



From: [Julie Carter](#)
To: [Columbia River Crossing; beebym@wdot.wa.gov](#);
CC:
Subject: RE: Columbia River Crossing DEIS Comments
Date: Tuesday, July 01, 2008 5:10:25 PM
Attachments: [2008-Jul-1 CRTIFCcomCRCDEIS.pdf](#)

Ms. Beeby,

We have attached our brief comments on the Columbia River Crossing DEIS. Please let me know if you have any problems accessing the document.

Thank you.

Julie Carter

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July 1, 2008

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Re: Columbia River Crossing DEIS Comments

Dear Ms. Beeby:

The Columbia River Inter-Tribal Fish Commission (CRITFC)¹ appreciates the opportunity to provide comments on the Columbia River Crossing DEIS (herein "DEIS"). We offer the following comments and we incorporate by reference DEIS comments by our member tribe the Confederated Tribes of the Warm Springs Reservation of Oregon.

A primary concern of our member tribes is the protection and restoration of Columbia River Basin anadromous fish resources. We find little reference in the DEIS to impacts that any of the proposed alternatives could have on fish and wildlife resources. For example, there are general statements that impacts to wetlands will be mitigated, and "best management practices" will be used to mitigate other impacts, but no specifics are provided. NEPA's implementing regulations emphasize that the discussion of alternatives constitutes the "heart" of the environmental impact statement, and require federal agencies to "rigorously explore and objectively evaluate" the environmental impacts of all reasonable alternatives. 40 C.F.R § 1502.14. An analysis of all reasonable alternatives is necessary to present the decision-maker with an environmentally informed choice. *Save Lake Washington v. Frank*, 641 F.2d 1330, 1334 (9th Cir. 1981). We find that the DEIS has failed to provide an adequate, detailed description of impacts of the proposed alternatives on fish and wildlife resources.

Impacts on water quality are a significant concern with respect to the different DEIS alternatives. The size of the crossing, the construction techniques used, the post construction impacts of

¹ In 1977, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Nez Perce Tribe, and the Yakama Nation created the Columbia River Inter-Tribal Fish Commission (CRITFC or "Commission"). These four tribes have 1855 treaty rights to take fish that pass their usual and accustomed fishing places. Consequently, it is of critical importance to the tribes to protect and conserve the habitat and life cycle of the fisheries. The Commission functions to protect, promote, and enhance the Columbia River Basin's anadromous fish resources consistent with the treaty-secured interests of its member tribes by formulating a broad, general fisheries program, and providing technical and legal support.

stormwater runoff, and the additional expanding potential for increasing population growth and the resulting impacts on water and wetland integrity have not been adequately described and evaluated in the DEIS.

Specific Comments

Construction elements

We could not locate in the DEIS any detailed description of the various crossing/bridge structures that would be employed under the various proposed alternatives and what methods would be used to implement construction. The type of in-water structures used to support bridges can affect fish survival. Piers or bridge supports have been demonstrated to provide refugia for anadromous fish predators, such as northern pikeminnow. Pile driving can set up sound pressure waves that negatively affect fish behavior and can affect migration corridors. Turbidity plumbs from in-water work can also negatively affect fish migrations and behaviors. The timing of construction is not specified. Extant in-water work for the Columbia River is limited to winter months that are outside of the juvenile and adult salmon spawning, rearing and migration periods. We would expect that any construction work for any of the alternatives would respect this critical need.

Summary of Community and Environmental Effects for Each Alternative (Exhibit 27)

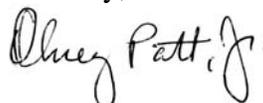
This table briefly describes the general impacts for each alternative of fish and wetlands. For alternatives 2 and 3 it is stated that water quality improvement would be greatest with fewer piers, but no other specifics are mentioned.

What are the effects of increased stormwater runoff with toxics into the river from the DEIS alternatives? Are there mitigation alternatives to limit the amount of bridge wastewater runoff directly into the river? The tribes are very concerned about increasing levels of toxics in fish that they depend upon for cultural, subsistence use. Additional work needs to be done in describing the amounts of runoff, the expected toxics contained in that runoff and possible mitigation options to reduce these impacts.

Conclusion

CRITFC appreciates the opportunity to submit these comments. We believe the DEIS is needs to detail effects of the various proposed alternatives on fish, wetland habitat and water quality. We recommend that these issues be more fully addressed in a supplemental DEIS. We also encourage the lead agencies to consult with our member tribes on these issues to assist in preparation of the supplemental DEIS. Thank you for your consideration of these comments.

Sincerely,



Olney Patt, Jr.
Executive Director