



November 17, 2023

Christer Loftenius  
Washington State Department of Ecology  
PO Box 47600  
Olympia, Washington 98604

**Re: Progress Report No. 27, District on the River Redevelopment  
October 2023**

Sagamore Spokane, LLC; PPCD No. 21200059-32  
Facility/Site ID #1523145 and Cleanup Site ID #3509  
Project No. 190210

Dear Christer:

This Progress Report has been prepared by Aspect Consulting (Aspect) for the District on the River Redevelopment at the Hamilton Street Bridge site (Site) as a requirement of Prospective Purchaser Consent Decree (PPCD) No. 21200059-32 between Sagamore Spokane, LLC (Sagamore) and the Washington State Department of Ecology (Ecology). The PPCD was signed and executed on January 15, 2021. Section XII of the PPCD requires Sagamore to submit to Ecology a written monthly Progress Report that describes the PPCD required actions completed during the reporting period. This Progress Report No. 27 covers the reporting period of October 1 through October 31, 2023.

## 1) Progress During Reporting Period

Progress and actions taken at the Site during this period include:

- Monthly Progress Report No. 26 (September 2023) was transmitted to Ecology on October 6, 2023. At that time Aspect offered to meet Ecology for a Site Visit during the Alternative Stormwater Plan construction. Ecology declined the invitation due to time constraints, but Aspect provided Ecology an email update with Site photos dated November 7, 2023.
- Sagamore executed the Alternative Stormwater Plan (the Plan Memo is included as Attachment A) between October 6 and October 19, 2023, as a response to Ecology's July 11, 2023, Corrective Action Notice. Aspect provided environmental and geotechnical oversight during construction of the soil cover, grading, and stormwater restoration elements of the Alternative Stormwater Plan. A few photos of the completed cover are included as Attachment B.
- A significant volume of existing soil that had been removed for building construction and stockpiled on-Site was used to restore the Site to its original grade. As a result, there is only one remaining stockpile on-Site. This stockpile primarily consists of material excavated from the northeast stormwater pond that was previously documented as non-contaminated and was covered by Sagamore's contractor at the completion of construction.



## 2) Sampling and/or Testing Reports Received

- No soil or groundwater samples were obtained for testing during this reporting period.

## 3) Summary of Deviations

- No deviations occurred during this reporting period.

## 4) Schedule

- A revised construction schedule will be provided to Ecology when available.

## 5) Contact with Other Parties

- Aspect received a Notice of Entry request to perform annual operation and maintenance (O&M) inspection monitoring at the Hamilton Street Bridge Site from Avista and BNSF's environmental consultant, Landau, on October 4, 2023. The O&M inspection was scheduled for (and conducted on) November 3, 2023.

## 6) List of Deliverables and Key Activities Planned for Next Month

- Ecology has requested a Construction Completion Report and Operation and Maintenance Plan for the constructed Alternative Stormwater Plan. Those items will be drafted and transmitted to Ecology with the November 2023 Progress Report (No. 28).
- Should Building 2A and 2B foundations officially be changed to mat foundations, construction will likely not start until at least spring 2024. A revised construction schedule will be included in the EDR Amendment transmitted to Ecology if/when this change is finalized.

Please let us know if you have any questions.

Sincerely,

**Aspect consulting**



**Breeyn Greer, PE**  
Project Engineer  
bgreer@aspectconsulting.com



**Dave Cook, LG, CPG**  
Principal Geologist  
dcook@aspectconsulting.com

Attachments: Attachment A – Alternative Stormwater Plan Memo, September 14, 2023  
Attachment B – Stormwater Cover Photos

cc: Chuck Dubroff, Sagamore Spokane LLC (email only)  
Mike Ingram (email only)

## **ATTACHMENT A**

**Alternative Stormwater Plan Memo,  
September 14, 2023**

# MEMORANDUM

Project No. 190210

September 14, 2023

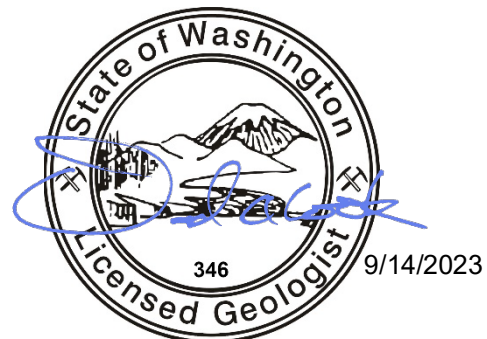
**To:** Christer Loftenius, Washington State Department of Ecology  
Nicholas Acklam, Washington State Department of Ecology

**cc:** Charles Dubroff, Sagamore Spokane, LLC  
Robert Hayes, Sagamore Spokane, LLC  
Mike Ingram, Sagamore Spokane, LLC representative

**From:**

Breyne Greer

**Breyne Greer, PE**  
Project Engineer  
bgreer@aspectconsulting.com



David A. Cook

**Dave Cook, LG, CPG**  
Principal Geologist  
dcook@aspectconsulting.com

**Re: Alternative Stormwater Plan – District on the River Redevelopment  
Prospective Purchaser Consent Decree (PPCD) No. 21200059-32 Corrective  
Action Notice, Hamilton Street Bridge Site**

## Introduction

Aspect is presenting this Alternative Stormwater Plan (Plan) on behalf of Sagamore Spokane, LLC (Sagamore) in response to the Washington State Department of Ecology (Ecology) Corrective Action Notice dated July 11, 2023 (Ecology, 2023b; Appendix A). The July Corrective Action Notice pertains to the Prospective Purchaser Consent Decree (PPCD) No. 21200059-32 for the Hamilton Street Bridge Site (Site) located at 111 North Erie Street in Spokane, Washington (Cleanup Site ID: 3509; Facility/Site ID: 84461527). The primary concern presented in the July Corrective Action Notice is Site grade and stormwater diversion.

Aspect understands that Ecology is concerned about stormwater because temporary construction conditions at the District on the River (DOTR) project area are altered from those approved by Ecology as part of the 2001 Cleanup Action Plan (CAP), which included “*stormwater management to reroute stormwater to swales outside the area of contamination or to nearby storm sewers*” (Ecology, 2001).



Post-DOTR-construction conditions (building concrete slabs, hardscapes, and improved surface water drainage) will be completed in accordance with Cleanup Action Plan Amendment 1 (Ecology, 2020), Final Engineering Design Report (Aspect, 2022a), and the Final Amendment to the Final Engineering Design Report (Aspect, 2022b). As outlined in these documents, once complete, the DOTR project will “*protect and enhance the original cleanup action and ensure that human health and the environment are protected*” (Ecology, 2020).

In a previous Corrective Action Notice dated January 23, 2023 (Ecology, 2023a) Ecology observed that the subgrade for proposed Buildings 2A and 2B (Figure 1) have been excavated, resulting in 2- to 3-foot-deep depressions within the proposed building footprints and that construction was on hold. Ecology expressed concern that the clean cover material may be thin, and stormwater may infiltrate in these areas (Ecology, 2023a).

Per the July Corrective Action Notice, Sagamore was to either:

- (Option 1) “*Restore the Site to the original pre-construction grade using the materials described in the February 2, 2006 Cleanup Action Report within 90 days of receipt of this letter;*”
- Or, (Option 2) “*Sagamore may propose an alternative plan to manage and divert stormwater from contaminated soils, instead of restoring the Site surface to its original grade. Sagamore must submit a plan to Ecology describing this alternative within 30 days of receipt of this letter and must complete the installation of the alternative within 30 days of receiving Ecology’s written approval of the alternative plan<sup>1</sup>.*”

Sagamore selected Option 2 and this memorandum presents a stormwater management alternative (Plan).

## **Alternative Plan**

The basis of the Plan is twofold and in accordance with specifications presented in the 2003 Engineering Design Report (EDR; Landau, 2003) and the 2006 Cleanup Action Completion Report (CACR; Landau, 2006):

1. Grading building footprint areas to slope at 0.5 to 0.75 percent away from the impacted area and placing 6 inches of 1 and 1/4-inch minus rock (crushed surfacing) cover across the Building 2A and 2B footprints.
2. Routing collected stormwater to infiltration basins located outside of the Site contamination zone (Appendix B).

Additional details related to the Plan are summarized in the following sections.

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<sup>1</sup> Sagamore requested a schedule extension to 60 days via email correspondence with Ecology, making the alternative plan due September 15, 2023 (email dated July 21, 2023; Appendix C). Ecology responded that the schedule extension was granted via email correspondence dated August 16, 2023.

## **Soil Cover**

Aspect recommends grading and covering the subgrade within the Building 2A and 2B footprints as follows: first, each building footprint will be graded at a 0.5 to 0.75 percent slope away from the Site contaminated zone; then approximately 6 inches of crushed surfacing material will be placed within each excavation and compacted to at least 95 percent maximum dry density. Crushed surfacing material will meet the general requirements for crushed surfacing per WSDOT Standard Specifications [Section 9-03.9(3)]. This is consistent with Section 2.1 of the 2003 EDR, which states that one of the primary components of cleanup action is: *“Use of existing fill materials as a barrier or cover for the contaminated soils in the former SGP area”* (Landau, 2003). Section 3.2.2 states that, *“fill will be added to the former SGP area to provide drainage grade of approximately 0.5 to 0.75 percent away from the impacted area”* and that, *“the gradation and placement requirements for the grading fill will be the same as described for the ACT [American Coal Tar property] soil cover material”* (Landau, 2003). The graded and covered area is shown and distinguished from the ATC Soil Cap in the Conceptual Grading Plan (Appendix D).

The 2003 EDR provides detail on the surfacing material:

*“Approximately 6 inches of surfacing material will be placed over the grading area to promote surface water runoff and to serve as a running course for light traffic use. The surfacing course will be comprised of approximately 1 ¼ inch minus crushed rock, meeting the general requirements for “crushed surfacing” as defined in the WSDOT Standard Specifications [Section 9-03.9(3)]. The crushed surfacing will be placed in a single lift and compacted with a smooth drum roller to at least 95 percent of its maximum dry density.”*

In order to check whether the soil cover was constructed as planned in the EDR, Aspect reviewed Section 3.1.3 of the 2006 CACP, which provides specifications for the cover over the SGP property and states, *“The base course and surfacing material was added to the former SGP area to provide a drainage grade of approximately 0.5 to 0.75 percent away from the impacted area in accordance with the project plans and specifications”*<sup>2</sup> (Landau, 2004; Landau, 2006).

## **Stormwater Management**

Construction stormwater management will be conducted in compliance with the Construction Stormwater General Permit (CSWGP) Permit No. WAR309537, dated December 3, 2020, accompanying Administrative Order (AO) Docket No. 19443, dated December 3, 2020, and in accordance with the 2022 Stormwater Pollution Prevention Plan (SWPPP; Appendix C of Aspect, 2022a). Collectively, these documents outline stormwater best management practices (BMPs) that redirect stormwater from the contaminated portions of the Site and prevent contaminated

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<sup>2</sup> *“There were provisions included in the design allowing for the reuse of soils generated from the detention basin excavation for grading fill (base course) material: (Landau, 2006). The record drawings have a general note that states, “Underlying the top 6-inch layer of state of Washington specification crushed top course (crushed surfacing) is modified ballast approved by Avista. The ballast consists of native, on-site material excavated from the detention basins. The excavated material is very coarse, therefore Avista approved a one-half inch minus choker material to in-fill course aggregate gaps and ultimately provide a unified, tight fitting, ‘ballast’ surface which was topped by the six inch layer of crushed surfacing top course complying with the state of Washington Standard Specifications” (USKH, 2006; Appendix E).*

stormwater discharges to waters of the state. These documents were previously provided to Ecology in the 2022 Final Engineering Design Report (Aspect, 2022a).

Aspect understands that excavated subgrades of Buildings 2A and 2B during the wet season create a condition where special stormwater management is needed. The purpose of this Plan is to comply with Table 5 of the SWPPP (Appendix C of Aspect, 2022a) and AO BMPs.

To comply with the AO, SWPPP, and address the January and July 2023 Corrective Action Notices, the crushed surfacing Soil Cover will be restored within the Building 2A and 2B footprints in accordance with the 2006 CACR and as described in the section above. At the low point of each excavation a sumped stormwater collection basin will be created with the retention capacity of precipitation falling within the building footprint of the 10-year, 24-hour design storm. Any stormwater collected within the sumped basin will be pumped into the nearest catch basin within 24 hours and flow to the nearest infiltration basin. Infiltration basins will not receive contaminated stormwater runoff, in accordance with the 2022 Final Engineering Design Report, AO, and SWPPP; any discharge to the infiltration basin are subject to the quality requirements of the CSWGP and Table 1 of the AO.

In accordance with the timeline presented via email correspondence with Ecology dated August 16, 2023 (Appendix C), Sagamore will implement the Plan by October 15, 2023.

## **References**

- Aspect Consulting, LLC (Aspect), 2022a, Final Engineering Design Report, District on the River Redevelopment, PPCD No. 21200059-32, April 26, 2022.
- Aspect Consulting, LLC (Aspect), 2022b, FINAL Amendment to the Final Engineering Design Report, District on the River Redevelopment, PPCD No. 21200059-32, April 22, 2022.
- Landau Associates, Inc. (Landau), 2003, Engineering Design Report, Hamilton Street Bridge Site, Spokane, Washington, May 28, 2003.
- Landau Associates, Inc. (Landau), 2006, Cleanup Action Completion Report: Hamilton Street Bridge Site, Spokane, Washington, February 2, 2006.
- Washington State Department of Ecology (Ecology), 2001, Final Cleanup Action Plan, Hamilton Street Bridge Site, Spokane, Washington, August 10, 2001.
- Washington State Department of Ecology (Ecology), 2020, Cleanup Action Plan Amendment 1, Hamilton Street Bridge Site, 111 North Erie Street, Spokane, December 2020.
- Washington State Department of Ecology (Ecology), 2023a, Prospective Purchaser Consent Decree (PPCD) No. 21200059-32, Corrective Action Notice, January 23, 2023.
- Washington State Department of Ecology (Ecology), 2023b, Prospective Purchaser Consent Decree (PPCD) No. 21200059-32, Corrective Action Notice, July 11, 2023.

## **Limitations**

Work for this project was performed for the Sagamore Spokane, LLC (Client), and this memorandum was prepared in accordance with generally accepted professional practices for the nature and conditions of work completed in the same or similar localities, at the time the work was performed. This memorandum does not represent a legal opinion. No other warranty, expressed or implied, is made.

All reports prepared by Aspect Consulting for the Client apply only to the services described in the Agreement(s) with the Client. Any use or reuse by any party other than the Client is at the sole risk of that party, and without liability to Aspect Consulting. Aspect Consulting's original files/reports shall govern in the event of any dispute regarding the content of electronic documents furnished to others.

Attachments:   Figure 1 – Subject Property and Site Plan  
                  Appendix A – Stormwater Management Plan  
                  Appendix B – Corrective Action Notice dated July 11, 2023  
                  Appendix C – Email Communication dated August 16, 2023  
                  Appendix D – Conceptual Grading Plan; Figure 6 (2003 EDR)  
                  Appendix E – Construction Record Drawing (USKH, 2006)

V:\190210 Sagamore Spokane\Deliverables\Stormwater Plan Memo\Stormwater Plan Memo\_09142023.docx

**FIGURE**

PARCELS PURCHASED BY SAGAMORE SPOKANE, LLC (PSA WITH BROWN PROPERTIES, LLC; 2019) ALL PARCELS ARE INCLUDED IN THE RESTRICTIVE COVENANT (WA DEPT. OF ECOLOGY AND SPOKANE RIVER PROPERTIES, LTD.; 2004)

HAMILTON STREET BRIDGE SITE (CONSENT DÉCREE 02205445-0; 2002)

EXTENT OF LIMITED SOIL CAP (EDR; 2003 & CLEANUP ACTION COMPLETION REPORT; 2006)

CONTRACTOR TO PROTECT-IN-PLACE ALL GROUNDWATER MONITORING WELLS


CONTRACTOR TO PROTECT-IN-PLACE ALL GROUNDWATER MONITORING WELLS

CONTRACTOR TO PROTECT-IN-PLACE ALL GROUNDWATER MONITORING WELLS

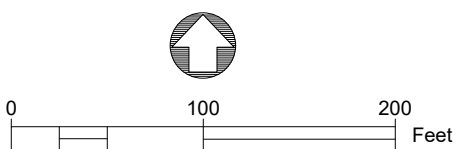
EXTENT OF PAH AFFECTED SOIL (CAP; 2001)

This sheet is to be used in tandem with Civil Plans and Foundation Plans by DCI Engineers for the Riverbend Multi-Family Apartments. This sheet was produced for Ecology and contractor reference.

- Legend**
- Subject Property
  - Proposed Buildings
  - Hamilton Street Bridge Site
  - Extent of PAH Affected Soil (CAP, 2001)
  - ▨ Extent of Limited Soil Cap (EDR, 2003)

-  Groundwater Compliance Monitoring Wells
- Ordinary High Water Mark
- Historical Features
- Existing Elevation Contours in Feet
- Existing Stormwater Features

CAP - Cleanup Action Plan  
 PAH - Polycyclic Aromatic Hydrocarbons  
 EDR - Engineering Design Report



Source: Surveyed base map provided by Druyea & Associates, dated November 2, 2019.

Elevation contour data from DEM file generated by ArcGIS™ software, March, 2018.

The Hamilton Street Bridge Site, Extent of PAH Affected Soil and Extent of Limited Soil CAP are approximated and have not been surveyed.

**Subject Property and Site Plan**

Engineering Design Report  
 Hamilton Street Bridge Site  
 Spokane, Washington



April-26-2021  
 PROJECT NO. 190210

BY: BMG/CMV  
 REVISED BY: BMG

FIGURE NO. **1**



CAD Path: Q:\Riverbend Redevelopment\2020-11 EDR\190210 - Plan Set - 2021\Long 01 Subject Property and Site Plan | Date Saved: Apr 23, 2021 8:07am | User: bgreer

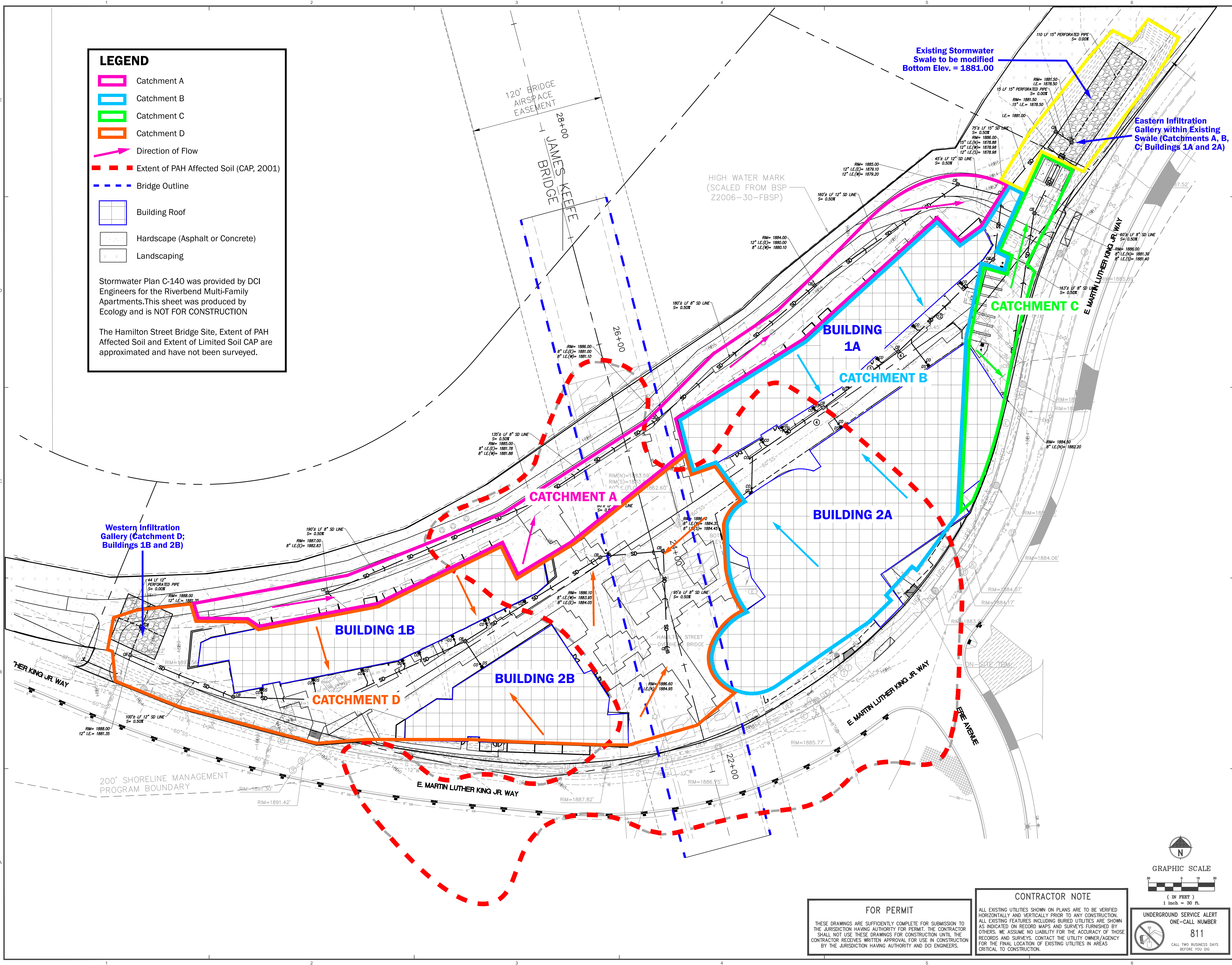
## **APPENDIX A**

### **Stormwater Management Plan**



**LEGEND**

- Catchment A
  - Catchment B
  - Catchment C
  - Catchment D
  - Direction of Flow
  - Extent of PAH Affected Soil (CAP, 2001)
  - Bridge Outline
  - Building Roof
  - Hardscape (Asphalt or Concrete)
  - Landscaping
- Stormwater Plan C-140 was provided by DCI Engineers for the Riverbend Multi-Family Apartments. This sheet was produced by Ecology and is NOT FOR CONSTRUCTION
- The Hamilton Street Bridge Site, Extent of PAH Affected Soil and Extent of Limited Soil CAP are approximated and have not been surveyed.



Existing Stormwater Swale to be modified  
Bottom Elev. = 1881.00

Eastern Infiltration Gallery within Existing Swale (Catchments A, B, C; Buildings 1A and 2A)

Western Infiltration Gallery (Catchment D; Buildings 1B and 2B)

**NOT FOR CONSTRUCTION**

**SAGAMORE SPOKANE LLC**

**RIVERBEND MULTI-FAMILY APARTMENTS**

**PERMIT SET**

REV	DATE	DESCRIPTION

PROJ. NO. 2018-050  
DRAWN JFS  
CHECKED MRG  
DATE 6/5/20  
© ALSC ARCHITECTS, P.S.

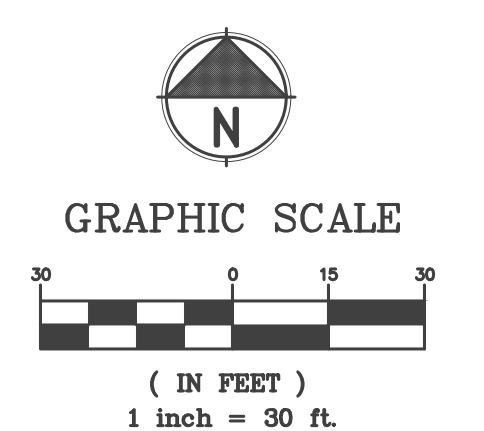
**STORM WATER PLAN**  
**C-140**

**FIGURE 6**

**FOR PERMIT**  
THESE DRAWINGS ARE SUFFICIENTLY COMPLETE FOR SUBMISSION TO THE JURISDICTION HAVING AUTHORITY FOR PERMIT. THE CONTRACTOR SHALL NOT USE THESE DRAWINGS FOR CONSTRUCTION UNTIL THE CONTRACTOR RECEIVES WRITTEN APPROVAL FOR USE IN CONSTRUCTION BY THE JURISDICTION HAVING AUTHORITY AND DCI ENGINEERS.

**CONTRACTOR NOTE**  
ALL EXISTING UTILITIES SHOWN ON PLANS ARE TO BE VERIFIED HORIZONTALLY AND VERTICALLY PRIOR TO ANY CONSTRUCTION. ALL EXISTING FEATURES INCLUDING BURIED UTILITIES ARE SHOWN AS INDICATED ON RECORD MAPS AND SURVEYS FURNISHED BY OTHERS. WE ASSUME NO LIABILITY FOR THE ACCURACY OF THOSE RECORDS AND SURVEYS. CONTACT THE UTILITY OWNER/AGENCY FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO CONSTRUCTION.

**UNDERGROUND SERVICE ALERT**  
**ONE-CALL NUMBER**  
**811**  
CALL TWO BUSINESS DAYS BEFORE YOU DIG





## **APPENDIX B**

**Corrective Action Notice dated  
July 11, 2023**



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

July 11, 2023

David Cook  
Sagamore Spokane LLC Project Coordinator  
Aspect Consulting  
710 2<sup>nd</sup> Avenue, Suite 550  
Seattle, Washington, 98104

**Re: Prospective Purchaser Consent Decree (PPCD) No. 21200059-32, Corrective Action Notice:**

- **Site Name:** Hamilton Street Bridge Site
- **Site Address:** 111 North Erie Street, Spokane, WA 99202
- **Cleanup Site ID:** 3509
- **Facility/Site ID:** 84461527

Dear David Cook:

On January 17, 2023, the Department of Ecology (Ecology) project coordinator visited the Hamilton Street Bridge Site ("Site") to inspect the current construction work, and to assess the damage from campers that cut down trees in 2022. Based on the observations from the Site visit, Ecology issued a corrective action notice to Sagamore, dated January 23, 2023. All deficiencies, except one regarding the alteration of the Site gradient and stormwater diversion, have been adequately addressed by Sagamore Spokane LLC (Sagamore).

In the January 23, 2023, corrective action notice, Ecology had requested a foundation piling schedule by February 15, 2023. The purpose of this request was to ensure that Sagamore is proceeding to construct the CAP remedy in a timely manner. As of the date of this letter, Ecology has not received a schedule update from Sagamore regarding when foundation piling work will resume at the Site.

The Schedule contained in the Prospective Purchaser Consent Decree (PPCD) as Exhibit D specifies that construction under the CAP amendment was due to be completed in accordance with the schedule described in the final Engineering Design Report (EDR), Section 11, Reporting and Schedule. The final EDR (2021), Section 11, Reporting and Schedule, Site construction was scheduled to end by April 2023, and the permanent structures for stormwater management

David Cook  
July 11, 2023  
Page 2

and diversion were to have been installed by that time. This has not taken place. Additionally, Ecology has not received a request for an extension of the schedule, a requirement set forth in Article XVII of the PPCD. Hence, Sagamore has not complied with the schedule for construction of the remedy, including the permanent hardscape capping and stormwater diversion required by the CAP Amendment.

The PPCD Article VI Work to be Performed, Section A requires that "The work will also include enhancing the existing stormwater management system by conveying stormwater to areas outside the area of contamination." To ensure that the underlying media are protected from stormwater infiltration in compliance with the PPCD, Ecology requires that Sagamore implement one of the two following options:

- Sagamore must restore the Site to the original pre-construction grade using the materials described in the February 2, 2006, Cleanup Action Report within 90 days of receipt of this letter.
- Or, Sagamore may propose an alternative plan to manage and divert stormwater from contaminated soils, instead of restoring the Site surface to its original grade. Sagamore must submit a plan to Ecology describing this alternative within 30 days of receipt of this letter and must complete the installation of the alternative within 30 days of receiving Ecology's written approval of the alternative plan.

We appreciate your cooperation in this matter. If you have any questions or need additional information about this corrective action notice, please contact me at 509-385 8380 or e-mail me at [christer.loftenius@ecy.wa.gov](mailto:christer.loftenius@ecy.wa.gov).

Sincerely,



Christer Loftenius, LG, LHG  
Site Manager  
Toxics Cleanup Program, Eastern Region

By certified mail: 9214 8901 9403 8321 2974 88

cc: Nick Acklam, Ecology <sup>ML</sup>  
Barry Rogowski, Ecology  
Kara Tebeau, Office of the Attorney General  
Bryce Robbert, Avista  
Scott McDonald, BNSF  
Ecology Site File

## **APPENDIX C**

**Email Communication dated  
August 16, 2023**

## Breeyn Greer

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**From:** Loftenius, Christer (ECY) <clof461@ECY.WA.GOV>  
**Sent:** Wednesday, August 16, 2023 3:27 PM  
**To:** Dave Cook; Acklam, Nicholas (ECY)  
**Cc:** Tebeau, Kara J. (ATG); cdubroff@gmail.com; Dunning, Michael L. (SEA); Breeyn Greer; Nick Szot  
**Subject:** RE: FSID 84461527 - Hamilton Street Bridge Site: Corrective Action Notice - and Sagamore Response

**Importance:** High

Dave,

Please provide the alternative plan under Option 2 by September 15, 2023, with a timeframe when the plan can be implemented. Ecology would like to see measures implemented to minimize stormwater infiltration into contaminated soil by October 15, 2023 when the Spokane wet season commonly begins.

Question: do you have an approval letter from Ecology for the EDR Amendment dated April 22, 2022?

Best regards,

Chris Loftenius LG, LHG (he/him)  
Site manager  
Department of Ecology  
Toxics Cleanup Program  
Eastern Regional Office  
4601 North Monroe Street  
Spokane, WA 99205-1295

tel. 1-509-385 8380  
e-mail: clof461@ecy.wa.gov

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**From:** Dave Cook <dcook@aspectconsulting.com>  
**Sent:** Friday, July 21, 2023 2:51 PM  
**To:** Acklam, Nicholas (ECY) <nack461@ECY.WA.GOV>; Loftenius, Christer (ECY) <clof461@ECY.WA.GOV>  
**Cc:** Tebeau, Kara J. (ATG) <Kara.Tebeau@atg.wa.gov>; bryce.robbert@avistacorp.com; Scott.Macdonald@BNSF.com; cdubroff@gmail.com; Dunning, Michael L. (SEA) <mdunning@perkinscoie.com>; Mike Ingram <mike@arttcon.com>; Breeyn Greer <bgreer@aspectconsulting.com>; Dave Cook <dcook@aspectconsulting.com>; Nick Szot <nszot@aspectconsulting.com>  
**Subject:** RE: FSID 84461527 - Hamilton Street Bridge Site: Corrective Action Notice - and Sagamore Response

Hi Christer and Nick. On July 18 via certified mail I received the attached PPCD Corrective Action Notice on behalf of Sagamore Spokane LLC. On July 19, I received the letter via email from Nick. I am responding to the Correction Notice via this email on behalf of Sagamore Spokane. A few clarifications and responses:

- 1) Use of the term "campers" is incorrect. No individuals are allowed to legally "camp" or trespass on the property. Evidence of debris was noted along the river historically, but there is no direct evidence that trespassers are living along the river. Nevertheless, to address the potential for trespassing and related issues on the property, Sagamore Spokane fixed fences and hired a security guard to monitor the property.

- 2) The statement that Sagamore has not provided information related to construction schedule is incorrect. Sagamore acknowledged the January 23, 2023 Correction Notice's request for a construction schedule and has communicated with Ecology multiple times related to the schedule. For example, Aspect on behalf of Sagamore has submitted regular schedule updates to Ecology:
  - a. Aspect's Corrective Action Notice Response letter dated February 7, 2023 (in advance of the February 15, 2023 date that Ecology requested an update).
  - b. February Progress Report, dated March 10, 2023
  - c. March Progress Report, dated April 3, 2023
  - d. April Progress Report, dated June 9, 2023
  - e. April 14, 18, and 19, 2023 Emails between Aspect and Ecology regarding pile testing and schedule update.
  - f. April 18, 2023 Response to Ecology inquiry about the proposed test pile program.
  - g. May 23, 2023 Email to Ecology related to an update on multiple site issues; including pile testing and construction schedule notification.
  - h. May Progress Report, dated June 9, 2023
- 3) The comment in the Correction Notice referencing the 2021 EDR is outdated. It should refer to the EDR Amendment dated April 22, 2022. That EDR Amendment revised the schedule and indicated at that time that a Construction Completion Report would be submitted by June 1, 2024 (not April 2023 per the superseded 2021 EDR). Aspect has notified Ecology that the April 22, 2022 EDR (and schedule) will be updated once pile testing is complete. Further, it has been our understanding that because of our regular communications with Ecology about the construction schedule that updates to the PPCD and EDR would not be necessary until more certainty was established related to pile testing, procurement, and installation. Based on the July 11, 2023 PPCD Correction Notice, it appears that Ecology is not satisfied with the regular communications and monthly progress reporting related to the construction schedule. We understand from the development manager that there is progress related to solidifying the construction team and procuring equipment and materials to conduct pile testing. We would be happy to arrange a meeting/call with you and the development manager to convey schedule information and to better understand what additional communications would be helpful to Ecology.
- 4) Because pile testing and installation is anticipated to occur during the summer of 2023, Sagamore Spokane will work with Ecology related to the two options outlined in the July 11, 2023 PPCD Correction Notice Letter, as follows:
  - a. Ecology Option 1. "Sagamore must restore the Site to the original pre-construction grade using the materials described in the February 2, 2006, Cleanup Action Report within 90 days of receipt of this letter."
    - i. This would require restoration by October 16, 2023. Because construction and hardscape development will not be completed by October 16, 2023, a restoration method will need to be completed. But, it may not be feasible to replace the site to the historic grade if production pile installation is underway.
  - b. Ecology Option 2. "Or, Sagamore may propose an alternate plan to manage and divert stormwater from contaminated soils, instead of restoring the Site surface to its original grade. Sagamore must submit a plan to Ecology describing this alternative within 30 days of receipt of this letter and must complete the installation of the alternative within 30 days of receiving Ecology's written approval of the alternative plan."
    - i. This would require a plan to be submitted by August 17, 2023, and implementation 30 days after Ecology approval (whenever that may be). This timeframe will not be possible because of ongoing negotiations with the pile contractor. Sagamore requests a 60 day timeframe (by September 15, 2023) to respond to Ecology with a possible alternative plan.

Sagamore recognizes that If construction has not progressed by the time that fall wet weather commences (according to historic rain gauge data that period falls in October) then the site will need to be prepared for winter weather. Sagamore will work with Ecology to develop an appropriate plan to facilitate this condition. Sincerely, Dave

**Dave Cook, LG, CPG** | Principal Geologist | Direct: 206.838.5837 | Cell: 206.372.7637  
**Aspect Consulting LLC** | 710 2nd Ave, Suite 550, Seattle, WA 98104 | [www.aspectconsulting.com](http://www.aspectconsulting.com)

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**From:** Acklam, Nicholas (ECY) <[nack461@ECY.WA.GOV](mailto:nack461@ECY.WA.GOV)>  
**Sent:** Wednesday, July 19, 2023 11:58 AM  
**To:** Dave Cook <[dcook@aspectconsulting.com](mailto:dcook@aspectconsulting.com)>  
**Cc:** Loftenius, Christer (ECY) <[clof461@ECY.WA.GOV](mailto:clof461@ECY.WA.GOV)>; Tebeau, Kara J. (ATG) <[Kara.Tebeau@atg.wa.gov](mailto:Kara.Tebeau@atg.wa.gov)>; [bryce.robbert@avistacorp.com](mailto:bryce.robbert@avistacorp.com); [Scott.Macdonald@BNSF.com](mailto:Scott.Macdonald@BNSF.com); [cdubroff@gmail.com](mailto:cdubroff@gmail.com); Dunning, Michael L. (SEA) <[mdunning@perkinscoie.com](mailto:mdunning@perkinscoie.com)>; Mike Ingram <[mike@arttcon.com](mailto:mike@arttcon.com)>; Breeyn Greer <[bgreer@aspectconsulting.com](mailto:bgreer@aspectconsulting.com)>  
**Subject:** RE: FSID 84461527 - Hamilton Street Bridge Site: Corrective Action Notice

Thanks Dave for the response. I apologize for our oversight, and we will make sure to include the property owner, Chuck Dubroffas as well as the rest of this distribution list in any future communications.

Nick

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**From:** Dave Cook <[dcook@aspectconsulting.com](mailto:dcook@aspectconsulting.com)>  
**Sent:** Wednesday, July 19, 2023 11:21 AM  
**To:** Acklam, Nicholas (ECY) <[nack461@ECY.WA.GOV](mailto:nack461@ECY.WA.GOV)>  
**Cc:** Loftenius, Christer (ECY) <[clof461@ECY.WA.GOV](mailto:clof461@ECY.WA.GOV)>; Tebeau, Kara J. (ATG) <[Kara.Tebeau@atg.wa.gov](mailto:Kara.Tebeau@atg.wa.gov)>; [bryce.robbert@avistacorp.com](mailto:bryce.robbert@avistacorp.com); [Scott.Macdonald@BNSF.com](mailto:Scott.Macdonald@BNSF.com); [cdubroff@gmail.com](mailto:cdubroff@gmail.com); Dunning, Michael L. (SEA) <[mdunning@perkinscoie.com](mailto:mdunning@perkinscoie.com)>; Mike Ingram <[mike@arttcon.com](mailto:mike@arttcon.com)>; Breeyn Greer <[bgreer@aspectconsulting.com](mailto:bgreer@aspectconsulting.com)>  
**Subject:** RE: FSID 84461527 - Hamilton Street Bridge Site: Corrective Action Notice

Thanks Nick. Acknowledging receipt of this email and the certified letter that I received yesterday. Aspect will respond on behalf of Sagamore Spokane. I've asked Christer this before, but can Ecology please copy the property owner, Chuck Dubroff, on these types of communications? It seems odd to me that other PLPs are copied, but not the property owner. Thanks. Dave

**Dave Cook, LG, CPG** | Principal Geologist | Direct: 206.838.5837 | Cell: 206.372.7637  
**Aspect Consulting LLC** | 710 2nd Ave, Suite 550, Seattle, WA 98104 | [www.aspectconsulting.com](http://www.aspectconsulting.com)

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**From:** Acklam, Nicholas (ECY) <[nack461@ECY.WA.GOV](mailto:nack461@ECY.WA.GOV)>  
**Sent:** Wednesday, July 19, 2023 10:24 AM  
**To:** Dave Cook <[dcook@aspectconsulting.com](mailto:dcook@aspectconsulting.com)>  
**Cc:** Loftenius, Christer (ECY) <[clof461@ECY.WA.GOV](mailto:clof461@ECY.WA.GOV)>; Tebeau, Kara J. (ATG) <[Kara.Tebeau@atg.wa.gov](mailto:Kara.Tebeau@atg.wa.gov)>; [bryce.robbert@avistacorp.com](mailto:bryce.robbert@avistacorp.com); [Scott.Macdonald@BNSF.com](mailto:Scott.Macdonald@BNSF.com)  
**Subject:** FSID 84461527 - Hamilton Street Bridge Site: Corrective Action Notice

Good morning David,

Please find the attached Corrective Action Notice for the Hamilton Street Bridge Site. This letter is being sent on behalf of the Site Manager Christer Loftenius who is out of the office this week. If you have any questions about the content of this letter, please let Christer and/or myself know.

Thank you,  
Nicholas M. Acklam  
Section Manager - ERO  
Toxics Cleanup Program  
Washington State Department of Ecology  
(509)818-7457  
[nack461@ecy.wa.gov](mailto:nack461@ecy.wa.gov)



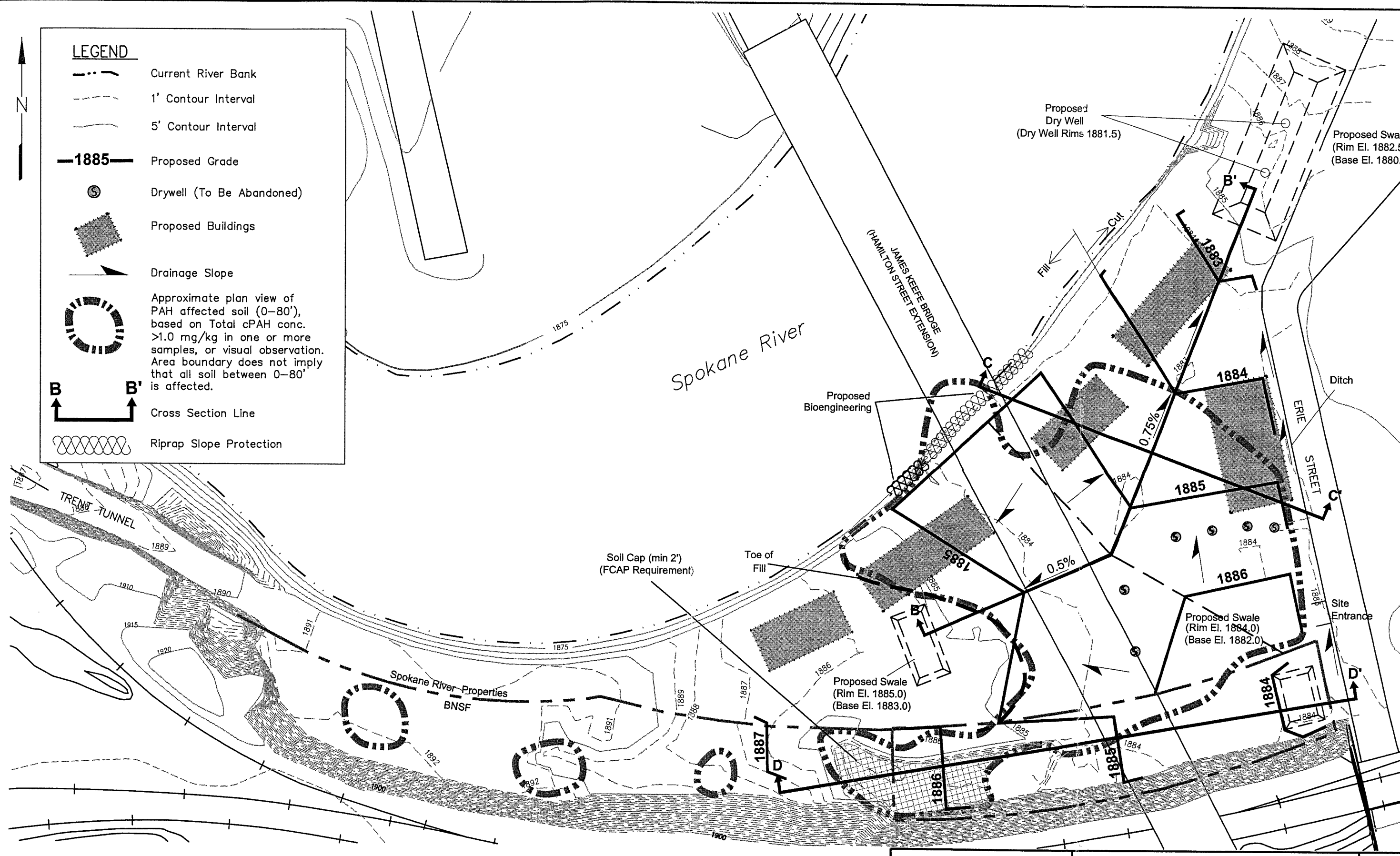
## **APPENDIX D**

**Conceptual Grading Plan; Figure  
6 (2003 EDR)**

EDR Rpt. I:\cad\p1t-file\236025\012\EDR03\eb\grading (A) 2/2003

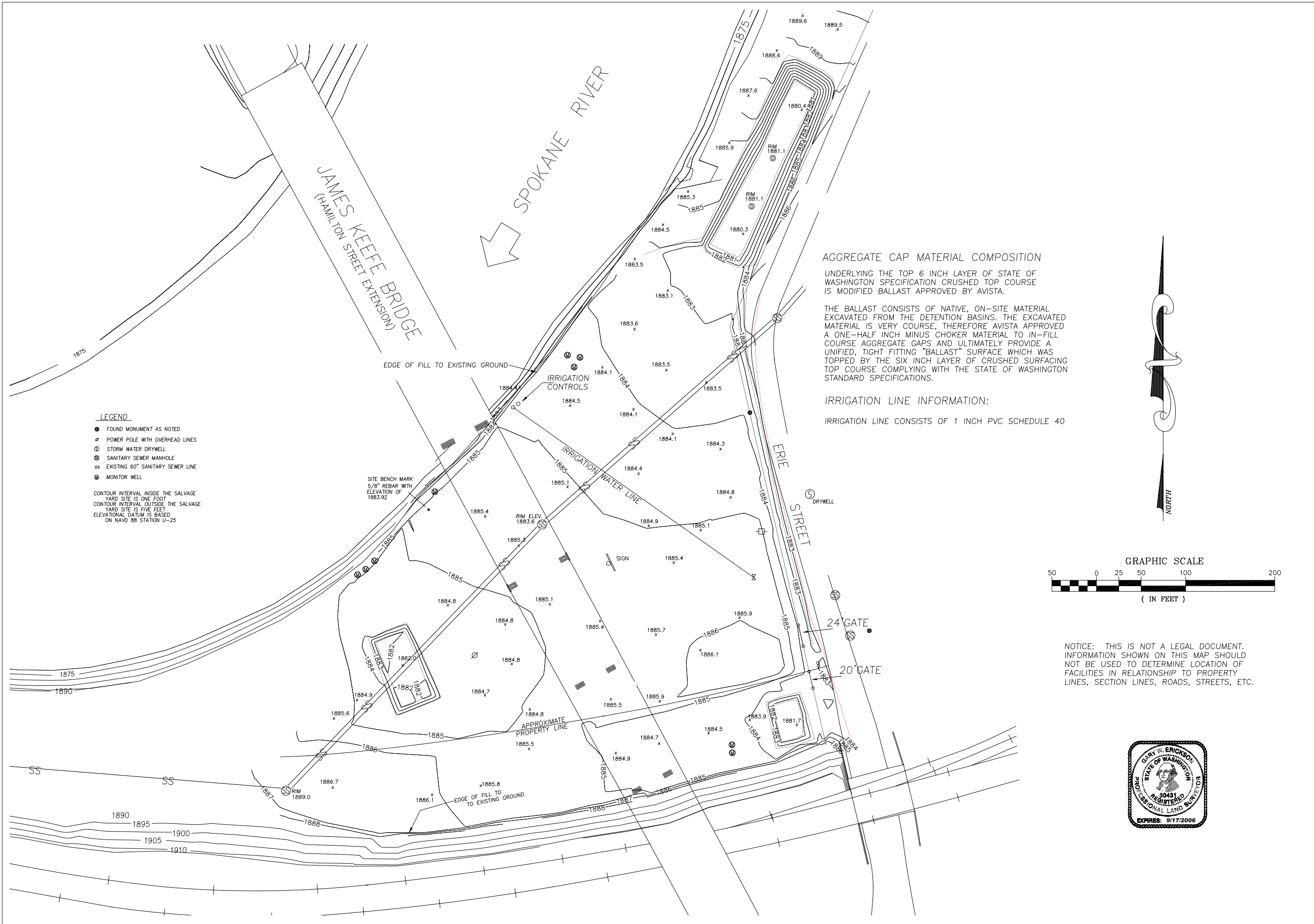
**LEGEND**

- Current River Bank
- 1' Contour Interval
- 5' Contour Interval
- 1885** Proposed Grade
- Drywell (To Be Abandoned)
- Proposed Buildings
- Drainage Slope
- Approximate plan view of PAH affected soil (0-80'), based on Total cPAH conc. >1.0 mg/kg in one or more samples, or visual observation. Area boundary does not imply that all soil between 0-80' is affected.
- Cross Section Line
- Riprap Slope Protection



## **APPENDIX E**

### **Construction Record Drawing (USKH, 2006)**



**LEGEND**

- FOUND MONUMENT AS NOTED
- ⚡ POWER POLE WITH OVERHEAD LINES
- ⊙ STORM WATER DRYWELL
- ⊙ SANITARY SEWER MANHOLE
- SS EXISTING 60" SANITARY SEWER LINE
- ⊙ MONITOR WELL

CONTOUR INTERVAL INSIDE THE SALVAGE YARD SITE IS ONE FOOT  
 CONTOUR INTERVAL OUTSIDE THE SALVAGE YARD SITE IS FIVE FEET  
 ELEVATIONAL DATUM IS BASED ON NAVD 88 STATION U-25

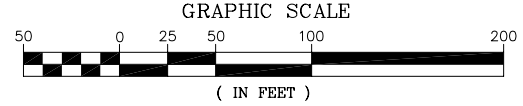
**AGGREGATE CAP MATERIAL COMPOSITION**

UNDERLYING THE TOP 6 INCH LAYER OF STATE OF WASHINGTON SPECIFICATION CRUSHED TOP COURSE IS MODIFIED BALLAST APPROVED BY AVISTA.

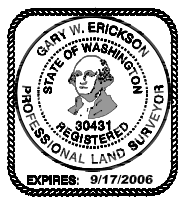
THE BALLAST CONSISTS OF NATIVE, ON-SITE MATERIAL EXCAVATED FROM THE DETENTION BASINS. THE EXCAVATED MATERIAL IS VERY COARSE, THEREFORE AVISTA APPROVED A ONE-HALF INCH MINUS CHOKER MATERIAL TO IN-FILL COURSE AGGREGATE GAPS AND ULTIMATELY PROVIDE A UNIFIED, TIGHT FITTING "BALLAST" SURFACE WHICH WAS TOPPED BY THE SIX INCH LAYER OF CRUSHED SURFACING TOP COURSE COMPLYING WITH THE STATE OF WASHINGTON STANDARD SPECIFICATIONS.

**IRRIGATION LINE INFORMATION:**

IRRIGATION LINE CONSISTS OF 1 INCH PVC SCHEDULE 40



NOTICE: THIS IS NOT A LEGAL DOCUMENT. INFORMATION SHOWN ON THIS MAP SHOULD NOT BE USED TO DETERMINE LOCATION OF FACILITIES IN RELATIONSHIP TO PROPERTY LINES, SECTION LINES, ROADS, STREETS, ETC.



Sheet Title	USKH W.O.	Sheet	1 of 1
Project	Date	USKH W.O.	877600
Client	Rev:	CAD File	877600-TOPFO-WITH-XREF
	Scale	Checked	GE
	1" = 50'	Dwn:	DJB/cul
		Ckd:	GWE



Engineering • Land Surveying  
 Planning • Materials Testing

Hamilton St. Bridge Cleanup

Woodard Construction

## **ATTACHMENT B**

### **Stormwater Cover Photos**



Photograph 1. View of proposed Building 2A footprint with building footprint excavation backfilled and stormwater cover placed and compacted. Looking northeast.



Photograph 2. View of proposed Building 2A footprint with building footprint excavation backfilled and stormwater cover placed and compacted. Looking southwest.





Photograph 3. View of proposed Building 2B footprint with building footprint excavation backfilled and stormwater cover placed and compacted. Looking west.



Photograph 4. View of proposed Building 2B footprint with building footprint excavation backfilled and stormwater cover placed and compacted. Looking east.