

Corps gives plaintiffs a hand on WOTUS

Plaintiffs who have filed suit to block the implementation of new rules from the Environmental Protection Agency and the Corps of Engineers defining “waters of the United States” that can be regulated under the Clean Water Act got a big boost last week.

And it looks as though they can thank the EPA.

EPA and the corps have been working on the rule for a couple of years now in the hopes of reconciling two separate Supreme Court decisions on cases involving the Clean Water Act.

Since the beginning, farm and ranch groups have said the new rule would expand the EPA’s authority to cover everything up to and including muddy hoof prints.

So they and the attorneys general of several states have filed separate lawsuits to stop the implementation of the recently released draft rule.

Turns out the Army Corps of Engineers doesn’t think much of the rules, either, at least not the way the EPA wrote them.

In memos written by the corps to the EPA before the rule was released, the corps alleges:

- That in writing the rule the EPA ignored sound science, and ignored the corps’ input to such an extent that it doesn’t consider the rule the collaboration the published draft claims to be.

- That the rule removes Clean Water Act protection from some bodies of water

where it is now enforced. That’s because the rule limits coverage to lakes, ponds and other waterways that are within 4,000 feet of a navigable water or tributary. The corps says there’s no scientific basis for the limit and no legal authority for the agencies to abandon its current jurisdiction.

- That because the EPA acknowledged that abandoning jurisdiction could create “significant adverse effects on the human environment,” the National Environmental Policy Act requires the corps to perform an environmental impact statement.

- That while the rule envisions the agencies extending regulation to isolated bodies of water that have a “significant nexus” with navigable waters of the United States, the definitions of such bodies as having “no hydrological connection with navigable waters” makes it unlikely the agencies will be able to establish a nexus that will withstand a court challenge.

The corps, it seems, has found that the EPA doesn’t listen to anyone and does whatever it wants. What a surprise.

It will take awhile for all this to play out in the courts, and it’s unclear what impact the corps’ memos will have on the cases.

But it can only be a good thing for plaintiffs when one of the defendants makes their case.

Forest officials will hear public concerns

Listening sessions set for next week

Blue Mountain Eagle

JOHN DAY — Malheur National Forest Service officials will hold three more Blue Mountains Forest Plan Community Workshops.

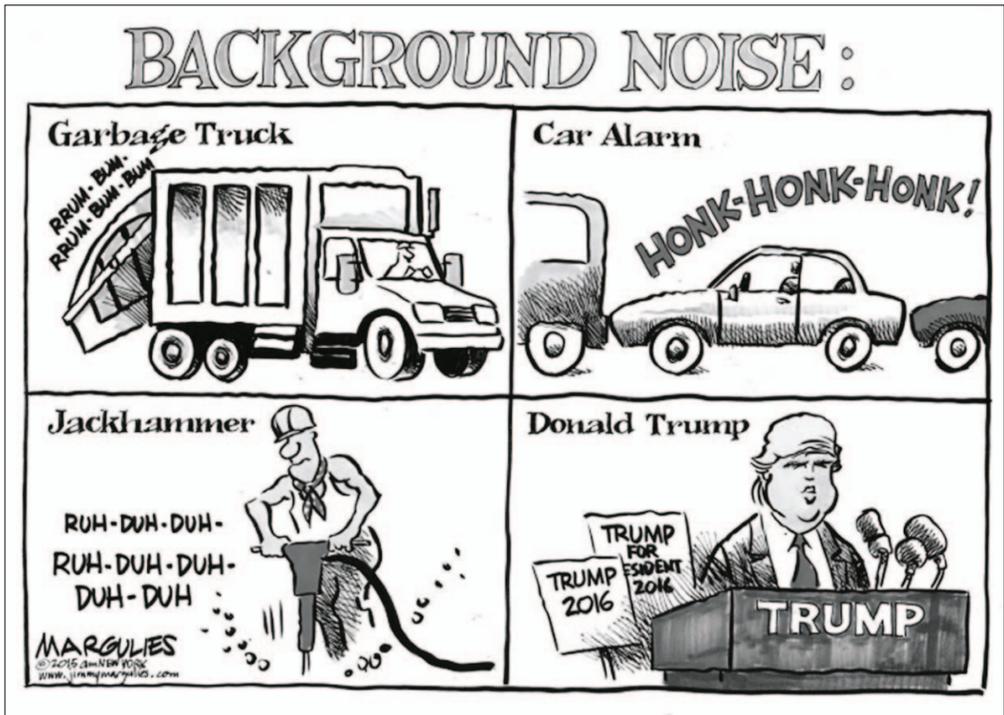
Here’s the schedule:

- Pace and Scale of Restoration Workshop, 6 to 9 p.m. Monday, Aug. 17, at the Grant County Regional Airport in John Day.
- Pace and Scale of Restoration Workshop, 6 to 9 p.m. Tuesday, Aug. 18, at the

Burns Community Center in Burns.
 • Grazing, and Pace and Scale Workshop, 6 to 9 p.m. Wednesday, Aug. 19, at the Long Creek Community Hall in Long Creek.

The meetings will give the public an opportunity to talk to forest service officials who are working on the Blue Mountains Forest Plan Revision, which includes Malheur, Umatilla and Wallowa-Whitman National Forests — the Blue Mountains National Forests.

To see the complete list, and to see the forest service meeting notes, visit <http://www.fs.usda.gov/detail/wallowa-whitman/landmanagement/planning/?cid=stelprdb524744> online.



Merkley to conduct town halls

Town Halls scheduled Aug. 12, 13 in Summerville, Joseph, Long Creek

PORTLAND — Oregon Sen. Jeff Merkley will hold town halls in Union, Wallowa and Grant counties this week.

Merkley will update constituents on his work in Washington, DC, answer their questions and invite their suggestions about how to tackle the challenges facing Oregon and America.

“There are huge issues facing Oregonians, and the best way for me to effectively advocate for Oregon’s families and businesses is

by getting out on the road and holding a town hall in every county every year to hear directly from Oregonians,” said Merkley.



Sen. Jeff Merkley

Since joining the Senate in 2009, Merkley has held a town hall in each of Oregon’s 36 counties every year. Union, Wallowa and Grant counties will be his 248th, 249th and 250th town halls

as a U.S. Senator.

- **Union County Town Hall**
Wednesday, Aug. 12, 12:30 p.m.
Pleasant Grove Grange Hall, 67218 Hunter Road, Summerville
- **Wallowa County Town Hall**
Wednesday, Aug. 12, 4 p.m.
Joseph Charter School cafeteria, 400 E Williams Ave., Joseph
- **Grant County Town Hall**
Thursday, Aug. 13, 9:30 a.m.
Long Creek Community Center, 210 West Second St., Long Creek

Campfires restricted in state

SALEM — Campfire restrictions are in place in several Oregon state parks.

The restrictions include the Columbia Gorge, middle and southern portions of the Willamette Valley, on southern Oregon coastal beaches and a few locations east of the Cascades.

- Columbia Gorge: Ainsworth, Viento, Memaloose, Deschutes River State Recreation Area and all day-use parks. No campfires or charcoal briquettes. Gas stoves are OK.
- Willamette Valley: Detroit Lake, Mongold, Cascadia, Elijah Bristow, Lowell, Jasper and all parks around

Fall Creek Reservoir. No campfires or charcoal briquettes. Gas stoves are OK.

- East of the Cascades: Remote camping locations around Prineville Reservoir (developed campgrounds at Prineville State Park and Jasper Point not restricted). No campfires or charcoal briquettes. Gas stoves are OK.

Cottonwood Canyon: No campfires. Charcoal briquettes and gas stoves are OK in campgrounds, gas stoves only outside of campgrounds.

- Southern Oregon Coastal Beaches: All beaches and state park

day-use sites from Coos Bay south to the California border. Developed campgrounds are not restricted. No fires or charcoal briquettes. Gas stoves are OK.

Even where fires are allowed, visitors need to exercise caution. Build fires only in fire rings. Attend all fires. Don’t build them larger than necessary. Keep a bucket of water and shovel nearby and douse thoroughly when finished. Smoking is not permitted in state parks except in personal vehicles and designated campsites. Conditions change rapidly. For updates, check oregon-stateparks.org.

LETTERS TO THE EDITOR

Help make a difference

To the Editor:

There is a meeting coming up on Aug. 20, 21 and 22 at the Event Center, 2600 East St., Baker City. It is probably one of the most important meetings on teaching coordination you ever have had the chance to attend.

It gives you the tools to stop the over-reach of the forest agencies. We need to stop their benign neglect of our forest, blaming everything on the off-road users and other forest activities. We need to stop the shutting down of our roads because silt might get in a creek, or a salmon that needs help or some other species in distress.

I know \$150 for a three-day conference is a lot of money to come up with. But what we will lose if we don’t stand up and be counted is much, much more. If you can’t attend, please donate to help offset the cost of the event. To attend or donate, or for more information, please call Lorrie at 541-519-5470, or stop by her office, open Monday through Friday at 3370 10th St., Suite C here in Baker City.

We are running out of bullets, and this is the last stand to make a difference on our public forest lands. Please help make a difference.

Chuck Chase
Baker City

An ill-advised undertaking

To the Editor:

Labeling one person’s statements as opinion and claiming your own opinion as fact is an ill-advised undertaking, especially when the “facts” are unsubstantiated.

Mr. (Mike) Cosgrove’s (Aug. 5 letter, “Facts don’t jive with opinions expressed”) “facts” assume that all issues I have addressed are personal opinions. Perhaps he is oblivious to the nuances of public opinion that are becoming obvious to most folks in the county and the steps being taken to address these issues by organized groups.

Mr. Cosgrove should educate himself on common laws that defuse one of his “facts” and lend doubts to the others. He claimed that a letter he petitioned the County Court earlier this year for their signature was defeated by one commissioner (after making so free with my name, why wasn’t the male commissioner/culprit named?).

Oregon meeting laws require a quorum (majority) necessary for a decision. The court quorum denied the petition, and the decision was supported by private citizens of Grant County that populated the meeting room. Fact: That is public record, not my opinion.

By his admission, the letter would have provided support for his requesting funds to purchase toilets for proposed forest service bikeways. The question arises as to why he would be requesting funds for privies on a forest service project that was totally unknown to the public unless the forest service had guaranteed approval of the project in spite of potential public input.

The topic of my letter was the Summit Creek Landscape Restoration Project, not the cycling groups he kept referencing that utilize paved highways. Touting the revenue produced by those groups has no bearing on the cross country cyclists that would utilize forest dirt and rocky byways and, by Cosgrove’s statement, “those cyclists spend little money.”

It is not just my opinion that large groups of cyclists should not be allowed to infiltrate our forest in mass to harass wildlife, and allowing such activities contradicts the forest service’s proclaimed stringent desire to close off the forest to protect wildlife and restore the landscape.

Kudos to Dean Elliot on his letter on freedom for our country (Aug. 5: “What is happening to freedom in our country?”).

Judy Kerr
Canyon City

WHERE TO WRITE

Grant County	321, Dayville 97825. Phone: 541-987-2188. Fax: 541-987-2187. Email: ?dville@ortelco.net	97856. Phone: 541-421-3601. Fax: 541-421-3075. Email: info@cityoflongcreek.com.	4688. Fax: 541-932-4222. Email: cmtv@ortelco.net. Prairie City — P.O. Box 370, Prairie City 97869. Phone: 541-820-3605. Fax: 820-3566. Email: pchall@ortelco.net.
Grant County Courthouse — 201 S. Humbolt St., Suite 280, Canyon City 97820. Phone: 541-575-0059. Fax: 541-575-2248.	John Day — 450 E. Main St, John Day, 97845. Phone: 541-575-0028. Fax: 541-575-1721. Email: cityjd@centurytel.net.	Monument — P.O. Box 426, Monument 97864. Phone and fax: 541-934-2025. Email: monument@oregontrail.net.	Seneca — P.O. Box 208, Seneca 97873. Phone and fax: 541-542-2161. Email: cityseneca@centurytel.net.
Canyon City — P.O. Box 276, Canyon City 97820. Phone: 541-575-0509. Fax: 541-575-0515. Email: tocc1862@centurylink.net.	Long Creek — P.O. Box 489, Long Creek	Mt. Vernon — P.O. Box 647, Mt. Vernon 97865. Phone: 541-932-	



Blue Mountain EAGLE

195 N. Canyon Blvd. • John Day, OR 97845
541-575-0710 • Fax 541-575-1244

USPS 226-340

Grant County’s Weekly Newspaper
John Day, Oregon

MEMBER OREGON NEWSPAPER PUBLISHERS ASSOCIATION

PUBLISHER	Marissa Williams, marissa@bmeagle.com
EDITOR	editor@bmeagle.com
ADMINISTRATIVE ASSISTANT	Kristina Kreger, kristina@bmeagle.com
EDITORIAL ASSISTANT	Cheryl Hoefler, cheryl@bmeagle.com
COMMUNITY NEWS	Angel Carpenter, angel@bmeagle.com
SPORTS	Angel Carpenter, angel@bmeagle.com
MARKETING REP	Kim Kell, ads@bmeagle.com
CUSTOMER SERVICE REP	Lindsay Bullock office@bmeagle.com

PUBLISHED EVERY WEDNESDAY BY:
EO Media Group

Periodicals Postage Paid at John Day and additional mailing offices.

SUBSCRIPTION RATES (including online access)	
Grant County	1 year \$40.00
Elsewhere in Oregon	\$51.00
Continental U.S., Outside Oregon	\$55.00
Outside Continental U.S.	\$60.00



Subscriptions must be paid prior to delivery



See the Blue Mountain Eagle on the Internet
www.MyEagleNews.com

POSTMASTER — send address changes to
Blue Mountain Eagle
195 N. Canyon Blvd.
John Day, OR 97845-1187

Copyright © 2015 Blue Mountain Eagle

All rights reserved. No part of this publication covered by the copyright hereon may be reproduced or copied in any form or by any means — graphic, electronic or mechanical, including photocopying, taping or information storage and retrieval systems — without written permission of the publisher.

Letters policy: Letters to the Editor is a forum for Blue Mountain Eagle readers to express themselves on local, state, national or world issues. Brevity is good, but longer letters will be asked to be contained to 350 words. No personal attacks; challenge the opinion, not the person. No thank-you letters. Submissions to this page become property of the Eagle. The Eagle reserves the right to edit letters for length and for content. Letters must be original and signed by the writer. Anonymous letters will not be printed. Writers should include a telephone number so they can be reached for questions. Deadline is 5 p.m. Friday. Send letters to editor@bmeagle.com, or Blue Mountain Eagle, 195 N. Canyon Blvd., John Day, OR 97845; or fax to 541-575-1244.