

RESPONSES TO JUNE 10 BI-STATE LEGISLATIVE COMMITTEE QUESTIONS

July 3, 2024

1) What are the major permitting requirements to get to construction of the main river crossing?

There are several permit approvals required before the IBR program can begin construction. These include the US Army Corps of Engineers (USACE) Regulatory Permit and the U.S. Coast Guard (USCG) Bridge Permit, who the program meets with regularly. The program also coordinates with other federal, state and local agencies around other required permits. With the ongoing coordination occurring, the team anticipates receiving the required permits in order to begin construction work of the main river crossing.

These additional permits and agencies include:

- The National Marine Fisheries Service (NMFS) on the Endangered Species Act Section 7 Consultation, Essential Fish Habitat Consultation
- Marine Mammal Protection Act Letter of Authorization
- US Fish and Wildlife Service Section 7 Endangered Species Act Consultation
- Federal Aviation Administrations (FAA) Notice of Proposed Construction for Permanent Obstructions
- USACE Section 404 Clean Water Act Permit
- USACE Section 408 Authorization for Navigation and Levee Alteration
- EPA Sole Source Aquifer Protection Act
- Clean Water Act Section 401 Water Quality Certification
- Oregon Department of State Lands Removal/Fill and Easement Permits
- Oregon Fish Passage Act Approval
- Construction Stormwater Permits
- Washington Hydraulic Project Approval
- Washington DNR Aquatic Lease
- City of Portland Land Use Review and Site Development
- City of Vancouver Development Review and Land Use Approval

2) What modeling was used by IBR? Which year's data is used in the traffic model?

The IBR program, along with other regional projects that began prior to the adoption of Metro's 2023 Regional Transportation Plan (RTP), is using Metro's 2018 RTP data in modeling

traffic volumes and transit ridership. It takes time to get agreement on modeling and land use assumptions following adoption of a RTP, and it can often take a year or two to fully develop the model after a RTP is adopted. As part of our modeling analysis, we are using 2019 traffic data as our base year and 2045 as our future year to forecast future conditions. Since our program has a multi-year environmental process, coordination occurred with our federal partners before modeling began to reach agreement on which RTP should be used for IBR program modeling.

The recent delay in publishing the Draft Supplemental Environmental Impact Statement while the program has been having in-depth discussions with federal partners regarding modeling is unrelated to Metro's 2023 RTP update.

3) What is the reason for the delay in the release of the Draft SEIS?

The NEPA process requires close coordination with our federal and regional partners. It is not unusual for additional coordination to be needed to ensure all parties have had time to thoroughly review all content, which can contribute to delays. The delay we have experienced is due to our diligence in assuring that we are being complete and accurate in our work.

Part of this recent coordination has included in-depth conversations with our federal partners, the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA), regarding model data. One of FTA's responsibilities is to evaluate transit projects across the nation. To ensure project analyses are not over-estimating the number of transit riders, the FTA closely examines the maximum number of passengers that a transit system can efficiently and comfortably move during peak travel periods based on future year assumptions made in project analyses.

As part of their evaluation, the IBR program was asked to review transit results for the Portland/Vancouver metropolitan region to make sure that the system could handle the number of people who want to use transit without overcrowding during peak travel periods. After reviewing results from the original modeling efforts, it was identified that some areas outside of the IBR program area showed overcrowding in the future. As a result of the review, the program was asked to use a revised process to model transit ridership that better balanced the number of riders with the available space on vehicles.

The fine-tuning in the modeling assures that we are not over-estimating the number of people who are expected to use transit in 2045, relative to the available service being provided. Our federal partners have indicated that the changes made to our modeling process are consistent with their expectations for other projects across the nation.

This transit forecasting work is now complete and will be available in the Draft Supplemental Impact Statement. The Draft Supplemental Environmental Impact Statement is continuing to undergo a thorough technical review and will be available for public comment later this year.

4) What makes the IBR program competitive for the federal grant programs it has submitted applications for?

The IBR program has pursued funding from three primary federal grant programs, which are outlined below – the Mega grant, the Bridge Investment Program grant, and the Federal Transit Administration Capital Improvement Grant. The infusion of potentially billions of dollars in federal grant funds to support the construction of the IBR program has the potential to provide the region a once-in-a-generation economic opportunity.

These funds are highly competitive, and if not spent in our region, they will go to other infrastructure projects in the country. As a bi-state project on a critical international freight corridor, the IBR program is uniquely well-qualified to compete for these federal funds. The proposed program investments will help ensure a modern, earthquake-resilient multimodal corridor that will improve safety and mobility for all travelers, and the program’s commitment to centering equity and climate considerations in this work are in alignment with federal strategic priorities for transportation projects nationwide.

Having the non-federal matching funds dedicated by each state demonstrates the bi-state commitment and further increases the program’s competitiveness in federal grant applications. The IBR program has already been awarded a \$600 million federal grant through the USDOT Mega grant, the largest award granted through that program to date, demonstrating that replacing the Interstate Bridge is a national priority.

USDOT Multimodal Project Discretionary Mega grant: The goals of the program are to 1) invest in surface transportation infrastructure projects of national or regional significance; 2) support projects that are consistent with the Department’s strategic goals: improve safety, economic strength and global competitiveness, equity, and climate and sustainability.

FHWA BIP Grant: The goals of the program are to 1) improve the safety, efficiency, and reliability of the movement of people and freight over bridges; 2) improve the condition of bridges in the United States; and 3) provide financial assistance that leverages and encourages non-Federal contributions from sponsors and stakeholders involved in the planning, design, and construction of eligible projects.

In addition to the basic requirements, grant reviewers are also looking for projects that can demonstrate that they are advancing work consistent with the current administration and USDOT's strategic plan goals including safety, climate change and sustainability, equity, and workforce development and wealth creation.

FTA CIG Grant: The CIG program is a multi-step process that take place over many years of planning, development, engineering and construction. FTA approval is required for entry into each step of the process. Each step increases confidence of successfully receiving funding. In September 2023, FTA approved IBR's entry into the project development phase first step of this grant program.

Funds fixed guideway transit investments including new and expanded rapid rail, commuter rail, light rail, streetcars, bus rapid transit, and ferries, as well as corridor-based bus rapid transit investments that emulate the features of rail. To be eligible to receive a CIG construction grant, all proposed projects must go through a multi-year, multi-step development process outlined in the law. FTA is required to evaluate and rate CIG projects on statutorily defined project justification and local financial commitment criteria.

In order to receive a competitive rating, projects must be able to receive an adequate rating in multiple categories including: area land use and affordable housing, populations and employment served by the project, cost effectiveness per project trip, bike and pedestrian access to project transit, improved mobility for transit dependent riders, congestion relief and environmental benefits.

5) Questions about potential property impacts and eminent domain process

The IBR program will do everything feasible to avoid, minimize, and mitigate property impacts associated with its investments. No final decisions have been made about what will be built, and several steps remain before discussions around specific property impacts begin. The Draft SEIS, which will be available later this year, will analyze potential benefits and impacts, including identifying potential property impacts.

The Final SEIS will identify the anticipated program footprint and mitigations. It is anticipated that formal discussions about property acquisitions can take place after the program publishes its Final SEIS and receives a federal Record of Decisions (ROD). The Record of Decision is what provides federal approval to move the project into construction, which is

anticipated to come sometime in 2025. Program efforts to avoid, minimize, and mitigate impacts associated with its investments will continue through final design and construction.

The first construction project is anticipated to begin with the main river bridge and approaches, which is estimated to commence in late 2025 at the earliest. Since construction is expected to be sequenced, starting with the river crossing, formal conversations about property acquisitions would also be sequenced in conjunction with the construction timeline.

If it is determined that all or a portion of a property is necessary for the program investments, property owners will be contacted well in advance of any construction activity, in accordance with federal requirements laid out in the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. These requirements include receiving just compensation at fair market value determined by an appraisal, and receiving relocation assistance and benefits. If the property owner and state cannot reach agreement on terms of a sale, there is a legal process to facilitate resolution. There are many tools available on federal transportation projects and the legal process is only needed when all other methods of reaching agreement are exhausted.

6) Do we have an analysis of how river usage has changed since CRC?

As part of the U.S. Coast Guard's permitting process, the IBR program prepared a Navigation Impact Report in 2020 to identify current and future impacts to river users, which includes fabricators, recreational users such as sailboats and other small craft, tugboats pulling barges and river captains moving commodities up and down the Columbia River. The report examines historical, current and future river use. It describes who the users are, where they are located, and planned future development for maritime users. The IBR program continues to work with the Coast Guard to ensure the program has the most up-to-date user information and is working to update the analysis completed in 2020 to include any changes since the initial report was completed.

Since the time the analysis was completed for the Columbia River Crossing (CRC), river usage has largely remained similar. There have been limited new marine development activities east of the Interstate Bridge, and a number of facilities have ceased operations. Some vessel traffic and practices have changed, such as new vessels being added by existing users like Tidewater Barge Lines and vessels no longer in service in the area, such as the Hawaiian Chieftain. Required openings of the Interstate Bridge for vessels (excluding maintenance lifts) declined from an average of 289 per year from 1997 to 2011 to 157 per year from 2012 to 2020.

The potentially impacted river users identified for the IBR program are largely the same as those identified in the previous CRC project, with the exception of one tall vessel that is no longer in service. The fabricators the program is currently in conversations with are the same river users that were identified during CRC, though some of the companies have changed ownership since that time. During the previous project, agreements were reached with those river users potentially impacted by a lower bridge height clearance, and current conversations with fabricators have been constructive to date.

7) Are there plans to toll I-205 at the Glenn Jackson Bridge to pay for the bridge?

In 2023, the Washington State Legislature authorized tolling on the existing and replacement I-5 bridge. Oregon authorized tolling on the Interstate Bridge in 2013 as part of the previous planning efforts. There are no plans to toll the I-205 bridge to pay for replacing the Interstate Bridge or as a congestion management tool associated with the IBR program. Washington legislation specifically prohibits tolling the I-205 bridge in the I-5 bridge toll authorizing language.

8) Why are active transportation improvements needed for the IBR program?

The Interstate Bridge is one of the only routes across the Columbia River in the Portland/Vancouver metro region and provides a critical community and economic connection for travelers between the states. Along with transit, active transportation is identified in the IBR program's purpose and need as one of the transportation problems that must be addressed. Both are also key elements that classify IBR, a federally funded transportation project, as a multimodal transportation program.

All of the bridge configurations being studied in the Draft Supplemental Environmental Impact Statement would include investments to improve conditions for all travelers, including safer vehicle lanes, safety shoulders, auxiliary lanes to improve ramp-to-ramp connections, high-capacity transit and improved pedestrian and bicycle facilities. Active transportation is a critical part of this and a key to centering equity in the IBR program. By creating safer active transportation facilities, people from all socioeconomic backgrounds will have access to efficient and affordable travel options.

The IBR program is committed to creating safer and more direct active transportation options in the program area that support and encourage people to walk, bike, and roll across the bridge, between neighborhoods, to transit, and to other destinations. The current bridge is not desirable or accessible for many travelers walking, biking and rolling. The multi-use sidewalk is barely four feet wide, putting active users in close proximity to high-speed vehicle

traffic, exhaust fumes and roadside debris. The bridge also lacks critical connections to existing active transportation facilities on both sides of the river, preventing active users from completing their trip. These conditions disrupt this critical connection and the associated community and economic benefits.

By contrast, the new Interstate Bridge will feature a shared-use path that will be separated from vehicle traffic by barriers and wide enough for two-way travel. The program will also improve active transportation connectivity to existing active transportation facilities -- while bike and pedestrian facilities do not currently exist on I-5 within the program area other than on the bridge itself, there are active transportation facilities on both sides of the river that currently lack safe and accessible connections to the bridge. These program area improvements will improve safety and connectivity not only for users traveling along the Interstate Bridge, but also along east-west streets crossing the Interstate on either side of the river.

At this stage in design, we have identified active transportation as a key component of the program and have established the building blocks of active transportation improvements. The more attractive, comfortable, and safer facility is anticipated to draw more active transportation users in the future. The Draft SEIS will include estimated future active transportation use once IBR program investments are constructed. Specific details, including the costs associated with active transportation improvements, will be an important part of the next phase of work.

9) Funding breakdown: what's committed?

The estimated cost range for the program is \$5 to \$7.5 billion, with a likely estimated cost of \$6 billion. Prospective/anticipated and committed funding sources to address the \$6 billion estimate include:

- Federal Competitive Grants: \$2.5B prospective, and \$601M committed. The program is focused on maximizing federal grant funding from the FHWA Bridge Investment Program (BIP), USDOT Mega, and FTA Capital Investment Grants (CIG) New Starts.
- Existing Oregon and Washington State Planning Funding: \$217M committed.
- Washington Funding Contribution: \$1B committed.
- Oregon Funding Contribution: \$1B committed.
- Toll Funding: \$1.24B anticipated.

A more detailed breakdown of the funding ranges to address the cost estimate range is also provided below:

	Status	Funding Range	Expected Value
Existing State Funding	Committed	\$100 M	\$100 M
Connecting WA Funding—Mill Plain Interchange	Committed ¹	\$117 M	\$117 M
Move Ahead WA Funding	Committed	\$1,000 M	\$1,000 M
Oregon Funding Contribution	Committed	\$1,000 M	\$1,000 M
Toll Funding	Committed ²	\$1,100 – 1,600 M	\$1,240 M
FTA New Starts CIG Funding	Prospective	\$900 – 1,100 M	\$1,000 M
FHWA/USDOT Federal Grants	Partially Committed ³	\$860 – 1,800 M	\$1,500 M
IBR Funding Totals		\$5,077 – 6,717 M	\$5,957 M

Updated as of 12.28.2023

¹ These funds were deferred to a later date and adjusted for inflation by the Washington State Legislature in the 2023 session.

² Legislative authorization to toll has been secured in both states and toll funding of \$1.24 B has been confirmed by both states at toll rates assumed in the 2023 Financial Plan under a base case financing scenario. Toll rates and policies will be jointly set by the Washington State and Oregon Transportation Commissions.

³ \$600 M is committed via FFY 2023 Mega Grant award and \$1.0 M is committed via FFY 2022 BIP Planning Grant award.