

JAIME HERRERA BEUTLER  
3RD DISTRICT, SOUTHWEST WASHINGTON



Congress of the United States  
House of Representatives  
Washington, DC 20515-1602

COMMITTEE ON APPROPRIATIONS  
SUBCOMMITTEE ON TRANSPORTATION, HOUSING AND  
URBAN DEVELOPMENT, AND RELATED AGENCIES  
SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND  
RELATED AGENCIES  
SUBCOMMITTEE ON FINANCIAL SERVICES AND  
GENERAL GOVERNMENT  
COMMITTEE ON SMALL BUSINESS

□ 1130 LONGWORTH HOB  
WASHINGTON D.C. 20515  
(202) 225-3536  
□ GENERAL O.O. HOWARD HOUSE  
750 ANDERSON STREET, SUITE B  
VANCOUVER, WA 98661  
(360) 695-6292  
WWW.JAIMEHB.HOUSE.GOV

September 13, 2013

Admiral Robert J. Papp, Jr.  
Commandant, US Coast Guard  
Headquarters  
2100 2<sup>nd</sup> Street SW Stop 7000  
Washington, DC 20593-7000

Dear Commandant Papp:

I am writing today to express my concerns with the continued processing of the application for the Proposal to Replace the Existing Movable I-5 Bridge across the Columbia River, Docket ID: USCG-20136-0286, as well as to receive clarification from your office on several pressing items.

From all accounts, the US Coast Guard (USCG) continues to move ahead with the processing of this permit application, in spite of the very real problems weighing upon this project. I would appreciate your clarification on the following matters:

- Does 33 CFR 115.30 allow the USCG to take permit action on bridge application given that the Washington State Department of Transportation clearly stated in a letter to the USCG that the Washington State legislature "did not provide any funding to continue working on the bridge?" Does the Oregon Department of Transportation have the authority to pursue a bridge construction project within Washington?
- Is it true that all finding of fact for this permit has been taken out of the hands of USCG District Thirteen staff and is now being done at the Headquarters level?
- Is the process the USCG is following for permitting this bridge in accordance with standard practice and the Bridge Manual?
- Is the USCG conducting its own environmental review or adopting the Environmental Impact Statement (EIS) of the CRC? If it is adopting the CRC EIS, how is that possible given that the bridge plans have changed (i.e. the phased approach to construction, change in landings in Washington State)?
- If Oregon is also to be responsible for maintaining and operating the bridge, what is the legal mechanism for that to be accomplished?

Page Two  
Commandant Papp  
Columbia River Crossing

- Can this project be permitted when there is no funding source for the impacted river users in spite of the current mitigation agreements? Without a funding source, can these agreements be considered substantial enough to mitigate any future navigation impacts?
- Do the mitigation agreements entered into between Oregon and the impacted users in Washington mitigate the impact to navigation or lost revenue? If it is lost revenue, how does that mitigation protect the future use of the waterway? Specifically, this should be clarified in the event the Columbia Business Center brings in a new tenant to the facility.
- Did the USCG conduct a Truman Hobbs Study of the Columbia River, and if so, did it designate/find any bridges meeting the criteria for deconstruction? If so, what were the heights of those bridges determined to be unreasonably obstructive?
- The Draft Supplemental Federal Columbia River Power System Biological Opinion (BiOp) for the Endangered Species Act listed salmonid and steelhead stocks was only released earlier this month, and the final is not due until December. Can a permit be granted prior to the release of the final BiOp?
- Please explain USCG's interaction with the US Department of Transportation (USDOT). Has the USCG been influenced by USDOT or any other federal official to deviate from its standard practice of evaluating the permit on its merit, and in accordance with USCG Policy and the Code of Federal Regulations?

I believe we need to update and upgrade the I-5 traffic corridor, but I also live in the real world and I take my role as a steward of taxpayer dollars seriously. If a flawed process is used to issue a permit for the CRC, it will expose the project to multiple lawsuits that the government could easily lose, potentially tying up or stopping the project altogether and wasting even more time and money.

Given the substantial nature of the concerns surrounding this permit application, I will appreciate receiving a copy of all of the USCG's internal and external communications regarding the CRC project over the course of the last 6 months. Thank you for your time and attention to this matter. I look forward to your response.

Sincerely,



Jaime Herrera Beutler  
Member of Congress