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FOR IMMEDIATE RELEASE

Oregon's Land Use Board of Appeals Rejects Efforts to Significantly Increase Industrial Land along the Columbia River Targeted for Crude Oil, Coal Export Projects

Aug. 27, 2014 (Salem, OR) – A controversial effort to open up over 800 acres of high quality farmland along the Columbia River for industrial development, including oil-by-rail terminals, hit a major roadblock today. In a unanimous decision, the Oregon Land Use Board of Appeals (LUBA) rejected the Port of St. Helens' proposal to rezone 837 acres of farmland for industrial development. In 2013 the Port of St. Helens proposed nearly doubling the size of its Port Westward industrial property—home to Oregon's only oil-by-rail terminal—for projects including coal export and oil-by-rail. Conservation group Columbia Riverkeeper and local farmer and business owner Mike Seely appealed the decision. LUBA rejected the Port's argument that the area needs more industrial-zoned land to thrive.

"The Columbia River Estuary is at the center of an unprecedented effort to site dirty energy export projects in the most critical salmon nurseries in the Pacific Northwest," stated Brett VandenHeuvel, Executive Director for Columbia Riverkeeper. "Dirty fossil fuel projects are a direct affront to our region's fishing heritage and effort to recover endangered salmon."

The Port's proposal to convert over 800 acres of high-quality farmland to industrial zoning met fierce opposition from local farmers, who expressed concern about an oil spill tainting their shared water supply.

"Farms like ours create family-wage jobs in Oregon," stated Mike Seely, fourth generation Port Westward farmer and owners of Seely Farms, which grows peppermint and spearmint for tea leaf and essential oil. Seely Farms also manufactures chocolate peppermint products in Columbia County that are distributed across the nation. "We're at a crossroads in Northwest Oregon. Dirty fossil fuel projects can pave over our legacy of local manufacturing and family farms. We won't stand for it," stated Seely.

Today's setback for the Port of St. Helens comes on the heels of last week's decision by the Oregon Transportation Commission (OTC) to reject state transportation subsidies for dock improvements that would have benefited coal company Ambre Energy. The OTC approved transportation grants for Port Westward's oil company Global Partners dock

improvements and upgraded rail infrastructure in Rainier which would increase train speeds to 25 MPH.

To date, the Port's efforts to site coal export have fallen flat. In May 2013 Kinder Morgan withdrew plans to site a 30 million ton per year coal export terminal at Port Westward. Portland General Electric, which also leases property at Port Westward, effectively vetoed the Kinder Morgan's project, citing concerns that coal dust would harm its natural gas plants. Ambre Energy's Morrow Pacific Project was denied a removal/fill permit required for dock construction at the Port of Morrow on August 18 by the Oregon Department of State Lands (DSL). DSL concluded that Ambre's coal export dock is not consistent with the protection, conservation and best use of the Columbia River. Additionally, DSL stated that a coal dock at the Port of Morrow would unreasonably interfere with the navigation, recreation and fishing along the river.

As a result of today's ruling, the County must re-evaluate the application and issue a new decision on the proposal. As part of its review, the County must analyze and explain why the vacant land at the existing Port Westward site and other sites around the County cannot accommodate new industrial uses. The County must also identify a close, direct relationship between the reasons given for expanding the industrial park, and the proposed uses of that land. In addition, LUBA held that the County may not defer analysis of adverse impacts of the proposal to a later time, but instead must evaluate those impacts before approving the goal exception and zone change. Finally, the County must evaluate whether the proposed industrial uses will be urban or rural in nature, and limit uses to rural uses.

Columbia Riverkeeper is a nonprofit organization working in Oregon and Washington to protect and restore the Columbia River. Riverkeeper was represented in the land use appeal by the non-profit law firm the Crag Law Center.

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About Columbia Riverkeeper

Columbia Riverkeeper's mission is to protect and restore the water quality of the Columbia River and all life connected to it, from the headwaters to the Pacific Ocean. Representing a diverse coalition of members and interests, Columbia Riverkeeper works to restore a Columbia River where people can safely eat the fish they catch, and where children can swim without fear of toxic exposure.

About the Crag Law Center

To preserve the diverse ecosystems of the Northwest for future generations, Crag ensures equal access to justice by providing its clients with professional legal services for free or as close to free as possible, implementing a unique model of "legal aid for the environment." In addition to litigation, Crag helps clients with assistance on civic participation, campaign strategies, communications, organizing and media relations.

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