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OUR VIEW

Western governors offer prudent ESA proposal

Since it was passed in 1973, the Endangered Species Act has been all but untouchable by members of Congress, who consider amendments to the law with the same trepidation they would if they were climbing over an electric fence.

It's not that the ESA is perfect — far from it. Rather it's fear of retribution from environmental groups who see the law as their meal ticket and a weapon they use against anyone who doesn't share their enthusiasm for shutting down economic activities across the West to "save" local populations of various species.

That's why an effort by the Western Governors' Association is so interesting. The top elected officials in the western-most 21 states and three Pacific territories — Republicans and Democrats — took on the challenge of studying the ESA to determine how they could make it work better.

Headed by Wyoming Gov. Matt Mead, the association first invited people from around the West to talk about the law. The governors' recommendations are the result

of those initial conversations and "drilling down" to develop ideas for addressing the law's shortcomings.

It was not easy. The ESA is complicated and riddled with strict deadlines. In fact, the deadlines are part of the problem, the governors found. They were added in 1982 and have provided environmental groups with the hammer they wanted to force the federal agencies to pay them whenever they miss a deadline.

The governors recommended that the deadlines be made more realistic. The also recommended the U.S. Fish and Wildlife Service be allowed to prioritize petitions for species of concern. Those species that are already the subject of on-the-ground conservation efforts would be a lower priority than other species that are not being helped. This would allow time to determine how any conservation efforts are working before the USFWS jumped in.

Such recommendations represent a well-thought-out starting point for making the ESA better and more effective.



Wolves protected under the federal Endangered Species Act have created problems for ranchers in the West. The Western Governors' Association has proposed changes to the ESA.

They "would require agencies to consider conservation efforts and give them time to work," David Willms, a policy adviser to the Wyoming governor, recently told the Idaho Water Users Association's water law conference.

We've previously recommended that Congress tear up the ESA and start over on a better law that works, and is workable. The ESA overloads federal agencies, exposes them to needless lawsuits and prevents wildlife and land managers from

using all the tools at their disposal to do their jobs.

Getting rid of the ESA, however, is probably not realistic, since every environmental group would most likely hit the panic button at the mention of repeal.

But the case the Western governors make for judiciously modifying the ESA to make it more effective — and ultimately save more species in need of help — is difficult for even the most ardent environmentalist to resist.

OTHER VIEWS

Mueller reveals tenuous link between Manafort charges and Trump

It's often been observed that special counsel Robert Mueller, assigned to investigate alleged Trump-Russia collusion in the 2016 presidential campaign, has yet to charge anyone with a crime involving Trump-Russia collusion in the 2016 presidential campaign.

The biggest of Mueller's indictments, that of one-time Trump campaign chairman Paul Manafort, has no connection at all to collusion. And until a few days ago, it appeared to have no connection to Donald Trump, either.

Now, though, Mueller has revealed why he believes the Manafort prosecution is related to the 2016 Trump campaign. It's a small part, a very small part, of the overall charges against Manafort. And it has nothing to do with any actions by the candidate — now the president — himself.

Mueller's revelation came in an argument he is having with the Manafort defense over what subjects can and cannot be discussed in front of jurors in Manafort's upcoming trial. (Manafort is charged in both Virginia and the District of Columbia with various counts of bank fraud, tax evasion and failure to register as a representative of foreign interests; the Virginia trial is scheduled to begin later this month.)

Manafort doesn't want the jurors to hear about any theories of collusion between Trump and Russia. Beyond that, Manafort doesn't even want the jurors to hear about his connection with Donald Trump. Given the degree of anti-Trump feeling in the heavily Democratic District of Columbia and in northern Virginia — the Manafort filing dryly notes that jurors are "likely to have strong views about President Trump" — that's an understandable feeling.

"Evidence or argument relating to Mr. Manafort's work for then-candidate Trump's campaign in 2016 or the Special Counsel's investigation of the campaign's alleged collusion with the Russian government," the Manafort team wrote in a June 22 motion, "is wholly irrelevant to whether Mr. Manafort's personal income tax returns were false, whether he willfully failed to file reports of foreign accounts, and whether he conspired to commit, or committed, bank fraud."

Mueller's response was twofold. On the issue of collusion, the special counsel, in a motion filed July 6, flatly said, "The government does not intend to present at trial evidence or argument concerning collusion with the Russian government and, accordingly does not oppose the defendant's motion in that respect."

To those Trump opponents who had hoped Mueller would unveil evidence of Trump-Russia collusion involving Manafort, it was a sharp and stunning admission: There's no collusion in the case against Manafort.



BYRON YORK
Comment

But Mueller did argue that the case has something to do with Trump. And this is it:

Most of the 32 counts against Manafort in the Virginia case concern alleged crimes that took place long before there was a Trump campaign. Some go back as far as 2006. But four of the counts involve a pair of loans Manafort took out between April 2016 and January 2017. For a few months during that time period, Manafort worked for the Trump campaign.

The loans totaled \$16 million and came from a financial institution Mueller refers to as Lender D. According to Mueller, Manafort lied to get the loans, overstating his income and understating his debts.

Mueller says that some workers at Lender D knew there was a problem with Manafort's application, but that one top executive there, a man who wanted a place in the Trump campaign, granted the loan anyway. From the Mueller filing:

"The government intends to present evidence that although various Lender D employees identified serious issues with the defendant's loan application, the senior executive at Lender D interceded in the process and approved the loan. During the loan application process, the senior executive expressed interest in working on the Trump campaign, told the defendant about his interest, and eventually secured a position advising the Trump campaign. The senior executive later expressed an interest in serving in the administration of President Trump, but did not secure such a position."

The lending company and the senior executive are not identified in the indictment, but the loans appear to fit an episode reported in *The New York Times* involving a small bank in Chicago, the Federal Savings Bank, and its chief executive, Stephen Calk, who was named an economic adviser to the Trump campaign in August 2016 but did not join the administration.

In May, *The Wall Street Journal* reported that Mueller is investigating whether the loans were "made as part of a quid pro quo arrangement to secure Mr. Calk a job in Mr. Trump's administration." Calk has denied any such arrangement.

In any event, Mueller has not suggested that Donald Trump was involved in any of the actions outlined in the Manafort charges. The two Lender D loans are, apparently, the only connection between the Trump campaign and the broad array of criminal activity, some of it more than a decade old, alleged in the Manafort indictments. And Trump himself played no role in it.

Was a special counsel needed for that?

Byron York is chief political correspondent for *The Washington Examiner*.



YOUR VIEWS

Jamie McLeod-Skinner is a needed rural champion

In case anyone missed it, Oregon District 2 Representative Greg Walden is telling everyone near and far that he is the champion making a difference in the opioid crisis. However, if Greg Walden and the current administration have their way, the Affordable Care Act will be destroyed and 134,500 constituents in Oregon District 2 will be at risk of losing their health care. How will that affect the opioid crisis?

According to his latest installment of information about how he was involved in "historic action to stem the tide of the nationwide opioid crisis and save lives," he says was a result of 10 years of bipartisan work. However, I agree with Jamie McLeod-Skinner, Walden's Democratic challenger this November, that Greg Walden is using the opioid crisis as a safe campaign platform instead of discussing the current issues of immigration reform and the healthcare crisis.

So the questions are: Where is Walden and who does he work for? He quit holding town hall meetings so there is no opportunity for a public forum. Calling his office gets dismal responses from staff, "I don't have access to his schedule" or "I haven't spoken with him on that issue." His many corporate donors include pharmaceutical companies which includes opioid manufacturers and distributors.

Where's Walden? Soon to be looking for another job because Jamie McLeod Skinner will be our champion. She is already out in the district listening to our

voices, engaged and advocating for our families and communities, not for special interests. Jamie McLeod Skinner, our rural champion, will work for us.

Beverly Sherrill
The Dalles

No enforcement against illegal fireworks in Umatilla

We live in Umatilla (the McNary area). For several years we have complained to the Umatilla city police and fire department regard illegal fireworks. Last year, we even read a letter to the Umatilla City Council about this problem, only to be ridiculed by the then-fire chief.

This year the illegal fireworks are even worse; they start a couple of weeks before the Fourth of July and are continuing these last several days. The fireworks usually start around 9 p.m. and continue until 11 or 11:30 p.m. We have called the 911 dispatch to report a few of these incidents and according to the *East Oregonian*, others have also reported this problem, but to no avail.

We feel the Umatilla police and fire departments are not doing their job patrolling the areas of John Day and El Monte Streets to let the people know the illegal fireworks are illegal and subject to a fine, etc. If we know where this is activity is occurring, you would think they would also.

Fortunately, there have not been fires, especially with the tall dry grass in many yards.

Bill and Cece Delfs
Umatilla

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