



Sam Adams
Mayor

Tom Miller
Director

October 24, 2011

MEMORANDUM

TO: Kris Strickler, Deputy Director
Columbia River Crossing
Heather Wills, Environmental Manager
Columbia River Crossing

FROM: John Gillam, Supervising Planner
City of Portland - Bureau of Transportation

SUBJECT: CRC Final Environmental Impact Statement Review
by the City of Portland Technical Advisory Committee

L-001-001

As required by NEPA, the Columbia River Crossing (CRC) published the Final Environmental Impact Statement (FEIS) for the 30-day public comment period which ends October 24, 2011. On behalf of the City of Portland Technical Advisory Committee (CRC TAC), I have collected and summarized the comments and outstanding issues raised by City bureaus regarding the CRC project.

At the CRC TAC meeting held September 20, 2011, CRC and City staff discussed and agreed upon the value of a memo documenting these issues within the public comment period. The intent of this memo is to identify project issues where we feel clarity from the FEIS is needed and project issues that will require on-going coordination and mutual commitments by CRC and the City to reach successful closure as the project moves forward after the FEIS.

PRIOR PROJECT COMMENTS AND COMMITMENTS

As you are aware, the Portland City Council through Resolution 36618 supported the CRC Locally Preferred Alternative (LPA). This support was provisional. This Council action directed that on-going support of the CRC by the City would be guided by a set of policy statements that outlined the need for further work to be undertaken by the CRC during project development following the LPA.

CRC prepared a Status of Locally Preferred Alternative Conditions for review by the Project Sponsors Council on 2/18/11. For the City of Portland many of these conditions were identified as: "Issue is settled or on track to be settled with the conclusion of the FEIS and ROD but further refinement and decision-making after the FEIS/ROD will be required." It is our expectation that all of these issues will continue to be addressed cooperatively with the City following the FEIS and ROD (Record of Decision).

1120 S.W. 5th Avenue, Suite 800 • Portland, Oregon, 97204-1914 • 503-823-5185
FAX 503-823-7576 or 503-823-7371 • TTY 503-823-6868 • www.portlandoregon.gov

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CRC will continue to coordinate with the City of Portland on relevant permitting issues and the incorporation of aesthetic considerations into project design. We will also coordinate with the City, as appropriate, on the consideration of a community enhancement fund and a governance structure for managing the river crossing.

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The City of Portland also supports the commitments offered by the CRC during the discussion of the project with the Metro Council during August and September of this year. The CRC was reviewed by the Metro Council as part of the approval process for the Land Use Final Order (LUFO) for the project. Specifically, we support the commitments discussed in the letter to Metro Council President Hughes from CRC Project Director Nancy Boyd, and Kris Strickler, Deputy Director, dated September 8, 2011. This letter includes specific CRC responses to questions and discussions related to Long-Term and Short-Term Mitigation Measures, FEIS Issues, and Post-FEIS Issues.

Regarding Post-FEIS issues, we want to particularly highlight our strong support of several commitments made by CRC as part of the LUFO process including: (1) creation of a community enhancement fund to mitigate long-term cumulative freeway impacts on adjacent communities, (2) establishment of a governance structure that allows for local participation in performance-based management of the river crossing, and (3) incorporation of aesthetic considerations identified by stakeholder participants in the Urban Design Advisory Group into the project design.

COMMENTS RELATED TO REVIEW OF THE FEIS

L-001-002

listed below are comments from City bureaus developed during the review of the FEIS and actions needed to move the project forward after the FEIS. These comments are not intended to be considered as FEIS deficiencies or identify lack of impact disclosure.

1. Impacts to natural resources. The project must comply with the City's Environmental Regulations. Within its borders, the City of Portland Zoning Code regulates wetlands, streams, river buffers and other natural resources. Accordingly, environmental review will be required by the City. We request consultation between the CRC and local permitting agencies to review possible mitigation sites within the City. This environmental review process will determine the level of impacts on qualifying resources; unavoidable impacts will require mitigation.
2. Stormwater management and facilities. The project must comply with the City's Stormwater Management Manual. Prior to obtaining the proper site development permits for the Project, City requirements include review of the following: (a) the location of storm water management facilities; (b) the effect upon the performance of the City's storm water system; and (c) potential impacts to the FEMA flood plain designations. Additionally the size, location, engineering design and aesthetics of stormwater treatment facilities must be considered within the context of the goals and community concept of the Hayden Island Plan.

The Hayden Island Plan anticipated neighborhood-oriented commercial development (retail, services, etc.) on parcels east of the highway and west of N Jantzen Drive. Land use regulations adopted with the plan support this type of development. Recent project designs have shown large stormwater facilities adjacent to the highway on the east in the locations planned for neighborhood commercial development, rendering much of these site non-developable. The CRC should explore stormwater management alternatives with project partners and stakeholders

L-001-002

The CRC project will coordinate with the City on relevant City permitting requirements regarding natural resources and stormwater, related mitigation, design reviews, the Bridgeton Trail extension, other trail designs as appropriate, design of local roadway improvements, plans for minimizing impacts to businesses during construction, and LRT station design. The project is coordinating with the U.S. Army Corps of Engineers regarding impacts to the levy and related permitting.

The transfer of 0.4 acre of surplus land to the City of Vancouver is mitigation for the project's direct impact on the City's existing Waterfront Park, an existing public park and a Section 4(f) resource. The project has no impact to public parks on Hayden Island and therefore no need for such mitigation. The CRC project does not currently propose to convert the existing Thunderbird site on Hayden Island into a public park, but it also does not preclude it from becoming a public park in the future. The project will consider how CRC project design and construction can avoid precluding the ability of the City to build a park there in the future.

The stormwater facilities shown in the FEIS are preliminary in nature and will continue to be refined as design work progresses. Under the terms of the BO, the CRC project must treat stormwater runoff using bioretention, bioslopes, infiltration ponds, porous pavement, constructed wetlands, and vegetated and soil amended swales designed for infiltration. Based on the information we have on file, stormwater runoff is currently not treated before being released to North Portland Harbor or Columbia River.

The Hayden Island Redevelopment Plan states that runoff from local streets will be treated in roadside planters and that CRC stormwater will be managed in a "green, state-of-the-art manner." The stormwater treatment proposed in the FEIS does include the "green streets" approach proposed in the Hayden Island Redevelopment Plan to the

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and develop solutions that balance stormwater requirements with planning goals in this urbanized setting.

3. Proposed pier locations at the levees along the south. Protection of the levees along North Portland Harbor, especially along the southerly side, is a significant issue for both the Army Corps of Engineers and the City (to minimize flooding). It is necessary to assure that the Army Corps of Engineers confirms that requirements for levy protection in this area are fully satisfied and that the performance of the levees will protect the area from flooding.

4. Design and permitting reviews. Project elements constructed within City of Portland right-of-way require review at the 30%, 60%, 95% and final pre-construction stages. Along with project plans, these reviews require traffic operations analyses, driveway and local street access plans, and pavement analyses. Upon resolution of review issues, City Engineer Steve Townsen, P.E. will approve the plans for construction. For other project elements, site permits processed by the City's Bureau of Development Services will be required.

5. Multi-use Path. This pedestrian and bicycle facility is a critical element of the CRC. The City supports development of the multi-use path (MUP) on the east side of the highway across North Portland Harbor as part of the northbound on-ramp from the Marine Drive interchange. Section 3.1.3 of the FEIS refers to the commitment of the Project Sponsors Council to implement the recommendations of the Pedestrian and Bicycle Advisory Committee (PBAC). PBAC recommends a 24-foot width path for the "bridge under deck" option for the main river crossing, whereas the FEIS refers to a 16-20 foot path width.

The City acknowledges that bridge structure limitations may affect the width of the MUP on the river crossing and over North Portland Harbor and looks forward to working with CRC to design a bicycle and pedestrian facility that is as close to the PBAC recommendation as is technically feasible.

6. Bridgeton Trail connection. The City Council LPA Resolution included Policy Statement MD3: "The CRC project shall include an extension of the pedestrian and bicycle facilities to Bridgeton including a first phase construction of the Bridgeton Trail." Part of this first phase of the trail is now being constructed by the City. During the review of LPA conditions CRC staff indicated that trail segments being built as part of the CRC will extend eastward and connect to the segment being built by the City. This commitment is not clear in the FEIS, but it is our expectation that this will be a part of the project. We also look forward to working with CRC to define the design of other trail elements being built as part of the CRC.

7. Traffic impact analysis and road design. Traffic analyses prepared as part of the FEIS has incorporated zoning and future development assumptions prepared for the Hayden Island Plan. Roadway design including the width of streets has been based on these development assumptions along with certain design, safety and vehicle congestion management standards. However, as the CRC moves forward from the

extent feasible. This approach to stormwater treatment is not suitable for streets located under bridges (where it will be difficult to establish plants) or where streets are at or below the seasonal high groundwater table. We will continue to review the developing design to determine whether additional streets lend themselves to this method of runoff treatment.

The possibility of early construction of the local multimodal bridge will continue to be a consideration by the project as project sequencing is refined. It is also discussed in Chapter 2 of the FEIS, (Section 2.3.1), but not as mitigation. Although it is not appropriate to describe the early construction as mitigation, it is discussed as something we will explore as we further refine construction staging. Specifically Section 2.3.1 of the FEIS states:

Similarly, the Marine Drive interchange construction would need to be coordinated with construction of the southbound lanes coming from Vancouver. While this interchange can be constructed independently from the work described above, the completion and utilization of the ramp system between Hayden Island and Marine Drive requires the work to occur in the same period. Early construction of the local multimodal bridge between Marine Drive and Hayden Island, so that it can be used as an alternate access route during the remaining construction period, will be analyzed during final design. The interchange reconstruction also needs to occur so that Marine Drive can be elevated, allowing the light rail extension to cross under Marine Drive. The Marine Drive interchange is expected to take a little more than 3 years to construct, including work at the Victory Boulevard interchange.

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FEIS toward more detailed roadway plans, the City recommends that a broader range of street design objectives be considered. Objectives such as business access and operations, bicycle facilities, pedestrian facilities and street crossings, stormwater management and streetscape elements need to be recognized.

The project features surface street intersections that involve both State and local road authorities, e.g. the City. Consequently, performance of these intersections requires evaluation based on both State and City performance criteria. Refinements of traffic analyses and design decisions should consider any new information including emerging policies such as proposed amendments to the Transportation Planning Rule and Oregon Highway Plan that recognize special considerations for urban places, particularly those areas served by high capacity transit like Hayden Island.

8. Access to local streets and existing business driveways. Section 3.4.3 of the FEIS references Interchange Area Management Plans (IAMPs) under development "in coordination with the City of Portland, ODOT, and other stakeholders." As development of the IAMPs and roadway design details progress, it is important to incorporate the vehicle access needs of existing businesses as a high priority. CRC has expressed willingness to work closely with PBOT regarding design criteria for determining access for local streets and commercial properties.
9. Minimize disruption to local businesses and residents during construction. Section 2.3.1 of the FEIS describes the construction sequencing, duration, and potential detours at construction locations. The City will require submittals from CRC to review construction staging and traffic control plans for handling traffic during construction. Local area circulation and the amount of time residents will experience disruption are significant issues. The City will require that access to and from Hayden Island be maintained at all times throughout the estimated 65-month interchange construction period.
10. LRT station design. City Council Resolution 36618 included Policy Statement HI1: "Provide ultra high-quality LRT station that provides a community focal point and safe, attractive, and accessible pedestrian and bicycle facilities." The CRC has worked closely with the Portland Working Group (PWG) to investigate options and reach consensus on various station design and access facilities which are not clearly represented in the FEIS graphics. The City understands station design and access is a work in progress looks forward to working with CRC and stakeholders to develop progressive levels of detail to meet the design objectives of the PWG.
11. Local arterial bridge. LPA Option A includes a multi-modal bridge connecting Hayden Island to the mainland south of North Portland Harbor. This design includes functions for traffic, trucks, pedestrians, bicycles and transit. Option A is the only option supported by the City. This local arterial bridge is a critical CRC project feature serving the station community area on Hayden Island. The City believes this bridge should be an early construction phase project element.

Kris Strickler, CRC Deputy Director
Heather Wills, CRC Environmental Manager

October 21, 2011

L-001-002

12. Potential future park site. The community concept section of the Hayden Island Plan identified the area west of I-5 as a potential opportunity site for a waterfront park. As CRC project development progresses, the City recommends that design and property decisions consider the potential for a future park and view point along the north bank of the island as represented in the Hayden Island Plan.

On behalf of the City's CRC TAC, we appreciate the opportunity to provide these comments. Please let us know if you have any questions.



City of Portland Office of Neighborhood Involvement
North Portland Neighborhood Services

2209 N. Schofield Portland Oregon 97217
503.823.4524 503.285.5614 fax
www.npnscommunity.org

Tom Griffin-Valade, Director

Arbor Lodge Bridgeton Cathedral Park East Columbia Kenton Hayden Island Overlook Piedmont Portsmouth St Johns University Park

October 24, 2011

Victor M. Mendez
Administrator
Federal Highway Administration

Peter M Rogoff
Administrator
Federal Transit Administration

c/o Heather Wills
Columbia River Crossing
700 Washington Street, Suite 300
Vancouver, Washington 98660

L-002-001 The North Portland Chair Network, composed of the leaders representing the eleven North Portland neighborhoods, would like to take this opportunity to express our full support of the position of the North Portland neighborhoods most impacted by the CRC Bridge, Hayden Island, Bridgeton, East Columbia, and Kenton. The residents of these neighborhoods have volunteered many, many hours studying all aspects of the new CRC Bridge.

L-002-002 We have had ongoing concerns that the CRC staff has disregarded and discounted input from residents of these impacted North Portland neighborhoods as well as community advisory groups engaged by the CRC staff. In your evaluation, we urge you to include the intrinsic values of community support and community pride in your analysis of what type of bridge should be built over the Columbia River.

For the Arbor Lodge, Bridgeton, Friends of Cathedral Park, East Columbia, Kenton, Hayden Island, Overlook, Piedmont, Portsmouth, St Johns, and University Park neighborhood associations chairs,

*Tom Griffin-Valade
Director
North Portland Neighborhood Services*

L-002-001

Significant work has gone into developing the CRC project, including an ongoing public involvement effort. The public involvement program includes numerous advisory groups to ensure the values and interests of the community are reflected in project decisions. These groups include representatives of public agencies, businesses, civic organizations, and neighborhoods, as well as freight, commuter, and environmental groups. Feedback from the general public and advisory groups has been generally supportive of the project, including support for the transit, bicycle, pedestrian, highway, interchange, and financing elements of the project. See Chapter 2 (Section 2.7) of the FEIS for more discussion on the process used to develop project alternatives and select a Locally Preferred Alternative.

L-002-002

While the selected bridge type is not the one preferred by these commenters, community input and concerns were a factor in making the selection.



700 WASHINGTON STREET
SUITE 300
VANCOUVER, WA 98660
360-737-2726 | 503-256-2726

September 8, 2011

Mr. Tom Hughes
Metro Council President
600 NE Grand Avenue
Portland, OR 97232

Dear President Hughes:

L-003-001

In recent weeks, the Columbia River Crossing has been working with Metro staff to address questions regarding mitigation identified in the Final Environmental Impact Statement (FEIS) document and commitments for work activities going forward. Attached is a document that summarizes some of the questions that have been raised, and how we have worked to resolve some of those questions with Metro staff. We are pleased with the coordinated progress we have made.

In the attachment, there are references to "we" and "the project" that are intended to refer to the Columbia River Crossing project, a joint project of the Oregon Department of Transportation and Washington State Department of Transportation. The project team is committed to the actions described in the attachment, and in the FEIS document that is soon to be published by our federal partners.

At your suggestion we have made the following modifications or amendments to the written materials included in the Metro Council's September 6, 2011, Work Session Packet.

- Page 4 – Multi-year construction contracts will include a stipulation requiring that construction equipment and methodology utilize the best available practices, through the life of the project as they become available, to minimize environmental impacts.
- Page 4 – Provided a more clear description of short term vs. long term mitigation for air quality.
- Page 6-7 – Community Enhancement Fund – Added the draft scope of work to this section; and deleted the first paragraph previously attached as part of the scope.

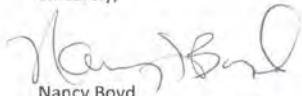
L-003-001

This letter, written by the Columbia River Crossing project, was submitted as public comment by several individuals. The project will continue to coordinate closely with Metro staff and Councilors on these and other issues.

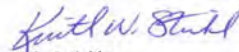
L-003-001

Thank you for the opportunity to discuss the CRC project with you in the Metro Council Work Session. The open and collaborative discussion will help lead to a better project that will benefit the entire region. We sincerely appreciate your efforts to ensure this project moves forward in a way that is considerate and inclusive of Metro, and the interests of the community. We look forward to our work with you as the project proceeds toward construction. As always, we thank you for your support.

Sincerely,



Nancy Boyd
Director



Kris Strickler
Deputy Director

Cc: Metro Councilors

Enclosure

FEIS and post EIS Metro Questions
and CRC Responses
resulting from
August 11, 2011 Metro Council Meeting
And September 6, 2011 Metro Council
Work Session

Hayden Island Long and Short Term Mitigation in FEIS

L-003-001

The FEIS includes various mitigation measures or offsets that are specific to Hayden Island for long term and short term impacts from the project. Short-term mitigation measures are for impacts identified during construction, while long term mitigation measures constitute post construction commitments or concepts. Below is a list of the mitigation measures and where they can be found in the July 2011 version of the Draft FEIS.

1. Long Term Mitigation (or offsets) for Hayden Island:

a. Displacements (page 3-91):

- (All) Purchase property for fair market value as determined through an appraisal and in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended..

b. Visual (page 3-250):

- Planting vegetation, street trees, and landscaping for screening or visual quality,
- Shielding station and facility lighting from nearby residences and the night sky,
- Minimizing structural bulk, such as for ramps and columns,
- Designing architectural features to blend with the surrounding community context,
- Use of public art for transit,
- Utilization of the UDAG Design Guidelines

c. Safety (pages 3-64 and 3-250):

- Transit station will be designed with Crime Prevention Through Environmental Design and will be monitored with police, private security patrols, and security cameras.

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2. Short Term (Construction Period) Mitigation for Hayden Island:

a. Air quality (pages 3-262 – 3-263):

- Controlling dust and exhaust emissions from demolition and construction activities,
- Contractors are required to comply with ODOT standard specifications (Section 290) for dust, diesel vehicles, and burning activities described above,
- Follow ODOT's specifications for truck staging areas for diesel-powered vehicles,
- Diesel construction vehicles and equipment will use ultra low sulfur diesel or will otherwise comply with any new, more stringent regulations in place at the time of construction,
- The project will continue to pursue emerging technologies for cleaner construction emissions, like the use of diesel scrubbers for compatible equipment, and continue to encourage and require those types of technologies as bidding laws allow.
- Stationary sources, such as concrete mix and asphalt plants, are generally required to obtain an Air Contaminant Discharge Permit from either DEQ or SWCAA and to comply with regulations for controlling dust and other pollutant emissions.
- Construction materials and activities would be managed to minimize dust, glare and smoke.

b. Noise and vibration (pages 3-295- 3-296):

- Comply with ODOT standard specifications relating to noise, including:
 - Limitation of hours and days on which construction is performed,
 - Equipment using sound-control devices,
 - Equipment comply with EPA noise standards,
 - Establishment of a complaint hotline,
 - Use broadband back-up alarms, or restrict the use of back-up beepers during evening and nighttime hours, and use spotters,
 - Contractor will perform vibration monitoring of all activities that might produce vibration levels,
 - Strategic placement of material stockpiles,
 - If specific noise complaints are received, contractor may be required to:
 - Locate stationary construction equipment as far from nearby noise-sensitive properties as feasible.
 - Shut off idling equipment.
 - Reschedule construction operations to avoid periods of noise annoyance identified in the complaint.
 - Notify nearby residents whenever extremely noisy work will be occurring.

- Install temporary or portable acoustic barriers around stationary construction noise sources.
 - Operate electrically powered equipment using line voltage power rather than generators.
- c. Commercial impacts (pages 3-65 and 3-115 – 3-116):
- Scheduling construction activities to minimize conflicts during peak travel ,
 - Contractor required to obtain approval of traffic control plans,
 - Maintain a program of coordination with and outreach to affected business and community interests to oversee the development and implementation of a transportation management plan,
 - Establish a telephone complaint and information system to be staffed around the clock by personnel with authority to require the contractor to initiate immediate corrective action,
 - Limit or concentrate work areas to minimize disruptions,
 - Identify, provide and/or advertise temporary parking locations,
 - Relocate affected loading zones, property accesses, bus stops, and other specially designated parking and access points before construction.
 - Keeping businesses open and accessible
 - Signs to identify the location of access points to businesses
 - Business planning assistance
 - Contractors coordinate schedule, pace and order of construction to minimize impact to nearby businesses
 - Where possible, provide for local contracting opportunities
- d. Traffic and transportation (pages 3-157 – 3-158):
- Maintain the existing bus service that regularly connects Hayden Island with nearby grocery and other retail services. This may include additional routing on the island to provide greater transit access during construction.
 - Maintain paratransit and a shuttle service for qualifying, mobility impaired Hayden Island residents
 - Provide effective detours that minimize out-of-direction travel and delays for travelers, and minimize cut-through traffic.

CRC Responses to specific FEIS issues

L-003-001

1. Replacement of Safeway grocery store

The displacement of Safeway is documented in the FEIS. Mitigation for this impact is governed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The project will suggest that Safeway relocate on Hayden Island, but cannot require them to relocate in any specific location. The eventual relocation will be a business decision by Safeway.

We have been informed that there will be a Target grocery store and pharmacy as part of the redevelopment plan for the Jantzen Beach Super Center. We understand that officials representing the Super Center initiated a site plan review with the City of Portland for a relocation and expansion of the Target store. Plans submitted to the City of Portland's Bureau of Development Review indicate that the store could include a grocery and a pharmacy. The plans show, for the Super Center as a whole, a space for a pharmacy, and at least one space for a grocer. We will continue to track this as redevelopment occurs.

2. Mitigating construction impacts such as dust, air pollution, vibration and air quality monitoring on Hayden Island

- a. See Hayden Island Short and Long Term mitigation section above.
- b. Multi-year construction contracts will include a stipulation requiring that construction equipment and methodology utilize the best available practices, through the life of the project as they become available, to minimize environmental impacts.
- c. Air quality monitoring:

We understand there is a desire for air quality monitoring on Hayden Island during construction and long term. With the LPA, air quality is predicted to be better than in the no-build condition due to project improvements and fleet changes, therefore the project is not providing additional long term mitigation for air quality impacts beyond the elements of the project itself that will produce a reduction of vehicle emissions through the use of alternative modes and less congestion and bridge lift related idling (short term mitigation is discussed previously). In addition, air quality monitoring is not considered a form of mitigation, because the toxin source cannot be identified accurately. For some types of air toxics, such as diesel particulates, no direct measurement methods exist.

Finally, monitoring of Mobile Source Air Toxics (MSAT's) within a project corridor would yield data results that would be inconclusive in terms of health risk since short term and long term exposure limits or concentration levels have not yet been identified by the EPA. Issues that affect the accuracy of the health risks were also discussed in the air quality report for the CRC.

3. Early construction of the local bridge as a mitigation measure during the construction period

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The possibility of early construction of the local multimodal bridge will continue to be a consideration by the project as project sequencing is refined. It is also discussed in Chapter 2 of the Draft FEIS, (Section 2.3.1), but not as mitigation. Although it is not appropriate to describe the early construction as mitigation, it is discussed as something we will explore as we further refine construction staging. Specifically it reads:

Similarly, the Marine Drive interchange construction would need to be coordinated with construction of the southbound lanes coming from Vancouver. While this interchange can be constructed independently from the work described above, the completion and utilization of the ramp system between Hayden Island and Marine Drive requires the work to occur in the same period. Early construction of the local multimodal bridge between Marine Drive and Hayden Island, so that it can be used as an alternate access route during the remaining construction period, will be analyzed during final design. The interchange reconstruction also needs to occur so that Marine Drive can be elevated, allowing the light rail extension to cross under Marine Drive. The Marine Drive interchange is expected to take a little more than 3 years to construct, including work at the Victory Boulevard interchange.

4. Review of the Finance Chapter of the FEIS (incorporate recommendations from the OST)

The project has incorporated the treasurer's recommendations to reduce financial risk and provide a more conservative finance plan. The updated financial chapter in the FEIS includes a recalibrated tolling financial projection to reflect the stalled economic growth and a level debt service. The treasurer's office is currently reviewing the FEIS financial chapters for consistency with his recommendations. The CRC will submit a finance chapter that reflects the treasurer's recommendations and the Federal Transit Administration and Federal Highway Administration will provide final approval of the finance chapter for FEIS publication.

5. Inclusion of the Bike/Ped Safety and Security Plan in the FEIS

We have included new language in 2.2.3 Pedestrian and Bicycle Improvements. We also refer the reader to the Memo from the Pedestrian and Bicycle Advisory Committee to the project and letter from the project accepting these recommendations. The new language reads:

Safety and Security

A maintenance and security program for the multi-use pathway would be established. It could include some or all of the following, as well as additional, elements:

- Identification of reliable funding sources and responsible parties for maintenance and security
- Commitment of reliable funding sources and responsible parties for maintenance and security
- Demand responsive and prompt facility management and maintenance
- Opportunities to "program the space" and support activity (e.g., kiosks, overlooks, vendor opportunities) to provide "eyes on the pathway"
- Ensure 24 hours a day, seven days a week pedestrian and bicycle access to and across the bridge and its connecting pathways

L-003-001

- Visible and regular on-site monitoring by law enforcement officers or security staff
- Security cameras monitored by law enforcement officers or security staff
- Call boxes to enable bridge users to report immediate maintenance needs and security concerns
- Efficient, sufficient, vandal-proof, no glare and dark skies compliant clear, crisp, white LED lighting
- Clearly posted laws and ordinances
- Advance notification and posting of maintenance closures and detours
- Citizen and volunteer participation shall be encouraged for future maintenance, operations and programming

CRC Responses to Post EIS Issues

1. Disposition of the former Thunderbird Hotel site after use as a construction staging area as a park

The process for the final decisions regarding the disposition of any surplus property is made following the completion of construction. The potential uses of this specific site as a park and its potential to be declared surplus property will be discussed and coordinated with residents, local property owners and project partners.

2. Establish an approach to considering a park and ride lot on Hayden Island

Further discussion regarding a park and ride on Hayden Island will occur as the project design is further developed after the Record of Decision. Compared to current transit access, the LPA represents a 25% driving distance reduction for a typical Hayden Island resident to access a park and ride facility and without having to use the freeway system. Please note the City of Portland's Hayden Island Plan designates the MAX station area as a mixed use district. Generally, TriMet and the City of Portland policies do not support siting park & rides in existing or planned mixed-use districts.

3. Commit to development of a community enhancement fund proposal

In the last three years the CRC project team, the Project Sponsors Council, and CRC advisory groups have focused on incorporating a wide range of community enhancements into the project. The project has looked for ways to leverage the highway and transit investments into additional improvements for project neighbors and local communities. These improvements are beyond the benefits identified as the project's purpose and need. These tangible improvements include: improved local street connections in downtown Vancouver; new local roads and improved local flow and connections for Hayden Island residents; better bike and pedestrian access to the improved facilities; new bike and pedestrian trails; and a separate bridge for local auto access from North Portland to Hayden Island.

We know there is more to be done. The CRC remains committed to aggressively maximizing and leveraging resources to bring additional benefits and improvements to our community. Two options have been identified for further exploration, both include a financial set aside of a

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specific amount dedicated to a specific purpose. One approach is a project specific community enhancement fund. There is some history with such an approach - the Delta Park I-5 widening project (2006) and Metro's solid waste program (1991) are two examples. The other approach is a different concept, a regional fund established by the state to benefit the neighborhoods and communities in close proximity to I-5 and the CRC project. Both approaches have been successfully implemented in the Portland region and will help inform this effort.

We need to be clear about both of these approaches - neither will be easy. Both approaches have limitations and legal restrictions associated with anticipated funding sources. Both will require legislative support. Both will likely need enabling legislation and both will require funding. To be successful will require a clear purpose with obvious benefits and very broad support.

We appreciate the attention and focus that the Metro Council has maintained on this issue. The CRC is committed to working with Metro and project partners to: develop a clear need or problem statement; review and advance a program that addresses the needs statement with funding sources or opportunities identified; and, submit the program concept(s) to the Oregon legislatures in 2012 or 2013. The work scope to carry this out is defined below:

Community Enhancement Fund Scope of Work/Work Plan

- Development of Purpose and Goals of the Community Enhancement Fund.
- Definition of a policy basis for establishing the fund.
- Investigation of existing programs, including implementing agencies, legal structure, decision-making structure and criteria, project eligibility, accountability and summary of actual projects implemented.
- Definition and evaluation of alternative organizational and governance structures for administration of the fund and minimum requirements for representation on enhancement fund project selection committees. Consideration of alternative approaches for administration, including in-house, through an existing foundation (such as Oregon Community Foundation or Meyer Memorial Trust) or creation of a special purpose non-profit organization.
- Definition of community enhancement fund project eligibility and required vs. optional selection criteria.
- Investigation of legal restrictions of various potential funding sources under federal, state, regional and local authority and funding limitations. Identification of potential legislation required for implementation.
- Definition of mechanisms to ensure accountability of expenditure of public funds.

4. Establish how phasing will be defined and Metro will be involved

The CRC has always anticipated that construction of the entire project would require several years and would be phased to provide the most efficient implementation while minimizing impacts on the community and corridor users. Project engineers began months ago reviewing

engineering realities associated with keeping the facility open for users and bringing key elements such as light rail transit on line as expeditiously as possible.

While the engineering work on phasing was in progress, the project team also began an update of the financial analysis for the FEIS. That work dovetailed with the governor's request to the state treasurer to undertake an independent review of the CRC's "financial options, an assessment of strengths and weaknesses, as well as project phasing schedules with contingency plans if some of the funding does not materialize."

The state treasurer's review provides more clarity as well as updated information on the finances available for project implementation and the flow of those resources. In addition to the treasurer's work, the governor went further and signaled that he expects the CRC to start planning for a project that "adapts to available resources and fits into today's economic reality."

Capturing the work of the state treasurer and recognizing the changing economic realities, the CRC has begun an intensive work plan overlaying the engineering phasing with anticipated cash flow and funding realities. We have been asked to have this work ready for review and discussion by the interim legislative committees in both states. We anticipate that this work will have a full and complete public review and discussion, which will include Metro and other project partners.

The project is also incorporating the treasurer's recommendations to reduce financial risk and provide a more conservative finance plan. This more conservative approach will help inform the CRC's sequencing plans. The updated financial chapter in the FEIS will include a recalibrated tolling financial projection to reflect the stalled economic growth and a level debt service. Further financial scrutiny and certainty will result from an investment grade analysis that will occur prior to the initial sale of bonds.

5. Establish how governance of the project after completion will be determined and how Metro will be involved

In 2010, the Project Sponsors Council began discussing a set of complicated policy issues dealing with the management of this multi-modal facility. To facilitate a more in-depth review of some of these "governance" issues, a 14-member work group comprised of partner agencies, including Metro, was formed and chaired by Henry Hewitt and Steve Horenstein. The work group agenda includes developing options to implement a structure for on-going governance and project management in the periods before, during and after construction.

To help inform these discussions, WSDOT, ODOT, state DOJ/AG's, and the CRC are currently identifying key legal issues between the states and developing corresponding terms and conditions that will ultimately form the intergovernmental agreements. This scope of work includes:

- Reviewing existing bi-state agreements, decision matrix, and supporting documents;
- Reviewing state authority for Oregon and Washington;

- Developing proposals and options for governing structure for toll setting and administration, including how it would work with the Oregon and Washington Transportation Commissions;
- Developing proposals for debt allocations, including identification of needed legislation; and
- Identifying issues that may need resolution through new state or federal legislation.

The Oregon treasurer's July 20, 2011, report confirms the CRC focus with a finding that the CRC's governance plan must include a robust toll setting mechanism to assure that all toll-related debt service is paid in full each year through toll revenues.

The legal review and findings currently underway will serve as foundation for the governance work group as it develops options on possible governance models. This work must result in a governance model that will build confidence with the bond markets.

The probability that state legislation will be required in Washington and Oregon requires substantial progress on key governance issues in the next year. The CRC is working on a timeline and work plan for identifying and resolving the legal, policy and political issues on management of the facility. The specific schedule for which work when will be developed in response to the timelines associated with legislative action and bonding.

A report entitled "Columbia River Crossing, Cross-Jurisdictional Laws, Governance and Funding" has been distributed to Metro staff as further information on this topic as well. The report was originally prepared for the Washington State Legislature pursuant to ESSB 6381.

6. Establish how the finance plan will be refined and implemented over time and how Metro will be involved, including when there will be a decision on collection of tolls during construction

The financial plan for the CRC project is a combination of state, federal and local contributions. The general basis of that plan is not anticipated to fundamentally change but will be flexible in response to timing of available revenue. It is the project's intent to seek funding that does not jeopardize other regional priorities.

Specifically related to the federal dollars being contemplated, the project will pursue FHWA highway discretionary funding and FTA Section 5309 funds through the competitive New Starts process. The funding contribution being pursued is \$400 million in highway funds, and \$850 million through New Starts. Work on this portion of the plan will continue through the Preliminary Engineering, Final Design and the Full Funding Grant Agreement phases of the project. The project anticipates applying to enter into Final Design by early summer 2012, and hopes to begin receiving grant funds prior to construction starting in 2013.

The state funding participation is anticipated to be in the amount of \$450 million each from Washington and Oregon. Initial requests will begin in the legislative sessions for 2012 and/or 2013, with state funds being allocated prior to construction in late 2013. The CRC looks

forward to continued partner agency support, including Metro, in the quest for state funds for this important project.

The local participation described above will be pursued as tolls on the new crossing. The authorization to toll will be a topic in the 2012 Washington legislative session, and toll bond sales are anticipated to begin upon completion of the toll investment grade analysis, currently planned for 2013. Toll bond covenants will require that toll revenues are first used for the following: debt service, reasonable return on private investment, and operation and maintenance, including reconstructing, resurfacing, restoring and rehabilitating work, among other things.

The recently released analysis by the Oregon Treasurer advanced the idea of pre-completion tolling to help achieve sufficient revenues. Further discussion of tolling during the construction phase will likely be raised during the engagement process with the legislatures, and pending governance discussions will need to be resolved to implement tolling.

7. Establish how aesthetic considerations will be incorporated into the design and how Metro will be involved

Governor Kitzhaber is working on a proposal to appoint a bi-state committee to review and select an architect and a bi-state bridge design advisory committee to work with the architect and public. The draft work plan is still in progress but is guided by the following:

"Moving forward the project requires highly qualified, exceptionally skilled, visionary design leadership that understands the importance of design in delivering a project that is worthy of the majestic setting and serves the needs of the citizens." UDAG

A joint governor appointed independent selection committee will review qualifications and recommend a qualified bridge architect to work with stakeholders, the urban design community, public, and project staff to develop conceptual designs, standards and/or criteria that will be included in any bridge construction procurement documents. This firm or person could be retained throughout the design and construction of the bridge to develop, explain, and work with the design/builder to ensure that the final bridge design includes these standards and criteria.

The architect(s) would:

- Develop the aesthetic response to the crossing over the Columbia;
- Include the Harbor bridge(s) and the Hayden Island and SR 14 interchanges;
- Create increased certainty in the community about the conceptual design;
- Develop the design standards and/or criteria for inclusion in the bridge design-build RFP; and
- Provide consistency for the aesthetic design throughout the design-build process.

The architect will work with a group of stakeholders to develop conceptual designs, engage the public on design concepts, and approve the architectural standards and/or criteria for inclusion in design-build RFP and procurement documents. The members will represent diverse bridge

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and bridge corridor stakeholders including, but not limited to: freight, marine, bike/ped, neighbors, commuters, transit and design community.

This work is in progress and is guided by providing adequate time to inform the design-build procurement schedule.