

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

October 2, 2013

The Columbia County Board of Commissioners met in scheduled session with Commissioner Henry Heimuller, Commissioner Anthony Hyde and Commissioner Earl Fisher, together with Sarah Hanson, County Counsel, Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, Board Office Administrator.

Commissioner Heimuller called the meeting to order and led the flag salute.

MINUTES:

Commissioner Fisher moved and Commissioner Hyde seconded to approve the minutes of the September 18, 2013 Board meeting and September 18, 2013 Staff meeting. The motion carried unanimously.

VISITOR COMMENTS:

Ken Cox, Superintendent of the Vernonia School District, was present to thank the Board for their help in getting the final escrow funds released for the Vernonia School Project and presented a copy of the final check to the contractor for \$49,236.24. When the City approved this, they had requested \$15,000 be left out to help with the reconnecting of electrical services for the covered play area and parking lot lights. While there is some question as whether that's the districts responsibility and rather than hold up the transfer of the money, he also wrote a check to the City of Vernonia for \$15,000. Ken then briefly reported on the remaining work to be done.

HEARING: PORT OF ST. HELENS ZONE CHANGE APPLICATION:

As noted on the agenda, this hearing is being continued to Thursday, October 3, 2013, at or after 6:30 pm at the Clatskanie Middle High School.

CONSENT AGENDA:

Commissioner Heimuller read the consent agenda in full. With no additions/changes, Commissioner Hyde moved and Commissioner Fisher seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for week of 9/23/13 & 9/30/13.
- (B) Order No. 22-2013, "In the Matter of Acquiring a Temporary Construction Easement for the Bridge Improvements at JP West Road".
- (C) Authorize Renate Garrison to attend the International Association of Emergency Managers Conference October 25-30, 2013.
- (D) Ratify approval of the letter to Dennis Sigrist, OEM, requesting an extension to FMA09 Grant for acquiring the Vernonia Schools and authorize Commissioner Hyde to sign.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (E) Juvenile Crime Prevention Basic Services and Diversion Services Intergovernmental Agreement #12656 with the Oregon Youth Authority (OYA) and authorize the Chair to sign.
- (F) Temporary Construction Easement from the City of Scappoose for JP West Road Bridge Project.
- (G) Intergovernmental Agreement with the City of Scappoose for Compensation for JP West Road Bridge Temporary Construction Easement.
- (H) Hold Harmless Agreement with the City of St. Helens for use of the Courthouse Plaza for Halloweentown Events 9/28/13 through 11/3/13 and authorize the Chair to sign.
- (I) Ratify Intergovernmental Agreement with Oregon Department of Consumer and Business Services, Building Codes Division, for Shared Building Department Services and authorize Todd Dugdale to sign.

- (J) Personal Services Contract with CCMH for Teen & Family Transition Programs.

The motion carried unanimously.

ORDINANCE AMENDING HSEMC APPOINTMENTS:

Sarah explained that the current HSEMC Ordinance requires members to be appointed by Order, when normally all other committee appointments are simply made by motion on the consent agenda and it's much more time consuming. To address this and, if there are no concerns by the Board, she has drafted an Ordinance to amend the process for appointing and reappointing members to the Homeland Security Emergency Management Committee by motion on the consent agenda and no longer require it be done by Board Order. The Board agreed and directed Sarah to prepare an amendment to the ordinance for an upcoming agenda.

COMMISSIONER HYDE COMMENTS:

Commissioner Hyde reported on the AOC District 7 meeting held last week. There was a broad discussion with Senator Johnson on various issues being addressed in the special session.

On Thursday, he attended an O&C meeting in Lincoln City. There was a lot of discussion on strategy with regards to the Helium Bill and what that could mean for Columbia County.

COMMISSIONER FISHER COMMENTS:

Commissioner Fisher was in Chicago last week and, after speaking with people from around the country, he found that everyone is facing the same types of issues we are.

He attended CEPA meeting yesterday. The speaker was a staff person from the Cowlitz County Emergency Management Department who talked about how they use social media to inform the public. It's important to work with our neighboring counties and to be aware of what's going on around the region.

He also attended the Traffic Safety Committee meeting this morning. They discussed the severe weather event that happened over the past weekend and glad to report there was no major damage.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller was out of the office last week to take his daughter to college for her freshman year.

He wanted to mention that, with our federal governmental shutdown, it effects a lot of our local agencies and community members. He's heard that there are over 6,000 federal employees on complete furlough and now applying for unemployment benefits. This costs all of us.

SOLID WASTE OPERATIONS CONTRACTOR PROCUREMENT:

Todd Dugdale was present to discuss the Solid Waste Operations Contract that expires in March 2014 and reported that staff is working on a draft RFP for procurement of a contractor or contractors for the operation of the Transfer Station and provision of

transportation and disposal of solid waste within the County. Todd reviewed his memo to the Board dated 9/26/13 that outlines the structure of the RFP, some options and the limitations imposed by IRS regulations. The hope is to finalize the procurement documents within the next 60 days for issue.

The Board recessed the meeting at 11:00 am and reconvened the meeting on Thursday, October 3, 2013, at 6:30 p.m. at the Clatskanie Middle High School Auditorium in Clatskanie, Oregon. Present were Commissioner Heimuller, Commissioner Hyde, Commissioner Fisher, along with County staff Robin McIntyre, Jan Greenhalgh, Todd Dugdale, Glen Higgins, Kay Clay.

Commissioner Heimuller called the meeting back to order.

HEARING: PORT OF ST. HELENS ZONE CHANGE APPLICATION:

This is time set for the continuation of the public hearing “In the Matter of an Application by the Port of St. Helens for a Comprehensive Plan Amendment, Zone Change and Goal 2 Exceptions to Statewide Planning Goals 3 and 4 to Change the Zoning of 957 Acres from Primary Agriculture(PA-80) to Rural Industrial (RIPD) to Allow for the Expansion of Industrial Land at Port Westward (PA 13-02; ZC 13-01)”. The Board held their first hearing on the matter on 9/18/13 and, at that time, heard testimony from the applicant and all those in favor. The hearing was recessed at 9:30 pm and continued to today, 10/3/13. Tonight the Board will take testimony from those in opposition and then hear rebuttal testimony, ending with the applicants final arguments. Testimony will be taken until 9:30 pm. If additional time is needed, the hearing will be continued again to next Wednesday, October 9, 2013, at or after 6:30 pm. here at the Clatskanie Middle High

School. The record remains open for written evidence and testimony. Commissioner Heimuller reviewed again how the hearing process will be conducted, emphasizing that testimony will be kept to a strict 3 minutes and that the Board is here tonight to take testimony only and will not be answering questions.

Robin McIntyre asked if the Board has had any ex parte contact since the hearing on 9/18/13. Commissioner Hyde had a conversation with the editor of the Spotlight about the hearing procedure. Commissioner Heimuller has had no ex parte contact since the last hearing. Commissioner Fisher has heard from several who commented on the hearing procedure. Robin then stated if anyone should want to rebut the ex parte contact, they can do so while testifying or in writing.

At this time, Robin McIntyre, Assistant County Counsel, entered [Exhibit 1A](#) to County Counsel's hearing file into the record, to include the following documents received between 9/18/13 and today: **Exhibit "20"** letter from Stan Hart; **Exhibit "21"** letter and 5 DVD's from Lauren Goldberg of Columbia Riverkeeper; **Exhibit "22"** letter from Mark Landauer of Oregon Public Ports Assn; **Exhibit "23"** Data Bank graph on Manufacturing Sector; **Exhibit "24"** comments from Chuck Daughtry, CCET Director; **Exhibit "25"** letter from Linda Hooper; **Exhibit "26"** letter from Christine Dahlgren; **Exhibit "27"** Clatskanie School Board Resolution 01-2013-14; **Exhibit "28"** Columbia County Land Use and Ownership statistics; **Exhibit "29"** letter with photos from Fred Yauney; **Exhibit "30"** letter from Barbara Hayden; **Exhibit "31"** letter from Clatskanie Mayor Diane Pohl; **Exhibit "32"** letter from Jim Gibson of the Clatskanie Rural Fire Protection District; **Exhibit "33"** statement from State Representative Brad Witt; **Exhibit "34"** letter from Lester Pugh; **Exhibit "35"** letter from Alta Lynch; **Exhibit "36"** letter from Paul Langner of Teevin Bros; **Exhibit "37"** letter from Edward Faneuil of Global Partners, LLP; **Exhibit "38"** email from Karen & Peter Leonard; **Exhibit "39"** letter from Jon Hanken, City of Scappoose with

attached city Resolution 13-03; **Exhibit "40"** sign-in sheets for Board of Commissioner hearing; **Exhibit "41"** letter from Jeff Whittaker; **Exhibit "42"** email from Meredith Moore; **Exhibit "43"** email from Karen and Peter Leonard; **Exhibit "44"** email from Maia Dean; **Exhibit "45"** email from Donald McKinlay with written testimony attached; **Exhibit "46"** Planning Commission minutes of 5/6/13 public hearing; **Exhibit "47"** Planning Commission minutes of 5/20/13 public hearing; **Exhibit "48"** letter from Rick and Donna Bernash; **Exhibit "49"** written testimony of Jim Lichatowich, dated 5/20/13; **Exhibit "50"** letter from Greg Buzzy, Amber Assisted Living; **Exhibit "51"** email from Steve Roton with attached written testimony; **Exhibit "52"** written testimony of Sarah Newton; **Exhibit "53"** email from Keith Forsythe, Pacific Industrial Services, Inc., **Exhibit "54"** Petition "Vote NO" on the Port of St. Helens Application, submitted by Tracy Prescott-MacGregor; **Exhibit "55"** letter from Steven Massey with attachments; **Exhibit "56"** email from John Mohlis; **Exhibit "57"** letter from Mary Kyle McCurdy, 1000 Friends of Oregon; **Exhibit "58"** email from Joanne Pence; **Exhibit "59"** written testimony of Darrel Whipple.

OPPONENTS:

Michael Seely, Seely Farms, Clatskanie: First and foremost, he is very much in favor of economic development and creating jobs. They have been offering employment opportunities to many of the local citizens since 1980 and pay well above the minimum wage. Seely's value-added business has been in operation since 2007 and currently employs 19 people and is growing rapidly. They have a long term commitment to this community. That said, the Seely Family Farm and business are opposed to the rezone of the subject property to RIPD. If the re-zone is successful, they will have to leave Clatskanie and take all of their jobs with them. The potential for crop losses and damage resulting from industries not compatible to surrounding operations such as our is very

concerning. Mr. Seely submitted his written testimony listing 13 concerns about this application.

Warren Nakkela, 80183 Kallunki Road, Clatskanie: His farm butts up against the expansion of the Port Westward property. He talked about the soil in this area and the many successful crops that have been grown on this property, i.e. grain, potatoes, flax, vegetables, but not grown lately because of limited markets, economics. Agricultural land is a valuable asset needed to feed our country. He commented on the transportation issues and that the land in question is wetlands.

George Poysky, 1067 Hermo Road, Clatskanie: He's owned his property in Clatskanie since 1921 and questions the transfer of this property to industrial. It's still going to be agriculture. PGE has been a good neighbor and is successful, but 50% of the land is leased out to agriculture. Then steel company came in 16 years ago, by the time they got it through, they agreed they couldn't bring that property up to flood plain level. The Port owns the property and can use it to the best of their ability, but it's still gonna be agriculture.

Darryl Whipple, 76439 Alston Mayger Road, Rainier: He has a special concern for the Thompson property that's included in the Port's application. This property is 171 acres of riparian forest, swamp and wetland along the Columbia River outside the dike. It's a first-class wildlife habitat just onshore from the historic seining grounds. The best use for this strip is as fish and wildlife habitat, not as access to docks serving huge Panamax ships. This land is included in the application to provide river access to large scale heavy industry that will export bulk commodities. Although he doesn't know what those commodities will be, he does know that this whole rezoning effort was tied up with the agreement the Port signed with Kinder Morgan to build a coal terminal to export 30

million tons of coal per year. The properties for rezoning are configured to allow for a rail extension and a rail loop with probably a spur going out to the river where a new dock could be built on the Thompson property. This scenario is suggested or implied in the agreement with Kinder Morgan, which Darryl submitted into the record, along with his written testimony and the City of St. Helens Resolution #1622. He urged the Board to deny this application.

Annie Christensen, 35234 Hazel Street, St. Helens: She is concerned that the information provided by staff only presents evidence supporting the application. It did not include the fact that the Planning Commission recommended denial based on the facts that the application did not meet state criteria, would severely impact local farmers and would result in a loss of control of future land use decisions. She read her prepared statement into the record ending with it is her belief that it is the responsibility of the County Commissioners to find for the “greater good”, protect our agricultural land and deny this application.

Bill Eagle, 151 Allendale Drive, St. Helens: He is a graduate of OSU and majored in soils and was the district conservationist for the NRCS in Columbia County from 1980-2000. Bill presented some statistical information about the soils in this county. As an individual, he is concerned that if this rezone is approved, we will not only lose good agricultural land and environmentally friendly jobs that agriculture creates, but dust and diesel smoke from industrial activity will force existing farms and businesses to either close or relocate. This rezone is not in the best interest of the county residents and would urge the Commissioners to listen to their own Planning Commission’s recommendation and deny this request.

Brett Vanden Heuvel, Attorney for Columbia Riverkeeper, 111 Third St., Hood River: He wanted to start by objecting to adequacy of the exparte disclosures by all three Commissioners. He would ask that, after his testimony, that all three Commissioners disclose each exparte contact by name and the substance of those conversations. To say there was "several communications" is not sufficient. With regards to the application, there are two reasons to deny it. One is that the application doesn't comply with the law. The Planning Commission concluded that it was inconsistent with the Comprehensive Plan and the Zone Ordinance. Amending the comp plan is a radical change and isn't done very often. Riverkeeper has submitted 4 letters and over 40 exhibits that spell this out in detail the violations of the state planning goals. This reminds him of what Clatsop County did several years ago when they pushed through comp plan amendments for the Bradwood Landing LNG Terminal, which was challenged at LUBA and consistently remanded back to the county. The second reason is that it's poor public policy to approve an unknown industrial use. It is extremely unusual to have some mysterious and unknown future changes that aren't disclosed to the public. It's a lack of transparency - either the Port doesn't know or they're not saying - either way is problematic. Further, if this is approved, federal law pre-empts the County's control over future rail use and the county would not be able to limit the number of trains that go through the towns and the havoc they will cause.

With regards to exparte contact, Commissioner Hyde specifically talked with Darryl Swan of the Spotlight about the hearing procedure. People have tried to talk about the issue with him but he doesn't respond. Commissioner Heimuller actually visited the site. He was approached by Mr. Seely who stated that he would have to relocate if this application was approved. He has had many questions on why the hearing was being held in Clatskanie but doesn't recall many of those names except Daryl Whipple. Commissioner Fisher talked with Jan Bay about the procedure and also talked with the city council about

where the hearing would be held. He talked with Mike Seely about his plans and hearing that Mike would have to relocate if the passed. For the record, Brett still objects because people were not named specifically.

Mary Duvall, 73151 Lost Creek Road, Clatskanie: She is pro union, pro labor and pro family wage jobs. As a long term resident and land over, she has a stake in keeping Columbia County healthy, stable, beautiful and clean. Now is the time for a 21st century vision of the future of our county. The 19th century model of industry and growth at any cost is unrealistic. This county is not financially desperate. The medium household income in Columbia County is \$56,000, the third highest county in the state. Mary continued to provide some statistical information, which she submitted into the record. She urged the Board to retain this high quality soil for its proper use and retain the farmland zoning.

Robert Campbell, 2105 Strand Street, Columbia City: He is opposed to the rezoning of the Port Westward property and would urge the Board to deny this request. Rezoning this property will open the door to greatly increased train traffic and cause long delays along Hwy 30, slow down response times for police and fire departments and disrupt access to local businesses. Significant safety problems will occur and Columbia County doesn't have the resources to respond to a derailment, especially if it happens to an oil or coal train. Although there has been talk of rail improvements, these will be made a the taxpayers expense as the railroad is only obligated to pay 5% of the costs. The Port fails to explain how adding 957 acres of industrial development "compliments the character and development of the surrounding area". The Port has stated the soils in the area are mostly of class VI type and unsuitable for agriculture, but in fact the majority of the acreage, 3/4 of it, are of Class II and III and considered good agriculture ground. These soils have been growing mint, blueberries, grass seed and hay. Mike Seely, a local

farmer, operates a thriving mint business, employing many people with plans to expand. Rezoning this property could put him out of business. Supporting local businesses should take precedence over some out-of-state companies offering few jobs. This application does not meet the requirements to protect environmental features and the Port ignores the fact that agricultural lands protect environmental benefit - developing the Port and Thompson properties would degrade important salmon habitat. In conclusion, he would request that the Commissioners reject the Port's application to rezone this property. He would also request that the record remain open for at least 7 days.

Jan Bays, Great Vow Zen Monastery, 79640 Quincy Mayger Road, Clatskanie: Eleven years ago, they moved to Clatskanie to establish a monastery. Ten years before that, they owned a retreat center on a beautiful site near Corbett. However, that property became part of the Columbia Gorge Scenic Area and they were unable to expand their center. Oregon's and use laws were very inconvenient for them, but they respect their importance for Oregon's future. We put "correct zoning" at the top of their search criteria when they found their current site at the QM school. They are very happy there and have endeavored to become good citizens of both Clatskanie and Columbia County. As much as possible, they buy from and support local businesses. Over 1,500 people a year come to the monastery from all over the US and the world; many of them also patronize Columbia County businesses. People come to us out of a need for retreat, spiritual renewal and respite from the busyness and anxieties of modern world. They continually exclaim over the fresh air, the produce from their big organic garden and are nourished by the peaceful QUIET of our rural location. They love to sit on our benches out front and soak in the serenity of the valley, the beautiful sunsets and the green hills of Washington across the Columbia River. The monastery is very grateful for the farms and farmers around them who have helped them on many occasions. The monastery buys local eggs,

pick 200 lbs of blueberries every year at the Poysky's farm, used Seely's mint duff and Leinonin's manure in their gardens wholeheartedly support their chosen livelihood on land ideal for producing locally grown food that is healthy for us and for our beleaguered environment. The monastery has lived here through two short-lived start ups of the neighboring ethanol plant. They resulted in a net costs to the taxpayers of \$36 million in green loans and tax credits, which will not be paid back which was built despite serious doubt on the part of economists and scientists that these plants were economically feasible. They taxpayers have already paid millions for the vain hope of a few local jobs. Fortunately, in a democracy, our voices can be heard and it is incumbent upon the Commissioners to represent the people.

Scott MacGregor, 79490 Erickson Dike Road, Clatskanie: His native name is Ha-que-nilth and his English name is Scott MacGregor. He and his wife have a small farm within a mile of the proposed re-zoning. They have goats, some chickens and turkeys and a garden and are simply trying to raise much of their own food in a sustainable manner. They love this land and are strongly opposed to the rezoning. Their farm borders the Columbia River, which for more than a million years, has carried a considerable portion of the rain that falls in the Pacific Northwest out to the ocean. For the last 10,000 years human beings have lived as part of the rich eco-system that has flourished in the area. He is descended from some of those Native Americans who learned to live in harmony with the salmon and the eagle. He has been raised to understand that we are just a small part of this intricate web of life. We share this world with many other creatures and must respect their right to live here and, like all other creatures, take only what we need. For the last few hundred years, this river has been turned to human uses on a scale never seen before and at great expense to the habitat. Fueled by an apparently unbounded desire for more, our dams, pollution and commerce are chocking the life out of the river. There are consequences for the entire plant. What we are considering here tonight is

less than 1,000 acres of land and just a few miles of river shore, but every step backward makes the journey longer and with every acre that is paved and industrialized, the river and the habitat is further degraded. He is an elder of the Jamestown S'Klallams and they have a teaching that ones actions and the consequences of those actions must be considered to the seventh generation - your own grandchildren - will see this project as a scheme that will enrich a few in the short term, to the long term detriment of many. This does not have to happen. The Board has the opportunity to make a better choice.

Tracy Prescott MacGregor, 79490 Erickson Dike Road, Clatskanie: She thanked for the Board for allowing her the opportunity to express her opposition to the rezoning of Port Westward. She has chosen to create a MoveOn.org petition, which began on the morning of 9/26/13 at approximately 11:00 am. By this afternoon at 1:30 when she began printing, there were 511 signatures, with more still coming in. It is her understanding that the testimony for this hearing will remain open for 7 days following this hearing. She will be leaving the petition up until October 10th and deliver the remaining signatures at that time. The petition reads: *Dear Columbia County Commissioners: Protect Clatskanie's family farms and wildlife habitat. Vote "NO" on the Port of St. Helens application for rezoning nearly 1,000 acres of Port Westward's valuable prime agricultural land to rural industrial. My husband and I have a small self-sufficient farm within a few hundred feet of the proposed rezoning. This rezoning is contrary to the spirit of Oregon's land use laws. It paves the way for allowing transfer of hazardous materials without public input.*

Charlotte Persons, 2409 Boyd St., Kelso: She has been a teacher in Longview for 20 years and is presently with the Willoppa Hills Audubon Society. This is a 38 year old chapter of National Audubon Society. The society asks that the Board deny this rezoning request. This application asked for an exception to Oregon Land Use Goal 3, which is to

preserve farmland. This Goal should be honored and the farmlands left to thrive. As previously stated, preserving this agricultural land will also protect farms on neighboring lands. As Darrel Whipple stated, currently undeveloped land along the river shores of Port Westward, is habitat for juvenile salmon. How will this habitat be effected if the agricultural land is developed. She plans to submit additional written testimony with the environmental concerns. But at this time, she asked that the Board deny this request because the current permitting process for Port Westward works very well. It's transparent and allows for public testimony, both are required in the democrat process. This rezoning request is the opposite of transparent because it has no development plan. Proponents cannot nail down how many jobs or tax dollars will be created. This lack of transparency is what lead to the Planning Commissions recommending denial of this request. If this is approved, county staff will apply for accelerated permitting and there will be no public hearings and only 14-15 days for comments. This will clearly restrict public debate and testimony. The Board must deny this application and protect our farmlands and wildlife.

Jeff Whittaker, 19396 Hermo Road, Clatskanie: He is a farmer in the Beaver Diking District where Port Westward is located. He owns two farms in the district - a 240 acre poplar tree farm on Erickson Dike Road and a 25 acre farm on Hermo Road. This application states that there will be no impact to nearby users, using the rational that the current site has no negative impact. The PGE power plants have indeed been good neighbors, however, the application does not address the impacts of new heavy industries on the rezoned land. Some questions are: will there be industrial air pollution or dust from traffic on our crops?; will there be pollution of the drainage ditch water?; what are the infrastructure demands?; and how will traffic affect our operations?. We **do** understand that another 957 acres of industrial land will bring with it industries that will affect this farming community in unknown ways. This uncertainty will have a major negative effect

on nearby farming operations. He is an example of this fact already. He purchased 25 acres of land on Hermo Road this past year, planning to put in 20 acres of organic blueberries. The upfront costs can run up to \$15,000 per acre, so a \$300,000 investment.

A Port Commissioner told him that if the Port land is rezoned, Hermo Road would be a new industrial access road and a rail loop might be added. His thoughts of a pristine blueberry operation are now in question and that project is on hold. He doesn't think the county will see any new berry plantations in this area until the uncertainty of industrial impacts are resolved. He can't overemphasize that value of the farmland in the Beaver Diking District. There are fertile soils, access to irrigation water and a microclimate that is perfect for some cash crops. We have added hundreds of acres of blueberries in the last several years. Very few agricultural areas can boast of the diversity that we have in this district. There is mint, blackcaps, raspberries, blueberries, small organic farms, hay fields, livestock and poplar trees. It is a wonderful area that, if left alone, will become increasingly valuable to not only local residents, but to Columbia County. The Port of St. Helens has their cart way ahead of the horse. We should first approve a new industry for the area in open, public meetings - then rezone only the land that is necessary, preserving as much high value farmland and Columbia river shoreline as possible. He opposes this application. It is a land grab by the Port of St. Helens without justification.

Steven Massey, 503 "C" Street, Rainier: He is a member of the Rainier City Council and read a letter into the record from both the Council and Rainier Mayor Jerry Cole.

At the council meeting on April 1, 2013, the City of Rainier unanimously agreed to oppose the Port of St. Helens request for a zone change from the current agricultural zone to an industrial one at the Port Westward site. This rezoning proposal will not only take productive farmland out of use, it has even farther reaching ramifications. This change in use will significantly and negatively impact the City of Rainier regardless of the potential industry locating there if it means an increase in rail and/or truck traffic through Rainier.

Day and night train traffic on A Street and semi-truck traffic on Hwy 30 in Rainier has already increased dramatically over the past five years to the point of being intolerable. Rail traffic now includes mile-long crude oil unit trains. If the expansion of Port Westward moved forward, we foresee existing Rainier downtown businesses closing, Rainier property values continue to decline and residents fleeing to more liveable locations. There has been no adequate analysis of rail and truck traffic and its impact on Rainier. How many trains, unit and short, are sustainable on aging tracks that were built to accommodate a handful of long trains per week? What will be there long term effects on A Street businesses with increased traffic to and from Port Westward? What will be the effect on the city's infrastructure, including water mains that run below the tracks? What will be the effect on public safety - an accident waiting to happen? These potential impacts of rezoning must be addressed. State land use guidelines like the Transportation Planning Rule that requires a demonstration that the effects of a zone change on the transportation network have been adequately considered, must be followed. All of these factors must be examined if the State Planning Goal for economic development is addressed. Goal 9 states that the plan shall also take into account the social, environmental, energy and economic impacts upon the resident population. We are that resident population! As you consider this rezoning application, please think about the livability, safety and welfare of all residents of Columbia County, Respectfully, the Rainier City Council and Mayor Jerry Cole.

Len Waggoner, 33951 SE Oakview Drive, Scappoose: Len wanted to address the transportation issue in the process. The initial presentation by the applicant's representative Gary Shepherd appears to be in conflict with the multiple labor representatives who spoke at the last meeting. Each of the Union spokespersons dialoged about jobs, jobs, jobs, and yet the transportation analysis provided by Michael Ard, pointed to a transportation threshold of 322 pm peak trips in 2033 (20 years). 322

pm peak trips represent the St. Helens Safeway/Rite Aid center on Gable & US 30 traffic today. If 322 pm peak trips by 2033 encompass the level of activity at the application site, then it's very evident that the Port is destined to lose a great deal of taxpayer monies on infrastructure, land purchase and marketing. Mr. Arad quotes the ITE guide book that defines a like industrial park as having a potential of 8,163 pm peak trips, then proceeds to define this count as a worst case scenario and projects a current pm peak at 243 trips. The unfortunate determinate used by Lancaster Engineering, quotes "Based in information provided by the Port of St. Helens, typical traffic levels associated with the anticipated site uses on the subject property are far below the worst-case development levels". This is the Port making its own traffic study. The transportation study and subsequent Columbia County Zoning application by the Port set a precedent that says that any development application in Columbia County need not address the specifics of usage defined in the ITE guide book. By not addressing the potential size of this development, the suggestions of the Port's traffic engineer is tying the Port's hands with either (1) ODOT limit on user growth, or (2) an overlay planning process wherein the County monitors the expansion. This is a big business site and a big business opportunity, it should be addressed as such. Please don't misunderstand the concurrence with the Port's request for an expanded industrial zoning approval. There is no question that this site is perfect for development.

But the issue is, this is a major industrial site, on an industrial river and, even if the Port were incompetent, which they aren't, segments of this site would still be developed in significantly large chunks. The testimony from the director of the Port of Morrow describing 6,000 plus employees alludes to the real potential growth of this RIPD application. The county representative talks about the RIPD zone as non labor intensive, however, the actual code is very general allowing any and all labor forces to occupy industrial properties. The real issue is that the transportation of this process is going to county and cities in half.

Benjamin Anderson, 19962 Beaver Falls Road, Clatskanie: He is here today to talk about the several reasons why this is a very counter productive proposal and most likely outright destructive to our community. This proposal goes against the fundamental ethic that make up what Clatskanie is. An outsider would often refer to Clatskanie as a small quaint town in the county, not a major industrial site. Transportation would also be a very big problem because there are only two roads to the site - the main street through Clatskanie and Beaver Falls Road (on which he lives). He used to live on Willamette Street in Portland which is a very populated road. Kids have lost their lives by accidentally walking in the road. This is what Beaver Falls Road would become and he fears for the safety and lives of the children. Another issue of concern is the pollution. Whether they use coal, oil or whatever, the sheer amount of traffic and those substances will be very deadly to a lot of farms that borders this site. The crops would die and the farmers would have no profit. These are the reasons he is opposed to the rezone.

Brian Rosenthal, PO Box 963, Scappoose: He currently owns more commercial units in Scappoose than any other investor. He believes this zone change is bad for business. To sacrifice prosperity in south county and hurt his investment and transfer it to an unknown entity in the Clatskanie area. He has millions invested in Columbia County and would like to invest more. This situation has put him in a position where he can no longer invest until this gets resolved. He sees a very substantial detrimental impact to south county. He has a degree in economics and knows that transportation is one of the keys to economic development. He shared this information with Patrick Trapp at the Port about a year ago, who appeared to disagree. It appeared that the Port didn't know this simple fact. South county is becoming more and more connected to metro. His investments are based on the idea that we're going to have prosperity and growth. He also owns industrial land at the Scappoose Airport and believes that is the best job

creation possibility in this county. Why sacrifice the Scappoose Airport development for a few hundred jobs in Clatskanie. Thousands of rail cars per day would block access to the airport. The Port has not provided transportation studies that show that this is justified. He just doesn't understand why we would do damage to south county and job creation for pie-in-the-sky and economic uncertainty.

Jim Lichatowwch, PO Box 439, Columbia City: The Port's consulting attorney has characterized their request as one of the most significant zone change decisions the Board will make. He agrees. Rezoning more than 900 acres of prime agricultural land into an industrial category is an important decision. Important decisions like this one require information: how many jobs will be created, how many and whose jobs will be lost, what are the economic costs and benefits and how will it effect the environment? You have none of that information so you should not approve the Port's request at this time. You should retain the current zoning and not give an exemption to statewide planning Goal 3 for agricultural lands. Recall the Port's original proposal for a coal exporting facility. The Port signed a secret agreement with Kinder Morgan and backed a plan for the exporting facility. The people overwhelmingly rejected that plan. The Port's fondness for secrecy and their decision to back a project that the people didn't want is a strong reason you should demand more information on what the Port intends to do with the rezoned land before you make your decision. The Port's consulting attorney also said that all you have to do is consider the rezone by itself, nothing more. But if you decide to rezone the ag land to industrial, you will be setting in motion a chain of events all linked back to your decision. It's irresponsible to bury your head in the sand and ignore the consequences and tradeoffs that will follow if approved. Glen Higgins tried to soften the obvious shortcomings in the Port's request with a list of conditions to be applied to a future and as yet unknown use of the rezoned land. The conditions lack enough specificity to be meaningful. He says this after reviews dozens and dozens of

plans and project proposals over the last 20 years, serving on 10 different independent scientific review panels. The holes in the conditions are large enough to drive a coal train through.

Paulette Lichatowhich, PO Box 439, Columbia City: She was on the Planning Commission when they voted to deny this application. She speaks tonight as a citizen of the county. Oregon's agriculture is valued at \$5.4 billion, which broke a record last year. One of the reasons given for this rezone is that the State wants "shovel ready" industrial areas. There is a conflict here because Governor Kitzhaber said that agricultural lands are extremely important and agriculture is expanding. His executive order 12-07 supports this and states *"Any county or region-wide conversion of resource lands to non-resource designations must proceed with care, and include consideration of how the affected lands will be used. The process for considering such changes must provide for side-scale public involvement and include an analysis of costs, benefits and likely outcomes"*. Analysis of costs, benefits and like outcomes have not been done by the Port. The goal of this application is eligibility for SB766 and designating this land as a Regionally Significant Industrial Area. That designation will create protection for industrial development in perpetuity. A paper trail exists with at least 3 Port resolutions (Nos. 2012-11; 2012-43; and 2012-65) documenting proof of their intention. As an example of the content of those resolutions, No. 2012-65 states, in part, *"and...Whereas, to fulfill application requirements associated with Senate Bill 766, the land must be designated for industrial use"*. Her point is rezoning to industrial and SB766 designation gives the Port too much flexibility to site almost any kind of industry at Port Westward and that SB766 can be harmful to Columbia County because this legislation has not been tested. And for reasons in Section 7.4.a. thru 7.4.d. We know the reason for this application, however, we don't know what industrial use is planned. Without a proposed industry, there is no information to evaluate and the Board should therefore deny the rezoning.

Leon Chamberlain, 224 South 9th St., St. Helens. Much of what the Board is hearing tonight was also heard by the Planning Commission. By a majority of 5-1, they voted not to approve a zone change at Port Westward. Perhaps this body has access to more information than they did, which would warrant a zone change. Perhaps there are a number of possible industrial tenants quietly waiting. The point is that folks do not really know if there is a plan for the land. He suggested the Board consider 7 compelling reasons not to rezone Port Westward: 1) The Port already owns a number of potential sites for industrial use that are available and should be utilized before we rezone agricultural land; 2) A major selling point for the expansion of Port Westward is tax revenue for the general fund because the property is outside the current Urban Renewal District. He is willing to bet that it will take about three weeks before the zone will be placed in the URD and most taxation will go for Port repayments to service the current debt burden from previously failed investments as well as any expensive improvements to make the Port a suitable transportation corridor; 3) The numbers of new jobs that will be created are truly unknown, because we do not know what industries will locate there. Some jobs would result from construction and rail work, but all the hype about 100 - 1000 permanent jobs is just that - hype. We do know that farmers at the Port have said they are poised to hire over 200 workers because of an explosive growth in demand for their mint and blueberries; 4) As a matter of law, any and all improvements by the railroad, including traffic overpasses, new roads and rail upgrades will be paid for by you and me - the taxpayers. The rail companies have never paid more than 5% of the bill anywhere; 5) Who sets the limits on the number of unit trains that travel through our cities? Do local residents have to accept the consequences when first responders are stuck on the tracks? How many potential customers of local businesses will tire of waiting on the tracks? Will Rainier survive as a community?; 6) Some Port officials have said that they do not seek to bring coal to the Port, but words are cheap and no legal documents exist that

would prohibit coal exports, which in any case, are rapidly becoming less valuable, according to many investment bankers; and finally 7) At the previous hearing, we were told that the Port would have to meet state regulations before they could utilize SB766 in order to fast track port development. However, past usage of SB766 indicates that local governments consequently lose control of projects. Vote no.

Nancy Ward, Johnsons Landing Road (33470 Chinook Plaza #198), Scappoose: She lives in a floating home on the wrong side of the tracks. On Monday she waited 8.5 minutes for the trains to pass before she could enter onto Hwy 30, which was lined up past the service station. She is so discouraged by the process of this hearing and doesn't feel that any part of this has been done fairly, but still hopes she is wrong. She voted for some of these Commissioners but is not sure she would do that again.

Brady Preheim, 51607 Columbia River Hwy, Scappoose: He is here to oppose the rezoning of Port Westward. As a small business owner - he is not opposed to jobs and understands the need for jobs in this community and feels bad for the union workers that were forced to be here by threat to look for any kind of jobs. The problem with rezoning Port Westward is that it is not going to bring jobs to our community. The Port has no plans for jobs, they claim 6,000 jobs then say maybe 25 in 5-10 years. The basic problem here is not the rezone request, it's that he doesn't trust the Port or frankly, the Board of Commissioners. The Board has a history of poor decision making, being as transparent as mud and outright lying. He understands the desperate situation the county faces, as well as the Port, because of the many blunders already made at Port Westward and the desperate need to get any kind of development to pay back the millions of taxpayer dollars in grants already wasted. Bad decisions are bad decisions and making more of them doesn't help. He has seen the Port hold one public meeting about a coal terminal, then disappeared into an executive session and then pound out 2 coal contracts in the

matter of minutes. What he found out, after a long legal battle, that the coal companies wrote the contracts for the Port and they had made their decision before the first public hearing. Then the Port turned around and said the land at Port Westward is poor land and not good for agriculture. The Columbia County SWCD said that was a lie and they were wrong. We can all be thankful for Glen Higgins for completing ignoring the Columbia County Planning Commissions decision to deny this application, even though providing them staff support is one of his three functions. From reading his report you would hardly know there was a denial of the Port's request, in fact it sounds more like the Port wrote it.

Pat Zimmerman, 52057 Rabinsky Road, Scappoose: Both Tony and Earl live in Vernonia and Clatskanie and will not be effected by this rezone. You've excepted campaign money from some of the corporate sponsors of these particular rezoning requests. Those corporate masters will enrich themselves when the Board approves the rezone. There has been no transparency from this county. You've gone on trips sponsored by the corporate masters who will even richer when you rezone this property. Good government is doing the greatest good for the greatest number. 90% of the population, the greatest number, live where the rail traffic will seriously impact them. Doing the greatest good is rejecting this farmland destroying, community wrecking and unintended consequences proposal that turns our county into an industrial dumping ground that nearly every other jurisdiction in the northwest has rejected. If the Board approves this, you are despicable!

Connie Erickson, 204 N. 14th Street, St. Helens: She hopes that the Board will deny this rezone for three main reasons. First is that good agricultural land is precious and we need it to grow food. Secondly, we need job growth that doesn't result in the destruction of local commerce or local quality of life. She was present for the first

hearing and think it's a horrible shame that the proponents didn't get to hear any of the wonderfully articulated arguments that have been made here tonight.

Julie Webster, 16127 Hwy 30, Clatskanie: She is a local farmer and wants to state her opposition to the rezoning of the Port Westward land from prime agriculture to industrial. Ask yourself if what you plan to do with this land is going to benefit the land, the people and the area surrounding it or poison the land for future generations. Keep the land zoned agricultural and find an appropriate use for it that will benefit the land and the majority of the local people - not the pocketbooks of the few and far away.

David Scharf, 54729 Reid Road, Scappoose: He has lived here for 8 years and this is a great place to live. He has coho salmon creek spawning in a creek outside his front door, coyotes, deer, elk, and there is an absolutely amazing, dedicated, hard working bunch of people who are willing to come to these meetings, do their homework and figure out what the issues are and come present themselves. It seems apparent that the Port and the County has a bit of a credibility and transparency problem. Trust and fairness are perceptions and are based on actions. The actions of the Port has not engendered people who have concerns about what the future of this county is going to be. The idea that the Board would support this rezoning on such limited information about the future of what this land would be used for, suggests that the Board might know more than the public knows. That's not good for the perception of clarity and fairness. He suggests that if voting for this appeals to a certain self interest, the Board might think twice about that.

Steven Routon, PO Box 1229, Clatskanie: We have been told that the application is not a development application and therefore specific uses should not be scrutinized. However, this zone change forever changes the use of the land. It will change from sustainable

farm uses that are dependent on the air, water and soil, to a land that processes hazardous materials. The CCZO lists prescribed uses that are allowed in this zone. It lists the handling, manufacturing and storage of materials that would be too hazardous to be placed within the State's urban growth boundaries. The County's comp plan under RIPD policy 3g states essentially the same thing. If you rezone this property to RIPD the hazardous materials will come. The applicant and other proponents ask us to trust state and county regulations enforced through the permitting process to protect us from accidents. The oil train that recently derailed in route from the Bakken oil fields through Canada is the most recent example of permitted industrial activities that inexplicably went wrong. The rail line spokesman called the accident an anomaly. I call it an inevitable industrial disaster and they happen regularly. Our buildings are designed to withstand devastating earthquakes that happen every 250 years. Shouldn't our farmlands and waterways be protected from hazardous materials that regularly escape containment and isn't that especially important when those farmlands are surrounded by tidally influenced sloughs? The applicant has to be granted a Statewide Goal 2 exception to change this zoning. This site is low lying farmland surrounded by tidally influenced sloughs that feed into the Clatskanie River. The tidal influence on this river extends well beyond Clatskanie into the river valley. Any petroleum products or other toxins that find their way into these bodies of water will be carried upstream for miles contaminating everything along its way. The area influenced by the tides around Clatskanie is much more extensive than most sites further up the Columbia. Isn't then, the potential adverse impact for greater on this site than those further upstream? If so, the Statewide Goal 2 exception cannot be granted. The farmland zoning must remain in place. He understands the importance of job creation and appreciates the emphasis the State is putting on port development. He doesn't, however, believe that placing hazardous materials in the middle of this vulnerable natural setting serves any of us well. Any other site wouldn't be better, it would just be less worse. He respectfully requests that the Board deny this rezoning.

Darro Breshears-Routon, PO Box 1229, Clatskanie: The Columbia County's Comp Plan, page 193 under "Policies" restricts industrial development on land zoned RIPD to uses that are NOT generally labor intensive but are land extensive. Regardless, during the last public hearing for this rezoning, the applicants attorney stated there could be several thousand jobs created as a result of new industries coming into Columbia County and using the port. No wonder our local officials are excited about the prospects because they are earnest in their drive to bring more jobs to Clatskanie, which was hard hit by the economic downturn. Testimony about jobs and an increased tax base dominated the content of the presentations. She can absolutely respect the proponents perspective, but jobs and tax base are only part of the equation when it comes to deciding what is best for Columbia County regarding this zone change. The other part of the equation has to be a discussion about the types of industry that could potentially use this port and what the repercussions would be for the communities up and down the Columbia River. The staffs presentation during the last meeting focused on the benefits of a zone change but failed to include, for the public, part "G" under "Policies" on page 193 in the comp plan that reads, "**Restrict** industrial development on land zoned RIPD to those uses that are not appropriate for location within UGB's due to their **hazardous** nature". The applicant has repeatedly said this proposal is about planning and not about uses. As a resident of Clatskanie, it is terrifying to think that we would open Port Westward to users that could be producing and/or moving toxic materials over and through our clean water, air and soil - just as outlines in the comp plan. Her experience is that once a zoning goes into effect, projects that meet the zoning requirements are allowed - there is no going back. There really cannot be a balance between new job creation that is a result of allowing potentially hazardous industry into the area and supporting existing and new local businesses on the dike lands that meeting the current zoning requirements. The farms on the dike lands would lose and the residents of Clatskanie could find themselves in a

polluted setting for generations to come. The applicants claim of massive job creation is a carrot that the underemployed residents and officials of Columbia County are enticed to chase, but at a huge cost to existing farms, our environment and safety.

Marcia Denison, 71115 Mauris Drive, Rainier: She is a small farmer from Rainier and opposes the Port of St. Helens' proposal to nearly double the size of industrial land at Port Westward. She would request that an environmental impact statement be prepared before any decision is made for expansion of Port Westward for adverse energy. If an ethanol plant goes in, there could be a huge explosion. The Board should deny this rezone request and has submitted a petition of others in opposition.

James Garibbo, 25539 NW St. Helens Road, Scappoose: He's been in Scappoose for the past 30 years and member of the IBEW Local #48. He is really disappointed about this rezone application. He read an article in the newspaper that every rail car loses, on average, 500 lbs of coal per trip per car. There is 120-125 cars on a coal train - that's 30 tons of coal that is lost on a trip. All of those toxins in that coal leaches into our rivers and streams, our school grounds and no one is going to clean this up. An article in the Oregonian stated that in 1981, Vic Ateyah sponsored a \$25 million project for the Corp of Engineers to bring a coal terminal into Portland. Two years later, after \$25 million, the project was dead. The demand for coal was vastly overstated.

Mike Clarke, PO Box 175, Scappoose: Rezoning and redeveloping the Port Westward site as proposed will cost hundreds of millions of dollars in necessary and unfunded transportation upgrades, according to research that's been done and being ignored. This information is based on research and included in his written testimony. His question to the Board is who is going to pay the millions of dollars for the transportation upgrades that will be necessary if this passes. Therefore, he would suggest that this application be

denied because there are negative economic impacts of up to 7,200 rail freight cars per day through Columbia County's highway rail corridor in one year. This level of shipping will generate tremendous disruption thus reducing the county's economic competitiveness. The Port has failed to recognize how rail and truck traffic will have economic impacts outside the Clatskanie area and the true costs associated with this development at Port Westward. Again, he would encourage the Board to deny this application.

Rachel Bernstein, 59180 N. Morten Drive, St. Helens: She and her husband moved here for the rural atmosphere, clean water, clean air and easy access to services. They are horrified at the possibility of a huge increase in train traffic, especially long unit trains carrying potentially lethal commodities. How will such train traffic effect the communities along the way to Port Westward and how much will taxpayers be asked to pay for the upgrade the existing system. How can the Board of Commissioners vote on expanding Port Westward without doing an economic, transportation and safety impact study of the effects of increased rail traffic. She also believes in protecting our precious farmlands. Only a small percentage of Columbia County has good agricultural land and this rezoning proposal will destroy some of the best land and productive farmlands near by. We also don't want the County to destroy good wetlands and other habitats for the fish and wildlife. At the previous hearing where supporters of the rezone spoke, many of whom were not even from Columbia County, she was appalled at the Port's attorney. He said that the Port Commissioners want large scale heavy industry at Port Westward. This is chilling and not in the best interest of the people. Then he said that there is no Columbia County economy without industrial property. That's ridiculous! Light industry would be welcome, just not heavy industry that will disrupt and pollute our area. The rail person that spoke stated that Port Westward is unique and has tremendous rail access and great highway access. Really? - roads would have to be built and Columbia County

does not have want or have room for a second rail line. Our County Planning Commission spent a considerable amount of time on this issue and decided it was in the best interest of the county to deny the Port's application. She asked that the Board join with them to deny the rezone.

Rosalie Love, PO Box 1617, Clatskanie: Several years ago, the State of California did a study to determine the highest and best use of land. In much analysis, they learned that the greatest return to counties was agricultural land, not industrial, commercial, high density, single family residential use but agricultural. All other uses other than agriculture require increased tax dollars for the essential services required. The rezoning of property at Port Westward would degrade prime agricultural lands by covering them with industrial facilities, polluting the lands and surrounding areas forever. If this is approved, it will be the end of the Poysky blueberry farm, the Seely Mint farm and large areas of wetlands that support wildlife habitat. She urged the Board to deny this application.

Gloria MacKenzie, 30099 Maple Drive, Rainier: She first thanked the Board for their efforts on behalf of all of the citizens of Columbia County. Having worked as a commercial - location, planning, existing and projected economics become paramount. The city of Clatskanie occupies a unique location and situation. On the positive side, its proximity to the Port Westward site creates a realistic potential for growth and improvement. Also, the site and rail does not effect the downtown, schools or the business community of this city. On the negative side for the county, the Port has advertised this property as having unit train capability with a detrimental impact to the rest of the Columbia County citizens, business and schools that are in proximity to the rail line. Anyone who is considering rail improvements, is considering rail expansion. Rail

expansion is an accident waiting to happen. She encouraged the Board to consider all comments, pro and con when making their decision.

Melody Killens, 35014 Stag Court, St. Helens: She and her husband have both been in Columbia County since they were both 4 years old. After they married, she started a daycare in her home and over the last 32 years they have provided daycare to over 600 children, foster care to 133, parents to 4 and now 4 grandchildren. She served as an elected official from 1992-2005 on the St. Helens School Board and had to make a lot of decisions that effected many. One thing she always stood by was to always tell the truth and explaining the reasons for decisions. A few weeks ago, her 2 year old grandchild quit breathing. A few seconds in emergency response time could have made the difference because of a train.

Karen Leonard, 34326 Johnson Landing Road, Scappoose: She and her husband are working taxpayers in Columbia County and first wanted to thank the Board for listening. She is in favor of jobs in the county, but jobs that would enhance the quality of life. Also in favor of jobs that will actually go to Columbia County residents, not to the many who have testified that don't even live in the county. The Board heard from many from Salem, Vancouver, Kelso, Tigard, to name a few. Who lined them up to speak and what do they stand to benefit from this Port? Their interests are not the same as, you the Commissioners should be concerned with. The residents of Columbia County are very concerned about the rezoning of Port Westward, especially the thousands of those sandwiched between the railroad tracks and the river. We have heard of the rail improvements to be made in anticipation of increased rail traffic to support the Port. Some say between 12-20 trains, day and night, over a mile long. How will that effect the traffic on Highway 30 and who will pay to have the roads improved? There will be winners and losers in rezoning the Port and she urged the Board to deny this request.

Hogan Bays, 79694 Quincy Mayger Road, Clatskanie: He is in awe of the democratic process and appreciates and respects the Board's capacity of wisdom. His testimony is simply a request for the Board to look deeply into the intentions of both sides. Took look carefully at the short term benefits and the long term effects.

William Allen, St. Helens: He feels we've lost our humanity here. He gave an example of the effects by the number of trains and crossings - a low estimate is 1,200 people every single day have their life disrupted every day. Their right to peace and tranquility and mobility negatively impacted every day for years. What do they get out it? Nothing. It's a grossly inequitable trade - give, give, give.

Amy Costenbader, 79640 Quincy Mayger Road, Clatskanie: She first thanked the Board for listening to all of them here tonight. She is a member of the Great Vow Monastery, whose property rests above the land in question. The monastery benefits greatly from the natural environment and the pristine view. It is a place of healing and transformation. People come from across the country and around the world to participate in events, retreats and residency at the monastery. She recently read a statistic stating that organization and government spend about 99% of their time, energy and resources focusing on the things they can quantify. As human beings and as a community, we are much more than this. There are other things worth acknowledging such as compassion, joy, open space. The citizens of Clatskanie appreciate the quite and see the value of the healing power of nature. She is concerned with the environmental aspects of this proposal and concerned with the provisions of SB766 which will expedite the permitting process by bypassing local control. She is also concerning for the monastery and how industrial noise and pollution will effect their spacious view and

serenity. She asked that the Board consider all of the implications before moving forward with their decision.

Greg Walker, 73996 Alderwood Road, Clatskanie: He has been closely following the aftermath of the earthquakes in Japan and studies show we are overdue for the same thing here. In looking at Port Westward site, whether we have coal, oil or other substances, an earthquake would result in a large amount of that in the wetlands. With the increase in rail traffic, it will increase the chances of a train derailment. In looking at the maps, he sees old and poorly maintained dikes. Another piece of a disaster would be that emergency services would not be available. He opposed this application because of the devastating effects that could happen.

Melanie Hudson, 19962 Beaver Falls Road, Clatskanie: At the last hearing, the Board heard what some people had to gain by this rezoning. She is here to say what she has to lose. Her family moved here from Portland for a quiet, clean place to raise their son and grow their own food. If this land is rezoned and more industry moves into the area, their quiet, clean little farm will be subjected to constant traffic, noise and pollution. There's a reason these industrial sites are chosen in sparsely populated areas. We keep hearing about how safe and environmentally friendly industry would be. If that were a certainty, population numbers wouldn't be an issue. They want to site industry in low population areas so that when an accident happens, fewer people will be affected. This does not make her confident in the competency of those in charge of keeping it safe. There is no need to fill our river with even more toxins than it already contains. She urged a no vote on this rezone application.

Craig Hudson, 19962 Beaver Falls Road, Clatskanie: His family has lived here for 5 years but both of his parents and all of his grandparents lived most of their lives here. He

moved here for the clean air, clean water and clean land and because it's still the same small town it's always been. When he was a kid fishing for Salmon on Jones Beach, you could expect someone to catch a fish every 15 minutes, then it was one per hour, then one per day, then it was pointless to fish. This was caused by so called "progress". He is opposed to this rezone because of the negative impacts of "progress".

Roy Staples, 2409 Boyd St. Kelso: He has been a teaching the young people of this community for the last 10 years but he comes here tonight representing himself and his two sons that live in the area. What he saw at the hearing on 9/18/13 was nothing short of a travesty of the democratic process. It showed that the Commissioners were careless about their mandate in allowing public testimony. What he saw was a one sided talk-a-thon that seemed to be choreographed to take up the entire evening. Not a single voice of opposition was heard. The lack of a development plan and transparency for this rezoning leads him to believe that the Board is hiding their true intent. The public is not stupid and do see the elephant in the room. Please redeem yourselves and deny this rezone.

Ryan Rittenhouse, Friends of the Columbia Gorge, 4806 SE 28th, Portland: Decades ago it was said that "*growth for the sake of growth is the ideology of the cancer cell*". Not all growth is automatically good. The Friends of the Gorge share most all of the concerns voiced tonight, particularly about the fact that this rezone proposal is almost assuredly for the export of fossil fuels - most likely coal or oil. Trying to divorce this decision from that reality is irresponsible. Please listen to all of the comments before making a decision. Agriculture is a far better use of this land and better for the community. The Friends are also very concerned about the impacts on the gorge and the main reason he is here. Rail from the Clatskanie to Idaho could be effected. The Board has heard that this application is against the state planning goals and should not be approved.

R. Duncan MacKenzie, 30099 Maple Drive, Rainier: The key issue on the proposal seems to be the provisions filed in SB766. There have been multiple interpretations of this bill and the various ramifications. He would suggest that the Board read this bill, specifically Section 6-11 which relates to regionally significant industrial areas. He has attached a copy of the bill to his written testimony.

Miles Johnson, 111 Third St., Hood River: He first asked the Board to keep the record open for 7 days so they can provide additional written testimony. He is an attorney for Columbia Riverkeepers, who works up and down the Columbia River to protect clean water, fish and wildlife habitat. He may not live here but everything that goes into the river effects everyone up and down the river. This Columbia River is what makes this a great place to live and the farmlands so fertile. Coal can really trash the river. One point is the lack of information - one being the real impacts of the development. The application states that the *“proposed development will not have any negative effect on sensitive environmental features”*. That’s simply not true. If this rezone happens, the Port will build over and through that habitat. ORS 197.732(2)(c)© - the alternative site comparison is missing. The Port hasn’t even shown what the environmental impacts to this site and basically ignored the impacts.

Tyler Ruggenberg is here speaking as a citizen of humanity who stumbled upon this beautiful town. He believes that the decision that Board has to make will have global consequences. People here have a vision of the future that will work. Buying local, keeping money local, growing local food and working together as a community. The future is not coal or drilling for natural gas and he would hope that the Commissioners will not be a pawn for these corporate thugs.

Nancy Herron, 444 Graycliff Court, St. Helens: She doesn't have a lot of data or facts but her concern is with the unknown. Her fear is that we will end up with a large number of trains traveling through town. She lives on the river side of St. Helens and loves the fact that she can walk everyone around town, on both sides of the tracks. This is definitely be effected by train traffic. At the last hearing, the proponents attorney talked about the positive effects of increased rail traffic but didn't give any examples. A rail representative talked about the increased speed of the trains, which is terrifying. She works for the school district and knows the effects on the school buses trying to get across the tracks. She asked that this application be denied.

Mike Oldenburg, 79144 Erickson Dike Road, Clatskanie: He moved here because he thought it would be a great place to retire and open up a winery and, in his leisure time, sail his boat. He's spent over \$300,000 on equipment and building and is now finally licensed to produce wine and cider on his property. If this rezone goes through, it will negatively impact his 11 years of work. He looked for prime agricultural property that could not be rezoned and that is what this should remain as. If this is approved, the people won't have any say in what moves in. His neighbors grow most all of his food - what happens to him and the other farmers?

Meredith Moore, PO Box 95, Columbia City: She will pray for the Board because the decision in their hands is irreversible. She has lived along the Columbia River for 24 years and in Columbia City for 17 years. Our motto is beauty and livability but she doesn't see that continuing if there is a lot of trail traffic going through town. She buys her groceries in St. Helens, gets her hair done, eats in their restaurants. She isn't going to want to wait 20 minutes for a train to get to those places. Businesses are already just barely holding on and this is not fair to them.

REBUTTAL:

Jody Parker, Building Trades Union, wanted to note that the union workers were not forced to attend these hearings. She takes issue with the comment that Columbia County wants to be the “armpit” of the Pacific Northwest.

Jim Dayton, 14530 NE Blueberg Hill Lane, Dayton, Oregon: He has heard a lot of negative comments tonight about how bad trains are. These lights are on here tonight because of the stuff they haul. Every form of energy has some negative impacts. He is the general chair of the rail engineers of the northwest on the Union Pacific Railroad and represents the operating people of the Portland & Western rail. As for the trains moving faster, if people want them to get through faster, they have to go faster - simple fact. Another issue brought up is that the railroads only pay 5% for rail infrastructure. His experience is that railroads pay their own way.

At 9:30 p.m. and with no further testimony in opposition, the hearing was recessed until Wednesday, October 9, 2013, at or after 6:30 p.m. at the Clatskanie Middle High School.

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BOC Meeting

10/2/13

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There was no Executive Session held.

With nothing further coming before the Board, the meeting was adjourned.

Dated at St. Helens, Oregon this 2nd day of October, 2013.

NOTE: A tape of this meeting is available for purchase by the public or interested parties.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____

Henry Heimuller, Chair

By: _____

Anthony Hyde, Commissioner

By: _____

Jan Greenhalgh

By: _____

Board Office Administrator

Earl Fisher, Commissioner

BOC Meeting

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