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April 18, 2019

Cowlitz County Superior Court Rules in Favor of land transaction for the Port of Woodland

The Port of Woodland, as intervenor in a case between the Columbia Riverkeepers and the Washington Department of Natural Resources, won in court on April 16 to obtain the necessary land for speculative development in the Port District. In Judge Gary Bashor's ruling, he stated that the transfer of land ownership from one public entity to another is exempt and exempt from the SEPA review, the DNR's determination of the Determination on No Significance does not erase the exemption, the determination was not arbitrary, capricious, or unlawful nor is it clearly erroneous and therefore the Court denies the appeal and upholds DNR's Resolution 1507 for the sale of the property to the Port of Woodland.

"It's been a long drawn out process and we appreciate the Court's ruling which allows the Port to move ahead. We commend all those who have supported the Port in this process including our local legislative members like Rep. DeBolt," stated Commissioner Paul Cline on behalf of the Port Commission.

The Columbia Riverkeepers appealed the SEPA decision of the land acquisition approved by the DNR Board in 2017. In the ruling, Judge Bashor identified that the bird release site was not between the legal land owner, the DNR and the agency, Washington Department of Fish and Wildlife, rather it was entered into the tenant and the WDFW, an unauthorized agreement. Further, Judge Bashor recognized that the DNR completed the SEPA which normally would be exempt for land acquisitions due to an abundance of caution. Finally, the claims that the Port had known development plans were found to be misplaced and misleading regarding the snowballing effect creating inertia for future development stating "in this case the transaction is purely a land sale. There is no permitting decisions, planning decisions, etc. being addressed," further adding "Should any future development be proposed, it will be subject to a full EIS," stated in Judge Bashor's ruling.

"The Court's ruling defends the Port and the DNR that we followed all procedures and requirements for this land transaction. We are pleased by Judge Bashor's ruling and continue to plan for the possibility of development along the Columbia River to create jobs and bring industrial development to properties that the Port has owned for close to 60 years. The Port will continue to meet our mission through the proper processes, procedures, planning and development per our County, State and Federal requirements," stated Executive Director Jennifer Wray-Keene.

"This ruling is a confirmation that the Port of Woodland acted correctly throughout the transaction. It is an excellent decision which has the potential for significant future job creation and capital investment," said President of the Cowlitz Economic Development Council Ted Sprague.



President Paul Cline Secretary Dale Boon Commissioner Robert Wile

1608 Guild Road, Woodland, WA, 98674

360.225.6555

www.portofwoodland.com

The Columbia Riverkeepers have an opportunity to appeal the ruling over the next 30 days. However, the Port continues its plan for future development along the Columbia River based on their Resolution 448 limiting commodities acceptable at the Port properties along the Columbia River. The Resolution was passed in July 2017 identifies commodities such as coal, petroleum, liquified natural gas, propane (generally all fossil fuel production) and dangerous and hazardous materials and wastes are not acceptable by the Port and will not entertain any such businesses at Martin Bar or Austin Point.

For more information, contact

Jennifer Wray-Keene, Port of Woodland

jkeene@portofwoodland.com 360-225-6555

About the Port of Woodland- the Port was established in 1961 and has 425 acres of industrial and agricultural property. There are 18 companies and farms at the Port creating over 300 jobs. The Commission is committed to supporting job creation through economic growth and recreational opportunities in a diverse array of businesses, industries, and services that enhance the District.



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