

Chair, Councilor Gary Medvigy, District 4
Vice-Chair, Councilor Michelle Belkot, District 2
Councilor Glen Yung, District 1
Councilor Karen Dill Bowerman, District 3
Councilor Sue Marshall, District 5

Board of County Councilors
PO Box 5000
Vancouver, WA 98666

RE: Neighborhood Concerns Associated with Railroad Development

Councilors,

The Neighborhood Associations Council of Clark County (NACCC) takes seriously the responsibility of providing a channel for open communication among government, business interests, neighborhood associations and other groups of residents. It is in that spirit of open communication that we feel obligated to address with the Council a matter which you have been aware of for some time; a matter both serious in its scope and potentially damaging in its implementation.

Public Awareness

A survey of residents, conducted by the Clark County Community Development in late 2018, showed an overwhelming opposition to the Freight Rail Dependent Use (FRDU) and the overlay. Between 70-85 % of the respondents were “dissatisfied” or “very dissatisfied” with one or more elements with the concept of the FRDU.

Objections to the FRDU as part of the Growth Management Act have been expressed to NACCC by our partner neighborhood associations and individual residents. Specific concern to the residents of Clark County are the multiple respects in which the railroad’s operator has allegedly breached the lease agreement with the county, the threats to public safety, degradation of the environment, the quality of life for residents, the seeming lack of financial viability, and taxpayer return on investment.

Threats to Public Safety

There are safety issues resulting from railroad crossings being blocked by a long train or a derailment. Most notable is the uncontrolled crossing at NE 181st Street and NE 152nd Avenue. Should a train be passing through or stopped in this intersection, emergency vehicles will not be able to enter nor leave this area, and this is the only available ingress and egress to approximately 150 homes and families. The Chelatchie Prairie Railroad includes 18 gated public crossings and 12 unsignalized public crossings, each a potential location for disastrous interaction between trains and those using the roadways.

To further exacerbate the threat to public safety is the fact that the railroad operator has indicated he has no issues with providing transportation for hazardous materials. This brings to mind the recent disaster that afflicted East Palestine, Ohio, a town of about 4,800 people (February 3,

2023). Here a 150-car train carrying hazardous substances derailed, likely simply due to a faulty wheel bearing that overheated. About three dozen cars derailed; 20 of those cars carried hazardous materials. In order to avoid a catastrophic explosion, Ohio officials evacuated residents and intentionally burned off some of the chemicals, in the process creating other highly toxic substances. A second train derailment, two months later, occurred in Raymond, Minnesota which also involved hazardous substances similar to the train that derailed in East Palestine.

These are only two of the 742 train derailments in the US the Freight Rail Association (FRA) has recorded between January to October of 2023.

Ohio's governor is urging Congress to change rules around hazardous cargo notification requirements and a bill is currently under consideration in the House of Representatives, co-sponsored by Rep. Deluzio of Pennsylvania and Rep. Khanna of California. Yet, Clark County and the railroad operator still have not adequately addressed these and other public safety concerns.

Environmental Degradation and Quality of Life

Most recently, there have been several articles and letters to the editor in *The Columbian* and *The Reflector* regarding the railroad operator's extensive clearcutting of trees, damage to land adjacent to park land and streams, and concerns regarding potential impacts to our clean water supply, all apparently without proper oversight.

Due to the proximity of established homes and those currently being built in Brush Prairie, Curtin Creek, and Battle Ground, those homeowners likely will see a decline in their quality of life due to noise pollution and seismic activity caused by railroad traffic. Since 2019 Clark County and the City of Battle Ground have proposed and built new construction to be as close as 50 feet from the railroad track which makes the FRDU in conflict with surrounding land use. The impact on current and future home sites is prevalent and severe. Anecdotal information suggests homeowners can expect to see property values substantially decline due to the proximity of the railroad. Total disregard has been shown for residential areas by pushing to rezone the central part of our county to heavy industrial/railroad industrial use.

Lack of Economic Studies

To our knowledge a comprehensive economic study, which typically includes projected revenue, and an evaluation of the cost to maintain, modify, or repair the railroad infrastructure, has not been performed. Such a cost-benefit analysis should be completed at the earliest possible date as it would provide both the county and its residents with knowledge of exactly what the cost benefit of the FRDU will be before further decisions to move forward are made.

Railroad Operator Conduct

A recent post on the county web site indicates that the railroad operator has allegedly breached the lease for the rail line in ways that threaten the health, safety, and quality of life in several of the county's residential neighborhoods. Due to the disregard for the county, state, and federal permitting processes, substantial damage has been caused in the Barberton and Chelatchie areas.

NACCC appreciates how challenging these decisions are, and we support the work that is being done by the Clark County Manager's Office as well as the Environmental Protection Agency, the Army Corps of Engineers, the Washington State Department of Ecology, Department of Fisheries and Wildlife, and the National Oceanic and Atmospheric Administration to address these matters.

In Summary

The NACCC community would urge the Councilors to reevaluate the decision not to have an economic study completed to assess the financial viability of the railroad, to calculate the additional taxpayer investment in rail infrastructure, to develop emergency response plans in partnership with emergency service providers in each area, and, of course, to consider the environmental impact of implementation of current proposals.

In response to the concerns expressed to NACCC by Clark County residents and several of our member neighborhood associations, we oppose the current iteration of the FRDU and the continuation of the current railroad lease. Implementation imposes too heavy a cost to the quality of life for residents of Clark County.

Knowing that public participation is required of local governments by RCW and in light of the complexity of this matter and its overwhelming effect on the residents and neighborhood associations, NACCC requests an appointment of a voting representative to the Railroad Advisory Board (RRAB). Given the importance of community input, we also respectfully request representation on other relevant advisory boards and committees.

Respectively Submitted,