

00001

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

COLUMBIA RIVER CROSSING DRAFT EIS
PUBLIC HEARING

WEDNESDAY, MAY 28, 2008

RED LION HOTEL
VANCOUVER, WASHINGTON



00041

1 selling its appeal to the majority of the
 2 population who would use it and no
 3 convincing proof that light rail is the
 4 best and only viable solution for
 5 interstate traffic flowing faster across
 6 the I-5 corridor, for less congestion and
 7 for greater highway safety.
 8 The mayor said it's wasting
 9 taxpayers' money to answer any more
 10 questions. I'm a tax payer. The cost of
 11 a thorough and honest assessment of this
 12 issue is certainly a drop in the bucket
 13 compare to the billions of dollars I hear
 14 the project will ultimately cost.
 15 Thank you.
 16 HAL DINGERINK: Thank you, Debra.
 17 I don't know how to pronounce your name.
 18 DVIJA MICHAEL BERTISH: You did fine
 19 earlier. Dviya Michael Bertish. I am at
 20 1514 East 29th Street in Vancouver. And I
 21 am -- personally I oppose the elements of
 22 the project that incorporate light rail or
 23 displacements of land acquisitions. I am
 24 also offering technical comments on behalf
 25 of Rosemary Neighborhood Association and

N-006-001

N-006-001

Preferences for specific alternatives or options, as expressed in comments received before and after the issuance of the DEIS, were shared with local sponsor agencies to inform decision making. Following the close of the 60-day DEIS 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, RTC Board, considered the DEIS analysis, public comment, and a recommendation from the CRC Task Force when voting on the LPA.

With the LPA, new bridges will replace the existing Interstate Bridges to carry I-5 traffic, light rail, pedestrians and bicyclists across the Columbia River. Light rail will extend from the Expo Center MAX Station in Portland to a station and park and ride at Clark College in Vancouver. Pedestrians and bicyclists would travel along a wider and safer path than exists today.

For a more detailed description of highway, transit, and bicycle and pedestrian improvements associated with the LPA, see Chapter 2 of the FEIS.

00042

N-006-001 1 Columbia River Keeper. I also ask for an
N-006-002 2 extension of the public comment period --
 3 I echo that sentiment -- and I think that
 4 the Environmental Impact Statement is
 5 technically inadequate.

N-006-003 6 As a major federal project over a
 7 major water body and through a sensitive
 8 aquifer area, there is no reference in the
 9 EIS to hydro-geologic studies. Water
N-006-004 10 modeling, impacts of construction on the
 11 river, and the NEPA process requires an
 12 EIS to address these major components in a
 13 single environmental document before a
 14 record of decision is issued. The draft
 15 is not compliant with this requirement.

16 NEPA does not allow for the
 17 compartmentalization of project components
 18 and multiple documents to avoid
 19 substantive review.

N-006-005 20 The document briefly mentions sole
 21 source aquifer designation and then states
 22 it is EPA's job to ensure public health
 23 and safety standards and compliance with
 24 sole source protection.
 25 There is no hydro-geologic analysis

N-006-002

NEPA requires a comment period for a DEIS to be no less than 45 days. Prior to issuing the CRC DEIS, FTA, FHWA and the other project Co-Leads (WSDOT, ODOT, RTC, Metro, TriMet and C-TRAN) decided to extend this to 60 days in order to allow additional time for review and comment. Section 6002 (g)(2)(A) of SAFETEA-LU (Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users), the federal transportation reauthorization bill, established a comment period of "no more than 60 days" for DEISs. FTA and FHWA did not see "good cause" [(Section 6002 (g)(2)(A)(ii)] for extending the current comment period beyond the 60 days that were already being provided.

The DEIS comment period is only one opportunity during the NEPA process for the public, agencies and tribes to review information and provide input. As discussed in Appendix B of the DEIS, over the three years prior to the publication of the DEIS, the project provided opportunities for stakeholders to comment on numerous components of the draft including the Purpose and Need, Range of Alternatives, methodologies for analyzing impacts to various elements of the environment and preliminary findings. Project staff also participated in meetings with neighborhood groups, business organizations, and other potentially affected stakeholders. Strategies for communicating with limited-English, low-income, and minority populations have been developed by, and facilitated through, local communities, the CRC Community Environmental Justice Group (CEJG) and community-based organizations. As an example, CEJG sponsored informal Q&A sessions that occurred during the DEIS comment period. Certain project materials, including information related to the DEIS and associated open houses and public hearings, are translated into Spanish, Russian, and Vietnamese, and interpreters are available at project open houses by request.

In addition, since the DEIS comment period there have been numerous

00043

N-006-005

1 presented in the draft which insures
2 compliance with the project under sole
3 source review. EPA is not supposed to do
4 your background job for you.

N-006-006

5 There is no mention of the proximity
6 of Vancouver Lake to the project just
7 downstream. Any disturbance of river
8 sediment will flow right into our river
9 and into the lake via the Flushing
10 Channel. The lake is currently under
11 preliminary site assessment with EPA for
12 superfund status and no downstream effects
13 are even mentioned in this project in the
14 draft.

15 There is also no mention of existing
16 superfund sites and proximity to the
17 bridge area including ground water plumes
18 and their potential effects from
19 environmental disturbances of this
20 magnitude.

N-006-007

21 The draft references Burnt Bridge
22 Creek several times including impairments,
23 but only lists two parameters. The draft
24 does not state that Burnt Bridge Creek is
25 currently under a TMDL study and CRC

community meetings, open houses, and public hearings by project sponsors, providing more opportunities for public input and comment. In total, as of March 2011, CRC staff have participated in over 900 public events to directly reach over 27,000 people since October 2005.

N-006-003

The DEIS included a level of detail necessary to compare the potential impacts of the various alternatives. Now that a locally preferred alternative (LPA) has been selected, additional groundwater analysis has occurred, and the results are discussed in Chapters 3.14, 3.17, and 3.18. Groundwater issues are also covered in greater detail in the Hazardous Materials Technical Report, including such issues as existing hydrostratigraphy, flows, drainage, beneficial uses, impacts, and proximity to hazardous materials sites. The Hazardous Materials Technical Report also examines how these existing conditions would be impacted by the project, as well as describes measures to mitigate for these impacts. The analysis concludes that by improving stormwater conveyance and treatment and through clean up of contaminated materials sites, the project would have beneficial long-term groundwater effects. The report also discusses the potential for construction-related, short-term adverse groundwater effects, effects that can be mitigated.

N-006-004

Please see the Sole Source Aquifer Impacts Report prepared since the DEIS. This additional analysis was conducted at EPA's request. By improving storm water runoff and cleaning up several existing contaminated sites, the project would have a beneficial impact on groundwater quality. Project construction also has the potential to have adverse impacts. See the report (an appendix to the Hazardous Materials Technical Report) for a discussion of impacts and mitigation.

00044

N-006-007 | 1 should coordinate water quality monitoring
2 and erosion control in coordination with
3 Ecology's efforts currently underway.
4 Parameters should be expanded to
5 include all of those listed in the study
6 with Ecology. There are no long-term
N-006-008 | 7 impacts listed that are in 3.19.9 that
8 talk about the possibility of long-term
9 subsidies of the public for maintenance
10 and operations of light rail. And I
11 personally can't afford to pay more taxes
12 on that.
N-006-009 | 13 Finally, the draft list census data
14 for the Metropolitan area as a whole --
15 this is insufficient. Every neighborhood
16 that this project goes through is an
17 environmental justice community and it
18 requires different data than a group data
19 set.
20 HAL DINGERINK: Thank you. Okay.
21 The next three folks are David Palenshus,
22 John Mohlis and John Felton. All right.
23 Robert Ross.
24 ROBERT ROSS: My name is Robert
25 Ross, 1111 West 22nd Street, Vancouver.

N-006-005

Please see the response to comment N-006-003. As discussed, the CRC project undertook the necessary analysis. This was done in coordination with the EPA, and included an examination of the Sole Source Aquifer.

N-006-006

The material that could be disturbed was analyzed for physical characteristics and presence of contaminants in early 2011. The material in the area of the proposed footprint was fine to coarse sand with no contaminants present above Sediment Evaluation Framework screening levels. In addition, as part of the US Army Corps of Engineers (USACE) Columbia River Channel Improvement Program, sediment down river of the proposed bridge piers was characterized for chemicals of interest (COIs). The study indicated that no COIs were detected above USACE screening levels for fresh water. This information suggests that contamination, if any, is minor. PCBs tend to be associated with fine materials which are not present in the project footprint. Dredging is not anticipated during the project, but if it were to occur, the latest sediment evaluation framework sampling and analysis must be conducted. Turbidity and resuspension of material would be limited, and would not exceed state water quality standards. Generally, this requires turbidity to attenuate to background within 300 feet. Any turbidity plume and resuspension would certainly not extend to the flushing channel, then go into the channel, since the channel is approximately 2 to 3 miles downstream of the project.

N-006-007

The CRC is coordinating its review of environmental impacts and mitigations with relevant state and federal agencies, including the Washington Department of Ecology, and will comply with applicable regulations. Chapter 3 (Section 3.14) of the FEIS provides a more explicit listing of both 303(d) listing factors and established TMDLs than

00115

1 CERTIFICATE OF REPORTER
 2
 3 STATE OF WASHINGTON)
 4 County of Clark)
 5
 6 I, Cathy S. Taylor, a notary public
 7 for the State of Washington do hereby
 8 certify that I transcribed to the best of
 9 my ability said proceedings written by me
 10 in machine shorthand and thereafter
 11 reduced to typewriting; and that the
 12 foregoing transcript constitutes a full,
 13 true and accurate record of said
 14 proceedings and of the whole thereof.
 15
 16
 17
 18
 19 Witness my hand and notarial seal
 20 this 16th day of June, 2008.
 21
 22 _____
 23 Cathy S. Taylor, RPR, CSR
 24 Notary Public for the State of Washington
 25 My Commission expires April 15, 2009

what was provided in the DEIS. While Burnt Bridge Creek is currently listed for Eutrophication, Bacteria, and Temperature, it does not have established TMDLs, and therefore it would be speculative for the project to make assumptions as to what TMDLs will be adopted at a future date. Regardless, the project's stormwater management improvements will result in increased, not decreased, water quality in Burnt Bridge Creek.

N-006-008

Long-term operation and maintenance of the new light rail line will be funded through C-TRAN and TriMet. For C-TRAN's share of the operations and maintenance funding, it plans on having a public vote. For more information on how O&M costs will be shared between TriMet and C-TRAN, and how C-TRAN may finance these additional costs, please see Chapter 4 of the FEIS.

N-006-009

Chapter 3 (Section 3.5) of the Draft Environmental Impact Statement (DEIS) provides census data at the neighborhood level and includes data sets for populations that are 65 years of age or older, households without cars, populations below the poverty level, populations with a disability, minority populations, and Hispanic populations.