

December 2023

Board of County Councilors  
1300 Franklin Street, 6<sup>th</sup> Floor  
Vancouver, WA 98660

RE: Lease with Portland Vancouver Junction Railroad

Dear Members of the Clark County Council,

The Neighborhood Association Council of Clark County (NACCC) requests that Clark County Council resolve to terminate the lease with Portland Vancouver Junction Railroad (PVJR) and discontinue further consideration of Freight Rail Dependent Use (FRDU). For the following reasons, we make this request:

**Lack of Financial Viability:**

From 2010 to 2023, \$9.2 millions of taxpayer money was spent on the County railroad, with a projected \$2.9 million more in 2024-2025. Yet the rail line still needs to be more serviceable north of Battle Ground. By contrast, the only identified income from the railroad fees is \$3, 000 a year based on current car count, plus a possible income of \$45,500 should Chelatchie Bluff Mine be permitted. Even in the most optimistic scenario, the continued operation of the railroad does not come close to benefiting the taxpayers of Clark County. Since 1986 the railroad has largely been derelict, only moving 562 cars annually, or roughly 2.14 cars per day, five days per week. Economic consideration has yet to be given to evaluating, modifying, or repairing the multiple road crossings to accommodate the 70-plus car movements per day as cited in the study. An extensive amount of money will likely be required to bring these crossings up to current safety standards. We would implore the Councilors to reevaluate the decision not to have an economic study completed to assess the financial viability of the railroad, but rather to order one forthwith.

**Quality of Life:**

Due to the proximity of established homes and those currently being built in Brush Prairie, Curtin Creek, and Battle Ground, those homeowners 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. These entities have and continue to create unsolvable land use conflicts. The impact on current and future home sites is prevalent and severe. Anecdotal information suggests homeowners can expect to see property values decline as much as 20% due to the proximity of the railroad, which only adds to their problems.

**Public Safety:**

Safety issues abound over the length of the railroad; perhaps most notable is the uncontrolled crossing at NE 181st Street and NE 152<sup>nd</sup> Avenue. This intersection is the only available ingress and egress to approximately 150 homes. Should a train be passing through, or be disabled in this intersection, emergency vehicles will not be able to enter nor leave this area. Additionally, NE 152 Avenue is the only access point for an additional 50 home sites. In the event of a derailment in this area, emergency equipment will be unable to access these 200 homes, likely for an extended period. To further exacerbate the problem, the railroad operator has indicated he has no issues with providing transportation for hazardous materials.

Think about East Palestine, Ohio, a town of about 4,800 people, as a recent example (February 3, 2023). Here a 150-car train carrying hazardous substances derailed, likely 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. Residents of East Palestine still feel unsafe. Ohio's governor is urging Congress to change rules around hazardous cargo notification requirements. Yet, Clark County and railroad operators still ignore these and other public safety concerns.

**Public Sentiment:**

A survey conducted by the county in late 2018 showed an overwhelming opposition to the FRDU and the overlay. Between 70-91 % of the respondents were “dissatisfied” or “very dissatisfied” with the concept of FRDU. Considering the vast opposition to the FRDU by county taxpayers, it is difficult to grasp the continued support of the FRDU, much less consider mitigation measures for the items above.

**PVJR and Railroad Operator Conduct:**

It has become apparent that the railroad operator and lessee have breached the lease for the rail line. This disregard for the county, state, and federal permitting process is staggering as are his emails to the county threatening litigation. The devastation caused in the Barberton and Chelatchie areas is an insult to the core values of the residents of this county. A total disregard has been shown for residential areas as has the push to rezone the central part of our county to heavy industrial use. The catering to out-of-state and international mining companies could foreseeably destroy our mountains and headwaters with open pit mining practices that are a hazard to all our neighborhoods, our environment, and our aquifer. These are resources we should be protecting, not putting at risk.

As a united group of Clark County Neighborhood Associations, we urge you to terminate the lease due to the operator's breach of the conditions and discontinue further consideration of Freight Rail Dependent Use (FRDU). Additionally, we encourage you all to place the health and well-being of the residents you serve ahead of the empty promises of a company that states one thing and does another. Clark County can and should recruit quality companies that share in our vision of growth and sustainability of our quality of life, our neighborhoods, our clean air, and our clean water, and cherish the beauty of our county that leaves us in awe of nature.

Respectively Submitted:

Stephan Abramson, Chair  
Neighborhood Association of Clark County