



April 1, 2024

Christer Loftenius
Washington State Department of Ecology
Toxics Cleanup Program, Eastern Region
4601 North Monroe Street
Spokane, WA 99205

**Re: Schedule Extension Request
Prospective Purchaser Consent Decree (PPCD) No. 21200059-32**

Site Name: Hamilton Street Bridge Site
Site Address: 111 North Erie Street, Spokane, WA, 99202
Cleanup Site ID: 3509
Facility/Site ID: 84461527
Aspect Project No. 190210

Dear Christer:

Aspect Consulting (Aspect) serves as the Project Coordinator for Sagamore Spokane, LLC (Sagamore) under Prospective Purchaser Consent Decree No. 21200059-32 (PPCD). The PPCD addresses cleanup and redevelopment of the Hamilton Street Bridge Site (the Site) as a multifamily residential project referred to as District on the River (the Project). The Washington State Department of Ecology (Ecology) sent Sagamore a Corrective Action Notice (Notice) dated July 11, 2023. Sagamore completed several elements requested by Ecology in the Notice and submitted a Construction Stormwater Completion report dated January 16, 2024. Ecology's March 5, 2024 letter acknowledged that the stormwater management elements of the Notice were completed to Ecology's satisfaction. This letter addresses the remaining component of the Notice to be addressed, an extension to the construction schedule (Extension Request), which Ecology requested be submitted by March 31, 2024. Sagamore provides the Extension Request via this letter and requests an extension of the schedule as discussed further below.

This schedule extension request is consistent with "Article XVII. Extension of Schedule" of the PPCD and responds to the elements provided in the PPCD to support our request for an extension to Exhibit D of the PPCD; "Scope of Work and Schedule, Cleanup Action Plan" Section 4, dated December 2020 (see Table 1 below).

1. The deadline that is sought to be extended.
 - a. Start of Construction (and thus implementation of the Engineering Design Report including the Cleanup Action Plan).
2. The length of the extension sought.
 - a. The Project restart goal is June 2024 with project construction completion in 2026-2027. These dates may fluctuate depending on final approval of City of Spokane design commission approval, construction schedules and materials procurement.



3. The reason(s) for the extension.
 - a. The construction project has been delayed because of changing market dynamics and complex soil conditions requiring additional pile pilot testing to design adequate building foundations. Because of the difficult soil conditions, the project has been redesigned by eliminating Building 2A and utilizing a more conventional spread footing foundation with piles only utilized beneath a portion of Building 2B. These project modifications have resulted in additional project expense, a lower number of units built (212 vs 297) and additional design review by the City of Spokane. Sagamore is sensitive to the environmental condition of this property, and although the project is smaller and less economically viable, it has increased environmental protections (for example a hardscape instead of a piled Building 2B). We note that Sagamore has regularly updated Ecology on these issues through monthly PPCD progress reports. Redesign elements will be presented to Ecology in an updated EDR or through EDR Amendment 2.

4. Any related deadline or schedule that would be affected if the extension were granted.
 - a. Timelines, such as construction start date, would be affected by the approval of the redesigned project by City of Spokane. Because of local permitting timing, it is difficult to provide a certain construction start date at this time.

The following table has been modified from the PPCD table by adding a third column to demonstrate progress completed (steps 1 through 3) and actions that will need to be completed (steps 4 and 5) before returning to the original planned progression of action items (Steps 6 through 12).

Table 1

Deliverables	Date Due (outlined in 2020 Schedule)	Updated Requested Date Due
1. PPCD effective date	Day 1: PPCD signed by the judge and Sagamore obtains the Title to the Property.	Day 1: PPCD signed by the judge and Sagamore obtains the Title to the Property. Filed Signed PPCD Jan 15, 2021
2. Draft EDR with all accompanying documents as described above	90 days after start	Completed
3. Final EDR with all accompanying documents as described in the text	30 days after receipt of Ecology's written comments on draft documents	Reviewed by Ecology and Finalized EDR April 26, 2022 (including EDR Amendment 1 dated April 2022 which noted a schedule update with contractor mobilization March 2022 and construction completion early 2024). This is outdated and monthly reports provided to Ecology per Section XII of the PPCD documented the need for project redesign and delayed construction.
4. New Step Added by Sagamore		Site returned to capped and stormwater control status of original agreed order in 2023 pending completion of project redesign and restart of construction.

Deliverables	Date Due (outlined in 2020 Schedule)	Updated Requested Date Due
5. Overall Construction plans and specifications for the Project	30 days after Ecology approves final EDR and City of Spokane approves construction.	Recommend starting this requirement after EDR Amendment 2 is completed and approved by Ecology.
6. Begin construction under CAP amendment	As described in final EDR	No change
7. Construction is complete	As described in final EDR	No change
8. Draft environmental covenant for the Purchase Property	30 days after construction is complete	No change
9. Record environmental covenants	Within 10 days of Ecology approval of each draft covenant	No change
10. Draft Construction Completion Report with the draft Soil Vapor Compliance Monitoring Plan, draft update to Groundwater Performance Monitoring Plan if required, and a draft Operations and Maintenance Plan addendum	90 days after construction is complete	No change
11. Final Construction Completion Report, the final Operations and Maintenance Plan addendum, final update to the Groundwater Performance Monitoring Plan if required, and the final Compliance Vapor Monitoring Plan addendum	45 days after receipt of Ecology's written comments on draft Construction Completion Report	No change
12. Progress reports	In accordance with Section XII of the PPCD	No change

Thank you for your consideration of Sagamore's timely request for an extension to the PPCD Schedule. Please contact us if there are questions of if additional information can be provided.

References

Washington State Department of Ecology, 2020, Scope of Work and Schedule, Cleanup Action Plan, Amendment 1, December 2020.

Aspect 2022, Final Engineering Design Report, April 26, 2022.

Aspect 2022, Final Amendment to the Final Engineering Design Report, April 22, 2022.

Washington State Department of Ecology, 2023, Prospective Purchaser Consent Decree (PPCD) No. 21200059-32, Corrective Action Notice, January 23, 2023.

Aspect 2024, Construction Stormwater Completion Report, January 16, 2024.

Washington State Department of Ecology, 2024, Prospective Purchaser Consent Decree (PPCD) No. 21200059-32, Corrective Action Notice, March 5, 2024.

Limitations

Work for this project was performed for Sagamore Spokane, LLC (Client), and this letter 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 letter does not represent a legal opinion. No other warranty, expressed or implied, is made.

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Sincerely,

Aspect consulting



Dave Cook, LG, CPG
Senior Principal Geologist
dave.cook@aspectconsulting.com

cc: Nick Acklam, Ecology
Charles Dubroff, Sagamore Spokane, LLC