

Ashland Planning Commission Citizen Communication

June 13, 2016

PA-2016-00684 Union Pacific Railroad Rail Yard Remediation

FROM:

James Jarrard, Ashland City Resident, james.jarrard@icloud.com

COMMUNICATION SUMMARY:

I come before the Commission in strong support of the remediation of the industrial contaminants on the Union Pacific Railroad properties considered in this planning action. Both my wife and I lived in industrial areas of the Midwest United States and were subject to environmental contamination while youths. It is commendable that the Commission wishes to take action on this industrial residue in our community.

Detailed materials are made herein to the Planning Commission that shows that the Ashland Planning Department is using dated/aged information in making recommendations to the Commission. Additional information is made available to detail inadequate planning for proposed excavations on the Union Pacific Railroad (UPRR) yard.

Although I strongly support the removal of industrial residues from the UPRR properties, it is imperative the Commission use accurate and timely data in making decisions. Perhaps due to inadequate staffing for the Planning Department, city staffs are not providing information needed to make comprehensive decisions by the Commission.

Also contained in my communication to the Commission is information that the Oregon Department of Environmental Quality (ODEQ) no longer makes available to the public (Exhibit D). It was acquired during my research into our home purchase in 2012.

In modifying PA-99-048, the Commission should require excavations to the depth of 2001 studies of soil contaminants. Commission should also affirm plans in PA-99-048 that utilities for parcel 7 should run from the Oak St/Hersey St quadrant. I also recommend that actions on PA-2016-00522 concerning riparian matters/watershed/wetland preservation be included in any future construction plans for the UPRR property and its successors subdivisions.

BACKGROUND AND ACTION IMPLICATIONS:

In October, 1999 the Ashland Planning Commission and City Council approved development of plans for the UPRR parcels. In the intervening years, the development of these parcels began in areas near Oak Street and Hersey St, with construction access via Oak Street and Clear Creek Drive, as well as from Hersey Street directly to construction areas in parcels 1, 2, 3, and 4.

In addition, the decision in PA-99-048 required the remediation of industrial residues prior to any future actions on the properties in question. The action before the Commission calls for action on these properties.

I come before the Commission to strongly recommend the Commission use up-to-date information to make its decisions about this parcel (PA-2016-00684). Information provided to me by the Planning Department on PA-2016-00684 contains very dated and inaccurate information. Public information from sources such as Google Maps is presented to show the dated nature of Planning Department materials.

Additionally, I present information that I acquired from the Oregon Department of Environmental Quality (ODEQ) website prior to the purchase of our property on the North Mountain spur of Clear Creek. This information is a detailed soil study of the UPRR parcel and conflicts to some notable degree from the proposal before the Commission on the details of the level of soil contaminated over the years the rail yard was in operations. This information is not available to the Commission and is provided here. I have twice requested high resolution digital files from ODEQ (Greg Aitken) which has met with no response from ODEQ.

The Commission analysis of the contamination remediation to a composite Residential level allows for a statistical manipulation. A heavily contaminated area could remain when averaged against a substantially larger area remediated to a pristine state. There are strong indications that this is the intended effect of the proposed remediation effort.

COUNCIL GOALS SUPPORTED:

I assume the Commission and the Council wish to use the most accurate information available at the time of decision making.

FISCAL IMPLICATIONS:

There are no immediate financial implications to the Commission requiring a greater depth of excavation on the UPRR property where soil studies indicate.

Subsequent decisions on the UPRR property may require more Planning Department staff time and computing resources to acquire and analyze detailed, current information. It is obvious to me that the demands on Planning Department staff time has not allowed for adequate analysis of documents, studies, and possible action decisions/recommendations.

CITIZEN RECOMMENDATIONS AND REQUESTED ACTIONS:

The Commission should require excavation of contaminated earth to the depths indicated by the ODEQ soil survey contained in this presentation (the item which has been subsequently removed from public accessibility). This would require a doubling of the amount of earth removed in some specific areas.

The Commission should evaluate planning action PA-2016-00522 for its implication on watershed/wetland preservation. The Planning Department has not been able to provide information to me on this decision even though this action is on the record effective May, 2016.

Because riparian water table matters could be effected by this action, the Planning Commission should reaffirm its intent to protect habitat, water flow, and site drainage in future development. Language in the Commission decision on PA-2016-00684 should acknowledge significant

changes in the years intervening since the PA-99-048 decisions and direct corresponding planning for infrastructure to adhere to that contain in PA-99-048 sourcing electric, water utilities, drainage in to the Oak Street/Hersey Street parameters described in 1999, with modifications for fibre optic communication improvements, potable water scarcity, etc.

SUGGESTED MOTION:

I suggest the Planning Commission should direct the Planning Department to provide the most current information available to the Commission prior to making decisions on PA-2016-00684 and any subsequent Commission decisions on this property or its subdivisions. This would require deeper excavations in specific areas.

I also recommend the Commission reconfirm the elements in PA-99-048, including evaluation of wetland preservation (Section 3.1.2 of PA-99-048) and all other conditions of PA-99-048, Section 3.

ATTACHMENTS:

Exhibit A

Presentation of the dated information used by Ashland City Planning Department in presenting information to Planning Commission. Exhibit uses publicly available information from Google Maps as a comparison to map information contained in PA-2016-00684 file as provided to James Jarrard on/about June 6, 2016.

Exhibit B

Presentation by James Jarrard of facsimile copy of government agency presentation to Planning Commission described as dated 2013, but actually dates from 2005. This is provided to show multiple instances of dated materials being used for analysis in this action.

Exhibit C

Materials present to Planning Commission by ODEQ and Union Pacific Railroad on the areas of UPRR properties to be excavated upon approval of proposed action. Actual photo of property with schematics of proposed excavations.

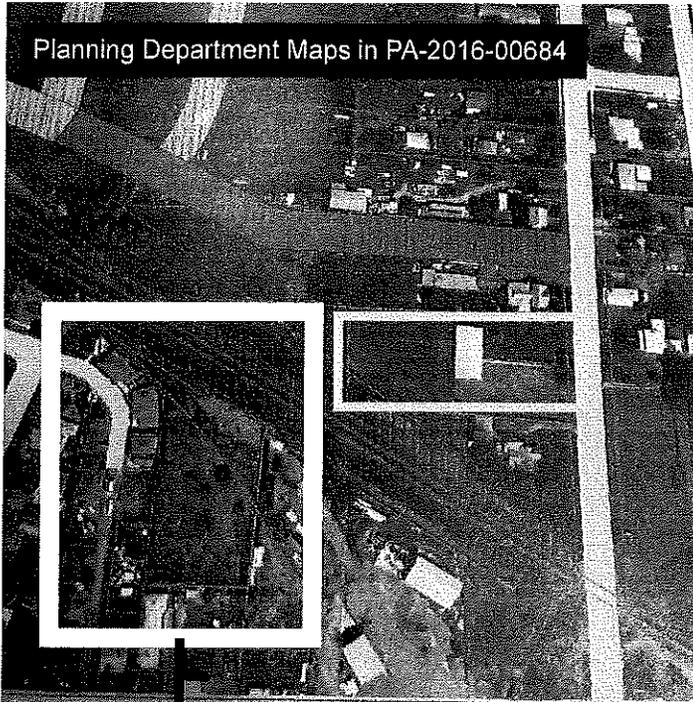
Exhibit D

Analytical schematic of excavations proposed for UPRR properties, including estimated depths of excavations and property modifications to accomplish action if approved.

Exhibit E

UPRR soil quality analysis presentation materials provided by James Jarrard acquired from the Oregon Department of Environmental Quality (ODEQ) in 2012, prior to purchase of his property. This material has subsequently been removed from ODEQ website and is no longer publicly available.

Exhibit A – Example #1 of Dated Information used in Planning Actions



Use of
Dated
Maps
by
Planning
Department

Havurah Sur Hadash



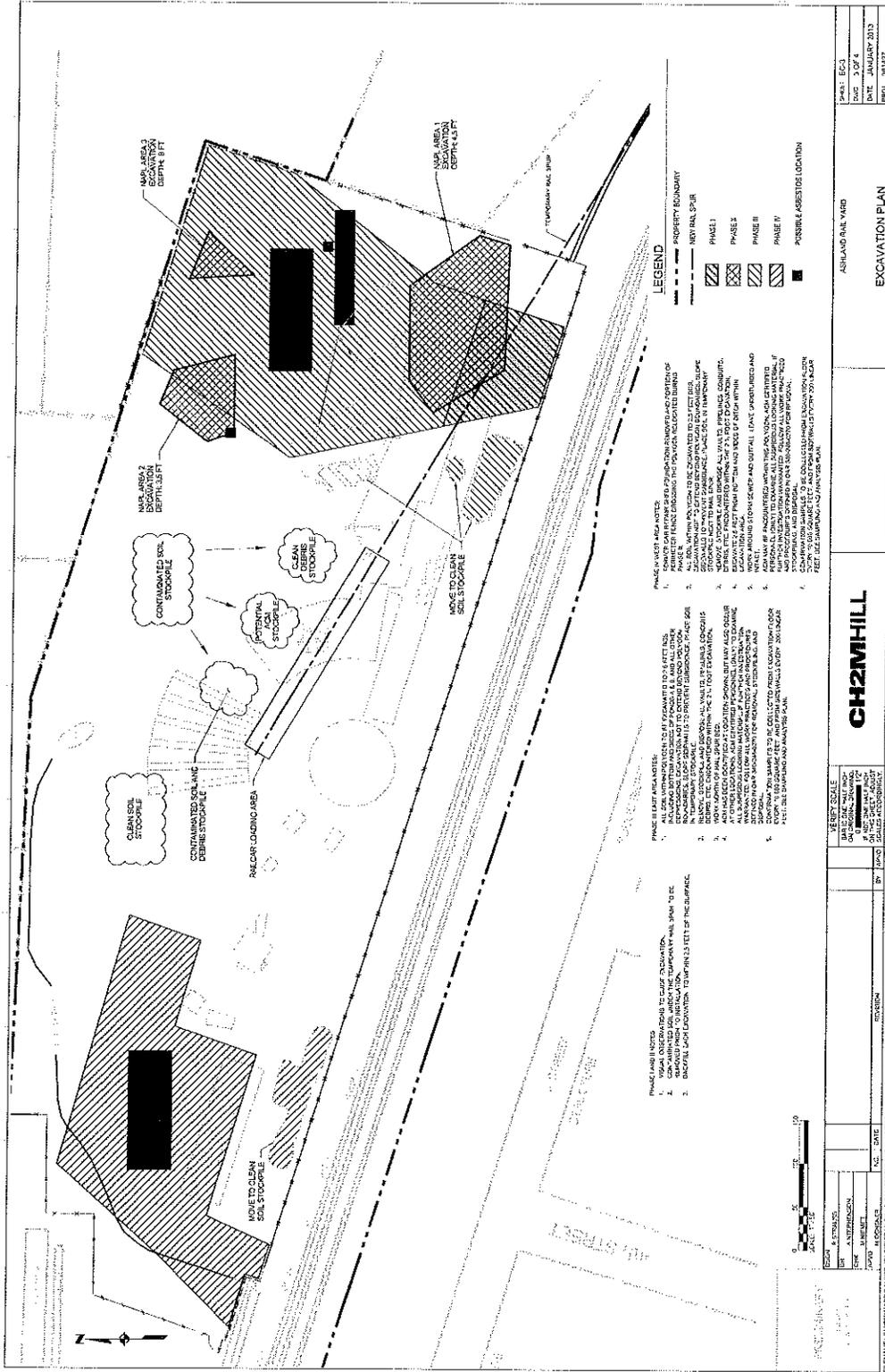
Exhibit C – Excavation Plan for UPRR property



FIGURE 1.2
Excavation Areas
Union Pacific Railroad
Ashland, Oregon

CH2MHILL

Exhibit D – Schematic Excavation plan for UPRR properties



USE OF EXCAVATION: THIS DOCUMENT AND THE EXCAVATION PLAN ARE THE PROPERTY OF CH2M HILL. IT IS TO BE USED ONLY FOR THE PROJECT AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF CH2M HILL.

DATE: 1/13/10
 DRAWN BY: J. JARRARD
 CHECKED BY: J. JARRARD
 DATE: 1/13/10

PROJECT: UPRRA
 SHEET: E03
 DATE: JANUARY 2010
 DRAWN BY: J. JARRARD

SCALE: 1" = 100'
 NORTH

PROPERTY BOUNDARY
 HEAVY RAIL SPUR

PHASE I
 PHASE II
 PHASE III
 PHASE IV
 POSSIBLE ASBESTOS LOCATION

PHASE I NOTES:
 1. 100% OBSERVATION TO CONFIRM EXCAVATION.
 2. REMOVE PILES TO A MINIMUM OF 10 FEET FROM EXCAVATION.
 3. BACKFILL EXCAVATION WITH CLEAN SOIL TO 15 FEET OF THE SURFACE.

PHASE II NOTES:
 1. ALL SOIL WITHIN 10 FEET OF EXCAVATION TO 2 FEET DEPTH.
 2. EXCAVATION TO 15 FEET DEPTH TO REMOVE ALL CONTAMINATION.
 3. EXCAVATION TO 15 FEET DEPTH TO REMOVE ALL CONTAMINATION.
 4. EXCAVATION TO 15 FEET DEPTH TO REMOVE ALL CONTAMINATION.
 5. EXCAVATION TO 15 FEET DEPTH TO REMOVE ALL CONTAMINATION.
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 9. EXCAVATION TO 15 FEET DEPTH TO REMOVE ALL CONTAMINATION.
 10. EXCAVATION TO 15 FEET DEPTH TO REMOVE ALL CONTAMINATION.

PHASE III AND IV NOTES:
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ASHLAND RAIL YARD
 EXCAVATION PLAN

CH2MHILL

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SCALE: 1" = 100'
 NORTH

Planning Commission

Mary Scott
1274 ^{lower} OR 97520
Exhibit #2

I attended ~~the~~ last month's meeting and spoke of my concerns about the nature of the "end run" as I see it.

Although I realize the church needs to sell the land to help finance the new building; I think the public should be allowed to evaluate the complete ^{development} ~~proposed~~ plan — especially as this is a high density ^{development} ~~section~~ within a largely ~~is~~ single family neighborhood.

I hope the action you take does not prejudice any future evaluations of the development on the second parcel.

Thank you
Mary Scott