

Notes from meeting with USCG, WSDOT, 10/1/2012, US Coast Guard Offices in Seattle

In attendance:

Rep. Mike Armstrong
Rear Admiral Keith Taylor, Commander, Thirteenth Coast Guard District
Captain Matthew Miller, Chief of Staff, Thirteenth Coast Guard District
Captain Michael S. Gardiner, USCG bridge program manager
Captain Tish Argenti
Nancy Boyd, CRC project director
Ron Judd, WSDOT
Mary Fleckenstein, JTC

Attendees participated in a 90 minute discussion about the General Bridge Permit for the Columbia River Crossing project, to gain a clearer understanding of the process for submitting the bridge permit application, US Coast Guard expectations for the permit application, and to discuss the Coast Guard's recent response to the CRC project's workplan for the General Bridge Permit.

Taylor: USCG raised concerns about a 95' clearance, and especially needs to understand current river users and the economic impact of that clearance on river users.

- The 2004 survey of river users is outdated and insufficient.
- The work done in recent weeks and months to get a more accurate survey of river users and uses is much better, and now we have an accurate understanding of users.
- Next phase is to do the economic impact analysis at various bridge heights (this is needed for the permit application).
- The USCG needs to see that all the alternatives have been evaluated. Taylor said mitigation is the last thing for the project to pursue. It must first attempt to avoid impacts, and to the extent they can't be avoided, then minimize impacts. Only after that is done is mitigation to be considered.
- The permit must attend to "reasonable" needs of navigation, according to the law. These include past, current and future navigation needs.
- Thompson Metal Fab has reasonable navigation needs.
- Emphasized several times that the goal is to issue a permit that will withstand a court challenge.

Armstrong: Coast Guard said it was concerned with the 95' clearance in December, 2011. What's happened since then?

- Nancy Boyd said the project has done a lot of work since then to understand all the information needs required to address their concerns. Have identified all current users and potential future users, and have nearly completed the alternative heights analysis (5' increments of additional clearance).

Taylor on working with project sponsors

- He meets every 30-45 days with project sponsors (ODOT and WSDOT) and other federal leads

Armstrong: If you eliminate light rail below the bridge, and put it at the same level as the bridge, doesn't that get you 30' of additional clearance?

- Nancy Boyd said it would only gain a few feet of additional clearance, because the "box" structure under the bridge is needed due to the bridge design/engineering requirements. LRT was put under the

bridge to take advantage of space that was already there; a few feet were then added to provide clearance between the trains and the underside of the bridge deck.

Armstrong: What about a movable lift span? When does the mitigation required to address a 95' clearance drive discussion about a movable lift span instead? What's to keep users from asking for unreasonable mitigation?

- Ron Judd said the project is in confidential negotiations with the users to understand their lines of business, their likely affected projects, and their prospects for future work. This question will be addressed before the project submits the General Bridge Permit application to the USCG.

Armstrong: Can lifts be limited to, say, 2-5AM?

- Gardiner said it's "possible".
- Taylor said it's part of the regulatory process, a rulemaking which is part of the permit application process.

Armstrong: Does the project need the Bridge Permit decision before submitting the FTA New Starts application?

- Nancy Boyd said the project needs as much approved as possible before submitting the FTA New Starts application, but they don't need a USCG decision. The goal is to address as much of the risk as possible before submitting the FTA application. FTA will do a risk assessment on the project, and in fact they've held off conducting it recently while the project works to gain resolution of this height issue.
- Nancy said the current schedule calls for the project to submit the General Bridge Permit application by the end of 2012, but that may slip til early 2013 in order to have more resolution on the height issue.

Fleckenstein: The Coast Guard response to the project's bridge permit workplan states "*the Coast Guard cannot accept a permit application while 'mitigation discussions with potentially impacted river users' continue. The Coast Guard must know what the mitigation measures are before it can consider a permit application.*" Does this mean that mitigation must be finalized and accepted by users before the permit application can be submitted?

- Taylor said they have had subsequent conversations with the project sponsors (ODOT and WSDOT), and the USCG will develop a further response to this question.
- Nancy Boyd said other mega projects have not been subjected to this requirement in the past.

Fleckenstein: How long will it take to get a decision once the application is submitted? Is it an up or down decision?

- Taylor said the USCG has committed to reaching a decision within 8 months of permit application, and that isn't necessarily an up or down decision, but rather a more iterative discussion with the project sponsors.