

**COLUMBIA COUNTY PLANNING COMMISSION MEETING**

March 9, 2025

Draft Meeting Minutes

Go To Meeting

Planning Commission Members Present:

Alta Lynch, Brandon Lesowske, Jonathan Barclay, Andrew Osborn, Brian Brust, Andrew Paulson

Planning Commission Members Absent:

Kat Bennett, Chris Warrking

Staff Present:

Spencer Parsons, Jack Niedermeyer, Kate McGuire, Suzie Dahl, Amy Herzog

Agenda Item:

- 1. CU 25-169 Weyerhaeuser Timber Holdings, Claruth Inc., Wilna Inc, Franbea Inc. and Northwest Natural (NWN)**

The meeting was called to order at 6:30 p.m. by Alta Lynch

Alta Lynch took roll call, then reviewed the virtual meeting etiquette, ground rules, and agenda items.

Kate McGuire reads the pre-hearing statement and asks the Commission if there any ex-parte contacts. Commission does not have any ex-parte.

Kate McGuire presented the staff report and summary.

Property Information & Summary

<b>File #:</b>	<b>CU 25-169</b>
<b>Applicant/Owner:</b>	<b>Weyerhaeuser Timber Holdings, Claruth Inc., Wilna Inc, Franbea Inc. and Northwest Natural (NWN)</b>
<b>Situs Address:</b>	<b>N/A</b>
<b>Approximate Location:</b>	<b>5 miles north of the intersection of Miller Station Road and Highway 202 near Mist Oregon</b>
<b>Map/Tax Lot No.'s:</b>	<b>7500-00-04500/04700/04800/05000</b>
<b>Tax Account No.'s:</b>	<b>25544 / 25546 / 25547 / 25549</b>
<b>Zone:</b>	<b>Primary Forest (PF-80)</b>
<b>Total Tax Lot Acreage:</b>	<b>1,326 +/- acres</b>

## Comments/Questions

Applicant's representative, Kim Rush (President of NW Natural Gas) presented the following.

I'm the President of Northwest Natural gas and I'm here tonight to share my perspective on the criticality of this project with you, as you know. In this facility has safely operated. In Columbia County, for more than four decades, it's vital to our region's shared natural gas and electric rail. And I'll say more about that in a moment. As director McGuire explained, asset issued a site certificate authorizing the Miss Resiliency project last year, which is necessary to replacing aging equipment and increasing resiliency of the regional natural gas system. The application before you tonight is the small but important final step. And implementing the missed resiliency project approved by Afsac natural gas storage is essential to maintaining energy reliability. It's particularly important for Oregon, where utilities face constraints and infrastructure with only one Interstate pipeline serving the region. If we want to be able to continue to provide reliable and affordable energy, we need the missed storage facility. This applies equally to electric and gas utilities. In fact, electric utilities in Oregon are the largest user of natural gas by far. So gas storage and this facility is critical for reliable power and power reliability is now at more risk than ever with a recent study showing up to 9 GW electric capacity shortage in our region in up to just the next four years. To put that into perspective, that's equal to all the electricity used by the state of Oregon today. So even as the state moves towards more wind and solar over time, natural gas and gas storage remain critical to the electric system as well as the gas system. And while this project is vital for the region's energy reliability, it also has several specific benefits to Col. County residents. Residents work at our facility. There are employees, there are contractors during construction of the project. Additional contractors will stay in your hotels, eat in your restaurants, supporting the local economy. Apply completion. This project is estimated to provide \$2,000,000 in revenue per year to Columbia County's tax base. Northwest Natural also leases portions of the Miss Storage bill from Columbia County under long term contracts dating back to the 1980s, and the company directly supports the Miss Birkenfeld Fire district through ongoing investment in their water supply pump and funding for their operations again under. Many organs, including Columbia County residents, rely on natural gas, gas disruptions or shortages directly affect business operations, household comfort and safety, and can severely impact the reliability of the power grid. For all of these reasons, this project. Thank you for listening to me tonight and I'm going to turn it over to our Council for more details.

Alta Lynch asks: and before I say anything, are there any questions for President Rush? None

Applicants Legal Representation: Marissa Mueller, my address is 760 SW 9th Ave. Suite 3000, Portland OR 97205. Thank you for holding a special hearing. We appreciate it and thank you, Director McGuire for that very comprehensive staff report. So I can keep my remarks very brief. I'm happy to answer any specific questions you might have. I also did want to briefly address the 75 page comment letter we received in about 3:30 this afternoon. So I can go ahead and start there with that makes sense to you. Sure. OK. So the 75 page comment letter I received a copy as I was heading out the door to get to this hearing. So I haven't had a chance to fully digest that letter as well. Facility, as Kate said, looked at extensively many, many times over the past four decades, including most recently in request for Amendment 13. And so many of the issues raised in that letter appear to be asking, you know, the Commission looking at broader facility impacts. And I do want to note that

any DC who filed that letter, they did actually participate in the outside process and were those issues are address. And so, in short, it appears that any DC is asking this Commission to do something. That one is outside of your authority. Based on that very clear statute. And two, it's really just a request for a second bite at the apple. As to the issues raised in that letter, you know again, nothing really new here. They seem to track the higher comments that were filed, but they kind of fall into three buckets. And so one, there's some speculation that the proposal before you tonight might cause increased costs to forestry practices and surrounding properties or those types of things. You know, we've addressed that. Director Department spoke to that. There's also speculation about fire risks. Again, it's addressed. Although Austin personally concerns. Questions about fire safety protocols. And then there's this speculation about potential impacts to big game. And I guess tied specifically to this proposal or the types of risks you might see from this proposal, it's all kind of, you know, these types of things might happen at these types of facilities. And so to the extent there's any argument that the applicants hasn't met their Legal burden. That's not correct because our the applicant's legal burden is to speak to this proposal. Risks from this proposal and address how the legal criteria are satisfied by this proposal, and we have. It's the applicant's job to just imagine every potential argument somebody could possibly raise. And finally, Again, spoke to this extensively, but there's this argument that somehow the land use associated with these balls isn't allowed as a conditional use in the forestry zone. I think that if you really want to understand what's happening with these wells, exhibit I to our February 17th supplemental submittal. Which is a letter from Dave Weber who's here tonight, but very helpful to just understand what's happening here and why it is processing. And it's very clear based on the text of the Oregon administrative rules, which are what guide the county's code, talking about processing uses, that this is the processing. Use. This is the kind of activity that was intended to be allowed in the forestry zone under that use category. And that conclusion is very consistent with. Basically, how the county has looked at this. And these types of proposals for the past 30 years, going back to at least the 90s, it's also consistent with how appsac has looked at it. And I think just the last thing to note there is that this argument appears to be a bit of a it's kind of an odd argument from a common sense perspective because the argument appears to be. You know, if somebody were to comment and develop whole new acceleration facility and start extracting gas and doing all kinds of exploration, that would be no that conditional use. But then everything that comes after that to get a conditional use or. I'm sorry to get that extracted gas into the shape that is necessary to transport it to consumers. That's not allowed, and that just doesn't make really any practical sense based on how this kind of life. Of natural gas facilities works. And so for that reason as well, we think it's just, it's not really a relevant argument. OK. So I've said a lot. They've talked fast. On that note, I am happy to answer any legal questions.

Brandon Lesowski-How many current full-time employees does the facility currently staff? Alta Lynch asks; Brandon does that matter right now how many employees they have? Brandon, yes, it helps me with my decision. If approved, how many employees will they employ vs. currently? David Weber, VP of Gas Storage (250 SW Taylor Portland, OR 97209) there are currently 30 permanent employees. If approved, it would add another 10 positions. There is also numerous contractors on the site at any given point as well.

Brandon Lesowski-How is the energy source currently being delivered to this site? Austin Mann explains There's a pipeline that goes from Kelso to Kelso Beaver pipeline that delivers gas to port westward that is stored in North Mist. There's another pipeline called SW Pipeline that is permitted by F SEC. It goes from Molalla off of Northwest pipelines. Lateral that goes all the way up to Mist. This just two principal pipelines and there's an additional pipeline called the North Mist Pipeline Feeder. I think Northwest feeder that goes from the Miller

station north to what we call the Central Coast Feeder, the coast feeder. It goes out to Astoria. So all of it is pipeline delivered and all of it goes to customers live pipelines. There are no barges, no liquefaction involved at all.

Brandon Lesowske-Thank you for that explanation. I appreciate hearing the vastness of the infrastructure and how this project would be able to support not only maybe our local community, but customers and residents and commercial entities across the entire NW portion of Oregon. So that's very informative for me. Is the current or future energy source access by customers in Columbia County? You had indicated that this is a larger infrastructure. Are there? And I don't know all the terminology, but like opportunities for direct access for our current residents and businesses in Columbia County?

Kim Rush- This project is to support the Region the way that storage works, is because we only have on Interstate pipeline. All of the pipelines that Dave described to you were really to bring the gas from the Interstate pipeline into our service territory, but the region is quite constrained. We're constrained on the Interstate system. We're also constrained on electric transmission. So what gas storage allows us to do, is to bring in that energy that we need both for the natural gas customers and electric generators. And store it so that we have that energy during those extreme conditions, whether it's summer or winter, that allows us to have the energy we need when we need it because we the straws that we have, which are really the Interstate pipeline and the transmission system are already full at that capacity, which is why storage is so important. So to the degree that we have an actual gas to serve all of our customers, whether they are natural gas customers directly or even for the electric utility. Yes, this project is quite essential.

Brandon Lesowski- Thank you for that. I appreciate it. And so kind of building off that this energy source then when needed to be extracted from the storage and put back into the pipeline, this could be sold out of state then.

Kim Rush- These are for our well storage. Generally it's for our customers our Mist facility, but we are a regional, we are a regional infrastructure entity, meaning we are connected to Canada. We get 2/3 of our gas from Canada, the rest of it from the Rocky Mountains. So you can think about that as a the regional energy system and gas flows. They give us gas. We give them electricity. It's a connected energy system.

Brandon Lesowski- Again, thank you for that explanation. I noticed that from the aerial photos that were provided as part of the application that the current site looks to be clear cut of all timber. Is there any intention to do any replanting on that site?

Austin Mann- The forest. The Weyerhaeuser even sent the operators of their Clapton company. They are in the process of reforesting rights to their planting trees in the area. They haven't planted these particular wells yet. They will reforest that area, that it's not going to stay clear cut out forever, right? That big will reforest of that area. I don't know what their cycle is to do it, but immediately adjacent. To our plan, they replanted within two years.

Brandson Lesowski- And so I would assume that there would be a buffer zone based on what that replanting is around the current locations of these three new pads then.

Austin Mann- Yes. Like 4 or agreements with the land owners, we are allocated 1/2 a acre spacing. OK. So within that, that is an area that we maintain, clear and gravel and that as mentioned before, can act as a fire break. That's what I was referring to the entire half acre per well would be gravel.

Brandon Lesowski- Thank you for that. And then I would also say that there's always continued conversations with leadership from the Miss Birkenfield fire to, you know, always have these on site. I guess it's not you know on site reviews and making sure that. Everything is taking place as expected, but just having that open dialogue I think is always a great opportunity for collaboration and in these types of projects. My final question, is what types of processing occurs prior to the delivery and or withdrawing of the natural gas at these facilities?

Amy Herzog- Hey Brandon, it's Amy Herzog. We just want to make sure that when you guys are asking questions, that they are relevant to the proposal only.

Austin Mann- This project is an integral part of processing natural gas before it is injected into the Mist facilities existing underground gas. And again, one is withdrawn from the reservoir as shown earlier. Exhibit I have our supplemental response of the written testimony of Dave Weber. Outlines the key processing role that this project. Please in summary, the injection process is a controlled engineered process. Repairs and conditions. The gas for storage and for its for future withdrawal from the existing underground storage reservoirs. Withdrawal is also a controlled and engineered process. When the gas comes back to the surface, it does not return in a condition that is ready for use. Instead, Northwest Natural uses equipment located on the well pads to remove moisture. And particulates. From the reservoir, northwest natural also heats the gas on low PEDs to increase flow assurance to reduce any upsets to the system. All of this occurs before gas goes to the Compressor stations which is mentioned or already permitted by FEC which? Then takes the final steps in process and gas. So that is ready for commercial transport.

Brandon Lesowski- Greatly appreciate that. I think northwest. I think Northwest natural for your time and for being able to answer all of my questions. I would like to highlight the staff that I do feel as though my questions were pertinent in regards to the applicant. They are a major contributor to our local community in PROV. Us with a vital utility. And so I felt as though that my questions were pertinent to their application and their business and. Their I guess investment in Columbia County. So if if I did, you know I would look to our legal counsel if there was my questions were outside of the scope of this opportunity for me to ask of the applicant. Please do let me know. But with that I rest my time and say again thank you to the applicant for your interest.

Alta Lynch- Thank you. Are there any other comments to be made by the applicant? Is there anyone here who else wants to speak in favor? Is there anyone here who wants to speak in opposition? In that case, I would close this to the public comment.

Spencer Parsons- Madam Chair, I just want to make sure that you're also checking with the online participants as well.

Alta Lynch- If you want to make a comment please raise your hand. If so, raise your hand or unmute. Let us know. If not, I'll close it public comments. I'll turn it over to the Planning Commission for discussion. You guys have requested an extension on this, is that correct?

Marissa Mueller: Yes, and we've requested an open record period of 777.

Alta Lynch- Does Planning Commission have any discussions among themselves or to ask questions?

Brian Brust- The only questions I got is this going to happen again where we get the paperwork late?

Kate McGuire- So the that was submitted at 3:18 PM, the e-mail today. So we we don't have control over when they will submit. Don't think there's a cut off time? They're entitled to submit Spencer. Correct me if I'm wrong, but I believe that they're entitled to submit. You know up until 6:30 and through the hearing. They could submit things right now, I believe 5:00. I think. I thought it was 5:00. Spencer can you clarify for us?

Spencer Parsons- Yeah, I can clarify. So we had a different set of rules. I know what you're referring to, chair Lynch. And we had a different set of rules when everything was exclusively online during the pandemic lockdown. And so we had a we had some temporary rules in place to try to accommodate facilitating. Hearings. Which are no longer in place as we've moved into the hybrid meeting format as required. By state law. And so Kate's right. People can submit. Up to the evening of the hearing, what? What tool we have in place to address that is the one that the applicants exercised is the right to request. To continue the hearing, to leave the record open for additional written comments. And So what? You're looking at this evening is a request to do that, closing the hearing to additional oral testimony. But leaving the written record open so that anybody can submit additional written comments from what they've heard today or seen in the record today for seven days, followed by another seven day period where people can respond to what comes in during that first seven day period and then. A final seven day period where the applicant is allowed an opportunity to submit final written argument. Because they get to have a last chance in the batter's box. Before you deliberate.

Alta Lynch- So with that being said, we would close the hearing for tonight with all those goodies that you mentioned.

Spencer Parsons- You'd be asking one of the other members of the Planning Commission for a motion to close the hearing to further oral testimony. Continue the hearing to April 6, which is the next regularly scheduled Planning Commission meeting. Leaving the record open to March 16th for additional written testimony. To March 23rd for responses to any testimony received during the first open record period and March 30th for applicant final written argument. And quick pro tip somebody can say so moved at this point.

### **Recommendation**

CONCLUSION and RECOMMENDATION TO PLANNING COMMISSION:

Based upon staff's research and investigation of the subject and surrounding properties and the findings presented within this staff report, staff recommends the Planning Commission **APPROVE** this request for a conditional use to allow the processing of natural gas at four (4) new well pad locations on the subject properties, to facilitate continued efficient operation at the existing Mist Natural Gas Facility, subject to the

following conditions:

**RECOMMENDED CONDITIONS OF APPROVAL:**

1. EXPIRATION: The applicant must secure a development construction permit from Land Development Services within four (4) years from the date of the final decision or this approval shall expire. If such permit has not been secured by that deadline, an extension may be granted by the Planning Manager if requested in writing with the appropriate fee before the expiration date [CCZO Section 509.7].
  
2. PRIOR TO ISSUANCE OF BUILDING PERMITS AND/OR COMMENCING OPERATIONS:
  - A. FEDERAL AND STATE AGENCY PERMITS: The applicant shall obtain all necessary permits from all federal and state agencies as identified in the EFSC Final Order.  
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  - B. WAIVER OF REMONSTRANCE: For all four (4) of the subject properties, waivers of remonstrance shall be signed by a duly authorized agent of the entity owning the property, and notarized, then recorded with the County Clerk. This waiver certifies that the owner will not remonstrate against or begin legal action or suit proceeding to cause or persuade the owner or operator of any farm or forest lands to modify the conduct of legal and accepted farm or forest operations. Applicants shall submit recorded copies to the Planning Division of Columbia County Land Development Services, prior to issuance of any building permits or commencement of the use.
  
3. PRIOR TO COMMENCING OPERATIONS:
  - A. COLUMBIA COUNTY BUILDING PERMITS: The applicant shall coordinate with the Columbia County Building Official to submit/apply for all building (electrical, structural, mechanical and plumbing) permits deemed applicable by the Building Official. Including but not limited to; Site Development Permits for earth movement (grade and fill) and any necessary electrical, mechanical and plumbing permits.
  
4. ONGOING CONDITIONS OF APPROVAL:
  - A. ODF NOTICING FOR ACTIVITIES INCLUDING POWER DRIVEN MACHINERY (PDM): At any time when Power Driven Machinery (PDM) activities will be conducted, the applicant shall coordinate with and provide notice to the Oregon Department of Forestry (ODF) – Columbia Unit to meet the legal requirements of notification of use of Power Driven Machinery (PDM).
  - B. HEIGHT LIMITATION ON STRUCTURES: Structures (wellheads / RTU Buildings) shall be no more than 50 feet or 2 ½ stories in height. Compliance with this requirement shall be verified at the time of submittal for building permits.
  - C. WILDLIFE PROTECTION: The owner/occupant of the resource parcel shall assume responsibility for protection from damage by wildlife.
  - D. ROAD DEVELOPMENT: Road development shall be conservative and minimized to only that which is necessary to support development of the use authorized through this review. The applicant shall utilize existing roads as much as possible.

Andrew Osborne- So moved

Brian Brust-Seconds the motion

Roll Call-

- Jonathan Barkley-Yes
- Andrew Osborne-Yes
- Brian Brust-Yes
- Brandon Lesowski-Yes
- Andrew Paulson-Yes
- Alta Lynch- Yes

Alta Lynch- Can Commissioners and Spencer Parsons stay for Commissioner business discussion?

Alta Lynch- Thank you. Well, my question is on some of our questions that we have. I think staff, if we pick up the phone and call staff, would be able to answer a lot of these. Am I wrong or?

Spencer Parsons-I think you can ask staff questions prior to a hearing. There's no ex parte contact between a planning commissioner and staff, where that's what we're here for, I think. My take on Commissioner Lesowski's questions this evening is that they were appropriate because they each of them, to my mind, spoke to applicable criteria. That, to me, is the litmus test. If a question could provide information that could potentially be applicable to applicable criteria it is a good question. If it doesn't. No harm, no foul I. I think we had some discussion about this in the past, but when I look at my quick notes. It was kind of number of staff at site that could have question that could pertain to things like the road services that were the roads or the potential construction of roads inside or fire safety, fire breaks and buffer areas clearly within the fire break standards. Sure. Same kind of deal and the kind of processing that occurs kind of goes directly to one of the. One of the criteria the threshold criteria for a conditional use is whether or not an allowed use is happening the proper way. So speaking generally, not about this application in particular, I think that's just a good rule of thumb for everyone to keep in mind is your questions should go toward helping make a determination. Of compliance or non compliance with applicable criteria. If there's something that you know you're just curious about, like, I don't know what's an absurd example. How Northwest Natural stock is performing in light of what's going on in the Middle East right now or something like that, that that wouldn't really speak to anything that would be in the zoning ordinance.

Alta Lynch- I agree with a lot of what you said, but I disagree with some of it because I think staff addressed some of it and I'm just looking at for the expedience of for Planning Commission meetings for those people who come, they drive here and they attended different things, and I think there's some questions that staff and not prestigious this one, but in other meetings in the past that I think staff could answer that aren't applicable to the application at hand. And like tonight, I could. We can agree or disagree about some of the questions.

Spencer Parsons- Sure. Yeah, yeah, I agree. I mean the process the applicant in the present case the applicant had had some narrative discussing how processing works at the facility, but maybe a Commissioner remembers

or doesn't remember that or wants some clarification on that. I think you're right. You hold the gavel. I guess my only advice in that regard would be to air on the side of building a robust record of the proceedings and I realize you have to weigh that against the time efficiency question. But that's just kind of what I think for those kind of questions that are or could be germane to applicable standards that you're grappling with.

Alta Lynch- I think we as planning Commissioners and having sat on here for a while and knowing the area. So knowing also some of the requirements that the state puts on us, we should know that answer to that question before we ask it in some of. These questions that are asked, we should know the planting requirements that the state does. We should know about plant clearing and that those are some of the things I think if we have a question we can ask staff.

Spencer Parsons- I'm not and let me be clear Madam Chair, I am not trying to chill at all. Your effort to encourage planning Commissioners to reach out with directly to staff with questions when they're reviewing the staff report. Like I said, I don't think of it as an either or situation at all.

Alta Lynch- Well, I appreciate the question. So I don't want anybody to take this wrong, but I think some of our questions are redundant. Or we already have the answer in the application in some cases and if not we have it in our books. I'm just, that's just me. But that's OK. That's all I had to say.

Brandon Lesowski- Alta I think, if you, I do have a comment, I guess I would just say that as a as a citizen and also a planning Commissioner, I find that this is a forum and an arena for open dialogue from our applicants. So it can create transparency in the decision making process. If my questions are too many or something along those lines, I can definitely be more direct in those questions. But I did want to give the applicant ample opportunity to explain. Maybe others concerns that they may have brought to our attention. And so I felt as though this was the time to be able to provide them that opportunity to clear any misconceptions or unknowns. And so again I if I do need to get clarification in regards to the permitting process and our role as Commissioners, I have no problem speaking to staff, but I do have direct questions that I want to ask applicants at times and this is the time and place for that to occur, I should not be trying to reach out any other time, and so I just want to use this time, you know, for my role and responsibility to the, to the county commissioners in which they appointed me to be in. This position, and so I applaud and thank everyone for their time and effort, but I would also highlight that I was the only one that asked any questions of the applicant. And so I would like to at least have my time to be able to ask of that. So with that I will say thank you again.

Alta Lynch- I'm not going to acknowledge people for asking questions, but could we be a little more precise and direct? I think so. I'll just let it go with that and I don't think anybody should be acknowledged if they don't have a question. Perhaps the question that you ask was something that was on their mind and it was answered or they understood what they were talking about and didn't have one. So don't condemn them for not asking a question, is all I'm going to say.

Brandon Lesowski- Oh, Madam, I'm not trying to condemn anyone. I was just indicating that I was the only one that did ask the questions, and so it was. Thank you everyone, thank you staff.

Meeting adjourned 7:38PM