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Opinion

Our View

System works to help onion growers

We have any number of examples where individual federal government agencies have acted with a heavy hand and have not listened to the people they seek to regulate. We have often criticized these instances in this space.

So we think it also deserves mention when an agency does listen and makes common sense changes to proposed rules that make it easier for growers to comply and remain viable.

The Food Safety Modernization Act was passed by Congress in 2010 with the goal of mandating best safety practices for producers and processors while making it easier for regulators to trace foodborne illnesses to their source.

The task of writing and enforcing rules fell to the Food and Drug Administration, which initially proposed 1,200 pages of regulations to address food safety controls for the growing, harvesting, packing and holding of produce for human consumption.

They came under immediate fire from many farmers and industry groups that said they weren't practical

and were too costly.

Onion producers in Idaho, Oregon and Washington noted that ag water provisions in the proposed rules established a standard that would have been impossible for growers who irrigate from open ditches to meet. No approved treatment method existed, nor would it be economical if it did exist.

FDA's initial proposal would have required produce growers whose irrigation water exceeded certain thresholds for bacteria to immediately stop using it. That would have made it impossible for most people in the valley to grow onions, industry leaders say.

Had those provisions been adopted, the industry would have been doomed.

There was an outcry, and members of Congress got involved. FDA officials took a field trip to Eastern Oregon .

The FDA relented. Rather than limiting growers to fixing the water, the revised rules allow other mitigation options. The final rule allows growers whose water exceeds the standards to comply if they can show that bacteria dies off at a certain rate in the field.

Oregon State University researchers found that bacteria dies off quickly on onions left in the field to cure, a common practice in the region. So growers have a viable alternative.

This isn't to say that onion growers are completely satisfied with the rules, but they have options that didn't exist in the original draft. And that's because in this instance the system worked as it was meant to work — citizens with a grievance petitioned their government for redress, and their government listened and found a way to meet its goals without putting everyone out of business.

We're a bit too jaded to believe this will happen every time, but not so to hope that it will.

Our View

It's best to prepare for environmental inspections

There was a time when farms were off the radar of most regulators. A dairy operator or a rancher could go for years without a visit from his friendly local, state or federal environmental official.

Now, however, the spotlight has turned to agriculture in general and livestock operations in particular. Not only are they on the radar, they are a focus of tough water-quality regulations.

In Idaho, for example, dairies with more than 25 employees are now considered public water systems. The state Department of Environmental Quality plans to regulate the dairies with a heightened awareness of that requirement.

First it must be said that the vast majority of farmers and ranchers are good operators. They follow the rules and regulations and would have no problems even if they were inspected every week.

Others, however, need to follow one of two courses of action.

In the first, they can continue to

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operate the way they've always done it and hope for the best. If no inspectors show up, that's all right, but they don't know what an inspector might find. They are the wishful thinkers.

In the second, a farmer or rancher can follow the rules and prepare for an inspection. What questions will be asked? What will the inspector look for? They are the professionals.

That second tactic makes the most sense. Even a farmer who's doing everything right needs to know how best to respond to inspectors' questions.

In Idaho, dairy farmers are working to be ready for inspections. For example, the Idaho Dairymen's Association invited representatives of the Environmental Protection Agency to their meeting to talk about how inspections are conducted.

The insight they gained will be invaluable for those farmers and their operations.

Our View

Federal government shouldn't be shopping for more land

Although many readers disagree, we find no Constitutional barriers to the federal government owning real estate in any of the 50 states, 16 territories and the District of Columbia.

Whether it should own as much as it does, and whether some of that land might be more ably managed by state governments are entirely different and open questions.

But because it does already own so much, and its management is in question, we aren't convinced the federal government should be looking to add to its holdings to the tune of nearly a half a billion dollars in the current fiscal year.

Huge land holdings

Though the statistics are now familiar, we repeat them for context.

The federal government owns 640 million acres, more or less, or about 28 percent of all land in the United States. By comparison, billionaire Ted Turner is the largest private landowner in the country, with somewhere in the neighborhood of 2 million acres — no more than a rounding error in the federal inventory.

The big four agencies

Four agencies hold most of the government's land. The Bureau of Land Management has 247 million acres; the U.S. Forestry Service has 193 million acres; the Fish and Wildlife Service has 150 million acres; and the National Park Service has 84 million acres.

Far from being distributed equally, much of that land is in the West and Alaska.

The federal government owns 51 percent of the land in the 11 most Western states, and 69 percent of Alaska.

We admit that the government holds national treasures that should be preserved, from spectacular national parks to hallowed battlefields. Still, does the federal government need even one more acre?

What the government wants, it usually eventually gets. Local buyers are outbid, or are never given the chance. Land goes out of productive use, and off the tax rolls forever. Some good may be served, but at what cost to the local economy and community?

Other budget needs

As they add to their holdings, we hear from the agencies that they lack the money to fight fires that endanger these treasures, or maintain the infrastructure, or carry out important conservation projects.

Perhaps now is the time to say enough is enough, and put that half a billion dollars back into improving what we collectively already hold.

We must dispel myths surrounding protest

By CLINT SIEGNER
For the Capital Press

Guest comment
Clint Siegner

Oregon Gov. Kate Brown sat in her office Jan. 20 and drafted a letter to the U.S. attorney general and the FBI director. She wrote that negotiations with "radicals" occupying the Malheur Wildlife Refuge had failed and insisted on a "swift resolution to this matter."

Local officials, including Harney County Judge Steve Grasty, made similar demands. On Jan. 26, they got what they asked for. Authorities, including the FBI, ambushed and arrested Ammon Bundy and others on their way to a meeting in neighboring Grant County. They shot LaVoy Finicum dead. He was not holding a weapon.

Awful. Grasty and Brown knew what might happen should the FBI decide negotiations had failed. Few have forgotten the standoffs at Waco and Ruby Ridge and that "swift" action often means people die — in many cases, indiscriminately.

It's ironic, but the behavior of the judge and the governor goes a long way to make protesters' case for them. Blind devotion to federal authority is terribly dangerous to lives and to liberty.

The protest in Harney County will certainly not be the last over federal overreach. Here is hoping people find reason next time, before demanding dangerous federal intervention.

To that end, it is time to dispel a few myths about what is going on.

Blind devotion to federal authority is terribly dangerous to lives and to liberty

Myth 1: The armed people at the refuge were threatening violence. You wouldn't know it by watching TV news, or reading Brown's hysteric letter, but the refuge wasn't an armed compound full of violent people. To find that, you needed to drive by the airport in Burns, Ore., where federal agents staged behind fences with military vehicles, equipment and weapons.

Yes, the occupants at the refuge were armed and reserved the right to defend themselves. The difference between them and any other citizen claiming their Second Amendment right is they did so from inside public, and previously unoccupied, federal buildings.

They got little credit for doing virtually everything possible to minimize threats and interruptions to the community. They could scarcely have chosen a more remote location.

It was more like an open house than a compound. Locals could visit to see what the standoff was about. The protesters invited anyone who wanted to have an honest conversation.

For Oregonians, the much larger threat is their high officials writing letters and urging the feds to "swift" action.

Myth 2: Only nutty, right-wing militias from outside would stoop to such tactics. Brown and Grasty must know the protest included state and local residents. Plenty of community people were sympathetic enough to bring food and supplies.

If they had visited, they would have found people there ready to talk calmly, rationally and intelligently about the issues. Tragically they felt there had been too much talking already. Now one of the most calm and rational leaders in the group is dead.

Federal supremacists like to marginalize anyone advocating local control as radical and dangerous. They want you to believe these people are motivated by crazy ideology.

They don't talk much about history. These issues have been simmering for decades. The Sagebrush Rebellion made headlines in the 1970s and '80s. There are smart folks stretching back to the nation's founding who question the legitimacy of federal control over public land.

Given how economically devastating the Bureau of Land Management and Forest Service management has been for rural communities around Oregon, Brown and Grasty should be asking questions, too.

Myth 3: Anyone opposed to federal control of lands hates conservation. The philosophy of the national conservation groups is irrational. They insist the best way to protect public lands is to put unelected bureaucrats headquartered thousands of miles away in charge.

That position is hard to fathom. Many conservationists see the value in "buying local" when it comes to food and services. Local is great, except when it comes to government?

It is a bit reminiscent of war. The propaganda department dehumanizes the enemy, branding ranchers and loggers as foolish and blinded by greed and local citizens as if they are too inept to stand up to them.

The truth is, there are wise people who care for the environment living in Harney County. Included among them are cattle ranchers and forestry professionals. Many simply believe management decision-making would be better if it was done much closer to home.

Myth 4: Ranchers just want a free ride. It would be far more accurate to say ranchers want fair, not free. Many Western ranches have a federal grazing allotment attached. Most of the time ranchers acquire the permit when they buy a ranch, though they can buy and sell them independently. The point is, cattlemen pay big money upfront for a right to the grass.

On top of that, they pay grazing fees annually. Some argue the fees are set way below the market rate to rent private pasture. But they don't account for ranchers maintaining fences and water systems. These are key differences versus renting private pasture.

In any event, practically no rancher is complaining about the dollars involved. They object to paying federal agencies who have a long history of treating them like tenant farmers and disrespecting legitimate property rights. Most support the idea of paying fees locally, and getting more accountable range management in return.

Myth 5: The federal government's prerogative to own and manage the majority of lands in Oregon is beyond question. Now we get to the crux of the matter. Everyone raised in the U.S. is taught federal laws are supreme. What's more, we learn the U.S. Supreme Court is the ultimate arbiter on whether a law is constitutional. Those arguing for state and local control of lands had their day in court. They lost. Case closed.

Not so fast. What we were all taught is nonsense. In fact, the States are sovereign and supreme. They have the power — make that sacred duty — to nullify unconstitutional laws and defend the liberty of citizens.

The kicker is Brown already acknowledged this truth in another context. She signed a bill legalizing recreational marijuana last year, in disregard of federal law. She didn't send a letter to D.C. begging for federal storm troopers to batter the doors in at pot dispensaries. On the contrary, she determined Oregon's authority trumps federal dictates and acted accordingly.

What a "radical." May she and Grasty find that spirit of independence before calling on the FBI to crush the next protest.

Clint Siegner is a director at Money Metals Exchange, a precious metals dealer in Eagle, Idaho. He grew up in a cattle ranching family in Fields, Ore.