



The Confederated Tribes of the Grand Ronde Community of Oregon

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October 21, 2011

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

via electronic submission to:
feedback@columbiarivercrossing.org

Re: Columbia River Crossing FEIS

Dear Sir or Madam:

T-001-001 The Columbia River Crossing ("CRC") project is in the homelands of the antecedent tribes and bands of the Confederated Tribes of the Grand Ronde Community of Oregon. Tribal villages were located on both sides of the Columbia, near the CRC project. The tribes ceded lands along the Columbia River to the United States by the Treaty with the Kalapuya, Etc., dated January 22, 1855 (10 Stats. 1143). Today, Grand Ronde tribal members live throughout the Portland basin, adjacent to or near the Columbia River. The ecology of the river is integral to the Tribe's culture, and the sense of stewardship retained by the Tribe for its homelands.

The CRC project FEIS proposes a compensatory mitigation site along Hood River, approximately one mile upstream of its confluence with the Columbia River. (Section 3.15) The Confederated Tribes oppose mitigation at the Hood River site, 60 miles from the CRC project. Mitigation should occur west of the Cascade Range to offset the local impacts of the CRC project. The Confederated Tribes strongly support restoration and mitigation at or near the confluence of the Columbia and Willamette Rivers. We believe restoration of shorelines and off-channel salmon habitat is viable along the Multnomah Channel and at the mouth of the Willamette River, areas near the project site.

Mitigating CRC project impacts in the distinct Hood River ecosystem precludes effective use of plant species culturally important to the Confederated Tribes, such as red osier dogwood, juncos, alder, salmonberry and sword fern. While these species may in some circumstances grow outside western Oregon and the Portland basin, their combination with east-side species would create habitat different from what would occur naturally in the area of the project site. Moreover, such distant habitat would be outside the homelands of the Confederated Tribes, remote to most Tribal members.

Umpqua Molalla Rogue River Kalapuya Chasta

T-001-001

As part of the Biological Assessment (BA) preparation and in anticipation of two state and one federal permit, the CRC project convened a working group (Conservation Measures Working Group) of permitting agencies that included NOAA Fisheries (NMFS), US Fish & Wildlife Service (USFWS), Oregon Department of Fish and Wildlife (ODFW) and WDFW to evaluate possible aquatic habitat restoration projects to offset adverse impacts. The working group developed goals, objectives and criteria that potential restoration projects within the Columbia Basin would have to meet to qualify as potential mitigation for ESA impacts from the CRC project, as described in the *CRC Guide to Project Sponsored Conservation*. Solicitations for information were sent to groups conducting, or involved with, aquatic habitat restoration projects throughout the Columbia Basin, including all tribes. This effort resulted in a list of over 100 potential aquatic habitat restoration projects that would provide habitat benefits to specific ESA-listed salmonid runs.

All project descriptions received from CRC's request for aquatic habitat restoration projects in the Columbia Basin were compared against the Guide. The Lewis River Confluence Restoration Project in Washington and the Hood River Side Channel Restoration at River Mile 1.0 in Oregon met all of the Guide's goals and project selection criteria and obtained concurrence with in concept from the Conservation Measures Working Group members, as well as from staff from the Oregon Department of State Lands, the US Army Corps of Engineers and Environmental Protection Agency. There was general agreement from the regulatory and natural resource agencies that these projects would provide significant benefit to native fishes and aquatic resources and more than adequately compensate for the adverse environmental effects from the CRC project. The reason why most projects fell out is because they did not meet all of the goals and/or success criteria of the Guide. For example, the goal "Conservation measures shall benefit species impacted by CRC project" meant that the mitigation must occur within

T-001-001 There is no compelling reason supporting mitigation at Hood River, east of the Cascade Range and distant from the project site.

Very truly yours,



Rob Greene
Tribal Attorney

cc: Tribal Council
Chris Leno
Mike Wilson
Michael Karnosh
Eirick Thorsgard

the lower Columbia River and benefit fish runs directly impacted by the project as a result of passing through the project area. Fish runs that enter into Multnomah Channel and go up the Willamette River do not pass through the CRC project area and thus are not impacted by project construction. Hydroacoustic impacts from project construction fall primarily upon the fish runs that pass through during impact pile driving (September 15-April 15). The lower Columbia ESU/DPS species that pass through the project area at that time are: lower Columbia chum, fall Chinook, coho and steelhead. The Columbia River Estuary Recovery Plan Module for Salmon and Steelhead (NOAA 2008) identifies the lack of rearing habitat in the lower Columbia estuary as one of the primary limiting factors to lower Columbia ESU/DPS species. The Lewis River Confluence Restoration project will provide rearing habitat for all four lower Columbia ESU/DPS species affected by project construction. The Hood River Side Channel Restoration at River Mile 1.0 will provide rearing habitat for all lower Columbia ESU/DPS species, except Columbia chum. We would be happy to meet with you and other Tribal representatives to further discuss comments regarding the CRC selection of off-site mitigation. We expect to continue to meet regularly with Grand Ronde technical staff as the project progresses toward construction and look forward to continued discussion and input on the project.

Umpqua Molalla Rogue River Kalapuya Chasta