

EDITORIAL

Voter turnout surprising, welcome

Oregon's voter turnout exceeded expectations during the May 17 gubernatorial primary, and that should be good news to all voters.

However, we need to do better.

More than 1 million ballots were cast in the recent primary elections and that shows we, as a state, do care about what our political future will look like but more voters still need to get involved in every one of the state's elections.

Democracy is an institution ideally suited for good governance, but it can only do so, can only function at its highest level, if those who live under that democracy participate.

Participation in elections — especially off-year presidential contests — never show a steady line of progress but instead dips and climbs depending on the year, the generation or the major issues of the time.

We as Americans tend to get involved in politics during critical periods of our history and then slowly fade into the background when there doesn't appear to be a crucial problem to solve or to overcome.

There are probably a host of reasons why voter participation dips and rises. Any one of which that could go a long way to explaining the lack of involvement. The advent of social media — where we become more and more isolated into our political silos — certainly hasn't helped but all of our woes cannot be laid at the feet of technological advances.

Regardless of the current state of technology, every voter holds a sacred responsibility to become involved with democracy during an election.

The franchise to vote is a hard-earned privilege bestowed upon us by the sacrifice of countless others in our conflicts that trace back more than 200 years. To ignore the benefits of that franchise is to subtly disregard the price so many in our armed forces paid for us to continue to practice Democracy.

One vote does matter. So, does thousands. One vote can also make a difference.

That more people voted in the gubernatorial primaries than expected is excellent news for our democracy at every level. Let's just hope such commitment to democracy continues.

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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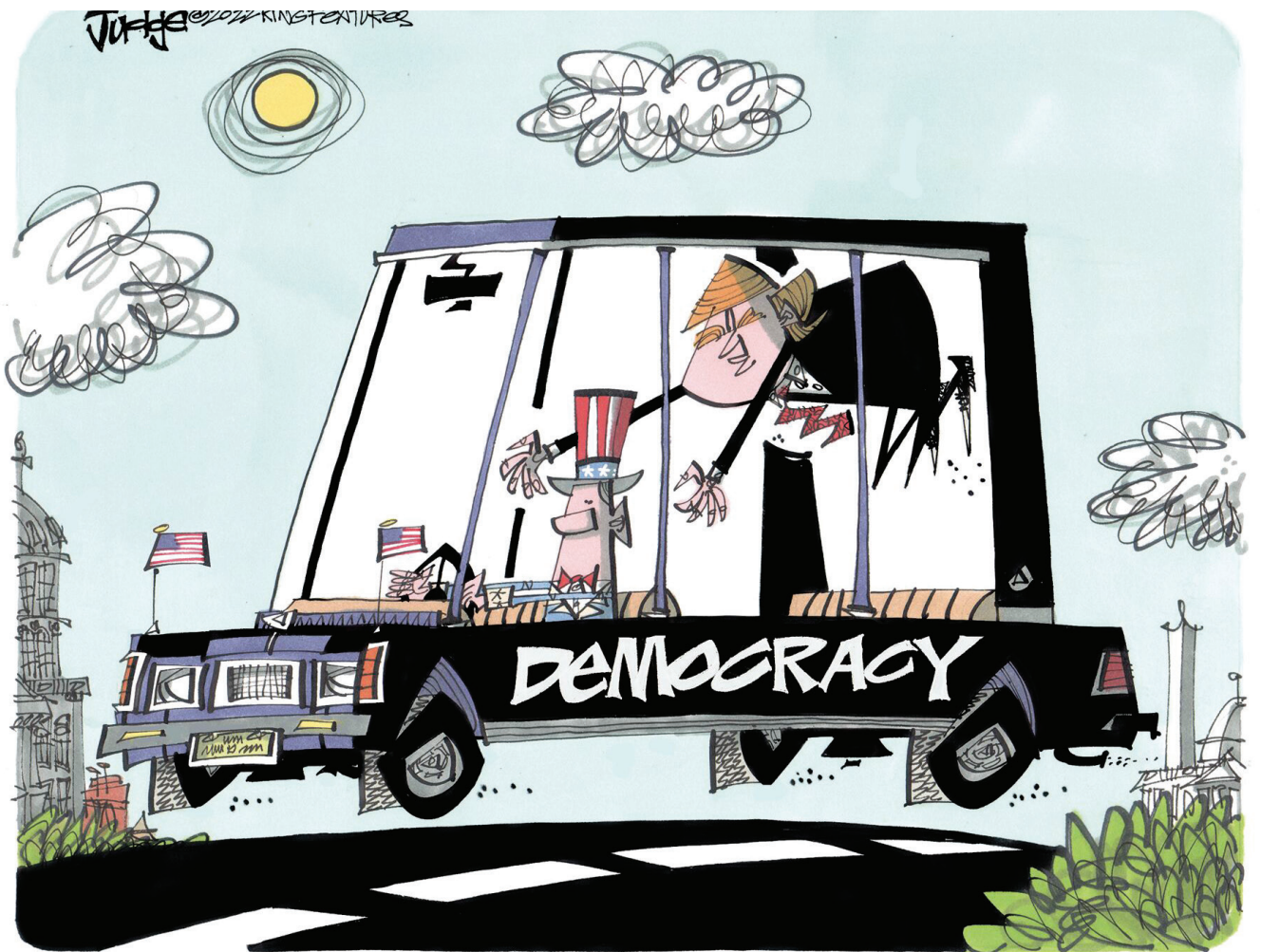
Baker City Hall: 1655 First Street, P.O. Box 650, Baker City, OR 97814; 541-523-6541; fax 541-524-2049. City Council meets the second and fourth Tuesdays at 7 p.m. in Council Chambers. Councilors Jason Spriet, Kerry McQuisten, Shane Alderson, Joanna Dixon, Kenyon Damschen, Johnny Waggoner Sr. and Dean Guyer.

Baker City administration: 541-523-6251. Jonathan Cannon, city manager; Ty Duby, police chief; Sean Lee, 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; Noodle Perkins, roadmaster; Greg Baxter, district attorney; Alice Dufflinger, 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.; Chris Hawkins, Andrew Bryan, Travis Cook, Jessica Dougherty, Julie Huntington.



COLUMN

High Court blocks EPA's power grab

BY DERRICK MORGAN

The Spirit of '76 is alive and well at the Supreme Court. Back then, the colonials rejected the rule of a far-away, unaccountable government. After securing their freedom, they quickly organized a government that gave Congress, the duly elected representatives of the people, responsibility for making national policy decisions.

Last week, the Supreme Court acted in accord with that spirit by rejecting a power grab by the Environmental Protection Agency and reserving for Congress the right to set far-reaching climate change policy.

The central question in *West Virginia v. EPA* came down to this: Who is responsible for determining if carbon emissions are a problem and whether something should be done about it? You may recall that President Barack Obama spent more than a year trying to convince Congress to pass a comprehensive bill to reduce emissions as a way of trying to stem climate change. Ultimately, he even threatened Congress, saying that if lawmakers didn't act to reduce carbon emissions, he would — with his pen and his phone. Yet even though his own party had a House majority and a filibuster-proof majority in the Senate, Congress balked at capping carbon emissions.

Obama followed through on his threats in the form of the "Clean Power Plan" — the EPA's proposal to force whole states and utilities to stop using fossil fuels in fa-

vor of less reliable, and often more expensive, sources like wind and solar. Always inventive, Obama asserted that the EPA could stretch the authorities in the Clean Air Act, written in 1970 to deal with toxic pollutants.

Up to that point, the law had been used to reduce toxic emissions source by source, using the best available technology. So, for example, the EPA could require an available scrubber be added to a coal plant to reduce sulfur dioxide. Now, Obama claimed, the EPA could use a systems approach and require states and utilities to switch fuel sources altogether, essentially completely remaking the entire electricity grid.

Several states, led by West Virginia, sued the EPA. They got their hearing before the Supreme Court this February. On June 30, the court ruled that Congress must specify authority clearly for an agency to be authorized to implement a policy of such vast economic and political significance.

Justice Antonin Scalia once wrote that Congress does not "hide elephants in mouseholes." Yes, agencies can "fill in the blanks" where they are given direction, for example, by setting the amount of sulfur dioxide that can come out of a coal plant. But they cannot take it upon themselves to change the entire electricity grid.

No matter what your view of climate change, we should all agree that Congress is the right venue to have this issue de-

bated and decided. Unlike the EPA's employees, who can't be voted out of office, lawmakers are accountable to "We, the People." Representatives and Senators can make compromises that include carefully considered trade-offs, and their work will endure past one administration.

President Joe Biden has pledged to reduce greenhouse gas emissions by 50-52% by 2030. My colleagues at The Heritage Foundation estimate that taking the steps needed to make such drastic reductions would result in nearly 8 million lost jobs in 2026, a 90 percent increase in gasoline prices, and a more than \$7 trillion hit to the economy. That's vast economic significance, indeed.

And it's why the "elephant" of carbon capping policy should be debated by Congress, not advanced through rulemaking by unaccountable bureaucrats. In fact, carbon reductions have been debated repeatedly — and always rejected, including in 2006 and 2010. Some are not happy with that result, but their dissatisfaction should motivate them to persuade their neighbors of the wisdom of their policy.

Now, thanks to the *West Virginia v. EPA* decision, Biden's climate plans and the inevitable trade-offs can be examined through hearings and a robust debate by representatives who are accountable to the people.

■ *Derrick Morgan is the executive vice president of The Heritage Foundation.*

OTHER VIEWS

Supreme Court made it harder to save the planet

Editorial from the Los Angeles Times:

At a moment when the world should be racing to prevent the worst effects of global warming, the Supreme Court just made it harder for the U.S. to cut carbon emissions from power plants quickly and cost-effectively.

In yet another ruling this session that upended norms, the court said in its 6-3 decision June 30 that the U.S. Environmental Protection Agency overstepped its authority in trying to develop sweeping regulations to reduce climate-warming pollutants.

To be clear, the ruling didn't remove the EPA's authority to cut carbon emissions from individual power plants, which are responsible for about a quarter of the nation's greenhouse gas emissions. The agency still can — and should — require that power plants install equipment that can ratchet down pollution. But the decision limits the EPA's ability to enact more far-reaching and creative regulatory programs affecting the power sector, such as a nationwide carbon cap-and-trade system similar to California's that some power industry and business groups have supported as more flexible compliance models.

With the stakes so high, it's devastating that the EPA will

lose valuable regulatory tools to help slow climate change. The ruling also foreshadows more fights and lawsuits from industry groups attempting to prevent federal agencies from enacting big, important regulations to address evolving problems. The U.S. has a long history of empowering agencies to develop regulations for cleaner air and water, safer workplaces and consumer protections from dangerous products, and the ruling could encourage more challenges to regulatory agencies' authority.

The majority opinion, written by Chief Justice John G. Roberts Jr., said Congress didn't give the EPA the power to develop regulations that could shift the power sector from fossil fuels to renewable energy. Such major decisions and transformational programs should come with clear direction from Congress, he argued.

But in a dissent signed by the court's three liberal judges, Justice Elena Kagan wrote that the majority was ignoring Congress' intent when lawmakers passed the Clean Air Act in the 1970s — which was to empower the experts to come up with regulatory systems that can evolve over time to reduce emissions in the most cost-efficient, protective way possible. Instead, she argued, the court blocked regulators from carrying out their mandate.

"Whatever else this Court may know about, it does not have a clue about how to address climate change," Kagan wrote. "And let's say the obvious: The stakes here are high. Yet the Court today prevents congressionally authorized agency action to curb power plants' carbon dioxide emissions. The Court appoints itself — instead of Congress or the expert agency — the decisionmaker on climate policy. I cannot think of many things more frightening."

She's right. The stakes are terrifyingly high.

The burning of fossil fuels and other human activity have already warmed Earth by about 2 degrees Fahrenheit compared with preindustrial levels, a United Nations report warned earlier this year. Climate change has worsened wildfires, droughts, air pollution and heat waves; caused species to go extinct and trees to die en masse; swallowed up coastal habitat; reduced crop yields; increased hunger and shrunk glaciers and other crucial water supplies.

The world can still avert the worst consequences of the overheating of our planet — mass extinction and catastrophically severe droughts, floods, heat waves and sea level rise — if emissions are cut in half by 2030. But the United States, the world's biggest pol-

luter historically, has moved far too slowly to end the nation's reliance on fossil fuels and transition to clean, renewable energy.

The Supreme Court ruling only makes the work harder. The Biden administration is currently developing a rule to cut carbon from power plants. Thursday's court decision puts new constraints on possible regulatory models, even ones that might be faster or cheaper than ordering power plants to install pollution-control technology. Still, Biden's EPA should pursue the most aggressive standards; there's simply no more time to waste.

The decision also puts the onus on Congress. Sure, Congress could pass a law clearly giving the EPA the authority to pass sweeping regulations to cut carbon. But for decades, Republican and some Democratic lawmakers have refused to act on climate change, punting the responsibility to the executive branch and the EPA. It's time for Congress to finally buck fossil fuel interests and pass a comprehensive bill to accelerate the shift from coal and gas to clean electricity and clean vehicles.

And Congress should make it abundantly clear that the EPA is empowered to adopt the regulations needed to slash greenhouse gases across industries and slow global warming.

LETTERS TO THE EDITOR

- We welcome letters on any issue of public interest. Customer complaints about specific businesses will not be printed.
- The Baker City Herald will not knowingly print false or misleading claims. However, we cannot

- verify the accuracy of all statements in letters.
- Writers are limited to one letter every 15 days.
- The writer must include an address and phone number (for verification only). Letters that do not include this information cannot be published.

- Letters will be edited for brevity, grammar, taste and legal reasons.

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