July 17, 2014

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Re: Urgent concerns surrounding fuel transport in the Columbia River Gorge National Scenic Area

Dear Governor Inslee,

As you are now keenly aware, Oregon, Washington, and the Columbia River Gorge National Scenic Area face mounting threats from the increasing transport of crude oil and coal through the Northwest. We appreciate the urgency with which you are addressing these threats and offer a unique set of tools for assessing and mitigating the risks.

The National Scenic Area Act and the Gorge Compact provide authorities that supersede individual state statutes and provide innovative opportunities to work with railroads, communities and others to assess and address the urgent concerns laid out in this letter and raised by the thousands of citizens in Portland, Vancouver, Longview, Bellingham, Boardman, Clatskanie, and other communities.

Concerns
The Commission is urgently concerned with effects of increased rail traffic on both sides of the Columbia River: loss of river access for tribal fishers, recreation conflicts, noise and air pollution, and safety at rail crossings. The Commission is also concerned about the transport of coal and oil through the National Scenic Area and through Gorge communities.

The Columbia River Gorge National Scenic Area is home to 50,000 residents and millions of visitors from around the world who come to enjoy kiteboarding, mountain biking, skiing, hiking, kayaking, rafting, horseback riding, sailing, fishing, and much, much more. Regional recreation and tourism has grown to a half-billion-dollar annual industry. Gorge recreation in turn attracts high tech and manufacturing but business interests, including Boeing subsidiary Insitu and many others, are concerned about the human, environmental and economic impacts of a potential rail disaster. A single ignited oil car, for example, could immediately devastate lives, resources and infrastructure on both sides of the Columbia River.

The National Scenic Area contains a uniquely vulnerable landscape with outstanding natural, cultural and scenic resources, steep Gorge walls, and fragile ecosystems. The vulnerability of the Gorge is now threatened by invasive species, changing climate conditions, and increasing wild fires. Coal transport, and any resulting coal spilled or blown from uncovered cars or vessels, threatens air and water quality and further exposes the vulnerability of sensitive landscapes. Coal in the Columbia River threatens endangered salmon and steelhead runs and the health of other river users. Coal dust degrades cultural
resources, including petroglyphs preserved on Gorge walls since time immemorial. The speed of rail traffic and Gorge winds significantly increase the risk of human and environmental impacts from coal transported in uncovered rail cars. Those risks are concerning in any community; in the National Scenic Area, fugitive coal dust is unacceptable.

An exponential increase in oil transport by rail has resulted in spills and explosive fires that have cost lives and devastated some of America’s rivers. In response to growing public concerns, your transportation departments and advisors have convened discussions about the risks and alternatives to crude oil transport, which travels 85 miles through the heart of the Columbia River Gorge.

**Actions**

We respectfully request that you work with the Commission, both states, Columbia River Treaty tribes, rail companies, local communities and other interests to fully assess the risks and the mitigation measures needed to protect Gorge resources and communities. At a minimum, Washington must help Gorge communities with the plans, training, and equipment necessary to respond to any rail disaster.

Further, we specifically request that you evaluate and mitigate any identified and potential impacts using National Scenic Area standards as those standards are applied by the Gorge Commission and the United States Forest Service. The standards are contained in the Columbia River Gorge National Scenic Area Act, the Gorge Compact, and the Management Plan for the Columbia River Gorge.

Developing solutions that effectively protect the National Scenic Area will require significant effort:

- First, the states must fully assess the risks and benefits of fossil fuel transport through the Gorge.
- Second, any adverse effects identified in the evaluation must be avoided, minimized and mitigated to protect the Gorge.
- Third, the Gorge must be fully evaluated and rigorously protected under the federal and interstate standards for protecting the National Scenic Area.
- To ensure these measures are fully and timely implemented, the Commission respectfully requests that the offices of both Governors meet with the Commission and its staff no later than September 30, 2014 to determine appropriate actions for the States and the Commission.

Under the National Scenic Area Act and the Gorge Compact, Washington has committed to carry out its responsibilities and programs in accordance with the National Scenic Area Act and the Gorge Compact. That commitment is more than a legal mandate. The Compact also provides unique federal authority to develop solutions that protect economic, environmental and cultural resources.

Finally, we offer to work with you and your agencies to develop policy solutions that successfully address impacts from coal and oil transport. Washington and Oregon are national leaders in land use and environmental protection and the Commission is committed to ensuring the states’ continued leadership. The Commission is also committed to use the protections of the Act and the Compact to address the risks of fossil fuel transport through the Columbia River Gorge.

Together, we ask for your leadership and investment to keep our communities safe, healthy and prepared, and protect the stunning natural, cultural, scenic and recreation assets of the Columbia River Gorge. We can address these concerns by working together. Thank you for your urgent attention to this matter.

Respectfully,

Jim Middaugh, Chair – Multnomah County  

Janet Wainwright, Vice Chair – Washington
Gorham Blaine, Hood River County

Rodger Nichols, Wasco County

Antone Minthorn, Oregon

Bowen Blair, Jr., Oregon

Dan Ericksen, Oregon

Lynn Burditt, USDA - US Forest Service

Damon Webster, Clark County

Keith Chamberlain, Skamania County

Carl McNew, Klickitat County

Hon. Don Bonker, Washington

Lorrie DeKay, Washington

Cc:
Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Warm Springs
Confederated Tribes of the Umatilla Indian Reservation
Nez Perce Tribe
US Forest Service – Regional Forester
USGS Columbia River Research Lab
US Fish & Wildlife Service
Oregon Department of Transportation
Washington Dept. of Transportation
Oregon Dept. of Environmental Quality
Washington Department of Ecology
Multnomah County
Clark County
Hood River County
Skamania County
Wasco County
Klickitat County
City of North Bonneville
City of Cascade Locks
City of Hood River
City of Stevenson
City of Bingen
City of White Salmon
City of Mosier
City of The Dalles
Port of Skamania
Port of Cascade Locks
Port of Hood River
Port of Klickitat
Port of The Dalles
July 17, 2014

Governor Kitzhaber  
160 State Capitol  
900 Court Street  
Salem, Oregon 97301-4047

Re: Urgent concerns surrounding fuel transport in the Columbia River Gorge National Scenic Area

Dear Governor Kitzhaber,

As you are now keenly aware, Oregon, Washington, and the Columbia River Gorge National Scenic Area face mounting threats from the increasing transport of crude oil and coal through the Northwest. We appreciate the urgency with which you are addressing these threats and offer a unique set of tools for assessing and mitigating the risks.

The National Scenic Area Act and the Gorge Compact provide authorities that supersede individual state statutes and provide innovative opportunities to work with railroads, communities and others to assess and address the urgent concerns laid out in this letter and raised by the thousands of citizens in Portland, Vancouver, Longview, Bellingham, Boardman, Clatskanie, and other communities.

Concerns
The Commission is urgently concerned with effects of increased rail traffic on both sides of the Columbia River: loss of river access for tribal fishers, recreation conflicts, noise and air pollution, and safety at rail crossings. The Commission is also concerned about the transport of coal and oil through the National Scenic Area and through Gorge communities.

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The National Scenic Area contains a uniquely vulnerable landscape with outstanding natural, cultural and scenic resources, steep Gorge walls, and fragile ecosystems. The vulnerability of the Gorge is now threatened by invasive species, changing climate conditions, and increasing wild fires. Coal transport, and any resulting coal spilled or blown from uncovered cars or vessels, threatens air and water quality and further exposes the vulnerability of sensitive landscapes. Coal in the Columbia River threatens endangered salmon and steelhead runs and the health of other river users. Coal dust degrades cultural
resources, including petroglyphs preserved on Gorge walls since time immemorial. The speed of rail traffic and Gorge winds significantly increase the risk of human and environmental impacts from coal transported in uncovered rail cars. Those risks are concerning in any community; in the National Scenic Area, fugitive coal dust is unacceptable.

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Actions
We respectfully request that you work with the Commission, both states, Columbia River Treaty tribes, rail companies, local communities and other interests to fully assess the risks and the mitigation measures needed to protect Gorge resources and communities. At a minimum, Oregon must help Gorge communities with the plans, training, and equipment necessary to respond to any rail disaster.

Further, we specifically request that you evaluate and mitigate any identified and potential impacts using National Scenic Area standards as those standards are applied by the Gorge Commission and the United States Forest Service. The standards are contained in the Columbia River Gorge National Scenic Area Act, the Gorge Compact, and the Management Plan for the Columbia River Gorge.

Developing solutions that effectively protect the National Scenic Area will require significant effort:

- First, the states must fully assess the risks and benefits of fossil fuel transport through the Gorge.
- Second, any adverse effects identified in the evaluation must be avoided, minimized and mitigated to protect the Gorge.
- Third, the Gorge must be fully evaluated and rigorously protected under the federal and interstate standards for protecting the National Scenic Area.
- To ensure these measures are fully and timely implemented, the Commission respectfully requests that the offices of both Governors meet with the Commission and its staff no later than September 30, 2014 to determine appropriate actions for the States and the Commission.

Under the National Scenic Area Act and the Gorge Compact, Oregon has committed to carry out its responsibilities and programs in accordance with the National Scenic Area Act and the Gorge Compact. That commitment is more than a legal mandate. The Compact also provides unique federal authority to develop solutions that protect economic, environmental and cultural resources.

Finally, we offer to work with you and your agencies to develop policy solutions that successfully address impacts from coal and oil transport. Washington and Oregon are national leaders in land use and environmental protection and the Commission is committed to ensuring the states’ continued leadership. The Commission is also committed to use the protections of the Act and the Compact to address the risks of fossil fuel transport through the Columbia River Gorge.

Together, we ask for your leadership and investment to keep our communities safe, healthy and prepared, and protect the stunning natural, cultural, scenic and recreation assets of the Columbia River Gorge. We can address these concerns by working together. Thank you for your urgent attention to this matter.

Respectfully,

Jim Middaugh, Chair – Multnomah County

Janet Wainwright, Vice Chair – Washington
Gorham Blaine, Hood River County
Rodger Nichols, Wasco County
Antone Minthorn, Oregon
Bowen Blair, Jr., Oregon
Dan Ericksen, Oregon
Lynn Burditt, USDA – US Forest Service

Damon Webster, Clark County
Keith Chamberlain, Skamania County
Carl McNew, Klickitat County
Hon. Don Bonker, Washington
Lorrie DeKay, Washington

Cc: Confederated Tribes and Bands of the
Yakama Nation
Confederated Tribes of the Warm
Springs
Confederated Tribes of the Umatilla
Indian Reservation
Nez Perce Tribe
US Forest Service – Regional Forester
USGS Columbia River Research Lab
US Fish & Wildlife Service
Oregon Department of Transportation
Washington Dept. of Transportation
Oregon Dept. of Environmental Quality
Washington Department of Ecology
Multnomah County
Clark County
Hood River County

Skamania County
Wasco County
Klickitat County
City of North Bonneville
City of Cascade Locks
City of Hood River
City of Stevenson
City of Bingen
City of White Salmon
City of Mosier
City of The Dalles
Port of Skamania
Port of Cascade Locks
Port of Hood River
Port of Klickitat
Port of The Dalles
RESOLUTION

A RESOLUTION OF THE COLUMBIA RIVER GORGE COMMISSION SEEKING TO PROTECT THE OUTSTANDING SCENIC, NATURAL, CULTURAL, AND RECREATION RESOURCES OF THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA, AND SEEKING TO PROTECT THE HEALTH, SAFETY AND ECONOMY OF GORGE RESIDENTS, VISITORS, AND COMMUNITIES FROM THE IMPACTS OF INCREASING RAIL TRANSPORT, INCLUDING THE TRANSPORT OF COAL AND OIL THROUGH THE COLUMBIA RIVER GORGE.

WHEREAS, the Columbia River Gorge is a national treasure that contains world-class scenic, natural, cultural and recreation resources and draws visitors from around the world; and

WHEREAS, sacred cultural resources along the Columbia River Gorge have been kept and protected since time immemorial; and

WHEREAS the Columbia River Gorge National Scenic Area is a uniquely vulnerable landscape due to its steep topography, varied landscapes, unique concentration of scenic, natural, cultural and recreation resources, and increasingly evident impacts of climate change, invasive species and intense wildfires; and

WHEREAS, Oregon and Washington, and the United States Congress committed to protect, enhance and support the Columbia River Gorge National Scenic Area with a unique framework of local, state, and federal laws; and

WHEREAS, the continued protection of the Columbia River Gorge cannot effectively be accomplished by a single state or community acting alone; and

WHEREAS, the Columbia River Gorge Commission is committed to protect the most sensitive portions of the National Scenic Area from the cumulative effects of human use and development; and

WHEREAS, the Columbia River Gorge contains two major railways and the only sea-level rail route through the Cascade Mountains; and

WHEREAS, communities across the United States and Canada have recently experienced devastating tragedies resulting from train derailments, oil spills, explosive fires, and other tragic incidents involving the shipment of crude oil; and

WHEREAS, Gorge communities are individually and collectively unprepared to respond to a train derailment, or a spill of coal, oil or other hazardous materials in the Columbia River Gorge National Scenic Area; and

WHEREAS, a coal or oil spill or a tank car explosion would impact both sides of the Columbia River, Gorge communities are willing to work together to protect their regional community; and

WHEREAS, Gorge industries have expressed specific concerns about the threat of a derailment or fire to human lives, private property and economic assets on both sides of the Columbia River; and

WHEREAS, the introduction of fugitive hazardous materials into the National Scenic Area by any means or from any source is a threat to the world-class resources, quality of life, public health and safety, and the economic stability of the Gorge community; and

WHEREAS, Washington and Oregon agencies are currently reviewing multiple proposals to site large-scale coal and oil transportation facilities in the Northwest that would significantly increase the volume of rail traffic in the National Scenic Area; and
WHEREAS, the proposed developments could increase the volume of oil transported through the Gorge to hundreds of thousands of barrels of crude oil daily, thereby significantly raising the risk of one or more catastrophic incidents; and

WHEREAS, the Columbia River Gorge Commission, acting in its capacity as a bi-state policy-making body for the Columbia River Gorge National Scenic Area, is authorized to develop, adopt and implement standards for protecting the resources and assets of the Columbia River Gorge National Scenic Area; and

WHEREAS, the Columbia River Gorge Commission has unanimously agreed that coal and oil transport through the Columbia River Gorge present unacceptable risks to Gorge resources and threaten the health, safety and economy of Gorge communities;

NOW THEREFORE THE COLUMBIA RIVER GORGE COMMISSION, AN INTERSTATE COMPACT AGENCY WITH UNIQUE AUTHORITIES IN THE STATES OF OREGON AND WASHINGTON, HEREBY RESOLVES:

1. The Gorge Commission resolves to fully uphold its responsibility to ensure the consistent protection and enhancement of Gorge resources, and resolves to support and protect the economy of the Gorge from potentially devastating impacts from the transport of coal and oil.

2. The Gorge Commission strongly urges both Governors to use the powers of each state and the authorities in the National Scenic Area Act to impose a moratorium on all new fossil fuel transport through the Gorge until both states, the Commission, and all Gorge communities have jointly completed a comprehensive risk assessment and implemented a regional plan to avoid, minimize, and mitigate risks from fossil fuel transport through the Gorge.

3. The Gorge Commission strongly urges both Governors and all state agencies of Oregon and Washington, to carry out their respective functions and responsibilities in accordance with the Gorge Compact (ORS 196.150 and RCW 43.97.015), including the specific responsibilities under ORS 196.155, RCW 43.97.025, and the Columbia River Gorge National Scenic Area Act.

4. The Gorge Commission strongly urges the United States Department of Transportation to significantly raise the safety and operational standards for rail cars and other commercial transport vessels to avoid and minimize the risks of hazardous materials transported through the Gorge and across the continent.

5. The Gorge Commission strongly urges Oregon and Washington to work with the Commission to explore and fully implement the authorities under the Gorge Compact and the Columbia River Gorge National Scenic Area Act.

6. The Gorge Commission strongly urges Oregon and Washington to use mandatory protection standards in the National Scenic Area Act, the Gorge Compact and the Management Plan for the Columbia River Gorge National Scenic Area, as those standards are applied by the Gorge Commission and the United States Forest Service, to evaluate the effects of any new development or transportation proposal on or in the National Scenic Area.

7. The Gorge Commission is committed to fully implement the purposes of the National Scenic Area Act, including developing planning, policy and management tools to ensure that our communities, resources and environment are healthy, safe and protected now and for future generations.
8. To ensure the full and timely implementation of this Resolution, the Gorge Commission respectfully requests that the offices of the Governors of Oregon and Washington, and appropriate state agencies, meet with the Commission and its staff not later than September 30, 2014, to discuss and determine appropriate State and Commission actions.

9. This Resolution shall take effect immediately upon passage by a vote of the Commission and upon signature of this document by the Chair or his appointed designee.

Dated and signed this 17th day of July, 2014.

Jim Middaugh, Commission Chair – Multnomah County

Janet Wainwright, Vice Chair, Washington

Damon Webster, Clark County

Keith Chamberlain, Skamania County

Carl McNew, Klickitat County

Hon. Don Bonker, Washington

Lorrie DeKay, Washington

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