

NE Oregon planners put brakes on rail-to-trail plan

By **KATY NESBITT**
For the Capital Press

ENTERPRISE, Ore. — The Wallowa County Planning Commission denied an application requesting a conditional use permit for a non-motorized trail between Joseph and Enterprise at its Feb. 26 meeting.

Garrett Stephenson, representing the Joseph Branch Trail Consortium, said the application he prepared demonstrates how the trail would neither force a significant change on the surrounding land, dedicated to farm and forest practices, nor create a significant increase to the cost of farming — criteria required by state law.

The 100-page application addressed several specific concerns as well, raised in a series of public forums and private meetings with landowners, such as privacy, crime, litter, dog-livestock interaction, trespass, liability and lower property values.

“We did a ton of research into every trail in the entire nation and how people live with them,” Stephenson said.

Building a trail for horse-



Courtesy photo

The Wallowa County, Ore., Planning Commission has denied the Joseph Branch Trail Consortium's application for a conditional use permit to develop a trail along the railroad tracks between Joseph and Enterprise.

back riding, bicycling, running and walking along the 63-mile Joseph Branch Railroad from Elgin to Joseph has been a desire of many residents since Union and Wallowa counties purchased the line nearly 20 years ago.

In 2014 Oregon Parks and Recreation teamed up with Eastern Oregon University to develop a feasibility study. When it was completed, the Wallowa Union Railroad Authority, owner of the line, gave the Trail

Consortium permission to pursue funding to build the trail in segments. The six miles from Joseph to Enterprise was identified as one of the least expensive areas in which to build and a stretch that would likely be heavily used.

On Feb. 26, ahead of testimony by dozens of Wallowa County citizens for and against the application, Franz Goebel, the county Planning Director, recommended the planning com-

mission approve the conditional use permit for the proposed 10-foot wide trail stretching from the Joseph Rodeo Grounds to the Marr Pond Wildlife Area on the edge of Enterprise.

Dr. Ken Rose, a surgeon at Wallowa Memorial Hospital, spoke on behalf of the medical community in support of the trail at the public hearing at Cloverleaf Hall. He said exercise helps prevent disease and early mortality.

“We have a lot of members of the community with high blood pressure, diabetes, heart disease and obesity,” Rose said. “I think it is a great idea to put this underutilized facility into use.”

A local botanist and avid skier, Jerry Hustafa said he grew up along a similar trail that connects an urban area to Lake Michigan, winding through the small towns in between.

“I know the trail is going to change a sense of privacy and we are asking a portion of the community to accept that change — the rest (of the concerns) can be mitigated,” Hustafa said.

David Schmidt, owner of Integrated Biomass Resources, a small mill in the lower Wallowa Valley bordering the railroad, said he sees anglers use the corridor to access fishing holes and people who rent pedal powered rail riders every day during the summer.

“Our experiences have been great,” Schmidt said. “As for the concerns from friends who oppose the trail because of a loss of privacy, I tell them we own a mill with 25 employees and lots

of equipment and no one stops and looks at what we are doing.”

It was 10 p.m. by the time the supporters had finished their arguments and the opposition lined up at the podium.

Josh Hulse of Wallowa said he owns land adjacent to the railroad. He worried the trail would eventually be extended down to his property at some point in the future.

“The main aspect of that property is privacy,” Hulse said.

Velda Bales said she lives near the railroad outside Enterprise.

“We don’t want dogs running loose and pooping everywhere and I don’t want to look out my window and see an outhouse or someone relieving themselves,” Bales said.

The commission voted 5-1 to deny the application shortly before midnight.

Penny Arentsen, president of the Trail Consortium, said her board of directors will decide whether to appeal the commission’s decision when the planning director releases his findings March 26.

Idaho Sheriffs’ Association opposes industrial hemp bill

By **BRAD CARLSON**
Capital Press

The Idaho Sheriffs’ Association has announced its opposition to House Bill 122, which would legalize the production of industrial hemp in the state.

The bill lacks a mechanism for testing agricultural hemp for meeting the standards set forth by Idaho HB 122 and federal law and lacks a method to pay for staff monitoring, testing and lab analysis, association president and Kootenai County Sheriff Ben Wolfinger said in a news release.

The 2018 Farm Bill legalized industrial hemp, defined as containing no more than 0.3 percent of psychoactive tetrahydrocannabinols (THC), if growers and processors follow procedures set by USDA and state agriculture departments.

“Unlike field tests used by law enforcement to detect the presence of THC, there are no field tests that can perform quantitative analysis to determine THC concentrations,” Wolfinger said. “In fact, Idaho State Police forensic laboratories do not have the capability to do quantitative analysis in any of their labs and must send samples out of state for lab testing at considerable expense.”

However, Idaho Rep. Dorothy Moon, R-Stanley, in a Feb. 18 hearing on HB 122 before the

House Agricultural Affairs Committee, said there is a new roadside test that can determine THC content and distinguish hemp from marijuana.

The committee did not vote on the bill Feb. 18, a federal holiday, because it wanted more input from police and prosecutors. Only Idaho, Nebraska and South Dakota have not legalized hemp in some form.

As for funding, Wolfinger said, “It is not right that the taxpayers of Idaho should pay for these regulatory considerations and allow those few who would profit from hemp production to not be held responsible for the cost of their chosen industry.”

In its text, House Bill 122 does not establish a funding mechanism. But an attached fiscal note estimates startup and other costs, and says current and ongoing costs would be at least partly offset by fees — charged to growers, transporters and processors — as determined by administrative rule-making that follows enactment of new legislation.

“This introduction of hemp without proper safeguards in place is the proverbial camel’s nose under the tent with growing marijuana in Idaho,” Wolfinger said.

Idaho has an opportunity to be preventive as the state explores hemp, he said.

Counties petition feds for national forest access

By **KATY NESBITT**
For the Capital Press

ENTERPRISE, Ore. — Six Eastern Oregon counties signed a petition last week asking the U.S. Forest Service to waive the agency’s travel management planning process for the Wallowa-Whitman and Malheur National forests.

Mark Owens, Harney County commissioner, said county representatives hand delivered their request to Forest Service Chief Vicky Christensen during meetings of the National Association of Counties in Washington, D.C. on March 1-7.

“We want the Forest Service to take travel management planning, on that scale, off the table,” Owens said. “We can handle road closures through individual projects.”

The petition, signed by commissioners in Baker, Union, Wallowa, Malheur, Grant and Harney counties, asks the Forest Service to exempt the Wallowa-Whitman and Malheur National forests from the 2005 “Travel Management Rule” that closes cross-country travel and roads deemed redundant, in poor condition or causing harm to fish and wildlife.

The petition says that with the abundance of heavily used motorized roads and trails within the two forests and the protections already in place, exempting the Wallowa-Whitman and Malheur from the 2005 rule would uphold public values and protect rural communities from the costs of applying the



EO Media Group File

Six Eastern Oregon counties will deliver a letter to the head of the U.S. Forest Service seeking more local input on decisions impacting access to the Malheur and Wallowa-Whitman National Forests.

rule’s restrictions and prohibitions.

Susan Roberts, chair of the Eastern Oregon Counties Association said, “Over time these two forests have had multiple road closures and access is becoming more difficult for grazers, firefighting and general access to the forest.”

State Sen. Bill Hansell represents two of the counties that signed the petition — Union and Wallowa. In a letter addressed to Secretary of Agriculture Sonny Perdue, he wrote he supports the petition for the economic future of Eastern Oregon’s rural counties.

“Federal forest policies over the last three decades have devastated the economies of the once timber-dependent areas and as the local governments and citizens have struggled to diversify, the ability to access the federal lands is vital,” Hansell said.

The petition addresses a lack of

consideration for the people who live in communities adjacent to the Malheur and Wallowa-Whitman national forests and says the forests’ 1990 plan “adequately balances multiple-use considerations” while providing plenty of guidance for development, maintenance and management of the forests’ road systems built for timber management, recreation, forest administration and resource protection.

Donna Beverage, chair of the Union County Commission, said the counties aren’t asking for new roads or money to maintain existing roads, but to allow the counties to be involved when road closures are included in forest project planning.

“We want decisions to be made on a case-by-case level and let local people be part of those decisions,” Beverage said.

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