

**Expressed Concerns and Questions from Landowners and the Public**  
**Regarding the Proposed Touchet Valley Trail**

4/12/21

This information has been compiled after conferring with existing trail managers, rangers, maintenance operators, E WA Trail Friends Groups, the TVT citizen advisory committee, WSDA, local law enforcement, etc. Outside source comments were summarized to try to keep this document brief, but still adequately reflect the input from others with experience with existing trails in eastern Washington.

1. Right-to-Farm Policy Area

- a. No restrictions on farming practices, or times, are expected.
- b. Signs along the trail should make it clear that adjacent areas are private property, and no trespassing is allowed off the trail. The Bill Chipman Palouse Trail (BCPT) is well signed.
- c. The Palouse to Cascades State Park Trail (PCSPT), and the BCPT from Pullman to Moscow, have not changed or restricted farming in those areas. Farming continues as usual.
- d. On the PCSPT, this was initially a common concern among adjacent landowners. They have information on their website, a brochure, and signage on the trail telling users to stay on the trail and off private property. Land owners are also welcome to put “No Trespassing” signage at their property borders. Trespassing issues mainly only occur during hunting season and they are commonly hunters using the trail to access private property. The issue has decreased greatly over the years because of more enforcement.

2. Agricultural chemical spraying safety and restrictions

- a. No restrictions on Ag. spraying are anticipated.
- b. Ag. spraying occurs now along county roads and Highway 12 without restrictions
- c. Ag. spraying continues without landowner or farmer complaints along the PCSPT in eastern WA, and along the BCPT near Pullman, based on responses from rangers for those trails. The BCPT has reported to have no effect on neighboring agricultural practices. There is no notification requested when farmers will spray neighboring fields. Whitman County Parks sprays noxious weeds several times a year on the BCPT. This trail area weed spraying is unsatisfactory to a few trail users, but most continue to use the trail as usual.
- d. A WA Dept. of Agriculture staff member stated that Ag. spraying for farming should not be incompatible with the trail and its use.
- e. Proper safety protocols will be employed.

3. RR right-of-way ownership

- a. Anderson Perry Co. (the engineering company with the design contract) has received title details for the right-of-way along the proposed trail from Dayton Title and Columbia Title. Note: There is apparently clear title by the Port for the railroad right of way, with a few ambiguities in the location of the centerline for determining the ROW width.

4. Trail would be near a private airstrip, a heliport, and 2 chemical facilities

- a. As part of trail construction a 6-8 ft high fence may be constructed to protect these properties and trail users.

- b. Due to adjacent land owners along the Trail of the Coeur d Alenes (TCA) trail there are numerous barriers to prevent trespassing.
  - c. The Republic trail passes by only a few private land ownerships and maintains good relations.
5. Trail is too close to Highway 12
- a. The trail will be kept out of the highway right-of-way and far enough away from the highway to ensure safety of pedestrians and those using the highway, or intersections.
  - b. The engineering design by Anderson Perry Co., with review and approval by the County Engineer, will ensure that there will be adequate space and sight distance at intersections for safe exit or entrance at Highway 12, as well as to ensure there is enough elevation, space, and clear sight distance for safe travel by both vehicles and trail users at the trail crossings of driveways and county roads.
  - c. Where necessary, the trail will be kept to the north edge of the tracks and right-of-way to ensure there is enough distance to safely exit Highway 12 with large equipment before encountering the trail crossing.
  - d. Signs at intersections along the trail will remind users that they are responsible to yield/stop to ensure their safety.
6. The proposed trail would be along a working railroad
- a. The train is infrequent, and moves at 10 mph or less.
  - b. Places where the trail and train would be particularly close together will have a fence between them to keep trail users safe and off the tracks.
  - c. The Rail Operator has been involved with the advisory committee and trail designs.
7. There would be many road and driveway crossings of the trail, which makes the trail unsafe
- a. The trail crossings would at grade and located to ensure good sight and stopping distance for both trail users and drivers to ensure safety.
  - b. Trail users would be required to yield/stop at driveways and county road intersections by usage of signage, or bollards to effectively warn of intersections.
  - c. For perspective and comparison - walking or riding a bicycle along Highway 12, or in many locations within Dayton, has far more traffic and intersections than the proposed trail or its crossings at driveways and county roads would have. Therefore, walkers and bicyclists are expected to be safer using the trail than when using these other locations.
8. The proposed trail is too close to two working elevators
- a. The trail would be kept far enough away from the elevator to keep everyone safe (trail users and elevator workers, farmers, and grain truck drivers).
  - b. Fences may be built to protect the elevator operations and trail users.
9. General discomfort and concerns by rural landowners about the public walking and riding near their property and/or houses

- a. Although this would be a change from the present in the number and frequency of people passing by, it would not be very dissimilar from the foot and bicycle traffic in Dayton, although generally at a greater distance from private residences than in town.
  - b. Initially the Republic Trail met with significant opposition, but constant dialogue and partnerships have made this trail a community asset with local acceptance.
  - c. On the PCSPT, there was concern initially expressed about this by adjacent land owners, but State Parks has not heard reports of any vandalism or theft happening due to trail users.
10. Homelessness & vagrants may increase (with more loitering, squatting/camping, trash, human waste, syringes, etc. Plus, would there be an increase in homeless populations, which then may require more human services and homeless shelters and correspondingly more taxes?).
- a. Our understanding is that this has not been a substantial issue along the BCPT between Moscow and Pullman, but a few cases of squatters have been within the Pullman section behind buildings. The PCSPT has had some issues with squatters setting up camp in remote locations away from the public eye.
  - b. This has not been a problem for the Republic Trail, but it has been along the Spokane River for the PCSPT.
  - c. The expectation is that the property owner and law enforcement will address this as usual.
11. High costs of the trail design, construction, parking lots, bridges, lighting, trash containers and pickup, on-going maintenance, and law enforcement. Some consider a trail a poor use of public funds.
- a. Trail design, construction of the trail, parking lots, bridges, etc. would likely be from grants and donations.
  - b. Maintenance activities and associated funding is expected to be from a combination of grants, donations, volunteers, as well as local funding.
  - c. Few or No additional law enforcement costs are anticipated (based on County Sheriff's response).
  - d. The Republic Trail was built with significant volunteer work and support from the state of Washington in seeking grants. The Republic Trail has had a profound level of volunteerism, and the return on investment is perceived as worthy by the local community.
  - e. WSDOT considers pedestrian transportation as equally important with vehicle transportation.
  - f. Funding for this trail provides investment in the local community and local businesses.
12. Adequate Enforcement resources?
- a. When asked, the Columbia County Sheriff stated to Port staff that if the department were requested specifically to patrol the trail area at a higher level of service than the rest of the county, then yes, the current resources available may not adequately meet that request. If the department is expected to respond to calls or needs on the trail in the same way they are expected to respond to calls throughout the rest of the city or county, then there is no issue with the department being able to meet that need with existing resources. They expect to do so.
  - b. For the BCPT, local law enforcement is not asked to provide extra resources to the trail, but of course they would respond to 911 or distress calls as needed.

- c. The TCA Trail utilizes county and state police when there is an incident, and there are few incidents historically. The Republic Trail also has not experienced problems.
- d. On the PCSPT, there were concerns but there have not been confirmed issues with local law enforcement. Landowners are still encouraged to contact emergency services when necessary. State Parks has not heard from surrounding counties or cities that they have more issues because of the trail.

13. There is no Maintenance Plan

- a. A Preliminary Maintenance Outline with rough cost estimates is available for the TVT (see posted document on the Port of Columbia website).
- b. The Republic Trail has both planning and infrastructure investment budgets, including extensive volunteer assistance of equipment and labor from the community.
- c. The BCPT has 5 local funding contributors for maintenance (cities, counties, Universities), plus some private donations, with a carryover budget.

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\*Right-to-farm Policy - in Columbia County Code, Chapter 18.110, specifically 18.110.060.  
From Dayton Chronicle article on Jan. 23, 2020.

The Columbia County Board of Commissioners adopts the following right-to-farm policy:

- A. The right to farm according to generally accepted practices shall be considered by the county before approving a land use or occupancy change on adjacent land or in the area.
- B. Farm operations shall not be restricted to time of day or days of the week when conducted according to generally accepted practices (BMP).
- C. The right to use rural county roads for slow-moving farm vehicles and the movement of livestock and farm products shall be recognized.
- D. The county agrees to support legislative activities of farmers and farm organizations to protect their right to farm according to generally accepted and appropriate agricultural practices (BMP).
- E. The county encourages appointed and elected state and federal officials to consider local right to farm policies and the generally accepted agricultural practices when developing laws and rules that affect the agricultural industry.