



September 23, 2021

Bi-State Bridge Authority Analysis

Presenters: Paul Neal, JTC senior counsel; Kevin Greenwood, project director, Stacey Lewis,
Pacifica Law Group.

JTC Governance Study

- 2021 Transportation Budget Directed JTC to hire legal consultant to advise on formation of bi-state authority to build and operate new Hood River bridge
- The proposed bridge authority must:
 - Issue bonds
 - Collect tolls
 - Secure and administer state or federal grants or loans.

JTC Hired Pacifica Law Group

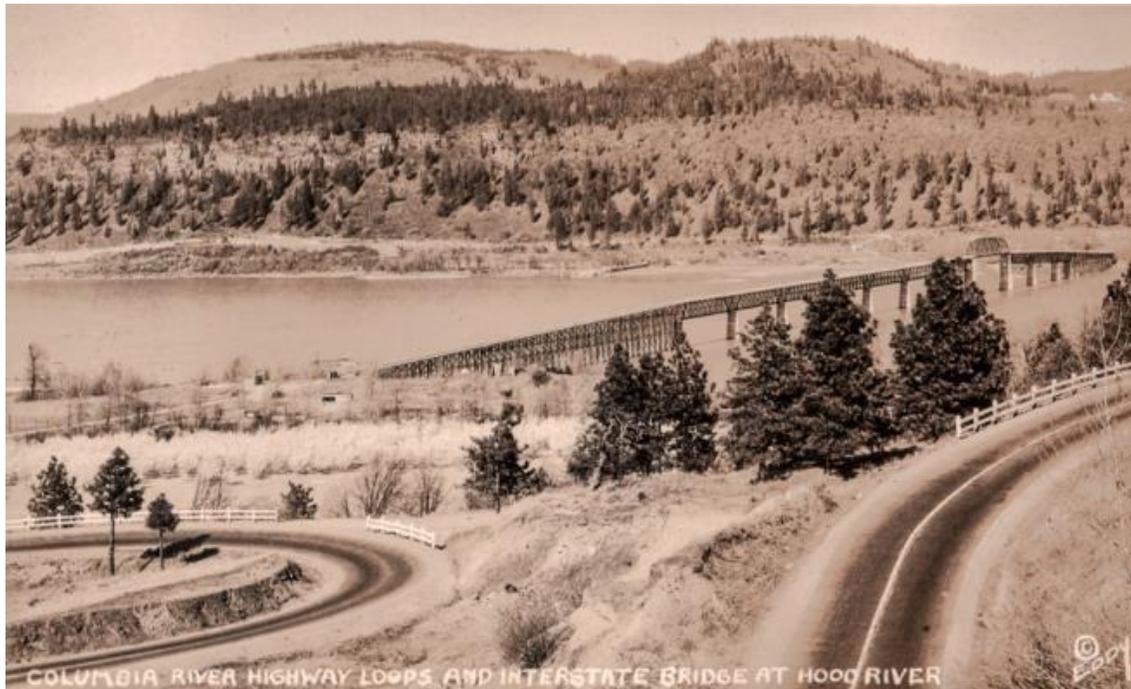


- Independent Bond Counsel for Legislature
- Authorized project under existing bond counsel contract
- Firm expertise in both Washington and Oregon:
 - Forming and advising municipal entities
 - Bond counsel
- Strong Legal Team headed by Firm Partner Stacey Lewis
 - Member of both Washington and Oregon bar

Project Overview

The existing bridge across the Columbia connecting Hood River and White Salmon is obsolete and needs to be replaced.

- Built in 1924 to provide a connection between White Salmon/Bingen and Hood River
- Serves as an essential link for the regional economy and local, regional, and interstate travel



1920s Eddy postcard view of the bridge, looking north. Credit: HistoricHoodRiver.com

Replacement history

1999: Feasibility study began

2003: Draft EIS published

2011: Bridge type, size and location study completed

2018: Project restarted

2020: Supplemental Draft EIS published

Existing and Future Conditions

The replacement bridge will address vehicle travel, pedestrian/bicycle connections, seismic vulnerability, river navigation, and safety issues.

Existing conditions

- Narrow lanes
- Height, width and weight restrictions
- Lack of safety shoulders
- Difficult barge navigation (opening width: 246 feet)
- No bicycle/pedestrian path

Future conditions

- Two standard width lanes
- Standard width shoulders, all restrictions lifted
- Improved barge navigation (opening width: 450 feet)
- Bicycle/pedestrian path with two mid-bridge overlooks



Narrow lanes and shoulders on existing bridge do not meet current standards

Bi-state Working Group, Tribal Consultation and Agency Coordination

Bi-State Working Group:

- Local elected officials from counties, cities and ports in the region
- Working to establish local governance and funding of replacement bridge – not a WSDOT project.

Agencies and Organizations

- 10 Federal agencies
- 9 State agencies
- 7 Regional/Local agencies
- 9 Organizations

Tribes and a Tribal Consortium:

- Cowlitz
- Grand Ronde
- Nez Perce
- Siletz
- Umatilla
- Warm Springs
- Yakama
- Columbia River Inter-Tribal Fish Commission (CRITFC)

Report of Legal Consultant

- Reviewed and built on existing analysis of Bi-State Working Group.
- No existing statute provides all the necessary authority; legislation would be required
- 2 Options for forming required authority:
 - 1) Amend existing law:
 - Allow for formation of bi-state entity under an existing statute, such as the Interlocal Cooperation Act (Chap. 39.94 RCW).
 - Amendments to:
 - authorize formation of public corporation to issue tax-exempt bonds,
 - provide tolling authority, and
 - clarify the nature of the interlocal agreement among local governments.
 - 2) Create new public corporation: Authorize agreement among local governments to undertake bi-state bridge financing, construction, tolling, and operation.

Report of Legal Consultant (con.)

- Working group recommends creating new authority. Ultimately the Legislature's decision.
- Consulted on bill draft to implement working group's preferred option. Provided comments including:
 - Consistency with Washington constitutional requirements for forming corporations for municipal purpose; and
 - Structure required by federal income tax code for issuers of tax-exempt municipal bonds.
- Consulted with Legislative staff to explain legal analysis and walk-through bill draft.

Next Steps

- JTC
 - Legal memorandum report satisfies requirements of proviso
- Bi-State Working Group
 - Washington: Seek introduction & passage of governance bill for 2022 session;
 - Oregon: Same goal but different process:
 - Meeting with Oregon Transportation Legislators to work on bill strategy
 - Oregon short session bill introduction limits:
 - Each member limited to 2 bill introductions;
 - Each committee likely limited to 3-4 bills.