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Working in Duwamish River



MC Halvorsen

Reply |

To: Laura Arber <laura.arber@dfw.wa.gov>;

Mon 6/8/2015 11:18 AM







Dear Laura:

The Port of Seattle is working in the Duwamish River between 7th and 8th Ave S. No one is to be working in the river until October. Are you aware of this?

M. C. Halvorsen

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Working in the Duwamish River



MC Halvorsen

To: Laura Arber <laura.arber@dfw.wa.gov>;

Reply |

Fri 6/12/2015 2:39 PM

Dear Laura:

Since I emailed you, I personally inspected what the Port of Seattle was doing at S. Riverside Dr. between 7th Ave. S. and 8th Ave. S. They removed all vegetation which allowed wakes and tides to wash away 2 feet of the bank. They have Teredo riddled logs which they plan to put along the bank. They waited for the tide to recede and then worked claiming that they weren't working in the water.

I asked them if they had the permits and they claimed to have them. When I asked to see them because none were posted at the site, they told me that George Blomberg wouldn't let them show the permits to me.

I would appreciate it if you would investigate.

I also sent an email to Olivia H. Romano at USACE, but have not heard back from her yet.

M. C. Halvorsen

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RE: Working in the Duwamish River



Arber, Laura M (DFW)

Reply |

To: MC Halvorsen <mchalvorsen@hotmail.com>;

Mon 6/15/2015 2:50 PM

Dear Ms. Halvorsen,

Thank you for the helpful information. I am investigating into it further.

Appreciatively,

Laura Arber
Washington Dept. of Fish and Wildlife | Marine Habitat Biologist | 16018 Mill Creek Blvd, Mill Creek, WA 98012 | p. (425)379-2306 | Laura.Arber@dfw.wa.gov | Hours M-Th. 7:30-3:30

From: MC Halvorsen [mailto:mchalvorsen@hotmail.com]

Sent: Friday, June 12, 2015 2:39 PM

To: Arber, Laura M (DFW)

Subject: Working in the Duwamish River

Dear Laura:

Since I emailed you, I personally inspected what the Port of Seattle was doing at S. Riverside Dr. between 7th Ave. S. and 8th Ave. S. They removed all vegetation which allowed wakes and tides to wash away 2 feet of the bank. They have Teredo riddled logs which they plan to put along the bank. They waited for the tide to recede and then worked claiming that they weren't working in the water.

I asked them if they had the permits and they claimed to have them. When I asked to see them because none were posted at the site, they told me that George Blomberg wouldn't let them show the permits to me.

I would appreciate it if you would investigate.

I also sent an email to Olivia H. Romano at USACE, but have not heard back from her yet.

M. C. Halvorsen

Work in the Duwamish River

MC Halvorsen

Mon 7/20/2015 10:52 AM

To: Laura Arber <laura.arber@dfw.wa.gov>; Cheryl Eastberg <cheryl.eastberg@seattle.gov>; Blomberg.g@portseattle.org <blomberg.g@portseattle.org>; Becca Aue <becca@seattleparksfoundation.org>;

Cc: Olivia H. Romano <olivia.h.romano@usace.army.mil>; albro.t@portseattle.org <albro.t@portseattle.org>; bowman.s@portseattle.org <bowman.s@portseattle.org>; bryant.b@portseattle.org <bryant.b@portseattle.org>; creighton.j@portseattle.org <creighton.j@portseattle.org>; gregoire.c@portseattle.org <gregoire.c@portseattle.org>; Sally del Fierro <delfierro.s@portseattle.org>; Will Clark <wilc@pacificpile.com>; Boyer Halvorsen <boyerh@qwestoffice.net>; David.price@dfw.wa.gov <david.price@dfw.wa.gov>;

Dear Ms. Arber, Ms Eastberg, Ms Aue and Mr. Blomberg:

I had notified Ms. Arber in June that the Port of Seattle in the representative George Blomberg was working in the Duwamish River along the bank of the Duwamish River just South of Pacific Pile and Marine Corporation. I had asked to see the Permits as Washington State has a law requiring the obtaining of an HPA Permit which is forwarded to the Army Corps of Engineers. The workman claimed to have Permits but could not let me see them! I emailed Ms. Arber, DFW, with the information to see if she would look into it and she returned an email, dated June 15, 2015, saying she would look into it. I have not heard from her since.

The Hydraulic Project Approval Act states:

Since 1943 anyone planning certain construction projects or activities in or near state waters has been required to obtain...an Hydraulic Approval Permit (HPA)

Obviously, no one obtained such a permit; therefore, the law was broken and illegal activity occurred at the site I reported to the Department of Fish & Wildlife to Ms. Arber.

I am notified when any person, business or organization files for a Permit from the Army Corps of Engineers for the Puget Sound area and I never received any notice that anyone filed for such a Permit at that location. I know that Olivania H. Romano is the ACE officer-in charge of the Duwamish River and wonder if she is aware of the illegal actions taken there.

Today, Sunday, July 19, 2015 I visited that site and lo and behold, there has been a lot of work done with a sign showing the Seattle Parks & Recreation Department, the Port of Seattle and the Seattle Parks Foundation, a non-profit private corporation which should not be down there, were claiming responsibility for an improved streetend. It is not a streetend.

Seattle's Street Use Ordinance, 15.02.010 and its Scope of authorization 15.02.060 state:

B. The issuance of a permit under the Street Use Ordinance does not authorize taking an action that conflicts with another City ordinance or with other state or federal laws.

There are no Permits; there is no Permit from the Army Corps of Engineers, which is the Agency that has jurisdiction in the Duwamish River Commercial Industrial Waterway. More laws were broken.

Furthermore, this project will interfere with trucks involved with interstate commerce which interference is a federal criminal offense. See the Interstate Commerce Act. Interstate Commerce is a federal jurisdiction.

In addition, 46 USC 701, the National Maritime Transportation Security Act of 2002 together with its Plan of 2005, bars the general public from maritime industrial areas because of terrorist fears. It defines a Maritime Area as follows:

All areas and things of, on, under, relating to, adjacent to or bordering on a sea, ocean, or other navigable waterway including all maritime related activities, infrastructure, people, cargo and vessels and other conveyances.

Another law is broken and industry, instead of being protected from possible terrorist attacks, is subject to unnecessary security risks.

Right now, the United States is supposed to be on a heightened terrorist alert but Seattle organizations are inviting everyone into these areas. This is illegal. It is also extremely unsafe and violates all state laws with regard to freight mobility.

Furthermore, the whole site is most unattractive. Teredo riddled logs which appear to be unusable for anything else, are everywhere. New fill is on the riverbank and who knows what is in that. However, with such irresponsible actions by those claiming responsibility, such flaunting of the U. S. Constitution, laws of the federal government and laws of Washington State, breaking laws seems to be what they do.

The best solution would be to remove this offensive project. Otherwise the participants should be prosecuted for flagrantly disregarding federal, state and local laws.

I am shocked that the Port of Seattle Commissioners allowed these actions or neglected to properly supervise George Blomberg. I am further shocked at Seattle Parks and Recreation Department for failing to properly supervise Cheryl Eastberg, Seattle Parks Foundation is a private, non-profit organization, which by law, is excluded from the area, but it shows such an organization has no regard for the law. I am appalled at the non-action of DFW in the representative of Laura Arber. I hope the ACE in the representative of Olivias H. Romano was not involved.

M. C. Halvorsen