

OPINIONS

River Right | Process? Fuhgeddaboutit

BY TOM CARSTENS

As a member of the North West Rafters Association, Oregon's oldest whitewater association, I'm proud of our safety record. Before we head out on a club trip, we go over route procedures and hold a thorough rapid briefing. We also inspect each other's gear to make sure we are taking every precaution possible. It takes a little time, but it's worth it. It's a process.

Process is important. If the process is right, usually the outcome will be acceptable. This applies especially in a representative democracy like ours. Our republic, with all its warts, generally depends on deliberative process and compromise, often accompanied by agonizingly slow checks and balances. If you ask me, our founders got the process part right. If an idea can survive all that scrutiny and debate, it's probably going to work out all right. No kings or dictators here.

We have at least one exception to this on the books—the Antiquities Act. In 1906, Congress gave the president the authority to “withdraw,” i.e., “protect,” certain segments of federal land. No need to consult with anyone. The original idea was a quick fix to stop the looting on Native American archaeological sites in the southwest, “confined to the smallest area compatible with management of

the objects to be protected.” Despite good intentions, it wasn't long before President Roosevelt figured out that *he and he alone* could decide the size of the parcel that needed protection. Scrutiny? Fuhgeddaboutit. Within two years, he had summarily withdrawn over 800,000 acres, including the Grand Canyon. Deliberative process? Fuhgeddaboutit.

Most subsequent presidents haven't been able to resist the seductive allure of rule by *diktat* (exceptions: Nixon, Reagan, Bush 1). Former president Obama is the reigning champ of the Antiquities Act. No shrinking violet, “The Man with the Pen” set aside a total of 34 monuments—more than 550 million acres.⁽¹⁾ Environmental Impact Studies? Fuhgeddaboutit.

In the week before Obama left office, it felt like a wild raft ride through Rainey Falls. That galloping pen of his took off again and whoosh! In one stroke, he just about doubled the size of the Cascade-Siskiyou National Monument to around 114,000 acres. Economic assessment? Fuhgeddaboutit.

The logic of the checkerboard map of the expanded monument is hard to follow (see below). And what about all that private land (the white squares)? I'm not sure I'd want to be a landowner within those boundaries. Who knows what mischief the feds will

conjure up in the coming generations? Ranchers are concerned. What about water rights? It's not mentioned in the president's proclamation, but we all know that federal rights trump those of the rest of us.

Here's how Mr. Obama put it in his edict: “All federal lands and *interests* [italics are mine] in lands within the boundaries described on the accompanying map are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws...other than by exchange that furthers the protective purposes of the monument.”

I don't really understand what all that means, but it doesn't sound good. Federal “interests”? Menacing.

The boundaries also capture a fair amount of land that had been reserved for sustainable timber harvest under the 1937 Oregon and California Lands Act. I'm sure someone will challenge this peremptory change of land use, but I doubt it will come to much. A presidential land grab under the Antiquities Act has never been overturned by our courts. I guess Congress could revoke the Antiquities Act. Fuhgeddaboutit. But any president can diminish monument boundaries. It's been done 17 times before.⁽²⁾ Could happen.



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However annoying, there was some process, albeit pretty skimpy.

There were a couple of public hearings and the testimony was sent to the White House. Elected officials differed; their opinions were also sent up the line. The referenced scientific research is almost impossible to find, but I have no doubt that the critters are happy, jumping from one checker space to the other. Anyway, I suspect that the real motivator was to stop any possibility of future logging and mining.

Will the Bureau of Land Management's budget get the increase this expansion warrants? Fuhgeddaboutit. It'll be the same old story: the vaunted “better land management” never really materializes, roads are decommissioned, and fire risk accelerates.

Maybe we can figure out a way to kayak in.

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⁽¹⁾ To see a list of Obama's monuments (with photos), google up “January 16 *Business Insider* Obama monuments.”

⁽²⁾ For a review of all monuments and their histories, google up “NPS Archeology Program” and click on “Antiquities Act” in the menu, then “Maps,” then “Monuments List.”

OSGG working toward cannaculture terroir

BY PETE GENDRON

Greetings from the Oregon Sungrown Growers' Guild (OSGG)! As spring approaches and we set our sights on our gardens and crops, we see new things in bloom all around us. One of the things blooming is a terrific opportunity for developing recognition of the Applegate.

The Greater Applegate Community Development Corporation (GACDC) and Rural Development Initiatives (RDI) have been working on the brand recognition that our quality products deserve. From meat to dairy to wine, our products are world-class, and, when it comes to idyllic scenery and a rural lifestyle, we stand out as exceptional.

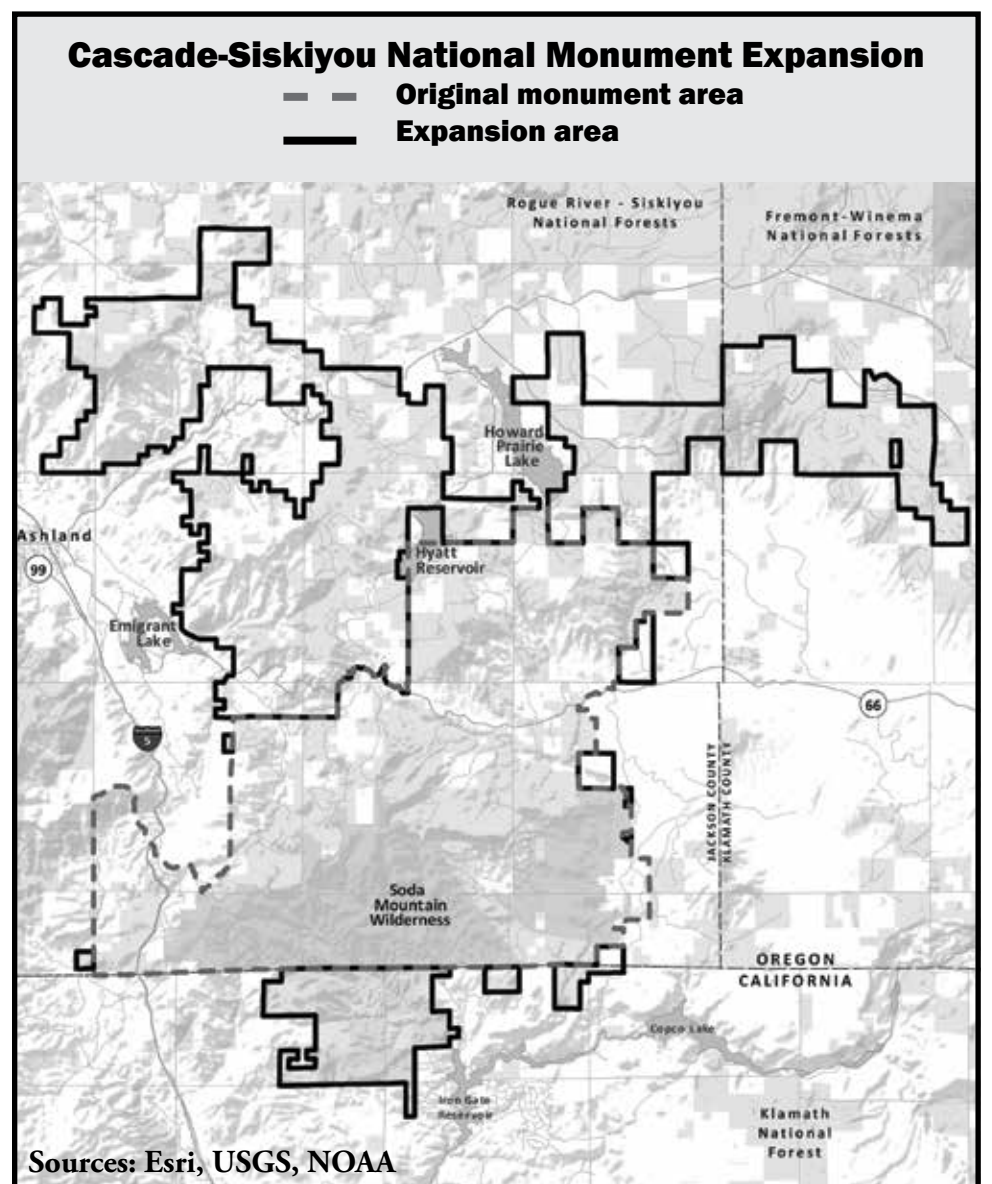
The idea of branding is not new—it's a marketing tool used to distinguish a product or service from the competition. It is also used to define an area with unique qualities and desirable attributes. Anyone for Umpqua ice cream? How about a trip to the Rose City? While it may be obvious that Portland is a brand, what about us?

With soil and climate conditions carefully mapped and documented, we have in place two cornerstones of the establishment of the Applegate name. Whether we are looking at internal branding to bring tourism and support local business, or external branding to add value to Applegate products sold all over the west (and through the Internet), factors are at play that we can take charge of now.

The OSGG is working at the state level to have cannaculture terroirs—like viticulture regions—recognized and protected in the interest of supporting our communities and small family farms. At the same time, local efforts like the Applegate Roadmap Project are proceeding to ensure the integrity of the Applegate brand for all of us, regardless of the crop, product, or service we provide.

You probably already know some of our members. We're friends and neighbors, responsible cannabis cultivators who are members of the

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