



Proud past, promising future

CLARK COUNTY
WASHINGTON

RAILROAD ADVISORY BOARD

MEETING MINUTES

MONDAY, APRIL 10, 2017

4:00 PM -5:30 PM

1300 FRANKLIN STREET PUBLIC SERVICE CENTER
6TH FLOOR - BOCC CONFERENCE ROOM 679

Members Present:	Dan Weaver, Lloyd Lycan, Dave Nelson, Dick Clairmont, Jeff Swanson, Jack Melton, John Shaffer, John Hansen, Elizabeth Scott, Neil Chambers, Richard Green, Kent Cash, Jim Pearson, Patrick Sweeney, Eric Fuller
Excused Members:	
Absent Members:	
Ex-Officio:	Eric Temple, Will Pickering
Public:	Doug Auburg (BYCX), Randy Williams (BYCX), Wayne Harner (POV), Michael O'Connell
Staff:	Jerry Barnett (Clark County) , Cherie Burmaster (Clark County)
Agenda Item	Facilitator
Meeting called to order @ 3:58pm	Dan Weaver
Approval of Previous Meeting Minutes	Dan Weaver
<ul style="list-style-type: none">Moved for approval (Dan Weaver), seconded (Jeff Swanson), unanimously approved.	
Roll Call/Introductions	Dan Weaver
<ul style="list-style-type: none">Several new members: John Hansen, Richard Green & Jim PearsonCherie Burmaster (PW-Transportation)-minute taker/secretary	
PVJR Activities	Eric Temple
<ul style="list-style-type: none">See Rail Legislative Update attachment from Amber CarterOil issue will go away for PVJR line- PVJR gets exemption; doesn't go away for BNSFGMA change looks favorable (HB 1504 came out of the House with a lot of support); due to some eastern Washington counties, has to go back to the House; has to do with allowing counties to do RR industrial development in resource landsSenate Bill has changed-we will see what happens with itMoney: \$400,000 from the FRAP is included; there are existing projects to be approved; \$6 million has been set aside that may be the difference in production and where PVJR might get additional fundsRecord 1st Quarter for PVJR-result of additional production of customers; added one additional customer for the year-they've shipped 10 cars to date.Eric had conversation with BNSF's Marketing Dept. regarding warehouse space-trying to get deal with BNSF.Eric received an offer on 78th St. rail property near old CCPW site, to which he's responding. ~Eric mentioned the "triangle property" to Mark McCauley and that the access point to property is a key issue at traffic signal on 78th Street. Eric mentioned wanting to have trucks be able to cross 78th St. by using light and turn around in ungated	

parking lot. McCauley said he's willing to consider issue if it comes up again as part of a deal. Making triangle property part of an industrial park might be beneficial. McCauley is actively looking at other sites for Public Works.

- Almost lost main rail line due to mudslide and heavy rains last month; managed to salvage with help of the county (by Ross Complex). PVJR employee saw bulge in hillside under rail line and was later inspected. Water washing onto tracks from above property has been addressed.
- Representative M. Manweller (rail caucus) is asking for legislative fixes for next Session; Eric said he'd send out an email asking RRAB members to submit ideas to him so he can send them to Manweller.
- Jerry Barnett brought up bulge at Milepost 1.2 which hasn't come down yet
- Amber worked on getting bridge money for Bridge 12; \$150,000 still in budget for rock scaling, Bridge 20 and track changes.

BYCX Activities	Will Pickering
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- Randy mentioned the cleanup of the Yacolt yard and they're working on track maintenance for now
- Doug Auburg heard from the engineer and Doug should have second set of review drawings by end of this week-may be close to being done. Design is part of expense of project. Town is sponsoring agency submitting permit-may need to go through county approval.

County Activities	Jerry Barnett
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- Tunnel: \$72,000 was approved by the BOCC. Engineer is putting documents together for construction and an addendum will be sent out tomorrow for qualifications. Have a site walk scheduled for 4/12/17 at 1:00PM. Bids are expected on April 17 through Small Works Roster. Randy mentioned to not let contractors block gate entrance; there's alternate parking. Key on gate needs to be locked back in a series when finished.
- Bridge 12: Survey is complete. Design was started and crew is going back out to site on 4/17/17. Borings will be done from track rather than the golf course, then they'll move on to 60 percent design.
- SR 503 Bus Lane: This project is moving forward, but work might not begin until next year. There aren't any time constraints.
- Emergency Notification System: Finished with the public crossings and will begin working on the private crossings. Will come up with signage to order.
- Andersen Plastics: Will went to look at alignment on a parcel that Anderson wants to purchase. Eric Temple said the issue at hand is how to get trucks onto the property in regards to turn radius. Trucks need right-of-way. An engineer is helping to draw up plans.
- Website-Roster: Jerry sent an update to Dan Weaver and will wait for an update.
- Mark McCauley joined RRAB meeting
- Growth Management Decision: Jeff Swanson said Growth Management Hearings Board of Western Washington issued their decision on 3/22/17-all three urban growth boundary expansions (Battle Ground, La Center & Ridgefield) declared invalid. Other aspects of the plan such as the upzoning of agricultural and forest resource land were also invalidated. The rural industrial land bank designation in Brush Prairie was likewise invalidated, challenged on the basis of county's SEPA process and process followed to de-designate agricultural resource designation of property. County and

stakeholders have six months to bring plan into compliance. Ridgefield and La Center annexed the land associated with their respective boundary expansions – Battle Ground did not – which was a practice that formerly preempted the WWGMHB's jurisdiction over the boundary expansion. The WWGMHB has ruled in such a way in this case that challenges this practice. For the RILB, best possible outcome at this point is probably to work with appellants such that the Ackerman parcel west of SR 503 (bisected by the railroad) may be designated for industrial use.

~Group discussed rural industrial land banks option

~Question is if Ackerman land can be changed from agricultural to industrial. Land south of property designated as railroad/industrial overlay

- Jerry Barnett brought up that they need to look at the cost of replacing the bridge in response to question regarding if the necessary funding didn't come in, what the cost would be to maintain it. Jeff Swanson stated that it was reframed a couple years ago. Items are being replaced each year. The slope is eroding especially with all the rainfall and piles are exposed. Will have to weigh the options of spending millions to fix issues when the bridge needs replaced, or spending monies to replace sooner than later. County doesn't have money in General Funds. Board will need to discuss options of obtaining money for replacement and what those options entail as far as regulations and procedures for building and construction, but we're looking for an earmark.

Port of Vancouver	Kent Cash
<ul style="list-style-type: none">• Mark McCauley stated that Vancouver Energy came and spoke with him and Councilor Olson. There's an update in the process and McCauley was given a presentation- information shows the revenue increase for Port of Vancouver if this project is approved; this would be \$44 million. There's interest in changing the boundaries of the port to incorporate the railroad and that revenue could update the line all the way to Battle Ground. A decision may come about this summer before June 30, 2017. Vancouver Energy also shared that the inspection regimes on rail cars and rail lines will be over and above the minimum standards.	
Subcommittee Reports	Dan Weaver
<ul style="list-style-type: none">• None	
Unfinished Business	Dan Weaver
<ul style="list-style-type: none">• None	
New Business	Dan Weaver
<ul style="list-style-type: none">• Mark McCauley stated, in regards to the Comp. Plan, Friends of Clark County sent in a letter expressing their willingness to negotiate on every item. Chris Cook is working on a package deal that would deal with their rejection of the western half as long as certain things happen on the eastern half- it would preserve that land as agricultural land for the foreseeable future. It's a three-way negotiation (Friends of Clark County, Futurewise & Clark Count). We have to decide if we want to appeal this by April 23, 2017. If we don't negotiate with Futurewise and just appeal it then we'll have an invalid Comp. Plan will lose Public Works trust fund monies. ~Jeff Swanson stated that the east side of parcel touches Vancouver's UGA near 119th St and tons of apartment buildings are going in; it's a matter of time before the boundary gets expanded.	
Good of the Order	ALL

- None

Round Table

ALL

- None

ADJOURNMENT @ 5:23 pm

Attachment:

SB 5517 – Freight Rail GMA

- Passed Senate Local Government Committee and now in the Rules Committee.
- This bill is on the priority list for the Majority Coalition Caucus and we have every reason to believe it will pass with great support.
- WSDOT and Department of Commerce are NEUTRAL.
- Labor unions, farmers and other railroads are supporting our efforts.

HB 1504 – Freight Rail GMA

- Scheduled for a vote in the House Environment Committee on Thursday, February 16.
- The chair of the committee is working on an alternate approach and we are waiting on language.
- The goal of his amendment is to define freight rail access as a urban service and if a parcel of land has this characteristic then it would not have to go through the de-designation process. Future wise is expected to oppose this approach.
- The county association is asking for a small wordsmithing change that does not have any material impact on the bill.
- The bill may not come out perfect but it will come out of the House Environment Committee which was a huge obstacle last session in getting out of the House Local Government Committee.

Funding Request

- Lawmakers have been meeting 3-4 times a week on the transportation budget with the Senate and House Chairs and ranking members.
- Our \$7 million funding request has been presented several times to the chairs and members of the transportation committees with good response but no promises. The bridge funding is better positioned due to last year's appropriation. We are making the case on the low price of steel and have recently given staff information on prices from a recent quote that Eric was able to get for me.
- The FRAP application is expected to be supported without controversy. It is ranked as the #1 project for the Freight Rail Assistance Program.
- Budget is expected early March.

Oil by Rail Contingency Plan (HB 1135, HB 1136, SB 5137 and SB 5123)

- House and Senate bills have been introduced to address oil by rail rules adopted by DOE for short line railroads.
- These rules have caused Eric to turn away the single carload of non-crude oil that he has previously shipped to Bonneville Power. The rules are also creating problems for food grade oil and other biological oil transport in Eastern Washington.
- The bills are not perfect for Eric's situation based on definitions and other drafting problems but we have the sympathy of the chair and a number of democrats who helped write the underlying law in 2015 for the absurd situation we are facing.
- Amendments are being offered to address Eric's problem and for other biological oils.
- DOE has recently offered language to remove the requirement for drills and contracting for an equipment cache but would still require a plan to get

developed. For PVJR those costs are still in excess of any financial benefit and are not likely to change the situation.

- The bills have passed committee deadlines in the House and Senate – we will work to perfect them when they are before the house and senate for a full vote.