

2/18/13 Oregon Joint CRC Committee Testimony. My name is John F. Bradach, Sr. I am a thirty-three year Construction Law attorney from Portland. I am an Oregon citizen and taxpayer.

Eddyville (long pause)

I have had the good fortune (or curse) of having been involved, or observed at close hand, some of the great boondoggles of our era, including without limitation: the Trans-Alaska Pipeline, the Washington Public Power Supply System, the Pacific Coal Export Terminal at the Port of Portland and the Interstate Max Light Rail line. I have also paid keen attention through the news media, to the expansion of the Portland Convention Center, the Tram to OHSU and (pause) Eddyville.

I have focused my attention on assuring the CRC Bridge does not diminish the existing upriver navigability on the Columbia River, the more I learn, the less impressed I am about where we are. Columbia River Crossing, with its multiple unresolved issues and over \$150 Million already expended, smells to me like WPPSS.

They aren't making any more rivers. Forever is a long time. Who is to say that the upriver sections might not eventually be dredged to their full permitted depth of 25 feet, or that small ship touring might not emerge on the River, or that future shipbuilding technology might not result in low draft high load and profile vessels.

The CRC planning process and Final Environmental Impact Statement blew it on the question of upriver navigation. The

Coast Guard has been clear that it does not view a mid-level clearance bridge to be an acceptable solution.

I am submitting a package of select correspondence for the Record. It includes the January 31, 2013 letter to Washington Governor Jay Inslee from Washington Senate Transportation Committee Co-Chair Curtis King. Senator King comes very close to my current thinking about CRC Project, particularly his first section about bridge clearance. If the I-205 Glen Jackson Bridge 144' clearance is not preserved, the CRC Bridge must have a lift span. A bascule lift, like the Morrison Bridge in Portland, will be best.

As Senator King writes, "Pushing through the CRC project as currently conceived merely because a certain amount of money has been spent or a certain amount of time has passed would be foolish; especially in the face of the multitude of concerns attributable to this project."

While issuing the Permit is ultimately the Coast Guard's duty, this committee and body have a duty to understand what has gone on with the clearance issue and to protect the potential of the Columbia River.

I am also concerned about HB 2800 committing to Design/Build procurement for CRC. Traditional Design-Bid-Build, fixed price competitive bidding, assures the best bang for the taxpayer, gives more latitude to break the Project down into smaller biddable prime contract components and more clearly defines and separates design and construction responsibilities, so that it is easier to sort out a mess like (pause) Eddyville.

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February 18, 2013

HAND DELIVERY AT FEBRUARY 18, 2013 HEARING

Joint Committee on the Interstate-5 Bridge Replacement Project
Oregon Legislative Assembly

Re: House Bill 2800 / Interstate Bridge Replacement Project
(Formerly known as Columbia River Crossing)

Honorable Members of the Oregon Legislature:

Enclosed, for inclusion in the Legislative Record of the Joint Committee's consideration of House Bill 2800, and such other legislation as may come before you relating to the Columbia River Crossing Project, are the following items of correspondence:

December 7, 2010 Memorandum from United States Coast Guard to the Federal Transportation Administration (FTA"). (***)"[T]he Coast Guard's concerns with the adequacy of the Final Environmental Impact Statement (FEIS) have not been resolved.***";

August 10, 2012 John F. Bradach, Sr. letter to Columbia River Crossing Project. ("The baseline for existing upriver navigability is the 144 feet clearance of the 1-205 Glenn Jackson Memorial Bridge. The Bridge of the Gods' clearance is 140 feet and the Bridge at Hood River is over 149 feet. CRC's current design clearance of 95 feet would hamstring the greatest river in the United States, in perpetuity.");

October 23, 2010 letter from the Coast Guard to FTA. (***)"[T]he the Coast Guard continues to believe that mid-level heights have a low probability of meeting the reasonable needs of navigation or obtaining a Coast Guard Bridge Permit.***"); and

January 31, 2013 letter from Washington State Senator Curtis King to Washington State Governor Jay Inslee. ("Pushing through the CRC project as currently

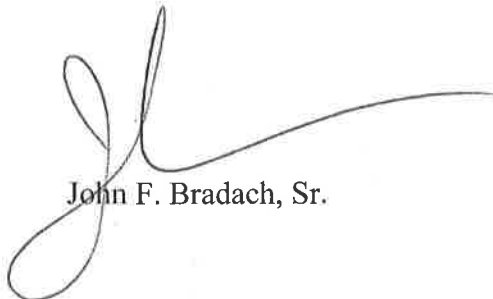
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conceived merely because a certain amount of money has been spent or a certain amount of time has passed would be foolish; especially in the face of the multitude of concerns attributed to this project.***).

I also request that your Joint Committee require the Columbia River Crossing Project, by and through the Oregon Department of Transportation, to submit to the Legislative Record, a copy of CRC's recent Bridge Permit Application to the Coast Guard.

Thank you, for your consideration of these materials.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a long horizontal stroke that tapers to the right.

John F. Bradach, Sr.

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

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16592

DEC 07 2011

MEMORANDUM

From: *Sally Brice-O'Hara*
Sally Brice-O'Hara, VADM
Vice Commandant

Reply to: CG-55
Attn of: Mr. Goward
(202) 372-1504

To: John D. Porcari
Deputy Secretary of Transportation

Subj: DRAFT ROD FOR THE I-5 COLUMBIA RIVER CROSSING PROJECT

1. On 5 December 2011, the Coast Guard received the Navigation and Bridge Height sections of the draft Record of Decision (ROD) for the I-5 Columbia River Crossing (CRC) project. However, the Coast Guard's concerns with the adequacy of the Final Environmental Impact Statement (FEIS) have not been resolved. Extensive discussions at several levels of our organizations have substantially exhausted the dispute resolution measures set forth in Section IV.B.9 of the 1981 Memorandum of Agreement between the Coast Guard and Federal Highway Administration (FHWA).¹ As previously stated, the Coast Guard cannot determine if the preferred 95 foot bridge clearance will meet reasonable navigational requirements based on the information provided for review. Although you intend to sign the ROD today, as the FEIS is currently written, the Coast Guard will not be able to accept a bridge permit application based on the information provided in the FEIS, or adopt it as written. We look forward to working closely with FHWA and FTA to expeditiously resolve the concerns provided with this letter prior to permit application submission. Resolution of our concerns may require the project sponsor to supplement the FEIS in order for the Coast Guard to accept the bridge permit application.

2. The enclosed comment summary provides specifics on a number of important issues and basic points that bear directly on the Coast Guard's concerns:

a. The FEIS fails to conduct an adequate study of the number of vessels that might be affected by a reduction in the bridge clearance to 95 feet.

b. There is no analysis of the impact to vessels that are known to transit this portion of the Columbia River. For example, the U.S. Army Corps of Engineers has a vessel which may face an operational impact if it can only transit the lower clearance six months each year. Similarly, other vessel impacts are inadequately addressed by conclusory language, suggesting that the owners may fail to bid contracts or find some other undisclosed mitigation strategy.

¹ U.S. Coast Guard/Federal Highway Administration Memorandum of Understanding on Coordinating the Preparation and Processing of Environmental Documents" signed 27 April 1981, R.A. Barnhart, Federal Highway Administrator and 6 May 1981, J.B. Hayes, Commandant U.S. Coast Guard.

c. The Coast Guard remains concerned that there may be critical infrastructure manufacturing assets put at risk by the decision.

d. The FEIS does not address current and future impacts to navigation/waterway users as a result of the proposed decreased vertical clearance, nor does it study alternatives to a vertical clearance other than 95 feet.

3. As the bridge permitting agency, the Coast Guard determines the reasonable needs of navigation when acting upon a permit application. A more detailed description of the Coast Guard permitting process can be found in the Bridge Permit Application Guide, which may be downloaded from the Coast Guard Bridge Program website, http://www.uscg.mil/hq/cg5/cg551/BPAG_Page.asp.

4. Finally, we have some concern with citing DOT permitting authority in your FEIS. The permit authority currently resides with the Secretary of the Department of Homeland Security (DHS); this has been the case since the Coast Guard transferred to DHS pursuant to the Homeland Security Act of 2002. This authority was further delegated to the Commandant of the Coast Guard by Homeland Security Delegation Number 0170.1. If you have any questions or concerns, please feel free to contact me, or my Bridge Program Administrator, Ms. Hala Elgaaly at (202) 372-1510.

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Enclosure: (1) USCG Comment Summary dated 7 December 2011

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August 10, 2012

BY EMAIL AND MAIL

Columbia River Crossing Project
700 Washington Street, Suite 300
Vancouver, Washington 98660

Gentlepeople:

Re: Columbia River Crossing Bridge Too Low / August 6, 2012 CRC Project Update

I have lived and worked around the Columbia and Willamette Rivers for most of my last 50 years. My law practice has often involved issues arising in connection with projects and properties along the Columbia River.

I am writing to express my concerns about the approach to solution of the CRC Bridge height issue indicated by CRC's August 6, 2012 Project Update.

CRC Final Environmental Impact Statement, Section 3.2.2, "Existing Conditions", states:

The USCG, which would approve construction or alteration of the bridges, has stated that navigation conditions cannot be made worse than existing conditions if the CRC project designs are to receive permitting."

The baseline for existing upriver navigability is the 144 feet clearance of the I-205 Glenn Jackson Memorial Bridge. The Bridge of the Gods' clearance is 140 feet and the Bridge at Hood River is over 149 feet. CRC's current design clearance of 95 feet would hamstring the greatest river in the United States, in perpetuity.

CRC seems headed toward some proposed mitigation addressing only the few current users in a very down economy. CRC's focus should not be on buying out or otherwise

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facilitating existing users, but on preserving the Columbia River's upriver navigation and industrial potential for the ages.

CRC's current review should include finding and reviewing the Glen Jackson Bridge design files, to understand why it was built with 144 feet of clearance. CRC should also review and consider the navigation assumptions used to justify construction of the Second Bonneville Lock. Finally, CRC should review the history of building large high profile Liberty Ships, tank carriers and aircraft carriers at the Vancouver Shipyard during World War II, and consider the strategic importance of maintaining the Nation's capability for building large military vessels.

Thank you, for your attention.

Very Truly Yours,



John F. Bradach, Sr.

c: Senator Ron Wyden (By Mail, D.C. and Portland Offices)
Senator Jeff Merkley (By Mail, D.C. and Portland Offices)
Congressman Earl Blumenauer (By Mail, D.C. and Portland Offices)
Mr. Randall Overton , Commander, U.S. Coast Guard (By Email and Mail)

