

From: [TATTAM Shelley * DEQ](#)
To: [pscoles](#)
Cc: [TEACH Haley * DEQ](#)
Subject: RE: 401 WQC Application Re: Received by DEQ for Irrigation Pond Sediment Removal-Placement, 2023-24-1
Date: Tuesday, February 18, 2025 12:40:00 PM
Attachments: [image001.png](#)
[image002.jpg](#)

Hi Phil,

I am going to touch base with our sediment evaluation team to see if I can get more specific guidance for this project.



Shelley Tattam (*she/her*)
[401 Program](#) Project Manager
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700 NE Multnomah St. Ste 600
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Cell: 971-276-9201

From: pscoles <pscoles@terrascience.com>
Sent: Tuesday, February 18, 2025 11:37 AM
To: TATTAM Shelley * DEQ <Shelley.TATTAM@deq.oregon.gov>
Cc: TEACH Haley * DEQ <Haley.TEACH@deq.oregon.gov>
Subject: RE: 401 WQC Application Re: Received by DEQ for Irrigation Pond Sediment Removal-Placement, 2023-24-1

Hi Shelley,

Thanks for teleconference and quick reply. I haven't yet read the document you linked to, but I did a quick internet search on MET (new to me!). It sounds like the test involves mixing some sediment with the water that would get taken up by the suction dredge, then agitate and eventually analyze the water above the sediment. Any idea how much sediment and water volume needed? Is one discrete sample needed or composite sample from the pond? Or multiple discrete samples and how many? Is the CoCs for only copper and zinc, or is there a standard list?

Please pardon all of my questions now -- I am curious (I did soil and groundwater cleanup in first 12+ years of my career). And maybe the questions also come up in your in-house discussions. Thanks and have a nice week ahead! --Phil.

On 02/18/2025 11:02 AM PST TATTAM Shelley * DEQ <shelley.tattam@deq.oregon.gov> wrote:

Hi Phil,

Thanks for meeting with me today. Here is a link to more information about the [Modified Elutriate Testing](#).

A Modified Elutriate Test (MET) is to be performed for the known contaminants of concern (CoCs) and CoC concentrations are below DEQ chronic water-quality criteria, return water discharge is not limited.

- The MET must be performed before dredging.
- DEQ must approve the list of CoCs and analytical method prior to the Applicant performing the MET.
- DEQ must review the results and provide approval of discharge from return water, in writing, prior to dredging.

I will talk to the team this week about testing the water and get back you towards the end of the week or early next week at the latest.

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From: pscoles <pscoles@terrascience.com>
Sent: Wednesday, February 12, 2025 1:13 PM
To: TATTAM Shelley * DEQ <Shelley.TATTAM@deq.oregon.gov>
Subject: RE: 401 WQC Application Re: Received by DEQ for Irrigation Pond Sediment Removal-Placement, 2023-24-1

Got it!

Thanks and have a nice weekend (okay to think about after noon Wed., right?).

On 02/12/2025 1:10 PM PST TATTAM Shelley * DEQ <shelley.tattam@deq.oregon.gov> wrote:

Great, sent you a Teams invite.



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From: pscoles <pscoles@terrascience.com>
Sent: Wednesday, February 12, 2025 1:06 PM
To: TATTAM Shelley * DEQ <Shelley.TATTAM@deq.oregon.gov>
Subject: RE: 401 WQC Application Re: Received by DEQ for Irrigation Pond Sediment Removal-Placement, 2023-24-1

Sounds good. Let's do 10 AM on Tuesday!

I'm assuming you have a Teams account (I don't).

Thanks --Phil.

On 02/12/2025 1:00 PM PST TATTAM Shelley * DEQ
<shelley.tattam@deq.oregon.gov> wrote:

Hi Phil,

I have time on Tuesday between 10am-1pm for a Teams chat if that works for you.

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Shelley

From: pscoles <pscoles@terrascience.com>
Sent: Wednesday, February 12, 2025 12:47 PM
To: TATTAM Shelley * DEQ <Shelley.TATTAM@deq.oregon.gov>
Subject: RE: 401 WQC Application Re: Received by DEQ for Irrigation Pond Sediment Removal-Placement, 2023-24-1

Hi Shelley,

I hope your week is going well. I'm still feeling it's Monday, yet it's already Wednesday!

I think it would be great to chat. This can be really informal -- I think there's some things for me to explain so some of the details fit together better for you. Do you have time this afternoon or tomorrow? Friday works, too.

Thanks --Phil.

On 01/31/2025 8:05 AM PST TATTAM Shelley * DEQ
<shelley.tattam@deq.oregon.gov> wrote:

Good morning Phil,

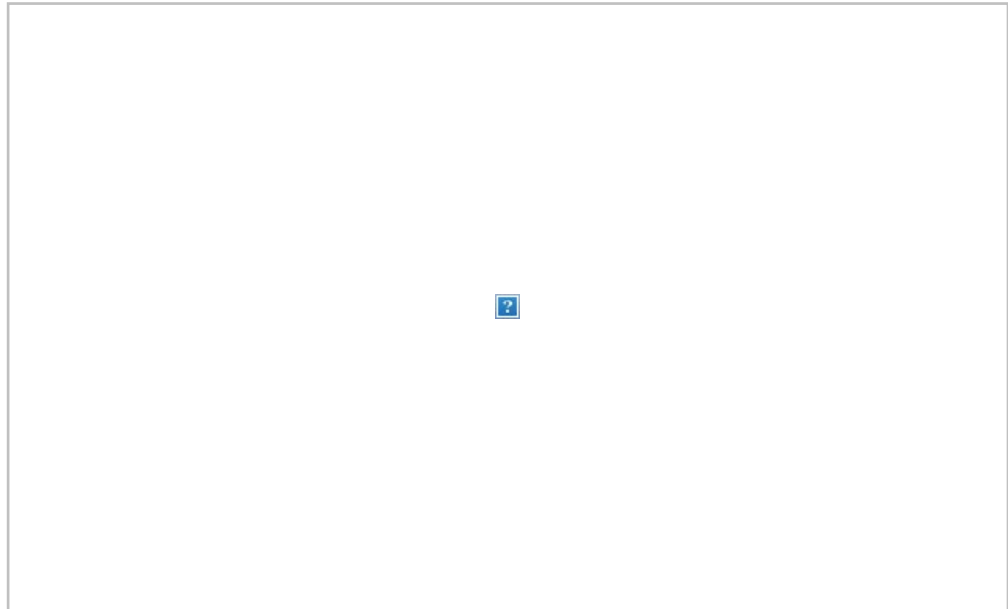
Thank you for providing the sediment testing results. This project is proposed as a Nationwide Permit (NWP) #33 and #16, which includes category-specific requirements and conditions. As per our conditions in the 401 WQC for NWP #16, return waters cannot go back into Junor Lake because of the high levels of zinc and copper provided in the chemical analysis. Please refer to the screenshot below of our NWP #16 conditions.

Secondly, Wetland A cannot be used as a treatment facility for seepage waters from the sediment bags. It was unclear in the JPA narrative if that was the plan. Can you please confirm if the plan is to use Wetland A as a treatment facility?

Lastly, the applicant is required to consider and describe potential water quality impacts which could result from implementing the proposal, evaluate whether the proposal would cause or contribute to violations of applicable water quality standard adopted pursuant to [OAR Chapter 340 division 041](#), and identify actions or practices to avoid or mitigate degradation of water quality. Specifically, based on the application and my review, there appears to be potential water quality violations of the water quality standard adopted pursuant to [OAR Chapter 340 division 041](#) specific to Statewide Narrative Criteria and Total Dissolved Solids. For the Willamette River basin, Total Dissolved Solids concentration may not exceed 100.0 mg/l. Can you please explain how the project will not modify surface water quality specific to

Statewide Narrative Criteria and Total Dissolved Solids?

Please let me know if you would like to set up a Teams meeting to discuss any of the above items.



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From: pscoles <pscoles@terrascience.com>
Sent: Friday, January 10, 2025 2:07 PM
To: TATTAM Shelley * DEQ <Shelley.TATTAM@deq.oregon.gov>
Subject: RE: 401 WQC Application Re: Received by DEQ for Irrigation Pond Sediment Removal-Placement, 2023-24-1

Great! Thanks for adding them to the file. JSYK, the Corps is in a holding pattern awaiting the WQ certification (no pressure) and the DSL 30-day public notice is done next week. We're expecting a lot comments from neighbors and responding to those comments over the next month. The project has evolved from a 0.72-acre permanent impact to only 0.05-acre temporary impact, so the applicant is trying really hard to minimize impacts. Hopefully the temporary impacts (as now proposed) makes it easier for DEQ's WQ cert.

Let me know if you want to spend a day with this year's delineation class -- a repeat of the class last year -- just an informal refresher day may make the other PSU classes a bit more focused.

Take care and have a nice weekend. --Phil.

On 01/10/2025 1:49 PM PST TATTAM Shelley * DEQ

<shelley.tattam@deq.oregon.gov> wrote:

Hi Phil,

Thank you! No wetland delineations from me recently, but I look forward to more classes this spring.

They have been doing some updates to the web portal, so I will reach out the Help Desk and see if I can figure out why you can't upload. I will add the attached files to your project folder.



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From: pscoles <pscoles@terrascience.com>

Sent: Friday, January 10, 2025 12:00 PM

To: TATTAM Shelley * DEQ <Shelley.TATTAM@deq.oregon.gov>

Subject: 401 WQC Application Re: Received by DEQ for Irrigation Pond Sediment Removal-Placement, 2023-24-1

Hello Shelley,

I'm happy our paths cross again! I don't know if you got any chance to practice some wetland delineation since April, but with the recent rains the ground isn't so tough to dig in. I was on a site yesterday where some of the wetland boundary was literally squishy ground with my left foot and upland was firm ground with my right foot (and upland plant community too). That's a rare opportunity in the delineation realm.

I have been working with Portland Golf Club and I wanted to follow-up on this email with some answers for you. I am unable to save the uploads to the webportal, so I am attaching several items (I thought they were uploaded, but I have tried 2 web browsers and still don't have a 'save' icon/button). Can you add these to the file from your desk, or is there a IT person I can talk to and figure out why I can save the uploads to the webportal?

No. 1 -- Fees. I will check in with PGC to get the \$1082.64 fee paid.

No. 2 -- LUCS statement and associated approvals.
Washington County has approved the land use (May 2023). Washington County will also issue a grading permit, but the project team is working on some revisions right now. We are getting a brush trimming permit from Clean Water Services (CWS) today or Monday. And CWS will be working on a revised

Service Provider Letter (SPL) as soon as I get them the grading plan.

No. 3 -- Nationwide Permit #41. The project is not removing any stream channels, but there is a temporary bypass for Woods Creek during the dredging process. I think this is still consistent with NWP.

No. 4 -- Sediment bags. The sediment bags will remain onsite and intact for approximately 2 years (to allow water to fully drain out). The applicant will make a future decision to leave the sediment bags 'as is' or relocation. If relocated, then the applicant will coordinate with DEQ prior to such activity.

No. 5 -- Sediment testing. The sediment has been tested for heavy metals (Jan. 2021) and a variety of chemicals, including pesticides (Aug. 2023). Sampling results are attached (again, I've been unsuccessful saving these items when uploading to the webportal).

No. 6 -- Turbidity requirements. These have been anticipated from the beginning. The dredging process is a closed loop, so an turbid water gets pumped into the sediment bags, then cycled back to the irrigation pond. There are several proposed sediment check dams proposed as additional measures to be compliant with the turbidity standards.

No. 7 -- Additional information. This is a complex project and everything drains to Fanno Creek, so water quality concerns are paramount. Please don't hesitate to ask for additional information.

Shelley, thank you again for your ongoing review and I look forward to working with you. Have a nice upcoming weekend!
--Phil.

From: TATTAM Shelley * DEQ
<Shelley.TATTAM@deq.oregon.gov>
Sent: Thursday, December 12, 2024 2:44:30 PM
To: Lonnie Lister <llister@portlandgolfclub.com>
Cc: TEACH Haley * DEQ <Haley.TEACH@deq.oregon.gov>;
LOISELLE Rebecca * DSL <Rebecca.Loislle@dsl.oregon.gov>
Subject:

Good afternoon,

The Oregon Department of Environmental Quality (DEQ) received a 401 water quality certification (WQC) request for the Irrigation Pond Sediment Removal-Placement project, identified by U.S. Army Corps of Engineers (USACE) # 2023-24-1 (DEQ submittal #73677) on December 5, 2024. Through coordination with USACE, DEQ has determined this request to

be valid as of December 5, 2024. Thank you for submitting your application materials through *Your DEQ Online*. Please acknowledge and provide a response to the following:

1. **Review Fee:** All expedited 401 Water Quality Certifications must pay a \$1,041 review fee. A review fee charge has been generated for your project through *Your DEQ Online* (YDO). Payment can be made through an ACH transfer, by credit card, or by mailing in a check. If you choose to pay via check, please refer to additional instructions on pages 18-19 of the [401 Program's User Guide](#). Please note a 4% technology fee will be applied to all 401 review charges as part of an agency-wide policy to cover operation and maintenance costs of Your DEQ Online. More information regarding this fee can be found [here](#).
2. **Land Use Compatibility Statement (LUCS):** The application received by DEQ included a land use compatibility statement (LUCS) form which indicated that additional discretionary permits or approvals are required for this project to be consistent with the comprehensive plan. DEQ requires that all discretionary local approvals needed to demonstrate compliance with state planning goals are obtained prior to certification decision issuance. Please provide a copy of these permits/approvals or an updated LUCS demonstrating the project is consistent with the comprehensive plan.
3. **Nationwide Category-Specific Requirements:** This project is proposed as a Nationwide #42, which includes category-specific requirements. Nationwide 401 WQC's are denied and an individual 401 WQC application is required for projects with more than 300 linear feet of stream loss.
4. If the sediment bags are to be removed from the upland site, where would they be placed?
5. Has the sediment been chemically tested? Please provide those testing reports.
6. **Turbidity Monitoring:** The project plans indicate that in-water work may be required. Please note that DEQ has turbidity restrictions and standard monitoring requirements specified in the Nationwide 401 WQC template, located here: <https://www.oregon.gov/deq/wq/Documents/401nWQcertTemplate2021.pdf>. Please let me know if you have any questions regarding these standard conditions or monitoring requirements.
7. Although a JPA has been submitted, DEQ may request additional information to determine if the proposal meets water quality standards and compliance with

applicable rules and regulations. [OAR 340-048-0020](#) identifies the required elements of a complete application for a 401 WQC.

Please let me know if you have any questions about this process.



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