

## **The City of Columbia City** In Columbia County on the Columbia River



### **CITY COUNCIL SPECIAL SESSION JUNE 4, 2014 - 6:00 P.M. COMMUNITY HALL, 1850 SECOND STREET COLUMBIA CITY, OR 97018**

**Present:**

Mayor Cheryl A. Young  
Councilor Nell Harrison  
Councilor Josh Fromm  
Councilor Sally Ann Marson  
Councilor Larry Preston  
Leahnette Rivers, City Administrator/Recorder

The Mayor and Council met in Special Session to discuss whether or not to move forward with supporting a Regionally Significant Industrial Area (RSIA) designation as provided by SB 766 for the Columbia City Industrial Park as outlined in Council Bill No. 14-721.

Mayor Young opened the meeting with a story about how she moved to Columbia City at the age of 5 and grew up here. She said throughout the years she has seen many changes, and each one brought her a sense of loss. She said she can look back now and only remember the way that it used to be. She guessed that 70% of the City's current residents did not live here when she was growing up, yet it seems that each time someone moves here, one of the first things they say is they don't want anything to change. She said it is difficult for things to happen, and we spend a lot of time considering what is best for the City with each decision that is made, and the Council has spent a lot of time researching this subject.

For the benefit of the audience, Leahnette provided a brief overview of the course of events that led up to this decision tonight, which is documented in recent Council Meeting minutes. She said RSIA designations offer incentives consisting of expedited land use review processes and some priority potential for funding assistance from the Infrastructure Finance Authority and Oregon Transportation Committee. She said there are currently four RSIA designations within the State of Oregon - they are located in Douglas County, Lane County, Grants Pass and Hermiston. She said the State plans to accept RSIA applications until June 30, 2014.

Mayor Young offered an opportunity for members of the audience to provide comments about the matter at hand.

Jim Lichatowich of Columbia City asked the Council to deny the request for certification under SB 766. He said inviting the wrong industry into the local area could radically change the character of the City. He said the City is being asked to surrender a large part of its local control, and allow a process that will make it more difficult for citizen participation. He urged the Council to consider some past decisions that were made by the Port of St. Helens related to secret deals about exporting coal, the ethanol plant, and the approval of the transportation of highly explosive Bakken crude oil through the County without an opportunity for public input, saying that the Port clearly needs more local control, rather than less.

Patrick Trapp, Executive Director of the Port of St. Helens, explained that there were no secret deals. He said Port staff negotiates these opportunities, and at times there are confidentiality agreements, which is a common practice until the matter is presented to the Commission. He said they invited public input, and they held their meetings in larger facilities when necessary to accommodate the public. He said after receiving public input, at times the Commission will meet in Executive Session, and then return to Open Session to make their decision.

Merle Pence of Columbia City said PGE was already transporting small amounts of fuel by diesel tanker truck on and off of its property, but now unit trains are allowed to transport highly explosive fuel to the site. He said there's a lot of difference between a couple of tanker trucks and a unit train, especially when they are traveling through communities like Scappoose, St. Helens, and Rainier.

Mayor Young noted that the Railroad has an incredible amount of Federal authority when it comes to the use of their rail lines.

Paulette Lichatowich of Columbia City said SB 766 is poorly written legislation which removes some important local controls. She said the local appeal would be heard by a referee instead of the City Council. She said some public hearings would be eliminated and replaced with an opportunity for written input. She said the Port should not receive special treatment for their property. She provided the Mayor and Council with a flow chart representing the changes that would result from this designation. She expressed concern about the other properties that might be included in the Port's application for this designation, and the impacts those designations will have on our community.

Danner Christiansen of St. Helens said he is here as a representative of the group called Envision Columbia County, which consists of 64 citizens from various areas of the County. He said the Council's decision tonight will affect the entire County, not just Columbia City. He read aloud a guest commentary letter he submitted to the South County Spotlight, which he hopes will publish tomorrow, which expressed grave concerns about the oil trains and their impacts on the quality of life, the property values, and the safety within our communities. He warned that SB 766 will reduce local control and allow the Port to speed up in the industrialization of our County while they assure us of the economic benefits associated with the negative impacts he previously mentioned.

Carol Sweet of St. Helens expressed concern about the reduction of community involvement that results from SB 766. She said the St. Helens City Council recently voted this down, saying they felt they were being rushed into making a decision. She said the Port may not have brought the oil in to our County, but if the oil had no where to go, it would not be here today. She said

this is a safety issue, and expediting the permit process will only make things worse. She described an incident recently that nearly involved an oil train hitting her horse trailer, which could have been devastating to a large section of St. Helens. She said the safety mechanisms are not in place yet to handle the impacts of the train traffic, and if an accident happens, who will bear the responsibility?

Leahnette noted that the decision before the Council tonight would not result in additional oil train traffic because the zoning requirements related to the Columbia City site do not permit oil-related activities. She said the existing land use regulations will continue to apply to the site with or without an RSIA designation.

Rich Crandall of Columbia City said according to an article in the newspaper today, Columbia City is one of the best cities in the State for home ownership. He said, however, that the City will need to change its Vision and Mission Statements if a large industrial park is wanted in the future. He said he does not personally want to live in an industrial park zone. He said the Vision Statement says that Columbia City is the lower Columbia River's ideal small town, and a City of beauty and livability, and it has been, at least up to this point. He urged the Council to look long and hard at this before making a decision that will impact the livability of our town.

Leahnette noted that Columbia City's industrial site is unique from other industrial sites in that it borders residential uses on two sides. She said the sites within the State that currently have the RSIA designations appear to be surrounded by other industrial uses or located in remote areas. She said the State may frown upon the Columbia City site being included in the application because of the adjacent residential uses.

Annie Christensen of St. Helens, founder of Envision Columbia County, said the Port's application will include an enormous amount of acreage, with the largest piece located in Clatskanie. She said it is her belief that each Resolution that individual cities adopt will be interpreted as community support for the entire application, and specifically Port Westward. She said the Port representatives have said there will be minimal loss of local control, but the loss of a public hearing and the loss of a LUBA appeal are big deals. She suggested the legislators fix the way in which LUBA works, rather than remove it from the process. She said she wonders if the promise of infrastructure dollars includes expanded sidings and a second rail, which is truly frightening. She said Vancouver recently passed a resolution asking cities to deny projects that will result in more crude oil being transported through Clark County. She stressed that this is a global issue, and she urged the Council to send a message to the State that there is no community support for this project.

Bailey Harkins of Columbia City said she is not sure how these jobs will affect us, but we need to know how this will affect us and our environment and our wildlife. She urged the Council to not blindly sign away the property.

Mark Ebert of Columbia City said SB 766 provided three years for the Economic Recovery Review Counsel to designate between five and 15 sites throughout the state. He said the three year period has nearly come to an end, and now it seems with very short notice we are being rushed into making a very important decision.

Joe Turner of Columbia City expressed concerns about home values. He said he has a view of the industrial park, and occasionally he can see the river when a train is not sitting on the tracks. He said water and sewer capacity will be an issue with additional industrial activity, and he doesn't believe this area will offer an adequate labor pool.

Brendon Fugere of Columbia City said the public input tonight has indicated that this designation would decrease property values, but the ultimately the property belongs to the Port. He said nobody wants more shipments through their community, but we are all consumers here.

William Allen of St. Helens spoke against the designation, saying he is opposed to the way this is being done. He said this is not where the Port officials live, but it is where the rest of us live.

Councilor Fromm asked Patrick Trapp what the State of Oregon intended when SB 766 was passed.

Patrick said he recently spoke with Senator Devlin, the author of SB 766, who said it was evident that Oregon was losing out on economic development opportunities because the Oregon land use process takes too long. He said Columbia City has already identified the uses that will be allowed on the site, and SB 766 will expedite the review process for those allowed uses.

Gary Shepherd of Oregon Land Law Legal Services in Portland, Oregon, spoke as a representative of the Port of St. Helens and explained that the only local difference in land use review for a permitted use under SB 766 is the use of a hearings officer instead of the City Council for local appeals. For a conditional use permit, he said the public hearing before the Planning Commission would be removed, although the Planning Commission would still make the decision, and the hearings officer would be used instead of the City Council for a local appeal.

Councilor Preston said he finds the removal of the City Council from the process to be particularly offensive.

A lengthy discussion between the Mayor, Council, Port representatives, and members of the audience ensued. Council Members expressed particular concern about the manner in which SB 766 removed the City Council from the local appeal process and the proximity of residential uses adjacent to the Columbia City industrial site.

**MOVED (PRESTON), SECONDED (MARSON) AND CARRIED UNANIMOUSLY TO DENY THE REQUEST TO ADOPT A RESOLUTION OF SUPPORT.**

Meeting adjourned at 7:51 p.m.