ORAL HISTORY INTERVIEWS
GENE A. HARMS

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NEWLANDS PROJECT ORAL HISTORY PROJECT

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August 3 and 10, 1994
Carson City, Nevada

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STATUS OF INTERVIEWS:
OPEN FOR RESEARCH

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Interviews Conducted by:
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Oral History Program
Bureau of Reclamation

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The original Statement of Donation is held by the National Archives and Records Administration in College Park Maryland.

Introduction

In 1988 Reclamation hired a historian to create a history program and work in the cultural resources management program of the agency. Though headquartered in Denver, the history program was developed as a bureau-wide program. Since 1994 the senior historian has been on the staff of the Commissioner, Bureau of Reclamation, in the Program Analysis Office in Denver.

Over the years, the history program has developed and enlarged, and one component of Reclamation's history program is its oral history activity. The primary objectives of Reclamation's oral history activities are: preservation of historical data not normally available through Reclamation records (supplementing already available data on the whole range of Reclamation's history); and making the preserved data available to researchers inside and outside Reclamation. It is also hoped that the oral history activity may result in at least one publication sometime after 2000.

Most of Reclamation's oral history interviews focus on current and former Reclamation employees. However, one part of the oral history program has been implementation of a research design to obtain an all-around look at one Reclamation Project -- the Newlands Project. Focus on the Newlands Project, one of Reclamation's oldest projects, was suggested to the senior historian in consultations with Roger Patterson, the Regional Director in the Mid-Pacific Region, in which the Newlands Project is located. The Newlands Project was selected for several reasons: its relatively small size makes it manageable for this project; and the issues on the Project are complex and varied thereby providing a good mix of current issues faced by Reclamation in the arid West. This interview is one part of a research design to develop a comprehensive look at the entire constellation of interests and participants affected by the Newlands Project in western Nevada.

The senior historian of the Bureau of Reclamation developed and directs the oral history activity, and questions, comments, and suggestions may be addressed to the senior historian.

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Oral History Interviews
Gene A. Harms[1]

Family and Early Life

Seney: Today is August 3, 1994. I'm Donald Seney, and I'm in the Carson City Office of the Bureau of Reclamation with Gene Harms. Good morning, Gene.

Harms: Good morning.

Seney: And don't worry, it will hear you, it's a great recorder. I want to start out by asking you where you were born and what your family did and give me kind of a sense of what your parents did, how they earned their livelihood and where you grew up.

Harms: Okay, I was born in Huron, South Dakota, and was raised in basically a small town agricultural setting. My father tried farming as his livelihood all of his life, pretty much. Back between 1951 and 1955 about, we lived in California for a year-and-a-half and Montana for a year-and-a-half.

Seney: Why did you go out to California and Montana?

Harms: Well, we moved from South Dakota actually, to Montana in '54 because my dad went broke on the farm -- first time he went broke on the farm -- and he went to electronic school, [where he][2] learned to repair radios and televisions and set up a T.V. shop in Lewiston, Montana, we were there for about a year. That business failed also, and so, as was with a lot of people at that time, we moved to California where the opportunities seemed to be.

Seney: Where abouts in California?

Harms: We lived in Azusa and my dad worked most of the time in an aircraft plant in

1. Guidelines used in transcription and editing of this oral history interview are on file with the National Archives and Records Center at the record repository and in the history program of the Bureau of Reclamation.
2. Unless otherwise noted, material in brackets was inserted by editor.

Pasadena. They had a reduction in force at the plant he was working in, after about eighteen months, he was there working as a machinist's helper. Being the farm individual that he was, he never did like living in the city anyhow, so we moved back to South Dakota where he tried to get back into the farming business.

Seney: How old were you? When were you born, by the way? What's your birth date?

Harms: My birth date was August 5, 1948.

Seney: It's almost your birthday then.

Harms: Yeah.

Seney: Do you remember California, you would have only been about six years old or so, seven?

Harms: I don't remember it real well, no.

Seney: I take it when he went broke in farming, this was dry land farming he was doing.

Harms: Yeah, he was never involved in irrigated farming. We moved back there in '54 or '55 -- I don't remember what year it was for sure -- but he tried farming again, we leased some land, and we lived in town. In order to supplement his farm income, he started driving a school bus and doing other kinds of odd jobs and stuff to support, as he called it, his "farming habit." He farmed there until '79 I guess it was.

Seney: So he was able to make a success out of it eventually?

Harms: He was able to survive at it with doing other things and my mother was a Registered Nurse and she worked part-time in a couple of nursing homes there in the area.

The farming business went broke again in '79 for him, he finally sold out of it completely. At that point [he] bought a small cafe/pool hall kind of business in the town I grew up in which is Hitchcock. It was about 150 people at that time, so small

business, small town. He did that for a number of years, probably four or five years there.

Let's see, my mother died in '78 and he remarried in 1980, I guess it was. They operated the cafe there for a couple of years, and then he had an opportunity through his new wife's family to get back onto a farm down in Oklahoma, so he moved to Stillwater, Oklahoma, area, and was there for about three years until he died.

Seney: Did that work out better?

Harms: No, he never made a go at farming. He tried all his life but, he wasn't a businessman, he could grow the crops and he co[4]uld take care of and manage the livestock and that kind of thing, but he did not have a good sense of how to conduct business.

Seney: What effect did that have, do you think, on the family: his difficulties in farming and I guess other business too?

Harms: Yeah, well, I guess it made us all a little more aware that by-and-large that we needed to pay attention more to that. Of course, one of the things that he always did, was [he] did his best to make sure that we had the education if we wanted it, that would help us do other things. He didn't want to see any one of his sons -- there was four boys in the family -- and he didn't want to see any one of us end up on the farm, because he had such a difficult time of it. He came from a large family and out of his six brothers, at one time or another, five of them tried to make it in farming and only two of them were ever successful. So he didn't want to see his sons end up on the farm.

Seney: Do you think that's one of the things that drew you to the Federal service, the

stability of Federal service?

Harms: Well, yeah it was. What kind of drew me to Federal service, in a way -- that was part of it, the stability angle. I was raised in a pretty conservative environment.

Seney: What do you mean by that?

Harms: Well, small town, basically. [We] went to church every Sunday. Everything was pretty much along the conservative lines. He was never vocal or outspoken on issues or anything like that -- my dad wasn't -- or my mother and so it was pretty conservative.

Seney: Are you pretty much the same way, you think?

Harms: In most respects, yeah. In most respects I am.

Seney: In what respects wouldn't you be?

Harms: Well, maybe I'm not as conservative financially (chuckles) as they were. And of course, that's one of the things that like I say, he was not a good businessman. He was overly conservative when it came to money matters and stuff, and that's one of the reasons that he was never successful.

Education and the Influence of Small Town Life

Seney: Tell me a little about your education, where did you go to primary school?

Harms: Hitchcock, South Dakota.

Seney: With this a little town?

Harms: In that little town, yeah.

Seney: One-room schoolhouse are we talking about?

Harms: No.

Seney: Unified school district?

Harms: It was a consolidated kind of a school district. I guess there were probably 150 kids in elementary school and between 80 and 100 in high school most of the time I was going there. I graduated from high school in the largest class that ever graduated from that high school, twenty-seven. Out of that class, surprisingly, there were thirteen boys in the class and five of us got engineering degrees so that was kind of interesting after that all shook out.

Seney: I suppose that has maybe something to do with the lack of opportunity on the farm too?

Harms: It does, to a large degree it did.

Seney: What stands out to you about your schooling, about your primary and secondary school?

Harms: I guess maybe the things that stand out -- the small school is maybe more personal, you have close friends that you have all the way through school in that kind of a situation -- more so than probably in a larger school.

Seney: What do yo think it's meant to you as you've moved around and lived in other places to have grown up in such a small and intimate environment?

Harms: One of the things it does, it makes it hard to think about living in large cities and stuff for a long time. But yeah, it's kind of a different lifestyle.

Seney: Has that affected your career choices at the Bureau? (Harms: Sure.) Before we turned the tape on you said you normally move around in the Bureau to increase your grade level. (Harms: Right.) Have there been times when you've decided maybe you didn't want to go to Denver (Harms: Oh, yeah.) or some of the larger places because of this?

Harms: Yeah, it's like I probably could have advanced a grade or two if I had moved to the Denver office at one time or another in my career, or California or Washington, D.C., or something like that. But, I've not had any real desire to move to a major population center.

Seney: I haven't done very many interviews yet, but you're not the first one from South Dakota: Bob Whitney (Harms: That's right.) is also from South Dakota, as is Dave Overold.

Harms: Dave's from North Dakota.

Seney: North Dakota, I'm sorry. But the same general [area].

Harms: And we have one other individual in our office: our purchasing agent grew up fifty miles from where I did, so another one from South Dakota.

Seney: Do you find a lot of people from South Dakota, rural areas, smaller towns, as your colleagues in the Bureau?

Harms: Oh, yes, a lot. And especially in certain parts of the Bureau, there's a lot of people from South Dakota.

Seney: Which parts would that be, and can you explain to me maybe why that's the case?

The Teton Dam Failure and the Need to Change Jobs

Harms: Well, the Bureau had a big office in South Dakota. When I started working for them back in 1976, there was about 150 people in that office. And of course, in the government situation, there's always a number of people coming and going. I had worked there only less than a year when the Teton Dam failure occurred, and then Jimmy Carter's hit list came out of projects that he didn't want to see go forward. Of course we were working primarily on the Missouri-Oahe Project, which was one of

those big projects the Bureau had going back then.

I'd been there a short time, so, like a lot of other people, we kind of bailed out to beat the RIF [reduction in forces] and that kind of thing. But the Central Arizona Project was really growing and looking hard for people at that time. So an awful lot of people from our office and from some of the North Dakota offices -- because they got hit about the same way -- moved and took those construction jobs in Phoenix and that kind of thing. So it seemed like there were pockets when a major office closed or something, wherever the next big opening was at that time, that's kind of the way people got moved around in groups. And there is a tendency, always has been and probably always will be, for somebody that's a supervisor that's had a number of good people in one area, if he's somewhere else and looking for help, he's going try and get those people to follow, because you kind of know what you're getting.

Seney: Sure, known quantities.

Harms: That's right. A lot of times in the government where you're hiring people with just a telephone interview and a 171.

Seney: What's a 171?

Harms: It's a job application for Federal employment. When you hire people based on that, it's sometimes like buying a pig in a poke, you don't know exactly what you're getting, and you really don't have the ability to fully define what kind of a person you're getting. So if there is someone that you know that's done the job and you know is capable, a lot of times those are the people that get that kind of a job, so that works out to kind of move people in groups around and concentrate them in certain places.

Going to College and Getting Married

Seney: Let me back up just a second because I want to ask you about where you went to college. I guess your dad wanted you to go (Harms: Oh, yeah, sure.) as soon as you had the opportunity and was able to, but tell me about that part.

Harms: I went to college at South Dakota State University in Brookings. It took me five years to get my degree, that was one of the drawbacks of coming from a small-town school. I hadn't even given college a thought most of the time I was in high school: I didn't take all the right prep[aratory] courses and stuff, and some of them weren't available.

Seney: Were you a hard-working student in high school?

Harms: No, I have never been a hard-working student anywhere: "average," pretty much, I think fits me. I have always been an average student. I've never excelled really in anything. I had some extra math and English courses and stuff that I took so it was going to take me at least an extra semester and a summer school to graduate if I had done it that way but instead I elected to just do it in five years and take a little bit lighter course load.

Seney: Did you have to work?

Harms: I worked when I could. Brookings is a town [with a] normal population of 9,000 and then you put 5,000 college students in on top, and it's a little hard to find work on the average, but I worked as much as I could find work. I got married at Christmastime in my first year of college.

Seney: What year are we talking about?

Harms: We're talking about 1967. And [I] married a girl from high school that I had known

for four or five years by that time. We dated for about a year-and-a-half and had been engaged for a year. [We] got married in December of '67 and she worked at the college full-time and basically supported me through college. Like I say, it took five years before I graduated.

Seney: Are you still married?

Harms: Oh, yeah, sure.

Seney: You said, "Oh, yeah, sure." The statistics aren't "Oh, yeah, sure." (laughs)

Harms: Well, you know, I guess that's part of that conservative background and stuff, too, for both of us. There's been some hard times, but it's worked out. College was tough because we weren't real bright starting out, I guess, in some ways, because we had two kids yet while I was in college. We had two daughters while I was going to college, so it was a struggle, financially, all the way through school. I worked for the State Highway Department during the summers because they were building the interstate highway system through town where I was going to college, so that part worked out really well. I was able to get a lot of extra hours and overtime and make pretty good money during the summer months.

Seney: Was this at all related to your engineering work?

Harms: Oh, yeah, it was. I worked as a materials tech[nician] one summer and I think three summers on survey crews, while I was there.

Seney: So that was helpful to what you were learning in school?

Harms: Oh, yeah, it helped a lot, [it] worked well together working for the state being around the construction and engineering people and stuff.

Seney: What's it like to work on a highway construction project in South Dakota in the

summertime?

Harms: Hot! (laughter)

Seney: I would think!

Harms: Yeah, it is. It got hot and we did a lot of long days. We had some good survey crews, most of it was summer help. Normal set-up for them was to have about six people at the survey crew most of the year, and then when the construction season started and college students were available, there were about probably a dozen of us college students that worked on the survey crews and stuff in the summer.

Seney: I would think there would be a lot of competition for those jobs. How did you happen to land one?

Harms: Well, being an engineering student, we seemed to get preference, and there weren't that many engineering students at my school, so that went a long ways toward getting in, because the state used it a little bit as a recruiting program, too. I think three of the people that I worked with on those summer survey crews when I was going to college actually got jobs with the state after graduation.

Seney: What year did you graduate?

Harms: In 1971.

Seney: What did you do after you graduated?

Dealing with the Draft Board and Military Service

Harms: Well, that was pretty well determined. I had a running battle with the draft board while I was going to school. For about three years I made almost every draft board meeting that they had.

Seney: This must have been a small draft board?

Harms: Well, I don't know, it was kind of a small-town thing. But, what it was is, when I started school they classified me in their system as "2S" which was a student deferment, even though I was married, but they went ahead and classified me as a student first. Then, even after I had kids, when I should have been classified as "3A" which was "married with children" so that they wouldn't normally take you into the military, they kept my "2S" deferment.

Seney: Of course, if I may, we're talking about the period of when the Vietnam War was going on and so this is an important issue.

Harms: Yeah, and it was. Anyway, like I say, it took me five years to get through school, and so they looked at my college schedule and compared that to the catalog and said, "Well, you're behind and you're not carrying a full load," and all this. So they wanted to draft me about the middle of my sophomore year. I said, "Well, but you guys misclassified me." So we just had this back and forth thing. I guess that probably only went on for about a year that we did the back and forth thing. Of course, I finally came basically to an agreement with the people on the draft board that if they would give me the time that it would take me to graduate, they could go ahead and draft me. So that's what happened, I got drafted. I got my induction notice two weeks before graduation.

Seney: Was there some particular reason that they felt strongly in your case? Or were they kind of that way toward everyone?

Harms: They were that way toward a lot of people. And of course, I was in the first year that they had the lottery for the draft, and of course that's about the only lottery I've ever come close to winning. (chuckles) My number was fifty-four.

Seney: Is that a good number?

Harms: The numbers went from 1 to 365 because they drew based on birthdays and my number was 54. I think they tried to take everybody up to 120 or something at that time. So it was a struggle.

Seney: Did you know these people on the draft board?

Harms: A couple of them.

Seney: Have you had problems with them?

Harms: No, it was just one of those things. They felt that if your number was there and you weren't meeting all of the other qualifications entirely, that you should be required to go. They wouldn't reclassify me based on having a wife and kids. Some of it's small town politics, you know there's a feeling there that "if my kid went, you should too," and that kind of thing from some of them. It's one of those things that we worked it out and I was allowed to graduate, which is what I was really wanting to do, because I knew that with a family, if I quit, I'd never get back to school to finish.

Seney: Sure. So you went in the service in 1971 then?

Harms: Right.

Seney: Into the Army?

Harms: Into the Army. I was in the Army for twenty-one months.

Seney: What did you do in the Army?

Harms: After finishing basic training in Fort Louis, Washington, I went to Pine Bluff Arsenal in Arkansas, where I worked for the post engineers, which was kind of interesting, because it was a big military post -- or, it was an arsenal manufacturing area. When I was there, there was probably less than 100 military people on this base and over

3,000 civilians in the work force. I worked in an engineering office for civilian engineers the whole time I was there.

Seney: Doing what?

Harms: We did various things. A lot of it was maintenance contracts and maintenance work around the grounds, and we did road repair work. We built concrete aprons around manufacturing buildings and things like designed them and did the designs and the specifications and the contract inspection and that kind of thing.

Seney: Was your family able to join you?

Harms: Yeah, my family was with me.

Seney: So they actually had you doing something you were trained to do in college?

Harms: Yes.

Seney: Never any question of sending you to Vietnam?

Harms: Oh, yeah.

Seney: That sort of hovered in the background, did it?

Harms: It was interesting what happened, because when I was in college I could have gone into advanced ROTC [Reserve Officer Training Corps] and gone in as an officer. And I elected not to do that because with a family, I didn't want to make the commitment of the extra time. So when I was in basic training, and they were setting up orders for people to go various places, they had an interview process that they went through. It was funny, because the guy that was doing the interviews was a friend of mine from college -- he actually was a good friend of my cousin -- so I knew him and I think that helped a little bit as far as getting a good assignment. So instead of an interview of looking at my test scores and things like that, it was more

of, we sat there for an hour and visited and then he said, "Well, I'll see what I can do for you."

But, you know, you finished basic and they had your orders cut, and my orders were to go to infantry AIT [Advanced Infantry Training].

Seney: Which would have meant Vietnam?

Harms: Which would have meant probably Vietnam. But the day I was clearing post to go to the advanced training, they canceled my orders. And then a couple days later I got the orders to go to Pine Bluff Arsenal. So I did eighteen months at "Country Club Army." [I] worked eight hours a day, five days a week in a civilian office. And as long as the golf course was green and the road in front of the CO's [commanding officer's] house was passable, they didn't give us too much static. We pretty much did a lot of what we wanted to do, it was a good experience.

Seney: So your Army memories are not unpleasant?

Harms: No, not at all.

Seney: Did you learn anything valuable in the Army?

Harms: Oh, yeah, I learned a lot. I gained some good additional experience in the survey area and in doing construction and contracting and those kind of things that were good. I did a lot of drafting, basic engineering work. One of the designs I did, they use as an Army standard today.

Seney: That's nice.

Harms: We had <u>just</u> started getting environmentally conscious in some areas at that point in time -- the government was -- so around the munitions manufacturing buildings, where we would put in concrete aprons to basically catch any runoff or spillage or

rain and stuff -- and it rains a lot in Arkansas. So we designed -- myself, working with another engineer there -- we designed some catch basins that the runoff would go through, we'd set them up with baffles and that kind of thing.

END SIDE 1, TAPE 1. AUGUST 3, 1994.
BEGIN SIDE 2, TAPE 1. AUGUST 3, 1994.

Seney: You were telling me about the catch basin you designed. Why don't you back up and just tell me a little more so we make sure it got on the tape.

Harms: The concrete aprons around most of the big manufacturing buildings were set up with a drain system in them that concentrated the runoff. We designed a basin with a series of baffles and things in it, that trapped the sediment and anything that was floating debris or anything in the water so that they could clean it out and then it didn't flow down into the river -- the Arkansas River ran right by one side of the post.

Seney: Was this something that you were mandated to do, or it just seemed to make sense to you?

Harms: It's something that the Army was starting to really look at these kinds of things a lot harder because the EPA [Environmental Protection Agency] was just getting started, the environmental movements and stuff.

Seney: The Water Quality Act had been passed by this time.

Harms: Water quality was becoming an issue and they were looking at what was coming in and going out and where pollution sources were and stuff, and this was one that they felt it would be relatively easy to get a handle on. I think it worked out pretty well. Like I say, I think they're still using that same basic concept.

Seney: What kind of materials would be trapped?

Harms: The various things that they used, gun powder.

Seney: A little mercury in there probably.

Harms: Yeah, this area manufactured mostly small grenades and things like that, so there was the powders that they used to make the smoke and the explosive charge that they used to set them off and that kind of thing.

Seney: You know, not only do you have these engineering responsibilities, but I expect this would be the first time that you're sort of in the middle of a large organization: Maybe the State Highway Department would have been something like it, although you're way down at the bottom there.So you start to become involved in the Army bureaucracy and so forth. Did you learn anything about how bureaucracies work and how you need to work in a bureaucracy?

Harms: Yeah, I really kind of did. It was good from that aspect. And of course, it was my first exposure to Federal work because as I say, it was a DOD [Department of Defense] office where there were civilian engineers and technicians that I worked with and for.

Seney: I have to ask you, what did you learn that was useful in that sense?

Harms: Well, you know, I guess it's kind of hard to say. You learn when to stand up and when to shut up maybe. (laughter) That's kind of it, you learn how office politics works, to a degree, and how some things can be a real hassle to get done. Sometimes procurement processes and regulations that you have to go to seem extremely cumbersome, and that kind of goes with the magnitude of an organization.

Seney: There's sometimes people in the military who are skilled in getting around these

kinds of regulations and cutting through, say, the procurement tangles. Was there someone like that in your office?

Harms: Not too much, no. We weren't doing anything that was really of a nature that required that. Everything we were doing was pretty straightforward, cut and dried kind of work. It was just a matter of going out, putting in the time and doing what needed to be done.

There was a technician that I worked with there, and I worked for him a lot on weekends: he had a moonlight survey business basically, and we did a lot of property surveys and that, because he was a registered land surveyor,and I worked for him a lot on weekends and what have you, picked up a little extra house money.

Seney: What was your grade in the military?

Harms: I think I was a Spec 5 when I got out, so it was like a sergeant.

Seney: The pay would have been okay at that point?

Harms: Well, when I was in basic training was when the first real big military pay boost came through. My salary jumped from $142 dollars to over $300 dollars a month within that first month or two I was in, so the timing was pretty fortunate in that regard. And then Pine Bluff Arsenal, of course, didn't have family housing available for somebody of my rank, and they didn't have a mess hall on post, so I got a separate housing allowance and a "rations not available" allowance that was higher than the standard allowances for those things in the Army. We got by pretty good really.

Seney: So after all of your dealings with the draft board, it worked out okay.

Harms: It worked out fine, yeah.

Seney: When did you get out of the Army?

Harms: I got out of the Army in March of 1973. I was in for twenty-one months.

Seney: What did you do then?

Going to Work for an Engineering Consultant in Greeley, Colorado

Harms: I went to work for an engineering consultant in Greeley, Colorado. One of the kickers that the Army had going at that time, because Vietnam was winding down, was that if you had a bona fide job to go to on the outside, you could get out ninety days early. So I had taken leave at Christmastime to go back to South Dakota and visit relatives, and then we took a long enough leave at that point in time, that I could go job hunting. And so we started out from South Dakota and went across South Dakota, stopping every place that I could conceivable think there might be a job opportunity -- you know, at state offices and government offices and consulting firms and all that. We worked our way across South Dakota and down through part of Wyoming, through Casper and Cheyenne. The ultimate goal was that I could probably find something in Denver if need be. But I was fortunate enough to get a job with Nelson, Hailey, Patterson and Quirk Engineering Consultants in Greeley. So we moved.

Seney: So with the confirmed job offer, they would let you out early.

Harms: So with a confirmed job offer, I got out in March [1973][5].

Seney: And moved to Greeley then?

Harms: And moved to Greeley. We were there for three years. I worked in the engineering business, I guess -- I've never been a real design/draft type of engineer I guess. My engineering career has been a lot of other things, as well as doing engineering work

5. Clarification provided by Mr. Harms.

or design work.

Seney: What did you do for them?

Harms: I started out on a survey crew and did a little bit of construction inspection.

Seney: Does that mean you've got the plans in your hands and you're looking at what's done to make sure they match?

Harms: Yeah, to make sure that they do the job the way the plans require, and the way it's specified.

Seney: What kind of projects would these be?

Harms: Oh, I did a couple of water storage tanks: one in Eaton, Colorado, and one in Bushton, I guess it was, and a couple of sewer plants.

Seney: Would the local governments contract with the engineering firm to do the inspections for them?

Harms: Basically, the local governments would contract for a package deal. We did the designs, let the contracts, did the inspections and everything, and then basically it was a turnkey situation when the project was done, it was turned back to them, given to them.

Seney: Did you like the work?

Harms: Some of it. I liked working with the contractors and that kind of thing, the construction inspection part of it was pretty good. Some of the survey work was just hard work, but a lot of varied experience. We did some work around a couple of sewer plants.

Then my farm background stepped in again. They had a contract with W.D. Farr, [phonetic spelling] who's a big feedlot and meat packer in Greeley at that time.

They were building a new state-of-the-art feedlot and the company I worked for had the contracts to do most of the construction oversight work. I had gotten sent out there to help on a survey crew because they were shorthanded a couple of times. Of course the guy, W.D. Farr himself, was a little bit of an eccentric but he knew what worked and what he wanted, and I hit it off with him by accident. I went out for about three weeks to help on a survey crew out there. And the fourth week, when we went out, they had turned us around and I was running the survey crew and doing that, and I did some minor design changes and things like that for him out there. But that was at his request, because we hit it off. I could understand what he wanted where most of the other guys couldn't because I've been around cattle and livestock and stuff a lot when I was growing up.

Going to Work for the Bureau of Reclamation

Anyway, I worked on that for probably six months. And of course, at that time, that was probably about '74 or '75 and the economy in the country was starting to go downhill, and as the economy went, so did a lot of engineering firms. So I was looking for something that looked like it might be stable, so I put in an application to the Bureau someplace along in there I guess.

Seney: What made you apply to the Bureau?

Harms: The kind of work they did, the fact that they were involved, to a degree, in agricultural things. Actually, I guess I didn't put my application in directly to the Bureau, I put my application in through the GSA.

Seney: Personnel?

Harms: Yeah, OPM I guess it would be, Office of Personnel Management -- I sent it in to

them.

Seney: And they routed it to the Bureau of Reclamation?

Harms: Yeah, it came out on one of the requests for certified applicants for the Bureau, and they offered me a job. I guess the last year I worked for that consulting firm, I also got involved in some other things that off and on, even though my career here, helped a lot, which was right-of-way acquisition.

We were scrambling for work at this consulting firm, as everybody was in those days, and we managed to get a contract with Standard Oil to buy a pipeline right-of-way across Kansas and into Denver. So I did that, went out as a right-of-way agent for six months or so, and that was some of the reason that I kind of wanted to take the opportunity when the government offered.

Working for the consulting firm, I probably worked on average, fifty-five hours a week, and they had a gimmick when they hired engineers that they put you on a straight salary. That's how they made their money. They expected you to work extra hours, and then they charged the client for however many hours you worked (Harms chuckles) but you didn't get any extra for whatever was over forty. You know, a pat on the back once in a while or something but it was kind of expected, especially when you were out of town, you didn't have anything else to do, so we did a lot of seventy- and eighty-hour weeks when we were surveying.

Seney: How was the pay with the engineering consulting firm?

Harms: Well (chuckles), I guess my favorite story with the pay on that is that taking a survey crew to Granby, Colorado to do an aerial photo control.

Seney: What's an aerial photo control?

Harms: It's a survey where you set points on the ground when they take aerial photos. Knowing the coordinates and elevations of those points, they can rectify the photos and the scale of everything and plot typography off of them.

We were out there for two weeks, which is a pay period, and we worked the long hours and everything, and the other guys on the crew were hourly. When we got back and picked up our paychecks, I had made a hundred dollars less that two weeks than the rodman on the survey crew.

Seney: The low man?

Harms: The low man on the survey crew made a hundred dollars more in that two-week period than I did. (laughter) That started me thinking about maybe if I worked for the government I could get paid for the hours I work, that kind of thing. And that was one of the things that prompted me to apply for government work.

Seney: When you went to work for the Bureau, did you take a pay cut or was it more?

Harms: Yeah, I took a six-hundred-dollar-a-year pay cut when I went to work for the Bureau -- it's not a lot. Back then I was making $13,000, I think, or something, so it was a five percent cut or something like that. But my exposure to government work before had told me that I would make that back in a fairly rapid manner, so I wasn't worried about the pay cut because I took a position as a GS-7, and I knew if I didn't wash out entirely, I'd be a [GS-]9 within a year, I would have more than made that difference back.

Seney: Did it work out that way?

Harms: Which worked out that way.

Going to Work for the Bureau in Huron, South Dakota

Seney: Yeah, so when you first went to work with the Bureau, you went to work in South Dakota?

Harms: Right, I went to work in the Huron Office.

Seney: Tell me what was going on in the Huron Office?

Harms: Well, it was real busy then, because they were working on the Missouri-Oahe Project, which was designed in its ultimate stage to irrigate 400,000 acres in eastern South Dakota. We were doing design layouts of canals and laterals and that kind of thing at the time. Actually, they had two different design shops set up doing that kind of work for part of the Project.

Seney: I take it these are dams of the Missouri River which would then have brought the water in?

Harms: Yeah, well, there was the dam on the Missouri River, the main one was already there, Oahe Dam is a large Corps of Engineers dam.

Seney: That's a flood control project isn't it, basically?

Harms: Right, on the Missouri River.

Seney: So it would have meant taking the water out of that then?

Harms: Yeah, and we had designed a canal pump station system that would have taken the water out of that and irrigated a large portion, almost two counties in eastern South Dakota.

Seney: So a lot of support for that among the farmers?

Harms: There was and there wasn't. There was some support, there was also opposition. One of the big reasons that there was opposition was because at that time the Bureau still had 160 acre limitation, and the farms in eastern South Dakota tend to be 2,000

to 3,000 acres -- the big dryland farms -- in order to make a go of it, had to have a couple of thousand acres. So those people were opposed because it's hard to tell somebody, "You're going to have to give up two-thirds of your farm to be a part of this irrigation project." That didn't go over real big.

Seney: What killed it off? Why wasn't it ever built?

Harms: Jimmy Carter's hit list. It was one of the Projects that was probably marginal from an economic standpoint at that time. It was a big Project that they could see a lot of investment and maybe marginal return for. So the economics got it.

Seney: Now you went to work for the Bureau in '75?

Harms: In '76.

Seney: So you just got started on this when the word came down that this is [going to be killed].

Harms: Right, I was in that office for eighteen months. Actually, I'd been there less than a year when the hit list thing came out, actually four or five months I suppose, because a lot of the next year you sat and waited to see what the politics was going to do. For about three or four months after that happened, we waited to see what the politics was going to do. And then after that, it was kind of waiting for a RIF or something. Of course we had just built a new house and didn't really want to leave too badly, and we didn't know what the politics was going to do.

Seney: You've mentioned that several [times], "what the politics was going to do." What do you mean by that?

Harms: Well, when Carter's hit list came out, there was a lot of pro and con in Congress on that, so it was all waiting for appropriations, to see what the appropriations people

were going to do with those Projects.

Seney: To see, in other words, if the local Senators and Congressmen would have enough clout to keep it in?

Harms: Right, and we waited for a while to see what was going to happen and it didn't look like it was very promising, so I bailed out, is as good as term as any. After eighteen months in South Dakota, I took a job in Utah.

Seney: Let's go back a minute because I want to ask you, what did you do specifically in the Huron Office?

Harms: I was in a section that designed canals and laterals -- a delivery system that would have served the Project farms pretty much directly.

Seney: Were you out doing the surveying, or had that all been done?

Harms: No, all the typography work and all the field surveys and stuff had been done. This Project had been in the planning process since the late 40s.

Seney: And the typography and the surveying would be part of that planning process, in other words. That would all have been done.

Harms: All that work had already been done, most of all of the field work. Actually, a lot of what we were doing was polishing up preliminary designs to the point where they would be advanced planning designs that you would give to the final design engineers.

Seney: So you could estimate costs off of those?

Harms: We did cost estimations and earth work quantities and all that kind of [thing].

Seney: What do you mean by "earth work quantities"?

Harms: How many yards of dirt do you have to move to build a lateral or canal? How many

yards of concrete we need on the structures?

Seney: Do you think, looking back on it now, that a great opportunity was missed to build a useful Project, or do you think now maybe that the right decision was made after all, to abandon it?

Harms: My personal feeing is that we missed an opportunity, but I'm not sure that it's entirely gone at this point in time.

Seney: It might resurface?

Harms: There's some work back there that's resurfacing now, they're building some smaller projects and some scaled-down versions of that, and they've done some other work in that area.

Seney: Feeding off of the same reservoir?

Harms: Feeding off the same reservoir. It's interesting that we had another Project back there, the Pollock-Herreid Project, that was about 20,000 acres, that we couldn't seem to get built because of our government standards and our designs being the way that they historically are, which is, we design everything almost for a hundred-year life or almost, you know, perpetual.

Seney: That was too much?

Harms: That was kind of too much, I think. And I think we saw that, because down the river about fifty miles, there was a private enterprise that I think was backed by Prudential Insurance or somebody that managed to put together 17,000 acres of land for irrigation, and built there a pumping plant and everything, and they were up and going. So there's some economy to scale and not having to deal with the numerous land owners and stuff.

Seney: And has that project then given a new look at the other Project and maybe you've said, "Let's scale it down a little and built some smaller ones"? Is that what you're suggesting?

Harms: No, not really. The big Project will never happen, I don't think, because of the environmental concerns. I don't see a large-scale Project like that ever going, unless for some reason that this country should run short of food. But with the agricultural technology that's out there, I don't think that'll happen. It's just one of those things, the Project was maybe too big in scale at the time. Big-scale projects have big-scale price tags.

Seney: Yeah, came a little too late maybe?

Harms: Yeah, it came a little too late.

Failure of the Teton Dam

Seney: You mentioned you were also there when the Grand Teton Dam burst. Did you all have any part of the investigation, the aftermath of that?

Harms: No, I think there was one or two people from our office that got detailed out there to help with some of that, but I was never [involved].

Seney: What was the cause of that failure, do you know?

Harms: I'm not sure they entirely know yet. It was an embankment failure from piping, just the material started eroding away on the downstream side of the embankment.

Seney: Was that, do you think, a pretty big blow to the Bureau?

Harms: Oh, I think that was a tremendous blow to the Bureau. It certainly has changed our program. The program changed dramatically -- not only ours, but the Safety of Dams program for all government agencies. It made the whole country step back

and take a look at, "here we are building these big dams and then right down below them you've got a population center" and those kind of things. We stepped back and did a lot of, I think, looking at those kind of things -- the whole government.

Seney: So dam safety is much more [important].

Harms: In the forefront because of that.

Going to Work on the Central Utah Project

Seney: So you went to Utah: obviously the handwriting is on the wall, you're kind waiting around?

Harms: Yeah, well, that's it. When you first start with the government, it's kind of like loading livestock in a truck, "the last in is the first out" kind of thing.

Seney: How does that work? Are job openings in the Bureau circulated to all of the offices?

Harms: Yeah, they are, and at that time there were still enough places that were really looking for work and people. We wanted to know if the situation was going to settle down. Like I say, we just built a new house and everything. Utah had a unique opportunity in Duchesne.

Seney: This is the Duchesne Project?

Harms: It's Central Utah Project but the Duchesne Office was a construction office, and they had government housing, so I applied for an engineering position there and got it and went to work there. That way we could basically maintain our house in South Dakota while we were waiting to see if things would clear up so we could move back, financially.

Seney: How does that work with the government housing in Duchesne? You paid rent, but a minimal rent?

Harms: Yeah, it was a minimal rent.

Seney: Do you remember what it was?

Harms: It was like a $110 dollars a month or something.

Seney: So that meant you could still pay your mortgage.

Harms: I could still pay my mortgage and I had my house rented out part of the time back in South Dakota.

Seney: How long before you finally sold that house?

Harms: Actually I didn't sell that house until 1983, because what happened is, I worked a year in Duchesne, and during the course of that year, the South Dakota Office started looking for somebody to act as a field representative to the Pollock-Herreid Project, which was located in another part of South Dakota, but it was certainly a lot closer to home than Utah, but I wasn't qualified for it when they first advertised it. And they had advertised it once or twice as a fairly high-graded position but they didn't get any candidates that they were satisfied with. So they advertised it again in a little bit lower grade and of course, I knew the people that were putting it out, because I'd worked with them before. It's one of those known commodity things you know, I applied for the job and they gave it to me.

Seney: So you were only in Duchesne a year then?

Harms: I was only there a year, yeah.

Seney: Okay, this is about to run out, let me turn this off.

END SIDE 2, TAPE 1. AUGUST 3, 1994.
BEGIN SIDE 1, TAPE 2. AUGUST 3, 1994.

Seney: Today is August 3, 1994. My name is Donald Seney and I'm talking with Gene Harms at the Bureau office in Carson City. Gene, I wanted to ask you about

Duchesne and living in what I guess amounts to a government town. Would you tell me about it?

Harms: Duchesne was a town of probably about 2,000 people on its own, but it was a small town and there was a large number of government people there on a somewhat temporary basis.

Seney: How many would have been there?

Harms: I think there was 160 or so of us. They had set up a government housing area: What it was, was all mobile homes. There were about three city blocks' worth of mobile homes out there and they were intermixed, double-wides and single-wides.

Seney: Any landscaping?

Harms: Oh, yeah, they had nice lawns and everything. It [had] paved streets.

Seney: It was pretty nice?

Harms: Yeah. We had a double-wide mobile home, and beside them they had constructed garages, metal buildings, so you had a single garage and a trailer. The trailers were not real good, but they were liveable.

Seney: When you say "they were not real good," what do you mean?

Harms: Well, they were getting kind of old and dilapidated at that time. They were in the process of starting to replace them. When I had left, I think they got six or eight new ones in, and during the course of the two years after we were there, they replaced them all.

Seney: I know you had two daughters while you were in college, any more children by this time?

Harms: No, just two kids is all we have.

Seney: And they're eight or nine, ten years old, somewhere in there?

Harms: Yeah, at that point in time.

Seney: I take it Mrs. Harms is amenable to just move? I mean obviously you've got to work.

Harms: She's never happy to move (laughter) but she does like to eat.

Seney: That's what I want to ask you about, because of course not only we're dealing with you but your family's involved here too, because you move around to some extent as you work for the Bureau. What was her reaction to moving from this new home in South Dakota to a somewhat dilapidated double-wide?

Harms: Let's say she was not a happy camper. (laughter) She didn't like that, but it was one of those things that we didn't have a whole lot of choice if I was going to continue to work for the government, and we were looking at it as a temporary measure. Of course, we were still young enough to be a little bit flexible: I think it would be a real hard thing to do now.

Seney: What was the social life like? Did the Bureau people associate mostly with Bureau people?

Harms: Yeah, Bureau people associated with Bureau people to a degree, but the government camp was kind of a reflection, in a way of the community. And Duchesne, Utah, at that time was probably eighty percent Mormon -- and of course, we weren't, so we were kind of the outcasts in the community, the few of us that weren't Mormons.

Seney: How about among the government workers.

Harms: Same.

Seney: It was about eighty percent Mormon and twenty percent not?

Harms: Yeah, uh-huh. It was different in that regard.

Seney: How do you mean?

Harms: Basically you had little or no social life. At the office everybody was cordial and nice and everything, but outside of the office, if you went downtown, people hardly talked to you on the street or anything, because they know.

Seney: Not only were you a Bureau person but you weren't a Mormon.

Harms: Yeah. And then, it was really hard for my kids and my wife because of, basically, the religious discrimination that goes on.

Seney: So they turned out to be fairly isolated then.

Harms: Oh, yeah, the kids got picked on in school real bad and stuff because they weren't [Mormon]. You know, when all the other kids got out at three o'clock or two o'clock in the afternoon to go to Primary.

Seney: Primary is part of the Mormon education?

Harms: It's part of the Mormon education process, yes.

Seney: They didn't get out?

Harms: They didn't get out, or they got ostracized because they went home. It was bad social situation to bring a non-Mormon family into -- real difficult.

Seney: But I suppose among Bureau employees, those who are Mormon would seek out the jobs in Utah?

Harms: Oh, yeah, sure. They fit in. The Mormon Church has -- I think still does to a degree but at that point in time -- had a tremendous hold on this organization, on the Bureau as a whole -- a lot of influence.

Seney: Based on the fact that there were a lot of Mormons in the Bureau of Reclamation?

Harms: Based on the fact that there were a lot of Mormon employees in there. And when

you work in Utah and Idaho and places like that where the predominance of the Mormon Church is, they get a foothold, and it's one of those things: it's like hiring that known commodity to them. You know, if somebody's a church member, that gives them a little extra "in" on the job if the guy that's doing the hiring is a Mormon.

Seney: And you would see this in hiring and maybe even in promotion too? (Harms: Sure.) Assignments of one kind or another?

Harms: In Utah it was that way a lot. Of course in South Dakota it wasn't, because we didn't have that there.

Seney: How about here in an office like Carson City?

Harms: Depends on who the Project Manager is. We've had a Project Manager here that was Mormon and he, in essence, they set up a five-person staff, and four of those were from Utah (chuckles) and Mormon.

Seney: You mean there was a kind of reorganization.

Harms: Yeah, well, it was when we first added our Fallon OCAP [operating criteria and procedures] office, but they tend to bring in people. But there again, I can't say that that's entirely it, because we had trouble getting qualified candidates, period, so he knew how to get some people here anyway.

Seney: And this is not the current but the past Project Manager?

Harms: Past.

Seney: I see. What did you do in the Duchesne Office?

Harms: I was working in kind of a field design area there. We did some road designs primarily.

Seney: If I could stop you, err on the side of being more detailed, as you tell me what you

do, rather than less, because a lot of people who are going to read this are not going to be engineers and are not going to be Bureau people. So when you say you're doing road design and what not, that means a lot to you but not so much to me maybe.

Harms: (chuckles) Okay. Yeah, we designed the Strawberry West Side Road relocation. Around Strawberry reservoir we relocated a highway, and we did the design for the alignment and the grades and the earthwork.

Seney: When you say "alignment," I take this as part of the road work?

Harms: Yeah, well, the alignment is the path that the road follows. We laid that out and did the design for drainage structures where the water crosses the road, the culverts and all of that.

Seney: Is this all pretty straightforward stuff?

Harms: It was pretty straightforward.

Seney: No real problems (Harms: No.) or peculiarities that you had to deal with?

Harms: Not on that one at all, no, it was pretty much straightforward. The Bureau had just built a new dam and there was a lake, a small dam that was the original Strawberry Reservoir and there was a Strawberry Dam there. The Bureau had just finished constructing Soldier Creek Dam, which basically inundated, backed water up over the old reservoir and everything, so they had to relocate the road that ran along the shore of the old reservoir so we had to move it out up on higher ground. So I worked on that a lot.

Seney: When you build a new dam downstream from an old dam, you're going to build a bigger one, (Harms: Right.) does that make it easier to build the bigger one, that

you've got the little one there to help control the flows?

Harms: Yeah, it does. It saved a lot, I'm sure, during the construction process, by being able to control the flow of water through the construction site. [It's] much more effective that way.

Seney: Yeah, you don't have to build a diversion around it then.

Harms: Well, I'm sure there was a diversion structure there, but it wouldn't of had to be nearly as large because you wouldn't have to handle flood flows and thunderstorms and that kind of thing.

Seney: Did you work on the actual dam design, (Harms: No.) or is that handled in Denver?

Harms: That's handled in Denver. The dams are generally all designed in Denver.

Seney: So you're out there on-site to do the roadway work?

Harms: We were doing a lot of the peripheral things. We did the road work, we redesigned actually some campground access roads and some other things like that, that went along with that. I worked on that one. Then there was another road relocation job that I worked on for Upper Stillwater Dam, we did basically the same thing.

Seney: This is out of the same office?

Harms: Out of the Duchesne Office.

Seney: Is it interesting work?

Harms: Not terribly, it's just kind of "go out and do it" work, that was.

Seney: So again, my question of peculiarities or difficulties, there weren't any particularly? It was pretty routine kind of engineering on this sort of thing?

Harms: Not particularly, it was just pretty straightforward. You designed for what was there and what you needed to do, and there was nothing unusual or difficult, really, about

it. It was just a matter of doing work and getting it done.

Seney: How long after you and your family arrived in Duchesne did you start looking at the circulars for other jobs in the Bureau?

Going Back to Work in South Dakota

Harms: Oh, about a month.

Seney: Now, you mentioned a few minutes ago that there was a job in South Dakota, but it was above, at that time, your qualifications were, if I'm saying that correctly.

Harms: Right, my grade level, I wasn't qualified. I was a GS-9 when I was in Duchesne, and the job they advertised in South Dakota was a GS-12. They had advertised it, they didn't get what they felt were qualified candidates, because it was a remote location and a little agricultural community, and not many people want to apply for those, especially at a GS-12 grade level.

Seney: You're moving up at that point and you don't want to be stuck out somewhere in the boondocks where you might not get out.

Harms: That's right, that's kind of it. So, anyway, when they didn't get any candidates, and I had visited with a couple of those people about that particular job: I told them it was too bad they didn't advertise it at a level I was qualified to take it at, so they came back and did.

Seney: Is that unusual for them to change the grade classification?

Harms: Well, it's unusual to have to downgrade a job to fill it usually, in most situations.

Seney: How far down did they bring it?

Harms: They just brought it down to a [GS-]11 because by the time it was out and re-advertised, I had been promoted to a GS-11, so I could take it.

Seney: How do you get promoted? How do you get from a [GS-]9 to a [GS-]11?

Harms: Well, the job I took in Duchesne was a multi-grade job, it was a GS-7-9-11 engineering position. I was a [GS-]9 when I went to work there, and so if you do a good job, after you've had a year's time at a GS-9 level, and done an adequate job, then you're eligible for promotion, and it's pretty much an understood thing that you'll get the next grade level.

Seney: And that's your bosses and supervisor's decision, you don't take an exam or anything like that?

Harms: No, it's a supervisory decision.

Seney: Does this mean that you've excelled or you've just done an adequate job where you haven't caused any problems?

Harms: Well, yeah, basically it means that if you're in a grade banded series like that, if you do an adequate job, you will get the next grade on time. If you don't, then you may never get the next grade if you don't do an adequate job, but you don't have to do an above standard job to get it or anything. It's just if you can accomplish the work that's expected at that higher grade level.

Seney: Because as you say, this is a multi-grade job and a [GS-]7, 9 or 11 can fill it so you get to move up if you do it right.

Harms: Right, if you go in at the lower grade, the promotion potential is built into the job that way.

Seney: What did your wife say when you told her that they had moved this down to a GS-11?

Harms: She was ready, by that time, for anything that would have got us out of Utah --

anything that would have got us out of Duchesne. She always laughed about Duchesne, because if you ever get to Duchesne, Utah, you will notice that every road out of town is uphill. Duchesne sits in the bottom of a river basin, basically. There's four major roads in and out of town, it's kind of like a cross, and everyone of them is uphill. So, she felt like that kind of characterized Duchesne: any direction you went, you were going uphill, it was an improvement.

Seney: Where was this job in South Dakota?

Harms: It was in Herreid, South Dakota. The job was as a field representative to the Pollock-Herreid Irrigation Project and irrigation district out there. It was an irrigation project that was in the planning stages, and it was (chuckles) one of those things that was almost like a temporary job when I took it, because they were just finishing up the preliminary designs and the economic studies and all of that, that went with the Project.

Seney: Where would that have been carried on, these designs.

Harms: Back in the Huron Office, which by that time, was down to about thirty people from 150 that had been the year before when I left.

Seney: Thirty nervous people?

Harms: (chuckles) No, at that time they were thirty fairly secure people -- but not for long.

Seney: Not for long, because?

Harms: In 1981 that office closed.

Seney: So now when you're back from Duchesne, we're talking about the '79 time period?

Harms: Right. We moved to Herreid in January of '79.

Seney: And the family's reaction was a positive one?

Harms: Oh, yeah. We got to move into a nice house. (chuckles) We had moved from a government trailer that we were renting for about $125 a month by that time, to a house in Herreid that had been constructed as a church parsonage, so it was a big four-bedroom house and we were paying $150 a month for that, so they were happy. And, it was a community that we could fit into.

Seney: You were home, really?

Harms: Yeah, I mean it was an old small-town, German, agricultural town and that's where we grew up, in similar communities, so it was fairly easy for us to fit in with the social structure and everything there.

Seney: Were you the only person there?

Harms: Yeah, I was the Bureau person there.

Seney: What sort of an office did you have?

Harms: I shared office space with the Soil Conservation Service there. They had a big metal building that they had, because they had kind of a shop area in the back. [The] Conservation District owned the building and they had shops in the back and all their tree-planting equipment and everything. Then the front part of the building had been fixed up for offices, and they had a little extra space there, so I moved into that -- which worked out good for what I was there for, which was basically to meet with the farming community and the individuals.

Seney: Tell me what you did?

Harms: Basically, that's what I did. I talked about the Project with the individual landowners, the farmers.

Seney: Kind of trying to sell the Project and explain the project? (Harms: Yeah.) Sell it to

me, tell me what you told them.

Harms: We had to explain to them how the acreage limitation rules worked.

Seney: How did they work?

Harms: I'm not even sure I can entirely remember now (laughter) but at that time there was still the 160-acre limitation, but they were considering changing it to 960. But the 160-acre limitation meant that each individual could irrigate 160 acres of land that they owned. A husband and wife would be 320, and if you had kids, you could put a quarter-section in each of their names and they could irrigate 160. Then we explained how the system was set up in an irrigation district and the canals would deliver the water but that there would be a charge for the repayment of the construction cost and the operation and maintenance of the system.

Seney: Could you give them a sense of what those costs might be at that point?

Harms: Yeah, they had worked out most of the costs and that, so that we were giving them ball park figures (brief interruption) on what it would cost. And that was kind of what I did; I'd sit down and I'd tell them, "This is what the benefits you can expect, and this is what it's going to cost." I did that pretty much individual by individual.

Seney: What was the reaction you would run into?

Harms: Most of them were pretty agreeable to it, it was pretty acceptable to most of them.

Seney: What would be the average size farm in this area?

Harms: The average size farm in that area was probably 1,000 acres, so there wouldn't have been a real problem with them meeting the acreage limitations because of family.

Seney: Large-size families?

Harms: It didn't take a real large family, but a family of three or four, you could irrigate the

average farm almost entirely there.

Seney: What if I've got a thousand-acre farm and a husband and wife, so I can qualify for 320 [acre] -- what am I going to do with the balance of my farm?

Harms: You could still dryland farm the balance. It's just 320 would be all you could irrigate under the Project. That's the way those were set up.

Seney: Was this an interesting job?

Harms: It was. It was a fun job, because you got to meet with the individual farmers and socialize with them. A lot of it was just social interaction with the individuals. We'd make it a point to be at the coffee shops and the gathering spots, and what have you, just to kind of encourage discussion.

Seney: A lot of it based on personality, how you happen to get along with them?

Harms: A lot of it was, sure.

Seney: What they thought of you and the fact that you had a farming background?

Harms: That certainly helped, that really did help to get along with the people.

Seney: To go back to the family situation, this must have been a completely different situation. Can you give me a sense of how it was different for your wife and your children?

Harms: Well, one of the things that was definitely different for my wife and kids was the fact that we were back to where we could go to church on Sundays again.

Seney: You are a Lutheran maybe?

Harms: Yeah.

Seney: So there was a Lutheran church there?

Harms: There was a Lutheran church there. Actually, I was raised as a Methodist and

became a Lutheran shortly after we got married. In Herreid, they had an odd deal because they had one pastor that preached to two churches, it was Methodist and Lutheran.

Seney: That sounds unusual to me.

Harms: It is! (laughter) But he had a Methodist church service one Sunday a month and the other three Sundays, they did a Lutheran church service.

Seney: In the same church building?

Harms: No, actually they did it in two different church buildings, but in the same town. We lived in the Methodist church parsonage (laughter) and so we rented the house from the church. There was just a lot more: my kids got along with the other kids in school, they were playmates and stuff all the time.

Seney: Is someone in your position in a town like this regarded as kind of an important person? Do you have some standing?

Harms: You have some standing, probably somewhere between the average guy working for a business and the owner of the business -- I guess you'd fit somewhere between that category as a government person.

Seney: How long did you stay in that job?

Harms: We were there for eight months, is all.

Seney: How come such a short period?

Harms: That was as long as it took to wrap up the Project that we were trying to do.

Seney: So by this time you'd contacted everyone?

Harms: By this time I'd contacted all of the farmers, and I had done all of the other odds and ends things that they wanted done. It just seemed like it wasn't that productive to

stay there anymore, and that was part of the deal when I had taken that job was that would be kind of a temporary assignment: depending on what happened when that was over, I would be moved back to the Huron Office.

Seney: Where your home is nearby?

Harms: Where my home was, yes. So eight months in Herreid and then we got to move back to Huron and back into our own house and everything, so it did kind of work out that way.

Seney: Was that Project ever built?

Harms: No.

Seney: Why not?

Harms: Economics.

Seney: That was a more modest one that the one that we talked about earlier?

Harms: Yeah, it was about a 30,000-acre irrigation project, but with the cost associated with delivering the water, there was a big pumping plant expenditure and that kind of thing because the reservoir was quite a lot lower than the farm lands were. It costs a lot of money to pump water up a 300-foot hill in those quantities and that kind of thing. It turned out to be economically infeasible to do.

Seney: At what point was that clear? Did you know when you went back to Huron that this wasn't going to be built?

Harms: Yes. Well, by the time that eight-month period was over, they were finishing up all the economic studies and all that, so that was when the determination was made that the Project wouldn't be built.

Seney: How does that make you feel to spend time and go around and explain to everyone,

and then I guess the local newspaper would say, "Project not to be built."

Harms: You know, it's one of those things I guess -- we kind of expected it when we went there. In the discussions and stuff that I've had with the people before I went to work and took that job, we knew that it was kind of looking that way, so it was one of those things that when I was explaining it to the individual landowners and the community groups and stuff, we'd put it right on the line that this Project is marginal from an economic standpoint. We made it pretty clear that that was what we were there for, was to look and make sure and see whether or not it was feasible to build it.

Seney: You must have talked to a lot of individuals, I would think, on this?

Harms: Oh, yeah.

Seney: Did you find that as time went on that your -- I don't want to say "spiel," but I can't think of another word -- your presentation -- did it get to be kind of standard or would you have to gauge the psychology of the individual?

Harms: Yeah, you have to taper the discussion to the individuals. Some of them, you got to the dollars and cents first; and others, you talked about how the whole general community could benefit, if they had to be somebody that maybe sold farm equipment or something like that on the side -- which some of them do -- how it could benefit them indirectly as well as directly, in the community as a whole.

Seney: Did you try to figure out who the maybe influential farmers were, and the influential community members were, and go to them first.

Harms: Oh, yeah, you always do that. That was pretty standard in that situation. And of course, it's not too hard in those kind of situations to figure out who the influential

people are, and who the Project supporters were, and those were the ones that you really kind of worked on first.

Seney: If I may, this is your background, this is your kind of community. If a city person were to come in, I don't know that the contours of influence would be quite so clear. But you must have said, "Ah, we've got to talk to this guy and this guy." Who was it that you went to see first, and who was it that you thought, I'm sure correctly, would be influential?

Harms: Actually, the first people that I sat down with when we got there, were the downtown business people, as much or more than the farmers, to start. Then through them, I got basically a feel for who the influential farmers were. And it also helped being in the Conservation District Office.

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Harms: The time that I spent working out of the Soil Conservation Service Office was real beneficial, because the district board members were, generally speaking, some of the larger farmers [were] more influential in the political realms and that kind of thing, so I kind of dealt with them first. It worked out pretty good, because having a desk in the back room, they'd come in and "Who's this guy?" You know, there's a new guy in the office.

Seney: You had a chance to meet with them there?

Harms: Sure. And a lot of it was just that, meet with them. And we talked about the Project and what to expect and what the consequences would be.

Seney: What was the reaction of the downtown businesspeople? I would expect it would be by-and-large positive.

Harms: Most of it was. Especially in rural communities, there's always a couple of people that are reluctant to see anything that bodes change. You know, it's like, "We've doing business like this for forty years or 100 years and we don't want to change, we don't want to see growth that might come with this, because you'll have increased productivity, and maybe some different crops that might bring industries in that you wouldn't have otherwise." With that comes people -- more stable economy brings people to it. And the dryland farming back in that part of the country is a pretty unstable economy, because it all depends on the weather.

Seney: How would you deal with those people?

Harms: I don't know if there's a special way that you deal with them or not. The main thing was to understand how they felt, I think, and just deal with them on a one-to-one basis.

Seney: And again, I'm sure that the fact that you made clear to them, and they would recognize from talking to you, that you came from this sort of similar background must have been very helpful to you.

Harms: Oh yeah, it was. I think back to the people I've worked with in other places, like in the consulting firm I worked with in Colorado, and people that had never been exposed to that kind of thing would have an extremely difficult time doing it.

Seney: When you were picked for the job, was this something that was one of the factors?

Harms: Oh, I'm sure it was, it had to be. I'm sure it was probably the major factor that helped in my selection for that job.

Going Back to Huron to Work

Seney: I guess your family probably wasn't disappointed to leave after eight months,

because you get to go back to Huron and to home, and move back into your house. How long had it been since you lived there? Two years maybe?

Harms: Just about two years.

Seney: How did it feel to move back into the old place?

Harms: It was nice. It was kind of our dream house, I guess, at that time, and it was a pretty nice house. I had bought a little three-acre parcel and we had built a 2,200 square foot house.

Seney: That would be a good-sized house, wouldn't it in those days, in a place like Huron?

Harms: Yeah, it was a pretty nice house. I'd made some money on my house in Colorado, so I had some money to put into it, and [it] helped us get started, but it was a nice house, still is a nice house. (laughter) I wish I had it here.

Seney: What were you doing in the Huron Office now?

Harms: More design work, and actually, we were writing the final reports, the concluding reports and what-have-you for the irrigation project, the Pollock-Herreid Project.

Seney: How was it to move back to -- not a large office, I don't know whether thirty is large office in Bureau terms -- is that a large office?

Harms: No, it's not.

Seney: It's a lot larger than a one-[person] office (Harms: Right.) shared with Soil Conservation. How was it to move from being the guy to being one of thirty?

Harms: Well, I had to get back to a little more structured work schedule and things like that. (laughter) Because, when I was out in the field, on my own, like I say, a lot of what I was doing was interaction with the community stuff.

Seney: If I understand farm communities right, they're down at the cafe at six in the

morning, these guys, right?

Harms: Well, yeah. A little later than that maybe. Sometimes. A lot of times we hit the ten o'clock crowd at one coffee shop or another. Sometimes we'd do two coffee shops.

Seney: So I can see what you mean by "a more structured work environment." (laughter)

Harms: I had to get back into more of a regular work regimen, and [I] was sitting at a drafting table doing design work again. So that was different, and writing reports and finishing up the reports and that kind of thing.

Seney: I would think that what you were doing up in Herreid would be preferable, that you must have had a little nostalgia for that as you're sitting all day at your drafting table.

Harms: I did miss it. I enjoyed doing that -- most of it. I'm not a good speaker in front of a large group of people and stuff, there were times that I did things for community clubs, and things like that, that I had to do that. I'm not a polished speaker by any means.

Seney: Are you effective, do you think, though?

Harms: I think by-and-large, as long as a group isn't too big.

Seney: Yes? You're saying yes?

Harms: Yes.

Seney: Well, "polished" is not necessarily "effective."

Harms: Well, I think I did an effective job at that point. I could probably do it better now because of the additional experiences I've had since, but I did a pretty good job.

The Work Environment in the Huron Office

Seney: One of the things that we're interested in is kind of what is the work culture in the Bureau? How are other Bureau people to work with? You know, the kind of

formality/informality; even pranks and jokes.

Harms: The Huron office was -- especially when I went back -- a real kind of a close-knit social organization, and everybody got together well on the job and enjoyed working together, and we did an awful lot of social activities outside of the office as a group.

Seney: What would you do as a group?

Harms: The Legion Hall was right across the street, and so a lot of Friday nights (chuckles) out of thirty people, we'd end up with fifteen people going for drinks after work. A lot of times there'd be groups going out for dinner together, and they had some -- I wasn't involved in it -- but they had league bowling and there were, I think, two bowling teams out of the office that bowled together as Bureau teams and things like that.

Seney: It sounds like a pleasant working environment.

Harms: It was.

Seney: How were the bosses that headed the office, by-and-large?

Harms: Ah, well (chuckles), at that time there was one real good one, and one real dud.

Seney: What's the difference between the two?

Harms: Well, the one guy, who was actually the Project Manager at that time back there, was not very socially interactive with people -- even in the community or anything. He was pretty much of a kind of a loner-type person. He was not real healthy physically, so he didn't get out, he didn't do a lot, and he tended to not get along all that well with some of the people that worked for him.

Seney: How did you get along with him?

Harms: I got along with him fine. There have been very few people I've ever had a problem

getting along with. I never had any problems with him. A couple of people in the office did, and of course, they didn't see him as a real productive individual, comparatively. I think, especially in the Midwestern Office situation, productivity had a lot to do with how you were accepted amongst the people, because there was a real sense of "what are we doing? and let's do what we're doing and do it well and do it right."

Seney: Kind of a work ethic among the people?

Harms: A work ethic, yeah, that I have seen other offices -- especially the big offices where that doesn't seem to be the norm -- but it was back there. And to a degree, the social interaction went along with that.

Seney: Was he there when you came back to Huron?

Harms: When I came back, yeah, he was there.

Seney: And then he left and was replaced by [someone else].

Harms: No, he was there up until the office closed. He was the Project Manager. The division chief that I worked for was one of the best supervisors that I've ever worked for anywhere.

Seney: What made him a good supervisor?

Harms: The way he dealt with people. He expected you to do the work, but he also didn't mind having a little fun while we were doing it. Passing jokes around and stuff like that -- in some places, some people frown on that. When I was in Duchesne, there was a work ethic there too, but it was a lot different, and they would get upset if there was some laughing and stuff like that going on once in a while, where we had a little more of a lighthearted atmosphere, I guess, in the Huron Office.

Seney: [There would] be jokes among you?

Harms: Sure.

Seney: Practical jokes even?

Harms: Sometimes, not too much, but once and a while. The one I always remember is, we had two people that did not get along at all, and one of them transferred to another office. One of the other guys snuck in his camera one day with a big telephoto lens and they took a picture of this guy from a little ways away, but all there was, was his face and they blew it up as an eight-by-ten, and they had about fifteen of those made, and once a week they'd mail one to this guy and in a blue envelope (laughter) so that he wouldn't forget. But, just things like that once and a while -- there wasn't an awful lot of that.

Seney: Do you think an office that runs that way runs a little more efficiently, people get more done?

Harms: I think so, yeah, I do.

Seney: But you wouldn't have found anything like that in the Duchesne Office?

Harms: No. I certainly didn't anyway. (laughter) There might have been a tendency for more of that to go back and forth among some of the people that felt they were in the same social status because of the church activities, but I never really saw too much of that in Duchesne. But the Huron Office was a pleasant place to work.

Seney: How long did you stay?

Harms: Well, let's see, we moved back there in August of '79, and we moved out here in July of '81, so almost two years.

Seney: And that's when you finally sold your house?

Harms: I was here two years before I finally sold my house. Nobody had the money to buy it back there.

Because at the same time our office closed, they also closed the Armor meat packing plant in town and put 300 people out of work there and thirty of us Bureau folks.

Seney: What's the population of Huron?

Harms: Population of 10,000, so it put a substantial kink in the real estate market. I was fortunate enough to find a good renter, and he bought it after renting it for two years. But, we were here for two years before that sold.

Taking a Ninety-day Detail in Phoenix

Seney: What brought you out here?

Harms: A job. (laughter)

Seney: Still worrying about being RIFed in Huron?

Harms: Well, that was it. We knew they were going to close the office. We had pretty much seen that coming the year before, and had been looking around, to a degree, for jobs. Then it got real evident when they came around in February of '81 and asked for people to volunteer to go on ninety-day details in order to try and save the budget that they had.

Seney: "Ninety-day details" means what?

Harms: Transferred, basically, temporarily to another office for ninety days. So I spent ninety days working in the Phoenix Office.

Seney: What did you do down there?

Harms: I worked in the Contract Administration Branch down there.

Seney: This is the Central Arizona Project?

Harms: Central Arizona Project, yeah.

Seney: Did you do anything, or was it just some place to park for ninety days and spend that money.

Harms: (chuckles) Yeah. Well, I did a lot of work for them. I worked in their Contract Administration Branch, checking pay vouchers and quantities on contracts and that kind of thing.

Seney: So this is living in a motel without family?

Harms: This is living in a Ramada Inn.

Seney: Hating every minute of it?

Harms: Well, not entirely.

Seney: What time of year was this?

Harms: This was from March through May. I got home Memorial Day that year. They kept me busy during the week, and I'd have done work for them on the weekends, but the building they were in, you couldn't work on the weekends because they were in the Valley Bank Building downtown in Phoenix, and it's one of these big glass towers.

Seney: Did they turn the air conditioning off?

Harms: The air conditioning's off on the weekends (laughter) so there was no weekend work.

Seney: So it's sitting around the pool at the Ramada Inn, I guess?

Harms: Right, un-huh. And then my wife came down for a couple of weeks during the course of the time I was there, so it was not entirely without family.

Applying for a New Job

Seney: So then at this point you must have been applying or looking for other jobs. (Harms: Yeah, I was.) And there's one here, you see a circular for the Newlands Project at

Carson City Office?

Harms: Actually, this job advertisement didn't come out until I was back in South Dakota after I finished my detail. And then this job came open, and I'd applied for this one, and I'd applied for two or three others.

Seney: Is this the only one you got, or did you get the others too?

Harms: Actually, this one was offered with a promotion, the others I'd put in for I could have gotten as laterals but this one had a promotion.

Seney: So that's what drew you here?

Harms: That's what drew me here: otherwise I had five choices at the end. I came here, but I could have gone to Durango, there was a planning job in Durango that I had an opportunity to take. I could have stayed in Phoenix and gone back to the job I was doing down there that I had on a temporary basis.

Seney: But that was too big of a town for you.

Harms: It was a big town and I didn't want to live in Phoenix -- it's too hot down there. They offered me a job in the Regional Office in Billings, and I could have gone back to work in Salt Lake City.

Seney: But that probably wasn't An option..

Harms: That wasn't an option for my family. (Laughs)

Taking a Job in the Carson City Office

Seney: What had you heard about the Newlands Project before you got out here?

Harms: Nothing. I didn't know anything about it, didn't know anything about the area, had never been to Nevada before.

Seney: So you arrive in July of '81?

Harms: Uh-huh, yeah.

Seney: What's your first impression?

Harms: (chuckles) My first impression was pretty good, because the first time I was here I actually flew out here for a job interview, and so you fly into Reno and you go down and see Carson and it's a nice town and everything looked pretty good. You don't realize that everything out that way was basically desert. Of course it's not that different from where I lived in Colorado, and the climate looked good and everything.

Seney: What was the job you got and what sort of a promotion [did you get] when you came here?

Harms: It was a GS-12 position that I came here for. It was, Chief of Engineering and Land Operations Division. I had three people working for me when I came here. I supervised three.

Managing Lands in the Lahontan Basin Office

Seney: What were you doing?

Harms: Operations and maintenance mostly, of facilities, and management of lands.

Seney: What does that mean, "management of lands"?

Harms: Well, this office has about 425,000 acres of land under its jurisdiction and there's certain reports that have to be filed every year on those lands.

Seney: What kind?

Harms: What it's being used for.

Seney: Now when you say 425,000 acres, does that encompass the Newlands Project that's being irrigated out there? The Truckee Division and Fernley and Stillwater?

Harms: Primarily. It's actually in lands, most of them, that are peripheral to the Project. Within the Project, it's the lands that the canals and laterals run down. I guess as good as an example of anything is 100,000 acres out of that 425,000 or whatever it is, is the Carson Sink. We control the Carson Sink and Stillwater Wildlife Management Area and Refuge.

Seney: That's part of this, as well?

Harms: Yeah, that's part of that. Carson Lake and pasture, the wildlife management area.

Seney: That's the pasture area that TCID set up.

Harms: Right. There's just other areas of land. When they developed the Newlands Project, they just came out in this area and said, "Okay, we want to build a project here." And so they took all of the Federal lands that were in proximity to the river and could conceivably have been irrigated or whatever [and included them].

Seney: A pretty wide swath?

Harms: Yeah, and they just said, "We'll take all of these from BLM [Bureau of Land Management]." They've never gone back, so they're still basically under Bureau management, although the Irrigation District administers the grazing and some of the day-to-day things. But anything like a road right-of-way or a power line right-of-way or anything like that, that individuals or utility companies or county and state [wants to use].

Seney: They come to you.

Harms: They come to us for those.

Seney: And even though the Fish and Wildlife Service runs Stillwater -- if I'm correct about that, I think I am -- the lands still really is under the control of the Bureau?

Harms: The refuge area, the 77,000 acres that's refuge is transferred now to the Fish and Wildlife Service.

Seney: Okay.

Harms: But there's about another 60,000 acres adjacent to it that we still hold the withdrawal on.

Seney: What does that mean, "hold the withdrawal on"?

Harms: Well, it means that as far as BLM is concerned, that it's set aside for Reclamation purposes.

Seney: Does Reclamation hold the title to it, or BLM.

Harms: No, BLM holds title to most of that land and we just have a withdrawal right.

Seney: So if I'm a power company and I want to run a line across this 77,000 acres, I come to you and say, "This is where I want to run a line." And you say yes or you say no, it's up to you?

Harms: Yes We have the authority under the regulations to issue the easements and the permits and things on that land. It's basically as if we owned it, because it's set aside for our Project. But, in essence, it's government land and if we determine that we don't need it for the purposes of our Project, then it can be returned to BLM and into the public domain lands.

Seney: Or transferred over to Fish and Wildlife.

Harms: Or transferred to Fish and Wildlife, as Stillwater was. Actually, we've got some lands out around in the Humboldt Sink, and we've got lands around Rye Patch Reservoir, we've got a substantial land management area. And we've also got 30,000 acres that we manage out at Battle Mountain, that's a pasture situation that the

District leases from us for grazing, but there's some gravel pits out there that we lease.

Seney: When you say "the District," you mean TCID?

Harms: No, Pershing County Water Conservation District operates Rye Patch Reservoir and the Humboldt Project.

Safety Problems at Rye Patch Dam

Seney: Now, I understand there are problems with Rye Patch Reservoir.

Harms: Yes, there's a Safety of Dams problem that's been identified with Rye Patch.

Seney: I understand it's a fairly serious one.

Harms: Yes, Denver thinks it is now. It's got an earthquake liquefaction potential.

Seney: There's thirty feet between the bedrock and the bottom of the dam?

Harms: Right and that material, in an earthquake, could turn basically to jelly, and then the dam would fail.

Seney: I recently drove down Interstate 80 and saw the route to Rye Patch Dam. It doesn't look like there's much in the path if it fails, is there?

Harms: There isn't, no. If the reservoir were full, there would be flooding in Lovelock if it failed. I think we've identified three residences in the first thirty miles of the river channel that could be affected in a failure situation.

Seney: In the position you hold now, do you have responsibility for this problem?

Harms: I work on it a lot. The degree of responsibility in the area of Safety of Dams work is a little bit vague, I guess. We're responsible for doing the field work ends of it, for coordinating with the District, and trying to do the contracts.

Seney: "The District" again, is the Pershing County Water Conservation District?

Harms: The Pershing County Water Conservation District. And the Denver Office is basically the one that does the designs and they've done the studies and they have a degree of responsibility under Safety of Dams, and we kind of take orders from Denver in Safety of Dams work most of the time.

Seney: What's the time frame on resolving this problem?

Harms: Well, hopefully it'll be a couple of years. We are in the process of trying to finalize the document that goes to the Office of Management and Budget, to attain the financing to repair it.

Seney: What's it going to cost to repair, do you think?

Harms: About $7 million.

Seney: Is that a lot of money in the scheme of earthquake repair on dams?

Harms: In the scheme of dam repairs, it's not a real large one, but it's pretty significant, I guess, from the standpoint of the water users and the people out there; and from the standpoint of OMB [Office of Management and Budget] because you're dealing with a small agricultural community and how much taxpayer dollars should go in to something that benefits a couple hundred water users, you know? And Safety of Dams repairs are done now, under the current law, the Project beneficiaries, primarily the irrigators, are responsible for repayment of only fifteen percent of the cost, and the other eighty-five percent is Federal funds.

Seney: But even fifteen percent might be kind of burdensome.

Harms: Fifteen percent will be a burden to them, especially after the seven years of drought we've just had! They get hit worse in drought situations than Newlands does.

Seney: You know, we're almost finished with this tape and as I said, I didn't know if we'd

get -- let me see how much is here -- we'd get to the Newlands project, a lot of it, at this time -- so I'm going to have to come back and talk to you again if I can (Harms: That's fine, sure.) about the Newlands Project and about what you've done here in the office and how your career has progressed and all of these other sort of things that we've been talking about. So I'll call you soon, or maybe even today we can make another appointment.

Harms: Whatever.

END SIDE 2, TAPE 2. AUGUST 3, 1994.
BEGIN SIDE 1, TAPE 3. AUGUST 10, 1994.

Seney: Today is August 10th, 1994. My name is Donald Seney and I'm talking with Mr. Gene Harms at the Bureau of Reclamation Office in Carson City. Good morning, Gene.

Harms: Good morning.

Seney: Last time, we ended by talking about your first duties here on the Newlands Project and being in charge of the lands the Bureau of Land Management had relinquished to the Bureau of Reclamation for the Project. Can you give me some sense of what you did in that position?

Managing the Lands in Newlands Project

Harms: When the Newlands Project was formed in the early 1900s, Reclamation basically looked at the Lahontan Valley and the area and withdrew any lands that they could see as having a use for the Project or a possible use, even, for the Project. They withdrew all those from BLM, from the public domain lands .

Seney: This is done by an agreement between the two agencies?

Harms: It's done by an agreement between the two agencies. Then what they did is, as the Newlands Project was developed, the individual farms, many of them in the Lahontan Valley, were homesteaded as the Project developed, and a farmer would come in and homestead a 160-acre piece of land, and then agree to pay the government for the water rights -- that was part of the way that the Project was developed.

There were some privately-owned lands in the valley, some 17,000 acres, I think, that ended up in the Project that had water rights prior, but the rest of the Project was settled by land entry and homestead, and then they bought the water rights appurtenant to the land. Then the remainder of the lands that were withdrawn for the Project, which encompassed the Carson Sink and the Stillwater area and Carson Lake Pasture and a lot of the wetlands areas out there, and some other upland areas that never got developed -- those have just remained as Project lands.

Seney: If I could ask something, why would they withdraw, say, the wetland marshes, even though, clearly, they weren't going to be farmed?

Harms: Well, they weren't sure that they weren't going to be. When they developed some of these projects early on, one of the things that happened is some of the marsh areas were actually dried up because of the irrigation, and then they became farmable. Now, Stillwater's kind of different in that most of the marsh that's in Stillwater right now is manmade. The natural drainage from the Carson River goes to the Carson Sink, and it just flowed through that area. But the Fish and Wildlife people, over the years, have developed the ponds and what have you in the marsh area, through a system of canals and dikes and things like that, so that it's really a developed wetland

as much as it is a natural wetland.

Seney: Did it replace natural wetlands that the water no longer reached in the Carson Sink? Or is it just brand new?

Harms: It did replace some of the wetland area -- there's a natural wetland in the sink itself, but by moving the marsh areas, kind of upstream, if you will, above the sink, it provided a little better habitat, and it provided the ability to control that. Carson Sink tends to be just a big alkali playa with not a lot of vegetation around it.

Seney: Let me ask you, the Fish and Wildlife runs the Stillwater Marsh (Harms: Right.) but the land is still Bureau of Reclamation land, is that right or have you given it over?

Harms: It's about half and half now. Public Law 101-618 in 1989?

Seney: [It's] '91 I think. Is it '91?

Harms: I don't remember, anyway, '90 maybe, (chuckles) we'll compromise.

Seney: We'll split the difference. I have it here, it's known as the Fallon Paiute-Shoshone Indian Tribes Water Right Settlement Act of 1990.

Harms: That transferred 77,500 acres of Stillwater to the Fish and Wildlife Service.

Seney: Prior to that, it had been under Bureau control?

Harms: Prior to that, it had been Reclamation withdrawn, but it was managed by Fish and Wildlife and TCID and Reclamation in a tri-party agreement. We had a three-party contract that was entered into in 1948, I believe. It was a fifty-year agreement so it terminates, actually, in 1998. That agreement provided for cooperative management of the area. But in addition to the 77,500 acres that transferred to the Fish and Wildlife Service in that Act, there's about another 50,000 acres that comprises the Stillwater Wildlife Management Area, primarily the Indian Lakes portion of the area,

which still has a Reclamation withdrawal on it, is still subject to the terms and conditions of the tri-party agreement.

The Relationship Between the Bureau of Reclamation and the Fish and Wildlife Service

Seney: What's the relationship between Fish and Wildlife and the Bureau? How do you guys get along?

Harms: I guess (chuckles) it's kind of an interesting relationship, we're both part of the Department of Interior and we get along for the most part pretty well, and on a one-to-one basis individually, generally we have pretty good relations with them. There are some disagreements on issues.

Seney: What would those be? Obviously you're going to see things differently from time-to-time.

Harms: Well, yeah, we do. There are actions that run basically counter from one agency to the other. [OCAP] Operating criteria and procedures for the Newlands Project is one area of disagreement between us and them, to an extent, but even the Fish and Wildlife Service internally has a great deal of strife over Newlands OCAP because they're, in essence, representing two sides to that situation. Because as we tighten the operating criteria on the Project, less water gets to the Stillwater Wetlands. But on the other side of the coin, more water ends up going to the Pyramid Lake Fishery. So the Fish and Wildlife Service has a natural internal conflict between their own units, and of course we kind of fall into that situation. So on one side of the river we're good guys, on the other side, we're bad guys, and depending on what we do and what actions we take under OCAP, it has an effect on both sides.

Seney: Is Pyramid part of the Stillwater Wildlife Management Area?

Harms: No. Pyramid Lake is on the Pyramid Lake Indian Reservation as the terminance of the Truckee River. So it's like the Carson Sink, only it's on the Truckee River. It's the "Truckee Sink" is actually what Pyramid Lake turns out to be.

Seney: It's the end of the line.

Harms: It's the end of the line. It's an evaporative area at the end terminus of the Truckee River. And the cui-ui, which is an endangered species, is only found in Pyramid Lake, and the more water that the Newlands Project used out of the Truckee River system, the less likely that the cui-ui would be able to spawn in the river which is their normal reproduction. It's kind of at cross purposes: not only the Fish and Wildlife Service but the Bureau of Indian Affairs finds theirselves in that same situation, because there's an Indian reservation on each side, the Pyramid Lake Indian Reservation on the one side and the Fallon Indian Reservation on the Carson side. So there's a lot of internal workings that go on. But our relationship with Fish and Wildlife generally is pretty good, but we sometimes question some of the things that they do or propose.

Seney: What would that be?

The Water Purchase Plan for the Stillwater-Carson Lake Wetlands

Harms: Well, right now, the Water Purchase Plan that they're proposing, would actually buy out the water rights on more than half of the Newlands Project to support the Stillwater-Carson Lake Wetlands.

Seney: How many acres of water rights are we talking about here, that they're contemplating buying?

Harms: They're contemplating buying for the marsh areas as much as 130,000 acre feet of

water, which is 130,000 acre feet of headgate entitlement, which represents about two-thirds of the Carson Division of the Project.

Seney: When you say "headgate entitlement," what does that term mean?

Harms: The individual irrigators on the Newlands Project own a water right that's equivalent to 3 1/2 acre feet per acre of irrigated water righted land: that's 3 1/2 acre feet delivered at the headgate to those lands. So with a canal system to deliver the water, that 3 1/2 acre feet equates to probably 5 acre feet or 5 1/2 acre feet of releases from Lahontan Reservoir.

Seney: You mean to get 3 1/2 acre feet to them?

Harms: To get 3 1/2 acre feet to the land, the system loses about forty percent.

Seney: Though evaporation and seepage?

Harms: Through seepage and evaporation in the canal system, and some operations losses that just go with regulating water in an open system.

Seney: "Operational losses" meaning?

Harms: Operational losses meaning when you turn water into a canal or a lateral to service an individual, if the timing isn't exactly perfect, there's a little either extra water that ends up flowing on by, or it's just hard to regulate an open system perfectly, so there is some loss associated with mismatched deliveries and things like that or something. You know sometimes a farmer will call for water and then not take it all, so that ends up going on down the line as a spill. Some of that's reclaimed.

Seney: How is it reclaimed?

Harms: A lot of the spills off of laterals and things like that are either delivered to another user, if there's one available further down the system, or they are collected either in

the drainage system or in some of the regulating reservoirs. There are four small regulating reservoirs within the Project area [that] reclaim some of that water. Some of it goes to the river and is re-diverted with some small diversion dams, that kind of thing.

Seney: So if we get back to Fish and Wildlife, did you say 130,000 acre feet at the headgate?

Harms: Right.

Seney: That's actually going to mean how much released from Lahontan in order to get 130,000?

Harms: That's probably equivalent to 200,000 acre feet at Lahontan.

Seney: That's a lot of water in terms of what the Project uses, isn't it?

Harms: It's is, it's basically two-thirds of the water for the Carson Division.

Seney: Is that going to happen?

Harms: It looks like it's going to, but you know, that depends on funding, that depends on a number of different things, appropriations from Congress to buy it, because they have to purchase the water rights from the individual farmers.

Seney: And then they have to pay the O&M [operations and maintenance] costs (Harms: Right.) on that water.

Harms: On the water, on the system, yes.

Seney: So even though it's going to flow straight out into, I guess out to, what, the "S" Canal maybe?

Harms: Yeah, the "S" Canal to Stillwater would take most of it that goes to Stillwater and then what goes to Carson Lake Pasture, which is about a sixty-forty split: sixty percent goes to Stillwater and forty percent will go to Carson Lake. And that goes

through the "L" and "G" and some other laterals down that way.

Seney: Because the Carson Lake Pasture is regarded as bird habitat too, isn't it?

Harms: Right, it is. That will be operated and managed by the state. We're in the process of trying to transfer those lands to the state, actually.

Seney: To the Nevada Fish and Game Department?

Harms: Well, it'll be transferred to Nevada State Lands, but it'll be managed by Fish and Game. It's kind of like us and BLM, I guess.

Seney: How do you view this? How does this strike you, this diversion of so many water rights?

Harms: I've got real mixed emotions about it. I think part of it is pretty ill-conceived, because it's going to be detrimental in a lot of areas. I, myself, and Reclamation as an agency, I think, has a substantial concern with buying these tremendous amounts of water and then putting them in wetlands and continuing to develop wetlands in areas that are already known to be contaminated with substantial levels of salinity and mercury and boron, molybdenum. You know, we found elevated levels out there in the last few years of those elements, and so there's kind of a concern.

Seney: You're thinking here is that would affect whatever kind of bird population that's attracted by the wetlands will be compromised by these concentrations of metals?

Harms: They certainly could be. I think there's a distinct possibility that they would be. And of course, it may be possible to manage around those, but one of our problems, I guess, with the Fish and Wildlife to this point is that they have this plan to buy all the water, but they have not really come up with a definitive management plan for the water that would address those issues. I think there's ways it can be done. They also

are, at this point at least, still reluctant to look at what's out there now, and possibly enhancing some of the other areas in the valley that would be at least as suitable, if not more, for wildlife such as Sheckler Reservoir and Old River Reservoir that haven't had water in them for two or three years, but there's some good habitat there.

Seney: Where would water come from for those reservoirs?

Harms: Well, historically it came off the irrigation system, but with our tightening of efficiencies and things like that, there hasn't been water diverted into those. We would like to see them incorporated, you know, to a base amount or something in the Water Purchase Program.

Seney: In other words, they would get a certain amount of water, in whatever arrangement is finalized.

Harms: Right, they would be developed on a more stable and standard basis. I'm not a biologist, but an old farm boy from South Dakota I guess, would say that it's not always good to put all of your eggs in one basket. And that's kind of what they're doing: most of these other wetland areas that exist will be sacrificed in order to move all the water to Stillwater and Carson Lake Pasture.

Seney: This must come as, I should think, certainly a surprise to the farmers on the Project, that water they always thought was going to come to them has now got all these other demands on it from the Pyramid Lake Paiute Indians, and the Fish and Wildlife people out at Stillwater Marsh.

Harms: The demand has been there for a long, long time. I mean, this issue has been actually ongoing since probably 1960, that it was first raised, the issue of Pyramid Lake levels dropping because of diversions to the Newlands Project. I think it was 1967

that, because of a court order, they quit diverting water from the Truckee River to generate power at Lahontan in the winter. And other things like that have been ongoing. The first [OCAP] operating criteria and procedures were [in] 1973 so it's changed, but the demand has been there, and it's not a surprise at this point in time -- it may have been early on.

Seney: And the Endangered Species Act plays a big role here, does it not?

Harms: It does. The Endangered Species Act is the leverage that the Pyramid Lake Tribe and the Fish and Wildlife Service have to get water for Pyramid Lake. Otherwise, there's no established water right or anything for Pyramid Lake other than like the ag[riculture] right on the reservation.

Seney: The diversion of water to replenish the fishery has not in the past been regarded as a beneficial use.

Harms: It's regarded as a beneficial use, I think. The key is that there was no established water for it: that's really the key, is that the decrees that establish the water rights on the Carson and the Truckee Rivers did not recognize that as a righted use per se.

Seney: If I understand the Orr Ditch Decree correctly, the Pyramid Lake Paiutes got a certain amount of water, but for agricultural purposes, (Harms: Right.) which they say doesn't interest them, because they're a fishing culture, not a farming culture.

Harms: Well, they use their full entitlement of ag water almost every year, sometimes they exceed it, actually.

Seney: So they carry on agricultural pursuits?

Harms: Yes.

Starting out in the Office in Carson City

Seney: Let's go back to what you did in the office when you came here thirteen years ago -- and we'll go back and forth to these issues. (Harms: Okay.) So your fist job was to oversee these withdrawn lands?

Harms: Yeah, when I first came, that was a major part of the job, was line management.

Seney: And if I recall correctly, you had three people under you?

Harms: Right, basically, yeah.

Seney: So are you a supervisor now for the first time in your career?

Harms: When I came here, yes, that was my first shot at supervision.

Seney: How did you like it?

Harms: Actually, it was pretty fun, because the three people that I did supervise when I first got here, two of them had vast amounts of experience, had been here for a long time, knew their jobs a whole lot better than I did: They did a pretty good job of training me to be a supervisor (laughter), I think is what it amounted to. The third individual had been here for quite a while. When I came here, I was the youngest person in the office by almost two years, so [I was] substantially younger than anybody I supervised -- which was in some ways a little bit of a challenge, but it worked out well.

Seney: What was your impression of the Project Office when you arrived?

Harms: The Project Office at that time and probably, maybe rightly so to a degree, was characterized by people from other offices in the Region as being a country club because it was a pretty relaxed atmosphere, everybody knew what they had to do and got the job done. We weren't real heavily involved in the political aspects of things, like we are now in politics.

Seney: What do you mean by that?

Harms: The primary duty of the Office at that time was to make sure that the Projects continued to operate and that the dams and reservoirs were suitable for operation, and that we coordinated recreation activities and land management activities through the Districts and things like that, so that the base operation of the Projects was continued. And we weren't that involved in negotiating settlements -- there was some of that but it wasn't a great deal of involvement as far as negotiating settlements or anything.

Seney: You know, as I began to look at this Project, it was hard for me to understand: Why does the Bureau need a Projects Office here when TCID actually operates the Project itself, from the Lahontan Dam, I guess, down? So, can you explain to me what it is that this Office does.

Harms: Why we wound up in Carson City?

Seney: Exactly.

Projects That Are Administered from the Carson City Office

Harms: Okay. Carson City is forty minutes from our nearest Project facility, but it's centrally located. We also manage part of our facilities, and the part that we directly operate are Stampede Dam and Reservoir, Prosser Creek Dam and Reservoir, up in the Sierras. And then we have Boca Dam and Reservoir as another one of our Projects. Lake Tahoe Dam is actually a part of the Newlands Project, so we are kind of centrally located to that. And another reason is that in most states, Reclamation has endeavored to -- if it's reasonable -- have their offices located in the state capitol. It facilitates working with the state on various issues.

Seney: With state agencies and with the state Legislature?

Harms: With state agencies -- we don't get involved, really, with the Legislature very much -- but with state agencies we do have a degree of involvement -- probably not as much here as in some other states, but we've had technical assistance to the state's programs and things that we've done over the years. Now we're involved in some state drought committees and things like that.

Seney: Do you serve on any of these?

Harms: On the drought committees, not right now -- I did a few years ago, I represented Reclamation.

Seney: What does that mean, when you "represent Reclamation on the drought committee"?

Harms: You kind of go and see what's going on and if Reclamation has any programs or anything that fits in with what the state's doing or trying to accomplish. For instance, there's times that we'll get drought relief monies or something like that, that we can funnel through. That type of a situation, it kind of coordinates activities, and occasionally we do some funding things.

The Number of Drought Years since the Project Began

Seney: You know, when I began to read about the Project, it struck me that there was almost as many drought years as non-drought years, that there have been years when there's been a lot of water: in the early 50s there was good flows, apparently; but it seems to me there have been a lot of so-called "drought years." I guess what I want to ask you about is, what is your overall take on the amount of precipitation that's really available on the Truckee River watershed and the Carson watershed and even maybe in the Tahoe Basin since that relates, certainly, to what flows into the Truckee.

Harms: Right now I think a lot of people are looking at what's happened. If you look at the recent past, we've certainly gone through the ups and downs of the hydrology. But, if you look overall at the Newlands Project, over the period of its existence -- that's the early 1900s -- the actual shortages that have been suffered by the irrigators out there have been pretty few. I think less than maybe a fourth of the time do they ever suffer a shortage. Even in those shortage years, most times they don't suffer that much of a shortage. If they get seventy-five percent or something, of their normal entitlement for water, they can still maintain a pretty viable farming operation. It's years like this one and a couple in the past drought where their allocations have been down at fifty percent or below, those are the ones that are really hard economically for them to get through. In the shortage years where they get seventy or eighty percent [they are still viable].

Seney: That's still viable, you think?

Harms: Then agriculture is still pretty viable in the Lahontan Valley because it just means that they don't do as much irrigating late in the fall. They maybe start a little later in the spring. They get one less cutting of alfalfa or something like that: instead of four cuttings, they get three. So it's not as devastating as it sounds -- just the fact that there's a shortage most of the time.

Seney: This year it's a fifty-seven percent allocation of water.

Harms: Yeah, fifty-seven percent on the Carson Division, but it turned out to be about a forty-eight percent year on the Truckee Division because the Truckee River went dry.

Seney: And their water has now ended at this point on the Truckee.

Harms: And their water has now ended on the Truckee Division, there's no supply of additional [water].

END SIDE 1, TAPE 3. AUGUST 10, 1994.
BEGIN SIDE 2, TAPE 3. AUGUST 10, 1994.

Seney: I started to ask you about the flow in the Truckee River when the tape ended. That is, I asked if I went down to Derby Diversion Dam, would I see any water flowing there?

Harms: You would see some. Most of what you'd see there would be going on downstream because the Pyramid Lake Tribe irrigation water right is a prior right to the Newlands, so their entitlement has to be met before any diversion to the Truckee Division. And once that right is met, the rest of it would be diverted. But yeah, you'd see water at Derby. The reservoir level at the dam would be about where it usually is, but the flow in the Truckee Canal would be really low: basically, enough to meet the seepage and that's about it. But it would continue to flow, and they will continue to take water as long as there's a certain amount of water available in the Truckee Canal.

Seney: When you say, "meet the seepage," what do you mean by that?

Harms: Well, the Truckee Canal, in its 28 1/2-mile length, loses about 17,000 acre feet of water a year to seepage and evaporation. But, it's got a side benefit to that seepage, and that is that it supports the groundwater table in the Fernley and Swingle Bench areas so that those people's wells don't go dry. If the canal is entirely shut off for any substantial period of time, then a lot of domestic wells in those areas start to dry up. If there's even a small amount of water that can be diverted into the canal, it's generally done just to help support that.

Seney: Now at this point, and for some time, the water has been below the natural rim of Lake Tahoe (Harms: Right.) so it's not flowing out of the Truckee. Where is this water coming from?

Harms: Well, it is coming out of the Truckee system.

Seney: I'm sorry, but not out of Lake Tahoe.

Harms: No. Most of the water that's in the river right now is coming out of Independence Reservoir, out of Sierra Pacific's privately-owned water, that's being delivered though Stampede and Boca Reservoirs on the Little Truckee into the Truckee River to serve the municipal demand in Reno. And then what you see at Derby is basically return flows from the Truckee Meadows area from the sewer plant effluent and things like that. So the water you would see at Derby right now is probably not the most pleasant (chuckles) water that you would see.

Seney: Independence is upstream on the Little Truckee.

Harms: Is above Stampede, yeah.

Seney: So it flows from Independence to Stampede to Boca.

Harms: And then into the Truckee River.

Working in the Carson City Office

Seney: Then into the Truckee River and down. Let me go back to -- and I'm sorry to be skipping around so much -- the Office, because we're interested in the working conditions and the office culture and so forth. Last time you talked about some of those aspects when you talked about working in Duchesne and so forth. Generally speaking, you said this was a country club, did you say, "Whoa! I made the right choice here!" when you arrived?

Harms: I was a little apprehensive when I first got here, because it was my first supervisory position, and I don't envision myself as somebody that has a real outgoing personality and things like that, that I sometimes think would help in a supervisory role. I've developed some of that along the way in the last few years, the ability to meet with different groups and things like that, that I didn't really have. This was a small Office, there was twelve here in the Office when I came.

Seney: How many are there now, by the way?

Harms: Right now we have twenty-eight people on the staff, only twenty-one of them are here.

Seney: The others are in the OCAP Office?

Harms: There's six in the OCAP Office in Fallon and one in Truckee. It was a small group, they were mostly people that were a lot further along in their careers, I guess you'd say. Most of them had been here for quite some time. It was a pretty social kind of a thing.

Seney: What do you mean by that?

Harms: Well (chuckles), I mean, I guess, that the people that worked together here tended to socialize together off the job a lot, too. There was a lot of afternoons that we'd go to the local pub or whatever for a few drinks, and different people had barbecue and things like that. It was a social as well as most everybody here was really good, hard-working people and everything, but it had a certain relaxed kind of a atmosphere and work style that associated with people that had been together for a long time and were friends.

Seney: Is that still true here?

Harms: I think we've lost a lot of the socializing aspects of the work force here, because now most of the people tend to be younger, and they also tend to have a lot of varied interests and responsibilities outside the job -- plus a lot of them commute. We have a lot of people that come from Gardnerville and different areas around, so it tends to be much more diversity; the sameness in interests and what-have-you is not quite there like it used to be.

Seney: What was your wife's and your daughters' reaction when you arrived [and] got settled?

Harms: They weren't really happy about having to leave our place in South Dakota. Getting settled took a little time, especially since we weren't able to sell our house back there and move into a house of our own for two years. That is hard on the family, but they fit-in pretty good. We got involved with a church here, so we made the transition to this community pretty well I think. It was good in that respect -- better than most places, I think, that I had opportunities to go.

Of course it's hard to say, but this move was forced, and it was maybe a little easier because of the fact that if I was going to stay employed as an engineer for the Bureau of Reclamation, I didn't have any choice but to move, so they accepted it a little more readily than some of the other moves where you move to try to get a grade or keep a job maybe.

Seney: You said that the office here was regarded as kind of the country club in the Mid-Pacific Region, I guess. How was the Newlands Project regarded, do you think, within the Bureau, within the Mid-Pacific Region?

The Relationship Between the Mid-pacific Region and the Newlands Project

Harms: Within the Bureau I would say, at least when I came here, there was probably only fifteen percent of the people that worked for the Bureau of Reclamation that could have even told you where the Newlands Project was. As far as the Mid-Pacific Region goes, we've always been kind of the stepchild or the extra thumb because the Central Valley Project is so much bigger in magnitude and everything, that Newlands just was kind of "out there."

The issues and things that we're facing in Newlands are kind of actually ahead in most of the rest of the Bureau and now a lot of people in the Bureau and a lot of the irrigation district people that you talk to from other areas, know about the Newlands Project, and they're watching what goes on, because what goes on in Newlands, they can expect to be facing in another five or ten years down the road. You know, we had operating criteria in the Newlands Project in '73, and now they've got operating criteria and procedures on the Central Valley Project, and those kind of things never existed before Newlands broke the ground. It's kind of, everybody knows where it is now, but it's still difficult in many ways, being that we are a small Office and we're removed quite a ways from Sacramento.

We have trouble a lot of times getting priority for our work or things that we want the Regional Office to do for us, it's hard.

Seney: What would be some examples of that?

Harms: Examples, I guess, would be things like design projects. If we have an engineering design that we would like to have completed, in the past it's been our experience that we'd send a request in to Sacramento and our work kept getting pushed back on the list because the Central Valley Project had bigger projects and more local priority

because the people that wanted the work done were right there in the Office, and it's a lot easier to walk down the hall and see if somebody's working on your Project than it is to drive 125 miles to see if they're working on your Project. (laughter) Some of those things have happened over the years. We get our work done after the Central Valley priorities are met, in a lot of cases, and that's kind of understandable.

Seney: What are some of the advantages to being 125 miles from Regional headquarters and regarded as a sort of appendage?

Harms: I guess some of the advantages of the way we operate are, we don't tend to get questioned as much about some of the things we do. For instance, I guess an area that that's probably as evident as anything is in the budget. The Central Valley Project budget is around $70 million, our budget is $2-3 million now -- it used to be around $1 million a year, and theirs was $70 million. So when they started looking for places to reallocate money and make budget cuts and stuff, we stayed pretty much clear of it, because ten percent of our budget didn't amount to anything compared to their budget, since we were only less than three percent of the entire Regional budget. Some areas like that, it's been real advantageous. They don't question that much what we do, we're able to maintain a degree of flexibility that some other Offices aren't, because of that.

Seney: That's not a small advantage. That's a rather large one, I would think.

Harms: That is quite a lot of an advantage to us, it's played in our favor a lot. There's just less tendency for them to be looking over your shoulder at what you're doing, because you're far enough away.

Seney: Now, at this point, you're essentially the number two person in the office, am I right

about that?

Harms: No, actually, essentially I'm equal with the other two number two people in the Office, I guess is how it breaks down. Our Office is set up with three Divisions, as such.

Seney: Before you tell me about the Divisions -- I want you to do that -- but tell me how you worked your way up to being Head of one of these Divisions.

Safety of Dams Modifications to Lahontan and Other Project Dams

Harms: Well, that's what I was brought in at. My original position here as supervisor was as Chief of -- at that time -- it was Engineering and Land Operations Division. And we've gone through some staffing changes and reorganizations over the years. In the mid 80s, we had a Construction Division when they were doing Safety of Dams modifications at Lahontan.

Seney: Are you finished with the Safety of Dams problems in this Project Office?

Harms: No. We have a major one at Rye Patch going on right now. We also have Safety of Dams work ongoing at Lahontan. We've done two Safety of Dams construction projects. We overlaid the spillways at Lahontan -- did a concrete overlay on the spillways at Lahontan. And then we did a Safety of Dams modification at Tahoe.

Seney: Let me say, this Safety of Dams business really comes about because of the Grand Teton failure.

Harms: Yeah.

Seney: Now, when I read about the Lahontan Dam, it says it's an earth-filled dam. And then I go look at it and what I see is concrete, on the front of it, on the downstream side, do I not?

Harms: No, the embankment itself, between the spillways, there's some hand-placed riprap around the bottom and then the rest of it is just kind of a rock.

Seney: But how about the spillways, though?

Harms: The spillways are concrete, yeah. The spillways at Lahontan are pretty dramatic for an embankment like that. It's an unusual configuration.

Seney: It's a beautiful dam, really.

Harms: Oh, yeah, it is.

Seney: And that's something you added as a consequence of the Safety of Dams legislation?

Harms: What we did was, basically we put six to eight inches of new concrete over the top of everything that was there, in the spillways and in the stilling basin. It's got the round stilling basin or bowl at the bottom of it.

Seney: "Stilling basin" meaning the function of which is to still the water before it flows?

Harms: Right, before it flows down the river. When it comes down those spillways, it's got a lot of velocity and it's pretty turbulent. The stilling basin just takes the energy out of the water, allows the energy to dissipate in a confined [space].

Seney: How does it do that, is it deep?

Harms: Yeah, it is pretty deep, it's about thirty feet deep and then it's circular so that when the water comes in at Lahontan, it tends to flow in circles in there.

Seney: That slows it down?

Harms: Slows it down. As it makes laps -- it's kind of like a runner, as you make laps, you get a little tireder (laughter) each time around, I guess. But, that's what the function of it is.

Seney: I do want to ask you about the Safety of Dams part though, and we might as well

here. This opened up a whole new series of responsibilities for the Bureau, did it not?

Harms: It did, yeah, it opened up basically a whole new area. It was a kind of a taken for granted thing that the dams were there, and if you did a decent job of maintenance, they were going to stay there. It was kind of a taken for granted thing. As time has gone on, and the understandings of soil mechanics and geology and things like that have improved over the years. So when they go back and look at dams like Lahontan that were constructed back sixty or seventy years ago -- Rye Patch was constructed fifty years ago -- they tend to not meet what a current design standard would be for foundations and embankment materials and things like that.

Seney: What's the problem at Lahontan?

Harms: Basically they're looking at two things out there yet: one is seepage through the right abutment of the dam.

Seney: "Right abutment" means?

Harms: If you're looking downstream, the right-hand side of where the dam comes against the natural ground. There's been some seepage evident there over the years, and they're investigating the extent and possible problems with that.

Seney: The water is very low now in Lahontan, isn't it? Is it low enough that that problem can really be looked at?

Harms: Yeah it is. We've got a big program starting out there in another two months, I guess, when Sacramento gets the specs [specifications] out on it, there's going to be a contractor move in, we're going to build some ramps on the upstream face of the dam so that they can get some drill rigs out and do some soils investigations or foundation

investigation on the upstream. So the low water helps in some ways.

Seney: If I may, in the Central Valley Project, the Folsom Dam, there were considerable modifications made last year I guess, the year before maybe, as a result of low water there.

Harms: The work at Folsom's been going on for three or four years.

Seney: How's the Derby Diversion Dam?

Harms: Derby seems to be okay. It's a diversion dam and the Safety of Dams Program really doesn't look that much at diversion dams. It primarily looks at higher-head storage dams where a failure could cause severe downstream flooding and that kind of thing. A failure at Derby, you'd just have a momentary surge in the river and it would be all gone. Because there's no real quantity of water impounded there.

Seney: When you say, "a higher-head dam," you mean what?

Harms: Derby backs water up about ten feet deep, Lahontan backs it up about seventy-five feet deep -- so there's a substantial difference in depth, upstream a well as in the volume of water that's [impounded].

Seney: How is Stampede Reservoir?

Harms: Stampede's gotten a pretty clean bill of health through the Safety of Dams Program. So has Boca and Prosser. Our upstream facilities -- except Tahoe -- seem pretty good. Tahoe, we did a modification to Tahoe Dam in 1989, I believe it was.

Seney: What needed to be done there?

Harms: What we actually did at Tahoe was, we went out and we put [up] a concrete cut-off wall basically: it's a gate structure with a short embankment on each end, and we put a concrete cut-off wall through each embankment in order to control seepage. What

they did is, they came in and drilled circular pilings in, we put in interlocking circular concrete pilings, about fifty feet out from each end of the gate structure about twenty feet deep.

Seney: Downstream or upstream?

Harms: Right through the middle of the embankment. They come right straight out from the end of the gate structure on each end.

Seney: And that's to anchor the dam better?

Harms: Yeah, well, it's to prevent seepage from going under, and it kind of anchors it, yeah -- I guess that's one way to put it.

Seney: A non-engineer would put it that way, I guess.

Harms: Yes. And the other actually two parts of that: one is that we put a concrete cap over each embankment, and then we replaced a part of the concrete apron downstream in the dam where the water flows out across the concrete on the downstream.

Seney: I take it seepage is what you worry about the most in terms of undermining the structure over time?

Harms: That was the concern that prompted us to put in the walls. The concrete cap was put on because the geologists and the seismologists and all of those people got together and decided that if there would be a major earthquake in Lake Tahoe, which is possible with the fault lines that are under it, and a plate shift fault would create a big wave, which would come down and basically overtop the dam. For a short period of time it would be like a big wave just rolling over the top of it.

The theory was that that would have taken the embankments out on both sides of the dam, and then we would have lost the remaining storage up there, so we put a

concrete covering on both embankments, so that now if the wave does hit, it might take the building off the top, but that's pretty superficial, and the rest of the structure would remain intact, theoretically.

Seney: Was that expensive to do that?

Harms: The whole cost of that contract, by the time engineering and all of the other costs were involved, it was about $1.1 million.

Seney: That doesn't sound like a lot of money. Is it, in terms of these repairs to dams?

Harms: In terms of these kinds of repairs, no, it's not. In terms of the scale of the structure, it seems pretty significant.

Seney: Because it's not a large structure.

Harms: Because it's a pretty small structure, yeah.

Seney: Now, while Rye Patch isn't technically in the Newlands Project, (Harms: No.) I can still ask you about it (Harms: Sure.) because that's the most serious problem.

Harms: That's the most serious one that we have right now, yeah.

Seney: What's the problem there?

Harms: The foundation for the dam would fail in an earthquake. The foundation turns to jelly and the embankment slumps away and we lose all the water.

Seney: My understanding is that the bottom of the dam is a considerable distance from the bedrock. That there's kind of mushy stuff in between the bedrock and the bottom of the dam.

Harms: It's river sediments that Rye Patch is constructed on.

Seney: That will liquify?

Harms: Some of them will. There's some unconsolidated things, and some of that material is

pretty subject to liquefaction. Once you get down deeper, it's not, because if you've got enough overburden on it, or enough pressure on it, then it's not subject to it. The way Rye Patch is constructed, immediately below the dam, there's about thirty or thirty-five feet of material that's subject to liquefaction.

Seney: That would seem to me to be a very expensive and difficult problem to solve.

Harms: Oh, it is. Basically, what we're doing is going in on the downstream, right at downstream toe of Rye Patch, Downstream toe of the embankment, downstream, where the embankment meets the existing ground. We'll cut a big trench through there, about down to the thirty-five feet depth and refill that with selected material that's not subject to liquefaction, and then basically build another embankment right on the downstream. So in essence, what we're doing is constructing another dam right over the downstream face of the existing one at Rye Patch, is what you're doing, starting from the foundation up, and just building another dam, and it just lays on top of the one that's already there.

Seney: Then that will be an expensive proposition.

Harms: That's got an estimated price tag of around $7 million on it.

Seney: Are there many homes downstream from Rye Patch?

Harms: In the first thirty miles, no, there's only three.

Seney: Even if [Rye Patch Reservoir] were full, which it certainly is not now, [it wouldn't do that much damage]. Has it ever been full?

Harms: Oh, yeah, Rye Patch has been full in 1985, I think it was. We released the equivalent of six full reservoirs of water at Rye Patch in one season.

Seney: Even if it were full and failed, how far would that get?

Harms: It would flood parts of Lovelock. It would flood a substantial number of homes and stuff down in Lovelock itself. One of the primary concerns with a Rye Patch failure is the fact that there are campgrounds and recreation and what-have-you in the river channel just below there, and the loss of life associated with a failure in those campgrounds and people fishing in the river and things like that, is substantial.

Seney: So the $7 million would be well-spent in terms of the potential loss that you figure might come from this? But except for what has to go on at Lahontan and fixing Rye Patch, all the rest of the Safety of Dams work has been done then?

Harms: To this point. Everything we've got after that is deemed acceptable.

Organization of the Carson City Office

Seney: So there was this Construction Division, and there was your division, the Engineering and Lands Division; what other divisions?

Harms: At that time there was a Planning and Water Operations Division. That's the basic makeup of the Office. My Division was Engineering and Lands Operations and the other Division was Planning and Water Operations. They primarily were involved in doing any of the planning studies that we had, as well as overseeing the ongoing water rights activities on the Truckee and Carson Rivers with the decrees and the negotiations for settlements and all that -- that was the Division that primarily did that.

The Duties of the Engineering, Operations and Maintenance Division

Seney: Now, do you still head the same Division?

Harms: Yeah, only the name has changed. The duties have expanded tremendously, the name has changed to Engineering, Operations and Maintenance. We added

Stampede Power Plant in 1989, so that added a power plant operator in Truckee. Earlier than that, we added an engineer and a technician to do the first water measurement program for the Newlands Project. In my tenure, it was the first one -- they had done some before.

Seney: You mean measuring actually how much is going in?

Harms: Yeah, physically measuring the deliveries of water on the Project and monitoring how the District was doing.

END SIDE 2, TAPE 3. AUGUST 10, 1994.
BEGIN SIDE 1, TAPE 4. AUGUST 10, 1994.

Seney: Today is August 10th, 1994. My name is Donald Seney and I'm talking with Mr. Gene Harms at the Bureau's Carson City Office. We were talking about measuring the flows as they actually go into the farmer's fields?

Harms: We measured not only the flows as they actually went into the fields, but we measured canal flows in certain areas and stuff, to determine if the quantities of water that the District was estimating were in those canals, that those flows were actually what was occurring, and to try and help them. The goal was to try and help them more effectively regulate the water in the system.

Seney: Maybe I'm wrong here, but I guess the farmers might view that a little differently, might they?

Harms: Oh, yeah, they do. That's "Big Brother" looking over their shoulder again. Well, when we started that program, it was pretty well accepted -- the first program that we did -- because we did provide them with some support and some useable information and things like that on an annual basis, that they were looking for to help them in

their management. We did that for about three years before they established the OCAP Office in Fallon, and that really started looking over their shoulders much more intensely. The real intense work is what has been hard for the District and the land owners.

The Relationship Between the Bureau and the Farmers and TCID

Seney: Talk a little bit about the relationship between the District and the Bureau.

Harms: Boy that's varied over the years!

Seney: Well, that's exactly what I want you to tell us.

Harms: Well, the relationship, I guess, to my knowledge, has gone from where representatives from this Office and District Managers back at some point in the early 70s came to fisticuffs on the ditch bank, almost, at least, as some of our files indicate. They were very hostile in the early part of the 70s and stuff.

Seney: Well, this was just at the point when the relationship between the Bureau and TCID was beginning to change, wasn't it?

Harms: Right. Well, the relationship between us and the District started to really change in the later 60s. TCID is an interesting study, and I think the Bureau is finding that it's pretty typical of these Projects; it's kind of like a parent-child relationship in a lot of ways: We built the Project, we turned it over to them basically for operation, and then just for all practical purposes, stepped back away from it about 1930 and just let it sit there. Then thirty years later, after they've been managing it and doing things the way that they're used to doing them and everything for thirty or thirty-five years, then we step back in and try to basically exert discipline again. It's kind of like having a child and turning them loose between the ages of five and ten and then

trying to discipline them again after that point in time -- it's pretty hard to do. And that's kind of, I guess, how I'd characterize the relationship. And then since that's time, our relationship with the District has gone through a real series of ups and downs.

Seney: Tell me about that.

Harms: Like I say, back in the early part of the 70s the relationship was so bad that there were people from Reclamation and TCID that you couldn't even get in the same room for a meeting. They just absolutely refused to meet.

Seney: What was the basis for that?

Harms: I guess it goes back to that parent-child relationship, that we were trying to get a foothold back in the District and the District was reluctant. And rather than going through a reasonable development period of relationships, it immediately jumped to, "We have the authority to do this and we don't care what you do. You're going to do it our way or not at all."

Seney: Do you think some of the Bureau people could have been more diplomatic?

Harms: I think that had the Bureau people at that time, and possibly some of the District people, been more diplomatic, it could have certainly worked out to their benefit.

Seney: My understanding is -- correct me if I'm wrong -- that the TCID view was, we've got a contract with the Bureau, you can't interfere with this contract.

Harms: Well, that's it. "You turned it over to us, you haven't looked at what we're doing for thirty or forty years and we're operating within the terms and conditions of this contract that was put out in 1926." Of course, if you look at contracts in general, I think, between 1926 and, say, 1980, you'll find that what you could do in a page-and-

a-half in 1926, is probably fifteen pages in 1980 in the contract world. So, the interpretation of that contract was loose. When the District felt they could get a benefit from it, they'd interpret it one way, and we, of course, interpreted it differently.

Seney: I may need you to give me the date on this, but it seems to me it was in the late 70s when the Bureau said to the District, "You have to reduce your take at Derby Dam."

Harms: Right. Actually, the 1973 OCAP, which was the first court decreed OCAP said that.

Seney: The District just flatly ignored it?

Harms: Yeah, the District ignored that. That wasn't the first thing that the District had ignored. We had -- back early-on in the Project -- bought sixty-four acres of land up at Lake Tahoe, right by the Tahoe dam. They bought a sixty-four acre parcel of land up there because it had both lakefront and riverfront land on it. And when the Project was formed, the Truckee River General Electric Company -- which is Sierra Pacific Power Company's predecessor -- owned Lake Tahoe Dam. They had constructed it and they owned it up until 1915. Reclamation had gone in prior to that court decree that gave us actual control of Lake Tahoe Dam and purchased this piece of land so that if we couldn't get control, we could build our own outlet and our own control structure on Tahoe to regulate water.

That parcel of land, of course, is pretty prime up there and TCID had, over the years, in order to supplement their operation and maintenance costs and other activities, been leasing that parcel of land to various [interests]. There was a hundred-unit trailer park in there, there was a tree farm and a real estate office, a construction office -- a whole bunch of people that were leasing this land from

TCID, and it was actually Federal land and it was beyond the scope of TCID's authority to lease it for purposes other than agriculture, but they were doing it. That's one of those things that during that period of when the Bureau wasn't paying attention, had gone unchecked.

I think it was in 1968 -- if I remember the years correctly -- the Bureau told TCID that we were going to take that land back, and that they could no longer lease it. They took us to court and said, "You can't do that under the terms of the contract," and that it was a legitimate use as far as they interpreted the contract, because it was supplementing their O&M costs. That went through the court system, and through, I think, two appeals: and finally in 1983, I think we finally got that totally resolved and turned that piece of property over to the Forest Service. But, that was one of those ongoing issues between the District and the Bureau.

The Bureau Terminates the 1926 Contract with TCID

Seney: Would this be one of the first times the Bureau said to the District, "You can't do that?" And they said, "To hell with you, we can do it."

Harms: That's probably the first example of when the Bureau said to the District, "You can't do this anymore."

Seney: And wasn't the result of this conflict, that 1983 decision, that established the fact that the Bureau really did have the power to do these kinds of things? Or did that come over the water diversions?

Harms: That came over the water diversions.

Seney: Because that was a parallel case?

Harms: Yeah, it was kind of a parallel thing that was running along about the same time.

Seney: Tell me about that one.

Harms: Well, what happened is, the 1973 OCAP came out, and as we discussed, basically, the District ignored it, they chose to say, "We don't have to abide by that because it's not reasonable and prudent for us to do that." And that was largely, I think, because the numbers that were established in that OCAP, the water diversion allowances, were really a lot lower than they should have been to be reasonable.

Seney: So you think the Bureau was maybe a little bit strict on those?

Harms: I think the government was a little overbearing on that.

Seney: Where did those numbers come from?

Harms: Out of a report that was done by some consultant as part of the Truckee River Task Force, which was set up as an inter-agency group to look at this. So you had a lot of influence from the tribes and the Fish and Wildlife Service people and stuff, setting those numbers. The report was done by a consultant for this Task Force, and that's kind of where that original number came from.

Seney: That number was 325,000 [acre feet]?

Harms: [It was] 288,000 [acre feet] I think.

Seney: And what had they been accustomed to taking, do you know?

Harms: About 406,000 [acre feet].

Seney: So that's a considerable reduction.

Harms: It was a third, it would have taken away about a third of their water. That didn't sell, and the District ignored it. So along about '76, I think it was, the Secretary said, "If you're not going to abide by the OCAP, that's a violation of the 1926 contract." There are no remedies in repayment contracts other than termination, provided for.

So in 1976 -- I don't remember the years exactly, but it seems like it was either '76 or '78 -- we sent them a letter saying, "Your contract is terminated."

Seney: What was the reaction?

Harms: Of course their reaction was, "You can't do that," and immediately they went to court. That court case was resolved in 1984, finally, after a couple of appeals. When the judge in fact said, "Yes, they do have the right to terminate your contract. And, as a matter of fact, your contract was terminated when they wrote that letter."

Then in 1984, as a result of that, we signed a temporary operating agreement with the District to continue operations until another formal contract could be entered into. By 1984, we had gotten the point across that "yes, as a matter of fact, you do have to do what we say," and that kind of thing. Then our relationship and the people that were managing the District and stuff had improved to the point that we did a temporary agreement at that time with the intent that within three to four years we would renegotiate a new long-term contract. It hasn't happened yet, we're still operating under the 1984 temporary agreement.

Seney: You just keep extending that agreement, I take it.

Harms: It didn't have a termination. What it's got in it is a forty-five day termination clause that says, "The Bureau of Reclamation reserves the right to terminate this contract on forty-five days' notice." That notice has never been served.

Seney: I guess the stick you're holding here is the threat that you'll really come and take the District back.

Harms: That's right.

Seney: Is that a credible threat?

Harms: Yes, very credible.

Seney: You know, I have to tell you what I hear from TCID is, I don't think they think it's credible. Let me tell you why -- and I'm sure you're familiar with this, but so it's here on the tape -- that they run it on a shoestring. That they had ditch riders who work virtually around the clock on twenty-day periods and virtually twenty-four hours a day, and that under Federal personnel rules, you could never staff it the way they staff it. That you'd need three times the roughly fifty or sixty employees that they have to run the District. That equipment purchases and other kinds of costs would be a fair outlay.

Harms: Oh, yeah, they would, there's no doubt about it. We've gone through [the numbers].

Seney: Have you studied this? You must have figured it up and totaled it up.

Harms: Oh, yeah, I've run the numbers two or three times.

Seney: What do the numbers say?

Harms: The numbers say that we'd have to have $5 million and about sixty-five people to take it over. And of course, with the government, to be able to come up with the $5 million up front isn't a real problem.

Seney: That would be what, to buy the buildings and buy the equipment?

Harms: To purchase equipment and stuff. Their buildings are on our land, so the buildings really (laughs) aren't a problem. But, to hire the staff and to procure enough equipment to get into operation, we'd be looking at about a $5 million outlay.

Seney: Initial outlay.

Harms: Initial outlay. What's been suggested, and what would probably happen, is that $5 million dollar outlay for the first year, would be then spread back over the next

few years in some sort of a repayment scheme, and then on a year-to-year basis when we operate and maintain a Project, we charge the users the cost for our operation and maintenance of the Project. Their O&M rates would go two to three times as high as they are, probably: from twenty-five dollars an acre, they may be paying sixty-five or seventy-five. But, the Project would get operated, the water would get delivered to those that could afford to pay the price. So it could happen. It came very close to happening.

Seney: When was that?

Harms: This last year. That's how I got the numbers. I spent two weeks last fall putting the numbers together.

Seney: What was it that made this come so close last year?

Harms: It's been close for the last three or four or five years. One of the things has been a reluctance, I guess, on the part of TCID to come back to meaningful negotiations in the settlement activities that are going on.

Seney: This is the overall settlement between all the parties, the Pyramid,Sierra Power, Washoe, and so forth.

Harms: And the fact that we are under a temporary operating agreement, that the negotiation of a long-term agreement may not be reasonably possible for a number of reasons.

What a New Long Term Contract with TCID Would Include

Seney: What would those reasons be?

Harms: One of the reasons would be that the District might not agree to the terms that we would put in it. Another would be anything that we'd do of a contractual nature, anything like that has to have NEPA compliance, National Environmental Policy Act

compliance.

Seney: What's the hang-up there?

Harms: The hang-up there is that if you do an environmental impact statement for a long-term contract or an environmental assessment even, and you look at the District's record of compliance with OCAP and other issues related to the environment and endangered species, they don't have a very good record. That leaves you open to challenge by the Pyramid Lake Tribe and Fish and Wildlife and environmental interests would challenge any contract, basically, that we did that TCID would be agreeable to. In order to get through that process would be extremely difficult, and that's one of the main constraints I see to doing a contract. Plus, with the new requirements that the Bureau has put on, as far as collecting costs for various things that we do and everything, their costs are going to go up a lot. No matter what happens, the requirements and their operating costs are going to increase.

Seney: What other requirements are going to raise the costs?

Harms: For instance, we have a requirement in all of our contracts now, that they pay the Bureau's costs for doing inspections and reports on Project facilities. Another big factor that would come into play in their contract case, in particular, is the lands issues, because they now hold most of the Newlands Project land as custodial, whereby they can issue grazing leases and what-have-you, and they do that to offset their operating costs. They would lose that, because under current regulations, those monies have to go somewhere else.

Seney: Back into the U.S. Treasury?

Harms: They go back into the Reclamation fund, U.S. Treasury. And the same with the

operating revenues from the original Lahontan power plant. Those revenues would no longer be available to the District to defray their operating costs. And there's other things like that, that would wind up in that contract.

Seney: I have to ask you, what are the "other things like that"?

Harms: It's hard without the list of contract issues.

Seney: Oh, sure, right.

Harms: The issues that have been raised are things like establishment of an advisory board, a multi-agency type advisory board similar to the BLM advisory board.

Seney: That would not make them happy, would it?

Harms: That won't make them happy.

Seney: Now, all these things you're talking about, when you get around to signing a new contract, these are all elements of it: (Harms: Yes.) that they don't get the power money, they don't get the grazing money, they've got to pay for reports and inspections that the Bureau of Reclamation is going to do, they're going to have to have an inter-agency advisory board (Harms: Right.) having a look at what they're doing. So this is in the cards, absolutely?

Harms: Right, it's in the cards. I think it's got to happen, and whether it happens by a contract with TCID or through some other mechanism such as the Bureau taking it over or whatever, it's going to happen. It's just a matter of whether or not they're going to acquiesce and agree to it, because they're kind of proverbially "between a rock and a hard place" right now.

Attempts to Negotiate a Settlement of Issue over the Truckee River and TCID

Seney: There have been a number of attempts to negotiate a settlement between all of the

claimants such as Truckee River Water, Sierra Pacific Power and Washoe County Water and Conservation District and the Pyramid Paiutes and the TCID and the Bureau of Reclamation and whatnot. Can you give me kind of a thumbnail history of these attempts at settlement?

Harms: I guess maybe since I've been here, I could.

Seney: That would be fine.

Harms: They started a lot earlier than that, and I don't know all the goings-on. I guess I can go back as far as the Nine-Point Package that was negotiated back in the 70s that basically would have accomplished most of the settlement issues, and was negotiated amongst all of the parties and then the government backed out.

Seney: The government backed out because the feeling was there wasn't enough for the Pyramid Lake Paiutes, is that right?

Harms: I think because there wasn't enough for them, and because there was a substantial price tag associated from a funding standpoint. And, there's always been a reluctance to, in essence, give anything to TCID, on the government's side, because they just feel like they shouldn't have to, that TCID has had it their way.

The Nine-Point Package included a substantial amount of money. At that point in time it was $9 million dollars for rehabilitation and betterment of Project facilities that would have been non-reimbursable. It would have been money that would have basically just been given to the District, or work that would have been done <u>for</u> the District to upgrade and repair the facilities.

Seney: Now, my understanding from a number of sources is that TCID is kind of regarded as the bad guy in these attempts to negotiate the settlements. Would that be your

understanding of it?

Harms: To me, it's hard to put your finger on a bad guy in the negotiations. I think TCID has been reluctant to negotiate, especially in the later rounds, because of what's happened in the earlier rounds in the negotiations, where first we tried to direct them rather than negotiate with them through the OCAP process. And then, as the negotiations have progressed over the years since I've been here, the Nine-Point Package, if I recall, was negotiated based on 406,000 acre feet of water. Which, then after the negotiations and everything were all done, the government backed out of, because that seemed like too much water for the District, and too much money and that kind of thing.

Then, the next rounds of negotiations brought the water allocation to the District down another 30,000 or 40,000 acre feet. And the District went into that round even, pretty willing to negotiate and trying to find a solution. When they had basically said, "This is our bottom line, we're not going any further than this," then the Pyramid Lake Tribe pulled out of the negotiations and said, "We're not going to negotiate anymore." So that ended that round, and that was probably in 1983 or '84. Then they started up again, and in essence, what's happened is that each time they've been terminated and started up, the start-up point for negotiating a settlement has always been that everybody else goes back to the beginning to negotiate, "but TCID, you're starting from where you left off." In essence, TCID has always been required in the negotiation process to start from the lowest point that they were the time before, and nobody else has been required to do that. Sierra Pacific and the tribe and the others have never been held to their previous negotiation position. So what

TCID sees is, every time they negotiate, they loose. And then when they've given up as much as they can, reasonably, or feel that they can reasonably give up, then the other side backs out and then they're expected to come back to the negotiating table the next time around with a number that's lower than where they left off the time before.

Seney: How is it that this understanding developed that TCID will start at the point that the other negotiations left off?

Harms: That's just kind of been the accepted norm, I think. It's like when they came back at the 366[,000][acre feet] or 386[,000] or something that they ended at one time and started at the next, when they agreed to come back to the negotiating table. When the tribe agreed to come back to the negotiating table, it was, "Okay, TCID, what will you give us in addition to 366[,000]?" So what happens is, they basically start from two numbers and negotiate to the middle -- it's kind of like a used car deal. What happens is, TCID moves down, the tribe moves up a little bit, but not enough to reach agreement.

END SIDE 1, TAPE 4. AUGUST 10, 1994.
BEGIN SIDE 2, TAPE 4. AUGUST 10, 1994.

Seney: When the tape clicked off, you were saying about the negotiating points, and where the tribe was and where TCID is.

Harms: TCID has always, as I was saying, pretty much ended up coming back to the negotiation table each time at the lowest point they left off, while the tribe has had a tendency to come back with a lower number each time they started negotiations. So it moves that compromise point down the scale all the time.

One of the reasons I think TCID is seen as the bad guy [is] because they don't

appear to be willing to negotiate when, in fact, they have probably given up, through the negotiation process and the other ongoing things, more than any other party has. I guess it's all in what other people see as reasonable for them to do.

Seney: Let me ask you, might the TCID board see these things one way, and when they go back to the water users, the water users won't go along?

Harms: Oh, yeah, the TCID board is really caught between a rock and a hard place on that, because when you give up water on the Newlands Project, you're giving up an element of people's livelihood and lifestyle. So the TCID board has to walk a real thin line between representing their constituency and meaningful negotiations. As in other things, that becomes more difficult as each negotiation progresses too. Their constituency will come back feeling that they've been sold out, periodically.

TCID's in a difficult negotiation process because they have to answer to the landowners, they have to answer to the Bureau -- there's a lot of pressures on them from the various directions to not step out of line too much one way or the other, and of course they tread that line as best they can. The landowners, I think, tend to see the board as maybe giving up more than they should have over the years.

Seney: Is there a factor here, too, in terms of the parties negotiating? Now I know the Pyramid Lake Paiutes, culture is a very important aspect of their point of view. But when you're talking about Washoe County Water Conservation District, you're talking about farmers there too, and some other users -- attorneys generally handling their negotiations. Sierra Pacific Power, of course, you're talking about a corporate culture and corporate individuals. When you get back down to TCID, you're talking about farmers both in the best sense and, if I may, in the worst sense -- that is,

they're very conservative individuals. Is that a very complicating too, just the whole question of outlook and the lifestyle that they have?

Harms: Oh, yeah, sure. It is a complicating factor. Farmers tend to be farmers because they are very independent people, and they're not the kind that can take orders or work nine-to-five very well, so they become farmers: That's a lot of it, I think. I'm sure that cultural difference between them and the tribe, who's basically there to get the best deal they can for nothing. The tribe has the real advantage when it comes to negotiations and legal issues because the individual tribal members give up nothing to negotiate and to litigate and all that, because the costs of everything they do are paid by the Bureau of Indian Affairs.

The whole idea of negotiating a settlement of the Truckee River issues, to me kind of boils down to that in a lot of ways. In order for a meaningful negotiation and a final settlement to be reached on the issues, everybody at the table has to have something substantial to loose. The only people at the table that really have something substantial to loose at this point in time is the Irrigation District. Sierra Pacific, for instance, they don't stand to loose really anything, because they have other water supplies, they can develop other water supplies. To them it's maybe a little economic factor and a little good politics if they can come to a resolution, to a settlement.

Sierra Pacific Power

Seney: As long as you're on Sierra Pacific Power, I wanted to ask you specifically about them. As I read about all of these things, they don't tend to lose in these matters. They tend to be very skillful.

Harms: They have hired a staff, they have a very competent negotiating staff, they have all the background and resources that you can bring to a negotiating table available to them. So no, they're not going to lose in a negotiation situation. It's just not in the cards for them to lose, because they're too well backed and too well-heeled to do that.

Seney: But do they tend to be, still, with all that in mind, still somewhat flexible and looking forward to an agreement?

The Pyramid Lake Indians and the Washoe Project

Harms: They do look forward to an agreement, but their basic position is that they're not going to give up anything to get to that agreement. It's a good agreement if TCID gives up and then the other parties come out in pretty good shape,is about what it amounts to. The tribe has nothing to lose, because they're getting what water is available to them right now, they've gotten control of Stampede, they've gotten control of the Washoe Project water.

Seney: How did that happen? How did they get control of Stampede? because that water is going to flow to them for their fishery, right?

Harms: Right, and they got control of that through a court action based on the Endangered Species Act. That's really what Sierra Pacific and the tribe have to, in essence, work out is a settlement over Stampede. And that's what their preliminary settlement agreement was, is an agreement over Stampede and Sierra's right to use some Stampede storage and provide some water supplies that they need. The tribe got control of Stampede in '83 though the court system, based on the Endangered Species Act.

Seney: And, in a sense, with the cooperation of Sierra Pacific Power? They went along with it.

Harms: To a degree they did. They were opposed, I think, to a degree. But the tribe has a lot of leverage when you pull the Endangered Species Act and trust responsibility on the Secretary of the Interior, that's leverage that's almost insurmountable, in most cases.

Seney: Sierra Pacific Power, if I understand it right, is somewhat differently-placed in the sense that it has Westpac utilities, so it has M&I [municipal and industrial] water that goes into the Truckee Meadows. It's primarily interested in using the water and returning it for power generation.

Harms: No.

Seney: No?

Harms: No, their primary interest is in securing a reliable supply of water for their municipal users. Power generation, to them, on the Truckee River, is incidental -- it doesn't really amount to anything. All they have is three small run-of-the-river power plants that -- I can't remember what the capacity is -- but it's a pittance compared to their Valmy power plant, or even their Tracy power plant.

Washoe County Water Conservation District

Seney: So they're in it for their Westpac utilities division?

Harms: They're in it for the water. That's really the only reason that they're in it.

Seney: Is Washoe County Water Conservation District much of a player in these things?

Harms: No.

Seney: It has a water supply out of Boca, doesn't it?

Harms: Washoe County Water Conservation District basically was set up as the repayment

agency for Boca. Washoe County Water Conservation District represents the Truckee Meadows irrigators in that, and that's really about the extent of it. A third, basically, of the water that Washoe County Conservation District has anything to do with, is Sierra Pacific water. Sierra Pacific holds the rights to so much of the Truckee Meadows water that at least a third of what Washoe County Water Conservation District does is controlled by Sierra. So they're just kind of there. They were set up to repay the costs and operate Boca under the Truckee River Agreement, and that's what they do.

Seney: So they're not, in terms of rights, they don't have much?

Harms: No. The District themselves has no rights, it's the individual ditch companies under the Orr Ditch Decree that hold the rights.

Seney: So the Conservation District is just an entity to assess the cost and send the check off to the Bureau to pay for Boca.

Harms: That was what they were established for, is just a kind of a corporate head for the private ditch companies in Reno.

The Settlement II Negotiations

Seney: There are new negotiations beginning now?

Harms: Right.

Seney: You're smiling when you say, "right." Is this going to work?

Harms: No, I'm not. I think I would go back to my feeling that in order for negotiations to be successful, everybody has to come to the table with something to lose. Otherwise, they're not going to make a good faith effort to resolve. I still see that really the only entity that stands to loose a lot in any negotiation, is TCID. I think the Newlands

Project is the one that stands to be the loser, [it doesn't] stand to gain anything through the negotiation process. What the negotiation process for them amounts to, is trying to minimize their losses. Where, with the Pyramid Lake Tribe, they come to the table with something to gain but nothing to loose. Sierra Pacific is basically in the same situation now: they come to the table with something to gain, but nothing to loose. The states of California and Nevada, while it would be nice if the compact was settled and the water rights issue between the two states was resolved, that's not a major factor in whether either state is going to survive or how much they stand to win or loose through this thing. I don't see the negotiations as coming to completion; the only way that I see that they could is if Reclamation came in, took over the District and negotiated on behalf of them.

Seney: And gave away what was necessary to satisfy every one else.

Harms: And gave away what was necessary to satisfy everybody else.

Seney: There's something now called the Lahontan Valley Environmental Alliance that's been organized -- you must be familiar with that.

Harms: Somewhat.

Seney: Are they going to be important players in these negotiations?

Harms: I think they can be very important players. I think they can either make or break their own involvement in it by the credibility of their early arguments and stuff on behalf of the Lahontan Valley constituency.

Seney: My understanding is -- and I may be wrong here -- that one of the reasons for the organization of this environmental alliance is to supplement the efforts of TCID (Harms: Right.) because TCID's credibility is at such a [low] point in these

negotiations.

Harms: Not only TCID's credibility, but TCID's ability to represent the water users against the Bureau, or against the government. What it boils down to is that TCID is still under contract to the Bureau of Reclamation to operate the Project, and that puts them in a difficult bargaining position. They're caught in the middle, so to speak, between the Bureau and the water users. Where an organization that represents the interests in Lahontan Valley, strictly, and doesn't have to answer to the Bureau of Reclamation, is in a much better place to go into those negotiations. Depending on how credibly they present their arguments and stuff, they could go a long way.

Seney: My understanding is their objective is to keep the water in the valley, (Harms: Right.) and maybe distribute it a little bit differently -- put some out into Stillwater and so forth -- but try to keep the allocation about where it is at 285,000 acre feet.

Harms: And they're looking to find a reasonable balance, I think, between maintaining an agricultural base in the valley as well as maintaining wetlands and things like that. Where, the Fish and Wildlife Service right now, their approach is, "the law says, 25,000 acres in these areas, and so to heck with the rest of the valley, that's what we're going to do." [That] appears to be the approach that Fish and Wildlife is taking. And the Lahontan Valley group is saying, "Wait a minute, let's go back and look at this. Let's maybe include some of these other wetland areas that are already in existence in that 25,000, let's see if we can supplement and manipulate some things here to maintain a good, viable agricultural base as well as provide the wetland habitat." Which, I think, is probably a good position to be coming from, but I just hope they can do it.

Seney: I guess, reading what I've read and talking to you and others, I don't hold out much hope for a negotiated settlement somehow, do you?

Harms: No.

Seney: I don't know what will happen but,I guess you said, "no" to my question.

Harms: I don't hold out much hope for a settlement, I never have. I guess maybe I've become a skeptic. When I came to work from Carson City in 1981, Ray Nelson [phonetic spelling] was the Project Manager, and one of the first discussions we had after I got here was about negotiated settlement. His statement to me was that, "We're really getting somewhere in these negotiations. We're going to have a settlement within a year, eighteen months at the most." That was in 1981. Well, he left in '83 with no settlement. The next guy comes in, Doug Olson [phonetic spelling] and he's here about six months and then he's saying, "We'll have this thing resolved in a year, year-and-a-half." It never happened. He leaves, and that's kind of been the trend. So I'm a bit of a skeptic from the standpoint of, if it was going to happen I think it would have. I'm also a real skeptic because of the fact that for a negotiation to be successful, you have to be negotiating basically on an equal footing, and I don't think that's happening, I don't see that as happening.

There could be a directed settlement. I've always felt that throughout this whole process, had the Secretary of Interior -- and I have no idea who it even was at the time -- at some point around 1970 taken a serious look at the things that were starting to build out here in this area and said, "Okay, we're gong to bring in an independent team, we're going to look at the Carson and Truckee River systems," and taken a good objective look at it and then directed the agencies in the appropriate

way to act -- because you're dealing with three department agencies under the Secretary of Interior -- had the Secretary taken the initiative back in the early 70s, he could have eliminated the whole situation that we're going through right now. He could have said, "Okay, Newlands Project, you're going to get this much water. Pyramid Lake Tribe, you're going to get this, we'll give you these things. And Fish and Wildlife, we'll do what we can for the wetlands." And come to a reasonable distribution of the water amongst the three Interior agencies -- that would be it. It could have been accomplished at that point and time, but it got past that point and that window of opportunity is long since gone. And then by letting the agencies play against each other all these years, it's been a drain, I think, on the Federal budget; it's been a drain on the agencies; and especially, it's been a hardship to the communities involved.

If I look back over the years, and having done the budgets for this Office for the last twelve or thirteen years, our Office alone probably could have saved more than $10 million over that period of time, had something like that occurred early on. I'm sure that the Fish and Wildlife Service and the Bureau of Indian Affairs budgets could have done likewise.

I know that, for instance, that the Bureau of Indian Affairs directly pays out almost a half a million dollars a year to support the two tribes in their legal endeavors in this area.

Seney: The government's paying almost all the lawyers, aren't they?

Harms: Everybody's but TCID's! See, there's another one of those inequities, is that through the process and over the years, TCID has had legal fees in years that have run as high

as $400,000 dollars, trying to get and maintain good competent counsel and representation in the negotiations.

Seney: And those are all assessments against their members to pay back.

Harms: Those are all assessments against the people in the District, and they come out of their operating budget. Had they had those monies to turn into Project improvements, if you look at what the Bureau's poured into it and what they've poured into the legal aspects of this alone, you could build a pretty Cadillac system up there. So it's a situation I guess, and it's one of those things that governments like, large organizations, tend to develop that way.

I tend to oversimplify things at times, and that's probably one area that I'm really oversimplifying things, but I think the opportunity may have been there, looking back. Of course it's always easy to be a "Monday morning quarterback" too.

Seney: I don't know that I have any other questions for you. Is there something that I've forgotten to ask, or something important?

Harms: I can't really think of too much.

The Organization of the Carson City Office

Seney: Let me just ask you one more question about the Office here. You said there had been a number of reorganizations since you've been here.

Harms: Yes, we had a Construction Division come and go. We added the Fallon OCAP Office six years ago.

Seney: That's to keep a more direct eye on TCID.

Harms: That was to oversee the District. Dave Overvold came in as Special Studies Division

Leader basically to oversee that organization and be involved in some of the other ongoing activities: the Interior Drainage program issues and the Truckee River Operating Agreement EIS [environmental impact statement] and those kinds of things. So his tenure has been somewhat recent. The Fallon Office was originally set up as a division, and now it's come under his supervision and he's been here three years, I think -- I can't remember for sure. When I try to remember how long somebody's been here it never works. I know Project Managers because they run on three-year cycles.

Seney: Oh, do they?

Harms: That's been the tendency. Ray Nelson was here for three years, Doug Olson was here for three years, Frank Dimick was here for three years, and Ed's been here almost three years. Since I've been here. And then with the gaps in between, that makes up the thirteen years. Dave's position and his shop have largely been added as a result of the negotiations and 101-618 activities. I had somewhat of a water measurement program in my shop that moved over to his with the OCAP Office.

Seney: Made more sense there?

Harms: Made more sense there. I've added an environmentalist and repayment specialist to my staff, as well as an engineer, over the years, just to try to keep up with the ongoing activities. And a lot of it's involved with the negotiations and other things that are going on right now. We used to have a biologist in the Planning staff -- that was Tom Strekel, he worked here for quite a while -- and when he moved on, then we didn't have an environmental person for a long time, and there was a reluctance to hire more people and put them under the individual that's running the Planning and

Water Operations Branch right now.

The way I guess Frank Dimick put it is, "If I give you something to do, it gets done. If I give it to someone else, it might not." Consequently, my staff has gone from three to seven, while the Planning and Water Operations Division has gone from three to two, and is going shortly to one. Then the other Division has been set up. So it's changed a lot. To me it's always been interesting to look at the reorganizations because they've been organized around the people that are here, and then looking toward the tasks that are coming up in the future. And then we get a bunch more people. Then we reorganize around those people and try and add a couple more, and it's been interesting.

My responsibilities have probably more than doubled over the years. My pay grade hasn't changed (laughter), but the responsibility level has, and of course being here a long time. It's interesting when the file clerks come and ask me where to find things -- then I feel like I've been here too long! (laughter)

Seney: I really appreciate your talking to me for such a long time, it's really been beneficial and you've really helped. Not only have you provided us with a great deal of information, but you've also helped me understand better all the issues that are going on and it'll help me in my subsequent interviews. So I very much appreciate it.

Harms: It's been kind of beneficial for me too. In a way it's given me an opportunity to look at where I am, and where I maybe should be (laughter), and where I might want to go in the next few years.

Seney: These have that effect of creating a little introspection I think.

Harms: Yeah, it does. It's been kind of good from that standpoint.

Seney: Good, well thank you very much.

Harms: Sure.

END OF SIDE 2, TAPE 4. AUGUST 10, 1994.
END OF INTERVIEWS.