



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204-1912 ■ Sam Adams, Commissioner ■ Dean Marriott, Director

June 30, 2008

Heather Gundersen, Environmental Manager
Columbia River Crossing
700 Washington Street Suite 300
Vancouver, WA 98660

RECEIVED

JUN 30 2008
Hand Delivered
Columbia River Crossing

Dear Ms. Gundersen;

L-019-001 Enclosed are the comments from the Bureau of Environmental Services on the Columbia River Crossing's *Draft Environmental Impact Statement*. As an overview, our specific comments can be divided into three major categories:

1. Water Quality. The discussion of stormwater impacts and required treatment are not adequately addressed within the DEIS. This is of special concern because the DEIS now proposes to direct stormwater to the Columbia Slough, a TMDL limited waterbody. The comments specifically request analysis of metals (lead, zinc and copper), PAHs, and PCBs which are found in the Slough in high concentrations and are highly correlated with automotive traffic in or near the bridges, suggesting stormwater runoff and air deposition. Our comments ask the project to improve its analysis of this impact and enhance the discussion of treatment beyond what is described in the DEIS.

L-019-002 2. Fish and Wildlife: The DEIS underestimates the impacts to fish and wildlife, in large part by mischaracterizing the habitat of the Columbia River and Columbia Slough. This in turn underestimates the amount and type of mitigation required to compensate for the impacts caused by the project. Our comments provide appropriate habitat characterizations and ask for a more robust analysis of impacts.

L-019-003 3. Mitigation: Our comments focus on ensuring that the mitigation is compensatory to the impacts. We are also offering, as we have in other projects such as the Milwaukee Light Rail, to coordinate with the project partners to identify mitigation sites and projects that compliment ongoing BES work.

L-019-004 These comments are a collection of views gathered from our Watershed Services, Science Fish and Wildlife Program, and Stormwater staff. Please feel free to contact Mike Rosen, Watershed Division Manager, for additional information. He can be reached at the address above, by telephone at (503)-823-5708 and electronically via mikero@bes.ci.portland.or.us.

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L-019-001

With the selection of a Locally Preferred Alternative (LPA), we were able to advance stormwater design. Please see Chapter 3 (Section 3.14) of the FEIS for an updated discussion of stormwater management and water quality. The stormwater design and analysis of impacts is designed to meet local, state, and federal requirements.

L-019-002

Please see updated habitat characterization in Chapter 3 (Section 3.16) of the FEIS.

L-019-003

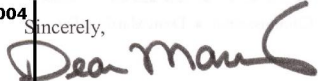
Compensatory mitigation and adherence to local, state, and federal requirements are a part of this project. We appreciate your offer to work with us on these issues and look forward to further coordinating with you.

L-019-004

Thank you for taking the time to submit your comments on the I-5 CRC DEIS.

L-019-004

Sincerely,



Dean Marriott

- Cc: John Gillam, PDOT
Mike Rosen, BES
Kaitlin Lovell, BES
Susan Barthel, BES
Dave Nunamaker, BES
Shoshanah Oppenheim, Office of Commissioner Adams
Lisa Libby, Office of Commissioner Adams

BES CRC DEIS COMMENTS: June 27, 2008 DRAFT

Comment	Sect./Page	Comment
L-019-005	1 <i>Draft</i> <i>DEIS V.1</i> 3.10 p.273	This section does not clearly address Clean Air Act provisions. Particulate deposition in project area waterbodies is not addressed. For example, recent sediment testing in the Columbia Slough has found metals (lead, zinc and copper), PAHs and PCBs at levels that exceed screening levels in areas where highways cross the Slough. Copper, which has known lethal and sublethal effects on salmon, is also highly correlated with automobile and truck traffic. Please provide a more robust analysis of these impacts and look to additional stormwater treatment to remedy the impacts.
L-019-006	2 3.14.1 p 332	BES disagrees with the statement that the Columbia River and Columbia Slough provide glide habitat for fish. The Columbia Slough does not lend itself to the same stream anatomy used in more traditional rural river systems. Unlike glide habitat, the slough provides as a uniquely important rearing and refugia habitat for listed migratory salmon. Indeed, a March, 2008 fish sampling by ODFW found ESA listed species (salmonids) at RM 8.9 on the Columbia Slough whereas listed salmonids had only previously been documented up to RM 3. The ODFW report to the City of Portland will be available in 2009. Please recharacterize the slough habitat accordingly. Similarly, fish use in the Lower Columbia River is being intensely studied with initial results showing extensive rearing in and around the Willamette-Columbia confluence area, not just for listed salmonids, but for species such as listed Sacramento Bay sturgeon. To characterize it as glide habitat, not only misuses limnological terminology, but also implies that mainstem Columbia is merely a migratory corridor when it is quite the opposite.
	3 3.14.1 p.333	Using "average depth" to evaluate impacts does not capture the reality that important fish habitat, such as near shore and shallow water, is vital to and limiting for ESA listed fish and other native fauna, and exists in small localized pockets within the project area. Please separately identify these critical and significant habitats in order to adequately evaluate impacts and appropriate mitigation strategies.
	4 3.14.1 p.334-5	We believe that information about terrestrial species in urban habitats should be included more thoroughly in this analysis. For example, bats are known to use bridges and may be displaced by the construction. Additionally, rare Western Painted turtles are found in the Columbia Slough system and may be impacted by the project.
L-019-007	5 3.14.2	We believe that discharge of the projects stormwater to the

L-019-005

We are not aware of any Clean Air Act requirements that have not been addressed, other than the final conformity analysis which is now complete with the FEIS. As you have noted, vehicle emissions can be a source of pollutants in surface water. However, the LPA would result in fewer emissions relative to existing conditions and the No-Build Alternative. In addition, the LPA would result in a substantial reduction in pollutant loading to surface waters, as discussed in Chapter 3, Section 3.14 (Water Quality and Hydrology) of the FEIS.

L-019-006

The CRC project team has updated the descriptions of existing habitat conditions, as-needed, in coordination with state and federal resource agencies. We have also updated our description of habitat types. Although we did update our discussion of terrestrial species, we have found no evidence of bats using the existing I-5 Bridge and Western Painted turtles are not anticipated to be impacted by the project. These updates can be found in Chapter 3 (Section 3.16) of the FEIS and its supporting Ecosystems Technical Report.

L-019-007

The stormwater system design used in analyzing the LPA meets stormwater treatment requirements.

L-019-007	p.344	Columbia Slough system is a direct impact. Although treated, project stormwater will carry project pollutants to this TMDL listed stream. As a result, additional stormwater treatment will be warranted.
L-019-008	6 Exhibit 3.1-4 p. 360	We believe that the proposed realignment of Marine Drive would extend the impact area, specifically to the Vanport Wetlands which should be included. (See p 372) Vanport Wetlands is a core habitat area. 150 species of birds have been documented on the site. It is also significant in the Portland area for its size in a floodplain that is largely filled or cut off from its historic functions. The project should preserve the habitat and habitat buffers at the Vanport Wetlands and not alter the form or function of the wetlands. Any impacts should be appropriately mitigated.
L-019-009	7 3.16.2 p.385	Previous documents discussed discharge of treated stormwater into the Columbia River. New designs now call for discharge into the Columbia Slough, a TMDL limited waterbody. BES recommends the implementation of stormwater treatment systems that reduce pollutant discharges to the Columbia Slough to levels that are protective of fish and human health as determined by standards considered acceptable to the Oregon DEQ.
	8 3.16.5 p. 393	See above comment #7.
L-019-010	9 3.19.8 p.430	Projections by Bob Dopplet in his 2006 Abrupt Climate Change and the Economy report (Climate Leadership Initiative, University of Oregon) suggest that the Columbia River may experience changes in water levels and salinity with climate change. Please discuss how these changes may impact the project design, environmental impacts and proposed mitigation.
L-019-011	10 3.19.17	Based on our above comments, we believe that the project impacts have been underestimated and therefore the DEIS cannot conclude that "mitigation measures that are likely under any of the build alternatives will serve to reduce harmful effects, and may improve parts of the ecosystem relative to existing systems." Once the impacts are appropriately accounted for, we agree that the mitigation measures must reduce the harmful effects and in fact should, to the greatest extent practicable, improve targeted ecosystems.
L-019-012	11 <i>Eco Tech Report</i> p.1-10	The project requires stormwater treatment through Portland's Stormwater Manual and other state and federal requirements. As such, stormwater treatment is regulatory and part of the project design and cannot be counted as mitigation for other project impacts.
	12 <i>Hydrology Report</i>	Last sentence: Columbia Slough CSO's were controlled in 2000, not 2003

L-019-008

The LPA does not encroach on the Vanport Wetland or its buffer and does not alter its form or function.

L-019-009

With the LPA, there will be a net decrease in untreated pollutant generating surfaces discharging into the Columbia Slough watershed. The discharge levels will meet regulatory standards and will be protective of fish and human health.

L-019-010

Changes in the salinity of the Columbia would have no substantial effect on the project design or impacts from the project. An updated discussion of environmental consequences and project adaptation issues related to potential changes in water level are discussed Chapter 3 (Section 3.19.10 and 3.19.18) of the FEIS.

L-019-011

The LPA project includes a great deal of mitigation, including efforts to restore currently impacted habitats. As such, it is anticipated that the LPA may improve parts of the ecosystem relative to the existing condition.

L-019-012

The stormwater management concept proposed for the LPA does meet applicable regulatory requirements. While these measures meet regulatory requirements, their use can also be considered "mitigation" in the context of avoiding or minimizing impacts that could occur (CEQ NEPA Regulation 1508.20, with stormwater runoff and standardized BMPs directly referenced on page 6 of CEQ's January 14, 2011, memorandum on appropriate use of mitigation). Regarding the Columbia

	4.4.1.2	
L-019-013	13	<i>General comments</i> Potential on site and off-site habitat mitigation sites should be identified in the DEIS process. BES would like to coordinate with the project leads to identify sites suitable for appropriate mitigation opportunities. Many of these opportunities may already be considered as part of the implementation of Portland's Watershed Management Plan and coordination may be beneficial to all parties.
L-019-014	14	<i>General comments</i> Mitigation for increased traffic volumes and associated increased pollutants does not appear to be included in the DEIS.
L-019-015	15	<i>General comment</i> The DEIS underestimates impacts on aquatic species. This project crosses critical habitat for 13 listed species. The project also causes shallow water impacts and increases air deposition of pollutants into waterbodies. BES also believes construction activities will affect habitat.
	16	<i>General comment</i> We believe that West Hayden Island's 860 acres constitute a project impact area. Because the DEIS includes project impacts associated with local access and increased traffic that directly and proximately impacts West Hayden Island, it is appropriate to include all of West Hayden Island within the project boundary and consider it appropriately for mitigation opportunities.

Slough, our reports have been updated regarding when combined sewer overflows (CSOs) were controlled for this water body.

L-019-013

The CRC project coordinated with state and federal resource agencies to identify compensatory mitigation sites, as discussed in Chapter 3 (Section 3.15) of the FEIS. Before local permits are sought, further coordination will occur with local jurisdictions. The Bureau of Environmental Services is being included in coordination discussions.

L-019-014

Daily trips across the I-5 river crossing decrease with the LPA versus the No-Build Alternative, and the stormwater management concept analyzed as a part of the LPA assumes fewer acres of untreated pollutant generating impervious surfaces versus the existing condition and No-Build Alternative. Please see Chapter 3 (Sections 3.1 and 3.14, respectively) for a discussion of these issues.

L-019-015

Chapter 3 (Sections 3.14, 3.15 and 3.16) of the FEIS discuss shallow water and construction impacts related to aquatic habitat. As discussed in Chapter 3 (Section 3.10) of the FEIS, emissions should decrease dramatically under the LPA and the No-Build Alternative, largely due to advances in cleaner fuels and emission control technologies for vehicles, advances that are independent of the CRC project. As a result, air deposition of pollutants into waterbodies should decrease as well. Regarding West Hayden Island, the project decreases traffic in the main project area relative to the No-Build Alternative and has no direct impacts on the area.