



County Council Work Session Summary

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DATE: Feb. 7, 2018

SUBJECT: FREIGHT RAIL DEPENDENT USES PHASE II OVERVIEW

On Feb. 7, 2018, Community Planning presented an overview of Phase II (Development Code) of the implementation of Freight Rail Dependent Uses. Phase II will include the development of code language in Title 40 to include a list of uses, site plan requirements, and a process for future overlay revisions.

Staff requested direction from council on the following discussion items:

1. **Composition of advisory subcommittee:** In Phase I, the county received comments from the public and commerce requesting a broader participation on the committee. The Council discussed adding members from the Parks Advisory Board, Farm Bureau, Friends of Clark County and the Brush Prairie Neighborhood Association.

Council direction: New advisory committee with a new name to add to existing subcommittee members, representation from:

- Parks Advisory Board
- Farm Bureau/Agriculture
- Brush Prairie Neighborhood Association

Next steps: Staff will revise the Public Participation Plan (PPP) that was adopted on October 19, 2017 to include the development of new committee, to include those on the current committee and representatives from the organizations stated above. The PPP will also include a timeline that indicates the schedule of the process, public participation that includes outreach to the Neighborhood Association Council of Clark County (NACCC). The updated PPP will be brought back to the council for review and approval.

2. **Definition:** The bill states that freight rail dependent uses means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is **dependent on** and **makes use** of an adjacent short line railroad. How should that be interpreted?

Council direction: The advisory committee will use this definition and interpret what uses would meet that definition.

Next steps: Advisory Committee review and discussion

3. **Use List:** Staff gave an overview of how the rail line is being used now, what commodities are being shipped and what shippers are using the rail line. The bill specifically states that crude oil will not be an allowed commodity. There are other energy products that are not classified as crude oil. Does the council have any feedback on what they don't want to see shipped along the rail line?

Council direction: Review all oil classifications. Products that are hazardous, such as energy products and dangerous chemicals should not be allowed.

Next steps: Staff will work with the advisory committee on reviewing the oil classifications and only including those that are not hazardous.

4. **Environmental Review:** The use list that is developed will determine the level of SEPA review.

Council direction: N/A

Next steps: Once the use list is developed by the advisory committee, it will be brought before the council at a work session for review before any public engagement.

5. **Other council request:** Email council letter received from Department of Commerce.