

Opinion

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EDITORIAL

Welcome repeal of water rule

“Waters of the United States” sounds like the title of a coffee table book but the reality is rather less benign than a hefty tome crammed with pretty photographs.

It's hardly surprising that farmers and ranchers celebrated last week when the Trump administration repealed a 2015 rule that expanded the federal government's authority under the 1972 Clean Water Act.

Exactly how far that expansion could have gone is not clear.

Curtis Martin, a North Powder rancher and chairman of the water resources committee for the Oregon Cattlemen's Association, told the Herald he wasn't aware of any cases in Oregon when federal officials had cited the 2015 rule in restricting a private landowner from using water to irrigate crops, one of the major concerns critics have mentioned since the Obama administration enacted the rule four years ago.

But parts of that rule gave producers ample reason to worry.

Most notably the 2015 rule expanded the definition of Waters of the United States to include not only navigable waterways — generally, rivers and other significant year-round streams — but also tributaries, including minor ones that don't even flow all the time.

More worrisome, Martin said, was the possibility that any waterway with a “biological or chemical” connection to a navigable waterway could also be subject to federal oversight. That could conceivably encompass even irrigation ditches.

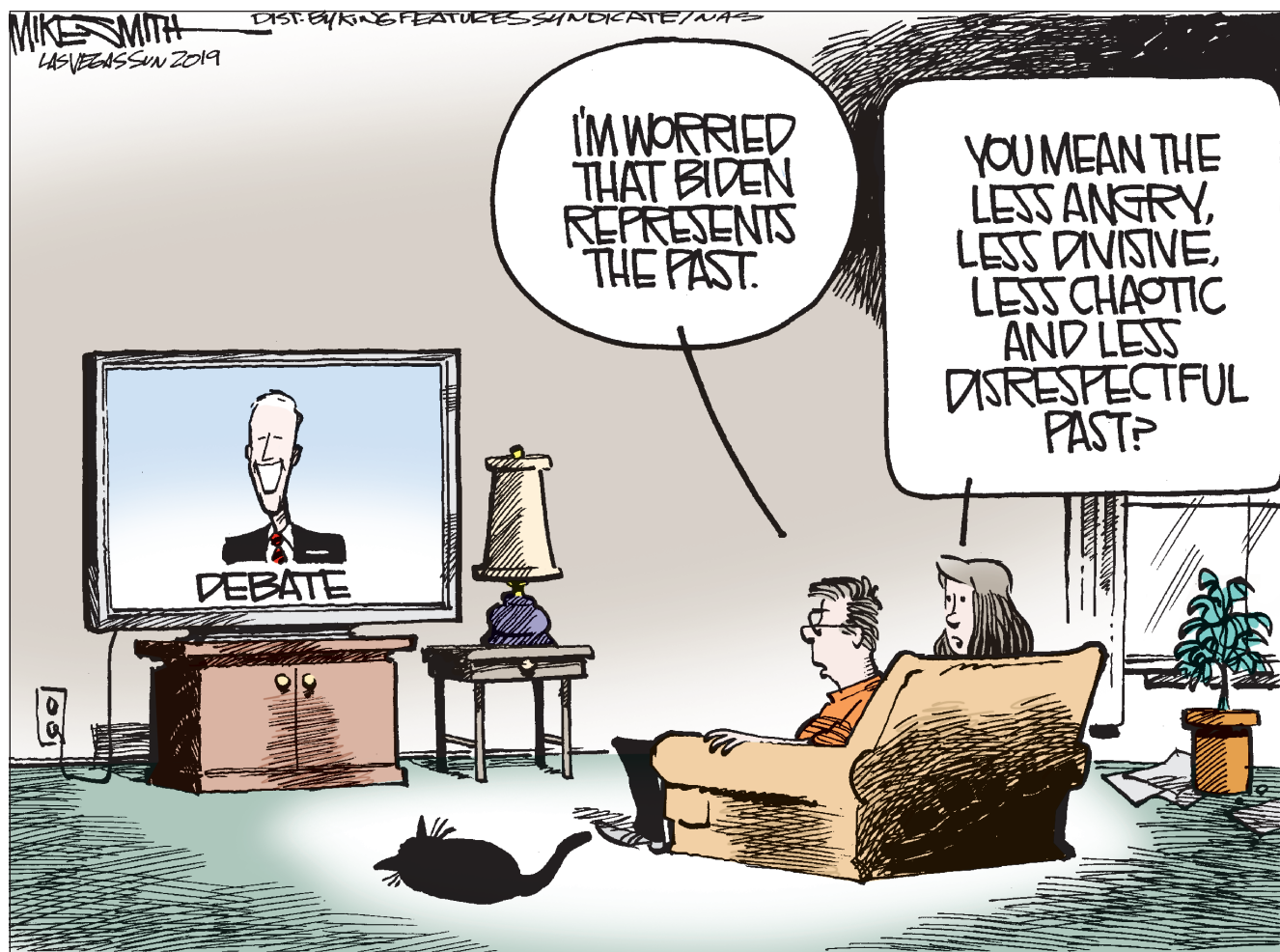
Problems with the 2015 rule aren't confined to its questionable scope, though. It's also an example of the executive branch thwarting the will of the legislative.

Congress recognized the potential overreach it represented, and in early 2016 both the Senate and the House approved a resolution overturning the 2015 rule. This was after a federal appeals court blocked the rule in parts of the country.

But President Obama vetoed that resolution.

Last week's repeal eliminates the uncertainty for farmers and ranchers. Protecting water quality is vital, of course, but federal officials need to take a fresh look at how extensive their authority needs to be to accomplish that goal.

— Jayson Jacoby, Baker City Herald editor



Democrats aren't truly debating

I'm a policy wonk and a bit of a political junkie, but that's mostly because politicians do policy. And political choices are policy choices, at the end of the day.

So I am clearly the target audience for a televised political debate like the one Thursday night among the 10 leading Democratic presidential contenders. But having watched the full 17 hours — OK, it was closer to 2½ — I have to say that the event was a near complete failure, unless the point was to leave me with less clarity about the candidates than I had before I tuned in.

It's not that the candidates were all inarticulate or vague; most were actually pretty sharp. Nor were there too many people on stage. The problem was that they didn't, you know, debate. They just pitched.

There was a hint at the beginning that this could be a really useful event. The candidates sunk deeply into the topic of healthcare, teasing out obvious and not-so-obvious differences among the various approaches to making insurance more available and affordable. Two clear alternatives emerged — switching to a single-payer system based on Medicare, and adding a free government-operated insurance plan to the Affordable Care Act — with a couple of variations on each, and key weaknesses and strengths of both laid out. The moderators, while not asking the sort of pointed questions that could have focused the debate, at least let the candidates speak at length and challenge one another's assertions.

JON HEALEY

But then Julian Castro, who was critiquing former Vice President Joe Biden's plan to build on the Affordable Care Act, took a schoolyard swipe at Biden's mental acuity. And from that point on, there was little or no engagement between candidates. No more debating, no more weighing whose approach was better, no more probing for flaws. It was just a dizzying salad of promises and claims as the moderators wheeled the candidates from one topic to the next.

Oh, sure, simply letting the candidates vamp on topics was illuminating at times. Biden was a rambling stream-of-consciousness disaster on a couple of occasions, becoming less coherent the longer he spoke. Former Rep. Beto O'Rourke of Texas laid down the Democrats' most aggressive market yet on gun control. Sen. Kamala Harris of California delivered a few great punch lines, but seemed a lot more interested in talking about President Trump's failures than the details of her own plans.

But to the extent the primary is a contest of ideas as opposed to personalities, the session wasn't very illuminating. Whose approach to immigration is best? How about the economy and income inequality? Afghanistan? Trade policy? All of these topics got touched on, but only in the way you might run your hands over the sweaters on display at Macy's. Chances are that viewers came

away thinking that the best performers were the candidates they liked best at the start.

Illustrating how unfocused and unhelpful the evening was, different pundits offered a wide range of takes on who fared well and who did poorly Thursday night. My colleague on the news side Mark Z. Barabak, for example, thought Biden offered “one of his strongest and most assertive performances (graded on a curve).” Biden also got a thumbs-up from the Washington Post's Dan Balz. But Nate Silver at FiveThirtyEight opined, “As was the pattern in the previous debate, Biden started out fairly strong and got worse as the night went along, and the evening will probably most be remembered for his rambling answer to a moderator's question about the legacy of slavery.”

If the Democratic National Committee were foolish enough to let me call the shots, I'd do a series of debates on a single issue, each filling an hour with a couple of commercial breaks. The point would be to show the public not just the competing plans for such major issues as immigration, education and foreign policy, but how well the candidates defend their views and absorb the good ideas of their rivals. And they would be actual debates, or battles of ideas.

But then, I like policy. And evidently, a whole lot of voters in the last presidential election did not share that affliction.

Jon Healey is a columnist for The Los Angeles Times.

OUR VIEW

Oregon Elections Division needs better investigations

It may have been a fluke, but the Oregon Elections Division apparently gave a recent complaint about improper use of campaign donations only the most cursory look. The result is that a former state representative, Deborah Boone, D-Cannon Beach, may have broken Oregon campaign finance law and paid no price for the violation.

If that's true, it's time for a change.

Boone apparently acted as a conduit for donors who wished to give money to candidates running for public office but didn't wish to be identified in public records. In 2018

they made donations to Boone, she told The Oregonian, who in turn passed the money on to a candidate running to replace her in the state Legislature and to a candidate for the Columbia County Commission.

One of the donors was the husband of state Sen. Betsy Johnson, D-Scappoose; the other was the Oregon Health Care Association. John Helm, Johnson's husband, denied giving Boone instructions about what to do with the money, and the health care association denied asking that the money be passed on.

The state Elections Division “investigated” the matter. It sent a letter to Boone that apparently asked if the allegations were true. She said “no,” and that ended that, though the agency could have issued subpoenas and explored the matter further, had it chosen to do so.

All of which raises serious questions about the state's commitment to tracking donations and punishing those who violate Oregon law. If Oregonians are to trust that their elections are honest, they must also trust that state officials are investigating alleged misdeeds

thoroughly. That's true whether the state's laws place relatively few limits on donors or place tight limits on them.

Oregon has worked hard to boost voter participation in elections. If those same voters think the system is somehow rigged, and slipshod investigations can give that impression, all that work is likely to go to waste.

Unsigned editorials are the opinion of the Baker City Herald. Columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the Baker City Herald.

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Oregon Legislature: Legislative documents and information are available online at www.leg.state.or.us.

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State Rep. Lynn Findley (R-Vale): Salem office: 900 Court St. N.E., H-475, Salem, OR 97301; 503-986-1460. Email: Rep.LynnFindley@oregonlegislature.gov

Baker City Hall: 1655 First Street, P.O. Box 650, Baker City, OR 97814; 541-523-6541; fax 541-524-2049. City Council meets the second and fourth Tuesdays at 7 p.m. in Council Chambers. Mike Downing, Loran Joseph, Randy Schiewe, Lynette Perry,

Arvid Andersen, Ken Gross and Doni Bruland.

Baker City administration: 541-523-6541. Fred Warner Jr., city manager; Ray Duman, police chief; John Clark, fire chief; Michelle Owen, public works director.

Baker County Commission: Baker County Courthouse 1995 3rd St., Baker City, OR 97814; 541-523-8200. Meets the first and third Wednesdays at 9 a.m.; Bill Harvey (chair), Mark Bennett, Bruce Nichols.

Baker County departments: 541-523-8200. Travis Ash, sheriff; Jeff Smith, roadmaster; Matt Shirtcliff, district attorney; Alice Durlinger, county treasurer; Stefanie Kirby, county clerk; Kerry Savage, county assessor.

Baker School District: 2090 4th Street, Baker City, OR 97814; 541-524-2260; fax 541-524-2564. Superintendent: Mark Witty. Board meets the third Tuesday of the month at 6 p.m. Council Chambers, Baker City Hall, 1655 First St.; Andrew Bryan, Kevin Cassidy, Chris Hawkins, Katie Lamb and Julie Huntington.