



August 22, 2025

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

**Re: Work Plan - Response to Letters from Ecology dated June 12 and July 3, 2025
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, a Geosyntec Company (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).

This letter responds to the Washington State Department of Ecology's (Ecology) June 12 and July 3, 2025, letters related to Sagamore's PPCD Schedule Extension request. Ecology's letters direct Sagamore to return the Site to "original conditions" as well as addressing several other concerns. We have summarized the issues presented in Ecology's letters and in our video conference with Ecology on July 25, 2025, into five primary topics outlined below. Each topic includes Aspect's description of the actions Sagamore will take to address the concerns. These actions collectively form the "Work Plan" requested by Ecology in its June 12 letter, and this letter represents our submittal of the Work Plan.

Background

The Project entails redevelopment of property at the Site that will include construction of three new buildings, their foundations and floor slabs, parking lots, and hardscapes that will fortify and enhance the current soil cover that was adopted as a final remedy by Ecology for the Site under the Consent Decree with liable parties Avista Corp. and BNSF. A portion of the original soil cover was disrupted during the start of the construction project in early 2023 for the installation of underground utilities and shallow excavations to prepare the building subgrades for foundations. The Project was subsequently suspended due to project design modifications, local permitting, and difficult market conditions that have prevented Sagamore from securing redevelopment financing, as discussed by Sagamore during the July 25 meeting. Due to project suspension, pursuant to advisement and approval of Ecology via emails, monthly reports, and telephone conversations, In October 2023, Sagamore replaced the areas of the soil cover that were disrupted and repaired the Site soil cover to its original condition, except for some localized depressions designed to

accommodate surface water that would be pumped out and routed to the newly installed storm drain and routed to infiltration basins in the event of sheet flow or flooding at the Site. These depressions rarely, if ever, contain water. However, Sagamore understands Ecology's concerns regarding the soil cover, and this Work Plan addresses those concerns.

Work Plan

1. Address Open Utility Pipe Stickups (Secure "Manholes")

Issue. In the June 12 letter, Ecology requested a plan to secure the stormwater manholes. Based on our July 25, 2025, video conference with Ecology, we understand that Ecology's reference to "manholes" refers to the broken pipe "stickups" at the Site. The pipe stickups identified by Ecology are a collection of different site features including storm drain connections for future building downspouts as well as outer protective casings of geotechnical test piles that were conducted during pile pilot testing. The test pile casings are grouted and therefore cannot impact the Site. Additionally, our understanding is that none of the future downspout pipe features collect stormwater, nor do they drain to soil; therefore, none of these features that Ecology referred to as stormwater manholes in its June 12 letter present any realistic risk of being a direct pathway to the groundwater table or causing or exacerbating contaminant transport at the Site. However, we understand the concern Ecology relayed in our July 25 meeting that it could be possible for someone, such as a trespasser, to dump something into open piping (which would drain to the infiltration basin). Therefore, while that risk is very remote, eliminating this possibility is the focus of this action.

Work Plan Action. Aspect will:

- Within 30 business days of Ecology's approval of this Work Plan, conduct a Site visit to identify, inventory, and map all existing pipe stickups, downspout drains, grouted test piles, and other features.
- Within 30 business days after the Site visit, develop a means of capping or plugging those features with open ends that connect to utilities that drain to the infiltration basins at the site.
- Within 30 days after the field action, submit a report to Ecology documenting completion of this action.

2. Long-term Plan to Prevent Cap Disturbance and Riverbank Camping

Issue. In the June 12 letter, Ecology requested a long-term solution to prevent future disturbances to the cap, including riverbank camping. Chronic homelessness is a challenging, societal problem that Sagamore is not equipped to resolve, nor does Sagamore have police power to forcibly remove persons experiencing homelessness. Within its authority as the landowner, Sagamore has gone to great lengths to maintain site security with the goal of protecting the integrity of the constructed remedy. This effort has included contracting a private security contractor to make regular visits to the Site and alert the Spokane Police Department (SPD) when trespassing was observed. In November 2024, Sagamore fired its original site security contractor and retained a new contractor equipped to address site security more professionally and more frequently. That contractor has made significant efforts and progress that has reduced trespassing and shoreline damage.

Sagamore's monthly reports to Ecology include updates on efforts to maintain security at the Site. These have included frequent contact with trespassers, cleanups, and frequent repair, fortification, upgrading, and replacement of the fence system that rings the property and shoreline. The security program adapts to the frequency of trespassing, and has included visits to contact trespassers and maintain the security fence as frequently as multiple times per week. Sagamore has also sought support from SPD throughout this duration, but SPD has limited ability to address trespassing on private property.

Work Plan Action. While the problem of trespassing has not been entirely solved and likely cannot be fully solved by Sagamore, Sagamore is committed to conducting regular security patrols, contacting the homeless campers, maintaining the fence, and contacting SPD as needed. Sagamore provided Ecology with an additional concept of adding signage at the Site but never heard back from Ecology related to this idea. Sagamore is open to other ideas Ecology has to improve site security, but the current methods have been effective and site security is significantly improved.

3. Restore Site to "Original Grade" (Prevent Ponding of Stormwater)

Issue. Ecology's June 12 letter indicated that "Sagamore must restore the Site to the original grade using materials described in the February 2, 2006, Cleanup Action Report." We appreciated the clarification about this unclear requirement in our July 25 video conference with Ecology. During that meeting, Ecology indicated that existing utility infrastructure installed as part of the District on the River Redevelopment can remain in place. Ecology also clarified its interest in grading the site is to prevent ponding of stormwater. Aspect's January 16, 2024, "Construction Stormwater Cover Completion Report" reported that Sagamore regraded and capped the Site with a 6-inch crushed rock surfacing consistent with the design of the 2006 Cleanup Action Report (CAR). Following that action, the current Site drainage is similar to that of the 2006 cover, but there are depressions designed into the 2024 cover so that in the unlikely event that rainwater ever accumulated on the permeable cover system, it would be directed to a specific location (the depressions), whereby the water could be pumped into a nearby storm drain which would then direct surface water to the designed bioswales. Minor and temporary rainwater accumulation has been observed after heavy rains in certain areas of the Site, but the current Site grade and drainage does not result in the ponding that occurred for a period of time during 2023 when there was uncontrolled discharge onto the Site from a broken or ineffective drainage system on the Hamilton Street Bridge. Sagamore successfully engaged with Ecology and the Washington Department of Transportation (WDOT) on that issue, and WSDOT has repaired the drainage system on the bridge.

Work Plan Action. Sagamore proposes:

- Within 60 business days of approval of this Work Plan, backfill the depressions with impacted soil that is currently stockpiled on the Site and capping them with crushed rock surfacing consistent with the approach implemented in the 2006 CAR.
- Within 60 business days of approval of this Work Plan, grade the areas such that any runoff is directed away from the extents of soil contamination.

4. Remove Stockpiles within 60 Days of Concurrence of Work Plan

Issue. Ecology's June 12 letter requests that soil stockpiles generated during shallow excavation for planned buildings that remain on-site must be removed. The security team has been repairing the

cover on these piles; however, site security personnel have discovered that trespassers have been removing portions of the cover to use for encampments along the Spokane River.

Work Plan Action. Sagamore will:

- Within 60 business days of Ecology approval of this Work Plan, remove impacted soil stockpiles. Some of the stockpiled soil may be used as fill to address stormwater grading as discussed above, so the timeline for disposal may depend on the timeline for implementing the grading improvements.

5. Restore All Property Stormwater Conveyance Structures

Issue. Ecology's June 12 letter indicates that "Sagamore must restore all Property stormwater conveyance structures in accordance with the 2006 CAR and ensure that stormwater is flowing unimpeded into those stormwater conveyance structures."

Work Plan Action. Sagamore will:

- Within 30 business days of approval of this Work Plan, complete a Site visit with Ecology to verify what stormwater conveyance structures are referenced in the June 12 letter (We recommend this Site visit be combined with the Site visit suggested in Issue #1).
- Following the Site visit, if restoration as outlined in Issue #3 above is not sufficient to satisfy this requirement, then Sagamore will prepare a plan to complete this element as informed by the Site visit for Ecology's review and approval.

Closing

Sagamore and Aspect are available to discuss these Work Plan elements.

In its June 16, 2025, letter, Sagamore requested a schedule extension under the PPCD. Ecology's July 3, 2025, letter provided that "Sagamore may apply for a 90-day extension to the cleanup action schedule within 30 days from receipt of this letter in accordance with the conditions set forth in the PPCD, Article XVII, Extension of Schedule. Sagamore may timely renew its requests."

As part of this Work Plan, and as authorized by Ecology's July 3 letter, Sagamore requests an extension to the cleanup action schedule. As Sagamore discussed in the July 25 meeting, there have been issues beyond market conditions that have slowed the progress of this redevelopment project. Sagamore requests a reevaluation of the PPCD schedule extension beyond the 90-day allowance offered by Ecology. We recommend that the schedule extension discussion be readdressed after elements of this Work Plan are completed to the satisfaction of Ecology.

References

Aspect Consulting, LLC (Aspect), 2022, Final Engineering Design Report, April 26, 2022.

Aspect Consulting, LLC (Aspect) 2022, Final Amendment to the Final Engineering Design Report, April 22, 2022.

Aspect Consulting, a Geosyntec Company (Aspect), 2024, Construction Stormwater Completion Report, January 16, 2024.

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

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

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

Sincerely,

Aspect Consulting, a Geosyntec Company



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

cc: Nick Acklam, Ecology
Kara Tebeau, AGO
Charles Dubroff and Steve Deluca, Sagamore Spokane, LLC
Mike Dunning, Perkins Coie