

**From:** [Bomar, Audri](#)  
**To:** [feedback@columbiarivercrossing.org](mailto:feedback@columbiarivercrossing.org)  
**CC:**  
**Subject:** FW: CRC DEIS Commentsjuly3.doc  
**Date:** Monday, July 07, 2008 8:31:14 AM  
**Attachments:** [CRC DEIS Commentsjuly3.doc](#)

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**From:** Gundersen, Heather  
**Sent:** Thursday, July 03, 2008 4:19 PM  
**To:** Taylor, Megan; Bomar, Audri  
**Cc:** Lifsey, Margi  
**Subject:** FW: CRC DEIS Commentsjuly3.doc  
**Importance:** High

Attached are comments from Ecology. Terry Swanson sent in the original comments on the 1st, but they were not reviewed and she asked that I wait until she could format them. The final comments are attached. Sorry that they are late, but the woman who was helping hurt her hand on Monday and had to go to the emergency room. Terry even sent photos of this to prove it. She apologized for the delay - she thought they would be ready on the 1st.

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**From:** Swanson, Terry (ECY) [mailto:[tswa461@ECY.WA.GOV](mailto:tswa461@ECY.WA.GOV)]  
**Sent:** Thu 7/3/2008 2:54 PM  
**To:** Gundersen, Heather; Gundersen, Heather  
**Subject:** CRC DEIS Commentsjuly3.doc

<<CRC DEIS Commentsjuly3.doc>> Heather, here are Ecology's substantive comments. Via regular mail, you will receive a signed cover letter with attachments.

If you have any questions, please let me know.

Thanks,

Terry Swanson

\*\*\* eSafe scanned this email for malicious content \*\*\*

**Department of Ecology**  
**Columbia River Crossing Project**  
**Draft Environmental Impact Statement Comments**  
**July 1, 2008**

*The following comments address the environmental considerations for each of the headlined subject areas. Each comment section includes the staff contact information if needed for follow-up.*

**AIR QUALITY [Bob Saunders (360) 407-6888; rsau461@ecy.wa.gov]**

1. In E2SHB 2815, the Washington legislature set goals for substantial reductions in vehicle miles traveled in the state. The CRC options provide for bus rapid transit or light rail as well as transportation system management and transportation demand management. It is crucial that this project's plans address the goals in E2SHB 2815 and include highly effective transit and demand management provisions that enhance the ability of the Vancouver area to meet the travel reduction goals in E2SHB 2815.
2. The EIS identifies the project's long-term and temporary effects on air quality and states that long-term effects, based on projected emission levels in 2030, are not significant and require no mitigation. That conclusion primarily is due to lower emissions levels from both light and heavy duty vehicles by 2030. We concur with the general expectation of lower emissions and no need for mitigation due to lower future vehicle emissions, but we have not reviewed the detailed analysis of the magnitude of changes resulting from the project.
3. WSDOT should ensure that the Southwest Clean Air Agency and Ecology's Air Quality Program have the opportunity to review the contractor's proposed pollution control plan and to periodically review its implementation. WSDOT should require that the contractors plan achieve a specified reduction in construction related emissions of diesel PM. WSDOT should consult with Ecology and Southwest Clean Air Agency to determine this amount, which should fall in the range of 40%. This approach allows the contractor maximum flexibility to determine how best to achieve the reduction target through cleaner fuels, cleaner engines, retrofitted engines, anti-idling measures, fuel additives, construction staging, and other measures.
4. The EIS also identifies "extensive" construction activities and resulting temporary air quality impacts. The temporary effects should also be described as extensive. The impacts of construction related emissions occurring continuously for many years are extensive and severe. Populations living near the construction areas will experience higher levels of adverse health effects and risk from diesel particulate than they would otherwise. The effects of diesel particulate are well documented and include increased risk of several kinds of cancer; asthma episodes, including those requiring medication or hospitalization; increased symptoms and acute episodes for people with respiratory and cardiac impairments.
5. The EIS indicates that "construction mitigation would include measures to control dust and exhaust emissions from demolition and construction activities and minimize the effects of traffic congestion." Requiring the plan to addresses exhaust emissions, in addition to dust

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and congestion, is an essential and appropriate provision for this project. It's also a new and unique provision and we applaud WSDOT for addressing diesel emissions from construction equipment. To control these impacts, the contractor "would be required" to have a pollution control plan for temporary effects. The exhaust emission provision needs to remain a part of the CRC project plans, and it needs to be implemented robustly, including consistent and effective compliance checking and oversight to ensure proper implementation.

**ENVIRONMENTAL JUSTICE [Millie Piazza; (360)407-6177; [mpia461@ecy.wa.gov](mailto:mpia461@ecy.wa.gov)]**

1. **Accountability:** While the DEIS notes efforts to provide extensive opportunity for public involvement and translation services – it is unclear what public concerns were raised or how/if they were addressed. Tribal and community concerns about environmental, economic, health, and other related impacts should be clearly reflected in the main body of the DEIS.
2. **Representative Participation:** It is unclear how demographically representative the public comments were.
3. **Comment Period Length:** A sixty-day comment period for the DEIS (that exceeds 1000 pages) may be inadequate. This is a particular concern for persons requiring technical support, such as community based organizations, tribes, people of color, low-income persons, and non-English or low-proficiency English speakers.
4. **Baseline Conditions:** To ensure that the five project alternatives neither perpetuate nor exacerbate environmental injustices, disproportionate impacts and mitigation plans should be clearly identified to the extent possible, including:
  - a. Existing conditions of impacted communities
  - b. Areas exceeding FHWA's traffic noise impacts criteria
  - c. Areas exceeding air quality standards
  - d. Areas exceeding other environmental quality standards
  - e. Long-term plans for environmental monitoring
  - f. Plans to bring non-compliance areas into compliance
5. **Health Impact Assessment:** The significant association of premature death with long-term exposure to fine airborne particulate matter (*EPA Final Rule - 70 FR 943*), raises concern about the health effects of air pollution on communities near transportation corridors. To the extent possible, the CRC proponents should clearly communicate to impacted communities whether the environment where they live or work (near the project area) is healthful or unhealthful. Particular attention should be paid to:
  - a. Presenting existing data on health inequalities and excess death
  - b. Planning for monitoring the health effects of air pollution
  - c. Assessing cumulative risks for impacted communities
  - d. Assessing community and health impacts during the construction phase of the project
6. **Equitable Economic Development:** An assessment be made. The proponents should assess the impact that the alternatives will have on economically disadvantaged businesses, including women and minority owned enterprises. To the extent possible, this

should include a proposal that ensures equal opportunity in project workforce and transportation contracting, and jobs training.

## **OTHER EJ RECOMMENDATIONS**

### **Chapter 3: Existing Conditions and Environmental Consequences**

#### **3.5 Neighborhoods and Environmental Justice**

1. Provide a summary of the primary public environmental justice concerns and comments gathered from the public involvement process.
2. Further document how increased vehicle capacity (Alternatives 2-5) will not have a significant impact on air quality (Reference DEIS: p. 80).
3. Articulate an alternative mitigation plan for those areas identified that currently exceed FHWA's traffic noise impacts criteria – with particular focus on the Shumway, Rose Village, and Esther Short neighborhoods (Ref: p. 161-162 Alternative #2). As identified in the CRC DEIS, these communities are disproportionately below the poverty level. In addition, Rose Village has a greater percentage of households without cars, persons with disabilities, minority population, and Hispanic population (Ref: p. 152).
4. Further assess an alternative or community mitigation proposal for the impacts from an expansion of the TriMet Facility in Gresham (Ref: p. 163).
5. Provide social and environmental impact assessments for the alternatives' construction phases, particularly regarding the impacts of truck traffic, vehicle congestion, and air quality (Ref: p. 177).
6. Articulate a process to ensure equity in the determination of property acquisition and relocation packages (e.g., grants for independent property appraisal and technical assistance). (Ref: p. 178)
7. Identify socio-economic impacts for areas that will become new border properties (i.e., abutting the expanded transportation corridor) after completion of a CRC build alternative.
8. Despite the suggested limitations of emissions modeling (p. 275), an evaluation of current and projected environmental and health impacts is integral to an environmental justice assessment. Alternative health impact assessment data include the measurement of inequities in: incidence of cardiovascular disease, asthma attacks, bronchitis, and hospital and emergency room visits. This assessment should highlight vulnerable populations including neighborhoods with high percentages of people who are over 65, under 5, below the poverty level, with disabilities, and minority or Hispanic.

#### **3.19 Cumulative Impacts**

1. This section provides a historical overview and impact assessment limited to the various elements of the CRC project. A conventional environmental justice approach to cumulative impacts would integrate a historical, socio-cultural, economic, and environmental analysis. This would incorporate impacts from multiple sources that impact a community's economic, social, and physical well-being. A more comprehensive cumulative impacts assessment should minimally identify other significant environmental impacts, such as facilities, mobile

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pollution sources, clean-up sites, and transportation corridors that impact the communities of concern.

**HAZARDOUS WASTE & TOXICS REDUCTION [Cristiana Figueroa-Kaminsky;  
(360)407-6342 [cfig461@ecy.wa.gov](mailto:cfig461@ecy.wa.gov)]**

1. Site Identification: The DEIS's hazardous material technical report contains a list of sites known or suspected to be contaminated by hazardous substances or petroleum products. That report can be further refined with data from two databases internal to Ecology (Environmental Report Tracking System and Revised Site Visit Program) and one federal database (RCRA-Info). The additional data is provided (see attached files) to enhance the identification of potentially contaminated or difficult cleanup sites within the project area.
2. Closure Procedures and Outreach: All impacted facilities that generate dangerous waste and store or manage hazardous materials will need to be closed appropriately and all waste and hazardous substances removed. The parties affected by purchase of their properties may need assistance, and Ecology will need to provide oversight to ensure that dangerous waste generator closures occur as required in WAC 173-300-630 (10). WSDOT and the other project proponents must conduct the necessary outreach effort to the affected parties so that closures and relocations happen in an environmentally sound manner. Ecology's HWTR Program can assist by identifying pertinent publications.
3. Soil or Groundwater Contamination: When soil and groundwater is contaminated with dangerous waste constituents as defined in WAC 173-303, then the soils and/or groundwater also are considered to be dangerous waste. If contaminant levels are lower than the Model Toxics Control Act standards for uncontrolled use, the generator can petition the agency to determine if the media instead can be handled as a solid waste.
4. Project Timeframe and Ecology/HW-TR Involvement: This project may generate more work than the HWTR program can currently manage. The proponents might consider an inter-agency agreement to provide resources to HWTR/Ecology to avoid delays resulting from excessive workload.

**SHORELINES [Kim VanZwalenburg; (360) 407-6520; [kvan461@ecy.wa.gov](mailto:kvan461@ecy.wa.gov)]**

1. The project falls within the Aquatic and Urban High-Intensity shoreline environments in the Columbia River area and Urban Conservancy shoreline environment in the Burnt Bridge Creek area. These shoreline environments are designated and defined in the Vancouver Shoreline Management Master Program (VSMMP). This should be verified with the City of Vancouver.
2. It appears both Shoreline Substantial Development (SDP) and Shoreline Conditional Use permits (CUP) will be required. Transportation facilities are a permitted use in the VSMMP, but bridge piers waterward of the Ordinary High Water Mark and utility facilities installation require CUPs. (See VSMMP Regulation #66 and the Shoreline Use Table.)
3. It is unclear whether dredging is necessary to construct the bridge piers. Dredging is a shoreline conditional use under the VSMMP in both the Aquatic and Urban: High Intensity shoreline environments.
4. If fill is used during construction the project will need a CUP.

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5. Utilities on the existing bridge may require relocation during construction and/or complete bridge replacement. It is unclear whether utility-relocation activities will be covered under applicable shoreline permits for the bridge project or whether utility owners will need to obtain separate permit(s) from the City of Vancouver. This issue needs to be addressed.

**SOLID WASTE AND FINANCIAL ASSISTANCE** [Anya Caudill; (360) 407-6084; [acau461@ecy.wa.gov](mailto:acau461@ecy.wa.gov)]

1. The Applicant must contact the Clark County health department to determine the need for a solid waste handling permit.
2. When possible, the applicant should reuse or recycle leftover construction materials and reduce generated waste. Recycling construction debris is often less expensive than disposing it in a landfill.

**TOXICS** [Cris Matthews; (360) 407-6388; [crim461@ecy.wa.gov](mailto:crim461@ecy.wa.gov)]

Many known contaminated sites lie within approximately half of a mile of the proposed project. The sites include, but may not be limited to, Ecology FS ID 197, 1050, 4380, 1066, 9189718, 3511806, 28846857, 45241242, 47231541 and 5007183. If environmental contamination is discovered within the project's boundaries it must be reported to Ecology's Southwest Regional Office. Contact the Environmental Report Tracking System Coordinator at (360) 407-6300.

**WATER QUALITY** [Shiela Pendleton-Orme; (360) 690-4787; [shpe461@ecy.wa.gov](mailto:shpe461@ecy.wa.gov) and Kris Walters; (360)407-6655; [krwa461@ecy.wa.gov](mailto:krwa461@ecy.wa.gov)]

1. The DEIS does not adequately address water quality protection during construction: A detailed adequate Stormwater Pollution Prevention Plan (SWPPP), including engineered drawings of the erosion and sediment control plan, must be submitted to Ecology before construction begins, and it must meet the requirements of the NPDES Construction Stormwater General Permit.
2. The DEIS's analysis of water quality impacts is incomplete: Burnt Bridge Creek does not meet Washington State water quality standards for fecal coliform and temperature, but there is no analysis of the increased water quality impacts from the project. While roadway surfaces technically do not produce fecal coliform, roadway runoff does convey it to receiving water bodies. The increase in impervious surfaces and expansion of stormwater ponds will produce a greater volume of stormwater runoff with elevated temperatures. The water quality impacts of these two constituents need to be fully characterized for Burnt Bridge Creek.
3. The DEIS analysis of pollutant increases is inadequate: Pollutant loading to Burnt Bridge Creek will increase for copper, zinc, TSS, and phosphorus. Do the concentrations exceed water quality standards? The DEIS and its supporting documentation lack an analysis and, specifically, a biological assessment. There is no mention of toxicity with regard to water quality, yet metals have toxic effects on aquatic life.
4. The conceptual stormwater design report is inadequate: This report is missing some key data used to assess the DEIS approach. There is no discussion of the method that will be used to design stormwater facilities. Which hydrology model will be used? Will there be

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additional monitoring? Is it feasible to expand the Burnt Bridge Creek stormwater ponds? The report states that existing stormwater conveyance systems are assumed to have adequate capacity to handle future flows. The DEIS and its supporting documents should have already made such a determination.

5. The DEIS must evaluate the impacts of tolling booths to water quality: According to the DEIS, "Tolling scenarios have no notable effect on water quality," yet "The load of pollutants, like copper, could increase with more start-and-stop traffic, which increases brake pad wear." Although tolling is expected to reduce the overall volume of traffic, that traffic has a tendency to start-and-stop at toll booths. The California Department of Transportation, in their "Discharge Characterization Study Report" dated November 2003, characterized the increase in pollutants generated at various sites, notably Highway and Tolling Plazas. Cadmium, copper, and zinc all showed an 80% increase, and other metals to a lesser degree, in pollutant concentrations at tolling plazas. The DEIS must consider tolling scenarios in water quality analyses to account for increases in these pollutants.
6. The DEIS lacks transparency: The DEIS and supporting documentation (Hydrology and Water Quality Technical Report and Conceptual Stormwater Design Report) lack transparency in pollutant loading calculations. Which pollutant concentration values were used to calculate mass loads? The Stormwater report summarized some results of highway runoff testing for dissolved copper, and stated three minimum standards used by OR, WA, and NOAA Fisheries, but didn't go any deeper into calculations or anticipated pollutant loading. What method was used to create the mass loading values as shown in DEIS Exhibits 3.16-6 through 3.16-9?
7. Analysis of water quality should have been in the hydrology and water quality technical report: The discussion of dissolved copper monitoring results, and water quality standards from regulatory agencies, is inappropriately placed in the Conceptual Stormwater Design Report. The Hydrology and Water Quality Technical Report should have been used in this context to more fully flesh out water quality, including potential toxic effects from the anticipated increase of all pollutants of concern to Burnt Bridge Creek.
8. One way WSDOT could mitigate impacts from increased traffic along the Clark County I-5 corridor would be for WSDOT to re-evaluate and improve the inspection and maintenance of their stormwater conveyance and treatment systems. In addition to Burnt Bridge Creek, all streams in this corridor have temperature and/or other water quality impairments that would benefit from stormwater improvements.

**Construction and Permitting Issues** [Sheila Pendleton-Orme; (360) 690-4787;  
[shpe461@ecy.wa.gov](mailto:shpe461@ecy.wa.gov)]

1. Coverage under the National Pollution Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated with Construction Activities is required for construction sites which disturb an area of one acre or more and which have or will have a discharge of stormwater to surface water or a storm sewer. An application can be downloaded from Ecology's website at <http://www.ecy.wa.gov/programs/wq/stormwater/construction/#Application>.
2. Erosion and sediment control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soils and other pollutants into surface water or storm drains that lead to water of the

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state. Sand, silt, clay particles, and soils will damage aquatic habitat and are considered to be pollutants.

3. During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site. Proper disposal of construction debris must be on land in such a manner that debris cannot enter the streams, storm drains or cause water quality degradation of state waters.

**WETLANDS**            **[Caroline Corcoran; (425) 649-7004; [caco461@ecy.wa.gov](mailto:caco461@ecy.wa.gov)]**

Ecology submitted these comments to the CRC Team in October, 2007 during review of the Wetlands Technical report, but they are not included in the DEIS:

1. Please append Western Washington wetland rating forms to the report.
2. Please include wetland categories in the wetland summaries.

*\*\*Ecology's comments are based upon information provided by the lead agency. As such, they do not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.*



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