



Columbia Riverkeeper  
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September 1, 2015

Steve Langdon, Planning Manager  
City of Longview  
P. O. Box 128  
Longview, WA 98632

*Sent via email to: [steve.langdon@ci.longview.wa.us](mailto:steve.langdon@ci.longview.wa.us)*

**Re: Comprehensive Plan Amendment Application [PC 2015-5] and SEPA  
Determination of Non-Significance [E 2015-7]**

Dear Mr. Langdon,

Columbia Riverkeeper ("Riverkeeper") submits these comments regarding the Port of Longview's ("Port") Application to Amend the City of Longview's ("City") Comprehensive Plan [PC 2015-5] and the City's SEPA Determination of Non-Significance ("DNS") [E 2015-7] for the requested Comprehensive Plan amendment. The Port's application would facilitate heavy industrial development and shipping terminals on 136 acres of land, including wetlands, bordering the Columbia River at Barlow Point. The land is currently unoccupied or in agricultural production, and the Comprehensive Plan's Future Land Use Map designates the area "Mixed Use Residential/Commercial." Heavy industrial development precipitated by this Comprehensive Plan amendment could harm the Columbia River's ecosystem and the people who value and depend on it.

The Port's application is premature. Before amending the Comprehensive Plan, the City should carefully consider what type of industrial use, if any, is appropriate for Barlow Point. The Port's consulting firm is currently preparing a conceptual report on the future use of Barlow Point, which should inform the City's decision-making. The City and its citizens may, of course, decide that it is inappropriate to amend its Comprehensive Plan after seeing the Port's desired use of Barlow Point.

Riverkeeper's mission is to protect and restore the Columbia River and all life associated with it, from its headwaters to the Pacific Ocean. Riverkeeper represents over 8,000 members and supporters in Oregon and Washington and regularly comments on land use and industrial development proposals along the Columbia River. Riverkeeper's members boat, swim, fish, and consume fish from the Columbia River at and downstream from Longview, Washington.

Industrial development and associated pollution in the lower Columbia decreases the river's ability to support native fish and wildlife, and degrades Riverkeeper's members' subsistence, recreational, visual, spiritual, and other uses of the Columbia. Riverkeeper and its members would therefore be aggrieved if the City granted the Port's proposed amendments to Longview's Comprehensive Plan or failed to study and disclose the impacts of the Port's proposal in an Environmental Impact Statement.

**I. The Port's application to amend the Longview Comprehensive Plan violates the text and intent of Washington's land use planning laws.**

Longview's Comprehensive Plan is "a guiding document which includes the goals, objectives, and policies that are . . . implemented through development regulations such as the City's zoning code." Longview Comprehensive Plan ("Comp. Plan"), p.1-1. Comprehensive plans like Longview's "provide[] a road map for how a city will grow" and "produce better communities, healthier environments, and stronger economies." *Id.* at 1-2. To that end, the City and its citizens spent nearly two years discussing and developing the Comprehensive Plan. *Id.* at 1-6. The process involved a public survey, eight public workshops, and multiple Planning Commission and City Council meetings. *Id.* And Longview's Comprehensive Plan is current: "The horizon for the Longview Comprehensive Plan is the year 2025." *Id.* at 1-2. Without acknowledging the purpose of Longview's Comprehensive Plan or the extensive public debate that informed its conclusions, the Port asks the City to significantly alter its plan. The Port's application ignores the fundamental purpose of comprehensive planning.

**a. The Port invites the City to ignore RCW 35A.63.105 and RCW 36.70.545.**

The City's zoning regulations should conform to the City's Comprehensive Plan, not the other way around. RCW 35A.63.105. Longview's Comprehensive Plan's Land Use Map designates the land at issue in the Port's application as "Mixed Use Residential/Commercial." The City's zoning ordinance designates the same land as "Heavy Industrial." Perversely, the Port asks the City to revise the Comprehensive Plan to "mak[e] it consistent with the city zoning map" and to "bring[] . . . the city's Comprehensive Land Use Plan into conformance with the city zoning designation." Application PC 2015-5, pp.2-3; *see also id.* at 4. The Port misconceives the relationship between the City's Comprehensive Plan and zoning regulations.

The Port invites the City to ignore a basic principle of Washington land use law. RCW 35A.63.105 requires the City to write a Comprehensive Plan and dictates that the City's zoning regulations "shall not be inconsistent with the city's comprehensive plan . . . ." *See also* RCW 36.70.545. The City has repeatedly explained that this statutory command requires zoning regulations to conform to comprehensive plans.<sup>1</sup> *See* Comp. Plan, pp.1-9-1-10 ("Because the

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<sup>1</sup> Indeed, the City acknowledged that the 2006 Comprehensive Plan obligated the City to re-zoning the properties at issue. *See* Objective ED-A.7 on Page 10-7 of the Comp. Plan (Directing the City to "update the Zoning Code to implement new and revised Future Land Use Map residential and mixed-use categories").

City is required to make its regulations consistent with the Comprehensive Plan, some Comprehensive Plan Amendments will require corresponding zoning map and regulation amendments.”); *see also* Comp. Plan, p.2-2 (“35A.63.105 require[s] a city’s development regulations to be consistent with its comprehensive plan.”); *see also* City’s Comp. Plan Webpage (<http://www.mylongview.com/index.aspx?page=493>) (Explaining that cities are “required to develop consistency between their comprehensive plans and their development regulations. This consistency is accomplished by adopting development regulations, such as a zoning ordinance and a zoning map, that implement the land use goals and policies contained within the Comprehensive Plan.”). Under Washington land use law, Comprehensive Plans are supposed to inform the content and, where necessary, the revision of zoning ordinances—not *vice versa*, as the Port requests.

**b. The Port does not meet the criteria for a Comprehensive Plan amendment.**

Additionally, the City may not amend the Comprehensive Plan because the standards allowing an amendment are not met. Washington’s Planning Enabling Act provides that “[w]hen changed conditions or further studies by the planning agency indicate a need, the commission may amend . . . the comprehensive plan . . .” RCW 36.70.410. Accordingly, the City could only grant the Port’s application if there are “changed conditions” or a ‘further study indicating a need’ by the City. Neither of these conditions exists, so the City may not grant the Port’s application.

First, the Port points to no “changed conditions” justifying the amendment of the Comprehensive Plan. The Plan’s text and map regarding the parcels at issue were enacted in 2006, and have not changed since. Besides the nonsensical ‘goal’ of conforming the Comprehensive Plan to the zoning regulations, the Port’s only justification for the proposed amendment is the Port’s desire to develop properties it bought five years ago. If a landowner’s desire to develop property alone justified a corresponding Comprehensive Plan amendment (or zoning change), there would be no purpose to land use planning. The Port identifies no “changed conditions” within the meaning of RCW 35A.63.105 empowering the City to amend its Comprehensive Plan.

Second, Riverkeeper is not aware of any studies by the City planning department indicating a need to amend the Comprehensive Plan with respect to the areas at issue. If such studies exist, or occur in the future, Riverkeeper requests that the City publicize those studies along with the other documentation (*i.e.* Port’s Application, SEPA Checklist) pertinent to this decision so that Riverkeeper and the public may review them.

**c. The Port’s application would undermine the Comprehensive Plan’s policies.**

Even if the City had the authority to grant the Port’s application, the City should deny the Port’s application because the Port’s proposed amendment would undermine the policies of the

Comprehensive Plan. The Comprehensive Plan’s policies “are intended to assist the City in determining whether to approve Comprehensive Plan . . . amendments consistent with the City Vision.” Comp. Plan, pp.1-9–1-10.

The City should deny the Port’s application because many types of heavy industrial development on the parcels in question would damage critical areas. The Comprehensive Plan’s “Policy NE-B.1.5” directs the City to “[l]imit development and activities in critical areas that would damage their functions . . . .” Comp. Plan, p.2-31. A significant portion of the land at issue is wetland. *See* Comp. Plan, Fig. 5-1 (Critical Areas Map); *see also* Exhibit 1, U.S. Fish and Wildlife Service Wetland Map. The Columbia River and its shoreline also border this land. Amending the Comprehensive Plan to facilitate heavy industrial activity on land, and dock construction in the Columbia River, would almost certainly damage the functions of these wetland and shoreline critical areas. Industrial development and industrial use would likely damage wetlands and shorelines by physically altering these habitats and also by introducing new sources of polluted industrial stormwater into these sensitive aquatic environments. The Comprehensive Plan’s existing designation, “Mixed Use Commercial/Residential,” could probably be accomplished with less impact to wetland and shoreline areas and would involve no construction or heavy industrial activity in the Columbia. Accordingly, Policy NE-B.1.5 counsels against amending the Comprehensive Plan to facilitate industrial development that would damage the critical areas within or adjacent to the parcels at issue.

The City should deny the application because the Port’s proposed heavy industrial development would undermine the City’s goal of promoting public access to the Columbia River. The Comprehensive Plan’s “Policy LU-E.1.12” encourages the city to “promote public access and recreation uses on the Cowlitz and Columbia rivers in conjunction with employment uses, mixed uses, and public facilities . . . .” Comp. Plan, p.2-31. Similarly, “Policy LU-E.1.13” instructs the City to “[p]rovide opportunities for water enjoyment uses such as mixed use commercial/office, retail, hotels/resorts, recreation, and other similar development offering opportunities for Longview citizens to enjoy its waterfront . . . .” *Id.* Heavy industrial use of these parcels would foreclose public use and access to the Columbia River and its shoreline along a significant amount of Barlow Point. This would contradict the City’s acknowledged policies favoring the diversification of waterfront uses and improving access to the Columbia River for Longview residents and visitors. Accordingly, Policies LU-E.1.12 and LU-E.1.13 counsel against amending the Comprehensive Plan to facilitate industrial development that would preclude public use and access to the Columbia River waterfront at Barlow Point.

Finally, the City should wait to see precisely what the Port has in store for this property before deciding whether to amend the Comprehensive Plan. The Port states that it intends to develop the property into a “marine terminal facility,” SEPA Checklist for E 2015-7, § D.4, that could include “multiple new docks.” The Daily News, *Port proceeds with shoreline property expansion* (June 24, 2012) ([http://tdn.com/news/local/port-proceeds-with-shoreline-property-expansion/article\\_8580cf18-be2a-11e1-ac62-001a4bcf887a.html](http://tdn.com/news/local/port-proceeds-with-shoreline-property-expansion/article_8580cf18-be2a-11e1-ac62-001a4bcf887a.html)). And the Port is apparently

quite close to having a better picture of how it would use Barlow Point; the Port has contracted with KPFF Consulting Engineers to provide a formal plan for using Barlow Point. KPFF presented a preliminary proposal for Barlow Point to the Port,<sup>2</sup> and the final report should be available shortly. The City should wait to see what kind of ‘marine terminal facility’ the Port has in mind before amending the Comprehensive Plan.

## **II. The City must prepare an EIS discussing the significant adverse environmental impacts of the proposed Comprehensive Plan amendments.**

The Port’s proposed amendment would facilitate substantial industrial growth in an undeveloped area along the Columbia River. Even though the proposed amendment would be a ‘non-project action’ under the State Environmental Policy Act (“SEPA”), the City “cannot close its eyes to the ultimate probable environmental consequences” of this decision. *Cheney v. City of Mountlake Terrace*, 87 Wn.2d 338, 344 (1976); *see also Chuckanut Conservancy v. Dep’t of Natural Res.*, 156 Wn. App. 274, 293, n.51 (2010) (explaining that a SEPA analysis must not overlook environmental impacts where there is a “strong likelihood” that such impacts would result). Changing the Comprehensive Plan to match the zoning ordinance’s designation of “Heavy Industrial” would almost certainly result in the Port developing these otherwise vacant properties into heavy industry and constructing large ship berths in the Columbia River. Such development would also substantially increase shipping and rail traffic to Barlow Point. The environmental impacts of such growth and traffic pose a “reasonable likelihood of more than a moderate adverse impact on environmental quality”—even without the City knowing precisely what industry might locate there. WAC 197-11-794. Therefore, the City must withdraw its DNS for the Port’s proposal, issue a Determination of Significance (“DS”), and prepare and Environmental Impact Statement (“EIS”).

The amendment would significantly impact the environment because the Port’s proposed heavy industrial development would destroy sensitive wetlands. SEPA’s rules governing threshold determinations explain that a proposal’s negative environmental effects may achieve ‘significance’ by “[a]dversely affect[ing] environmentally sensitive or special areas, such as loss or destruction of . . . wetlands.” WAC 197-11-330(3)(e)(i). The land at issue contains wetlands, *see* Comp. Plan, Fig. 5-1 (Critical Areas Map); *see also* Exhibit 1, something the Port fails to acknowledge. *See* SEPA Checklist for E 2015-7, § B.3(a)(1). Industrial development of these properties would almost necessarily entail the draining or filling of these wetlands. If some wetland areas remained, contaminated stormwater from surrounding industrial activity would likely degrade their ecological value. The loss of wetlands on both sides of the dike constitutes a significant adverse environmental impact requiring a DS and EIS.

The amendment would also significantly impact the habitat of threatened and endangered salmon and steelhead in the Columbia River. A proposal’s negative environmental effects may

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<sup>2</sup> Exhibit 2, KPFF Consulting Engineers, *PowerPoint Presentation to Port of Longview regarding Barlow Point* (2014).

achieve ‘significance’ for SEPA purposes by “[a]dversely affect[ing] endangered or threatened species or their habitat . . .” WAC 197-11-330(3)(e)(ii). The Port’s proposal would facilitate dock construction, degrade important shallow water salmon habitat, and increase the frequency of large vessel traffic. The Port acknowledges its intent to “develop[] the site and the adjacent parcels in current Port ownership as a marine terminal facility,” and that “[t]his type of development will require construction of dock facilities which may impact fish or marine life.” SEPA Checklist for 2015-7, § D.2. The Port cannot evade SEPA significance by relying on uncertainty about the specifics of future projects. Any large marine terminal the Port might construct will significantly degrade the quality of salmon and steelhead habitat in the Columbia River at Barlow Point, requiring an EIS

First, constructing large new docks in the lower Columbia River at Barlow Point could kill or injure juvenile salmon and steelhead and would lead to increased predation on young salmonids. *See* Exhibit 3, Washington Department of Fish and Wildlife (“WDFW”), *Overwater Structures and Non-structural Piling White Paper* (2006). Docks and over-water structures increase predation on salmon smolts, decrease shallow water habitat quality, and often lead to degraded water quality.<sup>3</sup> Exhibit 4, WDFW, *Over-Water Structures: Freshwater Issues* (2001). The Port may not pretend that no over-water construction will result from this proposal. *See, e.g.*, SEPA Checklist for E 2015-7, § B.3(a)(2), (3). The large ship berths planned by the Port for Barlow Point would significantly degrade the quality of the area’s salmon and steelhead habitat.

Second, increasing large vessel traffic in the Columbia will harm young salmon and steelhead and their shallow water habitat in a wide variety of ways—none of which the City’s SEPA Checklist addresses. The Port does admit that its proposal will increase vessel traffic, however. SEPA Checklist for E 2015-7, § D.6. Vessel traffic harms the physical environment of the Columbia River estuary, causes salmonid wake-stranding, and increases the risk of collisions, groundings, spills, discharges, and accidents during vessel fueling. As the Confederated Tribes of the Umatilla Indian Reservation (“CTUIR”) have explained, increased large vessel traffic:

“is certain to increase the incidence of wake-stranding of juvenile salmonids and lamprey in the lower Columbia River adjacent to the shipping channel.”<sup>4</sup> Wake action from the Panamax vessels may also degrade low-lying wetlands and other ecologically critical areas in the Estuary. These same Panamax vessels may cause ecological damage through cooling water discharges (thermal pollution). They may also introduce and disperse invasive species into the Columbia River estuary and river wither in ballast water, or attached to the ships themselves.<sup>5</sup> The possibility of accidents and releases of crude oil to

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<sup>3</sup> Exhibit 5, *infra*, at p.85.

<sup>4</sup> *See also* Exhibit 5, National Marine Fisheries Service, *Biological Opinion for Columbia Pacific Bio-Refinery Barge Dock Expansion*, pp.85–86 (June 8, 2015); *see also* Exhibit 6, Pearson *et al.*, *A Study of Stranding of Juvenile Salmon by Ship Wakes Along the Lower Columbia River Using a Before-and-After Design: Before-Phase Results* (2006).

<sup>5</sup> *Cf.* Exhibit 7, Molnar *et al.*, *Assessing the global threat of invasive species to marine biodiversity*, 2008 *Frontiers in Ecology and the Environment* 6, p.6 (2008).

the water will also increase, especially with increased traffic around the dangerous Columbia River Bar at the mouth of the Columbia River.”

CTUIR, *Petition for Intervention of the Confederated Tribes of the Umatilla Indian Reservation to EFSEC*, In the Matter of EFSEC Application No. 2013-01 at 7-8 (Feb. 27, 2015). The attached exhibits clearly explain why inducing increased shipping traffic to Barlow Point will significantly impact the area’s ability to support threatened and endangered salmon and steelhead.

Third, stormwater contamination is another critical concern related to industrializing 136 acres, including some over-water industrial activity. “Stormwater runoff from the built environment remains one of the great challenges of water pollution control, as this source of contamination is a principal contributor to water quality impairment of waterbodies nationwide.”<sup>6</sup> The Columbia River is listed as impaired under Washington’s Clean Water Act Section 303(d) list, and industrial stormwater often contains zinc, copper, PCBs, and other substances that are toxic to salmon and steelhead at very low concentrations. Nevertheless, the Port’s response to the SEPA checklist ignores the highly predictable stormwater impacts of industrializing 136 acres on the shore of the Columbia. *See* SEPA Checklist for E 2015-7, § B.3(c)(1). The provisions in Washington’s construction and industrial stormwater general permits are not adequate to control polluted stormwater runoff into sensitive and impaired water bodies like the Columbia. Accordingly, the added contribution of pollutants in stormwater runoff to the Columbia River from 136 acres of new heavy industry is a significant impact requiring an EIS.

Finally, the Port’s proposed amendment to the Comprehensive Plan would set a precedent for future heavy industrial activity at Barlow Point. Such a decision will have lasting and significant environmental impacts. A proposal may achieve ‘significance’ if it would “[e]stablish a precedent for future actions with significant effects . . . .” WAC 197-11-330(3)(e)(iv). That is precisely what comprehensive plans do: establish a vision for the City’s development that will guide future actions and projects on the properties at issue. Amending the Comprehensive Plan, a non-project action, may not directly fill wetlands or destroy salmon habitat. But it establishes a precedent that such environmentally harmful activities may henceforth occur at Barlow Point. According, the proposed amendment would ‘significantly’ impact the environment by “[e]stablishing a precedent for future actions with significant effects . . . .” WAC 197-11-330(3)(e)(iv).

The City must also consider the cumulative impacts of the Port’s Barlow Point marine terminal facility in addition to the existing and proposed shipping and industrial development along the Columbia. *See Lanzce G. Douglass, Inc. v. City of Spokane Valley*, 154 Wn. App. 408, 424 (2010) (considering a proposal’s cumulative impacts during review of a SEPA threshold

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<sup>6</sup> National Research Council, *Urban Stormwater Management in the United States* (Oct. 15, 2008) (online at: [http://www.epa.gov/npdes/pubs/nrc\\_stormwaterreport.pdf](http://www.epa.gov/npdes/pubs/nrc_stormwaterreport.pdf)).

determination). Several other marine terminals, including Millennium's nearby massive coal export project, are currently proposed or operating in the lower Columbia.<sup>7</sup> Cumulatively, the impact of the Port's proposed terminal and the impacts of the various other new terminals cross SEPA's 'significance' threshold.

The "non-project action" status of the Port's proposal does not relieve the City of its duty to prepare an EIS because full SEPA review should begin "at the earliest opportunity. . . ." *Klickitat Cty. Citizens Against Imported Waste v. Klickitat Cty.*, 122 Wn.2d 619, 646 (1993). Washington agencies frequently prepare EISs for "non-project" land use decisions. *See Citizens Alliance to Protect Our Wetlands v. City of Auburn*, 126 Wn.2d 356 (1995) (City of Auburn prepared EIS to study impacts of a "non-project action" re-zoning application); *see also Barrie v. Kitsap County*, 93 Wn.2d 843 (1980) (Kitsap County prepared an EIS when amending the County's comprehensive plan and re-zoning 74 acres, including wetlands); *see also Hood Canal Coalition v. Jefferson County*, 2009 Wash. App. LEXIS 2804 (Nov. 9, 2009) (County prepared an EIS for a comprehensive plan amendment related to mining some forest areas). With respect to non-project actions, the Washington Supreme Court noted that, "[e]ven at this more generalized level, . . . 'significant impacts on both the natural environment and the built environment must be analyzed, if relevant,' in an environmental impact statement." *Klickitat County Citizens Against Imported Waste v. Klickitat County*, 122 Wn.2d 619, 642 (1993) (citing WAC 197-11-440(6)(e)). Because putting 136 acres of Columbia River shoreline and wetlands into heavy industrial use would cause significant adverse environmental impacts, the Port's proposal requires an EIS.

## Conclusion

The Port's proposal would preclude future public and commercial use of the waterfront at Barlow Point, and ensure more heavy industrial development in and along the Columbia River. The Port's proposed amendments contradict the City's vision for enhancing waterfront access, and also violate the letter and spirit of the laws governing amendments to comprehensive plans. Additionally, the City must prepare an EIS that accurately characterizes the significant environmental impact of the Port's proposal.

Sincerely,



Miles Johnson  
(541) 490 – 0487  
[miles@columbiariverkeeper.org](mailto:miles@columbiariverkeeper.org)

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<sup>7</sup> See Exhibit 8, Sightline Institute, *Northwest's Pipeline on Rails* (2014) (describing new proposed oil terminals); *see also* Exhibit 9, Riverkeeper *et al.*, *Comments on Proposed Tesoro Savage Petroleum Terminal, LLC CWA Section 404 Permit*, pp.46–48 (July 31, 2015).



Exhibits:

- Exhibit 1: U.S. Fish and Wildlife Service, Wetland Map
- Exhibit 2: KPFF Consulting Engineers, PowerPoint Presentation re Barlow Point
- Exhibit 3: WDFW, Overwater Structures and Non-structural Piling White Paper
- Exhibit 4: WDFW, Over-Water Structures: Freshwater Issues
- Exhibit 5: NMFS Biological Opinion for Port Westward Dock Expansion
- Exhibit 6: Pearson *et al.*, A Study of Stranding of Juvenile Salmon by Ship Wakes
- Exhibit 7: Molnar *et al.*, Assessing the Global Threat of Invasive Species
- Exhibit 8: Sightline Institute, Northwest's Pipeline on Rails
- Exhibit 9: Riverkeeper *et al.*, Comments on Tesoro Savage Petroleum Terminal

City of Longview  
Community Development Department  
Attn: Steve Langdon

Date: 9-2-2015

Barlow Point Zoning (Case# PC 2015-5)

My name is Brian Magnuson, the adjacent downstream property owner from parcels 107130100 & 107840100.

Regarding the Barlow Point Zoning (Case # PC 2015-5), I have re-read the Comprehensive Plan that was adopted in 2011. It clearly was the intent of the City and Plan stakeholders to enhance the "Quality of Place" in Cowlitz County and encourage a mixed use of residential & commercial for Barlow Point. We are very fortunate to have a resource like the Columbia River in Cowlitz County but, so far, Heavy Industry has taken so much riverfront that it leaves very little for the development of such Quality of Place. Barlow Point is one of the last sections of riverfront with considerable upland property that can be developed in this fashion.

To be clear, I support the Port of Longview changing the zoning back to Heavy Industrial on the other parcels but I believe Parcels 107130100 & 107840100 should be left as a buffer for mixed residential & commercial. We have nearly 2000 acres of heavy industrial property in West Longview to develop but Barlow Point is the only property left on the Columbia River that can support a development like other river front communities have done.

Regards, Brian Magnuson  
360-577-7404

## Steve Langdon

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**From:** dldick@cni.net  
**Sent:** Wednesday, September 02, 2015 1:23 PM  
**To:** John Brickey; Steve Langdon  
**Subject:** Port of Longview Determination of Non-Significance; SEPA Environmental Checklist Review - Application #E 2015-7

September 2, 2015

John Brickey, Director of Community Development/Building Official  
City of Longview  
PO Box 128  
Longview, WA 98632

Re: Determination of Non-Significance; SEPA Environmental Checklist Review - Application #E 2015-7  
Application to Amend the Longview Comprehensive Plan LMC 19.03  
Sent by email

Dear Mr. Brickey,

Please deny the Determination of Non-Significance for the Comprehensive Plan Map Amendment from the applicant, Port of Longview, for the 6 parcels located at Barlow Point.

Item 7 the applicant answers "none" for plans for further activity related to the proposal. Clearly a request to change land classification from Mixed use residential/commercial to Heavy industrial indicates intention for plans to industrially develop the parcels. The Port of Longview has retained services of KPFF Consulting Engineers to develop those plans.

Item 8 asks for environmental information prepared, or will be prepared related to the proposal, and again applicant states "none." However as part of the initial work requested from KPFF, above, the Port requested environmental evaluation of the Barlow Point properties for the initial development plans. The Port should provide that environmental evaluation.

Item 11 requests a brief description of the proposal including uses. The applicant states the Port will use the land to expand marine and industrial operations. This statement is in contradiction to the answer given in Item 7. These types of industrial uses are environmentally significant.

The Barlow Point parcels are all located in critical areas as defined by the City of Longview Comprehensive Plan. They are geologically unstable due to moderate to high liquefaction susceptibility. They contain wetlands and wildlife conservation areas. These are not areas compatible with heavy industrial uses which explains their classification in the comprehensive plan.

The applicant disregards answering most of the elements of the checklist as "not applicable" to the action. This argument only makes sense by construing the classification change itself as the action.

A request for classification change to heavy industrial uses is a preliminary step to using the land in that manner. An environmental assessment should be required to justify such classification change. Please deny this

application for determination of non-significance and the application to amend the Longview Comprehensive Plan.

Thank you,

Diane L. Dick  
13 St. Helens Lane  
Longview, WA 98632  
[dldick@cni.net](mailto:dldick@cni.net)

copy to Steve Langdon, Principal Planner

## Steve Langdon

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**From:** jgreen2317@aol.com  
**Sent:** Wednesday, September 02, 2015 12:31 PM  
**To:** Steve Langdon  
**Subject:** Comments: Application No. PC 2015-5 Port of Longview

September 2, 2015

Steve Langdon, Planning Manager  
City of Longview  
P.O. Box 128  
Longview, WA 98632  
Sent via email

RE: Application No. PC 2015-5-Port of Longview

Dear Mr. Langdon:

Below are my comments on the above Application and Notice of Determination of Non-Significance, signed by John Brickey and dated August 19, 2015.

Two things stand out in the Port of Longview's request for Comprehensive plan change:

- 1) The city of Longview has historically ignored state law requiring that zoning plans follow the Comprehensive plan (Mint Farm 2006). The Port is asking the City to continue its violation of state law.
- 2) To date, the Port of Longview has not developed a business plan for its Barlow Point property. Therefore it has no idea what the Comprehensive plan or zoning should read for this land.

Thank you for allowing me to comment on this reclassification request. I oppose the reclassification.

Sincerely,  
John Green  
1318 25<sup>th</sup> Avenue  
Longview, Washington

## Steve Langdon

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**From:** jgreen2317@aol.com  
**Sent:** Wednesday, September 02, 2015 12:20 PM  
**To:** Steve Langdon  
**Cc:** Adam Trimble  
**Subject:** Comments on Application No. PC 2015-5-Port of Longview

September 1, 2015

Steve Langdon, Planning Manager  
City of Longview  
P.O. Box 128  
Longview, WA 98632  
Sent via email

RE: Application No. PC 2015-5-Port of Longview

Dear Mr. Langdon:

Below are my comments on the above Application and Notice of Determination of Non-Significance, signed by John Brickey and dated August 19, 2015.

First, I must say, I actively participated in discussions when the Comprehensive Plan was revised in/around 2006. At that time, there was much dispute about the Light and Heavy Industrial designations. It was acknowledged that there was (and still is) an abundance of city and county property designated in the Comprehensive Plan as industrial and available for development, with many parcels much closer to existing transportation infrastructure. The industrial designations were carefully scrutinized and evaluated at the time.

Zoning is to follow Comp. Plan designations, not vice versa. I am surprised that this piece of housekeeping has not occurred regarding the Barlow Point properties. These properties provide a buffer zone between the industrial lands to the East and the residential/commercial/farming pieces closer to Willow Grove. It is inappropriate to remove buffer areas, which protect residents from noise, light, and potential diesel and other pollution emitted as a result of industrial practices.

Also, heavy traffic from industrial activity on these properties could potentially impact access to the Willow Grove community, which has only one route for ingress and egress.

As a board member for Willapa Hills Audubon Society, the local chapter of National Audubon, I participate in the yearly Cowlitz/Columbia Counties Christmas Bird Count as well as co-lead local field trips. The Barlow Point area is in the count circle and has for over 40 years been considered a birding hot spot in our area as well as critical waterfowl and bird habitat, including and not exclusively migrating ducks and geese, Bald Eagle, Peregrine Falcon and numerous song birds. We should not be reducing critical habitat areas.

Parcel No. 107130100 could be maintained as river access for the citizenry of our community. There is a continuing decline in waterfront access for recreation. Ports are required to provide these opportunities. If it is the Port's intention to acquire this land, access should not be further reduced by industrial uses.

Further, the SEPA determination states these loamy soils are stable and yet they are considered subject to high-level liquefaction in case of seismic activities, according to DNR maps.

For the above reasons, I oppose any Comprehensive Plan Revision to reclassify these properties. Zoning should be immediately revised to align with the current Comprehensive Plan designations.

Thank you for allowing me to comment on this reclassification request.

Sincerely,  
Margaret Green  
1318 25<sup>th</sup> Avenue  
Longview, Washington

**PLEASE RESPOND TO THIS EMAIL TO ACKNOWLEDGE RECEIPT. Thank you.**

August 27, 2015

*Sent via email to: [steve.langdon@ci.longview.wa.us](mailto:steve.langdon@ci.longview.wa.us)*

Steve Langdon, Planning Manager  
City of Longview  
P. O. Box 128  
Longview, WA 98632

RE: Application No. PC 2015-5 - Port of Longview

Dear Mr. Langdon:

These are my comments on the above Application and Notice of Determination of Non-Significance signed by John Brickey and dated August 19, 2015.

Parcel No.107840100:

I am opposed to the reclassification of this parcel which is owned by Longview Property LLC, Fred J. Hopp. The classification of heavy industry would cause adjoining residential/agricultural property owners to be exposed to industrial noise, pollution, lighting and heavy traffic.

Obviously, the Port of Longview plans to purchase this property and include it in their present Barlow Point 275 acres. There should be a buffer separating the other heavy industrial zoned property and neighboring residential/agricultural property. A buffer zone is important to protect residents and their agricultural uses. Parcel No. 107840100 could be used as that buffer.

This parcel could also be a benefit to the Port by using it as a mitigation bank.

Parcel No. 107140100:

The ownership of this parcel is in question because of an ongoing appeal (Case No. 46080-7) in the Court of Appeals of the State of Washington, Division II. A ruling by this Appellate Court could be months away. In the interim, the Appellant Keystone Properties (John Van Vessem of Ridgefield, Washington) should be advised of this reclassification - or the reclassification of this particular parcel should be postponed until the decision has been made by the Court.



Parcel No. 107130100:

I am opposed to the reclassification of this parcel owned by Barlow Point Land Company. The classification of heavy industry would cause adjoining residential/agricultural property owners to be exposed to industrial noise, pollution, lighting and heavy traffic.

Obviously, the Port of Longview plans to purchase this property and include it in their present Barlow Point 275 acres. There should be a buffer separating the other heavy industrial zoned property and the neighboring residential/agricultural property. A buffer zone is important to protect residents and their agricultural uses. Parcel No. 107130100 could be used as that buffer.

This parcel could be a huge public relations benefit to the Port by providing public access to the waterfront including areas for recreation.

Heavy Industrial Properties:

There is a considerable amount of heavy industrial property presently within the City of Longview and near the adjacent Cowlitz County properties. A large amount of this heavy industrial property in the City of Longview is sitting vacant. Any benefit to the City by reclassifying these properties could be offset by significant impacts caused from additional heavy industry.

Cumulative health impacts from expanding heavy industrial property must also be considered since this area already has a high rate of asthma and cancers. Opening up more property to heavy industry will increase our air, water and soil pollution. Impacts to the Columbia River must be a consideration.

Thank you for allowing me to comment on this reclassification.

Sincerely,

Sandra Davis  
1002 Abernathy Creek Road  
Longview, WA 98632