Clark County officials work to implement industry along Chelatchie Prairie Railroad

Expansion of scope of project proposed by committee

Rick Bannan/rick@thereflector.com  Jun 26, 2018

A steam train on the Chelatchie Prairie railroad, what little traffic currently occurs on the short line railroad. Clark County is currently working through new rules to allow for economic development along the line.

File Photo

Clark County Council recently received an update on ongoing work to implement a new state law regarding short-line railroads with questions on a potential map overlay expansion and possible asphalt manufacturing chief among items discussed.
The council sat down with Clark County Community Planning staff and members of the Freight Rail-Dependent Use Advisory Committee (FRDUAC), a twelve-member group that has been tasked with providing recommendations for how the county will implement 2017’s Engrossed Senate Bill 5517 which allows for certain industry along certain rail lines.

The FRDUAC is looking specifically at the Chelatchie Prairie Railroad, a short line that cuts through much of North Clark County. In January, council approved changes to the county comprehensive growth management plan and developed an overlay including a section of land along the railroad between 149th and 119th streets west of route 503.

Since forming in March, the FRDUAC has had five meetings. Clark County Planner Jose Alvarez said that the committee and staff were largely finished with the work tasked of them — coming up with definitions for the new comp plan changes, policy for would-be developers as well as a list of approved industry types applicable for industry along the railroad. What’s left for the committee was finalizing an amendment process that could expand or shrink the scope of land subject to implementation of the state law.

Alvarez noted that the committee had suggested expanding the definition of lands “adjacent” to the railroad, going from a proposed 500 feet to a full mile from the line while encompassing the length of the line from the Urban Growth Area boundaries of Vancouver to the south and Battle Ground to the north.

FRDUAC member Daniel Weaver said that an expansion of that definition would allow for industry to the east of what was initially proposed allowing for access without crossing Route 503.

That proposed expansion did receive some concern as nearby resident Howard Graman questioned what use, if any, would industries have that far away from the railroad.

FRDUAC member John Shaffer noted that there were lands in the overlay proposal that would likely never be used for industrial development, pointing at lands owned by the county for parks and by the Battle Ground School District, meaning the scope was smaller than the circumscribed area on a map presented at the work session.
If the county would expand the definition of adjacent lands it would require additional work, as Alvarez explained more environmental analysis would be needed. Program manager Colette Anderson touched on timeframe and cost, explaining that following a roughly 12-week request for a proposal process, the actual Environmental Impact Statement (EIS) could take seven to 12 months. She noted the last EIS, a supplemental statement to an existing report, cost about $100,000.

Adjusting the map would require a change to the county’s Comprehensive Growth Management Plan, something that can only happen once a year.

In an email, Alvarez said that the extensive analysis needed for the one-mile scenario would likely push back the date for a redrawn map, past January 2019 when the next plan changes could be met and into 2020.

Also requiring comprehensive plan changes was allowing for sewer service in the overlay area, something normally not allowed outside of Urban Growth Area boundaries.

Councilor Eileen Quiring questioned whether or not anything needed to be done, citing language in the passed state law as already allowing for sewer services.

“That was handled in the legislature. That isn’t something that we need to deal with in the sense that we need to ask,” Quiring said. “It’s already been signed into law.”

Anderson explained that any change at the county level would ripple out to other agencies, in the case of sewer Clark Regional Wastewater District, who would then have to amend their own sewer boundaries and capital facilities plan in order to be consistent.

Eric Temple, president of Portland Vancouver Junction Railroad — which oversees the line — and ex-officio member of the FRDUAC, noted that the wastewater district had already addressed providing service to the area. According to a May Comprehensive General Sewer Plan from the district, they would provide service to the area only with county approval.
Apart from where and how rail-dependent industry would be supported, the work session also provided the council with what types of development would be included in the implementation of the law. Council was provided with a list of 60 types of industry either permitted outright or with a conditional use stipulation in the proposal.

Based on existing code for industrial areas, the committee nixed some of the uses allowed such as animal processing, sewage treatment facilities and petroleum and coal products manufacturing, the latter explicitly excluded in ESB 5517’s language.

One use of particular note was asphalt paving mixture and block manufacturing, allowed under a conditional use permit. Councilor Jeanne Stewart had concerns about that use and what impacts it would have on the existing area.

Both Temple and Shaffer touched on why that use was included. Temple said that a would-be developer had approached the railroad with an opportunity that would include the asphalt manufacturing, noting that they had promised 100 family-wage jobs and extensive improvements to the existing rail line.

Performance standards for developments as drafted by the committee and county staff addressed specifically odor and noise, which the two said would not be issues with an asphalt plant. Both mentioned improvements in the manufacturing process that prevented the bulk of odors from becoming a problem for nearby residents. Shaffer also addressed noise, providing an anecdote where a similar plant did not seem audibly running until observers were right next to the facility.

The process of implementing industry along the Chelatchie Prairie railroad is far from over, with the FRDUAC up for one more meeting. An open house for the project is slated for August 1, although interim county manager Jim Rumpeltes advised council that a meeting prior with staff to shore up a recommendation to present to the public would be a good idea.

Note: links to documents discussed in this article can be found through Clark County’s database at clark.wa.gov/the-grid under the June 13 collection.
Rail line industries draft released

New businesses could pop up within a mile of Chelatchie Prairie railroad

By Jake Thomas (/author/jthomas), Columbian staff writer
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Businesses involved in agriculture, construction, chemical and machinery manufacturing and other industries could set up shop one day in the near future along a 33-mile stretch of county-owned rail line.

Since last fall, Clark County has been implementing a change to state law that allows freight-dependent development along land adjacent to the 33-mile rail line, which runs from the BNSF Railway’s main line in Fruit Valley through Hazel Dell and Battle Ground. Earlier this month, a citizen advisory committee released a proposed draft of what kind of industries will be allowed along the rail line and the regulations they’ll face.

Allowed uses include a wide range of manufacturing activities, utilities, wholesale trade, warehousing and others. Some activities, including waste management services, or manufacturing materials such as asphalt, cement or chemicals, would require a conditional

use permit. Other activities would be prohibited, including sewage treatment, animal slaughtering, leather tanning, automotive repair, and petroleum and coal products manufacturing.

“Overall, I’m terribly pleased with the process and the end results,” said Eric Temple, the president of Portland Vancouver Junction Railroad, who operates the rail line. “And I think we’re going to be bringing a lot of jobs to Clark County.”

The committee’s proposed regulations allow for the extension of sewer and water services to the new industrial sites, going against recommendations from some members of county staff who argued doing so isn’t allowed under state land use law.

The proposed regulations set the minimum site development area at 10 acres, the minimum lot area at 20 acres and the maximum building height at 100 feet. The regulations also cover odors, noise as well as ground vibrations and electromagnetic interference. Additionally, the proposed recommendations define “adjacent” to include parcels within 1 mile of the rail line.

Speaking during a recent county work session, John Shaffer, a member of the advisory committee, said that this definition of adjacent won’t mean that all land within a mile of the rail line will become industrial development. He pointed out that some parcels in the area are parks, schools, highways and other property unsuitable for industrial development.

Temple said that the 1-mile distance was used in the regulations so the Lagler dairy farm along Highway 503 would be included. The county has previously attempted to set up a rural industrial land bank on the property but has been stymied by state land-use law.

Previously, residents of Brush Prairie have signaled their unease with having industrial development along the rail line that runs through their community. Concerned residents include Brenda Calvert. She co-owns Half Moon Farm in Brush Prairie with her husband, where they keep bees and grow flowers and produce. She said she’s worried about the possibility of industrial pollution in local waterways.

“It only takes one accident,” she said. “What would it do to the area?”

In an e-mail, Sue Marshall, the board president of environmental group Friends of Clark County, reiterated her group’s concerns that the process has been weighted toward rail interests. She also said regulations stretch the definition of “adjacent” and improperly allow the extension of sewer service into rural areas. She described the regulations as an “end run” around state land-use law.

“As proposed, this regulation will result in costly sprawling development, an irreplaceable loss of farmland, challenge the local transportation system and undermine the rural character of the community with the public picking up the tab,” she said.

But Temple said that the regulations are a “good compromise.” He also pointed out that the regulations include requirements for buffering and landscaping that are intended to address concerns from residents.

Republican County Councilor Eileen Quiring said that she’s sensitive to wanting to maintain the “little paradise” that many rural residents enjoy. She said that manufacturers want larger parcels of land and won’t be seeking to develop smaller parcels in residential areas. She said if done correctly, landscaping and buffering requirement can make large manufacturing facilities barely noticeable.

“It’s a real opportunity,” said Quiring. “We own this rail line and we should take advantage of this little jewel we have.”
The public will have a chance to weigh in at an open house in August. The regulations will go to the county council for final approval this fall.

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Local lawmakers who believe deregulation along Chelatchie Prairie Railroad is key to new economic possibilities hop onboard to observe locations first hand.

Two local lawmakers got a chance to be a train engineer during an Aug. 8 excursion on the Chelatchie Prairie Railroad where the economic opportunities along the short line rail were put on display.
Clark County Councilor Julie Olson and Washington State Sen. Lynda Wilson, both Republicans, joined representatives of Portland Vancouver Junction Railroad (PVJR), the operators of the county-owned Chelatchie Prairie, for a train ride along a stretch of the rail being looked at for industrial development. Wilson introduced ESB 5517 in 2017, a bill which allows for that type of development along short lines in Clark and Okanogan counties, and following its passage Olson and other members of Clark County Council have been working on how that legislation will look in terms of its implementation locally.

The lawmakers and PVJR officials met nearby Battle Ground School District’s Center for Agriculture, Science, and Environmental Education before hopping on a train engine, first heading south to just north of 119th Street before going in the opposite direction into Brush Prairie, crossing Route 503 in the process. The trip was on a single engine, not a long train packed with cargo, and offered a glimpse of what exists along the line in some cases far from what’s visible from the road.

Wilson said that actually seeing the course of the rail line helped to get a better understanding of what an economic overhaul of the area would look like as opposed to just looking at a map. She added that successful implementation of the bill would also prove that the type of work it allows could be done across the state, not just in Clark and Okanogan counties.
Amber Carter, a lobbyist for PVJR, said of the two counties Clark stood out because of data gathered by the Columbia River Economic Development Council. The rail line has already generated interest, with the trip passing by some acreage commonly referred to as the Lagler property to the West of the tracks. Though he didn’t give a name of the company, PVJR President Eric Temple said that one possible industry looking at the area was in the aggregate materials construction business.

That potential industry has also looked at the possibility of asphalt manufacturing along the line, which Temple noted had been a point of interest for those following the development. Temple assuaged fears of allowing an asphalt plant to move in, explaining that a modern facility would have almost zero emissions.

**Washington State Sen. Lynda Wilson** prepares to signal at a crossing while driving a train engine along the Chelatchie Prairie Railroad, getting directions from Portland Vancouver Junction Railroad General Manager Nathan Bruce during a trip Aug. 8.

Photo by Rick Bannan
“There’s no substitute for asphalt at this point. We are going to use it. The only question is if it’s in the most modern, most environmentally-friendly facility and creating local jobs, or whether we are exporting it maybe a little further away to an older facility and maybe putting the jobs in Oregon,” Temple said.

On some parts of the trip the railroad came close to residential areas, in some cases cutting across the private drives requiring a few blasts of the train horn to ensure a safe crossing. The impacts development would have on the railroad’s neighbors was taken into account by buffering standards, Olson said.

“We’re not just going to let warehousing and heavy industrial uses go in without making sure we protect the neighbors as well,” Olson said.

Temple mentioned that the county’s Freight Rail Dependent Uses Advisory Committee had gone a step above the current highest level of buffering the county had.

“L-5 (buffering) was the gold standard. We recommended the platinum standard,” Temple remarked. Six-foot earthen berms along the perimeter of the railroad with at least a four-foot additional buffer of mixed evergreen foliage would help to mitigate the effects of a more frequently run railroad.

Should industry come in the current rail line would need some work, but the question on track improvements wasn’t how long it would take but how the funds could be allocated. Temple reasoned the improvements needed would be around $45 million, adding that the eight-figure work would pay for itself over time.

Carter noted that currently Chelatchie Prairie had what was known as “accepted track” — a level below the “lowest” standard classification for rail. For the current traffic in the area, about a trip once a week, it was sufficient — though increased industry would need improved infrastructure to operate optimally.

Funding rail improvements would likely come from multiple sources, most notably grants like the state Freight Rail Assistance Program.
Once that funding comes in, actually making the improvements would take very little time as federal exemptions on the railroad meant work could be started immediately and go fast without lengthy permitting processes slowing things down.

“I could have (the improvements) done in a week if I had the money,” Temple said.

The railroad having more use would alleviate other forms of traffic in the area. Temple estimated that if the construction company did come to the Chelatchie Prairie, only one daily train trip would eliminate 30,000 to 40,000 truck trips on local highways annually.

“That’s the beauty of railroading; it’s the efficiency,” she said.

Clark County Councilor Julie Olson drives a train engine along the Chelatchie Prairie Railroad during a trip Aug. 8.

Photo by Rick Bannan
The trip marked the first time that either Olson or Wilson had driven a train, receiving guidance and occasional help with breaking by PVJR General Manager Nathan Bruce. Both lawmakers had a good time taking up the role of conductor.

“I didn’t even know what to expect, but it was fun,” Olson said.

If You Go

Freight Rail Dependent Uses open house

6:30 p.m. to 8 p.m. Thursday, Aug. 30

Hockinson High School, 16819 NE 159th St., Brush Prairie

6:30 p.m. Doors open

6:45 p.m. Brief presentation

7-8 p.m. Maps and info display
Chelatchie Prairie Railroad development plan picking up steam

The Freight Rail Dependent Uses Advisory Committee had its second full meeting this week

BATTLE GROUND — The second meeting of the Freight Rail Dependent Uses Advisory Committee took a while to get on track. The group is working to craft policy to allow development along a stretch of the Chelatchie Prairie Short Line Railroad from NE 119th Street north to 149th Street.

This stretch of the Chelatchie Prairie rail line south of 149th Street could soon be home to a number of freight rail dependent industry.

Photo by Chris Brown

Wednesday night’s meeting was the first of four on the schedule during which the group will be tasked with defining what kind of business will be able to develop along the rail line, and exactly how much space on either side of the track is up for grabs.

The Chelatchie Prairie line runs for about 33 miles from the Port of Vancouver, stretching northeast across the county. Last year, the state legislature approved House Bill 1504 (authored by Rep. Liz Pike and Gov. Jay Inslee signed a slimmed-down companion version — Senate Bill 5517), which opened the way for up to 14 miles of the track to be opened to industrial development for businesses that depend on moving goods by rail. The opening of those lands to development is being done in stages, with about five miles being made available by the end of this year.
These cows in a field south of 149th Street will be moving soon to make way for freight rail dependent industry on the Chelatchie Prairie Line. Photo by Chris Brown

After stumbling through about two hours, the committee appointed John Spencer of the Parks Advisory Board to chair the committee in hopes of speeding things along. As it was, a meeting that was scheduled to last two hours went nearly three.

At issue were definitions of several key parts of the policy, including what “Adjacent” means in regards to the rail line. The draft resolution included the language “Parcels that abut the short line railroad or are located within 500 feet of the railroad.” Ultimately the committee members decided to increase the distance to a quarter of a mile, allowing development on some parcels further away from the track.
Howard Raymond, who owns some of the property along the area being considered, urged the Advisory Committee to consider whether to allow people who own multiple parcels in that area to join them together, in order to possibly spread development out a little more. That debate was left to a future meeting, but several committee members expressed concern with how a policy like that might play out over the long haul.

Also left to a future meeting is the topic of what kinds of businesses and freight will be allowed to use the Chelatchie Prairie line. Coal, oil, gas, and hazardous chemicals are not going to be allowed, along with any rock quarries or metal foundries.