

From: Alan Thomson [<mailto:Alan.Thomson@whitmancounty.net>]
Sent: Friday, January 14, 2022 9:40 PM
To: Richard Old
Subject: Re: Next Whitman County Planning Commission meeting

Rich,
I will share this with the Planning Commissioners and the BOCC. Thanks.
Alan.

Sent from my iPhone

On Jan 14, 2022, at 6:05 PM, Richard Old <rold@pullman.com> wrote:

Alan:

I am unable to attend the meeting. If possible, I would like to have my comments on the following entered into the public record. The following is extracted from the attached document.

(3) \$150,000 of the multimodal transportation account—state appropriation is for evaluating options to pursue rail banking of inactive state-owned rail corridors for use as trails. The department must develop a report and submit it to the governor and transportation committees of the legislature by June 30, 2023. The report must include:

- (a) An inventory of portions of the state-owned Palouse River and 4 Coulee City railroad that may be eligible for rail banking, including the current status of those portions;
- (b) The current costs and liabilities of the portions inventoried 7 in (a) of this subsection if they are not railbanked;

The answer to section (b) above is: If the rail line is returned/sold/leased to the adjacent property owners, it would eliminate all costs and liabilities. In fact, such an approach could generate revenue rather than expenses, and could easily be structured so that the property would revert if it were ever needed for future railroad purposes (the purported reason for railbanking).

Richard

Railways and Rail Banking

Railroads and the associated railbeds are essential transportation corridors in Whitman County. The County supports the active use of rail transportation in Whitman County and those measures needed to keep the railroads viable.

Should a railroad corridor be determined to no longer be a viable freight and rail transportation route, an objective evaluation must be conducted to consider the merits of abandonment versus preservation. Such evaluation shall protect the rights of private property owners while also considering the public interest in preservation of each individual rail corridor as to future use as a transportation or public infrastructure corridor. The County may employ any legal and ethical method to preserve essential corridors, including methods such as railbanking.

The Whitman County Comprehensive Plan supports the use of rail banking to preserve currently unused railroad corridors for future use while allowing other uses, including agricultural access and recreational trails, for example, to use those spaces on a temporary basis until such time as they are needed again for rail transport. This approach is preferable to permanent abandonment of railroad corridors.

While I have heard no objections from private property owners (adjacent to the Pullman-Colfax rail line) to preserving the rail corridor "until such time as they are needed again for rail transport" there are significant objections to converting it to a public right-of-way. The objective of preservation for future rail use could be easily and inexpensively met by leasing the land to the adjacent land owners with a stipulation that "at such time as they are needed again for rail transport" the lease is ended. This solution preserves the corridor, transfers the obligation and expense of weed control and fencing to the adjacent land owners, preserves private property right, while protecting agriculture, the "the county's rural character" and the critical wildlife corridor.

The section in red above needs to be removed or revised. Rail banking can be used ONLY to preserve the corridor for future rail purposes.

FARMS AND AGRICULTURAL CHARACTER

Preserve and protect the county's rural character, which includes productive agricultural lands, large open spaces, and sweeping views of the Palouse hills. This preservation of rural character shall not only include the county's scenic beauty but also the protection and sustainability of the rural way of life

There is nothing about having an unlimited number of people, dogs, bicycles, etc. at all hours of

the day and night, in the middle of an agricultural area that accomplishes the stated goal: "Preserve and protect the county's rural character", in fact it serves to denigrate it.

FRAMEWORK GOAL – PROTECTION OF PRIVATE PROPERTY RIGHTS

All policies and decisions made by the County, and as guided by the Comprehensive Plan, will strive to protect fundamental private property rights of individuals and ensure that Whitman County land use policies and regulations balance the private property rights of all.

Privacy is a fundamental right of private property ownership. Not only does a trail negate this right, it also denigrates aspects of rural life. I live on over a quarter section of land with no interior public access. If a trail were established on the rail corridor, it would bisect over a mile of my property, including passing between my farm buildings and near my residence. My dog would have to be chained, or fenced in, at all times to prevent interaction with people and dogs passing through my property. Such a constraint DOES NOT "protect my private property rights" or "the rural character of the county."

Policy LU-1.6 – The County should require that all levels of governments and their agencies consider the impact their programs and projects may have on agricultural activities and seek to minimize any impacts that threaten the viability of agriculture.

The conflicts which have arisen elsewhere due to public proximity to agricultural activities are extensive and well documented. There have been complaints and lawsuits over dust, pesticides, the smell of manure, etc. The best way to accomplish the goal of "minimize any impacts that threaten the viability of agriculture" is NOT to put a recreational corridor through thousands of acres of agricultural land..

Goal LU-7: Promote a variety of industrial and commercial uses within the Pullman-Moscow Corridor.

Railbanking – The use of railbanking for the development of multi-purpose trails along existing rail lines is a potential option for the County to explore. Railbanking, or commonly known as "rails-to-trails," is a method by which rails lines proposed for abandonment can be preserved for future rail use through interim conversion to trail use. Two existing examples in the Palouse region are the Bill Chipman Palouse Trail (operated by Whitman County) and the Latah Trail in Idaho (operated as a non-profit). The County could continue to foster relationships with local groups (i.e., Pullman Civic Trust) who are actively involved in the promotion of railbanking and expansion of the County's multi-purpose trails in balance with private property rights.

Specifically mentioning a group which is promoting trails while ignoring the landowners association that opposes trails, shows clear bias and negates the "in balance with private property rights" portion of the above.

Policy PR-2.2 – Where feasible, identify additional opportunities for access to open spaces and wildlife corridors through lawful access of private property, while respecting private property rights and the continuation of agriculture, ranching and other agriculture activities.

The best way to preserve/protect the wildlife in a wildlife corridor, is to reduce/prevent public access. Especially when dogs are part of the permitted access. Disruption of wildlife mating, nesting, feeding, can occur, even when the interloping people and dogs are restricted to a trail.

Colfax Trail

The Colfax Trail is a ~~2.5~~ 6.3-mile gravel trail along a former railroad grade. The trail meanders through the hills along the Palouse River.

Poetic description, but factually inaccurate! The trail follows the river through the bottom of the steep walled canyon. There are no ""hills" to "meander" through!

Submitted 8/3/2021
From: Richard Old

Alan:

If possible, please submit my comment on the following:

Rail Banking

The Whitman County Comprehensive Plan supports the use of rail banking to preserve currently unused rail easements for future use while allowing other uses, including agriculture and recreational trails, for example, to use those spaces on a temporary basis until such time as they are needed again for rail transport. This approach is preferable to permanent abandonment of rail easements.

There is a direct conflict between the agricultural use of "currently unused rail easements" and recreational trails. While many adjacent landowners object to the impact of trails on their property and rural lifestyle, I know of none that would object to a contract allowing the land to be used for agriculture "on a temporary basis until such time as they are needed again for rail transport". This would accomplish the stated goal while eliminating the millions of dollars in costs associated with a trail (fencing, weed control, paving, trestle repair, etc.). Revenue could even be generated if the land was leased out for such agricultural uses.

Richard

Commented [TH1]: Matt: What is a agriculture trail and how does this relate railbanking.

Whitman County Comprehensive Plan

Comments from Todd Krause

4/26/2021

Dear Whitman County Planning Staff, Planning Commission, and County Commissioners,

Thank you for the opportunity to provide input on the new Comprehensive Plan. I believe the Comprehensive Plan needs an additional "Framework Goal" or "Core Value" something to the following effect:

Whitman County values family owned and operated businesses that contribute employment, economic opportunity, community service, personal relationships, and retain profits and people in the county. The majority of family owned and operated businesses are farms and agricultural support businesses. Supporting the survival and success of local family farms and other local family businesses is a core value of Whitman County.

I was born and raised in Snohomish, Washington. When my dad was a boy, there were hundreds of small dairy farms in the Snohomish Valley (not to mention in the rest of the county). By the time I was in school there were 30-40 dairies. By the time I graduated from WSU, there were perhaps 10. Now there are two, and both of these are owned by big corporate farms from outside the county. It alarms and saddens me that I see the same trend happening with wheat farming here in the Palouse. Every year another small farm sells out and a bigger farm buys them up. This is a national trend that we cannot stop entirely; however, I believe we can pro-actively enact policies that will help preserve the best of what we love about Whitman County. This same trend of losing small, family-owned businesses is also seen in the trades, accommodations, grain companies, and most other businesses.

One change to our land use code to support family farms is to allow farm-stands and on-farm processing of agricultural products. Whether it is a farm that wants to grind their own wheat to sell, produce a birdseed mix, have a vegetable stand, or an on-farm milk store (like Stratton's Dairy used to have), on-farm stands can be a way in which family farms can be more creative to direct market their products and not be entirely dependent upon commodity prices.

Another change might be to allow recreational uses such as Air-BNB, cabins, or recreation sites in agricultural areas. While this would likely require some limits, allowing farmers to supplement their income with agricultural tourism would help make smaller farms more sustainable.

Thank you for the opportunity to share a few thoughts regarding the Comprehensive Plan update. I really appreciate all the hard work everyone is putting forth to develop a plan that reflects and supports the values of the county.

May 21, 2021

Mr. Alan Thomson, County Planner
Mr. Chad Wetzel, Chair, Whitman County Planning Commission
Whitman County
Colfax, Washington

Re: Comprehensive Plan Revision

Dear Sirs:

I have delayed for some time the task of expressing my personal concerns and views as they relate to the proposed revision of the county's Comprehensive Plan. This delay was due first, because I remained unsure how best to convey my thoughts, and second, my hope had always been that the Covid crisis would pass and I would be afforded an opportunity to stumble through an in-person presentation. With virtual updates on the plan scheduled to begin on June 2, I must now revert to written input (my Zoom skills are limited).

I shall first share with you some concerns, long held, regarding the future of Whitman County and the manner in which a revised Comprehensive Plan might impact same. Next, I hope to point out a few positive economic and social features unique to Whitman County and describe how they might impact its residents in the near or distant future. My perspective is that of a five decade long non-farm rural resident of this county who has elected to live, work, raise a family, and enjoy all that our residency provides.

Concerns:

Speaking as someone born on a farm, and who has focused his entire professional career on agriculture, this first concern is one I find difficult to express. While I do not wish to diminish the critical role and importance of an industry so vital to our personal wellbeing, as I look off into the long term future of Whitman County I do not feel that production agriculture merits the pinnacle ranking afforded it by the current Comprehensive Plan. To be certain, the bulk of our land surface will continue to be devoted to food production (in various forms), but my opinion is that this county's future economic "value added" will arise from alternative activities. My best guess is that fewer than 3% of our county's current residents remain "actively" engaged in agricultural production. Our farm input industry remains strong and some secondary activities have arisen, but the total number of residents directly employed in agriculture (and dependent upon it) will continue to decline, when expressed as a percentage of total residents. Any cogent revision of our current Comprehensive Plan simply cannot ignore this irreversible trend. Our county must contemplate where our future residents will reside, how they will wish to live, and what their lives will be dependent upon. Agriculture will likely no longer be the driving force.

It's already clear that the electronics' industry and small scale manufacturing are beginning to concentrate in southeastern Whitman County. The revised plan must capture this trend by finding a reasonable means for assimilating and encouraging it. And while SEL represents the bulk of this current growth, the revised plan must allow for a more diverse array of other forms of economic activity. For example, our County's production of wheat is often lauded by national standards, but very little of that product is processed or altered locally. Most is exported or shipped elsewhere. There exists every economic incentive to process a bulk product nearest its point of production, but our county shows little, if any, processing activities. Those components in the current comprehensive plan viewed as unnecessary deterrents to the creation/location of small scale manufacturing and/or processing need to be revisited and revised to provide a more economically attractive environment. Relying so heavily on the Port District and its related activities may be insufficient.

Somewhat troubling to me was the recent action taken by the county to control and regulate the production and processing of cannabis; a multi-use research-proven crop suitable for production in this area. Those regulations and constraints may well prove so economically prohibitive that any future processing activity may be discouraged. Regardless of how you may feel about the social and health aspects of the cannabis by-products, the value-added processing will not become a part of this county's future. Rest assured, however, that it will occur elsewhere.

A review of the current expansion of the residential areas in and around Pullman presents a critical challenge to those revising the comprehensive plan. To date, city/county discussions in this regard appear to be piecemeal and problem specific. The once-proposed North and South Pullman bypasses have only served to complicate any attempt to plan for this expansion. The county's "Cluster Area Development" has further clouded this issue. Annexation has been curtailed by a forced completion of portions of the south bypass and the cluster developments approved have too often been purchased by external land speculators rather than prospective residents. If the revised plan does not address these matters, a "leap frog" expansion of Pullman into the rural areas is almost certain to occur. Attempts to curtail the creation of gravel pits along 270 have been only partially successful and commercial development along this major link has been located mostly on the Idaho side of the border. What factors affect these features of development and how might a revised comprehensive plan better address them? Perhaps a terminus date on cluster approvals not developed and greater environmental restrictions on future gravel pits might be considered?

And then there is an issue even more dear to my heart, and that is the ever-changing landscape of our Palouse Hills. While I remain as dependent as most on electronic communications, we seem destined to place, or add to, transmission towers on every high elevation point in this county. Not even the existence of Native Palouse Soil seems to detract from the erection of these towers currently judged so critical to modern life. When one tower proves inadequate to carry the load, we construct another one along side of it. In what manner, if at all, will a future comprehensive plan address this progressive destruction of our unique landscape? My guess is that satellites will eventually supplant

those towers as a means for electronic communications. What then will happen to the structures? The governing entity need only declare bankruptcy, thereby avoiding the need to remove the towers, leaving this task to the residents of the county.

Related to this concern, above, I've grown distraught with the ever-increasing number of luxury homes constructed on hilltops throughout the county, but especially around Pullman. A simple drive down the rural roads surrounding Pullman and along the south Pullman bypass provides evidence of my concern. That which is defined as the "top" of a hill and its distance from another appears to be most liberally interpreted. If we're serious about limiting this form of residential expansion, the revised comprehensive plan needs to include more enforceable language. There is a natural human desire to build one's home higher than others and acquire a view unobstructed, but doing so eventually destroys that attribute for most other county residents.

Those who write and approve the revised comprehensive plan must consider those factors which most attract and/or detract from future economic and residential development in our county. What factors might be included in such consideration? Would they include community expansion, land space constraints, intellectual capital, zoning, or environmental characteristics? Too often overlooked is the single most (in my opinion) constraining factor impacting the future of this county.....it's WATER! The number of rural non-farm residents in our county continues to grow. My guess is that this number will soon reach or even exceed the number of active farmers living here. Along the short stretch of Brayton Road where I reside, the number of rural nonfarm residences has grown from 3 to 11 during recent years. A short review of those 11 residences shows that all 11 have had to deepen their water wells during recent years in order to access potable household water. This becomes, therefore, the single greatest constraint to continued rural nonfarm expansion.....and Whitman County has been unable to address these concerns, referring them to the DOE (where personnel and funding restraints are even greater). Regulations abound, but enforcement lacks as our ground water table continues to drop (at least at my location) by 2 feet/year. Whitman County cannot be expected to prepare a revised comprehensive plan which excludes serious consideration of the need for water, for both commercial and residential consumption.

Prospects and Opportunities

Least I be accused of focusing my comment only on the negative concerns, I would like to conclude with some positive thoughts relating to future prospects and opportunities requiring attention in the preparation of our revised comprehensive plan.

I've chosen to live in Whitman County for most of my adult for one simple reason.....I LOVE IT HERE! Having travelled the world and visited all 50 states, the Palouse Hills provide several features which continue to fill my heart with joy. Our terrain is unique in almost every aspect and not to be found elsewhere. For that reason alone, it must be preserved and enjoyed. The City of Pullman is gradually finding ways to alter the confluence of its three streams to provide a scenic delight for residents. Whitman County

could easily do likewise.....with its streams, canyons, river breaks and promontories, this county could excel in its scenic attributes. Our county parks and port facilities are wonderful, but not yet fully utilized. Our county fair struggles onward, but is rarely enjoyed by the urban residents of Pullman. One feature already discussed, but not acted upon, is the proposed trail along the abandoned railroad from Pullman to Albion, and on to Colfax. This represents a tremendous unexploited opportunity as the terrain follows an almost level route, along the South Fork of the Palouse River, and through some canyons never seen or enjoyed by the average resident or member of the driving public. Access to public recreational areas along the Snake River, as provided by the Port and/or the Corps, is not easily afforded from locations other than Almota.

Another great opportunity exists with regards to future expanded cooperation between the County, the Port District, and larger municipalities like Pullman. Conflicts and disputes are inevitable as the needs for expansion become apparent, but the various public entities really need to sit down more often and find common ground. Pullman, for example, should not annex properties without first assessing the impact on county zoning and revenue sources. The county, for example, should not use its prerogatives (like Cluster Areas) to alter a balanced expansion of Pullman's residential areas. The Port District should include all other public entities in their discussions of corporate development and business attraction. It serves no one's best interest to have different public entities working (and planning) in different directions. I hope our revised comprehensive plan provides a means for inter-institutional discussions under a common umbrella of improved welfare for all Whitman County residents.

Whitman County is unique in so many ways, but especially in its pool of human, managerial, intellectual, and entrepreneurial talent and expertise. Few counties with so few as 50,000 residents can boast of this tremendous indigenous resource. My final thoughts focus on the prospects that the urban/rural/academic disconnect can be diminished and this resource utilized more effectively in county planning. The recent example relating to the Planning Commission's cannabis regulations brought forth over many months a large volume of input from researchers, medical personnel, academic documentation and regulatory experts. By drawing on this local pool of expertise, the level of enlightenment of those participating in the discussion, be they pro or con, was raised significantly. This proved to be an excellent example of how the planning process might better proceed.

My hope is that a revised comprehensive plan will incorporate, more effectively this process in all future deliberations. The plan need only delineate the array of resources available and outline a protocol wherein that pool of talent can be tapped and better utilized in its future deliberations.

Thank you for your kind consideration (and your patience).

Ken Duft
801 Brayton Rd.
Pullman, Was. 99163

Railbanking and Landowner Compensation under the National Trails System Act

By Bob Russell

The term “railbanking” refers to a provision of the National Trails System Act at 16 U.S.C. 1247(d) and the governing regulations in 49 CFR 1252.29 (collectively, the Railbanking Law). The federal law is designed to keep interstate railroad rights of way (ROW), which are subject to federal control, intact when there are no current railroad operations on the ROW. Railbanking creates a system for preserving railroad sections by converting existing railroad ROW to recreational trails.

Under Brandt v. United States (2014) 572 U.S. 93, the United States Supreme Court, in a quiet title action, held that the railroad’s right of way obtained under an 1875 Act of Congress, was an easement, subject to common law principles, including a reversionary interest in the owners of the underlying land. Lawson v. State (1986) 107 Wn. 2d 444, similarly held that, under Washington law, a railroad easement does not allow for alternate use as a trail easement unless the original language of grant provides otherwise. This is the first step in determining the impact of railbanking on the underlying property owner.

If a property owner feels that their “property” has been “taken” in the railbanking process, their sole recourse is to file a claim in the U.S. Court of Federal Claims for compensation from the federal government, since it is a federal law that created railbanking. In Preseault v United States (1990) 494 US 1, the United States Supreme Court case upheld the National Trails System Act, and the mechanism for interim use of unused railroad rights of way, as public recreational trails. The court also held that, where the existing railroad right of way did not include either fee title or a right of way for non-railroad trail use, the owner of underlying property rights was entitled to compensation from the federal government for a “taking” under Article V of the Constitution.

Under Preseault and cases following it, adjacent landowners have no right to interfere with the railbanking process; they can only claim “takings” damages against the federal government in a federal Court of Claims proceeding, because the Railbanking Law is a federal action creating and implementing the railbanking process. Since the United States Supreme Court ruled on this process in 1990, the thousands of cases filed across the country to recover compensation under the Railbanking Law have all been required to pursue compensation in this manner, and prohibited landowners from seeking recovery in state courts, or from the railbanking parties.

The method of calculating damages for the holder of the reversionary fee title is the difference between the value of each parcel unencumbered by trail usage and its value so encumbered. Haggart v. United States (2012) 108 Fed. Cl. 70 (a class action involving some 500+ landowners in the state of Washington). The Railbanking Law preempts state law on just compensation remedies.



Whitman County Planning Commission
400 N. Main Street
Colfax, WA 99111

· April 29, 2021

Dear Whitman County Planning Commissioners:

The Pullman Civic Trust has worked with legal experts to understand and interpret railbanking law. We are writing to address comments provided by Mr. and Mrs. Buckley in their written comments for the Planning Commission, 4-21-2021 regarding an interpretation of the 2014 Supreme Court decision, *Brandt v US*. We offer the following information for the public record.

Clarification on the legal history of railbanking, including the *Brandt* decision:

Originally, a generic railroad easement (one without any expanded description of uses) did not include the right to use it as a trail. In 1983, the right to convert a railroad easement into a trail easement (“railbanking”) was created by Congress through an amendment to the National Trails System Act. This action has been challenged in court many times and upheld by the Supreme Court.

In *Presault v U.S.* (1990), the Supreme Court ruled that conversion of a railroad easement into a trail easement is permitted by the federal railbanking law. However, trail use constitutes a change in the type of easement. Because this change in easement is a “taking,” landowners with legitimate claims to a reversionary land interest under the railroad easement qualify for compensation for the change in use. These claims may **only** be made against the federal government (not state or local) in the Federal Claims Court. Although landowners can thus make a claim for compensation, they do not have legal standing to interfere with the railbanking process.

Mr. and Mrs. Buckley argue that a railroad easement terminates when a railroad purpose no longer exists. According to the National Trails Act, this is not correct. A railroad easement terminates **only** when the easement owner completes the official process of abandonment through the federal Surface Transportation Board (STB). Railbanking is the alternative to abandonment. By converting the railroad easement into a trail easement, the railroad easement is **not** abandoned; rather it is preserved as an inactive rail line, until the railway use is reactivated.

The *Brandt v. U.S.* ruling referenced by the Buckleys was not about railbanking *per se*. Rather, the case was focused on whether the U.S. government retained a property interest in an abandoned railroad line. The Supreme Court ruled that the railroad easement in question had, in fact, been officially abandoned (not just that a rail purpose no longer existed). *Brandt* thus ruled that when the federal government completed the process of abandonment of the railroad easement, the easement was erased and, therefore, the government had no reversionary interest.

Brandt therefore has no relevance to the current discussion of the PCC rail system, as to which the state has not even commenced the lengthy STB abandonment process. As applied to the PCC system, under Presault, railbanking is a legitimate action to prevent abandonment of the valuable railroad easements, thus preserving them for future railroad needs.

We have attached a research brief outlining the legal foundation for these comments. Should you have any questions about railbanking or the legal basis for creating rail-trails on inactive railroad corridors, do not hesitate to call or email. Thank you for your important work guiding the future of Whitman County land use.

Sincerely,

Bobbie Ryder, President
Lisa Carloye, Vice President
Pullman Civic Trust
509-432-9619
509-332-9343

Spring
2021



Pullman Civic Trust

contours

"Staying Socially Distant" While Connecting with Community

One thing we learned over this past crazy year is that trails became one of the safest and most well-utilized places during the pandemic. For children, retirees, and people needing to connect with others in a socially distant way, trails made this possible. The Riverwalk Trail brought people to the downtown to buy coffee and food to enjoy outside while they walked, talked and exercised. Bike purchases have been out-of-sight according to B&L Bikes, with the biggest challenge getting parts. We have heard from many that there is a real need for more trails that are flat and easily traveled by all ages and abilities. The Chipman Trail provides commuter & recreational experience, but we need new trails that allow us to see the beauty of the place we call "The Palouse." It is on these trails we saw the best examples of strong community interaction occurring while staying socially distant and safe outdoors. Being outside and walking along a river, all while in our downtown, helped settle fears and built optimism for when life gets back to business. On these trails we felt hopeful and that made our community investment in these trails all worthwhile. Thank you, Pullman, for supporting and enjoying the trail system spearheaded by Pullman Civic Trust.



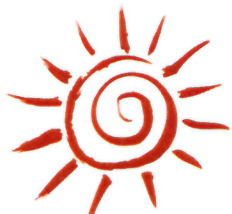
"Here comes the sun
Here comes the sun
And I say, it's all right.

Little darling, the
smiles returning to the
faces.
Little darling, it feels
like years since it's
been here.

Here comes the sun
Here comes the sun
And I say, it's all right.

Sun Sun Sun
Here it comes."

- George Harrison



President's Column

To say pandemic times have been challenging is an understatement. Nonetheless, we in PCT flexed with the world and learned to meet over Zoom. We continued to lobby for the railbanking the Colfax-Albion-Pullman (CAP) Rail corridor. We worked with the **Palouse Regional Planning Organization** (PRTPO) on a 4-County Regional Active Transportation Plan which will be complete in December 2021. The **Downtown Design Committee** and Pullman Civic Trust partnered to promote the concept to "connect the gems" by lighting the three downtown bridges with twinkling lights. In our 2019 newsletter article, *"Imagine,"* we visualized many great things that could happen in Pullman. One nugget of an idea was ripe for implementation: lighting three bridges. Funding was secured through a USDA Economic Development grant submitted by **Jennifer Hackman**, City Economic Development Manager. PCT worked with **Ruth Younce**, City Engineering Tech on the design and lights now shine on two of the bridges. We are hoping that WSDOT will agree to adding lights on the trestle this spring. During a dark time, we were again able to be part of *"giving the gift of light"* to the Downtown Riverwalk. Take a stroll along these bridges and head to downtown Pullman. Help support small businesses that have experienced serious impacts from the global pandemic. And, of course, remember to wear a mask.

Bobbie Ryder



Architectural rendering of what the B&N Trestle behind the Library will look like with twinkling lights to



The Pine Street Plaza arched footbridge has new lights that helped celebrate the holiday season.

The Flat Bridge lighting behind the Sanctuary building brightens the bridge and improves safety along the Downtown Riverwalk with added pole lights from the bridge to Spring Street.



Ruth Younce, City of Pullman Engineering Tech working on the lighting design for three bridges and additional globe lights for the Downtown Riverwalk. Well done!



What is an Active Transportation Plan?

Active Transportation means using active modes of travel such as walking, biking, or wheelchair accessibility. Almost everyone uses active transportation at some point during a trip, whether walking to a bus stop, bicycling to work, or rolling home from school. The Active Transportation Plan helps the PRTPO learn from citizens about what you would like to see in your community, be it recommendations for policy decisions or investments and improvements. The plan will consider where we are now, where we want to go, and how we are going to get there in the coming years. It coordinates with your local city and county plans. An active transportation plan provides information to funding agencies for what the community wants for multi-modal transportation. The PRTPO is working on mapping and classifying trails, sidewalks and routes in a GIS database which will provide information about safer places for people to commute and recreate in a four-county region in Eastern Washington. They anticipate that the plan will be completed in December 2021.



Photo courtesy of Palouse Regional Transportation Organization

What is Railbanking?

By 1980, the 270,000-mile system of active rail lines in the United States had contracted to 141,000 miles. This was alarming to the Federal Government because they had paid to build these rail lines and they viewed this engineering feat much like they view national parks, to be conserved for future generations. In 1983 the US Congress enacted Section 8(d) of the National Trails System Act, which established “the national policy to preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use.” (16 U.S.C. &1247(d)). This law allowed a railroad to free itself of responsibility for an unprofitable rail line by transferring it to a qualified private or public agency for interim use as a trail until such time as the line is needed again for rail service. This process is called “railbanking.” The possibility of creating trails for recreation and nonmotorized transportation on these unused railroad corridors became the solution for preserving these taxpayer assets. With their gentle grades, often following rivers and traversing scenic landscapes, rail corridors make ideal trails, turning vacant, sometimes derelict properties into linear parks, and filling an increasing public need for multi-modal transportation and outdoor recreation.

SPECIAL ACKNOWLEDGEMENTS

City of Pullman Public Works
City of Pullman Parks
J & H Printing
Pullman Chamber of Commerce
WSU Center for Civic Engagement
Palouse Regional Transportation
Planning Organization

Participate in Community:

The **Pullman Comprehensive Plan Update** is the top priority for the Planning Department for 2021. The **Comprehensive Plan** will come before the Pullman Planning Commission at its February and March Regular Meetings, and will be presented to the City Council in April and May. Although the proposed 2021 timeline is ambitious, it still allows for additional public input.

Whitman County is asking the public to Complete a survey to help it update the county’s comprehensive plan for the next 20 years. The survey can be found at: <https://whitmancounty.org/513/Comprehensive-Plan>





PO Box 322
Pullman, WA 99163

PRSRT STD
U.S. POSTAGE
PAID
Permit #42
Pullman, WA

If you dream about more trees in your city, areas for pedestrians to enjoy, cleaner rivers, a welcoming look to downtown, or paths and trails creating a walkable/bikeable community, we invite you to join us. Your voice can make a difference where you live.

ANNOUNCEMENTS

In December a secret Santa left their mark, festively decorating a little tree at the Three Forks Wayside on Grand Avenue Greenway Trail. PCT is always delighted with creative gifts from caring individuals.

Dear Santa, We feel the love. Thank you!



Organization Maintenance

It is that time of year when we are updating our mailing list. We are moving to more email communication. If you have not had time to send us your email address, it is not too late. You can email: pullmancivictrust@gmail.com.



Membership Matters

Enclosed with this newsletter is our membership envelope. An annual individual membership of \$35 is a good investment in your community. Please consider joining us and participate in making a difference.

Thank You for joining!



Share Your Ideas

Are you looking for a speaker for your organization or class? Pullman Civic Trust is happy to talk about projects we are involved with. Through partnerships and collaborations PCT gets things done. We are also interested in new ideas. Let us know how we can help by emailing:

pullmancivictrust@gmail.com. Check out our website and Facebook page. Like and share!





Whitman County Planning Commission
400 N. Main Street
Colfax, WA 99111

April 25, 2021

Dear Whitman County Planning Commissioners:

Pullman Civic Trust submits in writing our comments that were presented at the public meeting on April 21, 2021. PCT appreciates the efforts you are taking to collect public input for the Comprehensive Plan Update. The meeting on 4/21/21 was informative and comfortable for those attending over Zoom because of the way the Commissioners, consultants, and staff facilitated the meeting. Thank you.

There are four main points we wish to make. We recommend the county plan adopt policies that accomplish the following goals:

1. **Preserve Whitman County rail corridors for future generations:** Have clear statements that emphasize the importance of preserving county rail corridors for future transportation needs.
2. Include a policy to support **railbanking inactive rail corridors**. This accomplishes goal #1 above and goal #3 below.
3. Articulate a commitment to **develop regional trails** to connect our communities and create a connected regional trail system.
4. Adopt a **policy to support railbanking and developing a trail on the Upper Hooper rail corridor** between Colfax and Pullman.

We see that these four objectives fit well within five of your stated Framework Goals.

Framework Goal 4 – Support Local Business and Countywide Economic Growth

Trails create an economic opportunity that supports local businesses county-wide.

- Bicycle tourists tend to stay 2.5 days longer than automobile tourists. Bicyclists and hikers stay in hotels, shop in grocery stores, eat in restaurants, shop for clothing, gear and look for repairs. All this supports local businesses.
- During COVID trail use is estimated to have increased nation-wide by 60% (Rails to Trails). In Washington State trail use is up three times the rate of previous years (Washington Trails Association).
- Local construction firms can be used to construct trails. This is economic opportunity.
- Preserving the railroad network ensures transportation options for regional commodities.

Framework Goal 5 – Protect Environmental Quality and respond to Climate Change

- Railroads move goods efficiently, significantly reducing the number of trucks on the roads. Railbanking preserves the rail system for future needs.
- Getting people into nature on public trails creates a greater appreciation for the environment.
- Bikes produce no exhaust. They move people, while not polluting the air.
- Interpretive signage along trails can help educate users about environmental quality and how to respond to climate change.

Framework Goal 6 – Promote and Improve Mobility Options

- Trails provide an optional multi-modal form of transportation.
- Separated trails provide a safe and reliable transportation system that connects communities.

Framework Goal 9 – Support Recreation and Access to Natural Areas

- Trails provide county residents and visitors with guided access to outdoor recreation and natural areas.
- Trails provide public corridors that eliminate motivations to trespass through private property. Trail users are not typically trespassers and more eyes on the corridor police unlawful behavior.

Framework Goal 10 – Preserve Cultural Heritage of Whitman County

- Rail Roads have a fascinating and long history in Whitman County. In fact, one of the most significant events in the history and growth of Whitman County is the development of railroads.
- Railbanking unused rail lines preserves these rail corridors and preserves an important element of the cultural heritage of Whitman County.
- Railbanking provides opportunities to recognize the importance of railroads in our history and to also recognize the farming families that made railroads possible here.

PCT would also like to add that Whitman County has the least amount of acreage designated for public parks, public open space, and trails of any county in the State of Washington. As our communities grow, providing specific spaces for recreation is important for the health and welfare of our citizens. We have attached the Whitman County Health Report for your review and for use by the consultants.

Should you have any questions about our recommendations or any questions about railbanking or the CAP, do not hesitate to call or email. Thank you for your important work guiding the future of Whitman County land use.

Sincerely,

Bobbie Ryder, President
Lisa Carloye, Vice President
Pullman Civic Trust

COLFAX-ALBION-PULLMAN CORRIDOR

COMMUNITY HEALTH PROFILE JUNE 2017

Developed in partnership by the Whitman County Health Department, the National Park Service Rivers, Trails & Conservation Assistance program, and Washington State University Department of Sociology

DESCRIPTION OF THE CAP CORRIDOR

The Palouse River and Coulee City Railway System (PCC), travels through some of the most spectacular and unique rural landscapes in southeastern Washington. A section of the PCC rail line runs through Whitman County, from Colfax thru Albion to Pullman (see map, right). This section is referred to as the **CAP Corridor**. For most of its 19-mile length, the CAP Corridor parallels the South Fork of the Palouse River as it winds through rolling wheat fields and farmland. The corridor also travels through forested ravines and between rocky outcrops, landforms rarely found in a region dominated by rolling hills of farmland. However, in 2006, a railroad trestle near Colfax burned, service was re-routed, and the CAP Corridor has had no rail service. At this time, the Washington State Department of Transportation (WSDOT), owner of the PCC system, is facilitating a process to determine the future of the corridor (Page 4, Figure 2).

COLFAX-ALBION-PULLMAN CORRIDOR
WHITMAN COUNTY, WASHINGTON



The towns along the corridor—Colfax, Albion, and Pullman—are now primarily connected by fifteen miles of Highway 195. These three communities are situated in fertile agricultural lands, and have built upon the industrious nature of the railroad and continue to be known and develop as agro-based economies. Some residents in the area have been proudly farming their land for several generations.

While each of the three towns along the corridor have their own unique and distinct cultures and community profiles, they are interconnected communities that rely on each other for a variety of needs and services. With Pullman being the regional “hub,” each of these communities have ties to the others; through family and friends, business and employment, education, civic and cultural activities, and public needs and services. They share an intertwined past and future; three interconnected communities that support, compete and thrive together.

WASHINGTON STATE



WHITMAN COUNTY



COLFAX

With a population of 2,805 residents, Colfax lies at the confluence of two regional rivers, the Snake and the Palouse. The town is situated at the junction of two highway arteries that ferry area residents to important economic areas: Highway 195 north to Spokane, and Highway 26 west to Seattle. The oldest settled town in the area, Colfax was established in 1870 and serves as Whitman County's government seat. The community boasts regional amenities including parks, a county library, one elementary and high school, a community hospital, several retirement communities, and a number of historical sites, such as the Perkins House and the Old St. Ignatius Hospital.

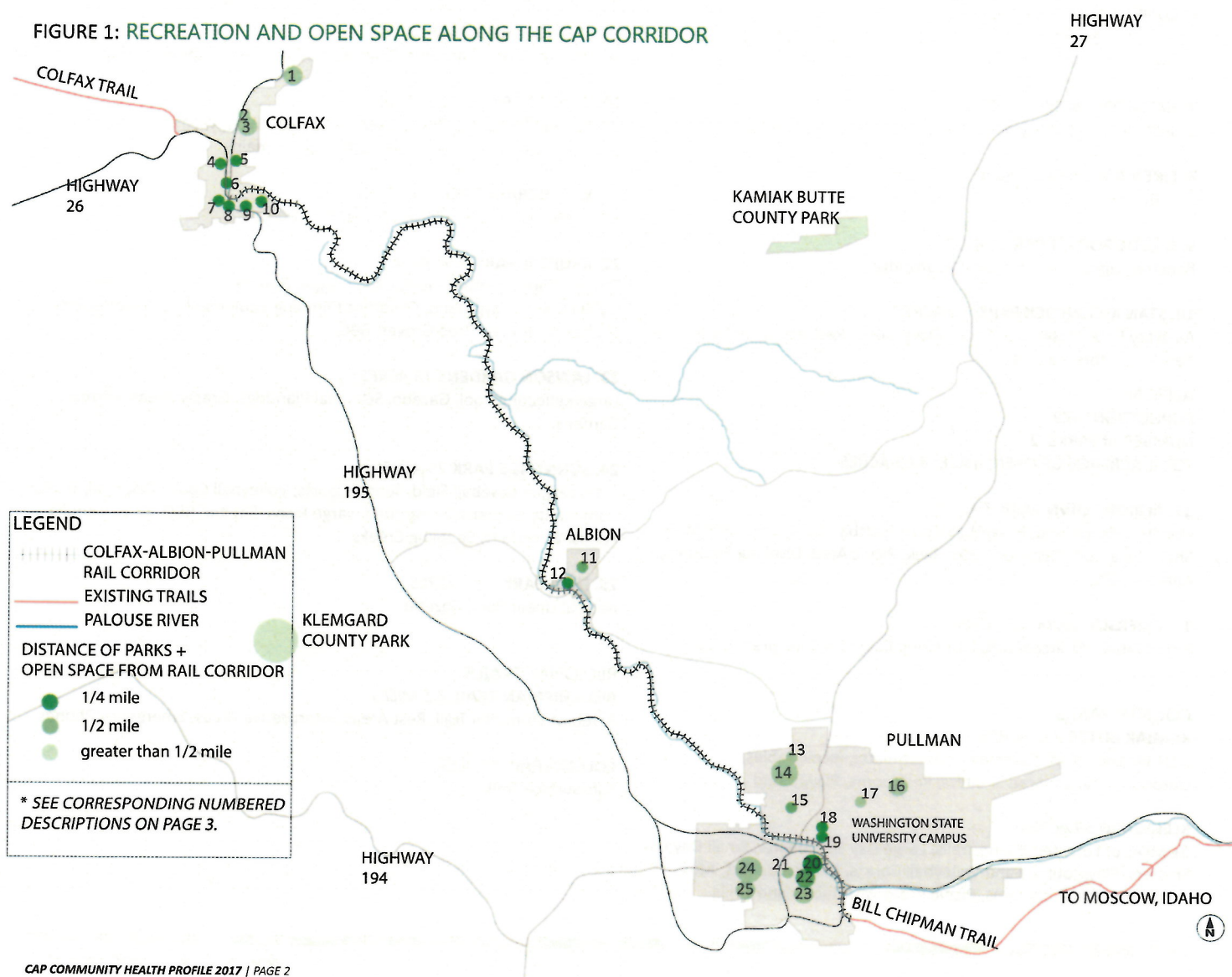
ALBION

Albion, one of the smallest towns in the region, is a rural community of 579 people. It was settled in 1871 and continues to depend on the agricultural economy that has dominated the area. Situated geographically between Colfax and Pullman, residents of this community often have to commute to the neighboring towns for social, business and educational opportunities. Community amenities in Albion include a post office, community center and parks. It is located about seven miles north of Pullman.

PULLMAN

Pullman is Whitman County's largest city with 29,799 residents. It is also home to Washington State's only land grant institution: Washington State University. Primarily a college town, Pullman has many amenities and services to offer residents and surrounding communities, including Colfax and Albion. These amenities include local and regional recreational trails and parks, education, growing industry, social and cultural amenities, and health and human services. Established in 1876, Pullman is home to three elementary schools, one middle school and one high school.

FIGURE 1: RECREATION AND OPEN SPACE ALONG THE CAP CORRIDOR



RECREATION AND OPEN SPACE ALONG THE CAP CORRIDOR (see map page 2)

COLFAX

POPULATION: 2,805

NUMBER of PARKS: 10

TOTAL ACREAGE OF OPEN SPACE: 31.33 ACRES

1. MCDONALD PARK 19 ACRES

Baseball Field, Softball Fields, Soccer and T-BALL Fields, Picnic Tables, Concession Stand, Drinking Fountain, Lights, Parking, Restroom, Walking Trails, Club House

2. MAGGIE CAIN POCKET PARK .3 ACRES

Picnic Table, Parking

3. SCHMUCK PARK 8.4 ACRES

Swimming Pool, Skate Park, Tennis Court, Track and Football Field, Volleyball, Playground, Walking Trails, Picnic Amenities, Bike Racks, Lights, Parking

4. EELLS PARK .63 ACRES

1/2 Basketball Court, Historic Water Fountain, 4 Picnic Tables, Restrooms, On-street Parking, Lights

5. NIEHENKE POCKET PARK .1 ACRES

Benches, Picnic Table, Parking

6. CODGER POLE .18 ACRES

Codger Pole Sculpture, Picnic Tables, Informational Signs, Lights, Parking

7. HAMILTON PARK 1.1 ACRES

Basketball Court, Playground, Restrooms, Picnic Tables, Lights, Parking

8. FIREMANS POCKET PARK .08 ACRES

Park Bench

9. GOODE POCKET PARK .34 ACRES

Benches, Lights, Picnic Tables, Footbridge

10. STAN MCLINTOCK PARK 1.2 ACRES

Auxiliary Field, Basketball Court, Playground, Restrooms, Picnic Tables, Benches, Lights, Parking

ALBION

POPULATION: 579

NUMBER of PARKS: 2

TOTAL ACREAGE OF OPEN SPACE: 3.63 ACRES

11. ALBION TOWN PARK 3 ACRES

Updated Playground, Basketball Court, Softball Field, Small Bus Stop Shelter, Gazebo, Restroom, Bike Rack, Picnic Area, Drinking Fountain, Charcoal BBQ

12. EMERSON PARK .63 ACRES

Picnic Tables, Charcoal BBQs, Drinking Fountain, Interpretive Sign

COUNTY PARKS

KAMIAK BUTTE 218 ACRES

3.5 Mile Loop-Trail, Camping, Amphitheater, Picnic Tables, Outdoor Grills, Covered Shelters, Restrooms, Playground

KLEMGARD 59 ACRES

5+ Miles of Forested Hiking Trails, Large Day Use Shelter, Small Day Use Shelters, Playground, Sand Volleyball Courts, Horseshoe Pits, Multi-purpose Fields, Restrooms, Picnic Areas with Tables and Grills

PULLMAN

POPULATION: 29,799

NUMBER of PARKS: 13

TOTAL ACREAGE OF OPEN SPACE: 112.81 ACRES

13. TERRE VIEW PARK 3.25 ACRES

Playground, Restroom, Picnic Table, Wetland Pond Nature Area

14. MILITARY HILL PARK 25 ACRES

Tennis Courts, Baseball Diamonds, Play field, Playground, Picnic Shelter, Restrooms, BBQ, Trail

15. HARRISON TOT LOT .23 ACRES

Toddler Playground, Casual Seating Areas, BBQ, Picnic Table

16. MAGPIE FOREST 14 ACRES

Outdoor Ecology Lab, Palouse Prairie Restoration, Natural Area and Education Trail

17. MCGEE PARK 3.04 ACRES

Basketball Court, Softball Diamond, Playground, Picnic Shelter, Restroom, BBQ

18. REANEY PARK 1.64 ACRES

Swimming Pool, Bandstand, Small Golf Area, Playground, Area for Festivals

19. SPRING STREET PARK 2.75 ACRES

Skateboard Park, Restrooms, Benches, Link to the Bill Chipman Trail

20. CITY PLAY FIELD 8.66 ACRES

Softball Fields, Jogging Track, Exercise Stations, Volleyball Court, Batting Cages, Restrooms, Picnic Tables, Drinking Fountains

21. WOODCRAFT PARK .84 ACRES

Picnic Area with Shade Trees, Swing, Restrooms

22. KRUEGEL PARK 7.95 ACRES

Tennis Courts, Football Field, Little League Baseball Field, Soccer Field, Volleyball Court, Playground, Childrens Climbing Equipment, Restrooms, Picnic Shelter, Sand Area, Tree Groves, BBQ

23. LAWSON GARDENS 13 ACRES

Large Reflecting Pool, Gazebo, Seasonal Plantings, Grassy Areas, Formal Gardens

24. SUNNYSIDE PARK 25 ACRES

Little League Baseball Field, Tennis Courts, Volleyball Court, Disc Golf, Trails, Community Gardens, Playground, Large Picnic Shelter, BBQ, Grassy Knolls, Ponds, Waterfalls, Babbling Creeks

25. HANI PARK 7.45 ACRES

Natural Linear Park, Gazebo

REGIONAL TRAILS

BILL CHIPMAN TRAIL 7.1 MILES

Paved Multi-modal Trail, Rest Areas, Interpretive Areas, Emergency Phones

COLFAX TRAIL 3 MILES

Soft-Surface Trail

THE FUTURE OF THE CAP CORRIDOR

In 2017, WSDOT decided to formally discontinue service along the CAP Corridor (see Figure 2). As the owner of the right-of-way (ROW), WSDOT then assumes responsibility for maintenance. With discontinuance of service, the Surface Transportation Board (STB) still considers the corridor an active railroad and, therefore, **no public access is permitted**. WSDOT could maintain the corridor and preserve the ROW indefinitely.

At this point, further action requires the Washington State Legislature to direct WSDOT to file an *Intent to Abandon* rail service with the STB. If abandonment is approved, two outcomes are possible:

1. A third party could file a petition with the STB to prohibit sale for 180 days, so that the third party could negotiate to **acquire the corridor for public use via the Federal Railbanking Act**. WSDOT may voluntarily enter into an agreement for alternative use, at which point, a third party assumes control of the right of way. If the parties fail to reach an agreement within the 180 day period, or no party expresses interest, STB must allow WSDOT to fully abandon the line and dispose of its property.
2. WSDOT could **dispose of the ROW** in accordance with reversionary rights of adjacent property owners where applicable and through sale of properties owned outright by WSDOT. This would realistically prevent any future rail use in the corridor.

A community workshop on the future of the CAP Corridor was held on June 5th, 2016, and collected stakeholder interests and concerns. This community health profile is in response to participants' concerns with existing community health and the potential impact if option 1 is pursued and the CAP Corridor is converted into a trail for public use.

DEMOGRAPHICS

There is a wide distribution of ages in the CAP Corridor, including a large number of residents aged 18 to 24, which reflects the student population at Washington State University residing in or near Pullman (Figure 3). Most residents in the CAP Corridor and Whitman County are white (over 80%). Other races/ethnicities found in the CAP Corridor include about 12% Asian, 3% Black, a little less than 2% American Indian or Native American and less than 1% Native Hawaiian or other race (Figure 4).

FIGURE 2: WSDOT PROCESS FOR THE CAP CORRIDOR
SOURCE: WASHINGTON DEPARTMENT OF TRANSPORTATION

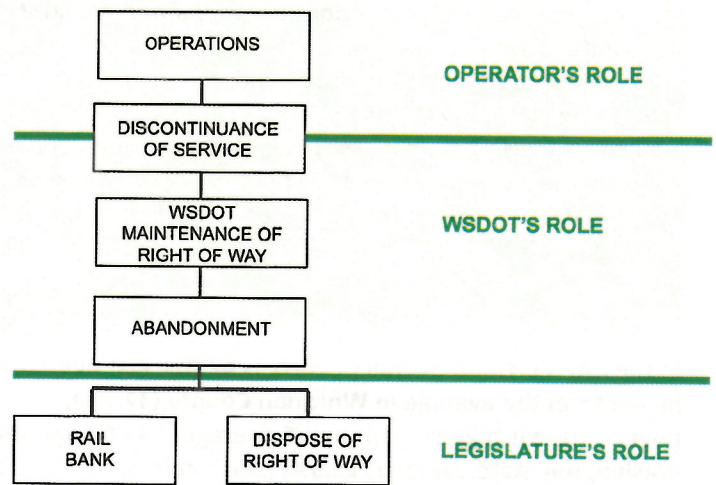


FIGURE 3: AGE DISTRIBUTION
SOURCE: 2011-2015 AMERICAN COMMUNITY SURVEY

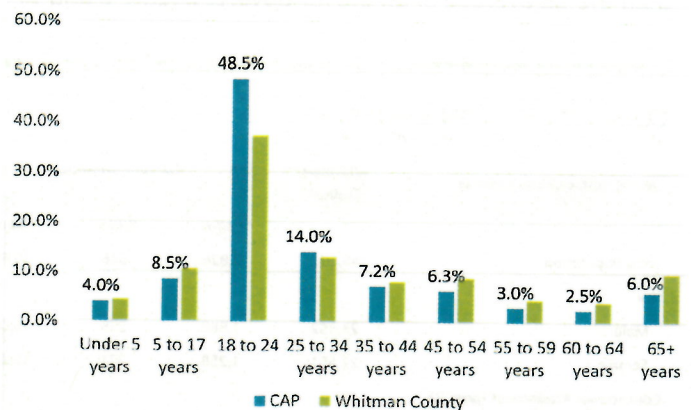
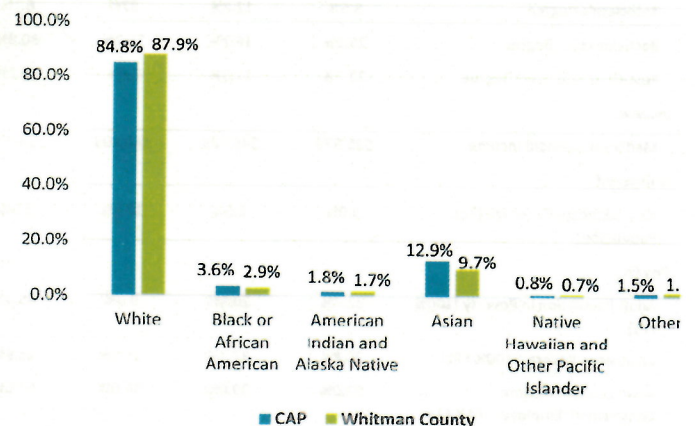


FIGURE 4: RACE/ETHNICITY
SOURCE: 2011-2015 AMERICAN COMMUNITY SURVEY



POVERTY

“Social and economic conditions are major determinants of health. Income, wealth, education, employment, neighborhood conditions and social policies interact in complex ways to affect our biology, health-related behaviors, environmental exposures, and availability and use of medical services. Health impacts associated with lower socioeconomic position can begin before birth and build up throughout life.”

Source: WSDOH Social and Economic Determinants of Health, 2013

In the CAP Corridor, overall poverty is 42.8%, just over 10% higher than the average in Whitman County (32.7%); poverty here is higher than the US average (15.6%) and the Washington State average (13.5%) (See Figure 5).

Since students (ages 18-24) make up a large percentage of the population in Pullman, a more accurate depiction of poverty among full-time residents may be represented by the data for children in poverty, which is 23.8% and higher than the US average of 15.6% for poverty (Figure 6 and 7).

COMMUNITY PROFILE SUMMARY

SOURCE: 2011-2015 AMERICAN COMMUNITY SURVEY

Demographic Characteristics	Whitman County	CAP Communities		
		Colfax	Albion	Pullman
Total Population	46,003	2,826	546	30,851
Sex				
Male	23,452	1,568	275	15,669
Female	22,551	1,258	271	15,182
Educational Attainment (pop. 25 years and over)				
No High School Diploma	4.2%	8.3%	4.4%	3.0%
Only High School Diploma or GED	18.5%	21.3%	29.6%	10.5%
Some College, No Degree	20.9%	29.5%	35.2%	15.4%
Associate's Degree	8.5%	12.8%	37%	6.1%
Bachelor Level Degree	25.1%	16.7%	22.2%	30.8%
Post-Graduate Level Degree	22.7%	11.3%	3.0%	34.2%
Income				
Median Household Income	\$35,578	\$45,729	\$40,893	\$24,487
Uninsured				
No Healthcare Coverage (Total Population)	9.0%	6.5%	10.8%	3.9%
Poverty				
Adult Population in Poverty (100% FPL)	32.7%	20.8%	9.9%	45.4%
Children in Poverty (100% FPL)	20.8%	37.2%	15.7%	23.8%
Asset Limited, Income Constrained, Employed (ALICE) + Poverty	52.0%	39.0%	36.0%	63.0%
Employment				
Unemployment Rate	7.6%	0.7%	2.5%	9.1%

FIGURE 5: POVERTY RATES

SOURCE: 2011-2015 AMERICAN COMMUNITY SURVEY

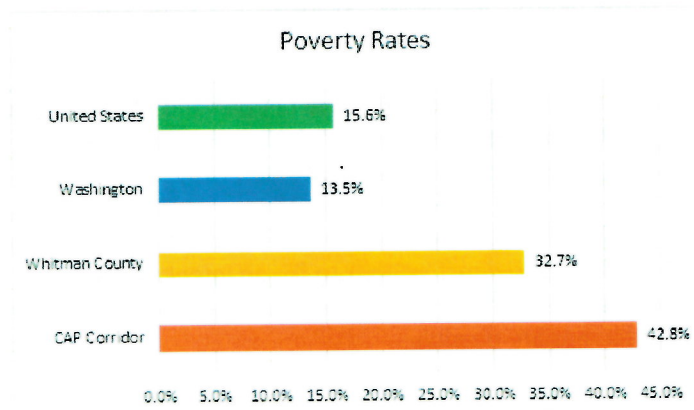


FIGURE 6: POVERTY BY AGE

SOURCE: 2011-2015 AMERICAN COMMUNITY SURVEY

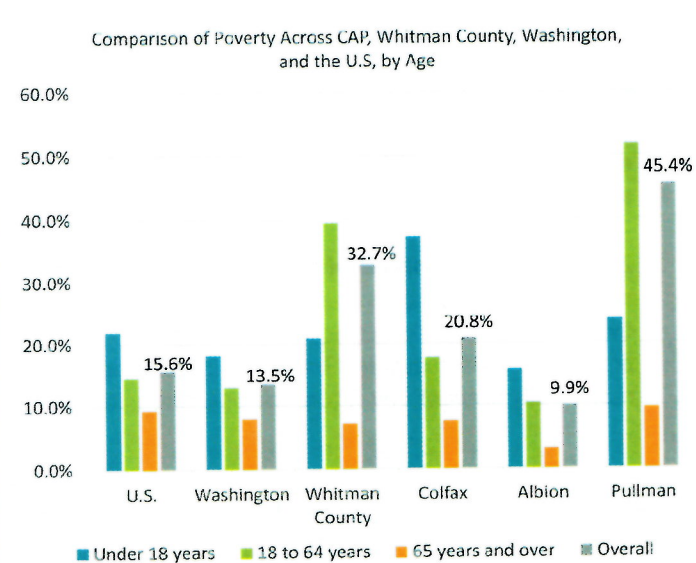
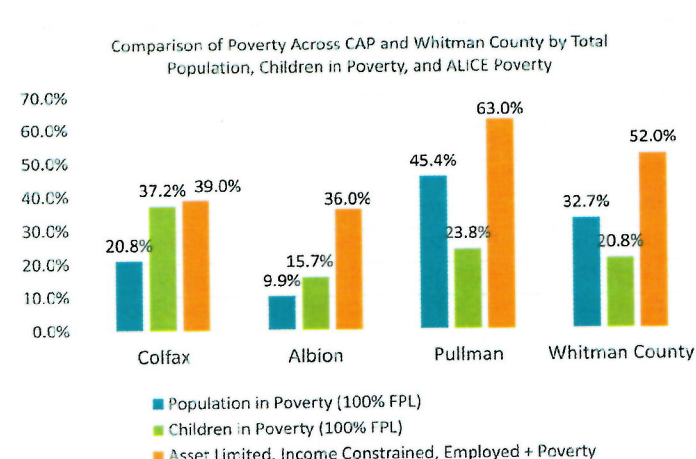


FIGURE 7: COMPARISON OF POVERTY

SOURCE: 2011-2015 AMERICAN COMMUNITY SURVEY



Poverty may also make transportation to work, school, services and for healthy food much harder. Residents in Whitman County reported a lack of bus or public transportation between cities.

The majority of residents in Colfax, Albion, and Pullman reported using a personal vehicle to get to work and other activities.

On average, **8% of residents self-reported “difficulty accessing transportation”** as a barrier to reaching social services. Eleven percent of respondents self-identified “transportation and help buying fuel for private vehicles” as needs within their home. Twenty-six percent of respondents who lived outside of Pullman, and were low-income, identified **help buying fuel for their vehicles as a need due to a combination of limited access to private vehicles, unaffordable transportation, and need to drive to work** (due to geographic isolation of various cities).

Unaffordable transportation in communities along the CAP Corridor is rated high (Figure 8) which can limit access to healthy food (Figure 9). Several surrounding communities depend on the towns along the CAP Corridor for resources such as fresh groceries.

SOURCE: WHITMAN COUNTY NEEDS ASSESSMENT 2015

18% of Whitman County residents reported being concerned about their access to food in the past year.

3% reported going hungry due to a lack of access to food.

SOURCE: WHITMAN COUNTY NEEDS ASSESSMENT 2015

FIGURE 8: UNAFFORDABLE TRANSPORTATION

SOURCE: WASHINGTON STATE DEPARTMENT OF HEALTH, “UNAFFORDABLE TRANSPORTATION,” FEBRUARY 16, 2016

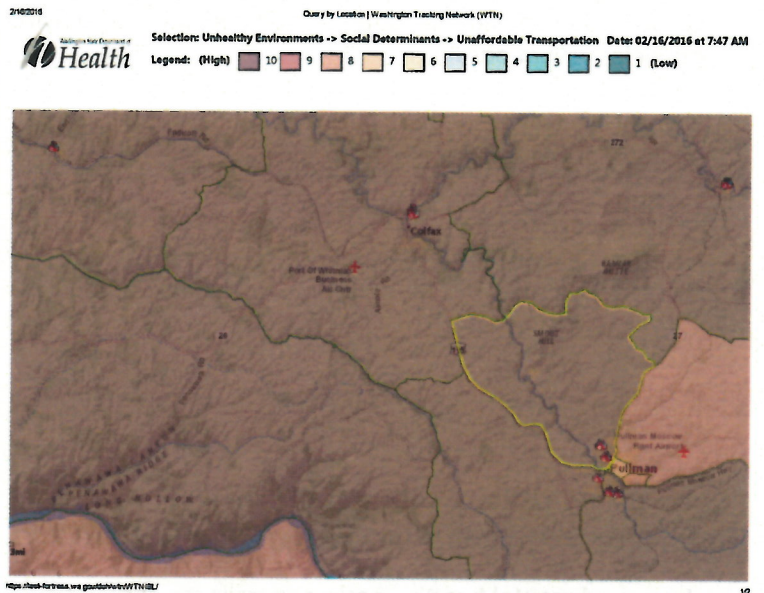
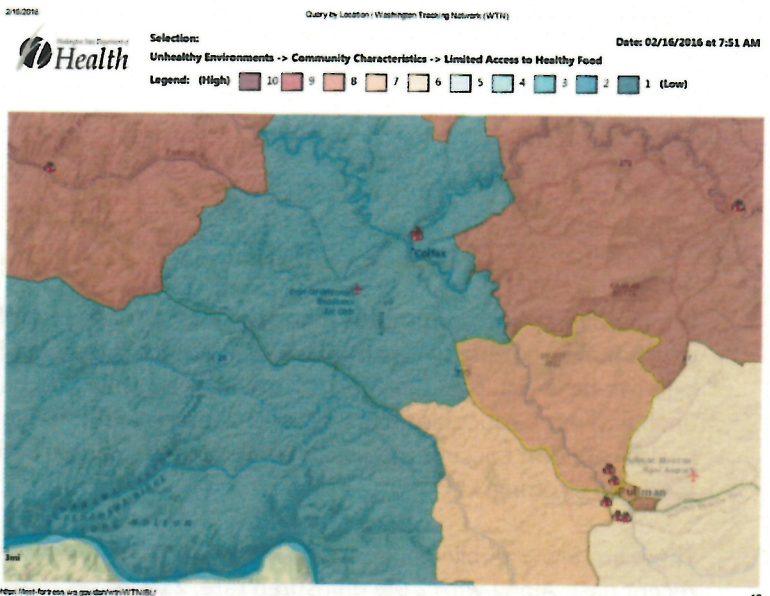


FIGURE 9: LIMITED ACCESS TO HEALTHY FOOD

SOURCE: WASHINGTON STATE DEPARTMENT OF HEALTH, “LIMITED ACCESS TO HEALTHY FOOD,” FEBRUARY 16, 2016



HEALTH and PHYSICAL ACTIVITY

For all people, physical activity alone can improve health conditions and health outcomes. In addition, physical activity can help prevent obesity.

Physical inactivity and obesity are independent risk factors for many of the same diseases, including:

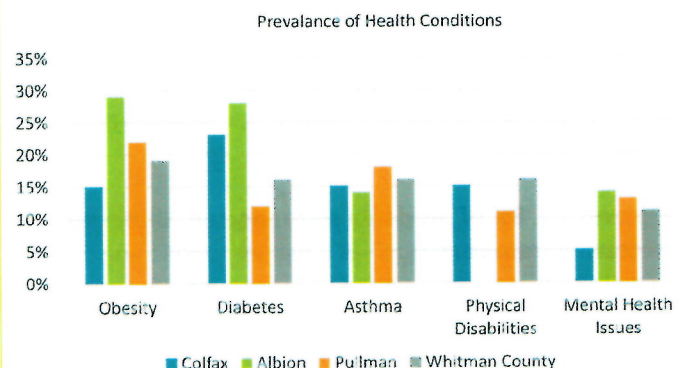
- Cancer
- Joint and bone disease
- Diabetes
- Stroke
- Depression
- Heart disease

In relation to health conditions, parks and trails can provide benefits to a community, including:

- Increased physical activity**—walkable access to parks and trails motivates people to participate in physical activity and to do so more frequently;
- Improved mental health**—parks and trails can serve as a place for stress reduction;
- Reduced injury**—parks and trails can provide safe spaces for people to play and exercise, away from busy streets and commercial zones.

Source: Centers for Disease Control and Prevention:
https://www.cdc.gov/healthyparks/parks_trails/default.htm#why_HIA

FIGURE 10: PREVALENCE OF HEALTH CONDITIONS
SOURCE: WHITMAN COUNTY NEEDS ASSESSMENT 2015



In the communities along the CAP Corridor, obesity rates are about 10% higher in Albion and 3% higher in Pullman than in Whitman County overall. Diabetes is about 28% in Albion and 23% in Colfax, compared to 16% in Whitman County (Figure 10).

Slightly higher rates of asthma are found in Pullman (18%) than in Whitman County overall (16%) and mental health issues are slightly more prevalent in Albion (14%) and Pullman (13%) than in Whitman County (11%).

Life in poverty in communities along the CAP Corridor is difficult: No public bus service operates outside of Pullman, which makes getting to destinations especially challenging for those without a car or money for gas. Seeking health care can be difficult for those in poverty because they may be ineligible for Medicaid, or if they are eligible, they may be unable to pay deductibles or co-pays, or they may find that many health care providers of medical, dental and mental health care don't accept Medicaid. **Some face the choice between health care and the need to pay rent and/or buy food and clothing.**

There are fewer public health programs available to low-income citizens of Whitman County than there were in the recent past. Along with a 9% uninsured rate, **21% of residents under 18 years old do not have a primary care provider, 42% haven't seen a doctor and 39% have not seen a dentist in the past year.** Data from the Palouse Free Clinic [in Pullman] are the clearest indicators of the needs and limited access to health care suffered by Whitman County residents living in poverty. **Depression and anxiety top the list of presented conditions, followed by asthma, hypertension, migraines, and diabetes.** Among the highest needs clients have are dental, vision, mental health, substance abuse, nutrition, and hearing services.

The Palouse Free Clinic has identified many issues of getting adequate health care including lack of transportation, lack of child care, inability to miss work, embarrassment about seeking care for fear of being judged by others, not entirely trusting the care they are receiving, limited finances, poor access to local specialty care, poor continuum of care, and non-compliance.

SOURCE: PULLMAN LEAGUE OF WOMEN VOTERS, POVERTY STUDY

COMMUNITY CHARACTERISTICS

Community members generally rate the communities along the CAP Corridor as good or excellent places to live (Figure 11), and a mostly good place to raise children (Figure 12); twenty-nine percent of Albion residents rated their community as fair for raising children compared to 8% in Colfax and 7% in Pullman. Three percent of residents rated Pullman as a poor place to raise children, and 1% rated Pullman as very poor.

When asked if they agreed with the statement, “I live in a close-knit neighborhood” (Figure 13), most residents felt neutral, disagreed or strongly disagreed in each community. Twenty-three percent disagreed or strongly disagreed in Colfax, 29% disagreed in Albion and 26% disagreed or strongly disagreed in Pullman.

When rating their community as a place to retire (Figure 14), 23% of Colfax residents responded “fair,” compared to 71% in Albion and 24% in Pullman. Eight percent of Pullman residents rated their community as poor for retirement, while 4% rated Pullman as very poor.

Parks and trails can help provide community interaction and foster better relations among neighbors, creating better social capital for communities.

Source: Centers for Disease Control and Prevention:
https://www.cdc.gov/healthypaces/parks_trails/default.htm#why_HIA

FIGURE 11: COMMUNITY AS A PLACE TO LIVE

SOURCE: WHITMAN COUNTY NEEDS ASSESSMENT 2015



FIGURE 12: COMMUNITY AS A PLACE TO RAISE CHILDREN

SOURCE: WHITMAN COUNTY NEEDS ASSESSMENT 2015

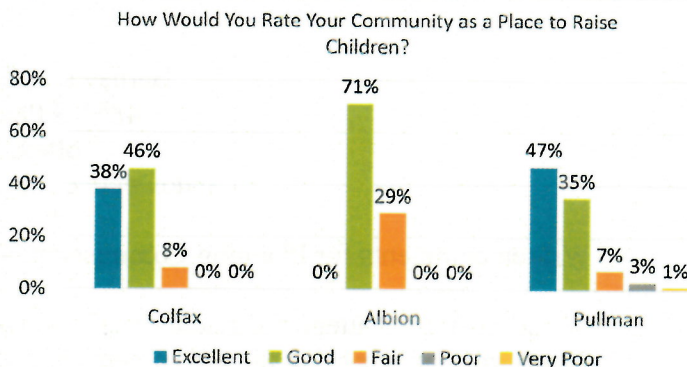


FIGURE 13: CLOSE-KNIT NEIGHBORHOOD

SOURCE: WHITMAN COUNTY NEEDS ASSESSMENT 2015

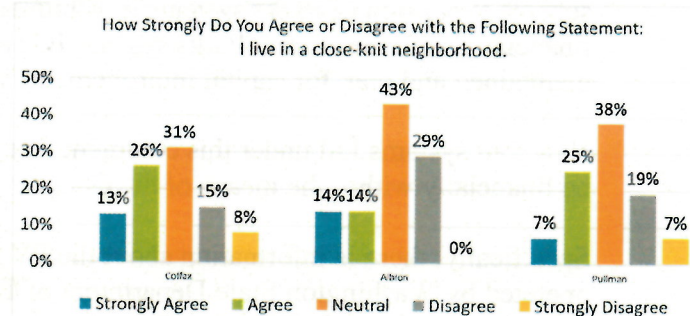
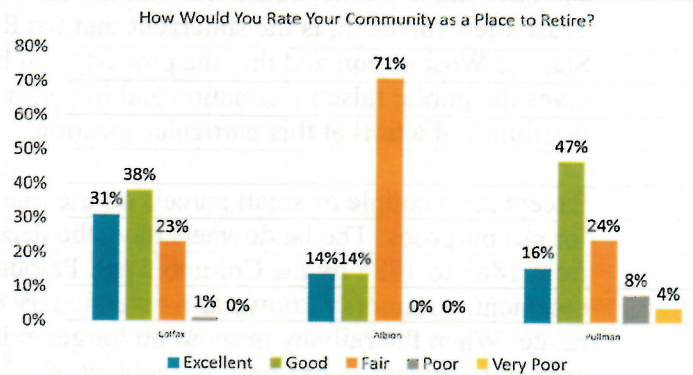


FIGURE 14: PLACE TO RETIRE

SOURCE: WHITMAN COUNTY NEEDS ASSESSMENT 2015



Barney and Gerianne Buckley
4851 S Palouse River Rd
Colfax, WA 99111
Landowners on the PV Hooper Rail Line

Written comments for Planning Commission, 4-21-2021.

We are unable to attend the Zoom meeting on 4-21-2021 and are submitting these comments.
Thank you for accepting these comments into the process of updating the Comprehensive Plan.

Regarding general questions on the survey for the update to the Comprehensive plan, we do not support expansion of Parks systems in Whitman County. We observe that the County is stretched financially with the current Parks system. It is a higher priority to keep current Park systems maintained and plan for capital improvements within the system as appropriate.

New trail systems fall under this comment. We are not opposed to trails per se, but any trail must be financially within the means of the County. There is no potential trail that meets this criterion.

Specifically, there is information about the PV Hooper rail line between Colfax and Pullman, operated by Washington State Department of Transportation and the Palouse River Coulee City Rail Authority, that the Planning Commission should know. We believe that the Planning Commission has received many comments supporting a trail in this Rail Corridor. The Pullman Civic Trust has been soliciting, gathering comments and submitting those comments.

We know from personal experience that the Pullman Civic Trust is heavily biased towards a trail, and have made public statements that are incorrect. One that had been repeated, even after the Trust knew the truth, is the statement that the Rail Corridor is public property, owned by the State of Washington and that the property can be easily made into a trail. This untrue statement gives the public false information and impedes their ability to have informed opinions about the feasibility of a trail at this particular location.

Except for a couple of small parcels on the line, the railroad purchased a right of way easement for rail purposes. The landowners have the deeds. This right of way easement was purchased from 1883 to 1885 by the Columbia and Palouse Railroad Company. This is a right of way easement, commonly known as a reversionary easement. The Railroad does not own the real estate. When the railway purpose no longer exists, the easement terminates. This type of railroad property acquisition has been the subject of a 2014 US Supreme Court decision, *Brandt vs US*. That decision stated that the easements were terminated when the rail purpose no longer existed, and if an entity wanted the real estate, the landowners needed to be compensated. A Washington State Supreme Court decision in 1986, *Lawson vs State*, had a similar conclusion.

The right of way easement on the PV Hooper line has been bought by subsequent railroad companies. A former long-term holder of the easement was Union Pacific Railroad and its parent company. Union Pacific sold to WATCO (Palouse River Coulee City Railroad) in the mid 1990's. The State of Washington- Department of Transportation, Palouse River Coulee City Rail Authority, obtained the easement in 2004. The State owns only the physical infrastructure: the rails, ties, spikes and ballast and so on. Extended litigation would occur if the easements were not reverted back to the property owners upon cessation of use of the line for railroad purposes.

In 2016 the Pullman Civic Trust coordinated a Community Workshop to gather ideas on the disposition of the rail corridor. This was moderated by a representative from National Park System. There were many trail proponents, and some landowners in attendance. It became clear that various discussions were guided by facilitators, with select issues discussed, and other issues discouraged. It was apparent that there was a disingenuous attempt to reach a conclusion for conversion of the rail corridor to a trail.

The rail corridor between the City limits of Pullman and Colfax is about 18 miles long with 15 existing bridges that cross the South Fork of the Palouse River. A 16th bridge was destroyed in a fire in 2006 and there has been no rail traffic on that line since. Conversion of bridges to trail use on other lines have proven very expensive. Several of our bridges are 300 feet or longer, some with curves, and many 20 to 30 feet above the river surface. Replacing the destroyed bridge on the PV Hooper line could cost millions of dollars. The rail corridor winds near to or next to the river bank. Most of the corridor is surrounded by private property. Much of the adjoining land is agricultural. Some of it is active pasture. There are limited access points to the rail from public property.

Adjacent landowners deal with lack of upkeep of fencing on the rail line, poor weed control that affects the landowner's property, and legal crossing issues. These issues have occurred with the rail companies and the landowners are concerned that these issues would continue if the line became a trail. Landowners have had ongoing problems with trespassers. Violators trespass onto the rail, then often continue to trespass onto the adjoining private property.

These points detail historical issues and current problems that bring us to the conclusion that a trail in this corridor is fiscally unviable and presents daunting environmental issues. We do not believe that any responsible entity could move forward with a trail idea. We oppose any action towards a trail on the PV Hooper corridor.

Thank You very much for the opportunity to submit these comments to the Planning Commission.

Public Hearing Comments:

Good evening. My name is Ken Duft and I have been a resident of rural Whitman County for something beyond five decades.

I have read the draft of the Revised Comprehensive Plan from cover to cover. This, unfortunately, is a statement that far too few county residents can make as the document is likely to impact the lives of all for years to come.

First, I would like to compliment the Planning Commission members and staff for the endless hours of effort directed to the preparation of this draft. Having personally observed much of that effort, I can assure you that the residents of this county owe you a debt of appreciation.

I do not wish to consume your time with a laundry list of small minor and specific concerns I have regarding the document. Instead, I will attempt to confine my comments to a few general observations and troubling deficiencies.

Perhaps my greatest general concern is that the draft does not appear to be adequately far reaching and future oriented. While those draft statements addressing the continued prominence of production agriculture and private property rights are important to you and I, the future of Whitman County will likely require a broader perspective. Production agriculture is now, and will always be, the major land use component of this region. But national trends suggest that the number of residents directly involved in, and dependent upon agriculture will comprise an ever-diminishing portion of our total population. As such, the Comprehensive Plan should recognize that those people moving to this county over the next 2-3 decades will not be farmers or ranchers, but more likely be economically linked to research, education, manufacturing, engineering, and small business enterprise. As such, their interests and resource needs will be far different and diverse.

As noted in the draft's Values and Goals, the preservation of private property rights and production agriculture are its primary focus. Yet the narrative describing population trends would suggest that both of these foci could be challenged as the City of Pullman becomes the center of residential and economic activity. Herein can be found an inevitable conflict not

adequately addressed by the draft. For example, while the draft speaks of maintaining prime agricultural land and residential clusters, it provides no means or alternatives for doing so in light of Pullman's rapid expansion. When the Mader annexation was first proposed to Pullman's City Council, it was based on the removal of hundreds of acres of prime agricultural land and was forecast to accommodate no fewer than 12,000 new residents. Whitman County was not a player in this, or any other similar activities.

While the reader of the draft is assured that cluster residential development was a subject of public engagement, the results of that discussion are not readily apparent. While I remain a proponent of this concept, the county does not have the resources to observe and enforce the many regulations and restrictions linked to this code provision.

Comments provided on the matter of rail banking are confusing and illusive. As stated, the abandoned rail line between Pullman and Albion/Colfax could be used as a hiking/biking trail ONLY as a temporary use until such time as the space is once again needed for rail transport. In reality, the return of rail service on that line is highly unlikely, and no longer economically feasible. Meanwhile, a very attractive recreational resource remains unexploited, much to the loss and detriment of our county's residents. I fully understand and appreciate the views of those farmers and non farm residents whose properties adjoin the rail line and oppose the creation of a Pullman-Colfax trail. In fact, I am one such non farm resident.....but one who finds that the public good likely to result from such a trail far outweighs the private property rights of those who long ago sold their land to the railroad. Such a trail represents a recreational resource this county can ill afford to lose, and the draft should, in my opinion, speak more strongly in its support. As it relates to this specific recreational prospect, "today's apathy will be tomorrow's regret".

BTW, just to demonstrate that I have read the entire draft, the map titled, "Whitman County Zoning Map – Pullman Area" has clearly mislabeled the location of Brayton Road. Imagine also. Just how surprised I was to read and learn that Amtrak provides bus service between Pullman and its daily rail service in Spokane. I was pleased to learn that Public Works identifies and ranks road improvement projects scheduled for funding.....and would suggest that this information be shared more widely among county residents.

While the draft notes that in areas located outside incorporated areas, agriculture accounts for just 540 jobs in Whitman County. This citation should also note that our production agriculture is largely export-oriented, wherein commodities produced are not processed or subject to value-added activities at the local level. Efforts to further discourage this, such as restrictions on marijuana processing, will only exacerbate this limitation.

The draft states that Whitman County's unemployment rate is among the lowest in the state, but then indicates that our 8% unemployment rate exceeded the state average of 4% during 2020. If WSU students account for this inconsistency, it should be noted. The statement following "Educational Attainment" contains, ironically, a grammatical error.

A cover-to-cover reading of the draft Comprehensive Plan gives rise to two general external concerns. First, the draft fails to address "potable water" as a necessary resource and one limiting Whitman County's future. While it's true that the state DOE bares the major responsibility for regulating and monitoring the future of our water supply, counties and cities cannot simply ignore their growing need for their seemingly diminishing supply of potable water; both surface and ground. Second, the draft appears to treat Whitman County and the City of Pullman as two separate and distinct entities. Much of the discussion addresses county issues apart from those faced by Pullman's city residents, when factually, a city resident also resides in Whitman County. Perhaps this represents no more than an error in citations, but one that warrants some attention.

Thank you for this opportunity to speak on this matter.

Ken Duft

Planning Commission Members:

Thank you for all the time you spent perusing the new Whitman County Comprehensive Plan draft. It was not an easy task.

After consulting with our attorney, we recommend a few changes. See page 20 and 21, "Railroads and Railbanking". We have previously asked the subtitle be simply "Railroads". We again request this change. In one of the drafts it was "Railroads." We also request, again, the third paragraph beginning "The Whitman County Comprehensive Plan supports the use of rail banking. . ." be deleted, The paragraph ends, "This approach is preferable to permanent abandonment of railroad corridors". In the previous paragraph an objective evaluation is called for. After the evaluation, let the appropriate method to preserve the corridor be determined, which includes rail banking as a method. We do not feel it is within the mission of the Comprehensive Plan to suggest one method over another. How do we know what the future might bring, in 10 years rail banking might not be an appropriate method. At one point during the Planning commission workshops, the draft with the heading "Railroads" and only the first two paragraphs was accepted by the members.

See page 49, "Railbanking". We oppose the mention of specific private groups in the Plan. The Plan is a public document that will be in place for many years, possibly outliving any named group. To be impartial, we propose replacing the last sentence with the following italicized text. It does not favor one method, nor one particular group, over another. We propose this change to be consistent with a broad use of county resources. *"The county could continue to foster relationships with local groups who are actively involved in the promotion of the best use of the rail corridors; groups involved in the expansion of the county's multi-purpose routes in balance with private property rights."*

As property owners in Whitman County we appreciate all the goals and references to private property rights. However, we question the addition of terms limiting those rights. Such terms as "to the degree possible" and "when practical and feasible" seem to say to us, "We'll do what we want."

See map page 83. Whitman County Road Transportation Map. Why is the Colfax, Albion, Pullman Railroad Corridor included in a road map?

Again thank you for your time spent on this Comprehensive Plan. Please consider our suggestions and criticism.

Rail Corridor Property Owners

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Karen M. Henningsen

Bruce M. Buckler

Liz Farr

Sheri Farr

Lang Farr

Ron M. H. H.

Wm. H. H.

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Angela Mills

Angela Mills

Ashley Taylor

Edward R. Henningsen

$$= \lim_{n \rightarrow \infty} \frac{1}{n} \sum_{j=1}^n \log \left(\frac{\lambda_j}{\mu_j} \right) = \int_0^\infty \log \left(\frac{\lambda}{\mu} \right) dF(\lambda, \mu)$$