**John Day Sewer Improvements – July 2023 Council Progress Report**

John Day’s Sewer Improvements Project has six primary tracks that are the focus of our efforts.

1. Section 7/Environmental Compliance
2. USDA and Other Funding Applications
3. DEQ Permitting Compliance
4. Preliminary Site Preparation for Companion Projects
5. Progressive Design/Build Procurement Document
6. Community Engagement and Outreach

This memo provides a progress summary for all six tracks for June and early-July 2023. Our top priorities currently are Task 1) environmental compliance and Task 2) completing the funding application(s).

**High notes:**

* Draft Biological Assessment and City’s Proposed Water Quality Mitigation Monitoring Plan are nearing completion.
  + Petroleum monitoring still a potential sticking point
* Purple Pipe Final Design contract executed with HECO Engineers.
* Purple Pipe Extension Request submitted for +12 months (expiring 12/31/23).
* Solar array engineering contract under review and in negotiation.

**Task Overview Schedule and Timeline:**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **COMPLETED** | | | | | **ONGOING** | | | |
| **TASK** | | Preliminary Engineering Reports (1 & 3 updates) | | Grants Secured ($10.7m) | Environmental Compliance\* | | | Finalize Funding Commitments (USDA & CWSRF) |
| **Status** | | 2019 - 2022 | | 2018 -2022 | *2019 - current* | | | *2018 - current* |
| **Est Timeframe** | |  | |  | 4-7 months | | | 4-8 months\* |
| **TASKS NOT BEGUN** | | | | | | | | |
| Bid the Progressive Design/Build, PDB (Engineer + Vendor Team) | Procure an Owners Rep (City-side Engineer for QA/QC) | | Final Design & Off-Site Construction (PDB Team), City Engineer QA/QC | | | Bid Construction on the WWTF | Complete Construction on the new WWTF | |
|  |  | |  | | |  |  | |
| 2-3 months | 1-2 months | | 12 months | | | 2-3 months | 12 months | |

# Section 7/Environmental Compliance (Task 1)

The City project team held another call with the environmental agencies (NOAA-NMFS and USFWS) to discuss the City’s monitoring plan under the DEQ permit and potential hang-ups for monitoring on land the City has no control over. Once again, the services emphasized that petroleum and heavy metals are the potential pollutants that they are most concerned about.

The City’s biological and hydrogeological team are pushing back on the recommendation from USFWS/NOAA-NMFS to monitor for petroleum residues. This quote from Bob Long below provides the rationale for this:

Bob Long (6/29): *We did not include petroleum products as there were none listed on the Table 30 Aquatic Life Quality Criteria for Toxic Pollutants.[[1]](#footnote-1) The table consists primarily of metals and pesticides. In regard to petroleum products, I recommend that we leave that as a focus for construction mitigation (i.e. if there is a notable sheen then sample the associated water).*

Instead, the City will adopt mitigation measures for construction when ground-disturbance is occurring to minimize/eliminate any impact to construction workers from leftover petroleum contamination. These mitigation measures will be ODOT’s standard specifications.

**Additional Task Updates:**

1. 6/12: USFWS/NOAA-NMFS meeting with City Staff, monitoring and mitigation discussed. Bob Long’s comments transmitted to the services.
2. 6/29 – 6/30: Email discussion with USFWS and NOAA-NMFS regarding best next steps for coordinating document review and approval.
3. 6/29: CwM-H2O (Bob Long) transmits his Draft Water Quality Mitigation Monitoring Plan to internal staff for review.
4. 6/30: USFWS transmitted recommendations their water sampling and thresholds, includes petroleum.
5. July: We will submit the Draft Water Quality Mitigation Monitoring Plan to USFWS & NOAA-NMFS for review.

**Status**:

* Excluding petroleum from the plan will likely trigger another round of negotiations .
* Within 4 months of the submission of the *final* Biological Assessment to USFWS/NOAA-NMFS under a Formal Consultation, a Biological Opinion will be issued.
* After final B.O., USDA will finalize the Environmental Report and publish it

# USDA and Other Funding Applications (Task 2)

No updates in June. There are some items remaining to coordinate with USDA, including a Risk and Resilience Assessment/Emergency Response Plan, with cybersecurity element.

**Status**:

* City Staff working with Ducote and USDA on remaining documents.
* New USDA staffer assigned to the project on the funding side of things.
* Cannot proceed to commitment of funds until the USDA Environmental is completed.

# DEQ Permitting (Task 3)

The Department of Environmental Quality (DEQ) issued a new wastewater pollution control facility (WPCF) permit effective on May 1, 2022 (Permit Number: 103281; File Number: 127619). The permit is good for ten years and expires December 31, 2032.

The City is also required to submit a Recycled Water Use Plan meeting the requirements in OAR 340-055-0025 for Schedule D. The City must submit this plan or any significant modifications to DEQ for review and approval with sufficient time to clear DEQ review and a public notice period before distributing recycled water. You are prohibited from distributing recycled water prior to receipt of written approval of the City’s Recycled Water Use Plan from DEQ.

**Status**:

* Pending: The Recycled Water Use Plan will be developed by CwM-H2O in concert with the City’s purple pipe engineer (HECO). That task must be completed before the City can move on with the OWRD Purple Pipe Final Design.

# Preliminary Area Preparation for Companion Projects (Task 4)

The City has three ongoing companion projects that accompany the Wastewater Treatment Plant. They are (1) Site improvements to NW 7th Street and the former Oregon Pine/DR Johnson mill site to make the new facility accessible; (2) Design and construction of the reclaimed water (purple pipe) distribution system; and (3) Design and potential construction of a solar array to power the new facility. The City also completed updates to its [DiscoverJohnDay.com website](https://www.discoverjohnday.com/grow) to promote the Project and the City’s use of reclaimed water to create a sustainable high-desert community.

## Area Improvements

Trail improvements contracted through Knife River are nearing completion with an inspection planned. These improvements will be paid by the HB5006 DAS-8154 and Oregon Parks and Recreation Department’s Recreational Trail Program grants. 7th St. (West) contracted through Tidewater is also nearing completion with inspection planned.

## Purple Pipe System

The Oregon Water Resources Department (OWRD) awarded the City $2.9 million in August 2022 to design and build the purple pipe distribution system. The matching funds for this companion project are the City’s planned expenditures for the treatment plant.

**Task Updates:**

* 6/26: The City officially executed its contract for Final Design of the Purple Pipe project with HECO Engineers.
* 7/5: Extension request for the grant submitted to OWRD
* 7/6: Kickoff meeting held with HECO; they have begun work on Preliminary Engineering and Surveying.

**Additional Updates:**

* Meetings being scheduled to discuss the Parson’s Easement.
* Environmental team needs to be assembled for wetland delineation and cultural survey.
  + Can use a variety of firms that are on the Professional Services Roster.

## Solar Array

The City was awarded a design contract for $100,000 by the Oregon Department of Energy (ODE) under its Community Renewable Energy Program (CREP). The city council approved the grant agreement at its May 9 meeting. Expiration deadline – September 1, 2023.

**Status**:

* An engineering firm – Tetra Tech – has been selected for the Design and Preliminary Engineering. The contract is currently under negotiation.

# Progressive Design/Build Procurement Document (Task 5)

When the environmental review (Task 1) is published and the public comment period is completed, our Business Oregon grants and loans will “unlock” so we can begin the bidding process on an engineer and vendor. That bid process will be covered under a Progressive Design/Build solicitation unless that method fails to receive USDA approval at the National Office. Having the solicitation process begin requires both Task 1 and Task 2 outlined to be completed and finalized.

**Status**:

* Current status: No follow-up with BLJ on this document. Not a high priority item until the Biological Assessment has at least been submitted.

# Community Engagement and Outreach (Task 6)

**Status**:

* Canyon City rate negotiation is on-going.
* Citizen Advisory Committee has not been formed.

1. The references to Table 30 or other tables are referring to the DEQ’s Aquatic Life Criteria (<https://www.oregon.gov/deq/FilterRulemakingDocs/tables303140.pdf>). USFWS provided this and related tables as references following the initial meeting to discuss heavy metals. [↑](#footnote-ref-1)