



Oregon

Theodore Kulongoski, Governor

Department of Environmental Quality

Northwest Region

2020 SW Fourth Avenue, Suite 400

Portland, Oregon 97201-4987

1-800-452-4011

FAX (503) 229-6945

TTY (503) 229-5471

Date: September 1, 2010

Subject: Proposed Amendments to ZRZ and OHSU Records of Decision

The Department of Environmental Quality (DEQ) is proposing to amend the Record of Decision (ROD) documents for the Zidell Waterfront Site (ZRZ Site) and the OHSU Moody Avenue Site (OHSU Site). These amendments are needed as a result of acquisition of property from each Site for the TriMet Light Rail Bridge alignment that will cross the Willamette River. The proposed TriMet alignment will straddle the current property line between the OHSU Site and the ZRZ Site, resulting in a relatively small triangular portion of the ZRZ Site being isolated on the north side of the proposed TriMet property boundary and a relatively small triangular part of the OHSU Site being isolated on the south side of the TriMet property boundary. OHSU and ZRZ will exchange ownership of these triangular parcels (referred to as the Orphan Parcels). DEQ proposes to amend the OHSU Site, Unit C and ZRZ Site RODs to incorporate the ZRZ Orphan Parcel into the OHSU Site, Unit C ROD, and the OHSU Orphan Parcel into the ZRZ Site ROD. Legal descriptions for the Orphan Parcels subject to the exchange are presented in Attachment A, and are shown on Figure 1, attached.

DEQ has evaluated the ROD cleanup requirements for the two Orphan Parcels and has determined that the required remedial action requirements for each parcel are functionally equivalent. The remedies for both Orphan Parcels require capping with either a hardscape or with a layer of clean fill. Capping is required to be protective of human health and the environment. Once the acquisition of property to TriMet is complete, the applicable requirements for the Site RODs will remain in force. OHSU will maintain the ZRZ Orphan Parcel in accordance with the cap monitoring and maintenance plan consistent with the OHSU Unit C ROD, and approved by DEQ. ZRZ will monitor and maintain the OHSU Orphan Parcel in accordance with cap monitoring and maintenance plan consistent with the ZRZ ROD, and approved by DEQ. DEQ also expects that a significantly more protective remedy than required in the RODs will be constructed in the locations of both orphan parcels in the near future considering that between 10 and 15 feet of additional clean fill is planned to be placed on both parcels to prepare for future development on each Site.

HOW TO COMMENT: Written comments concerning the proposed ROS amendments should be sent to Scott Manzano at DEQ NW Region, 2020 SW 4th Avenue, Suite 400, Portland, Oregon 97201-4987 or at scott.manzano@state.or.us. Comments must be received by DEQ by 5:00 pm October 1, 2010. Questions may be directed to Mr. Manzano at that address or by calling (503) 229-5263. The Records of Decision and files for the OHSU Site and the ZRZ Site may be reviewed at DEQ's Northwest Region office in Portland by contacting Mr. Manzano at the address above. DEQ also will be holding a public meeting to present information regarding the proposed amendments on September 15 at 6:00 p.m. at DEQ Headquarters, 811 SW Sixth Avenue in Portland. DEQ will make a final decision concerning the proposed actions after consideration of public comments.

Attachments: Attachment A - OHSU and ZRZ Orphan Parcels Legal Descriptions
Figure 1 - OHSU and ZRZ Orphan Parcels

Attachment A – OHSU and ZRZ Orphan Parcels Legal Descriptions

LEGAL DESCRIPTION OF OHSU ORPHAN PARCEL

A parcel of land situated in the Finice Caruthers D.L.C. No. 43, in the Northeast quarter of Section 10, Township 1 South, Range 1 East, Willamette Meridian, in the City of Portland, Multnomah County, Oregon, said parcel being a portion of that property conveyed to Oregon Health and Science University and designated as Parcel VII in Statutory Bargain and Sale Deed recorded June 30, 2004 in Instrument No. 2004-118551, Multnomah County Deed Records, said parcel being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with a yellow plastic cap stamped “OTAK INC.” marking the Southeast corner of said Oregon Health and Science University property, which corner bears S12°06’05”E 1,527.50 feet and S87°03’04”E 640.64 feet from a brass screw with washer stamped “DEA INC.” marking the Westerly point of curve at the Northeast corner of Lot 3, SOUTH WATERFRONT EXTENSION; thence N87°03’04”W along the South property line of said Oregon Health and Science University property 189.31 feet to a set 5/8 inch iron rod with a yellow plastic cap stamped “CH2M HILL”; thence, leaving said South property line, N68°29’58”E 6.62 feet to a set 5/8 inch iron rod with a yellow plastic cap stamped “CH2M HILL”; thence N08°47’06”W 5.13 feet to a set 5/8 inch iron rod with a yellow plastic cap stamped “CH2M HILL”; thence N68°29’58”E 116.97 feet to a set 5/8 inch iron rod with a yellow plastic cap stamped “CH2M HILL” and the beginning of a 489.58 foot radius non-tangent curve to the left; thence along said curve, through a central angle of 10°22’59” (which chord bears N64°28’24”E 88.60 feet), an arc distance of 88.72 feet to a set 5/8 inch iron rod with a yellow plastic cap stamped “CH2M HILL” on the Easterly line of said Oregon Health and Science University property; thence S02°58’27”W along said Easterly line 98.41 feet to the **POINT OF BEGINNING**.

Basis of bearings is the Oregon Coordinate System of 1983, [CORS 96, EPOCH: 2002.0000].

Said parcel contains 9,306 square feet, or 0.21 acre, more or less.

LEGAL DESCRIPTION OF ZRZ ORPHAN PARCEL

A parcel of land situated in the Finice Caruthers D.L.C. No. 43, in the Northeast and the Northwest quarter of Section 10, Township 1 South, Range 1 East, Willamette Meridian, in the City of Portland, Multnomah County, Oregon, said parcel being a portion of that property conveyed to ZRZ Realty Company and designated as Parcel II in Quitclaim Deed recorded May 31, 1989 in Book 2207, Page 1633, Multnomah County Deed Records, said parcel being more particularly described as follows:

BEGINNING at the intersection of the North line of said ZRZ Realty Company property and the Easterly right-of-way line of SW Moody Avenue, which intersection bears S12°06'05"E 1,527.50 feet from a brass screw with washer stamped "DEA INC." marking the Westerly point of curve at the Northeast corner of Lot 3, SOUTH WATERFRONT EXTENSION, and from which intersection a 5/8-inch iron rod with a 1-inch brass disc stamped "OTAK INC." bears S87°03'04"E 0.31 foot; thence S87°03'04"E along said North property line 154.15 feet to a set 5/8 inch iron rod with a yellow plastic cap stamped "CH2M HILL" ; thence, leaving said North property line, S68°29'58"W 139.40 feet to a set 5/8 inch iron rod with a yellow plastic cap stamped "CH2M HILL" on said Easterly right-of-way line of SW Moody Avenue; thence N22°19'49"W along said right-of-way line 63.81 feet to the **POINT OF BEGINNING**.

Basis of bearings is the Oregon Coordinate System of 1983, [CORS 96, EPOCH: 2002.0000].

Said parcel contains 4,447 square feet, or 0.10 acre, more or less.

Figure 1. OHSU and ZRZ Orphan Parcels To Be Exchanged

