As provided in Oregon law (ORS 465.327), DEQ may approve PPAs “to facilitate cleanup and reuse of contaminated property” if all of the following criteria are met:

1) The prospective purchaser is not currently liable under any of the three following statutory authorities for an existing release of hazardous substances at the property to be purchased: ORS 465.255; ORS 466.640; or ORS 468B.

2) Contamination exists and removal or remedial action is necessary at the property under ORS 465.

3) The proposed use of the property will not contribute to or exacerbate existing contamination, increase health risks or interfere with necessary remedial action measures at the facility.

4) A substantial public benefit will result from the PPA.

The information in this application will help DEQ evaluate the eligibility of applicants based on these criteria.

**Applicant Information**

| Applicant: Urban Renewal Agency of the City of Troutdale |
| Mailing Address: 219 E. Historic Columbia River Hwy |
| City: Troutdale | State: OR | Postal (ZIP) Code: 97060 |
| Contact Name: Erich Mueller | Title: Finance Director |
| Phone Number: 503-674-7231 | Email: erich.mueller@troutdaleoregon.gov |

**Site Information**

| Site Name: Troutdale Riverfront Redevelopment Site |
| Site Address: 302, 320, and 410 NW 257th Way |
| City: Troutdale | State: OR | Postal (ZIP) Code: 97060 |
| Section: 25BD | Township: 1 | Range: 3 East Willamette Meridian | Size (acres): 20 approximately |
| Please attach a legal description of the property |
| Tax Lot(s): 100, 600, 400, & 500 |
| ECSI and/or UST Identification Number(s) and Names, if applicable: **ECSI Site ID: 5224** |

Current use of the property: vacant

If property is vacant, how long has it been vacant? 15+ years

Current zoning of the property: Zoning varies across the 4 tax lots comprising the approximately 20 acre site including: Mixed Office/Housing (MO/H) with Town Center Overlay (TC) AND General Commercial (GC) with Town Center Overlay (TC)
### Tax Lots 100 & 600, R320485 & R320654

<table>
<thead>
<tr>
<th>Current Site Owner Information – Tax Lots 100 &amp; 600, R320485 &amp; R320654</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Site Owner’s Name:</strong> Eastwinds Development LLC</td>
</tr>
<tr>
<td><strong>Current Site Owner’s Mailing Address:</strong> 8440 NE Alderwood Rd, Suite A</td>
</tr>
<tr>
<td><strong>City:</strong> Portland</td>
</tr>
<tr>
<td><strong>Contact Name:</strong> Matt Wand, General Counsel, Yoshida Group</td>
</tr>
</tbody>
</table>

Is the current owner aware of your plans to seek a “Prospective Purchaser Agreement” with DEQ?  
☑️ Yes ☐ No

To your knowledge, does the current owner have any objections or reservations regarding this proposed prospective purchaser agreement?  
☐ Yes ☑ No

If yes, please describe:

---

### Tax Lots 400 & 500, R320520 & R320650

<table>
<thead>
<tr>
<th>Current Site Owner Information – Tax Lots 400 &amp; 500, R320520 &amp; R320650</th>
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</thead>
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<tr>
<td><strong>Contact Name:</strong> Erich Mueller</td>
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</tbody>
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☑️ Yes ☐ No

To your knowledge, does the current owner have any objections or reservations regarding this proposed prospective purchaser agreement?  
☐ Yes ☑ No

If yes, please describe:

---

### Applicant’s Proposed Interest in the Property

**Are you planning to buy the property described above?**  
☑️ Yes ☐ No

The intent is for the Applicant to acquire both the City’s former sewer treatment plant site, an approximately 12-acre parcel, and the adjacent approximately 8-acre parcel owned by Eastwinds Development, LLC, (Eastwinds), creating a larger consolidated site for redevelopment.
Nature and Timing of Pending Property Transaction

Please describe, if known, the nature and timing of the proposed property transaction in sufficient detail to give DEQ a sense of your needs and timetable. (Note: It is DEQ’s goal to complete review and negotiation of most agreements within 6 - 8 weeks.):

The target purchase December 2017 or January 2018.

Agreement Type

Which type of Prospective Purchaser Agreement are you planning?
☐ Administrative Agreement ☐ Consent Order ☑ Consent Judgment ☐ Undecided

Proposed Land Use

Describe the proposed development or reuse of the property. Attach site maps and supplemental information describing the intended development or reuse if available. (Note: site design maps and supplemental information are required if proposed buildings, parking lots, drainage systems or other developments could impact current or future environmental cleanup activities):

The Applicant desires to remediate the site to a level to allow for urban residential usage.

See the attached Troutdale Riverfront Renewal Plan, our urban renewal plan, and the attached Sandy River Access Plan.

Goal A from the Troutdale Riverfront Renewal Plan: “Promote the Redevelopment of the Area for a Mix of Retail, Office, Residential and Public Uses. The Area is effectively undeveloped but its location makes it a valuable site for a mix of retail, office and residential development and for a riverfront park and other public spaces. The overall goal of the Plan is to promote the optimum redevelopment of this site.”

The Sandy River Access Plan (SRAP) directly addresses the purpose and multiple goals of the Metro Nature in Neighborhoods. “The SRAP seeks to balance public uses in an urban context, including placement and design of a multi-use trail plan, with habitat enhancement priorities, including riparian restoration. The location of the trail was determined based on the City of Troutdale defined Vegetative Corridor (VECO) boundaries, maximizing riparian restoration areas, varying topography, fluctuating water levels, public access to the river, and connectivity to the north and south links of the 40 Mile Loop bicycle path system.”

Local Government Planning Department Contact

Contact Name: Chris Damgen
Title: Community Development Director
Phone Number: 503-674-7228
Email: chris.damgen@troutdaleoregon.gov

Please summarize any conversations you have had with the local government planning department:

The Planning and Community Development department have been extensively involved in the creation of the above mentioned Troutdale Riverfront Renewal Plan.
### Summary of Contamination & Investigation Status

**Has a Phase I Environmental Site Assessment been conducted at the Property?**  ☑Yes ☐No

If yes please provide information on report title, consultant/consulting firm, date prepared:

Kleinfelder, Inc., 2006, Phase I Environmental Site Assessment, City of Troutdale & Eastwind Development LLC Parcels, 410, 320, & 302 NW 257th Way/NE Harlow Road, Tax Lots 400, 500, 100, & 600, Troutdale, Oregon, Kleinfelder Project No. 63608-A01, January 5, 2006.

**Has sampling or other environmental investigation been conducted at the Property?**  ☑Yes ☐No

A Phase I Environmental Site Assessment (ESA) was completed in January 2006 by Kleinfelder, Inc. (Kleinfelder). The subject property for the Phase I ESA included both the Eastwinds property, and the adjoining City-owned former POTW property to the west and north.

Based on the findings of the Phase I ESA, Kleinfelder conducted a Phase II ESA on March 16, 2006. The Phase II ESA included sampling in several areas of the site including the location of a former site heating oil tank, the former settling pond, the former oil houses, the former glue factory, and the area northeast of the large warehouse building.

Ecology & Environment, Inc. (E&E) completed a targeted brownfield assessment (TBA) across the entire Troutdale Riverfront Redevelopment Area on behalf of the U.S. Environmental Protection Agency (EPA) in July 2010. The TBA included analysis of more than 80 soil and groundwater samples, most of which were collected on the Eastwinds property rather than the adjoining City-owned POTW property. Samples were analyzed for a comprehensive suite of analytical parameters.

AMEC Environment & Infrastructure, Inc. (AMEC), conducted focused supplemental site characterization activities at the site in an attempt to eliminate several data gaps identified following the completion of the 2010 TBA.

In the February 21, 2014 letter report, AMEC completed a conceptual site model (CSM) for the site. AMEC also conducted additional ecological screening of incremental soil sample testing results collected in July 2012 from the Sandy River greenway area.

In August 2014, AMEC conducted limited additional assessment of the site. AMEC also prepared a Quality Assurance Project Plan (QAPP) and Sampling and Analysis Plan (SAP) describing the scope and methodologies for the assessment prior to conducting field work. The goal of the 2014 assessment was to address data gaps on the site identified during AMEC’s review of previous assessment reports.

Surface ISM sampling was conducted within three decision units at the site: CDU-6, CDU-7, and CDU-8. ISM sampling was conducted in accordance with guidelines established in the guidance document Incremental Sampling Methodology prepared by the Interstate Technology & Regulatory Council (ITRC), dated February 2012.

AMEC advanced four direct-push borings (LW-01 through LW-04) inside the large warehouse building to depths of up to 20.5 feet bgs for collection of soil samples. Each soil sample was analyzed for hydrocarbon identification by method NWTP-HCID and appropriate follow-up methods, thirteen priority pollutant metals by EPA Method 6020, VOCs by EPA Method 8260, and PAHs by EPA Method 8270 SIM.
Groundwater samples were collected by AMEC from two monitoring wells (MW-1 and MW-2) previously installed at the site. The wells were installed near the Sandy River to evaluate the potential for contaminants to migrate via groundwater to the river. Groundwater samples were collected using low-flow sampling methodologies. The field parameters dissolved oxygen, oxidation-reduction potential and pH were measured during well purging. Final parameter measurements were recorded for each sample collected. Each groundwater sample was tested for VOCs by EPA Method 8260; PAHs by EPA Method 8270 SIM.

Two buildings present on the site are planned for demolition. AMEC conducted regulated building material surveys in both buildings and provided a Pre-Demolition Hazardous Building Materials Survey report, dated October 1, 2014.

AMEC conducted the data gaps investigation on December 22, 2016 collecting groundwater samples from MW-1 and MW-2 for analysis of total and dissolved TAL metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium, silver, and manganese).

<table>
<thead>
<tr>
<th>Have cleanups activities been conducted at the Property?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>If yes please summarize activities:</td>
<td></td>
<td></td>
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<tr>
<td>The primary site activity has been the multiple prior environmental assessments completed of the site as described above.</td>
<td></td>
<td></td>
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<tr>
<td>An interim removal action was completed in December 2015 that included the removal of over 5,000 tons of buried sheep pelt/material from a 13,719-square-foot area. This material was disposed of at a putrescible waste landfill in Wasco Co. The pit was backfilled with soil from the Parkrose Middle School site improvement project.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Does DEQ have a copy of relevant reports?</th>
<th>Yes</th>
<th>No – If not, please provide (or attach) the reports</th>
</tr>
</thead>
</table>

Known or suspected contaminant source(s):

Agriculture usage and a wool pullery and slaughterhouse on the Eastwinds property.

Known or suspected contaminant(s):

The arsenic level found in soil at location LW-2 was 159 mg/kg, which is above DEQ’s occupational risk-based concentration (RBC) and regional background concentration of 1.9 mg/kg and 8.8 mg/kg, respectively.

Benzo(a)pyrene was found at 0.567 mg/kg in ISM sample CDU-8, which exceeds the occupational risk-based concentration (RBC) of 0.29 mg/kg.
### Type of Release

Briefly describe the nature of the hazardous substance release at the property. You may attach sampling results or additional information, or reference prior materials sent to DEQ by title and date. At a minimum, please provide basic information in the space below (e.g., list the known contaminants in soil, groundwater, surface water, sediments, etc.):

- AMEC, November 14, 2013. Incremental Surface Soil and Groundwater Sampling Report for the Troutdale Riverfront Redevelopment property (Site) in Troutdale, Oregon. Project No. 2-61M-125850
- AMEC July 3, 2014. Quality Assurance Project Plan and Sampling and Analysis Plan (QAPP/SAP) Troutdale Riverfront Redevelopment property (Site) in Troutdale, Oregon. Project No. 3-61M-125852

In what year (or years) did the release (or releases) of hazardous substance(s) occur? unknown

### Cleanup Activities Underway or Completed

Please provide a summary of removal or remedial activities which have been undertaken or completed at the property already, if any:

Investigations of soil and groundwater began around 2005, with analyses for petroleum-related contaminants, volatile organic compounds, heavy metals, PCBs, and pesticides. Samples collected from the City-owned portion of the site were within acceptable risk criteria for human health and the environment. However, soil levels exceeded DEQ’s Clean Fill criteria, and must be managed during site development in accordance with a DEQ-approved Contaminated Media Management Plan. DEQ made a No Further Action determination for the City-owned tax lots in April 2015.

Buried Animal Material Cleanup: Between November 16 and December 3, 2015, a total of 5,358 tons of animal material and soil was removed and transported to the Wasco County Landfill for disposal. The 13,719-square-foot excavation was backfilled and compacted with imported soil from the Parkrose Middle School redevelopment that occurred in 2014.

### Proposed Cleanup Activities

Describe in general terms removal or remedial activities to be performed in the future, of which you are aware:

The Applicant desires to allow for the option of a productive reuse of the site to include urban residential usage by attaining compliance with the RBC urban residential exposure limits.

After the purchase is completed the Applicant plans to update an existing demolition action plan for the former sewer treatment plant. The updated demolition plan will be expanded to include removal of all the buildings and structures from the newly acquired Eastwinds property. The intent is to completely clear the combined site of all structures and materials resulting in a clean, empty, “shovel ready” site prepared for development.
It is anticipated that AMEC can provide the needed professional services to assist the Applicant in effectively addressing the additional investigations and remediation across the site. The Applicant would expect to have AMEC involved in monitoring the demolition and site clearing. The Applicant anticipates that some additional Incremental Sampling will be performed once building demolition is completed allowing improved access.

The CMMP will be implemented to provide guidance to the redevelopment team for proper handling of known contaminated media and unknown contaminated media across the entire site. The CMMP will describe standard industry practices for site redevelopment as well as site specific information.

During the many months of demolition and site preparation several land use activities are needed. The entire site needs to have the zoning revised to provide for a uniform, but flexible use and that is consistent with the development limitations to be agreed to with DEQ. Several tax lot consolidations and subdivisions are needed to prepare the consolidated site for resale. Additionally surveying and subdividing off riverfront parcels is needed for the riparian zone and trail, as these yet to be created parcels would be retained in public ownership and not be resold to future developers.

Given the site topography significant grading, “cut & fill” leveling will be necessary. As part of site preparation process the anticipated primary mitigation strategy will be to bury the contaminated soil at a sufficient depth to address exposure risks of soils for compliance with an urban residential development use.

The expectation and goal is that the contaminated soil will be retained on site as described in the prior paragraph. However, there is an indication of a potential “hot spot” of contamination which will not be fully assessed until the building demolition is completed. Depending on the size and scope of the hot spot it may need to be mitigated by removal and transported to the Wasco County Landfill for disposal.

If contaminated soil or groundwater is generated during redevelopment or other activities that requires off-site disposal, it will be managed in accordance with local, state and federal regulations and the CMMP that will developed for the site.

<table>
<thead>
<tr>
<th>Proposed Funding for Cleanup Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funds for the cleanup and/or management of future project cleanup activities will be provided by:</td>
</tr>
<tr>
<td>☑ The applicant</td>
</tr>
<tr>
<td>☐ The current owner</td>
</tr>
<tr>
<td>☐ The applicant and current owner will share responsibility for the cleanup</td>
</tr>
<tr>
<td>☐ DEQ-funded</td>
</tr>
<tr>
<td>☐ Other (please specify):</td>
</tr>
</tbody>
</table>

Please describe the cleanup project lead and roles of the various parties in detail sufficient to give a clear understanding of who will be performing or paying for cleanup activities:

A consolidated site of approximately 20 acres comprising the City’s former sewer treatment plant and the Eastwinds parcels is the most logical and economically viable configuration for redevelopment.
The Applicant, as an urban renewal agency (Agency), has greater flexibility in creating redevelopment incentives for the economically challenging sites, the type of sites typically located in urban renewal plan areas. This additional redevelopment flexibility makes it preferable for the Agency, rather than the City, to purchase the Eastwinds property. To fund the property purchase and site preparation will require the City to borrow $5 million which the City will loan to the Agency.

<table>
<thead>
<tr>
<th>Prospective Purchaser Liability</th>
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<tbody>
<tr>
<td>Indicate why the applicant is not presently liable under ORS 465.255 for an existing release of hazardous substance at the property. You may attach additional information if necessary. For purposes of these questions, “applicant” includes individuals, partnerships, corporations, trusts and other legal entities in which the applicant has or previously had a legal interest:</td>
</tr>
</tbody>
</table>

| a) Has the applicant ever owned a legal interest in any facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement? |
| ☐ Yes ☒ No |
| If yes, please explain: |

| b) Has the applicant ever owned a legal interest in any portion of the property subject to this agreement? |
| ☐ Yes ☒ No |
| If yes, please explain: |

| c) Has the applicant ever operated a business located at a facility which is known or suspected to be a source of hazardous substances now found on the property subject to this agreement? |
| ☐ Yes ☒ No |
| If yes, please explain: |

| d) Has the applicant ever operated a business located on any portion of the property subject to this agreement? |
| ☐ Yes ☒ No |
| If yes, please explain: |

| e) Has the applicant, by any act or omission, caused, contributed to or exacerbated any release of hazardous substance now located on the property subject to this agreement? |
| ☐ Yes ☒ No |
| If yes, please explain: |
f) Please describe the nature of any past business or contractual relationship with the seller of this property:

Over the past several years the City of Troutdale and Eastwinds Development LLC (Eastwinds) have operated in an effective public/private partnership manner to successfully implement programs and grant projects for brownfield rehabilitation from Business Oregon, the State Department of Environmental Quality, and the Federal Environmental Protection Agency. As well as the creation of the “Sandy River Access Plan” by joining with the Sandy River Basin Watershed Council through the Metro Nature in Neighborhoods Grant Project for Restoration and Enhancement program.

<table>
<thead>
<tr>
<th>Public Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>The law requires that a substantial public benefit will result from the Prospective Purchaser Agreement. Substantial public benefits may include but are not limited to:</td>
</tr>
<tr>
<td>• The generation of substantial funding or other resources facilitating remedial measures at the facility in accordance with this section;</td>
</tr>
<tr>
<td>• A commitment to perform substantial remedial measures at the facility in accordance with this section;</td>
</tr>
<tr>
<td>• Productive reuse of a vacant or abandoned industrial or commercial facility; or</td>
</tr>
<tr>
<td>• Development of a facility by a governmental entity or nonprofit organization to address an important public purpose.</td>
</tr>
</tbody>
</table>

Please provide a brief summary of the public benefit(s) this Prospective Purchaser Agreement will provide to the local community and/or the State of Oregon:

This property adjacent to Sandy River north of downtown Troutdale has languished in disuse for many years, and that through significant public involvement during 2005 and 2006, the City created Troutdale Riverfront Renewal Plan to foster redevelopment in the riverfront Plan area.

The Troutdale Riverfront Renewal Plan redevelopment will reclaim a long-standing brownfield, support environmental and ecological restoration of the site and riverbank, all benefiting the public health, safety and welfare of the community.

The vision, goals and objectives of the Troutdale Riverfront Renewal Plan include supporting redevelopment of the site for a mix of public uses and private development, providing a system of pedestrian and bicycle trails that connects downtown to the Sandy River with connections and expansion of the 40-Mile Loop Regional Bicycle Trail, and improving community access and enjoyment of the Sandy Riverfront portions of the property while protecting the riparian habitat.
## Additional Application Contacts

**Environmental Consulting Firm:** Amec Foster Wheeler Environment & Infrastructure  
Primary Contact Name: Graeme Taylor, Senior Environmental Scientist, Project Manager  
Company: Amec Foster Wheeler Environment & Infrastructure  
Mailing Address: 7376 SW Durham Road  
Portland, Oregon 97224  
Phone Number: 503.941.4017 / Mobile: 503.367.6158  
Email: Graeme.Taylor@amecfw.com  
And  
Contact Name: John L. Kuiper, RG, Principal Geologist  
Company: Amec Foster Wheeler Environment & Infrastructure  
Mailing Address: 7376 SW Durham Road  
Portland, Oregon 97224  
Phone Number: 503.639.3400 / Mobile: 503.704.7793  
Email: John.Kuiper@amecfw.com

**Attorney/Law Firm:**  
Primary Contact Name: Ed Trompke, City Attorney  
Company: Jordan Ramis, PC  
Mailing Address: 2 Centerpointe Drive, 6th Floor, Lake Oswego, OR 97035  
Phone Number: 503-598-5532 / cell 503-522-7113  
Email: Ed.Trompke@jordanramis.com  
And  
Contact Name: Chris Rieve  
Company: Jordan Ramis, PC  
Mailing Address: 2 Centerpointe Drive, 6th Floor, Lake Oswego, OR 97035  
Phone Number: 360-567-3900  
Email: chris.reive@jordanramis.com

## DEQ Contacts

Please list the names of any DEQ staff that you have talked with regarding this property:

Rebecca Wells-Albers  
Northwest Region Brownfields Coordinator  
DEQ Northwest Region Cleanup Section  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100  
(503) 229-5585 (o)  
(503) 229-6945(fax)  
wells-albers.rebecca@deq.state.or.us  
And  
Cheyenne Chapman, JD, LLM  
Legal Policy Analyst  
Operations Division  
Oregon Department of Environmental Quality  
503-229-6461 direct  
cheyenne.chapman@state.or.us
**Signature** (The application must be signed by an authorized representative for the applicant.)

I certify that I have personally examined and am familiar with the information in this document and all attachments, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate and complete.

Signature: [Signature]  
Date: October 6, 2017

Erich Mueller  
Finance Director

<table>
<thead>
<tr>
<th>Application Submittal</th>
</tr>
</thead>
</table>
| **Send Completed Form and Enclosures to**:  
Oregon Department of Environmental Quality  
Attn: Revenue Section  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100 |

| **Submittal Checklist**:  
- Legal description of the property enclosed?  
- Additional environmental reports enclosed (if applicable)?  
- Cost recovery letter agreement enclosed?  
- Deposit enclosed? (Check for $2,500, made out to Oregon Department of Environmental Quality)* |


FOR QUESTIONS: Contact DEQ’s PPA program coordinator at 503-229-6461 or email PPAInfo@deq.state.or.us*

* You may submit advance copies of forms via email if desired. Please **DO NOT** send any confidential information (such as scanned copies of checks with bank account numbers) through email.