



Washington State Legislature

October 9, 2013

The Honorable Jay Inslee
Governor of the State of Washington
PO Box 40002
Olympia, WA 98504-0002

The Honorable Bob Ferguson
Attorney General of the State of Washington
PO Box 40100
1125 Washington Street SE
Olympia, WA 98504

Dear Governor Inslee and Attorney General Ferguson:

We, the undersigned, are writing to express serious concerns on behalf of the citizens we represent regarding a letter from September 19, 2013 addressed to U.S. Coast Guard Rear Admiral F.J. Kenney from Washington Senior Assistant Attorney General Bryce Brown, acting for Attorney General Ferguson, regarding a toll road and light rail bridge across the Columbia River, known as the Columbia River Crossing (CRC).

The letter provided a legal opinion to the U.S. government that Washington State agencies have the authority to work with the state of Oregon to design, permit, acquire rights of way, build and toll a bridge without involvement of the Washington State Legislature. The letter states: "...[W]e see no fatal flaws that would preclude Oregon's lead on the project." However, there is a fatal flaw since the Legislature chose not to take action on this issue through budget directions and/or statutory requirements.

We are concerned that this letter appears to give these state agencies and the state of Oregon a "green light" to bypass the Washington State Legislature and, most importantly, the citizens of Washington, in order to steamroll forward a project that has known negative impacts to Washington's citizens and the state's economic vitality. Policy and budgeting are the roles of the Legislature and should not be ceded to a state agency – and certainly not to another state.

We adamantly oppose providing Oregon unilateral control to: build infrastructure into Washington; force our citizens to accept and finance an extension of Oregon's transit system into our state – a system which our citizens have repeatedly rejected; cut off key interchanges that would require Washington to reconstruct those interchanges to meet the height of the new bridge (such as State Route 14, the Mill Plain and Fourth Plain interchanges); disrupt commerce in our state by forcing closure, relocation, or expensive transportation revisions to businesses dependent on river transport; and set tolls for infrastructure that would be charged against our citizens without representation or consent.

The reasons the Washington State Legislature did not reach agreement in funding Washington's share of the CRC are, in part:

- The design of the proposed new bridge violates Washington's statutory policy goals of enhancing the movement of goods for economic vitality. The planned height of just 116 feet is not sufficient to allow transport vessels to pass underneath -- 144 feet clearance is necessary. Therefore, this shortened clearance would threaten the ability to move millions of dollars of goods to market.
- Clark County voters have repeatedly rejected Portland's light rail extension.
- During the November 2012 general election, a 0.1 percent sales and use tax increase to fund light rail in Clark County was rejected by nearly 57 percent of voters.
- Oregon's Tri-Met light rail and transit provider is reported to carry more than \$1 billion in unpaid debt and continues to lose money every year. A connection to the system would create a *de facto* shift of those debts onto Washingtonians.
- The current design would not significantly improve traffic congestion since light rail would take up space needed to expand general lane capacity.
- These concerns have yet to be addressed in the CRC plan.

House Republicans offered an alternative through House Bill 2025 that would have directed WSDOT to prepare a new CRC design with a higher clearance and without light rail in accordance with the expressed needs of the Washington citizens most impacted by the proposed bridge. That measure is still available as a solution during the 2014 session.

Regardless of the legal opinion asserted by the Attorney General's office, ceding the interests of Washington's citizens in the CRC project to the state of Oregon is absolutely wrong. If agencies under authority of the governor relinquish Washington's control in its portion of this project, the chasm of mistrust between our citizens and government agencies would widen much further.

As Washington state elected representatives, our responsibility to the citizens of Washington is not to defer to Oregon's desires for a toll bridge and extension of a debt-ridden transit system. Our citizens do not want the CRC as currently designed and they do not want the state of Oregon forcing it upon them. For these reasons, we ask that you protect Washington's citizens from all efforts to surrender our state's authority over the CRC to Oregon and direct Washington state agencies to do the same.

Thank you for your consideration of these points. We look forward to further discussions on this important issue. As always, we stand ready to work with you on meeting the transportation needs of our state, and Clark County in particular. We still believe it is possible to come up with solutions that better serve the public, so please contact our House Transportation Committee ranking member, Rep. Ed Orcutt, if you wish to work on this or other transportation matters.

Sincerely,



Representative Ed Orcutt
20th District



Representative Liz Pike
18th District



Representative Brandon Vick
18th District



Representative Paul Harris
17th District



Representative David Taylor
15th District



Representative Larry Haler
8th District



Representative Shelly Short
7th District



Representative Matt Manweller
13th District



Representative Cary Condotta
12th District



Representative Larry Crouse
4th District



Representative Chad Magendanz
5th District



Representative Susan Fagan
9th District



Representative Charles Ross
14th District



Representative Matt Shea
4th District



Representative Mark Hargrove
47th District



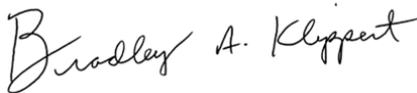
Representative Norm Johnson
14th District



Representative Cathy Dahlquist
31st District



Representative Joe Schmick
9th District



Representative Brad Klippert
8th District



Representative Hans Zeiger
25th District



Representative Jan Angel
26th District



Representative Elizabeth Scott
39th District



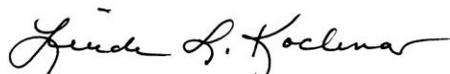
Representative Jason Overstreet
42nd District



Representative Judy Warnick
13th District



Representative Norma Smith
10th District



Representative Linda Kochmar
30th District