

June 10, 2024

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

**Re: Progress Report No. 34, District on the River Redevelopment
May 2024**

Sagamore Spokane, LLC; PPCD No. 21200059-32
Facility/Site ID #1523145 and Cleanup Site ID #3509
Aspect 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. 34 covers the reporting period of May 1 through May 31, 2024.

1) Progress During Reporting Period

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

- Monthly Progress Report No. 33 (April 2024) was transmitted to Ecology on May 15, 2024.
- May 3, 2024 Ecology Site Visit and Email. Ecology's concern related to downed fencing and trespassing and a tent along the riverbank.
 - Sagamore responded on May 3 and 9 with actions taken by the private security firm subcontracted to Sagamore (see attached email).
- May 29, 2024 Ecology Site Visit and Email and Sagamore response on May 30. Ecology's concern related to downed fencing.
 - After the May 3 fence and trespassing issue, Sagamore coordinated with Spokane Police Department who is making courtesy visits to the Site and asking trespassers to leave. They did this on May 29. Sagamore sent Ecology an email on May 30 documenting this action (see attached email). Additionally, the private security company continues to make weekly visits and Sagamore coordinated with a fence repair company to fix the fence.
 - As stated previously, a discussion appears warranted to reestablish cleanup goals and objectives regarding the trespassing situation along the riverbank.
- The one remaining stockpile remains appropriately covered and secured.
- Stormwater Discharges from the Hamilton Street Bridge. On February 18, 2024, Christer Loftenius and Dave Cook (Aspect) discussed the Hamilton Street Bridge

stormwater discharges onto (and ponding within) the Sagamore property. We understand that Ecology is communicating with the Washington State Department of Transportation (WSDOT) regarding fixing, repairing, and managing stormwater from the bridge.

- Sagamore was informed by WSDOT during May that they will be working to fix the bridge seal and drainage issue during June.

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

- None

5) Contact with Other Parties

- None

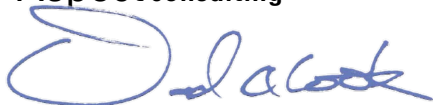
6) List of Deliverables and Key Activities Planned for Next Month

- Sagamore indicates that building design has been changed by eliminating one of the two buildings along MLK. The updated project design still needs to be approved by City of Spokane design commission. Construction will not start until after city of Spokane building department redesign approval is obtained in 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



Dave Cook, LG, CPG

Senior Principal Geologist

dave.cook@aspectconsulting.com

Attachment: May 3, 9 and 30 Emails to Ecology

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

Attachment

May 3, 9 and 30 Emails to Ecology

From: [Dave Cook](#)
To: [Loftenius, Christer \(ECY\)](#)
Cc: [Acklam, Nicholas \(ECY\)](#); [Anderson, Ivy \(ATG\)](#); [Tebeau, Kara J. \(ATG\)](#); [Charles Dubroff](#); [Michael Dunning - Perkins Coie LLP \(MDunning@perkinscoie.com\)](#); [rhayes@bridgestonecap.com](#); [Marc Chalfant](#); [Mike Ingram](#)
Subject: RE: CSID_3509_ECY_Resp_Sagamore_Corr_Action_Notice_Jul_2023 - And Sagamore Request for Schedule Extension
Date: Thursday, May 9, 2024 2:25:00 PM

Hi Chris. I wanted to follow up on the trespassing issue in the May 3 report that I sent you on behalf of Sagamore. Today Sagamore received a report from their security service (Securitas). What I understand is that Securitas called the City of Spokane's 311 homeless/trespasser/crime check support number on May 3 to report the trespasser; then followed up on May 6. Today, May 9, they visited the site again and the tent was still on the site. Securitas' representative was able to confront the trespasser and got them to move.

Did you have any luck talking with anyone at the City based on the contact info I provided you?
Dave

Dave Cook, LG (WA), CPG | Sr Principal Geologist | Direct: 206.838.5837 | Cell: 206.372.7637
Aspect Consulting (A Geosyntec Company) | 710 2nd Ave, Suite 550, Seattle, WA 98104 |
dave.cook@geosyntec.com, www.aspectconsulting.com, www.geosyntec.com

Listen to Dave talk about using the earth for heating and cooling: [Water Resources: Ground Source Heat Pumps | Dave Cook \(youtube.com\)](#)

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From: Dave Cook
Sent: Friday, May 3, 2024 4:00 PM
To: Loftenius, Christer (ECY) <clorf461@ECY.WA.GOV>
Cc: Acklam, Nicholas (ECY) <nack461@ECY.WA.GOV>; Anderson, Ivy (ATG) <Ivy.Anderson@atg.wa.gov>; Tebeau, Kara J. (ATG) <Kara.Tebeau@atg.wa.gov>; Charles Dubroff <cdubroff@gmail.com>; Michael Dunning - Perkins Coie LLP (MDunning@perkinscoie.com) <MDunning@perkinscoie.com>; rhayes@bridgestonecap.com; Marc Chalfant <Marc.Chalfant@aspectconsulting.com>; Mike Ingram <mike@arttcon.com>; Dave Cook <Dave.Cook@aspectconsulting.com>
Subject: RE: CSID_3509_ECY_Resp_Sagamore_Corr_Action_Notice_Jul_2023 - And Sagamore Request for Schedule Extension

Hi Chris. Thanks for your vmail and email. Also appreciated our phone conversation this afternoon. Here's a followup.

I called James Kopsho, District Manager of Securitas, Sagamore's subcontracted security company. James visited the site yesterday and sent his report this afternoon (see attached). He observed the tent that you observed. It appears that the tent and trespasser moved-in sometime this week between Securitas' security check last week and the visit yesterday. Here's what Securitas does, and did in this instance:

1. Called Spokane Crime Check (509.456.2233). They spoke with a dispatcher who notifies Spokane Police Dept. to respond.
2. James said that this is a non-emergency response, but SPD does eventually make a site visit. James indicated that he requests that SPD call Securitas and then they meet SPD on site. The site meeting hasn't happened yet.
3. James also said that he actually confronted the trespasser yesterday and issued him a no trespass notice (I wasn't familiar with this process, but Securitas and apparently citizens have the right to issue such notices to vacate private property).
4. If the trespasser returns, then Securitas can provide a record of the no trespass notice to the individual and SPD which may help to have trespassers leave the premises.
5. I talked to James about the fence and this is going to be a difficult thing to maintain. Fences are too easy to cut, move, or disassemble. The fence is not a long term solution. However, the weekly security checks seem to be the best solution to keep long term camping off the property.
6. You mentioned to me about developing another solution to prevent trespassers from potentially damaging the river bank. In the last monthly report to Ecology, we acknowledged the necessity for an alternative or at least a "re-think" of the past remedial action adopted under the Agreed Order to address this part of the site.

You wanted to contact the City to express Ecology's concerns. The phone number in item 1 is probably the best place to start. They should be aware of the issue based on Securitas' notification. You also asked me about the construction schedule and updating the Engineering Design Report. I indicated that we know that we need to update the EDR, but that this will be done once the new redevelopment design is approved by the City at which point a construction schedule will be established. You'll need to talk with Sagamore directly for any additional information related to these plans and timeframes. Dave

Dave Cook, LG (WA), CPG | Sr Principal Geologist | Direct: 206.838.5837 | Cell: 206.372.7637
Aspect Consulting (A Geosyntec Company) | 710 2nd Ave, Suite 550, Seattle, WA 98104 |
dave.cook@geosyntec.com, www.aspectconsulting.com, www.geosyntec.com

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From: Loftenius, Christer (ECY) <clof461@ECY.WA.GOV>

Sent: Friday, May 3, 2024 3:11 PM

To: Dave Cook <Dave.Cook@aspectconsulting.com>

Cc: Acklam, Nicholas (ECY) <nack461@ECY.WA.GOV>; Anderson, Ivy (ATG) <Ivy.Anderson@atg.wa.gov>; Tebeau, Kara J. (ATG) <Kara.Tebeau@atg.wa.gov>; Charles Dubroff <cdubroff@gmail.com>; Michael Dunning - Perkins Coie LLP (MDunning@perkinscoie.com) <MDunning@perkinscoie.com>; rhayes@bridgestonecap.com; Marc Chalfant <Marc.Chalfant@aspectconsulting.com>

Subject: RE: CSID_3509_ECY_Resp_Sagamore_Corr_Action_Notice_Jul_2023 - And Sagamore

Request for Schedule Extension

Importance: High

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Hi Dave:

I went for a Site visit this Wed. The construction area seems to be in good shape: the fence surrounding the construction area had not been breached, and the remaining soil stockpile was still covered and secure.

However, there is no fence blocking entrance to the riverbank on the west side of the Site (the panels have been thrown to the side). There was at least one tent pitched along the riverbank and there is sign of damage to the riverbank where the fence used to be.

What are Sagamore's plans to secure the riverbank?

Secondly, when can Ecology expect to receive the revised EDR containing the revised building foundation method and an updated detailed construction schedule?

Best regards,

Chris Loftenius LG, LHG (he/him)
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

From: Dave Cook <Dave.Cook@aspectconsulting.com>

Sent: Wednesday, April 3, 2024 9:30 AM

To: Loftenius, Christer (ECY) <clof461@ECY.WA.GOV>

Cc: Acklam, Nicholas (ECY) <nack461@ECY.WA.GOV>; Anderson, Ivy (ATG) <ivy.Anderson@atg.wa.gov>; Tebeau, Kara J. (ATG) <Kara.Tebeau@atg.wa.gov>; Charles Dubroff <cdubroff@gmail.com>; Michael Dunning - Perkins Coie LLP (MDunning@perkinscoie.com) <MDunning@perkinscoie.com>; rhayes@bridgestonecap.com; Marc Chalfant <Marc.Chalfant@aspectconsulting.com>; Dave Cook <Dave.Cook@aspectconsulting.com>

Subject: CSID_3509_ECY_Resp_Sagamore_Corr_Action_Notice_Jul_2023 - And Sagamore Request for Schedule Extension

External Email

Hi Chris. Attached is Sagamore's response, and request, to extend the PPCD schedule consistent with "Article XVII. Extension of Schedule." This request is a follow-up to Ecology's March 5, 2024 Corrective Action Notice Letter (also attached). Please let us know if you have any questions or if we can clarify anything for you. Sincerely, Dave

Dave Cook, LG (WA), CPG | Sr Principal Geologist | Direct: 206.838.5837 | Cell: 206.372.7637
Aspect Consulting (A Geosyntec Company) | 710 2nd Ave, Suite 550, Seattle, WA 98104 |
dave.cook@geosyntec.com, www.aspectconsulting.com, www.geosyntec.com

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From: Dave Cook

Sent: Monday, March 11, 2024 12:50 PM

To: Loftenius, Christer (ECY) <clof461@ECY.WA.GOV>

Cc: Acklam, Nicholas (ECY) <nack461@ECY.WA.GOV>; Macdonald, Scott <scott.macdonald@bnsf.com>; Robbert, Bryce <Bryce.Robbert@avistacorp.com>; Anderson, Ivy (ATG) <Ivy.Anderson@atg.wa.gov>; Tebeau, Kara J. (ATG) <Kara.Tebeau@atg.wa.gov>; Charles Dubroff <cdubroff@gmail.com>

Subject: RE: CSID_3509_ECY_Resp_Sagamore_Corr_Action_Notice_Jul_2023.pdf

Thanks for Ecology's letter Chris. Sagamore acknowledges it. Sagamore also acknowledges Ecology's request to have a "construction period extension" per the PPCD by March 31, 2024. As you and I have discussed, Sagamore in essence "buttoned up" the site for the winter. But construction planning and reevaluation of building foundation system has been ongoing. Let me check again with the Sagamore construction team on the status of a likely construction start timeframe and then they will make the formal extension request. Sincerely, Dave

Dave Cook, LG (WA), CPG | Sr Principal Geologist | Direct: 206.838.5837 | Cell: 206.372.7637
Aspect Consulting (A Geosyntec Company) | 710 2nd Ave, Suite 550, Seattle, WA 98104 |
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From: Loftenius, Christer (ECY) <clof461@ECY.WA.GOV>

Sent: Thursday, March 7, 2024 3:40 PM

To: Dave Cook <Dave.Cook@aspectconsulting.com>

Cc: Acklam, Nicholas (ECY) <nack461@ECY.WA.GOV>; Macdonald, Scott <scott.macdonald@bnsf.com>; Robbert, Bryce <Bryce.Robbert@avistacorp.com>; Anderson, Ivy (ATG) <Ivy.Anderson@atg.wa.gov>; Tebeau, Kara J. (ATG) <Kara.Tebeau@atg.wa.gov>; Charles Dubroff <cdubroff@gmail.com>

Subject: CSID_3509_ECY_Resp_Sagamore_Corr_Action_Notice_Jul_2023.pdf

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Hi Dave:

Please find enclosed Ecology's response to Sagamore's action taken to address Ecology's concerns outlined in the Corrective Action Notice dated July 11, 2023.

If you have any questions, please let me know.

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

Securitas USA Mobile Region
1121 North Argonne Road, Building F
Spokane Valle, WA 99212

RE: 1112 East Martin Luther King Drive, Spokane, WA 99202 – District on the River

To whom it may concern,

I am a current employee of Securitas USA, which is licensed in the State of Washington to provide security services.

On 05-02-2024, 2024 at 11:32 a.m., I performed a site walk of the above referenced Property in order to determine whether there were any holes in the Project's fencing or any homeless encampments, and to generally check the condition of the site.

Observation	Yes	No	Notes
Fence Holes or Blowdown	XX		Fence is Standing, but southeast fence that was linked where lock is, has been breached and link cut again, North fence by boat launch has been breached and new breach NW of dirt mound. Tent previously reported is now gone. Outer fence blocking off the riverbank has been moved and is being used for transiting and is still down. Other parts of the north fence also been accessed. The fence needs to be fixed asap or they will start heading down there in droves.
Homeless Encampments	XX		Homeless seen new tent is present.
Bank to River Trespassing Evidence	XX		Riverbank Debris is still present, tent has been observed with vagrants, Crime Check notified.
Soil Stockpile Cover Secured	XX		Mound is fully Covered.
Ponded Water on Site		XX	

A copy of that notice is attached to this notice.

If you have any questions, please do not hesitate to contact me.

Name: James Kopsho (60757)

Title: District Manager

Cc: Hayes, Dubroff, Ingram, Dunning, Cook, Chalfant, Szot


Securitas - 60757 - Spokane - Mobile
 1121 N Argonne Rd
 Siite 211
 Spokane Valley Washington 99212
 United States of America (the)



MLK & Erie - East
1112 M.L.K Jr Way
Spokane Washington 99201
United States of America
(the)

SUSA Mobile General Incident Report	
Report #	137186978
Report Date	05/02/2024
Report Time	11:48am PDT
Created By	DANIEL S SANDERS #763800
Position	Spokane Mobile Patrol
Client	MLK & Erie - East

Information

Make Sure You're Signed Into the Correct Site.	
Location Name (If No Site Available)	
Address, City, State & Zip Code (If No Site Available)	
Date of Incident	05/02/2024
Select the Incident Type	*No Incident
Time of Incident	11:32am PDT
Physical Location	
Physical Location (If No Physical Location Available Above)	
Client Notified?	No
Name of Client Representative Contacted	
Title of Client Representative Contacted	
Securitas Branch Notified?	No
Name of Securitas Representative Contacted	
Title of Securitas Representative Contacted	
Law Enforcement Notified?	No
Name / Badge Number of Law Enforcement Officer Contacted	
Law Enforcement Report Number	
List the Individual(s) Involved in Incident	Na
Description of Property / Equipment Involved in Incident	Weekly inspection
Description of Incident / Injury (Who, What, When, Where & How)	Cover on mound, no water accumulation. Breaches on inner fence still present North of dirt mound and northeast of dirt mound. Outer exterior fence at northwest corner for river access still down. Tent found at river Bank northwest side. No persons found in the area.
Capture A Photo (1)	

Capture A Photo (2)



Capture A Photo (3)



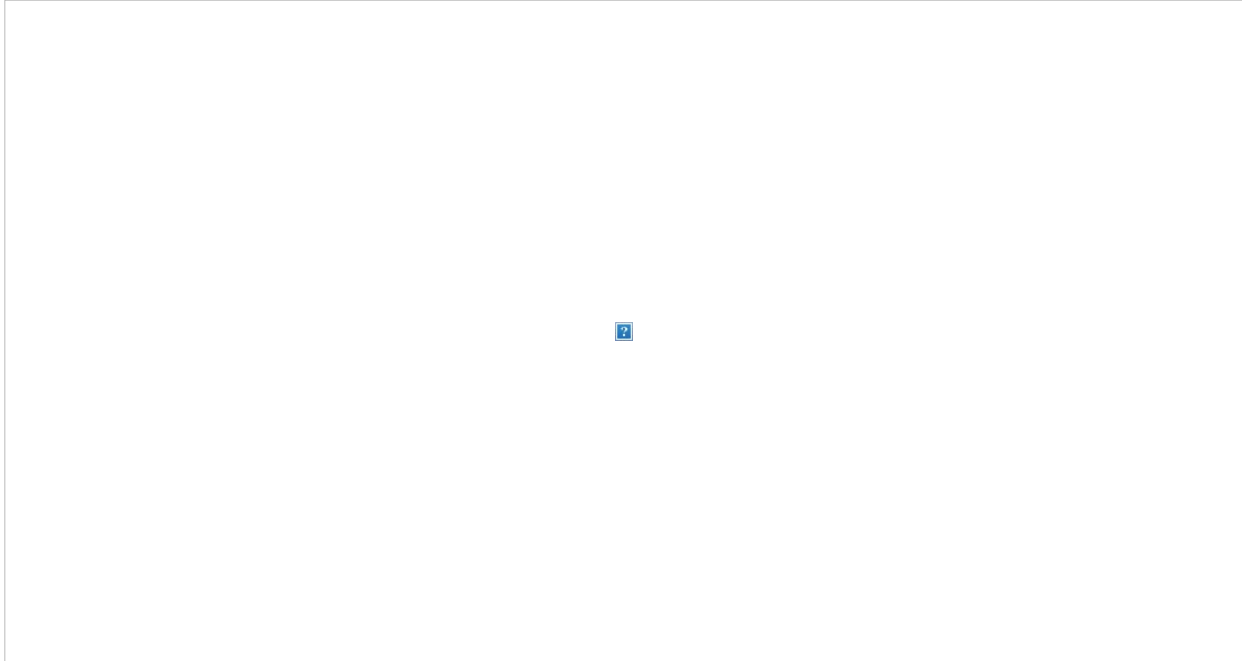
Capture A Photo (4)



Officer Signature

From: [Dave Cook](#)
To: [Loftenius, Christer \(ECY\)](#); [Charles Dubroff](#)
Cc: [Marc Chalfant](#); [Acklam, Nicholas \(ECY\)](#); mhayes@bridgestonecap.com
Subject: RE: Hamilton Street Bridge Site, Fence on west side facing the river is down
Date: Thursday, May 30, 2024 8:51:00 AM
Attachments: [image001.png](#)

Hi Chris. Sagamore is aware. Here is a screenshot of an email from Bob Hayes of Sagamore communicating with Spokane Police Dept who has been do courtesy walks across the site. Have you/Ecology had any success communicating with City of Spokane about the trespassing/homeless issue? Also note Bob's update from WSDOT. Have you/Ecology communicated with them since I passed on contact info to you? Dave



Dave Cook, LG (WA), CPG | Sr Principal Geologist | Direct: 206.838.5837 | Cell: 206.372.7637
Aspect Consulting (A Geosyntec Company) | 710 2nd Ave, Suite 550, Seattle, WA 98104 | dave.cook@geosyntec.com www.aspectconsulting.com www.geosyntec.com
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From: Loftenius, Christer (ECY) <clof461@ecy.wa.gov>
Sent: Wednesday, May 29, 2024 7:02 PM
To: Dave Cook <Dave.Cook@aspectconsulting.com>
Cc: Marc Chalfant <Marc.Chalfant@aspectconsulting.com>; Charles Dubroff <cdubroff@gmail.com>; Acklam, Nicholas (ECY) <nack461@ecy.wa.gov>
Subject: Hamilton Street Bridge Site, Fence on west side facing the river is down
Importance: High

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Hi Dave:

I went by the Site late this afternoon, and I noticed that about 50 ft of the fence facing the river on the west side of the Site is completely down. There is now unlimited access to the construction area and the riverbank as well.

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
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