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6 December 2012

Ms. Nancy Boyd
Mr. Kris Strickler
Co-Directors
Columbia River Crossing Project
700 Washington Street, Suite 300
Vancouver, WA 98660

Dear Ms. Boyd and Mr. Strickler,

Thank you for the "*Columbia River Crossing Navigation Impact Report*" your staff provided on the second of November. The data and analysis you provided is both appreciated and beneficial.

The Navigation Impact Report (NIR) identified fifty three vessels that would be impacted by construction of a bridge at 95ft above Columbia River zero datum. The NIR identified which of those vessels would still be impacted if the height of the bridge was increased to various heights up to and including 125ft above zero datum. The NIR also discussed future use of the waterway by looking at future land use up river from the proposed bridge and potential river users.

Even at a bridge height of 125ft, the opportunity for future activity upstream of the bridge may be reduced, and the NIR shows that some current waterway users will still be impacted to some extent. In addition to the information reflected in the NIR, we will need some greater detail on the following topics as we progress towards your permit application:¹

1. Future River Use²

- a. Land Use Zoning along the waterway: Clarification of which parcels of land are reasonably foreseeable for commercial development allowing for direct access to the Columbia River such that they could be impacted by the proposed bridge. We propose that this could be done by providing a zoning map showing the parcels, current bridge, surrounding transportation infrastructure, etc.

¹ This letter responds specifically to the Navigation Impact Report and does not purport to be a complete listing of information needed before, or concurrent with, receipt of a permit application. See the USCG's "Bridge Permit Application Guide," COMDTPUB P16591.3C dated October 2011 for more.

² The Coast Guard Bridge Manual and the federal bridge statutes require that the Coast Guard consider the present and prospective navigation on the waterway in order to make a determination on the reasonable needs of navigation. Prospective navigation is based on land use and business needs up river from the proposed project.

- b. Input from states based on state development plans: Documentation from both states that each has considered any future land use opportunity costs associated with building the bridge at the selected height, and their comments.
- c. Input from facilities based on business plans: Evidence that businesses up river of the proposed bridge project were surveyed, responses were considered, and documentation that those businesses were identified as not being impacted are provided. This information is needed to address future waterway usage.
- d. Projected changes in waterway usage: This should be based upon reasonably anticipated waterway improvement projects and channel improvements, including depth and alignment.

2. Impacted River Users (each user must be addressed individually)

- a. The operational³ and economic impacts of the proposed bridge on each impacted user/vessel at the selected bridge height. The economic impact to any entities that operate more than one vessel should be addressed holistically, although the operational impact to each of their vessels should be identified.
- b. Represent that you have examined all facilities on the waterway that are or could be considered critical infrastructure, key resources, or important/unique US industrial capability (i.e. those facilities that are unique, or are one of only a few of the type in the area). Identify any that meet these criteria.
- c. Reasonable measures the project will take to avoid, minimize or mitigate the operational and economic impact to each of the users/vessels. This must include:
 - i. The proposed clearance being discussed for mitigation between CRC and the impacted user/vessel.
 - ii. A description of the mitigation measures to affected users (understanding that mitigation details for some users will develop over time and could be subject to non-disclosure agreements).
 - iii. Assurance that such measures are committed to and enforceable. If talks with the user(s) are on-going, and they are amenable to negotiating measures to address their concerns this will be so stated.
 - iv. A timeline that includes key milestones. In the event mitigation is proposed for an impacted user, the timeline must provide for a binding legal mitigation agreement to be reached at least 30 days before the permit is expected to be issued.⁴

³ This includes number of vessel transits, method of operation, etc.

⁴ The federal Dashboard of Nationally and Regionally Significant Infrastructure Projects shows a permit decision on this project scheduled on or before the 30th of August 2013. If these agreements are not finalized on or before the

- v. If the project elects not to implement avoidance, minimization, or mitigation measures for a user/vessel, the project must provide a rationale of why such a determination was made. This must include a review of the user's past use of the river, potential future use of the river and lost opportunities.

We appreciate the information you have provided on economic impacts of this project on other modes of transportation, which will be helpful in our permitting process. We remain committed to working together collaboratively and transparently on this critically important project. Our bi-weekly staff coordination meetings and periodic attorney conference calls here in Washington, DC, and on the west coast have been especially helpful. Please let us know if there are any other steps we can take to ensure our communications remain open and productive.

We look forward to working with you for a successful project.

Sincerely,



J. A. Servidio
Rear Admiral, U. S. Coast Guard
Assistant Commandant for Prevention Policy

Copies:

Mr. Peter Rogoff
Administrator
Federal Transit Administration

Mr. Victor Mendez
Administrator
Federal Highway Administration

Ms Paula J. Hammond
Secretary of Transportation
Washington State Department of Transportation

Mr. Matthew Garrett
Director
Oregon Department of Transportation

RADM Keith Taylor
Commander (d)
Thirteenth Coast Guard District

first of August 2013, the decision event will be delayed and rescheduled on a day for day basis until such agreements are in place, or sufficient analysis or justification for why the user is not being mitigated is provided.