



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

February 27, 2023

Allan Gebhard  
Barr Engineering  
4300 Market Point Dr, Suite 200  
Minneapolis, MN 55435

**Re: New Information – Log yard historical use on east side of I-82:**

- **Site Name:** Boise Cascade Mill
- **Site Address:** 805 N 7<sup>th</sup> Street, Yakima
- **Facility/Site ID No.:** 450
- **Cleanup Site Id No.:** 12095
- **Agreed Order No.:** DE 13959

Dear Allan Gebhard:

The Washington State Department of Ecology (Ecology) has new information regarding the extent of the historical mill operations that potentially increase the size of the Site as identified in the Agreed Order and shown in **Exhibit A** of this letter. This letter provides supporting information for new understanding of the Site.

With this letter, we are requiring the PLP to respond to the new information, consistent with our authority under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.<sup>1</sup>

### **Site Diagram and New Parcels**

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Ecology has new information that mill activities occurred on parcels outside of the Site limits as identified in the Agreed Order. Exhibit A to this letter provides a marked-up Site Diagram that originates from the Agreed Order. The Site Diagram from the Agreed Order depicts the Site as currently known to Ecology at the signing of the Agreed Order. The marked-up Site Diagram in this letter adds additional parcels to the Site.

### **Parcel Numbers associated with New Information about Site**

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The following parcel numbers as identified from the Yakima County GIS - Washington, Land Information Portal<sup>2</sup> are associated with the new parcels that increase the size of the Site.

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<sup>1</sup> <https://app.leg.wa.gov/rcw/dispo.aspx?cite=70.105D>

<sup>2</sup> <http://yakimap.com/servlet/com.esri.esrimap.Esrimap?name=YakGISH&Cmd=Map>

- Parcel No. 191318-11002.<sup>3</sup> The Yakima County GIS Site (GIS Site) map shows this property as being north of the railroad tracks. The GIS Site map also shows a distinct property (just south of the railroad tracks) with the same parcel number as the above identified northern most parcel. The Yakima County Property Record Card shows that Parcel 191318-11002<sup>4</sup> includes land on both sides of the railroad. The property indicated as Parcel 191318-11002 on Exhibit A of this letter is a portion of the parcel. The remainder of Parcel 191318-11002 extends to the north of the property shown on **Exhibit A**.
- Parcel No. 191318-41002.<sup>5</sup>

### **Supporting Information**

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Ecology is providing supporting information for this notice and to assist you in your response. The supporting information includes links to historical photos and Ecology's assessment of the information that resulted in this notice.

**Exhibit B.** Exhibit B: Aerial image from 1955 from Google Earth Pro. I-82 is superimposed on the pre-I-82 photo. The Image is not to scale, and north is oriented to top of the page. The subject area of new interest is outlined in red and appears to show mill activity.

**Exhibit C.** Exhibit C: Aerial image from 1949 from Google Earth Pro. I-82 is superimposed on the pre-I-82 photo. The image is not to scale, and north is oriented to top of the page. The subject area of new interest is outlined in red and appears to show mill activity.

**Exhibit D.** Exhibit D: Quit Claim Deed from Boise Cascade Company to the Yakima River Greenway Foundation. Note the highlighted portion about "the right to continue to add fill material."

**Exhibit E.** Exhibit E: July 9, 1993, letter from the Rotary Park Committee to Ecology. The letter references soil and bark chips being placed in the area of interest.

Exhibits D & E support Ecology's understanding that wood waste was encountered during the construction of the greenway or big toy structure during the mid -1990s.

The greenway trail and the big toy can be seen on recent aerial photographs on the two parcels identified, and their location correlates with the mill activity depicted in Exhibit B and C.

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<sup>3</sup> [http://yes.co.yakima.wa.us/Assessor/parcel\\_details.aspx?pn=19131811002](http://yes.co.yakima.wa.us/Assessor/parcel_details.aspx?pn=19131811002)

<sup>4</sup> <https://property.spataleest.com/wa/yakima#/property/191318-11002>

<sup>5</sup> [http://yes.co.yakima.wa.us/Assessor/parcel\\_details.aspx?pn=19131841002](http://yes.co.yakima.wa.us/Assessor/parcel_details.aspx?pn=19131841002)



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Barr Engineering  
February 27, 2023  
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### **PLP Requirements**

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The PLP shall provide the following within 30 days of receipt of this letter, unless otherwise indicated:

- **Acknowledgement.** Upon receipt of this letter, provide written acknowledgment to Ecology.
- **Assessment.** Provide an assessment of this new information in terms of the PLPs understanding of the site as presented in the Agreed Order.
- **Investigation Plan.** Identify the necessary steps to characterize the site, identify mill activities, contaminants and sources, the nature and extent of the contamination as consistent with MTCA and the Agreed Order.
- **Schedule.** Provide a reasonable schedule for appropriate work.

### **Closing and Contact Information**

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We look forward to your response to this letter. Please anticipate that Ecology is prepared to amend the Agreed Order as necessary and appropriate to address contamination from mill activities that may exist outside the Site established in the Agreed Order.

If you have any questions about this response and these opinions, please contact me by phone at 509-225-0304 or e-mail at John.Zinza@ecy.wa.gov.

Sincerely,



John Zinza, PE  
Cleanup Project Manager  
Toxics Cleanup Program  
Central Regional Office

Enclosures:   **Exhibit A** – Site Diagram  
                  **Exhibit B** – Aerial image from 1955 from Google Earth Pro  
                  **Exhibit C** – Aerial image from 1949 from Google Earth Pro  
                  **Exhibit D** – Letter from the Urology Clinic of Yakima, Inc., P.S. to Ecology, dated July 9, 1993  
                  **Exhibit E** – Letter with Quit Claim Deed enclosure from Peters, Schmalz, Fowler, Inslee Inc., P.S to Yakima County Assessor’s Office regarding Greenway – Boise Cascade, dated February 17, 1987





# **Exhibit A**

Site Diagram









## **Exhibit B**

Aerial image from 1955 from Google Earth Pro





**Exhibit B:** Aerial image from 1955 from Google Earth Pro. I-82 is superimposed on the pre-I-82 photo. The subject area of new interest is outlined in red. Image not to scale, and oriented north to top of the page.





## **Exhibit C**

Aerial image from 1949 from Google Earth Pro





**Exhibit C:** Aerial image from 1949 from Google Earth Pro. I-82 is superimposed on the pre-I-82 photo. The subject area of new interest is outlined in red. Image not to scale, and oriented north to top of the page.







## **Exhibit D**

Letter from the Urology Clinic of Yakima, Inc. P.S., dated July 9, 1993





YAK LO  
Boise Cascade L.F.



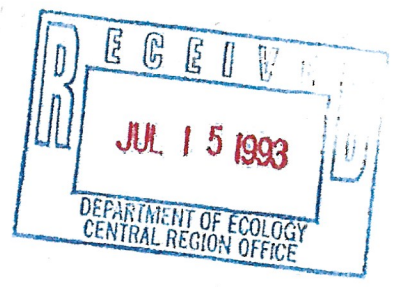
# UROLOGY CLINIC of YAKIMA, INC., P.S.

206 South 11th Ave., Suite 48  
Yakima, Washington 98902

Phone (509) 248-0836  
Toll Free 1-800-572-8357

Robert R. Newstead, M.D., F.A.C.S.  
W. Jack Lovern, M.D., F.A.C.S.  
Mark S. Uhlman, M.D.

July 9, 1993



Jeff Lewis  
Department of Ecology  
106 South Sixth Avenue  
Yakima, WA 98902-3387

Dear Jeff:

Pursuant to our conversation last Friday, I wanted to confirm in writing the substance of our conversation. As you know, the Yakima Sunrise Rotary Club is in the process of developing a park on the southern tip of the donated Boise Cascade property. Part of this property has previously been filled with bark chips and it is our current understanding that two feet of compacted soil on top of this fill will serve as acceptable closure of the property. We will plan to proceed with deposition of soil on the property this summer and fall with plans to proceed with park development and building next spring.

I will keep in touch with you throughout the process and will also make sure that Art McEwen at the Department of Health is aware of activity on the site.

Thank you for your attention to this matter.

With warmest regards,

Mark S. Uhlman, M.D.  
Chairman  
Rotary Park Committee

MSU:LG



## **Exhibit E**

Letter with Quit Claim Deed, dated February 17, 1987





PETERS, SCHMALZ, FOWLER & SLEE, P.S.

A PROFESSIONAL SERVICES CORPORATION

ATTORNEYS AT LAW

115 THIRD SECOND STREET  
SEAL WASHINGTON 98942  
(206) 472-0101

MAILING ADDRESS  
P.O. BOX 166  
SEAL WASHINGTON 98942

ROBERT PETERS  
TERRY SCHMALZ  
JEROME FOWLER JR.  
KYLE SLEE  
CORPORATE COUNSEL

REAR END OF P.S.  
CORPORATION

February 17, 1987

COPY

LOUIE DIAS  
Yakima County Assessor's Office  
Yakima County Courthouse  
123 North 2nd  
Yakima, WA 98901

RE: GREENWAY - BOISE CASCADE

Dear Mr. Dias:

Enclosed please find a copy of a Quit Claim Deed between Boise Cascade and the Yakima River Regional Greenway Foundation dated January 13, 1987, for your records.

Sincerely,

ANITA CONROY  
Legal Secretary

ac

Enclosure

cc: Marc Smiley with copy of enclosure

278910  
QUITCLAIM DEED

The Grantor, BOISE CASCADE CORPORATION, a Delaware corporation, city of Boise, county of Ada, state of Idaho, for and in consideration of valuable considerations, conveys and quitclaims to the YAKIMA RIVER REGIONAL GREENWAY FOUNDATION, a nonprofit Washington corporation, of 103 South Third Street, city of Yakima, county of Yakima, state of Washington, all interest in that real estate described on Exhibit A attached hereto and by this reference made a part hereof, situated in the county of Yakima, state of Washington.

Subject to:

1. That certain Right-of-Entry for Survey and Exploration Permit granted to the Corps of Engineers dated July 12, 1985, and terminating July 26, 1987.

2. Right of ingress and egress for maintenance of the following canal and drainage ditches: the mill pond canal located on Parcel A and Parcel B of the Property; the drainage ditch located at the freeway underpass adjacent to the easement road (Point A to Point B) in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 18, Township 13 North, Range 19 East and the culvert pipe under the freeway approximately 1,100 feet south on the freeway from the underpass. The actual location of these drainage ditches may change over time due to channel changes of the Yakima River or construction activities.

3. The right to continue to add fill material on a portion of Parcel D and all of Parcel E of the Property described on Exhibit A until December 31, 1990.

The Grantor reserves all mineral rights in the above-described property including without limitation, base and precious metals, oil, gas, and other liquid or gaseous hydrocarbons, coal, and geothermal resources, together with the right to use of the surface and subsurface to explore for, extract and remove said minerals by any means whether now in use or hereafter developed. Grantor agrees that in the event the mineral rights reserved herein are exercised, Grantor or its successors or assigns shall restore the surface and any improvements thereon to the condition they were in at the time of the exercise of said rights or pay compensation in lieu of returning the property to its prior condition.

Dated this 13th day of January, 1987.

BOISE CASCADE CORPORATION

BY

[Signature]  
Vice President

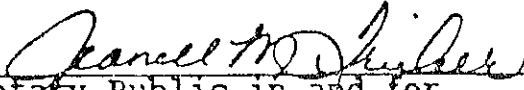
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STATE OF IDAHO )  
                  ) ss.  
COUNTY OF ADA )

On this 13 day of January, 19 87 before me personally appeared J. R. Ayre, to me known to be the Vice President of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and stated that he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

  
\_\_\_\_\_  
Notary Public in and for  
the State of Idaho  
My Commission expires: 10/1/91

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EXHIBIT 1

PARCEL A:

Lot 12, PARK ADDITION, as recorded in Volume "A" of Plats, page 13,

EXCEPT beginning at the Southwest corner of said Lot 12;  
thence North  $89^{\circ}30'$  East, 567 feet;  
thence North  $57^{\circ}15'$  West, 77.2 feet;  
thence North  $48^{\circ}$  West, 175 feet;  
thence North  $36^{\circ}36'$  West, 284.6 feet;  
thence North  $37^{\circ}05'$  West, 335.6 feet to a point on the West line of Lot 12, a distance of 660 feet North of the Southwest corner;  
thence South along this line to point of beginning.

EXCEPT that portion conveyed to the state of Washington for highway purposes by instrument recorded under Auditor's File No. 2210056.

PARCEL B:

That portion of the North Half of the Southeast Quarter of the Southwest Quarter and of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 7, Township 13 North, Range 19 East, Willamette Meridian, lying southwesterly of Yakima River and northeasterly of the State Highway right-of-way.

EXCEPT that portion of the North Half of the Southeast Quarter of the Southwest Quarter lying West of the following described line:

Beginning at a point on the North line of the North Half of the Southeast Quarter of the Southwest Quarter of said Section 7, a distance of 710 feet East of the Southeast corner of Lot 10, PARK ADDITION TO NORTH YAKIMA, now Yakima, Washington, as recorded in Volume "A" of Plats, page 13;  
thence South to the South line of said subdivision.

PARCEL C:

That portion of the Southwest Quarter of the Southeast Quarter of Section 7, Township 13 North, Range 19 East, Willamette Meridian, lying southerly of the Yakima River and northeasterly of the State Highway right-of-way, and that portion of the Southeast Quarter of the Southeast Quarter of Section 7, Township 13 North, Range 19 East, Willamette Meridian, lying southwesterly of the Yakima River.

PARCEL D:

That portion of the North Half of the Northeast Quarter, lying southwesterly of the Yakima River and northwesterly of the State Highway right-of-way, AND the Southeast Quarter of the Northeast Quarter lying northeasterly of the State Highway right-of-way all in Section 18, Township 13 North, Range 19 East, Willamette Meridian.

EXCEPT right-of-way for Northern Pacific Railroad.

PARCEL E:

That portion of the Northeast Quarter of the Southeast Quarter of Section 18, Township 13 North, Range 19 East, lying northeasterly of the State Highway right-of-way and easterly of the Yakima River.

PARCEL F:

Commencing at a point 218 feet North of the quarter section corner between Section 12, Township 13 North, Range 18 East, Willamette Meridian, and Section 7, Township 13 North, Range 19 East, Willamette Meridian;  
thence North 77° West, 360 feet of the East line of Fourth Street Bridge;  
thence North along the East line of said bridge 130 feet to the bank of the Yakima River;  
thence following the meanders of said river bank in an easterly direction to the East line of said Section 12;  
thence South along said Section line 140 feet to the point of beginning.

Situated in Yakima County, state of Washington.

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