Plan

QEP=Qualified Environmental Professional

SAP=Sampling & Analysis Plan

FINAL APPROVED
DRAFT