MEMORANDUM: CONTEXT FOR NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) RE-EVALUATION

Feb. 4, 2022

The Interstate Bridge Replacement (IBR) program is utilizing previous planning work as a foundation for current efforts, while recognizing the need to respond to changes that have occurred to the physical environment, regulatory context, and regional priorities since the previous planning efforts concluded. As part of ongoing work with federal partners, the IBR program submitted the following National Environmental Policy Act (NEPA) Re-Evaluation to the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) in late 2021.

A NEPA Re-Evaluation is required to determine whether a previously approved environmental document is still valid for a federal action or needs to be updated with current conditions and analysis. A NEPA Re-Evaluation does not require the program to have made decisions on the details of the future project, it is merely a process of determining whether the original document or decision is sufficient or if supplemental or new analysis is needed.

The following Re-Evaluation addresses changes in regulations, permits and the affected environment that have occurred since 2011 and potential design changes or refinements proposed to be made through the Interstate Bridge Replacement (IBR) program process. The review considers whether any new information, including design modifications or refinements, could result in potential adverse impacts not included in the previous Interstate-5 Columbia River Crossing Final Environmental Impact Statement and Record of Decision (2011; re-evaluated in 2012 and 2013).

In late December 2021, FHWA and FTA provided their determination that a Supplemental EIS is necessary to identify and disclose potential new adverse impacts and mitigation associated with the IBR program that could result from changes that have occurred in the program area since the previous planning effort and potential design revisions that could be made to address these changes. A Supplemental EIS is a detailed process that requires extensive analysis and documentation along with formal public engagement to achieve a federal Record of Decision granting approval to proceed to construction. Completing a Supplemental EIS is consistent with the IBR program's current workplan and target to begin construction in 2025.

Re-Evaluation of the Interstate-5 Columbia River Crossing Final Environmental Impact Statement and Record of Decision (2011; re-evaluated in 2012 and 2013)

1. INTRODUCTION

This re-evaluation addresses changes in regulations, permits and the affected environment for the Interstate 5 (I-5) Columbia River Crossing (CRC) Project occurring since 2011 and design changes or refinements proposed to be made to the Project through the Interstate Bridge Replacement (IBR) program process. The CRC Project was a multimodal transportation project focused on improving safety, reducing congestion, and increasing mobility of motorists, freight traffic, transit riders, bicyclists, and pedestrians along a 5-mile-long section of the I-5 corridor connecting Vancouver, Washington, and Portland, Oregon. The CRC Project was jointly led by the Oregon Department of Transportation (ODOT) and the Washington State Department of Transportation (WSDOT) during the environmental review process between 2005 and 2013. In 2014, the CRC Project was suspended by ODOT and WSDOT when it did not secure the funding necessary to complete design and construction. The CRC Project was reinitiated by ODOT and WSDOT in 2019 and is now being advanced as the IBR program.

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) were the lead federal agencies responsible for ensuring that the CRC Project complied with the National Environmental Policy Act (NEPA) and associated regulations and policies; FHWA and FTA continue to be the lead agencies for the IBR program. The environmental review process was completed for the CRC Project in 2011 with the issuance of a final environmental impact statement (FEIS) and Record of Decision (ROD). The approved Selected Alternative for the CRC Project was described in the 2011 ROD and was modified by two signed re-evaluations (one in 2012 that raised the maximum vertical clearance of the bridge from 95 feet to 116 feet, and a second in 2013 that evaluated a phased building approach).

In 2019, a bi-state legislative committee requested that ODOT and WSDOT reinitiate the CRC Project. Oregon Governor Kate Brown and Washington Governor Jay Inslee signed the “Oregon-Washington Memorandum of Intent on Replacing the I-5 Bridge over the Columbia River” on November 18, 2019, to express interest in this work. To reinitiate the work, the IBR program has assembled a team comprised of:

- ODOT
- WSDOT

- The local transit agencies, Clark County Public Transportation Benefit Area (C-TRAN) and Tri-County Metropolitan Transportation District (TriMet)
- The regional Metropolitan Planning Organizations (MPOs), Oregon Metro (Metro) and Southwest Washington Regional Transportation Council (RTC)
- The Cities of Portland and Vancouver
- The Ports of Portland and Vancouver

The IBR program is a continuation of the CRC Project and will rely on much of the previous NEPA documentation while conducting additional environmental review, as needed, to comply with NEPA.

A NEPA re-evaluation considers whether any new information, or design changes or refinements, could result in new or changed impacts not included in the previous NEPA analysis and documentation. FHWA and FTA are required to comply with the regulation that governs the re-evaluation process (23 Code of Federal Regulations [CFR] 771.129[c]). FHWA and FTA must determine whether the contents of a previously approved environmental document are still valid for federal action. The CFR states:

> *After the Administration issues a combined final EIS/ROD, ROD, FONSI, or CE designation, the applicant must consult with the Administration prior to requesting any major approvals or grants to establish whether or not the approved environmental document or CE designation remains valid for the requested Administration action. These consultations will be documented when determined necessary by the Administration.*

Design changes or refinements are common after a project's NEPA process has been completed and a project moves into permitting and final design phases. In addition to design changes or refinements, FHWA and FTA will also consider changes in existing environmental conditions and regulations since the ROD was signed for the CRC Project. This re-evaluation does not define the significance of new or changed impacts but provides a preliminary outline of potential new or changed impacts that will be evaluated in a supplemental environmental review.

This re-evaluation describes the following:

- Changes in the affected environment that could result in new environmental impacts.
- Potential design changes or refinements that could result in new adverse environmental impacts not evaluated or disclosed in the CRC documentation.[1]
- Changes in permitting regulations and guidance since the CRC Project was suspended.

[1] The CRC FEIS and ROD can be found at https://www.wsdot.wa.gov/accountability/ssb5806/environmental-process-and-permitting.htm.

1.1 Columbia River Crossing: National Environmental Policy Act Overview

The CRC Project included a number of regional transportation partners, including ODOT, WSDOT, C-TRAN, TriMet, RTC, Metro, and the Cities of Portland and Vancouver. As potential funding agencies, the FHWA and FTA were the co-lead federal agencies responsible for making the decision following the NEPA process. Project development and environmental review (in compliance with NEPA) began in 2005, and the FTA and FHWA issued a ROD in December 2011. Preconstruction activities for the CRC Project included refining engineering design, developing construction procurement packages, refining the finance plan, continuing the application process under the FTA Capital Investment Grants (CIG) Program, and supporting funding conversations in the Washington and Oregon state legislatures.

The CRC Project's state and local NEPA co-leads included ODOT and WSDOT; the region's MPOs, Metro and RTC; and the region's transit agencies, TriMet and C-TRAN, in addition to its local partners, the Cities of Portland and Vancouver. Each agency was responsible for approving all or part of the proposed project. The CRC Tribal Consultation process was designed to encourage early and continuous feedback. The CRC Project team consulted with 11 Tribes, four of which have adjudicated treaty rights to the Columbia River.

Significant technical work was completed to support the development of the CRC Project. Multiple build alternatives were evaluated in the environmental impact statement (EIS) documentation prepared for the project. The results of analyses were used to inform project planning, design, and preconstruction activities. The FHWA and FTA issued a ROD with a Selected Alternative on December 7, 2011. The Selected Alternative included a variety of transportation improvements throughout the 5-mile project corridor, including the following (as documented in the ROD):

- A new river crossing over the Columbia River and I-5 highway improvements. Improvements to seven interchanges, from south to north: Victory Boulevard, Marine Drive, Hayden Island, SR-14, Mill Plain, Fourth Plain and SR 500. Related enhancements to the local street network.
- Improvements to the existing I-5 mainline bridge over North Portland Harbor; three new structures over this waterway associated with I-5; and one new multi-modal bridge carrying light rail transit, local traffic, pedestrians and bicyclists.
- A variety of bicycle and pedestrian improvements throughout the project corridor. A multiuse path connecting to the existing system. The path would allow users to travel from north Portland, over Hayden Island and the Columbia River into downtown Vancouver.
- Extension of light rail transit from the Expo Center in Portland to Clark College in Vancouver and associated transit improvements. Transit stations would be built on Hayden Island, in downtown Vancouver, and a terminus near Clark College. Three park and rides are to be built, Columbia (near the SR 14 interchange), Mill (in uptown Vancouver) and Clark (near Clark College). Improvements

would be made to the tracks on the Steel Bridge. Also, bus route changes and the expansion of the Ruby Junction light rail transit maintenance facility.

- Transportation demand and system management measures to be implemented with the project, including the use of tolls, subject to the authority of the Washington and Oregon Transportation Commissions.

Figure 1 shows the CRC Project's Selected Alternative as published in the 2011 ROD. Figure 2 lists the major NEPA milestones and timeline for the CRC Project.

Figure 1. CRC Selected Alternative (2011 ROD)

Left: Northern project extent to SR 14 interchange; Below: SR 14 interchange to southern project extent

Figure 2. CRC NEPA Process and Timeline

After the ROD was issued in 2011, the project design was further refined, affecting the impacts associated with the project. With each potentially significant change, the CRC Project team completed a NEPA re-evaluation. Two re-evaluations were completed.

1. The Bridge Height NEPA Re-evaluation was signed by FHWA and FTA in December 2012. This re-evaluation considered an increase in the bridge's maximum vertical clearance height from 95 feet to 116 feet; no significant additional impacts were identified.

2. The Phased Construction NEPA Re-evaluation was signed by FHWA and FTA in September 2013. This re-evaluation considered the effects of phasing the construction of the Selected Alternative, which was disclosed as an option in the FEIS/ROD. The re-evaluation also included design refinements to the full Selected Alternative as described in the ROD to make the first phase operate better. Some of the design refinements included modifying the Hayden Island interchange in the Selected Alternative first phase to reduce the number of new bridges over North Portland Harbor and to reduce cost while still improving the interchange performance. The September 2013 re-evaluation found that the impacts associated with the full Selected Alternative and the Selected Alternative first phase are similar and within the range of impacts reported in the FEIS and ROD.

1.2 Interstate Bridge Replacement Program

In 2019, a bi-state legislative committee requested that ODOT and WSDOT reinitiate the CRC Project—renaming it the IBR program. The IBR program is a continuation of the CRC Project and will rely on the existing NEPA documentation to the extent possible. The local agency partners and Tribes that played a key role in the CRC Project (see Section 1.1) continue to play a similar role on the IBR program.

The IBR program is leveraging work from the CRC Project and updating previous studies to integrate new data; regional changes in transportation, land use, and demographic conditions; and public input that will inform program development work. It is anticipated that construction for the IBR program would begin in 2025.

2. PURPOSE AND NEED

The Purpose and Need statement for the CRC Project was developed by the lead agencies, project sponsors and the CRC Task Force.[2] The Purpose and Need statement is provided as Attachment B.

Through work completed over the past year, the IBR program has determined that the needs identified in the CRC Purpose and Need statement are still pertinent. Thus, **the Purpose and Need statement for the IBR program remains the same as in the 2011 ROD for the CRC Project**.

[2] The CRC Task Force was a 39-member group formed in 2005 comprised of leaders representing a broad cross section of Washington and Oregon communities. Public agencies, businesses, civic organizations, neighborhoods, and freight, commuter, and environmental groups were represented on the task force. The group met 23 times over the course of the project development phase to advise the CRC Project team and provide guidance and recommendations at key decision points. The task force concluded its work in summer 2008 after making its recommendation on the locally preferred alternative.

3. CHANGES IN REGULATIONS, PERMITS, AND AFFECTED ENVIRONMENT

Since the issuance of the CRC Project's ROD, there have been regulatory updates, expired and suspended permits, and changes in existing environmental conditions. The IBR program, comprised of a partnership among ODOT, WSDOT, TriMet, C-TRAN, Metro, RTC, the Cities of Portland and Vancouver, and the Ports of Portland and Vancouver, is developing design options to address these changes. Any new or changed impacts that were not previously considered will be analyzed and evaluated. The changes in regulations, permitting needs, and the affected environment are summarized in this section, and the potential design changes or refinements addressing these changes are detailed in Section 4 of this document.

3.1 Regulatory Changes and Updates to Permits or Agreements

There have been changes to applicable federal environmental regulations and requirements (listed below) since the issuance the CRC Project ROD, which will be addressed by the IBR program to bring the environmental document up to date. Additional regulatory changes will be identified as the IBR program advances.

- Revisions to the **FHWA/FRA/FTA Environmental Impact and Related Procedures** (23 CFR 771, 49 CFR 622) in October 2018.
- **Federal Aviation Administration (FAA) Design Standards and Guidance**. The IBR program will need to consider the following when refining program design:
  - Advisory Circular (AC) 70/7460-1M Obstruction Marking and Lighting: Any obstruction marking deemed necessary and included with the design of the IBR program would need to comply with the latest design standards.
  - AC 150/5200-33C Hazardous Wildlife Attractants on or Near Airports: The revised guidance provided in AC 150/520-33C still recommends avoiding the development of hazardous wildlife attractants such as open stormwater treatment ponds within 5,000 feet of airports servicing piston-powered aircraft. If the IBR program design proposes open stormwater treatment ponds within 5,000 feet of Pearson Field, FAA recommends developing these plans in consultation with a qualified airport wildlife biologist to minimize hazardous wildlife attractants.

In addition to the above-mentioned changes in regulations and guidance, the CRC Project had multiple permits and approvals in place when the project was suspended, with additional permits in process. The status of key federal permits and approvals that will need to be revisited for the IBR program are summarized, but not limited to those listed, below:

- **Endangered Species Act (ESA)** consultations were conducted for the CRC Project. The U.S. Fish and Wildlife Service (USFWS) issued a letter of concurrence in 2010, and the National

Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (Fisheries) issued a biological opinion in 2011. As part of the 2013 Re-evaluation, these consultations were reinitiated to address design changes and the designation of new critical habitat for the Lower Columbia River coho and eulachon species. USFWS issued a new letter of concurrence, and NOAA Fisheries issued a new biological opinion for the CRC Project in 2013 to address design changes and critical habitat. The IBR program will consult with NOAA Fisheries and USFWS to determine the Section 7 consultation approach. A new biological assessment will need to be prepared to address any changes since the 2013 consultation. It is expected that NOAA Fisheries will issue a new biological opinion and USFWS will issue a new letter of concurrence as a result.

- **Section 106 of the National Historic Preservation Act.** Under the CRC Project, cultural resource studies, consultations, surveys, testing, and evaluations were completed and culminated in a signed Memorandum of Agreement (MOA) to address adverse effects to historic properties. In the spring of 2021, FHWA's Federal Preservation Officer in Washington, D.C., and the Advisory Council on Historic Preservation informed the IBR program team that the signed 2011 MOA was no longer valid due to current policy and guideline standards and must be closed-out. The IBR program must update inventories and evaluation of these additional historic properties and initiate consultation with consulting parties and Tribes to develop a mitigation plan(s) for adversely affected historic properties. Additionally, any design changes or refinements outside of the CRC Project's Area of Potential Effects (APE) would require updates to the Section 106 consultation. A new agreement will likely need to be developed and signed by applicable federal, state and local agencies and Tribes.
- **U.S. Army Corps of Engineers (USACE) Section 408.** When alterations to a USACE Civil Works project are proposed, Section 14 of the Rivers and Harbors Act of 1899 (codified as 33 U.S. Code §408 and referenced as Section 408) requires that a determination be made that these alterations will not be injurious to the public interest nor impair the usefulness of the USACE Civil Works project. Initial permitting activities to address alterations to the navigation channels and levee system were started during the CRC Project, but they were not completed. The IBR program must complete the permitting process to obtain permission from the USACE for these alterations.
- **USACE Section 404.** The CRC Project submitted an individual permit application on November 30, 2012, and completed the public comment period on April 15, 2013. The permit process was not completed before the CRC Project was suspended. The IBR program will submit a new individual permit application and complete the permitting process to obtain a permit from the USACE for impacts to designated waters of the U.S.
- **U.S. Coast Guard (USCG).** A permit under Section 9 of the Rivers and Harbors Act is required for any authority planning to construct or modify a bridge or causeway across a navigable waterway under the jurisdiction of the USCG. A bridge permit was issued by the USCG in September of 2013 for the CRC Project. However, this authorization has expired, and a new permit process is required. Specific time limitations are applied to each permit authorization

that state a permit would be null and void unless construction of the bridge commenced within three years and completed with five years after the date of authorization. New bridge permit application guidance (COMDTPUB P16591.3D) was issued July 2016. The IBR program will submit a new bridge permit application in accordance with the 2016 bridge permit application guidance. In addition, the program will prepare a Preliminary Navigation Clearance Determination as required by the 2014 FHWA/FTA Memorandum of Understanding.

- **Other regulatory compliance for cultural resources.** Changes in the historic property inventory, significance, effects and mitigation will also be subject to compliance with the Archaeological Resources Protection Act of 1979 and the Native American Graves Protection and Repatriation Act. Section 4(f) of the U.S. Department of Transportation Act of 1966 will also take into consideration any identified historic sites considered to have national, state or local significance that are within the project APE. This project is also subject to state cultural resources laws. In Oregon, these statutes include Archaeological Sites and Objects (Oregon Revised Statute [ORS] 358.905 to 358.955); Permit and Conditions for Excavation or Removal of Archaeological or Historical Material on Public Lands (ORS 390.235); and Indian Graves and Protected Objects (ORS 97.740-97.760). In Washington, these laws include Archaeological Sites and Resources (Revised Code of Washington [RCW] 27.53), Indian Graves and Records (RCW 27.44), and Abandoned and Historic Cemeteries and Historic Graves (RCW 68.60).
- **Tribal consultation.** Government-to-government consultation was reinitiated in September of 2020, which included outreach to 21 Tribes, four of which have adjudicated treaty rights along the Columbia River. Outreach began with a series of letters sent to 21 Tribes in September of 2020. Based on that outreach, as well as previous participation, the IBR program has identified 11 consulting Tribes. The IBR program will continue consultation with each of these 11 Tribes. Additionally, through consultation with the National Park Service, the IBR program has identified an additional 17 Tribes that will be contacted. Consultation was also initiated with the Columbia River Intertribal Fish Commission, which will be actively engaged in natural resource discussions pertaining to fisheries. These consultations could result in the identification of additional culturally significant properties, which could result in impacts that were previously unidentified.

3.2 Changes to Affected Environment and Community Interest

Since the issuance of the CRC ROD, there have been changes in existing environmental conditions ranging from physical changes in development within the project footprint to societal changes in community priorities and interests. This section briefly summarizes some of those changes.

- *Demographic changes.* The region added more than a quarter of a million residents between 2010 and 2020, with the majority being Black, Indigenous or People of Color (BIPOC) and/or Hispanic/Latino.
- *Housing costs.* The cost of housing has increased significantly, forcing many households with lower incomes to move to neighborhoods where housing is more affordable, but that may be

farther from job and activity centers. The combination of longer distances traveled and limited public transit service in these areas places an added transportation cost burden on these community members, including many who moved from Portland to Clark County but still need to travel to Portland for work, medical appointments, family or other needs. Related to rising housing costs is a growing houseless population throughout the region. The number of encampments has increased, including in the highway right of way and throughout the program area.

- *Climate change.* In the past decade, there has been growing awareness and acceptance of the implications and impacts of climate change. Many communities, agencies and businesses are reassessing their behavior and operations to identify how they might be contributing to global warming and resultant climate change and examining how their environment is changing due to climate change. Both Washington and Oregon have established new, additional climate policies since 2011, and local governments in the project area have also established new policies. Additionally, recent exceptional weather events are driving the change in some considerations and assumptions about climatic conditions and related community needs. This emerging climate policy context and changes in climatic conditions have become increasingly critical for consideration in design and operations of the IBR program.
- *Traffic.* Changes in traffic volumes and activities; the IBR program is currently updating traffic models to extend the forecast to 2045 (CRC used 2035).
- *Transit service.* Changes in existing transit services and activities include C-TRAN's Fourth Plain Vine bus rapid transit route, which began service in 2017, and bus-on-shoulder operations on I-5 north of the Interstate Bridge, which began in 2020. The CRC Project modeling included high ridership bus routes that are now coded as the three Vine bus rapid transit (BRT) Lines that are assumed to be in place in the 2045 forecast year. In addition to the Fourth Plain Vine, C-TRAN is developing two additional Vine routes: the Mill Plain Vine (under construction) and the Highway 99 Vine. TriMet has also expanded operations and planning of BRT in the region. The IBR program is currently updating transit models to reflect these changes in programming.
- *Tolling.* Tolling programs are being studied and planned in Oregon. Tolling on the I-5 bridge was included in the CRC analysis; the IBR program will analyze the potential effects of more widespread tolling programs.
- *Land use.* Localized development includes limited construction or building permit applications in the CRC Project construction boundary; these include buildings developed since the CRC Project's ROD. This would result in different anticipated acquisitions or design changes or refinements to avoid newly constructed buildings.
- *Historic resources.* Multiple new, historic-aged structures potentially eligible for listing in the National Register of Historic Places have been identified since the previous historic period survey, which considered structures dating back to 1967. Assuming that construction of the IBR program will begin in 2025, the historic resources period has been extended 15 years to

consider buildings built in or prior to 1982, which will include buildings built 45 or more years before construction is initiated, with a two-year allowance for unanticipated schedule delays.

- *ESA.* ESA listings and critical habitat designations have changed since the 2013 consultations with NOAA Fisheries and USFWS. The IBR program will consult with NOAA Fisheries and USFWS to determine the Section 7 consultation approach and bring the consultations up to date with current species listings and critical habitat designations and to reflect changes in best available science.

4. POTENTIAL CHANGES IN DESIGN AND IMPACTS

This section provides an overview of the physical/contextual changes since the issuance of the CRC ROD and subsequent re-evaluations, the IBR program's response or consideration to that change, and the potential new or changed impacts that could result from the implementation of the IBR program. Table 1 shows where design changes or refinements to the CRC Selected Alternative are likely needed, and may warrant additional evaluation and NEPA documentation. The table focuses on changes that would result in new adverse impacts; there are also contextual changes in the program area (e.g., updates in the Port of Portland's plans for developing West Hayden Island) that could reduce localized impacts.

Table 1. IBR Design Changes or Refinements: Potential New Adverse Impacts

Physical/Contextual Changes Since CRC	Potential IBR Program Design Change or Refinement	Potential New Adverse Impacts
The age of the North Portland Harbor bridges reduces the effectiveness of a seismic retrofit.	Replace bridges and reconsider configurations and local connectors at the Hayden Island and Marine Drive interchanges. Replacement of the North Portland Harbor bridges was considered in the CRC EIS.	There could be potential new adverse impacts to acquisitions (including floating homes), visual quality and viewsheds, historic resources, levees, and aquatic species and habitat.

Physical/Contextual Changes Since CRC	Potential IBR Program Design Change or Refinement	Potential New Adverse Impacts
Implementation of existing BRT system in Vancouver, specifically stations in downtown are different than planned during CRC. C-TRAN also began operating some of its Express Service buses on the I-5 shoulder.	May adjust the IBR program transit station placement compared to that evaluated by the CRC Project. These updates will be made to be consistent with C-TRAN, TriMet, and MPO long-range plans.	Potential change to acquisitions or displacements and associated impacts (e.g., historic resources, visual).
Transportation (passenger, freight, active) analysis is outdated.	Update analysis for current and future volumes. If needed, consider design changes or refinements and refine mitigation.	To be determined based on new traffic modeling.
Transit analysis is outdated; partner agencies requesting modeling of new scenarios.[a]	Update range of transit scenarios modeled. If change in transit mode and routing is an outcome of the modeling and regional discussions, the transit footprint and ridership projected for the CRC Project will change.	To be determined based on new transit modeling and regional discussions.
Land use changes and development in the project area include development at the Vancouver waterfront, new buildings constructed in the project area since 2011, including in areas within the CRC Project right of way.	Apply strategies to avoid, minimize, or mitigate new impacts (e.g., change design to avoid new structures).	Increased property acquisition, right of way costs, and residential and business displacements.

Physical/Contextual Changes Since CRC	Potential IBR Program Design Change or Refinement	Potential New Adverse Impacts
Continued expression of community concern that the footprint of the Hayden Island interchange for the CRC Project was too big.	Evaluate potential different interchange configurations.	Change in access and local traffic circulation; changes in property acquisition, right of way costs, and residential and business displacements. Overall impacts may be reduced.
USCG Section 9 permit expired; IBR program will need individual permits for Columbia and North Portland Harbor (Oregon Slough) bridges.	Initiate new Section 9 permit process with USCG, including evaluation of potential changes in existing and future needs of navigation. Considerations include bridge height, modifications of federal navigation channels, construction timing, and mitigation needs in coordination with USCG and USACE.[b]	If bridge height changes, there could be potential impacts to roadway connections, traffic operations, transit operations, footprint, visual quality and viewsheds, aquatic species and habitat (from in-water work), and FAA airspace.
USACE Section 408 Navigation Channel modification authorization.	The proposed bridge replacement would alter existing federal navigation channels, thus requiring a Section 408 authorization from the USACE. The alterations to the navigation channels would involve shifting the channels in space to align with the proposed new bridge's span clearances.	To be determined based upon selected bridge design option.

Physical/Contextual Changes Since CRC	Potential IBR Program Design Change or Refinement	Potential New Adverse Impacts
Changes requiring reinitiation of ESA consultation (likely changes in the proposed action; newly listed species and critical habitats; changes in best available science regarding impacts to listed species).	Prepare a new Biological Assessment that addresses changes; reinitiate ESA consultation with NOAA Fisheries and USFWS, coordinate with other agencies (e.g., USCG and USACE) and Tribes to develop appropriate best management practices and impact and avoidance and minimization measures.	Potential for new impacts to ESA-listed species and critical habitats. Anticipated construction-related impacts would be similar to those evaluated in the CRC ESA consultation; some impacts analysis may change to address new scientific understanding of impacts (effects to orca prey base, emerging science regarding stormwater pollutants, new listed species, etc.).
Newly eligible historic resources within the previously established APE; assuming construction will begin no later than 2027, the historic period has advanced from 1967 to 1982 (45 years prior to 2027).	Evaluate eligibility for listing on the National Register of Historic Places; if eligible, consider effects and avoid or develop mitigation.	Potential new historic-aged structures and sites as well as an increase in APE would introduce new historic properties that may need NRHP evaluation and effects determination. Some adverse impacts might affect the I-5 bridge (1917), floating homes, and resources within the park.
Reinitiation of consultation with Tribes.	A Tribe or Tribes may request additional avoidance, minimization, or mitigation measures.	Tribes might identify new areas of concern. Cultural sites might need to remain confidential; however, the IBR program anticipates addressing such concerns through the new Section 106 agreement or another type of agreement as needed.

Physical/Contextual Changes Since CRC	Potential IBR Program Design Change or Refinement	Potential New Adverse Impacts
Climate considerations: reinstatement of 2016 federal guidance regarding consideration of GHG emissions and climate change[c] and state and local agencies' increased commitment to GHG emissions reductions and additional actions to support climate resilience and adaptation.	Work with partner agencies to seek opportunities to reduce GHG emissions and improve climate change resiliency and adaptation; potential adjustments to design to improve climate outcomes; Design changes or refinements to address climate considerations could change footprint, transit or roadway configuration, or implementation of the program.	New statewide policies require analysis that may define new adverse impacts.
Equity considerations: The IBR program's stated goal is to focus benefits on the populations and communities where there is the greatest need.	Work with partner agencies, affected populations, relevant organizations to seek opportunities for a solution and mitigation that is equitable; the IBR program may consider additional program elements to address equity.	New statewide policies require analysis that may define new adverse impacts.

Notes:
a Footprint could be reduced compared to the CRC Project (e.g., transit-supported infrastructure needs could be reduced, such as the Ruby Junction Operations and Maintenance facility or Steel Bridge improvements).

b The bridge height was increased to 116' after issuance of the ROD; FHWA and FTA approved this change under a re-evaluation dated December 2012.

c Pursuant to EO 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, the Council on Environmental Quality rescinded its 2019 Draft NEPA Guidance on Consideration of Greenhouse Gas Emissions and is reviewing, for revision and update, the 2016 Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews.

Key:

APE = Area of Potential Effects
CRC = Columbia River Crossing
C-TRAN = Clark County Public Transportation Benefit Area
EIS = environmental impact statement
EO = Executive Order
ESA = Endangered Species Act
FAA = Federal Aviation Administration
FHWA = Federal Highway Administration
FTA = Federal Transit Administration
GHG = greenhouse gas
IBR = Interstate Bridge Replacement
MPO = Metropolitan Planning Organization
NEPA = National Environmental Policy Act
NOAA Fisheries = National Oceanic and Atmospheric Administration National Marine Fisheries Service
NRHP = National Register of Historic Places
ROD = Record of Decision
TriMet = Tri-County Metropolitan Transportation District
USACE = U.S. Army Corps of Engineers
USCG = U.S. Coast Guard
USFWS = U.S. Fish and Wildlife Service

Table 2 outlines each environmental resource evaluated by the CRC Project and identifies anticipated changes in impacts associated with potential design changes or refinements from the CRC Selected Alternative and regulatory/policy changes. The detailed technical evaluation of impacts has not yet been completed; however, initial review of the past environmental analysis supports the anticipated changes in impacts. Any supplemental NEPA documentation would be limited to areas where changes would occur.

Table 2. EIS Resource Areas: Anticipated Evaluation Considerations

Resource Area	Evaluation Considerations
Transportation	Change in forecast year and regional projects
Aviation and Navigation	Potential change in bridge height and to navigation channel
Property Acquisitions and Displacements	Acquisitions and displacements will change compared to the CRC Selected Alternative based on development and project design changes or refinements
Land Use and Economic Activity	Current and future land use changes including plans, policies and forecasts
Neighborhoods and Environmental Justice	IBR program policies and design changes or refinements may result in additional impacts and benefits
Public Services and Utilities	IBR program will coordinate with providers of public services and utilities to determine changes in impacts, if any, including potential impacts and capacity of electric grid

Resource Area	Evaluation Considerations
Parks and Recreation	IBR program will confirm current existing parks and recreation resources and update the Section 4(f) evaluation, as needed
Historic and Archaeological Resources	Survey period extended 15 years; new historic properties potentially eligible for the NRHP
Visual and Aesthetic Quality	Methods and impact analysis have been updated to reflect FHWA's current guidance
Air Quality	Changes will be evaluated using traffic and transit modeling results
Noise and Vibration	Changes in sensitive receptors, traffic data, and design changes or refinements will be used to re-evaluate impacts
Energy	Implementation of climate initiatives could change level of impact
Electric and Magnetic Fields	Transit mode will determine level of analysis
Water Quality and Hydrology	Design changes or refinements could change level of impact
Wetlands and Jurisdictional Waters	New wetland mitigation site anticipated
Ecosystems	Potential changes in mitigation sites; impacts will be updated based on current environmental conditions and design changes or refinements; ESA requirements may add to analysis and disclosure
Geology and Soils	No or minimal differences anticipated; project will adhere to relevant design standards
Hazardous Materials	No or minimal differences anticipated; team will review changes in contaminated sites of concern in the study area
Cumulative Effects	Cumulative effects evaluation would address changes related to climate and equity considerations and regional tolling programs

Key:

ESA = Endangered Species Act

FHWA = Federal Highway Administration

IBR = Interstate Bridge Replacement

NRHP = National Register of Historic Places

5. CONCLUSION

Based on the information presented in this re-evaluation, FHWA and FTA conclude that the IBR program could include project design changes or refinements to the CRC Selected Alternative that would result in new or changed significant adverse impacts that were not evaluated in the CRC Project's FEIS and ROD. In addition, new information or circumstances (due to changes in the physical environment, community priorities, and regulations) that have occurred since the CRC Project's ROD could result in new or changed significant adverse impacts not previously evaluated. Therefore, in compliance with 23 CFR 771.130(a), FHWA and FTA have determined that a supplemental EIS is necessary to identify and disclose new adverse impacts and mitigation associated with the IBR Program.

LINDA M GEHRKE Digitally signed by LINDA M GEHRKE Date: 2021.12.29 14:38:06 -08'00'

Linda M. Gehrke **Date**
Regional Administrator
FTA Region 10

PHILLIP A DITZLER Digitally signed by PHILLIP A DITZLER Date: 2021.12.29 15:21:16 -08'00'

Phillip A. Ditzler **Date**
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Melinda M. Roberson **Date**
FHWA Acting Washington Division Administrator

ATTACHMENT A. ABBREVIATIONS AND ACRONYMS

AC	Advisory Circular
APE	Area of Potential Effects
BIPOC	Black, Indigenous or People of Color
BRT	bus rapid transit
CE	Categorical Exclusion
CFR	Code of Federal Regulations
CIG	Capital Investment Grants
CRC	Columbia River Crossing
C-TRAN	Clark County Public Transportation Benefit Area
EIS	environmental impact statement
EO	Executive Order
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FEIS	final environmental impact statement
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FTA	Federal Transit Administration
GHG	greenhouse gas
I-5	Interstate 5
IBR	Interstate Bridge Replacement
Metro	Oregon Metro
MOA	Memorandum of Agreement
MPO	Metropolitan Planning Organization

NEPA	National Environmental Policy Act
NOAA Fisheries	National Oceanic and Atmospheric Administration National Marine Fisheries Service
NRHP	National Register of Historic Places
ODOT	Oregon Department of Transportation
ORS	Oregon Revised Statute
RCW	Revised Code of Washington
ROD	Record of Decision
RTC	Southwest Washington Regional Transportation Council
SR	State Route
TriMet	Tri-County Metropolitan Transportation District
USACE	U.S. Army Corps of Engineers
USCG	U.S. Coast Guard
USFWS	U.S. Fish and Wildlife Service
WSDOT	Washington State Department of Transportation

ATTACHMENT B. COLUMBIA RIVER CROSSING PROJECT PURPOSE AND NEED

Excerpted from the CRC Project Record of Decision (2011).

Project Purpose

The purpose of the proposed action is to improve I-5 corridor mobility by addressing present and future travel demand and mobility needs in the CRC Bridge Influence Area (BIA). The BIA extends from approximately Columbia Boulevard in the south to SR 500 in the north. Relative to the No-Build Alternative, the proposed action is intended to achieve the following objectives: a) improve travel safety and traffic operations on the I-5 crossing's bridges and associated interchanges; b) improve connectivity, reliability, travel times, and operations of public transportation modal alternatives in the BIA; c) improve highway freight mobility and address interstate travel and commerce needs in the BIA; and d) improve the I-5 river crossing's structural integrity (seismic stability).

Project Need

The specific needs to be addressed by the proposed action include:

- **Growing travel demand and congestion**: Existing travel demand exceeds capacity in the I5 Columbia River crossing and associated interchanges. This corridor experiences heavy congestion and delay lasting 4 to 6 hours daily during the morning and afternoon peak travel periods and when traffic accidents, vehicle breakdowns, or bridge lifts occur. Due to excess travel demand and congestion in the I-5 bridge corridor, many trips take the longer, alternative I-205 route across the river. Spillover traffic from I-5 onto parallel arterials such as Martin Luther King Jr. Boulevard and Interstate Avenue increases local congestion. In 2005, the I-5 and I-205 crossings carried 280,000 vehicle trips across the Columbia River daily. Daily traffic demand over the I-5 crossing is projected to increase by more than 35 percent during the next 20 years, with stop-and-go conditions increasing to approximately 15 hours daily if no improvements are made.
- **Impaired freight movement**: I-5 is part of the National Truck Network, and the most important freight highway on the West Coast, linking international, national and regional markets in Canada, Mexico and the Pacific Rim with destinations throughout the western United States. In the center of the project area, I-5 intersects with the Columbia River's deep water shipping and barging as well as two river-level, transcontinental rail lines. The I-5 crossing provides direct and important highway connections to the Port of Vancouver and Port of Portland facilities located on the Columbia River as well as the majority of the area's freight consolidation facilities and distribution terminals. Freight volumes moved by truck to and from the area are projected to more than double over the next 25 years. Vehicle-hours of delay on truck routes in the Portland-Vancouver area are projected to increase by more than 90 percent over the next 20 years. Growing demand

and congestion will result in increasing delay, costs and uncertainty for all businesses that rely on this corridor for freight movement.

- **Limited public transportation operation, connectivity, and reliability**: Due to limited public transportation options, a number of transportation markets are not well served. The key transit markets include trips between the Portland Central City and the city of Vancouver and Clark County, trips between north/northeast Portland and the city of Vancouver and Clark County, and trips connecting the city of Vancouver and Clark County with the regional transit system in Oregon. Current congestion in the corridor adversely impacts public transportation service reliability and travel speed. Southbound bus travel times across the bridge are currently up to three times longer during parts of the a.m. peak compared to off-peak. Travel times for public transit using general purpose lanes on I-5 in the BIA are expected to increase substantially by 2030.
- **Safety and vulnerability to incidents**: The I-5 river crossing and its approach sections experience crash rates more than 2 times higher than statewide averages for comparable facilities. Incident evaluations generally attribute these crashes to traffic congestion and weaving movements associated with closely spaced interchanges and short merge distances. Without breakdown lanes or shoulders, even minor traffic accidents or stalls cause severe delay or more serious accidents.
- **Substandard bicycle and pedestrian facilities**: The bike/pedestrian lanes on the I-5 Columbia River bridges are about 3.5 to 4 feet wide, narrower than the 10-foot standard, and are located extremely close to traffic lanes, thus impacting safety for pedestrians and bicyclists. Direct pedestrian and bicycle connectivity are poor in the BIA.
- **Seismic vulnerability**: The existing I-5 bridges are located in a seismically active zone. They do not meet current seismic standards and are vulnerable to failure in an earthquake.