Victor F. Viets
421 N. Tomahawk Island Drive
Portland, Oregon 97217

Nancy Boyd
Director
Columbia River Crossing
700 Washington Street, Suite 300
Vancouver, WA 98660

October 22, 2011

Subject: FEIS Comments

Dear Ms. Boyd

P-101-001

I'm a supporter of the Columbia River Crossing Project but I'm a passionate supporter of protecting and improving the quality of livability for Hayden Island residents. My attached comments on the CRC FEIS identify a number of unresolved conflicts between the CRC Project and the quality of future livability on the Island.

My main concern is that there are several instances where the CRC seems to be backing away from commitments made previously to the Hayden Island Community. For example, I believe both the IPS and the Project Sponsors Council voted unanimously, after months of work with the community, to include the local multimodal bridge in the LPA Hayden Island Interchange, but now we learn it is only an option and that the earlier design is still being considered. Also, the Portland Working Group and CRC consultants worked for months to develop innovative designs for the Hayden Island LRT Station, but now those designs aren't mentioned and a minimal standard station design is shown in the FEIS.

There is also some new information that has never been discussed with the Island community. For instance, there are several newly disclosed business displacements, including the Island's only gas station, along North Jantzen Drive in an area where Island residents have worked with CRC and ODOT staff to reduce the roadway footprint enough to save those businesses.

I do not expect my concerns to be resolved before the ROD but I would appreciate written responses to my FEIS comments from the CRC and a reconfirmation that the CRC will honor its previous commitments to the community and will work openly with the community to find solutions to the remaining conflicts before final design commitments are made.

Respectively

Victor Viets

NEW Columbia River Crossing FEIS Issues for Hayden Island

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

P-101-001

Option A, which includes the local multimodal bridge to the island is a firm commitment of the project. The Record of Decision will be based on Option A, including the bridge. And though the Hayden Island station design has evolved, the project remains committed to an innovative design which is based on community input. The design of the station has changed over time because the main roadway and structural designs have changed on the island.

The Portland Working Group (PWG) was formed in May 2009 to advise the project on transit related issues for the Oregon side of the project, using the LPA and Hayden Island Plan as the basis for discussion. Beginning in September 2009, the PWG held a series of three interactive design workshops with CRC project, TriMet, the City of Portland staff and the general public to develop a set of design principles. The design principles capture the community's values while remaining broad enough to apply to the future station design regardless of CRC project decisions that may affect the position of I-5, local road circulation, and land development patterns.

The resulting Hayden Island Light Rail Station Conceptual Design Report (CDR), published January 2010, provides guidance to the CRC project, TriMet, and the City of Portland regarding the Hayden Island station design. PWG members reviewed and approved the report. The CDR solidified the Hayden Island Light Rail Design Principles. CRC is committed to work with the community to advance the station design. Station design work will take place during final design. The Hayden Island LRT station cross section illustrations in the FEIS shows a conceptual design with place holders for station elements. The illustration shows the Hayden Island LRT station as an elevated station with a center platform. Again, the project will continue to work with the Hayden Island community to refine the station area design.

		--Victor Viets 10/13/11
	Topic **FEIS Reference**	**Comment** **Recommendation**
P-101-002	LPA Option A & Option B Ch.2 Pg 2-9	How did the local multimodal bridge become an option without public discussion when it was unanimously approved by the Integrated Project Staff (IPS) and the Project Sponsors Council? Also, the East Side Multi-Use Path (MUP) is now an option in combination with the local bridge. These are the only options in the entire project. No basis for the final decision about which option to build is provided. Recommendation: Delete Option B
P-101-003	"New" Business Displacements and cumulative community impacts Ch. 3 Pg 3-86 – 3-88	Project will now displace 39 island businesses serving primarily local clientele at a loss of $62.7 million in annual sales and 643 local jobs. "New" business displacements announced in the FEIS include the Chevron station (the only gas station on the Island), the car wash, Taco Bell and the Wells Fargo Bank (one of only two banks on the Island). These "new" displacements have not been discussed with the community even though the Island circulation plan and street widths have been discussed extensively in the last two years with CRC and ODOT. During that time, the Island community was assured by the ODOT Director that local concerns would be considered and that on-island interchange access streets would be downed-sized where-ever possible to reduce impacts to the community. Instead, more businesses have been displaced. Also, the ODOT Interchange Area Management Plan has not been developed for the HI Interchange so the public has had no opportunity to review the on-island traffic circulation, access changes to businesses, and justification for permanent business displacements. The LPA now displaces virtually every local business on the Island but the FEIS does not recognize that as major impact on community livability. Recommendation: Follow Oregon DOT rules and prepare an IAMP with public input. Honor previous commitments to the community and reduce width of new streets to reduce displacements. Provide community planning and financial assistance to replace lost local retail service businesses.
P-101-004	Hayden Island LRT	The HI LRT Station is now shown as a standard TriMet design

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

As with the light rail station, displacements on the island have changed as the designs have advanced. And, when project staff have found access and other impacts to properties, which have as yet unknown ramifications for the businesses, these businesses have been identified as displacements. Thereby, project staff have potentially overestimated the number of displacements, and is eager to work with individual businesses to retain their operations on the island. This is particularly the case for some of the businesses east of the Interstate, where only small portions of the property may need to be acquired.

P-101-002

The Record of Decision is based on Option A. Although Option B was carried into the FEIS, it is not the design that will be constructed. There will be a local multimodal access provided to the island.

P-101-003

Refinements and new information resulted in additional displacements. We do not expect that all the businesses assumed to be displaced will necessarily have to be displaced, but it is prudent to be conservative about impacts in the NEPA process. Also, some of the displacements would be affected only by diminished access, not by demolition. It is possible that some of these properties and buildings could be re-occupied by other businesses that would not be so affected by the changes in access.

As the design is advanced there may be ways to avoid some displacements, through modification of the proposed new streets. However, it is also important to provide new streets that satisfy the City's requirements and those of the Hayden Island Plan. There should be adequate sidewalks, travel lanes, and other elements to the islands new, "complete" streets.

P-101-004	station design Ch. 2 Pg 2-25	without a station shelter. The earlier designs that were developed by the CRC PWG with a renowned consultant and with extensive community input are not included. The elevated HI LRT station is in a cold and windy location and needs a station shelter to protect riders. The station design is supposed to be an attractive focal point for the community and an iconic entry point for Oregon. There is no discussion of local handicapped parking at the LRT station and no mention of planned closure of the existing park and ride at Expo station. Many in the community will be forced to drive to Delta Park to use the LRT because there will be no station parking and no local bus service. There is no discussion of an east-west shuttle bus service to help Island residents get to a LRT station or to any regional bus stop during construction or operation. Recommendation: Reinstate the attractive LRT station designs. Add a handicapped parking lot or a local permit-required parking lot to the HI LRT station for Island residents. Provide east-west shuttle bus service on the Island at least through the construction period.
P-101-005	Location of Stormwater Treatment Facilities on Hayden Island Pg 2-16 and 2-17, various other sections.	Stormwater Treatment Wetlands now occupy the entire site of the future local retail center shown in the HI Island Plan but this is NOT identified as an impact to the community. Also, one of the Treatment Wetlands is located on the Columbia River shoreline in a future shoreline park. Again, this is in conflict with the Island Plan and not identified as a community impact. We have repeatedly asked CRC to move these treatment facilities to comply with the Island Plan. The answer from the CRC has always been don't worry, these locations are only placeholders until we get to design. Now it's design time, the stormwater facilities still violate the Island Plan, and the FEIS says, in effect, don't worry, there are more studies to be done before a final decision. In the mean time, the treatment method has changed from small infiltration basins to treatment wetlands which take up over twice the area of the basins. Once they are memorialized in the FEIR and ROD, what are the chances of a change in treatment method or location? Recommendation: Relocate the Stormwater facilities to avoid violations of the Island Plan. The open areas within the new Marine Drive Interchange appear to be a viable location. On-bridge treatment could significantly reduce the on-shore acreage.

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

P-101-004

Please see the response to P-101-001 regarding the Hayden Island Light Rail Station Conceptual Design Report. The Hayden Island Light Rail Design Principles are:

- Create a station environment that is safe, attractive, and inviting for transit users, visitors, and island residents
- Provide circulation paths that allow clear connections to or through the station area for users of all modes with varied abilities
- Develop a station area that embraces and engages its surroundings with transparency and activity
- Design a station that protects transit users from freeway noise and the natural elements, while providing light, views, and clear way-finding
- Design a station that includes features referencing historical or cultural values unique to Hayden Island

CRC is committed to work with the community to advance the station design. Station design work will take place during final design.

The Hayden Island LRT station cross section illustrations in the FEIS shows a conceptual design with place holders for station elements. The illustration shows the Hayden Island LRT station as an elevated station with a center platform. Again, the project will continue to work with the Hayden Island community to refine the station area design.

At the December 2010 PWG meeting, TriMet representatives discussed bus service. TriMet will work closely with the contractors during CRC construction to ensure that Line 6 continues service to Hayden Island. When developing a bus service plan along a new light rail line, TriMet re-evaluates all bus service within the vicinity of the new line with the intention of maximizing ridership and limiting service duplications. As part of this process, TriMet conducts ridership, cost, and operational

P-101-006	Stormwater Treatment Methods and Impacts Ch. 3, Pg. 3- 342 to 3-350	Stormwater Treatment Wetlands on Hayden Island will have adverse impacts on the Island that have not been evaluated. As discussed above, the locations of the constructed wetlands are in direct conflict with the Island Plan but they also significantly increase the footprint of the CRC project. The permanent standing water in the wetlands will undoubtedly create a breeding ground for mosquitoes and the vegetated shorelines may be used by nutria and other nuisance wildlife. Since the wetlands will be trapping contaminants from the stormwater in the sediments and vegetation, I assume the facilities will be closed to the public and may be fenced. They do not seem to be appropriate facilities for a developed urban area. Stormwater entering the treatment wetlands does not fully infiltrate into the groundwater but rather is discharged back to the Columbia River. No information is provided to evaluate the quality of these discharges but it seems obvious that at least the discharge temperature will be elevated and dissolved oxygen will be lowered so the discharge may not meet ambient water quality standards. Other treatment methods are available that could reduce impacts on Hayden Island. Proprietary systems using filtration canisters require much less space and could be located on the bridges or in a below grade structure near the bridge landing. <u>Recommendation:</u> Revise the stormwater treatment facilities to avoid adverse impacts on the Island community.
P-101-007	CRC Impact on HI future parks and shoreline access Ch. 3, Pg. 3-189, 3-207 & 3-208	The future waterfront park areas under the CRC landings that were identified in the Island Plan are not discussed in the FEIS. The CRC project makes no provisions for these public facilities even though the community has repeatedly asked that right-of-way lands under the landings of the existing and new bridges be made available for shoreline access and park use. This failure to provide public access is not identified as an impact on the community and is in violation of the Island Plan. We have repeatedly asked for this CRC project land to be made available for public use. In stark contrast, on the Vancouver side of the river, the CRC project has worked with the City of Vancouver to create park areas at the bridge landing and has indicated they will donate surplus land for park use.

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

analyses. TriMet seeks input from the following community groups:

- Customers and operators
- Neighborhood associations
- Business groups
- Social service agencies and organizations serving seniors and people with disabilities
- Citizen advisory committees
- Jurisdictional leaders and staff

The project will work with TriMet and the Hayden Island community to develop a bus service plan during construction and after light rail opens in 2019. A circulator service, perhaps with shuttles, will be developed during the bus service planning public process that will begin two years prior to the start of light rail.

On-street parking is shown in the current roadway designs for Tomahawk Island Drive. The project will work with the City of Portland and the Hayden Island community to refine the parking designations near the LRT station. Delta Park will serve as the nearest park and ride to the Hayden Island light rail station, a distance of 1.17 miles from the Hayden Island light rail station. The distance between the park and ride lots at Expo Center and Delta Park is 0.69 miles.

P-101-005

The stormwater facilities shown in the FEIS will continue to be refined as design work progresses. Under the terms of the biological opinion (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 the Columbia River.

P-101-007		Recommendation: Provide for public access and park use for the existing and new Columbia River and North Portland Harbor Bridge landing areas. Donate surplus Doubletree property for park use after project construction is completed. This donation would be as partial mitigation for community impacts.
P-101-008	No Mitigation for Community Livability Impacts Chapter 3	The FEIS makes a case that: 1. final design will be consistent with the Island Plan; and 2. The Island will experience only long-term "general" impacts on community livability(What is a general impact???). These claims have not been demonstrated given the facts: ----The island will be cut in half by a very un-neighborly concrete barrier that will extend across the entire island and will be 4-6 stories high and several city blocks wide. This will be a major visual and physical divider of the community---much more-so than the current ground-level freeway. ----The project will displace virtually all of the locally oriented retail businesses with a loss of 643 local jobs. The losses will include the only grocery store providing full service bakery, meat, and fresh produce departments; the only gas station; the car wash, one of the two banks, and virtually all the local restaurants. The FEIS offers only mitigation by buyouts of business owners who can then leave the Island. No mitigation is offered to island residents who have lost a large percentage of their local service businesses, other than a suggestion that we buy a bus ticket to take us off the island for shopping for the next 7-10 years. Similarly, the business owners get a fair market buy-out but their 643 employees get no mitigation other than a suggestion that they might qualify for temporary CRC construction jobs. Some unknown portion of these lost jobs is held by Island residents so they may have to move to find work. -----The project will preclude future development of the neighborhood retail center called for in the Island Plan and appears to deny public use of the state-owned-lands for planned shoreline parks. These were key pieces of the Hayden Island Plan because they provided a basis for local business recovery and long term livability

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

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." Although the Hayden Island Plan map did not show the constructed wetlands, these are a "green" concept for stormwater treatment, and have been shown in project designs as early as May 2009. The stormwater treatment proposed in the FEIS does include the "green streets" approach proposed in the Hayden Island Redevelopment Plan to 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. Regardless, the project still needs to manage runoff from almost 28 acres of impervious area consisting of I-5 pavement across Hayden island, associated ramps, the elevated transit guideway, and structures.

P-101-006

The Hayden Island Redevelopment Plan map does not show any specific locations to manage and treat stormwater runoff from the CRC project or the impact that it will have on the land available on the island for redevelopment; the Plan simply states that stormwater will be managed in a "green, state-of-the-art manner." The current proposed water quality facilities fulfill that requirement. In addition, care was taken to ensure that the facilities are located on land that is either currently owned by ODOT or would need to be acquired for CRC construction, independent of stormwater management. While wetlands are typically permanent bodies of water, they are not stagnant. Water flows through them during the frequent rainfall events producing conditions that are not conducive to mosquito larval development. As stated above, a constructed wetland is one of the BMPs listed by NMFS in its BO as providing the level of treatment necessary to protect endangered species

P-101-008		improvements. The FEIS doesn't recognize these violations of the Island Plan as impacts so there is no mitigation offered. ----The project will permanently displace numerous floating home residents. The only mitigation offered is a fair market buyout, but the floating homes are unique and moorages for them are not available anywhere else in Oregon. The CRC was asked to mitigate these impacts by assisting in the development of a replacement moorage near-by in the North Portland Harbor area. CRC's FEIS response is that permitting a replacement moorage might be too difficult for them (even though CRC has the resources to permit a $3-4 Billion river crossing?). Recommendation: The FEIS should accurately reflect the real and significant impacts on the Hayden Island Community. The CRC should re-open communications with the Community and work with them to reduce impacts and provide community assistance where major impacts can not be avoided.
P-101-009	Potential Impacts of Project Phasing on Hayden Island Livability.	The FEIS only considers phasing of some SR 500 features and some Marine Drive ramps. Completion of those components has been delayed indefinitely. It seems obvious that delay of full funding may delay construction of some other project components for an indefinite number of years. The community impacts of these likely(?) delays have not been identified or mitigated. What components might be delayed on Hayden Island?—The local multimodal bridge? ---The Tomahawk Island Drive extension under the new freeway?---The entire interchange? Hayden Island will already experience the longest construction impact period of anywhere else in the project area (2+ years of property acquisitions/displacements followed by 5-1/2 years of construction). Any delays by project funding would greatly increase the impacts on livability. Recommendation: Provide assurances that Island components will not be delayed more than any other CRC project components or work with the community to

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

found in the Columbia River. As such, the discharges are considered by the agency to meet its stringent requirements. We will be further evaluating the potential for infiltration.

P-101-007

The proposed transfer of 0.4 acre of surplus right of way to the City of Vancouver is mitigation for the project's direct impact on the City's Waterfront Park, an existing public park and a Section 4(f) resource. The project has no impact to public parks on Hayden Island and no land that is subject to Section 4(f) protection, 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. Decisions regarding the disposal of surplus property after project construction will be made at a later date. The City of Portland has also noted their interest in that parcel following construction and the project has committed to continue coordinating with them on it.

P-101-008

Project refinements and new information resulted in additional displacements since the early planning phases of the project. We do not expect that all the businesses assumed to be displaced will necessarily have to be displaced, but it is prudent to be conservative about impacts in the NEPA process. Also, some of the displacements would be affected only by diminished access, not by demolition. It is possible that some of these properties and buildings could be re-occupied by other businesses that would not be so affected by the changes in access.

The character of central Hayden Island is changing, and the project will contribute to further changes. The project is consistent with the direction embodied in the Hayden Island Plan. The multi-million dollar improvements that result from the project will help facilitate redevelopment on the island. The redeveloped commercial areas will, if

P-101-009		develop contingency plans and mitigation measures.
P-101-010	Transportation Impacts on Hayden Island during Construction Ch. 3 Transportation	The FEIS discusses impacts and mitigation for pedestrians, bicycles, handicap scooters and other non-vehicle movements in a north-south direction along the freeway corridor but not in an east-west direction across the corridor. East-west movements are particularly important on Hayden Island because there in no way around the project construction area. Also, there are no existing adequately sized or safe sidewalks, bike lanes or ADA-compliant pathways across the existing freeway so temporary facilities will have to be built before any construction can begin on the Island. Recommendation: Work with the Island community to plan and construct safe non-motorized crossings for east-west movements, as well as north-south movements during construct. Implement an east-west shuttle bus service on the Island to minimize risks to Island residents trying to cross the freeway construction zone.

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

consistent with the Hayden Island Plan, better serve local residents than the regional commercial/ big-box uses there now.

P-101-009

The project will seek funding for the construction of the LPA in its entirety. And although there are limited funding opportunities and limited available funding, this project is recognized by our federal partners as having national significance. We are optimistic that being designated one of a few Corridors of the Future will assist us in obtaining the necessary funding.

The project will be built in stages. These stages will be dictated by the variety of contracting mechanisms that will be used, the in water work window, and available funding. Chapter 2 of the FEIS shows how the work will most likely progress. In the event that portions of the project need to be phased, the decision on which portions would include public input and a formalized process. NEPA allows for a sequenced progression of construction. However, if portions of the project were to be significantly delayed, NEPA reevaluations would likely be required.

P-101-010

The project will be developing a shuttle bus system to mitigate mobility impacts on the Island during construction. There will also be plans to protect east-west mobility on the Island during construction for vehicles, bikes, and pedestrians.

P-101-011

FEIS does not meet NEPA requirements for evaluation of bridge type alternatives Appendix O	The CRC hired a panel of internationally renowned bridge architects and engineers to develop new bridge type alternatives to replace the non-viable bridge type that had been the LPA for several years. The panel developed three alternatives including two that exceeded the previously used bridge height criteria. After reviewing the height criteria, the expert panel concluded the taller structures could be permitted and constructed. The three alternatives were then presented in public meetings, discussed in the press, and discussed extensively among public stakeholder groups, politicians, and the CRC. At some point, the CRC terminated their evaluation and selected their own version of the deck truss bridge type without revealing their decision to the public. The CRC deck truss version was curved while the expert panel's version was straight. As a result, the CRC deck truss version has more bridge piers in the Columbia River than any of the panel's three alternatives and the CRC's version is the only option that impacts the environmentally sensitive shallow water habitat on both shorelines. This process was flawed for several reasons: --The CRC did not do an adequate NEPA-based evaluation of the alternatives and did not include their selected design in the evaluations. --The FEIS does not include documentation of the bridge-type alternatives and their environmental or economic comparisons. --The DEIS and FEIS continue to rely on a flawed height criteria decision made in 2006, before the DEIS, that eliminated tall cable-stayed, suspension, and steel bridge types that are commonly used throughout the country. It appears that a major reason for the height criteria was for the convenience of the CRC so they could avoid FAA permitting relative to Pearson Airfield. Pearson Airfield officials and the Pilot Organization that uses the Airfield have recently said that a tall bridge would not be a major issue for them because they have an agreement with Portland International Airport that prevents them from flying over the River where they could interfere with aircraft using PDX. Thus, they don't fly over or near the I-5 Bridge. --While the public discussions of the panel's alternatives were going on, the CRC asked the FTA and FHWA if the CRC's change to a curved deck truss would require a

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404

P-101-011

Many basic bridge concepts (low, medium and high) as well as tunnels, were considered in the early alternatives analysis prior to the DEIS. A medium level, fixed span bridge emerged as the best choice for meeting the purpose and need and minimizing impacts and costs, and that was carried forward into the DEIS, as discussed in Chapter 2 of the FEIS. The DEIS did not define a specific bridge type; it evaluated bridge-related impacts based on a definition of vertical clearances above and below it, horizontal alignment, capacity, and a pier configuration concept. This allowed for multiple types of bridges, including the open web box that emerged through the UDAG group sessions and the composite deck truss that eventually became the preferred type following the Bridge Expert Review Panel (BERP) proceedings and the decisions by both governors.

FHWA and FTA were fully aware of the BERP activities and report. An FHWA engineer was among the members of the BERP. The straight alignments were straight across most of the water but had curves at either end to reconnect with the I-5 alignment. While the straight alignments were originally believed to have potentially lower costs and possibly fewer piers, it was clear after further analysis that this would not be the case. The straight alignment would not be expected to reduce costs or environmental impacts. The BERP report recommended that the project adopt any one of three bridge types. One of those types (composite deck truss) was selected, with a curved alignment across the river. This bridge type was selected because it met the purpose and need, would have lower environmental impacts, and would likely be lower cost and carry less risk than the other bridge types recommended by the BERP.

See the discussion of the Bridge Review Panel, evaluation of bridge types and final bridge type recommendation on pages 2-80 and 2-81 of the FEIS.

P-101-011

	Supplemental EIS. Their written submittal did not mention that there were other new bridge types being considered and that some of those alternatives might have less impact on key environmental resources. Comparing only the CRC's curved deck truss with the curved LPA, the Agencies concluded that the change in bridge type would not require a Supplemental EIS. The CRC then justified their selection based on their statement that it was the only option that would not require a Supplemental EIS. Of course, the Agencies did not receive information about the other alternatives so it was not appropriate for the CRC to conclude that they would all require Supplemental EIS's. Furthermore, the CRC did not ask the Agencies a more critical question----did the CRC's decision to use their own secret curved deck truss design without a full environmental comparison or public review of the panel's three alternatives meet NEPA requirements or did that decision require Supplemental EIS review? I believe the CRC erred and did not meet NEPA requirements for consideration of alternatives that may have fewer environmental impacts. <u>Recommendation:</u> Correct the FEIS or begin preparation of a Supplemental EIS to reconsider the bridge type decision after the ROD.

Cell: 503-307-4131 v.viets@comcast.net Home: 503-286-1404