



**Oregon Department of Fish and Wildlife**  
 North Willamette Watershed District  
 17330 SE Evelyn St.  
 Clatskanie, OR 97015  
 Phone: (971) 673-6000  
 Fax: (971) 673-6074

RECEIVED

JUL 01 2008

Via Fax

Columbia River Crossing

S-006-001

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

S-006-001

To: MARGE LIFSEY From: JIM BRICK  
 Fax: \_\_\_\_\_ Pages: 3 (including cover) ✓  
 Phone: \_\_\_\_\_ Date: 7/1/08  
 Re: \_\_\_\_\_ CC: \_\_\_\_\_

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

• Comments:



# Oregon

John A. Kitzhaber, M.D., Governor

## Department of Fish and Wildlife

Northwest Region  
17330 SE Evelyn Street  
Clackamas, OR 97015-9514  
(503) 657-2000  
FAX (503) 657-2050



6/30/08

Margi Lifsey  
Environmental Coordinator  
Columbia River Crossing

Re: Columbia River Crossing Comments on 2008 DEIS

- S-006-001** | The Oregon Department of Fish and Wildlife (department) has reviewed the Draft Environmental Impact Statement (DEIS) for the Interstate 5, Columbia River Crossing Project. The department offers the following comments:
- S-006-002** | Five alternatives are proposed in the DEIS. These alternatives range from a no build option to a supplemental crossing and a replacement bridge option. Each of the build options includes an alternative with light rail or rapid bus transit.
- Currently no preferred alternative is identified, as a result the DEIS lacks specifics needed to assess impacts to fish and wildlife populations. The department offers a few general comments for this DEIS and will continue to work through the InterCEP committee to identify avoidance, minimization and mitigation measures as the project continues to develop and the local preferred alternative (LPA) is chosen.
- Potential impacts and concerns include:
- S-006-003** | • Inwater work periods-This is a topic of extremely high importance to the department. Depending on timing of in-water work, impacts to a number of important, as well as ESA listed fish species, could be realized.
  - S-006-004** | • Hydroacoustic effects-The effects of pile driving on fish have been studied and monitored. Vigilance in maintaining all mitigation measures need to be assured with knowledgeable staff on hand and back-up measures ready to be employed for emergency situations. Depending on the time of year pile driving is occurring a failure of the mitigative measures could result in a fish kill.
  - S-006-005** | • Instream and riparian habitat-Piers, piles and pile caps placed within the floodplain of the Columbia River will occupy a certain amount of area. This area corresponds to a loss of fish habitat and will be realized for the life of the bridge. Riparian habitat will also be affected.
  - S-006-006** | • Wildlife habitat and displacement of nesting raptors-The project will most likely have two layers of impacts on nesting raptors. The first will be relatively short term during construction and the second may be long-term depending on the LPA chosen.
  - S-006-007** | • Fluvial impacts-Fill within the floodplain will impact fluvial processes and thus habitat forming processes for the life of the bridge.
  - S-006-008** | • Water quality-Creation of new impervious surfaces and direct run-off to the river would allow a number of chemicals to enter the river and effect fish migration and health, impacts would vary with the LPA chosen.
  - S-006-009** | • Predator fish-The Columbia River has a number of predatory fish that consume salmonid species rearing or migrating through the area. The addition of pile caps may create areas of hiding for ambush predators.

No. 1150 P. 2

DEPT OF FISH & WILDLIFE 4:02PM 1. 2008

### S-006-002

General potential impacts and minimization measures were identified in the DEIS. Since publication of the DEIS, engineering and design detail for the project has advanced allowing the project team to identify impacts with more precision and develop appropriate minimization measures. Please see Chapter 3.16 of the FEIS for further discussion of these issues.

### S-006-003

This topic is of high importance to ESA-listed fish species and other important fish species as well as feasibility of construction. The ODFW and WDFW published in-water work window (IWWW) for this portion of the Columbia River and North Portland Harbor is November 1 through February 28. Because of the large amount of in-water work involved, this project will not be able to complete the in-water work necessary for the project within this time period. Therefore the project received a variance to the published IWWW to allow in-water work from September 15 to April 15. For some construction activities taking place outside of the normal IWWW, coordination with ODFW, WDFW and NMFS will occur, and the project will be in compliance with the terms and conditions of all required regulatory permits. A table of activities proposed to take place outside the published IWWW was included in the biological assessment prepared for the project.

### S-006-004

In-water pile driving will cause some disturbance, injury or death to some fish. However, the CRC has worked in collaboration with ODFW, WDFW, and NMFS to minimize the effects. The following minimization measures have been developed in coordination with ODFW, WDFW, NMFS and USFWS staff:

- Drilled shafts for bridge foundations instead of large diameter driven piles – permanent foundations for each in-water pier will be installed

**S-006-010**

- Recreational fisheries-Depending on the time of year, construction sequencing and potential local area closures, could have a direct impact on the angling public.

**S-006-011**

- A Fish Passage Plan will need to be submitted for approval to ODFW. Per Oregon Revised Statute 635-412, any artificial obstruction located in waters of the state in which native migratory fish are currently or were historically present must address fish passage requirements. The Columbia River is home to many species of native migratory fish including multiple species of salmon and steelhead listed under the State and Federal ESA.

**S-006-012**

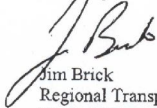
Based upon the assessment within the DEIS, the replacement crossing with the stacked bridge/highway transit option, is an improvement over the existing situation in the long term. This alternative will have less area and volume of fill below the ordinary high water line (10-20%). The result of less fill should improve fluvial processes and may provide less hiding space for predatory fish.

This alternative (amongst the build alternatives) can be completed in the shortest amount of time. This corresponds with less inwater work and less impacts to the angling public. This alternative allows treatment of stormwater which ultimately improves existing conditions.

Although discussions will continue through the InterCep Committee to avoid, minimize and mitigate unavoidable impacts, the department supports the replacement alternative with a stacked transit/highway bridge option.

Please feel free to call if you have any further questions.

Sincerely,



Jim Brick  
Regional Transportation Coordinator  
North Willamette Watershed District Office  
Oregon Department of Fish and Wildlife

through means of drilled shafts, reducing the amount of impact pile driving, the size of piles and amount of in-water noise.

- Methodology and timing of installation of temporary piles – all temporary piling must be installed using vibratory installation to set the piles; then impact driven to drive the piles to refusal per project specifications to meet load-bearing capacity requirements. This method reduces the number of daily pile strikes over 90 percent. Installation of piles using any impact driving may only occur during the CRC hydroacoustic IWWW of September 15 to April 15 of the following year. This scheduling approach avoids any hydroacoustic impacts to the most sensitive ESA-listed runs of the interior Columbia and Snake River basins. In addition, a minimum 12-hour rest period will occur each work day when no impact pile driving will occur.
- Impact pile driving installation using hydroacoustic performance measures – in-water sound pressure levels from an impact hammer will be measured in accordance with the hydroacoustic monitoring plan. Daily, weekly, yearly, and total hydroacoustic noise exposure thresholds have been proposed. If the predicted accumulated sound exposure level exceeds the proposed thresholds then NMFS and USFWS will be contacted within 24 hours to determine a course of action, so that incidental take estimates are not exceeded. Necessary steps to address include modifications to the noise attenuation system, implementation of noise attenuation or cessation of work. Further details are included in Section 3.16 of the FEIS.

**S-006-005**

Minimization measures to reduce the in-water footprint of the bridge foundation system has been a continuous effort of the CRC project and has resulted in a significant reduction of both permanent and temporary impacts to aquatic resources. The CRC project will mitigate for unavoidable impacts to the Columbia River as required under Section

404 of the Clean Water Act, the Oregon Removal/Fill Law and Washington Hydraulic Project Approval. The project will include mitigation and conservation plans and actions to identify and implement habitat protection, restoration, and enhancement as appropriate to offset loss of aquatic habitat as a result of the bridge. These actions are intended not only to compensate for unavoidable impacts of the bridge construction and demolition to species, habitats, and resource sites, but to achieve a “net conservation benefit.” Further details are included in Section 3.15 of the FEIS.

**S-006-006**

For a discussion of potential impacts to raptors and minimization measures, please see Chapter 3.16 of the FEIS.

**S-006-007**

The installation of the bridge piers within the Columbia River and North Portland Harbor will encroach upon the Columbia River’s 100-year floodplain; however minimization measures to reduce the footprint and hydraulic effect of the bridge foundation system have been incorporated into the design. Further details are included in Section 3.14 of the FEIS.

**S-006-008**

Although the LPA would increase the total amount of pollutant-generating impervious surface (PGIS) by approximately 12 percent, all existing, new, or reconstructed PGIS would receive stormwater treatment. As a result, the area contributing untreated runoff to rivers and streams would be reduced from 219 acres under the No Build Alternative to zero (0 acres) under the LPA. Further details are included in Section 3.14 of the FEIS.

**S-006-009**

Shade and hydraulic shadow areas (areas of decreased current behind

in-water structures) attract and provide cover for many species of predatory fish. Minimization measures to reduce the in-water footprint, hydraulic shadow and overhead shade of the bridge foundation system has been a continuous effort of the CRC project. Further details are included in Section 3.16 of the FEIS.

**S-006-010**

The CRC Project team will coordinate closely with ODFW and WDFW on a concerted and coordinated public outreach effort to keep the angling public informed of project activities and of the potential impacts project construction could have to angling opportunities.

**S-006-011**

The project team intends to submit a fish passage plan prior to construction, with the assumption that any new bridge structures would not inhibit passage of native, migratory fish.

**S-006-012**

As you may already know, following the close of the 60-day Draft EIS public comment period in July 2008, the CRC project's six local sponsor agencies selected a replacement I-5 bridge with light rail to Clark College as the project's Locally Preferred Alternative (LPA). These sponsor agencies, which include the Portland City Council, Vancouver City Council, TriMet Board, C-TRAN Board, Metro Council, and RTC Board, considered the DEIS analysis, public comment, and a recommendation from the CRC Task Force when voting on the LPA. The LPA includes a stacked transit/highway bridge (STHB).