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Opinion

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Our View

The right to fix your own equipment wrong

We are still digging into a sweeping executive order signed last week by President Biden that he says will promote fair competition in the American economy.

The order covers more than 70 aspects of the economy, many applying to specific areas of agriculture. One area that readily stands out promotes the so-called “right to repair.”

We agree that farmers should not be forced to use farm equipment dealer repair services, a limitation that critics say adds thousands of dollars in expense towards the upkeep of machinery.

Farmers were among the original “shade tree mechanics.” Early equipment was simple, and repairs were easy. Until the 1980s, machines got bigger and more powerful, but the basic workings weren’t a mystery to



President Joe Biden

many who owned them and most competent mechanics.

But farm equipment has become more complex over the last couple of decades. In addition to the mechanical parts that many farmers can figure out on their own, modern farm equipment is filled with sophisticated software and sensors that make it the wonder of the age. Problems with those components are impossible to diagnose and repair without equally sophisticated equipment. Those components are also among the most susceptible to failure.

Farmers say when these components fail in the field, vital field and harvest work grinds to a halt. That’s also when other farmers experience malfunctions, stressing the resources available from the local dealership. Waiting for a

dealer technician costs more time, and can be expensive. Being able to repair the equipment themselves, or hire an independent mechanic, would save time and money.

“All we’re looking for is the opportunity, as the owner, to fix what we own,” Nebraska farmer Tom Brandt told the Wall Street Journal.

“Limiting who can work on a piece of machinery drives up costs and increases down-time. Ensuring farmers have the ability to perform cost-effective repairs on their own equipment will keep America’s farms running and financially sustainable,” American Farm Bureau Federation Zippy Duvall said.

The equipment manufacturers say they aren’t against farmers fixing the equipment — at least to a point. John Deere said in a press release that it sells specialized tools and diagnostic equipment to farmers and mechanics, makes

schematics available and provides other services to help owners diagnose and fix their own machines.

Manufacturers take issue with allowing farmers access to the software code that makes possible all the sophisticated operations that are the selling points of modern equipment. Altering the code, even accidentally, changes the performance of the machine and can create bigger problems down the line.

It seems the ability to fix what you own includes the right to fix all the potential problems, even those involving proprietary computer code. It also seems that some things are going to be beyond the capabilities of all but specially trained technicians.

Freedom is a double-edged sword. The right to fix your own stuff comes at the risk of making an even bigger mess of it. We would advise that it be exercised with caution.

Our View

What’s next, Miranda rights for wolves?

Managing gray wolves must be exasperating for Washington Department of Fish and Wildlife officials. Not only do they have 7.6 million backseat drivers in the state, many of whom seem to think they could do a better job, but they have been forced to build a wolf management system that is, by turns, ineffective and laughable.

First, the most important point. Gray wolves are thriving in Washington state. Their numbers have increased every year, to the point they were taken off the federal list of endangered species in the eastern region of the state.

Yet wildlife managers are forced to defer to environmental groups if they are considering removing — killing — one or more wolves that have repeatedly attacked livestock. The department gives notice to the environmentalists so they can run to court to try to prevent the managers from doing their jobs.

But there’s more. The managers are so hamstrung that they treat an attack on a cow or calf like a crime scene. It’s as though they are not trying to determine the cause of a death so much as building a defensible case in the event they are sued.

“There’s a full acknowledgement that wolves may kill livestock that the department can’t account for,” Julia Smith, the department’s statewide wolf manager, told the state Wolf Advisory Group last week.

They might as well read the wolves their Miranda rights, warning that any evidence can and might be used against them in a court of law.

We wouldn’t be surprised if the state also provided wolves with a lawyer. Oh wait, they already

have a system set up so environmentalists do that.

We have opined on these pages before about the crying need to let state and federal wildlife managers do their jobs. If one or several wolves habitually kill livestock, they should be dispatched immediately to stop the carnage and send a message to others in the pack. Delaying, sometimes for weeks, only delinks the attack from the consequences. The department now says it will



The remains of a Charolais cow found in the Colville National Forest in northeastern Washington.

WDFW

speed up that decision-making process, and that’s a step in the right direction.

This predicament is not unique to Washington state. Wildlife managers in other states are similarly second-guessed.

In Idaho, for example, managers are considering reducing the wolf population, which consistently hovers around 1,500.

Yet environmentalists say the state’s managers shouldn’t do their job. Worse yet, they argue the state’s managers should get approval from environmental groups before reducing the wolf population.

We fully support the right of the public to monitor how public resources such as wolves are managed. What we don’t support is the idea that professional wildlife managers need to get permission from environmentalists before doing their job.

Such deference only diminishes the effectiveness of the managers whose services are funded by tax dollars.

Environmentalists maintain that the wolves are victims. We maintain that the calves, cows and sheep that are chased by wolves and eaten alive are the victims, as are the ranchers whose livelihoods depend on them.

How Klamath dam removal helps ag

It may seem counterintuitive to say that removing dams can be in the best interests of irrigated agriculture, but in the case of the four lower Klamath dams this is precisely the case.

These aging hydroelectric facilities do not in fact store a drop of water for Klamath Irrigation Project farms or ranches — those irrigation water diversions are all hydrologically above the dams.

However, these dams do create serious water quality problems that effectively reduce the water supply available for Klamath Irrigation Project farmers.

The U.S. Bureau of Reclamation (BOR) has ultimate jurisdiction over how to manage limited water supplies in Upper Klamath Lake, the main source of water for both federal Klamath Project irrigated agriculture as well as for mandatory minimum flows for fish in the lower Klamath River.

As recently as 2018, the BOR, responding to a court order, released 50,000 acre-feet of additional water from Upper Klamath Lake to mitigate C. shasta disease outbreaks impacting federally protected coho salmon in the lower river. Numerous studies have concluded that these dams significantly worsen water quality, creating the need for seasonal “flushing flows” that address the very C. shasta disease “hotspots” those dams create.

That flushing flows court order is still in place, and the need to send large volumes of water down the river for disease control will remain, so long as the four Klamath dams remain in place.

Additionally, eliminating the broad reservoirs which warm up water and foster massive toxic algae blooms would also reduce annual evaporation by an estimated 12,000 acre-feet a year — additional water in Upper Klamath Lake for a water-starved upper basin.

To clear up another misconception, recent arguments that the “escalation in costs for materials” and labor renders the budget for Klamath dam removal untenable are rooted in a fundamental misunderstanding of the dam removal plan.

First, the dam removal project is a deconstruction project. Hauling away chunks of concrete is not remotely the same as pouring concrete for building a new structure, so recent spikes in the cost of building materials will not have a significant impact on the dam removal effort. Additionally, Kiewit, the dam removal con-

GUEST VIEW

Glen Spain



tractor, has agreed to a guaranteed maximum price for the project, further ensuring that the project will remain within budget.

While dam removal will likely see some minor cost escalation due to the drawn-out FERC process, the existing fully funded \$450 million budget has built-in contingency funds to cover potential cost overruns, and was originally calculated (in 2010) to be estimated in inflated 2020 dollars.

Various bonds and insurance backstops also will be in place to contain costs. Those funds also accrue interest, which helps offset inflation. Additionally, the states of Oregon and California, and PacificCorp, the dams’ owner, have agreed to chip in an additional \$45 million if needed.

Any marginal increase to the costs of dam removal and related restoration efforts would still be small compared to increases in costs of constructing new fish ladders and upgrading the dams, which the public utility commissions of both Oregon and California — whose legal obligation is to protect ratepayers — already determined more than 10 years ago was not in the best interests of PacificCorp customers.

I represent a lot of commercial, family-owned fishing operations. Our members have much in common with Upper Klamath farmers and ranchers. They work long and hard hours trying to make a living using natural resources. This year, Klamath Project farmers don’t have water and fishing families cannot fish because there are so few fish to be had. All the science points to more fish, better water quality, and less pressure on the irrigation system once Klamath dam removal is complete. Klamath dam removal is thus good for fishermen, farmers, Tribes, recreationists and the regional economy.

Glen Spain is Northwest regional director of the Pacific Coast Federation of Fishermen’s Associations (PCFFA), a signatory to the Klamath Hydropower Settlement Agreement (KHS). He also sits on the board of directors of the Klamath River Renewal Corporation (KRR), which is charged with the responsibility for Klamath dam removal.

READERS’ VIEW

Use Supertankers to fight wildfires

Here we are, once again at the beginning of what could prove to be worst wildfire season ever and the world’s best firefighting tool sits unused and not ready to go because of decisions made by the U.S. Forest Service and states not to use it.

Unfortunately, in 2002 two Lockheed C-130 Hercules airplanes crashed while fighting fires, one in California and one in Colorado. In 2004 the Forest Service made the decision not to use the large tanker firefighting airplanes, instead relying on large helicopters and smaller

planes. Since then we have had devastating fires that probably could have been put out using the Supertanker.

The 2020 Oregon fires burned 1,221,324 acres, killed 11 people and burned 3,000 buildings. At Canby, Ore., in the middle of the day the streetlights and outside lights of businesses were on because of the darkness from the smoke.

On July 12, 2017, lightning started the Chetco Bar fire, near Brookings, Ore., that was burning 45 acres on July 15, and could have been easily put out with aircraft, but was allowed to burn until it was impossible to put out and burned 191,125 acres.

In 2017, the Eagle Creek fire near Cascade Locks, Ore., burned 50,000 acres and most likely could have been put out quickly by the Supertanker if it would have been allowed to be used. Now there is a large fire burning at Mount Shasta in California.

Are we going to have to experience a disaster, (holocaust), like the condominium building collapse at Surfside, Fla., before we wake up and realize that we need to prepare for these things ahead of time? When the fire is burning, it is too late to start preparing for it.

Bob Mattila
Brush Prairie, Wash.