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# Opinion

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## Our View

# Follow the science? Not this time

Fifty-one years ago, chlorpyrifos was introduced to farmers as a way to stop the spread of agricultural and household bugs. Since then, it has proved to be effective in protecting crops such as corn, soybeans, fruit and nut trees and row crops such as broccoli and cauliflower.

What it was not effective against is politics, as last week's move by the Biden administration's Environmental Protection Agency shows.

Both the administration and the EPA pride themselves on "following the science" on all issues ranging from climate change to pesticide registrations. In the case of chlorpyrifos, however, politics appears to be the dominant factor.

The beginning of the end for chlorpyrifos dates back to 2007, when



The Environmental Protection Agency is banning the use of the pesticide chlorpyrifos.

a couple of environmental groups, the Pesticide Action Network North America and Natural Resources Defense Council, petitioned the EPA to stop its use on food crops. The petition was based on the fear that eating food with trace amounts of the pesticide could potentially cause brain damage in children. Never mind that foods are washed before they are eaten.

Household uses of chlorpyrifos had already been banned in 2000, along with all of its uses on tomatoes and most uses on apples and grapes.

Two years later, the EPA required buffer zones, more protective equipment for farmworkers and lower application rates for such crops as corn and citrus.

These steps addressed the uses posing the greatest risks for children, according to the EPA in a 2006 memo.

One would think that since "the science" found the remaining uses of chlorpyrifos to be safe, that would be it. It wasn't.

The Obama and Trump administrations' EPAs both found that, as long as the required precautions were taken, chlorpyrifos was OK to use. They refused to ban it.

In the meantime, the environmental groups' petition remained in the court system. The 9th U.S. Circuit of Appeals ruled that the groups were right and pushed the EPA to ban chlorpyrifos.

Last week, EPA decided not to follow the science and ban chlorpyrifos. The reasoning: The agency said it couldn't determine whether it met federal safety standards.

Pardon us, but we thought EPA's job was to determine whether pesticides meet safety standards, not shrug and say, "I don't know." Isn't 51 years enough time to figure that out?

American Farm Bureau President Zippy Duvall correctly characterized the Biden EPA's decision.

"This administration has repeatedly made commitments to abide by science, yet the EPA decision on chlorpyrifos strays from that commitment and takes away an important tool to manage pests and insects," Duvall said in a statement.

One wonders what other non-scientific decisions the EPA has in store for America's farmers.

## Our View

# Remembering a victory against tyranny

Chantell and Michael Sackett have lost their appeal before the 9th U.S. Circuit Court of Appeals, with the court ruling that their

property includes wetlands that can't be filled without a Clean Water Act permit.

We hope the couple is able to get the ruling overturned, if for no other reason than the Sacketts previously won an important decision against the Environmental Protection Agency that established due process rights for all property owners facing the government's regulatory bureaucracy.

The lawsuit came to national attention nearly a decade ago, when the U.S. Supreme Court allowed the couple to challenge a federal order that accused them of unlawfully altering wetlands to build a house near Priest Lake, Idaho.

The Sacketts had planned to build a house in a subdivision near Priest Lake in the northern part of the state. After they had already begun site work on the land, the EPA ordered them to stop, remove all fill, replant it and monitor it for three years. If they didn't, they'd have to pay fines of up to \$32,500 a day.

The Sacketts then found that they could not proactively challenge the compliance order in court. They could only argue their case if they ignored the order and were taken to court by the EPA. The fines would begin to rack up over the months it would

take for the case to make its way onto the docket. If they lost, they could owe millions in back fines in addition to the costs of restoring the site.

Property owners facing compliance orders were over a barrel. They were either forced to submit to terms dictated by the agency and lose the intended use of their property, or they could defy the order and find themselves defendants in a lawsuit brought by the government.

Faced with extreme penalties, few property owners could afford to defy the orders.

As a result, the

EPA rarely had to prove its underlying findings. Property owners surrendered, in practical terms admitting guilt. Comply or pay dearly — it was a thuggish shakedown scheme.

Nonetheless, the Sacketts pressed their case. Though they lost at the trial level and at the 9th Circuit Court of Appeals, the Supreme Court unanimously held that the Sacketts, and other property owners, can challenge EPA orders without the threat of ruinous fines hanging over their heads.

The court left unsettled the underlying question of the legitimacy of the EPA's original finding. Unfortunately, thus far the Sacketts have not triumphed. Their last hope is another Supreme Court victory.

Win or lose, the Sacketts already have struck a blow against tyranny.



Associated Press File

Mike and Chantell Sackett of Priest Lake, Idaho, have won the right to challenge Environmental Protection Agency determinations, but their battle goes on.

# Our national security depends on our dams

If you don't live in Central Washington, it may be easy to dismiss the critical role the dams along the Lower Snake and Columbia rivers play in local communities. But if you care about the future of the United States, it's time to start paying attention.

We spent time last week touring the region and talking to the folks whose livelihoods depend on the dams. Their message to us should ring true to every American: Our national security and food security depend on these dams.

Many in the Pacific Northwest already recognize the countless benefits our dams provide for our region — from abundant clean, renewable energy to good-paying jobs and opportunities for economic development. But these benefits only begin to scratch the surface of the role these dams play in strengthening our national security.

Central Washington is a dry, arid desert landscape, but thanks to the reservoirs created by the four dams on the lower Snake River, this land has become a fruit and bread basket for the country and the world. More than 300 different commodities are produced in Washington state, from world-class tree fruit and potatoes to winegrapes and hops, making this region one of the most productive agricultural regions on the globe.

As a third-generation farmer from Sunnyside and the Republican Leader of the House Agriculture Committee from Pennsylvania, we recognize the national security implications of having a strong food supply chain. The food produced in this region feeds families across the United States and the world, and without the water or irrigation made possible by the dams, this would all come to a halt.

Our tour highlighted how critical a resource water is in this part of the country, especially as more than 90% of the West experiences historic drought conditions. It's clear as night and day which areas are irrigated and which are not by just driving along the highway: dry, cracked soil with brown, dusty grass pushing through lays next to green, fertile fruit orchards or pungent hop fields.

While not all of our crops require irrigation from the river, the dams also play an important role in ensuring the efficient transport of Washington's goods to markets across the world. Almost two-thirds of Washington's wheat

GUEST VIEW

Rep. Dan Newhouse



Rep. Glenn "GT" Thompson



crops are moved by carbon-free barges on portions of the Snake and Columbia rivers. If these dams were removed, many wheat producers would simply not be able to afford the costs of shipping their products to port. Farmers would lose their livelihoods, the state would lose revenue, and people around the world would lose access to a critical source of nutrition.

The dams certainly are important to farmers and the region's agriculture sector, but it would be remiss of us not to mention how critical dams are to regional power systems, especially when weather fluctuates and families are faced with extreme temperatures. The constant flow of the river provides a steady stream of clean, renewable baseload power that enables Washington state to provide reliable, affordable energy to homes and businesses and avoid blackouts experienced by cities across the country — all without importing power from other states.

As steadfast advocates for our nation's agriculture industry in Congress, we understand a strong food supply chain is an issue of national security. Throughout our tour, the message became increasingly clear: Breaching the dams would threaten a critical source of water, transportation and reliable energy for our nation's farmers. This would significantly impact the lives of Central Washingtonians, but it would also impact access to a stable food supply for all Americans.

For all the benefits these dams provide to Washington state, our country, and the world, it seems senseless to suggest breaching them at all.

Dan Newhouse is a lifelong farmer who represents Washington's 4th Congressional District and serves as chairman of the Congressional Western Caucus. Glenn "GT" Thompson represents Pennsylvania's 15th Congressional District and serves as Republican Leader of the House Agriculture Committee.

## READERS' VIEW

### Climate change shouldn't be politicized

Your editorial, "The two languages of climate change," seems to assume that farmers and ranchers can find ways to adapt to impacts of climate change, and that politicians are just "leaping for the panic button" to "push through political agendas."

In June, we had three days of heat far exceeding all-time records at our cherry orchard in The Dalles. Our cherries literally cooked on the trees

in the 118 degree heat, and we lost at least half of our crop. The suggestion for mitigation of climate change effects, "We can deal with it with more reservoir capacity," isn't a solution for us. We have plenty of irrigation water, but no amount of water would have protected our crop from that heat. All the farmers in our area were hurt, including dryland wheat farmers, ranchers that pasture their animals, hay growers, you name it.

You stated that "Scientists agreed that there wasn't much new" in Intergovernmental Panel

on Climate Change report. The report's synopsis states, "It is virtually certain that hot extremes (including heatwaves) have become more frequent and more intense across most land regions since the 1950s. Now that may not be something new to Cliff Mass, the only scientist quoted in your editorial, but it is a clear warning that we are nearing a point of complete uncertainty in our climate. We directly experienced the effects of these heatwaves, and if this is our future how does the editorial staff or Cliff Mass believe we can minimize the impacts of

climate change?

Sticking our heads in the hot sand, and saying China and other countries must step up before we do anything is assuring that my children won't survive as cherry orchardists, and that likely is the same for most farmers and ranchers in our area.

Yes, let's look for ways to minimize climate impacts to farmers and ranchers, but we also must look for ways to minimize our impact on the planet and its climate. Nothing about that should be political.

Gary Wade  
The Dalles, Ore.