



A PAUSE?

As White House changes hands, lawsuits expected to change course

By **DON JENKINS**
Capital Press

The Center for Biological Diversity's "Trump Lawsuit Tracker" reports that the environmental organization sued the current White House administration 248 times during the past four years.

That's an average of about one lawsuit a week, with Sundays off. When he takes office Jan. 20, Joe Biden will inherit those unresolved cases, including several with major national consequences for farmers and ranchers.



Eric Glitzenstein

What the new administration will do with those lawsuits, however, has lawyers on all sides of the issues guessing.

"It will affect lawsuits, and it will affect lawsuits dramatically," the center's litigation director, Eric Glitzenstein, said. "That much is easy to predict. The real question will be how it affects a particular case."

As a long-time lawyer, Glitzenstein has witnessed the White House reset environmental positions since Ronald Reagan unseated Jimmy Carter. To make policies stick, he said, new presidents need to move carefully, both administratively and in court.

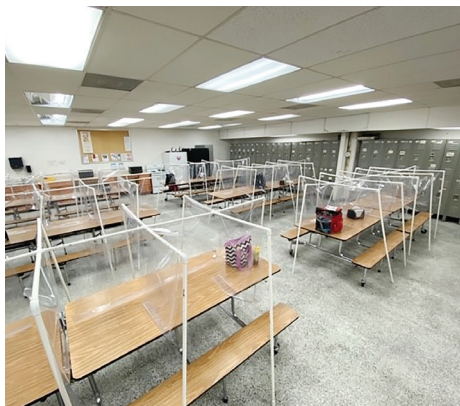


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Getty Images
When the Trump EPA finalized its Waters of the United States definition, it prompted lawsuits across the country.

Washington farm fined \$2 million for virus violations

Courtesy of Gebbers Farms
Plastic barriers separate workers in a break room at Gebbers Farms in Okanogan County, Wash. The Washington Department of Labor and Industries announced Dec. 20 it had fined the farm more than \$2 million for violating coronavirus-safety rules.



By **DON JENKINS**
Capital Press

Washington tree fruit grower Gebbers Farms, where two workers died last summer of COVID-19, has been fined more than \$2 million for breaking coronavirus-related housing and transportation rules.

The Washington Department of Labor and Industries announced the penalty Monday, claiming the farm defied the regulations and committed more than two dozen violations.

"Gebbers made it very apparent to investigators they had no intention of following the rules as written regarding temporary agricultural worker housing and transportation," L&I Director Joel said in statement.

Gebbers spokeswoman Amy Philpott said Sacks' comment was "extremely concerning" and "untrue."

"We explicitly said we would come into compliance as quickly as we could," she said. "We strongly disagree with the agency on this matter."

Philpott said the farm was considering whether to appeal the fine.

A 37-year-old farmworker from Mexico died July 8, and a 63-year-old farmworker from Jamaica died July 31 of COVID-19. Both were in the country on H-2A visas and lived in company housing.

According to L&I, the farm improperly housed and transported workers, potentially exposing 2,700 H-2A workers to the coronavirus.

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Oregon to phase out most uses of chlorpyrifos by end of 2023

Farm Bureau calls for research into alternatives

By **GEORGE PLAVEN**
Capital Press

SALEM — Oregon is moving forward with a final rule to phase out most uses of the pesticide chlorpyrifos by the end of 2023.

Chlorpyrifos was approved for use on more than 50 crops statewide — including Christmas trees, hazelnuts, grass seed, alfalfa, sugar beets and cranberries — but garnered controversy after studies showed it may have harmful neurological effects, especially in children.

The Oregon Department of Agriculture convened a 13-member workgroup in

December 2019 to evaluate potential health and safety restrictions for chlorpyrifos. Members represented industry and environmental groups, farmworker advocates and public health experts.

Legislation to ban chlorpyrifos also passed the Oregon House earlier this year, before stalling in the Senate amid the Republican walkout.

Ultimately, ODA crafted a three-year phaseout that immediately classifies chlorpyrifos as a restricted-use pesticide. The rule, formally adopted Dec. 15, stops short of a complete ban and will continue to



Associated Press File

Oregon researchers are exploring alternatives to chlorpyrifos, but they say they do not have sufficient funding to do the work.

allow certain uses, such as cattle ear tags, pre-plant seed treatments and granular formulations aimed at controlling soil-borne pests.

"We feel like we came up

with a rule that gives some flexibility to the agricultural community, and is protective of workers, bystanders and water quality," said Rose Kachadoorian, ODA

pesticides program manager. "We will work with the industries as best we can to help find alternatives."

As of Jan. 1, 2021, chlorpyrifos may no longer be used to spray for mosquitoes, on golf courses or inside greenhouses unless they meet minimum ventilation standards.

Aerial spraying of chlorpyrifos is prohibited on all crops, except for Christmas trees within a short window from April 1 through June 15. Farmworkers cannot re-enter fields for at least four days after the last application.

Also beginning in 2021, only licensed applicators may use and

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