

ORAL HISTORY INTERVIEW

DAVID HOWARD



**STATUS OF INTERVIEW:
OPEN FOR RESEARCH**



Interview Conducted and Edited by:
Donald B. Seney in 1998
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Editorial Convention

A note on editorial conventions. In the text of these interviews, information in parentheses, (), is actually on the tape. Information in brackets, [], has been added to the tape either by the editor to clarify meaning or at the request of the interviewee in order to correct, enlarge, or clarify the interview as it was originally spoken. Words have sometimes been struck out by editor or interviewee in order to clarify meaning or eliminate repetition. In the case of strikeouts, that material has been printed at 50% density to aid in reading the interviews but assuring that the struckout material is readable.

The transcriber and editor also have removed some extraneous words such as false starts and repetitions without indicating their removal. The meaning of the interview has not been changed by this editing.

While we attempt to conform to most standard academic rules of usage (see *The Chicago Manual of Style*), we do not conform to those standards in this interview for individual's titles which then would only be capitalized in the text when they are specifically used as a title connected to a name, e.g., "Secretary of the Interior Gale Norton" as opposed to "Gale Norton, the secretary of the interior;" or "Commissioner John Keys" as opposed to "the commissioner, who was John Keys at the time." The convention in the Federal government is to capitalize titles always. Likewise, formal titles of acts and offices are capitalized but abbreviated usages are not, e.g., Division of Planning as opposed to "planning;" the Reclamation Projects Authorization and Adjustment Act of 1992, as opposed to "the 1992 act."

The convention with acronyms is that if they are pronounced as a word then they are treated as if they are a word. If they are spelled out by the speaker then they have a hyphen between each letter. An example is the Agency for International Development's acronym: said as a word, it appears as AID but spelled out it appears as A-I-D; another example is the acronym for State Historic Preservation Officer: SHPO when said as a word, but S-H-P-O when spelled out.

Introduction

In 1988, the Bureau of Reclamation created a History Program. While headquartered in Denver, the History Program was developed as a bureau-wide program.

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); making the preserved data available to researchers inside and outside Reclamation.

In the case of the Newlands Project, the senior historian consulted the regional director to design a special research project to take an all-around look at one Reclamation project. The regional director suggested the Newlands Project, and the research program occurred between 1994 and signing of the Truckee River Operating Agreement in 2008. Professor Donald B. Seney of the Government Department at California State University - Sacramento (now emeritus and living in South Lake Tahoe, California) undertook this work. The Newlands Project, while a small- to medium-sized Reclamation project, represents a microcosm of issues found throughout Reclamation:

- water transportation over great distances;
- limited water resources in an urbanizing area;
- three Native American groups with sometimes conflicting interests;
- private entities with competitive and sometimes misunderstood water rights;
- many local governments with growing urban areas and water needs;

- Fish and Wildlife Service programs competing for water for endangered species in Pyramid Lake and for viability of the Stillwater National Wildlife Refuge to the east of Fallon, Nevada;
- and, Reclamation's original water user, the Truckee-Carson Irrigation District.

Reclamation manages the limited water resources in a complex political climate while dealing with modern competition for some of the water supply that originally flowed to farms and ranches on its project.

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For additional information about Reclamation's history program see:
www.usbr.gov/history

**Oral History Interview
David Howard**

Seney: My name is Donald Seney. I'm with Mr. David Howard of the Reno-Sparks Chamber of Commerce, in his office in Reno, Nevada. Today is July 22, 1998. This is our first session and our first tape. Mr. Howard, what is the Chamber's interest in the Truckee River matters?

**Chamber of Commerce Interests in Truckee River
Matters**

Howard: Economics. Water, as I'm sure you've heard already, in the West is worth fighting over. Whiskey is—

Seney: More plentiful.

Howard: More plentiful. Without a guaranteed quantity and quality source of water, the economics of our community are threatened, and I think the droughts of at least my Reno experience, which dates from 1970 till today. We've had three serious drought periods. They've come and gone, come and gone. And each time the community reacted, of course, to the immediate threat, with various restrictions and so forth to meet it, but—

Seney: Watering restrictions and car-washing restrictions and that.

Howard: Much like all the West has done. The drought is not unique to Truckee Meadows, as you know. But gradually, the leaders of the community, both government and business, decided, "We've got to get a permanent address to this problem," not necessarily a solution, because I'm not sure there is a solution, to tell you the truth.

Senator Paul Laxalt Starts Negotiations of Water Issues

After the eighties' drought, I was on the Reno City Council at that time, we had a U.S. Senator by the name of Paul Laxalt,¹ and he initiated the first thrust at getting all the varying competing interests for the water together at the table, and it was the first negotiated settlement effort. That was in '83-'84, somewhere in there.

Seney: You took part in those negotiations?

Howard: I did.

Seney: Tell us a little about them. What was Senator Laxalt trying to accomplish?

Howard: Well, much of what has been accomplished now: to get the California, Nevada governments talking, getting both state governments, then getting the tribes. We have two tribes of Indians here who very much depend upon the water. And then the various local government entities. We have three of those: we have Washoe County, Reno, and Sparks, two incorporated

¹ Paul D. Laxalt served as Nevada governor from 1967 to 1971 and represented the state in the U.S. Senate from 1974 to 1987.

cities within a county. Then, of course, we have various users, districts—Truckee River Irrigation District,² which is down the river, in Fallon.

We tried to get all those people together to come up with an agreement as to how the water would be managed. That, in itself, is the key word in all of this.

Seney: Could I stop you to ask you a question on that?

Howard: Sure.

Seney: My understanding is that in the pre-1985-'86 period, that the political configuration was the Pyramid Lake Tribe pretty much on the outside.

Howard: Yes.

Seney: With Sierra Pacific Power and the Truckee-Carson Irrigation District kind of allied in matters. Would that be how you'd see that?

Howard: Yes. And we had an unfortunate natural event happen. The morning that we were to get on the plane and go to Washington [D.C.] and go to Congress and ask them to support this draft legislation that we had put together, the chief of the [Pyramid Lake] tribe died and didn't go with us.

Then, of course, they had a new election for a new chief, and all of the work that we had

² Mr. Howard is referring the Truckee-Carson Irrigation District (TCID).

done with that chief and that Tribal Council was gone. Everything blew up on us that morning. We went ahead and went to Washington, anyway, and tried to make it work, but that was the end of that.

Joe Ely Becomes Chairman of the Pyramid Lake Tribe

Seney: That's when Joe Ely³ becomes Tribal Chairman, isn't it?

Howard: Right.

Seney: And that changed things.

Howard: And that's when things started to change. I think due credit should be given to that era of the Pyramid-Paiute Tribe leadership, because without that, without that cooperation from him, none of what has been accomplished to date would have ever come to fruition.

Seney: You're talking about Joe Ely now.

Howard: Right.

Seney: He must have been a thorn in your side to begin with.

³ Joseph H. (Joe) Ely participated in Reclamation's Newlands Series oral history project. See, Joseph (Joe) H. Ely, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2011, <https://www.usbr.gov/history/oralhist.html>.

Howard: Oh, yes.

Seney: Because he helped to kill off the interstate compact.

Howard: Oh, yes.

Seney: Did you take part in the politics of that? Were you busy supporting that and trying to help Senator Laxalt get that passed?

The 90-10 Split of Truckee River Water Between California and Nevada

Howard: Absolutely, because without that there was no—I'm sure you've already discovered that the interstate compact between California and Nevada is a 90-10 split, the water coming from Lake Tahoe.

Seney: Right.

Howard: Those of us in this valley—and its nothing to be hidden or anything—we're very concerned about renewing that, because Nevada, Northern Nevada, we've led the nation in growth the last twenty years.

Seney: Right.

Howard: So, we need every bit of that 90 percent. Of course, north western California is growing as well. I mean, Truckee is growing, and they're going to need some more water. So, we're very concerned about that.

Seney: That is in Public Law 101-618,⁴ isn't it, that allocation, both the surface allocation on Lake Tahoe, which is two-thirds/one-third.

Howard: That's a very important part.

Seney: I would think. Are you concerned now that that might be in jeopardy?

Howard: Yes.

Seney: What gives you that—what do you hear?

Howard: Well, because I read—

⁴ Public Law 101-618 became law on November 16, 1990. The Law contains two acts: The Fallon Paiute-Shoshone Tribal Settlement Act and the Truckee-Carson-Pyramid Lake Water Rights Settlement Act. The main topics of the legislation are:

- Fallon-Paiute Tribal Settlement Act
- Interstate Allocation of water of the Truckee and Carson rivers.
- Negotiations of a new Truckee River Operating Agreement (TROA).
- Water rights purchase program is authorized for the Lahontan Valley wetlands, with the intent of sustaining an average of about 25,000 acres of wetlands.
- Recovery program is to be developed for the Pyramid Lake cui-ui and Lahontan cutthroat trout.
- The Newlands Project is re-authorized to serve additional purposes, including recreation, fish and wildlife, and municipal water supply for Churchill and Lyon counties. A project efficiency study is required.
- Contingencies are placed on the effective date of the legislation and various parties to the settlement are required to dismiss specified litigation.

Source: [http://www.usbr.gov/mp/lboa/public law 101-618.html](http://www.usbr.gov/mp/lboa/public%20law%20101-618.html)
(Accessed December 2011).

Seney: First of all, let me say it's very advantageous to you.

Howard: Oh, absolutely.

Seney: It's a tremendous split. You must have been ecstatic when that went through.

Howard: You know, I don't want to—

Seney: Maybe that's too strong a word.

Howard: No. If you look at the state line and you look at the topography between Nevada and California, we feel like we're owed something, because whoever drew that line knew the difference in terms of scenic. So, we kind of think we've got that coming. In the early days when that original compact was made, there was no population demands along that river.

Seney: Right. Up from the California border.

Howard: And that's changing.

Seney: Yes.

The Chamber Takes a Lead in Water Conservation

Howard: And, of course, we're concerned about it. You can call it selfish if you want, but in terms of need, that's where we're looking at it from. But also, in this settlement there are agreements for conservation and river management in exchange for that water. That's where we say we're doing our part. This Chamber—and you'll see in that

document—took the lead in the restrictions on twice-a-week watering, much to the chagrin of some of our members, I might say, who are in the landscaping business and so forth. But overall, we were looking at the overall community, and we said, “Okay. We need to take the lead on this.”

We had some importation projects from outside the valley coming in during the drought period that were being—

The Chamber View of the Honey Lake Proposal

Seney: Honey Lake would be one of those?

Howard: Yes, Honey Lake. We were concerned about that, because we took it upon ourselves to create a task force. I’m giving you a report there of that task force and their recommendations, which pretty much led to the demise of those importation projects.

Seney: What was the Chamber’s view on Honey Lake?

Howard: We were opposed to it.

Seney: Why was that?

Howard: Because there was no evidence that it was financially feasible. In short, we saw a charade being orchestrated, essentially.

Seney: I know many people who have talked to me about it said that there’s a single developer who was really behind it and pushing it.

Howard: I was in the industrial real estate business at that time when that first started, and that particular developer that you're talking about was looking for investors in the community. The group I was working with at the time was one of them. We had a meeting with him, and our experienced people in the firm at that time smelled it out real early. We kind of saw it for what it was right from the beginning, and it turned out to be true.

But when I joined the Chamber, it was shortly after that we formed a task force of experts in the community. And we had a hydrologist, we had one of the best water attorneys in the state, a former city councilman that I worked with, that used to be his forte, was water. We formed this task force and just put them on it. They came back with recommendations to our board of directors, to oppose the importation. And that led to the demise of it. Then, of course, we work in politics here at the Chamber.

The Chamber Takes Part in Political Matters

Seney: Sure. Of course.

Howard: We sought out candidates who would be a little more reasonable on that. Quite frankly, we got some people elected to the board that had a different point of view, more of a community view. This Chamber, ever since I've been here, we do represent the small-business community but we also look to the bigger community because they're one and the same to us.

Without a good community, we can't have a good business community.

Seney: That sounds like a lot of effort to me to go to, to oppose this project, a task force, and then going out and supporting candidates. I know that Chambers everywhere support candidates and become involved in the political process. I would expect that.

Howard: That's not really true.

Seney: Oh, really?

Howard: No. In fact, in '95, I guess it was, we got a new executive director, Harry York, who you just saw here. He was from Concord, California. He took me back over to the California Chamber of Commerce Association over there in Sacramento for their annual meeting, because he was a very active member there. And there was a show of hands on day, how many had actual Political Action Committees. It was very few at that time. And that's when California was really struggling to come back from the economic throes. It was terrible. Just here last spring, we went back and almost every hand went up. This changed. But that hasn't always been the case.

This Chamber did not have a real active Political Action Committee until I came on board. It was one of my conditions of employment. When I was in the real estate business, I was chairman of the local legislative committee for the Chamber, just a thing I agreed

to do because of my involvement with the City Council. I was always kind of disappointed in the Chamber that they were always behind the scenes, but they were never really out front and active, supporting people that were supporting them.

I was asked to come and join the Chamber to do their lobbying at the state legislature, and I said I would, but I had some conditions, that if I did, then I would really open up the door here and let our members—and it wasn't just me. I mean, we had members who were interested in doing this, too. Let's get some people elected. It was mainly the City Council at that time we were interested in, because we had a lousy one. And we fixed that. I'll tell you, we'll take the credit for it. And we did it, and they know we did it, and some of the people that didn't get elected are still mad at us. But we wanted it fixed, because this town economically is on the edge, and it's been on the edge for a while.

We see some hope now because we've got five or six reasonable people down there who are trying to do the right things—"right" meaning progressive economics, make the town more viable economically.

Supporting Economic Development in Downtown Reno

Seney: I know redevelopment is one of the things, trying to figure out what to do with the Mapes and Riverside Hotel. Those have got to be things you're interested in.

Howard: Yes. We're still waiting to see what's going to happen. We have supported downtown redevelopment as our number-one local government issue, because gaming is really on a neutral plain right now. It's not growing. In terms of employment, it's declining. It's not going to be the dynamic industry that it has been. We know that. So, what we're trying to do is get the economy diversified as quickly as possible so that when and if the Indian gaming situation in California suddenly turns the other way, we're in trouble.

Seney: Yes, that must be a big potential threat.

Howard: Our customer base in Reno—Las Vegas is another category all unto itself. We don't even try and compare ourselves to them. But our customer base is Northern California: Sacramento, Bay Area, Oregon, Washington. That's really our core customer base here. And if Sacramento or somebody opens up full-blown casino gaming that's three hours closer, we're going to have some problems here.

We interviewed a man the other day for Redevelopment Director's job in the city of Reno. He's from Vallejo [California]. His name is Al DeSilva [phonetic], very interesting man, went through the closing of the Marin—Marinal, is it?

Seney: Mare Island [Naval Base].

Howard: Seven thousand jobs went out the window, and their median price home value dropped from

150,000 to 129,000 in thirty days. That could happen here if we have gaming go down the tubes.

So, anyway, redevelopment, to us, is support our core business, which is gaming and tourism, but also to bring in those new retail entertainment things that seem to be working elsewhere. Fortunately, we've got a good developer who seems to have their finger on what needs to be done, but—

Seney: This is the new person for the Mapes?

Howard: No, this is Oliver McMillan. They're going to do a theater complex. The Mapes thing is kind of out on the side. It's got about forty more days of life, I think. The decision is going to be made up or down. The Chamber's position is real simple. If it's economically viable to keep the Mapes up, keep it up. If it isn't, it's got to come down. It's become an emotional issue, distorted. Most of our members don't see the value, but there is a group of people here who have taken it on as their cause. We don't have the Vietnam War anymore, we don't have a lot of these issues, so you have this core group of people who latch on to an issue and go with it.

But the Council, the Council that we helped get elected—and we keep reminding them, I do, that we want a line in the sand. “Okay, by this date, ask your developer is this what's going to work or not. And if it's not, just go on with it. We'll support you. We got you elected once. We'll get you back if you do the right things.”

We're very candid here. We don't—I don't—I just tell them. "Do what we ask of you or we'll find somebody else who will." It's that simple. We're not very—our demands are up front. We're not asking for any special treatment. We want the town viable.

The Beauty and Appeal of Reno

And the thing of it is, the quality of life here—and again this all ties back to that water source—quality of life here, once you get people here for a while, they absolutely love Reno. They find out that Reno's not five miles down the road from Las Vegas; it's here by itself, has some uniqueness, has a beautiful mountain setting. There's so many things that people don't know about Reno, that if you give them some time here, it's a great place to live.

Personally, I came here. My wife wanted to go to the nursing school at the university here. I remember my first comment. We had come from Chester, California, which is northwest of here, via Kentucky. So, from green to green to desert, I said to her, "Four years, we're out of here. This is the ugliest place I've ever lived in my life." Well, that was twenty-eight years ago. And you couldn't get us out of here now for anything. We love it.

Seney: I know the people I interview all feel that way.

Howard: Spend any time here and talk to the people, they're very proud of this area. But back to the water.

Opposition to the Honey Lake Proposal and the Formation of the Truckee River Partners

Seney: Let me ask you. I want to press you just a bit more about Honey Lake, because almost everyone I talk to is strongly opposed to it for one reason or another. The tribe didn't like it because there were water-quality questions they felt would leach on into Pyramid Lake. The others don't like it because it was just way too expensive. And, again, water quality has been an issue. What was it that made the Chamber feel so strongly about this?

Howard: The economics of it. We felt that it jeopardized the negotiated settlement [Public Law 101-618], in that it was a competing project that was taking away some of the political strength to get the community unified, to push for the negotiated settlement. You've talked to Susan Lynn.⁵

Seney: Right.

Howard: Susan Lynn and I serve on a—I hope she talked to you a little bit about the Truckee River Partners.

Seney: Right.

⁵ Susan B. Lynn participated in Reclamation's Newlands Series oral history project. See, Susan B. Lynn, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2017, www.usbr.gov/history/oralhist.html.

Howard: If she didn't, I'll give you a booklet. Did she give you a booklet?

Seney: No, she didn't, but I'd like one.

Howard: We formed this organization just recently.
[Gives booklet to Seney.]

Seney: Thank you.

Howard: It's a combination. And this probably says just about everything that this community—where we've come from over the years, in that we've brought the tribes, the environmentalists, the business people, and the community at large together to support the final—see, the negotiated settlement is not complete, because the Truckee River Operating Agreement is still on the table, still being debated, and those competing interests—Churchill, Fallon—who want to upset it are still opposing it. But just that organization itself, if you look at the list of people that are in there—

Seney: I recognize many of these names.

Howard: —you'll see that they come from a diverse community here. I mean, we've got everybody from the most wild-eyed liberal environmentalist, Mr. [First name?] Miller at the university, down to Dave Howard, who is conservative. But we're very proud of that organization because it was formed privately. This is not a public organization. It's a private organization, funded privately, with one

purpose: the pursuit of the final signing of Public Law 104.

The Opposition of the Fallon Community to the Negotiated Settlement

The Senator [Harry Reid],⁶ even though he's up for election this year, we made it very clear to him that this was not to be a political tool, because we have people of all political persuasions in that group. We told him right up front that this group is being formed for that purpose, not for his re-election. However, he's been very good about pushing his part of it. He's doing all he can do. And we're very confident that once the Churchill-Fallon thing has been litigated, we're looking this time next year at the thing should be done.

Seney: Which aspect of the litigation out in Churchill County-Fallon are you talking about? Which issue?

Howard: They are suing for the unappropriated water rights in the river that have been given—the state has agreed to give those to the [Pyramid] tribe. The cities have agreed to go along with that. It's part of the deal. A negotiated

⁶ Harry M. Reid served the state of Nevada in the U.S. Senate from 1987 to 2017. Senator Reid also participated in Reclamation's Newlands Series oral history project. See, Harry Reid, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

settlement is a negotiated settlement. You sit down and you say, “You get this piece, Don gets this piece, I get this piece. Where’s your piece?” That’s what it’s all about. And I hope that you get an opportunity to talk to some people in Fallon.

Seney: I have.

Howard: The thing that disappoints me about that is that they were invited to the table at the same time everybody else was. They chose not to negotiate. Now that the deal is ongoing, now they want to come in and upset it. That’s bad-faith negotiations from my point of view. I have no idea what the courts are going to do with their allegations, but from a man-to-man—I’ve told this to those people down there at public hearings. [Senator] Bill Bradley came out here from—I forgot what committee he was—

Seney: The Water and Power Subcommittee [of the U.S. Senate Committee on Energy and Conservation].

Howard: Yes. And they had a big meeting with those folks from Fallon. I was there. I stood up and told him, “Hey, you forgot to tell these folks that you were invited to the table the same day that the business community was in Reno, so let’s don’t be telling tales here.” So, I don’t have any patience with that. They didn’t choose to negotiate, so now they want to upset it. That’s unfair, as far as I’m concerned. If the courts decide they have a legal thing, that’s the

way it will be. But if it's left up to me, they get whatever they get.

Seney: Well, the Department of Interior apparently has already told them that they cannot convey that water through Bureau of Reclamation facilities.

Howard: The Newlands Project⁷—

Seney: Everyone knows what the Department of Interior's told them in that regard.

Howard: And they know what we've told them, too.

Seney: That must make you even more annoyed, when you know that no matter—if they prevail, they won't prevail in a strict sense.

The Negotiated Settlement as a Political Issue

Howard: Right. They're just slowing the process with this stuff. We have told some of the people who are vying for political office, who thought they

⁷ Authorized by the Secretary of the Interior March 14, 1903, the Newlands Project was one of the first Reclamation projects. It provides irrigation water from the Truckee and Carson rivers for about 57,000 acres of cropland in the Lahontan Valley near Fallon and bench lands near Fernley in western Nevada. In addition, water from about 6,000 acres of project land has been transferred to the Lahontan Valley Wetlands near Fallon. Lake Tahoe Dam, a small dam at the outlet of Lake Tahoe, the source of the Truckee River, controls releases into the river. Downstream, the Derby Diversion Dam diverts the water into the Truckee Canal and carries it to the Carson River. Overall, the project has 68.5 miles of main canals with a combined diversion capacity of 2,000 cfs. In addition to the primary canals, more than 300 miles of laterals and almost 350 miles of drains have been constructed since work on the first laterals began in 1904.

were going to use this issue, and we have cautioned them, at least this Chamber and our members have made it very clear, we will not tolerate the negotiated settlement being a political pawn this year. It's too important. It's a bipartisan issue for us. This Chamber is composed of all political persuasions. It's my job to keep those balanced. But this issue, there's no debate. It's too important to the overall community, both Democrat, Republican, Independent American, Green Party, whatever is out there, and we've made that clear to all candidates.

Seney: That's my understanding, that Mr. Ensign [Republican nominee for U.S. Senate] has been spoken to.

Howard: That's right. And we've sat down with him, the Truckee River Partners people. We've sat down, we've explained the position of this community. I have talked to some of his people, not to him directly, about the political realities of numbers of people who are going to vote. If he wants to court those dissidents in Churchill County at the tune of maybe 1 to 150, go right ahead. That's just poor math. That's not new math; that's poor math. And I've been in the political game. I know how to count. I gave his representative an abstract of the vote, and I said, "All you've got to do is look at this column and this column and say which column do you want to support." I mean, it's that easy for me. But, you know, I'm not running for office. It's easy for me to sit back and say how I'd do it.

Seney: There's a tremendous coalition behind this settlement, isn't there: the business community, Sierra Pacific Power, the Pyramid Lake Tribe, the states want it maintained.

The Issue of Water Quality in the Truckee River

Howard: Right. California's there, Nevada's there. Most importantly, the tribe's there. Mid-eighties, we had to go back to Congress and oppose a water-quality bill that was being proposed to allow Indian tribes to set their own water-quality standards. As you probably figured out, Tahoe is the beginning of our water source. Pyramid Lake is the end. If the tribe had absolute say over the quality of the water going into the lake, what control would they have? Absolute power. So, we went back, and we opposed that. That was prior to the negotiations going on now. We have made—the business community and the state—have made commitments that we're going to work on that quality. We have the most sophisticated water treatment plant in the world sitting out here, and the purpose of that is to keep that water as clean as possible. I've lived on the Ohio River in my lifetime when it was not clean, and I've—

Seney: Very much not clean.

Howard: Very much not clean. In fact, Mill Creek used to come out of the industrial area in Cincinnati. It was always orange or brown, and that was just the way it was. Now that's changed.

Seney: You go back in the mid-eighties and oppose the Indians' attempts to take over water-quality control, essentially by limiting what can come on their reservation and into their lake.

Howard: Exactly. They're the last recipient.

Seney: But by this decade, the nineties, the mid-nineties, you must have been part of the negotiations on the water-quality agreement.

Howard: Absolutely.

Seney: And that really switches the whole thing 180 degrees, doesn't it?

The Chamber Supports Installation of Water Meters

Howard: I think that's part of the success. I think that's part of the success because people were willing to sit down and say, "Okay, what can we do?" And I think the business community demonstrated to the tribe that we were willing to—we came out very strongly for twice-a-week watering during the drought, and we still maintain that, by the way, and we haven't been in a drought mode for four years now [Howard knocks on wood] Let's keep it that way. But we say let's keep that on, because we agreed to that. And a lot of our members have been clamouring, particularly our landscaping members, "Hey, we've got to change this now."

But we haven't even talked about the really big issue in this water-quality and water-use thing, is in the negotiated settlement we have

agreed to install water meters in the community. That's an ongoing process that's very difficult, but we're working on it, and it's working. I think the tribe, at least the new thought at the tribe, the new leaders out there, accept and believe that we are, and it's true, we are.

It's very difficult. When I first moved here, I was appalled that here's a community with limited water, but no way to measure. I can still hear my dad, "Don't let that water run." I grew up on the Ohio River, one of America's biggest waterways, unlimited water, but water was metered, and you paid for it. To me it made no sense, you know. But that is part of it, too, and it's a very big part of it, because I think—

Seney: Let me turn this tape.

END SIDE A, TAPE 1.
BEGINNING SIDE B, TAPE 1.

Seney: Go ahead.

Howard: I think it's important that the business community keep its commitments in pursuing the water—and we're working hand in hand with Sierra Pacific on that.

Seney: Let me say, getting water meters in here is a very difficult and really emotional issue that people—

Howard: It's like the Mapes.

Seney: —people from Ohio can't understand.

Howard: Right. It's the older neighborhoods that are the problem. See, on all new construction—and this is part of the process that we've succeeded in with the legislature and Sierra Pacific—all new construction is metered. It's the older parts, and we're sitting in one right here, that is the difficult thing, where you have a—let's take the worst-case scenario. You've got a widow who's on a pension, who's been in his home forever, she can't afford \$1,000 water meter. So, what are doing with those? Well, there is a volunteer process now to where she can call Sierra Pacific Power and say, "I want a water meter," and they'll come out and they'll put her in a water meter, and it will be paid for by the new construction.

Seney: There's apparently a fee.

Howard: But it's a volunteer thing.

Seney: Yes. There's a fee that's assessed the developers on new construction to pay for this retrofitting for the lady you've described here.

Howard: Exactly.

Seney: What kind of success, do you know, have you had in getting people to retrofit?

Howard: Forty percent is where we are now. We have committed to ninety percent, so we're a long way from it. We're going back to the legislature in '99 to try and, again, make it mandatory. Probably won't make it, you know, but we're

going to try, because we said we would. And I think that's part of keeping people at the table.

It's just like you and I deciding—I say to you, “I'm going to do this,” and if I keep trying, you can't really fault me. And the people who are involved in this know the really wherewithal politics in this. We have a state senator, long-time state senator, who we really had to twist his arm to get the volunteer process together. He told us, “That's as far as I go, guys.” So, we went back last session and tried to go farther. He still has a piece of my butt in his mouth. [Seney: laughs] He said, “Wait a minute. You were here two years ago.”

Seney: Is this Virgil Getto [phonetic]?

Howard: No, this is Senator Raggio. He is the senior senator from this county and he's also the Majority Leader. And arguably one of the top powerful people in the state.

Seney: And you can't get it passed without him.

Howard: That's right. We have a little informal landscaping group, Sierra Pacific and some of our members who are in the landscaping business, we meet once a month and kind of fret about strategies for next session. I always come back with the same thing: “If you guys aren't willing to go talk to the senator, don't expect me to. I've had my butt in there, and he's already told me.” In fact, he and I went to the U.S. Open together last month and we were having

dinner, and I brought up the subject. He went, "Don't start that."

Seney: [Laughter] You just pointed your finger at me emphatically. The tape won't see that.

Howard: He said, "Just don't start that." So, I'm not.

Seney: This strikes me as a real Nevada issue, kind of the West and people's notion of freedom. "I don't want the government knowing how much water—"

Howard: That's a big part of it. Like I say, people from other parts of the country, it's hard to rationalize, but that is part of it, that, by God, this is Nevada, and we're not going to have the government making rules that are unreasonable, in my judgment, whether it's right or wrong, you know.

But again, because of the importance of the negotiated settlement and the business part of it, we make an effort to stay in it—and the tribe knows that. And we want them to know that, because it's part of our agreement, you know. And some day this town will be completely metered. I'm sure of it. Senator Raggio is not going to be a senator forever, and I've lived long enough now and watched the political processes long enough that sooner or later good sense prevails, and you overcome that.

We had—what the hell was it called? I'll think of it in a minute, but anyway, it was the

thing about owning land in Nevada. Sagebrush Rebellion is what it was called.

Seney: Right.

Howard: And it was getting the feds out of our hair. Well, the feds own eight-nine percent of Nevada, you know, and to me that's an uphill battle. When I was on the City Council, we tried to get some B-L-M [Bureau of Land Management] land incorporated into the city north of town to make it a little bit better place. We lost that battle. I mean, we fought hard. When you're looking at the realities of eighty-nine percent versus eleven percent—I don't know. But again, I'm not an original Nevadan, so maybe I don't see it the way they do.

Seney: One of the things about water usage is, if I have my numbers right, when the negotiated settlement was going into effect about 1990, the usage here in the Truckee Meadows is about 60,000 acre feet of water.

Howard: That's a good number.

Seney: And the negotiated settlement allows that to go up to 119,000 acre feet, and that was thought at the time to be a twenty-year buffer. I'm given to understand that that's maybe only going to be fifteen years.

Howard: Given the growth.

Seney: Given the growth. Right.

Howard: That's reasonable. But, of course, if you factor in water meters, you see. Because I know myself, from my own personal experience, I had a water meter put in. I felt like if I'm championing this, I've got to do it.

Seney: Yes, I can understand that.

Howard: You use less water. As a practical result, you use less water because you're more conscious of it. However, for my own personal situation, I am saving money over the year, because instead of a flat rate, I have winter months, just my wife and I, we use very little water because we have no children, we don't have teenagers taking fourteen showers a day, you know. During the winter, it kind of levels off. So, overall, we're saving a little bit of money. It's not going to—we're not going to be able to go anywhere on it, but—

Seney: I'm told that you could have stayed on the flat rate or taken the metered rate, and most people end up taking the metered rate, because like you and your wife—

Howard: Its economical.

Seney: —they save money.

Howard: Right. And the net result of that, Don, is that people use less water, overall. And I'll tell you, during the drought, people were very innovative. Instead of trying to—they went to a lot of rock and red brick, you know. In fact, my own yard reflects some of that, because why

fight it? I mean, my mother-in-law lives in Palm Desert, and I remember the first time I visited her, I was from Kentucky and, of course, everything was green, her yard consisted of a cactus variety and gravel. No grass at all. It was gorgeous. And I asked her, “Why don’t you have any grass?” She said, “It’s too difficult to keep and it’s too expensive to water,” because there are meters in the desert in California. And I’ve always had that in the back of my mind. That was okay. It’s just a matter of getting used to. It’s sort of like getting used to Nevada.

But we have a lot of people who come here from other places, who want the big lush lawns, and the drought will readjust that again sometime. When I was on the City Council, I tried to get a maximum amount of landscaping in terms of grass put in. We had minimums, believe it or not, here.

Seney: Is that right?

Howard: And I looked at that and said, well, if we have a minimum, why don’t we have a maximum? We were in the drought, the really bad part of the drought. I said, “Let’s have no more than”—I forgot what the number was. Thirty percent or something. It was some—I was trying to make a dramatic statement. If we have a minimum amount of landscaping, let’s have a maximum because of the water need. Didn’t make it. Didn’t make it.

Seney: That’s a leap for people.

Howard: They have it in other cities where you can't put in these 6,000-square-foot lawns. Even if you can afford to do it, it's not fair, as far as I'm concerned, because it just isn't fair.

We're right now in the middle of a school bond election. This is kind of off the subject, but I wanted to show you how important water is to this Chamber. We're spending an awful lot of time on a school bond issue because it's so important, again, to the economic viability of this community.

Seney: You're supporting it, obviously.

Better Management of the Available Water

Howard: Yes. Absolutely. But water never goes away from our agenda, because without the water, we're not going to have a community here, and people are kind of surprised in that we have grown so much. When I moved to Reno, it was not quite 60,000 people. Now it's 166,000 people. Just Reno. The whole area is around 300,000. And we've grown all this time, with the same water source. Now, how did we do that? People say, "Gee, I don't understand. We keep building these subdivisions." Used to be, "We're going to build another big casino, two thousand rooms, everybody's going to be flushing the toilets. We're going to hell in a handbasket." Hasn't happened.

Why hasn't it happened? Because we're managing the water better. We've got a better management process. Now we have, because of

the negotiated settlement, the early parts of it, we're able to store more water upstream for those predictable droughts—maybe I should say unpredictable, but I say they're predictable.

Seney: But inevitable.

Howard: Yes, maybe “inevitable” is the word. And that in itself, people don't understand that we had a summer here where we had no water in this river. None. A few puddles here and there that you could walk across.

Seney: Brackish puddles.

Howard: Yes, brackish puddles. That won't happen again. I mean, it may be a thin stream, but it will be a stream. And why? Because, the first part of it, we've got an additional five thousand acre feet in Stampede [Reservoir],⁸ right off the top. That was one of the first parts of the negotiated settlement. That's done. That's already done. And there's more to come. But with water meters, the watering restrictions, and reasonable people, this community will thrive and continue to thrive. But you hit right on it: that bistate pact, the agreement between

⁸ A feature of the Washoe Project, Stampede Dam and Reservoir were completed in 1970. The dam rolled earth and rock-filled structure is 239 feet high and 1,511 feet long. The water storage capacity is 226,500 acre-feet which is reserved by court decree for fishery enhancement, primarily for the spawning of the endangered cui-ui, along the Truckee River downstream from Derby Dam and facilities operation of the Pyramid Lake Fishway. For more information on the Washoe Project, see Carolyn Hartl, “Washoe Project,” Denver: Bureau of Reclamation History Program, 2001, www.usbr.gov/projects/pdf.php?id=208.

California and Nevada, it's a keystone of the negotiated settlement. That and the management, storage, and, I think, the quality standards are kind of the highlights of the negotiated settlement that we value.

I don't know. It's just something that we always have to keep our eye on. I keep my task force informed. I get almost weekly something on water. I watch California very carefully.

Seney: I'm sure you do.

Chamber Supported Creation of a Water Commission for Washoe County

Howard: And I send them information. Our chairman—I forgot another important part. One of the things the business community did was support the creation of a water commission for this county. Never before had one. We supported that legislation at the legislature and then we got busy getting people appointed to it that we thought were responsible. Well, five of the members on that eleven-member commission was my task force, and the chairman of it is the chairman of my task force. That's how important it is to us.

Seney: What does it do? Tell me what difference does it make. How does it change the situation in terms of the way water is organized, and why is that important?

Howard: Very recent issue. Honey Lake came alive again.

Seney: Sort of like Dracula, isn't it.

Howard: Yes. And it came up again just in the last few weeks. This commission now sits and makes recommendations to the Regional Planning Governing Board, which is the overall governmental umbrella organization in this valley. They made a recommendation to discount that. They weighed it, they listened to it. "It's not viable. Goodbye." That was just within the last couple of weeks. That's what they do.

When a developer comes in, they get the water piece of the process—the processing of the development. They weigh it, look at it, and there's some wonderful people on this thing. It's much like the people on our organization I just showed you, the Truckee River Partners. We have environmentalists on there, we have engineers, we have hydrologists, we have attorneys. It's a great group of people. My only negative on it, it's too big. We've got eleven members. Then there's another eleven-member technical advisory board. So, it's a little unwieldy, but it's working. It's working. That's how important water is to this community.

We even tried to suggest a water district with elected people like they have in Southern California. We put that on the table for the county commission to think about and maybe propose legislation. They turned that down. Some day that may come back. But the more I

think about it, if it's working the way it is in place, let's let it work.

Seney: This commission, then, is to take the whole Washoe County view and beyond. Apparently Pyramid Lake is represented on this committee.

Howard: Absolutely. There's a tribe member on that commission.

Seney: That's kind of an interesting development, isn't it?

Howard: And I tell you, we take responsibility for the tribe member being on there. There were some people who did want like that. Because, you know, the tribe is a different governmental—

Seney: Right.

Howard: They are unto themselves. They are an entity unto themselves, a sovereign country, if you will. And we argued, "Wait a minute. These people have been working hard with us on the negotiated settlement. To not put one of them on there—" This thing about face is very important to those people, and we've learned this over the years. To not at least offer to have one of them on there would have been a terrible mistake and said so. We said so. We'll take responsibility for that, too, the Chamber. They don't always participate.

In fact, an early lesson I got, I was a teacher in Cincinnati, and I always believed in the method of teaching where I ask you a question

and not preach to you, and you have to talk to me. Inductive teaching, they call it. Anyway, when I was Registrar of Voters, we changed the voting system from the old voting machines where you put the levers down, then you threw the hammer. Well, I got rid of those and put in computerized voting here. I got a call from the Chief down at the lake, and he said, “I understand we’ve got new voting machines.” I said, “That’s right.” He said, “Would you mind coming out to our tribal meeting and showing us how to use them?” I said, “I’d be delighted.” I’m a fisherman, anyway, and it was an opportunity for me to go to the lake.

So, I threw some equipment in the car and went out, and there’s a tribal meeting at Nixon. It’s at the southern end of the lake. I go in, you know, and here they’re all sitting, very formal. The Chief’s in the middle. I start my inductive way of showing—they don’t talk. That’s just the way they are. You can’t get them to say, “What would you say this pin is for?” But anyway, it took me a few minutes. It hit me that I’m not getting anywhere here.

So, what I did, I got a chair and I sat down beside the Chief, took his hand, said, “Who do you want to vote for, Chief?” And we had like Abraham Lincoln, a practice ballot. That’s how it worked. And after it was over, the Chief and I went fishing. But I always tell people that story because it’s a cultural thing. If you don’t understand those cultural nuances, you don’t—and I did it by experience. I didn’t know. I didn’t go in there thinking, “Gee, these people

don't respond." I had no clue. I was just a kid. I was just trying to do my best.

Putting a Member of the Pyramid Lake Tribe on the County Water Commission

Bringing that back to this water thing, understanding how they think, a little bit—I don't pretend to understand it all—I just told our task force—and we had a task force member that was really anti-Indian. I don't kid you about that. That exists. And just didn't want him on there. He felt that they were getting too much already, and blah, blah, blah. But he got overruled. The task force went back and said, yes, we want a tribal member, at least a position. If they don't want to fill it, they don't fill it. But it's there. And, of course, they filled it and it's working out great.

Seney: And, too, given political realities, the standing of the Pyramid Lake Tribe is quite high with Congress, with the Department of Interior.

Howard: You can't believe it, Don, when you go back to Congress. People east of the Mississippi have a totally different viewpoint of the way it works out here. Yes, you're absolutely right. We had a—I'm not going to tell that one. That's a little too—that's a little bit too much.

Seney: Are you sure? Now I want to hear.

Howard: Well, we had a member from Elko, who was very much an old Westerner. We were back in Washington. After our presentation, we were

sitting there. There was a presentation on another tribe back East or something. It was all on the Indian Affairs Committee. He gets up and testifies and starts off by saying, "Somebody better tell these Indians who won this country." Oh, you could have heard a pin drop in that room. I wanted to crawl under the carpet. Of course, anything we wanted then was gone.

It's amusing now. It was not amusing then, because he had no understanding, and really, some of the congressional people reminds me of a friend of mine from Marin County, whose son was all excited about coming over to see us, because we were going to go to the Indian reservation and go fishing. Pyramid Lake is a great fishery.

Seney: Yes, it is.

Howard: It's a great fishery. And his dad and I had fished for years, and he was big enough now to go. He was like seven, eight years old. He wanted to see the Indians before we went fishing, so we take him to the reservation and introduced him to some Indians that I know. I have friends that are Indians. He was very disappointed because, to him, Indians wore feathers in their hair, war paint, and the tepees. He was very disappointed on where they lived, because they lived in houses just like his. He told his mother, "Those aren't the real Indians." I never will forget that. But take that child's viewpoint and take it back to Congress, it's very

similar, because they don't have any concept of how things work out here.

The Changing Political Position of the Pyramid Lake Tribe

Seney: The position of the tribe has changed dramatically in twenty years.

Howard: Oh, yes. Yes, it has. To everyone's advantage—theirs and ours.

Seney: That's right. Because years ago, the sentiment was negative toward the tribe and supportive of the Truckee-Carson Irrigation District, which, when one thinks about it, is really the main competitor for the available water resource on the Truckee River.

Howard: Right. And the Indians have always viewed the Newlands Project as the demise of their lake. And if you really look at it, they're right.

The Newlands Project

Seney: Have you come to a different view on the Newlands Project as well?

Howard: Well, I think it's passé now. I think when you look at—in terms of Nevada's gross product, less than one percent of that product is agriculture in Nevada. So why would we want to spend all that water on less than one percent? And nobody loves Fallon cantaloupes more than Dave Howard. They're the best in the world. If you've ever had one—

Seney: Yes, I've had them.

Howard: They're wonderful. We call them hearts of gold. But when you think about it, the Newlands Project was, for its time, innovative. I'm sure you've seen the posters about "Come and buy acres. We guarantee water." that stuff. And that was fine for then, but it's now. And I think the Newlands is passé. At least my viewpoint is, if I could wave a wand and make things go, we'd close that portion. The Truckee Irrigation District would be closed and they'd have to depend upon the Carson River for whatever water they had out there. But that's just my point of view. It does not represent the Chamber or my task force.

But I think the Newlands Project has seen its heyday. I think, correctly, the tribe has seen it as a threat to their civilization, if you will, and I think they've been correct on that, because having fished the lake. I've been to Pyramid Lake many, many times over the years, you can see the water levels. If you go out there and you look at the geology of the place. But as soon as I say that, I think to myself, without man in this valley at Tahoe, Pyramid Lake in some century would go the way of all desert lakes: it would no longer exist.

The Importance of Managing Water Resources

So, it's to their advantage, the Indians, that we have a good water management system to provide them with a future. So, to them, their way of life, their culture depends upon good

management of the river, because if we all went away, if the Truckee Meadows went away and there was nobody managing this thing, in time—it might take a while—but we have evidence geologically that that lake would eventually not exist, Newlands or no Newlands.

Seney: Speaking of managing the river, have you been active in the TROA [Truckee River Operating Agreement] negotiations?

Howard: No.

Seney: What is your perspective on TROA? How do you see it and what do you see it accomplishing? Do you keep tabs on it at all?

Howard: Absolutely. That's why we have the Truckee River Partners, and we meet once a month. Some of the people that are on TROA are active in the actual negotiations—Sierra Pacific people and so forth. But, no, so far as me personally, no, but the TROA is part of the negotiated settlement. It must happen before its finalized. Before Public Law 101-618 can be finalized, the TROA must be signed off. California has agreed to sign it. Nevada has agreed to sign it. We're all there. The only thing that's hanging us out right now is this Truckee-Carson Irrigation District.

Seney: They're going to mount a lawsuit against that. Have they filed that one yet?

Howard: They're in court. They're going back to court. The last thing I saw was the other day the U.S.

[District Court] judge here was overturned. He threw the whole thing out, their suit. It's been appealed and now it's thrown back. It's going to be in court again. Again, it's over the unallocated—

Seney: Unappropriated.

Howard: Unappropriated.

Seney: There's so many terms.

Howard: I know. But that's what this suit's about.

Seney: My understanding is, they're also going to— maybe they haven't done it yet, but they intend to sue over the TROA, and that is to try to upset the new TROA and put the old TROA back into effect.

Howard: Right. Well, you know, you can sue any time you like, but it's unfortunate, as far as I'm concerned, and we have friends in Churchill County, don't get me wrong—Virgil Getto. And Virgil's always been a good friend to small business. In the legislature he was a long-time Assemblyman and state Senator. He succeeded Carl Dodge.⁹ Quite a statesman, very well respected by this community. In fact, Carl and I still keep in contact. But it's just a matter of

⁹ Former State Senator Carl Dodge participated in Reclamation's Newlands Series oral history project. See Senator Carl Dodge, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted and edited by Donald B. Seney, www.usbr.gov/history/oralhist.html.

numbers for us. My job, of course, is to look out after our business community here.

I think eventually it will work its way out. The legal things bother me in that they seem so out of control from the everyday guy. When you get calls—I'm sitting here talking to you. I'd like to be able to sit and talk with you more about what are the little indices of that court case, but I can't because it's way beyond my ability to talk about those. I look for the resolving part. What's the decision?

Seney: Sure. Well, court decisions are a lousy way to make policy on a river like this.

Howard: Always.

Seney: They never satisfy anyone or solve anything in the end, it seems like.

Howard: The truth of the matter is, that was the purpose of the negotiated settlement, to end all that. Part of the negotiated settlement was to end some of that long litigation that's been going on forever between the tribe and the state, cities and counties.

Seney: Let me put in a different tape.

END SIDE B, TAPE 1.

BEGINNING SIDE A, TAPE 2.

Seney: My name is Donald Seney. Today is July 22, 1998. I'm with Mr. David Howard of the Reno-Sparks Chamber of Commerce, in his office in

Reno, Nevada. This is our first session and our second tape.

The Process Leading Up to the Negotiated Settlement

David, I wanted to get you to talk a little more about the process leading up to the negotiated settlement. The interstate compact fails largely at the hands of the Pyramid Lake Tribe, who are at that point kind of viewed as villains. People are angry at them.

Howard: Right. And I think that's a natural, and I think the media has quite a bit to do with that as well. Because the way the stories come out, I think the community, the business community and the general community in the Truckee Meadows felt powerless because of the lawsuits being processed. And it seemed like there was no win for the community side, the Truckee Meadows community side. So, it cast the tribe into that villain role, and I do attribute a lot of that to the media's presentation of it. That's just what they do.

Seney: But at that point Joe Gremban [former President of Sierra Pacific Power]¹⁰ and Joe Ely get together. Joe, Gremban, whom I've interviewed and I'm sure you know well—

¹⁰ Joe L. Gremban participated in Reclamation's Newlands Series oral history project. Joe L. Gremban, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Andrew H. Gahan, historian, Bureau of Reclamation, 2015, www.usbr.gov/history/oralhist.html.

Howard: Yes, I do.

Seney: —who is a realist and an extremely capable individual. My impression of Sierra Pacific Power, I also interviewed Neal Plath,¹¹ the late Neal Plath, is a very ably led corporation, a very realistic one.

Howard: Right.

Seney: Mr. Plath was certainly angry about Stampede Reservoir. He thought that was theirs. They had every reason to believe it was.

Howard: True.

Seney: Till the courts handed it to the tribe.

Howard: That's right.

Seney: But Mr. Gremban takes a very practical view now, doesn't he, of that situation.

Howard: Yes, and his successors have done the same thing. Because it's reality, I think that to go the other way, litigation wasn't working. I think the frustration and the futility of the litigation forced the compromise, if you will, the reaching out and saying, "Look, we're not going to make any progress here." And I think Joe and his successors—

¹¹ Neil W. Plath participated in Reclamation's Newlands Series oral history project. See, Neil W. Plath, *Oral History Interview*, Transcripts of tape-recorded Bureau of Reclamation Oral History Interview, conducted and edited by Donald B. Seney, www.usbr.gov/history/oralhist.html.

Seney: Joe Gremban.

Howard: Joe Gremban. Saw that, that there was no win in continuing, because it's a very expensive process and long and confusing and absolutely a public relations nightmare for the power company.

Seney: And they were the ones—Sierra Pacific—who lost.

Howard: Absolutely.

Seney: That was their case. The circuit court gave it [Stampede Reservoir] to the tribe. Were you aware that those negotiations were going on between the tribe and the Sierra Pacific, that resulted in what's call the Preliminary Settlement Agreement?

Howard: The one in the eighties?

Seney: Yes.

Howard: Yes. Yes. We were sort of kept in the loop.

Seney: You were on the Reno City Council at this point.

Howard: Yes. We were kept in the loop as to where we would be, and, of course, there was a guy by the name of Jim Thornton, who was on the City Council with me, whose pet project while he was on the Council was the sewer treatment plant, the water treatment plant, because we had to expand it to forty million, over twenty

million, when I was on the Council. That was a big issue, too. But we were kept partially informed, I would say, about things were going on.

Then, like I told you earlier, there came a time when we thought we had a document and some legislation we could really lock onto, and Jim Thornton and I, the mayor of Sparks, I forget who the cast of characters were, but there were fifteen of us that got on a plane the day I told you that the Chief died.

Seney: Right.

Howard: And went back. But it's hard to say how much we really did know about it. It's really getting grey up here.

Seney: It's a lot of complications and there have been a lot of threads. It's hard to keep them separate.

Howard: The cities had to be informed about it, because they had to be the signees of this document, because we operated the sewer treatment plant, which is a big part of this whole water management, water-quality process. And we haven't even talked about flood control. There are other issues here. It's a very complicated process.

You know, I'm trying to think of the book that was written about the Colorado River. God, it was a wonderful piece. Someone someday will write that same book about this river, because in terms of litigation—I don't know

who's going to buy the book, to tell you the truth, and read it. [Seney laughs] But there's enough material, I think, to do the same kind of book about all of the management and legal ins and outs of this little river, to which I have to say when I first saw it, it was a creek to me. It wasn't much of a river at all, particularly during the drought.

Seney: What about Senator Reid's negotiations that Wayne Mehl¹² oversaw? Did you take part in those that were kind of going on simultaneous to the tribe and Sierra Pacific discussing the Preliminary Settlement Agreement?

Howard: We actually didn't become aware of those things until we were asked. We had our water task force in place, independent of all this, mainly because the Chamber wanted to be up on the issues. People that we had on our task force—

Seney: I'm thinking back in the eighties when Senator Reid was elected. If you remember, he said on election night, when he was here in the Reno Airport, "What are you going to do?" A reporter asked him, and he said, "Solve the water wars." And those were the negotiations that led to 101-618, Public Law. Those are the ones that the

¹² Wayne Mehl participated in Reclamation's Newlands Series oral history project. See, Wayne E. Mehl, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

Truckee-Carson Irrigation District withdrew from, was thrown out of, walked out of.

Howard: I can't say that I have any memory of that. I really don't, because that was like '86?

Seney: That was about '87, '88, to '89, '90, somewhere in there.

Howard: No. '89 is when Honey Lake showed up. '89, '90, somewhere in there. I do know that there were a number of people who saw Honey Lake as competition. I think I said this before.

Seney: Right. And that's a very interesting point. It diffused the political pressure to some extent, perhaps.

Howard: And that's what some of the county commissioners at that time were thinking, that this was a way to sock it to the Indians. "By God, we'll get our own water. We don't have to worry about"— Well, they were wrong.

Seney: How many acre-feet would Honey Lake have brought in?

Howard: It was like 6,000 or something.

Seney: It's not a whole lot.

Howard: It wasn't anything. But that was the political realities of it. And, of course, they were getting tremendous political pressure from this developer, who was quite good. I give him credit, he got people elected there and they

pursued his project. He would have been a very wealthy guy if he could have sold all this, and he's still out there. But that in itself was seen as a threat to it, and—I'm trying to think.

Our Chairman of the Board then got a call—oh, yes, this is coming back a little better now. I had just joined the Chamber. Now we're jumping up to '93, so there's kind of a void there. My only involvement with the Chamber between '89—actually, '88 through '93 was as sort of a volunteer chairman of the local legislative committee. So, we didn't really have—I didn't have much knowledge. I did have knowledge of Honey Lake because I was in the development business, but that's another story.

Our chairman got a call from the chairman of the Washoe County Commission. We had just got out of the legislative session and had formed our water task force. She called our chairman and wanted to know why the Chamber was butting into this process. Of course, I got a phone call wanting me to explain why, and I did. The chairman of the county commission at that time was a successor to me as Registrar of Voters. She was very upset about it because she was the one who proposed Honey Lake.

We had a meeting and we just explained to her that we didn't think that the project was viable financially, that we had a number of people call us and tell us that they had reviewed this, and that they saw it only as a scam, and said it like that. Not happy about that. But at

that time—and I guess that’s where Harry Reid came in, because I remember us getting communication from Harry Reid, thanking us for our support of the negotiated settlement and our stand on Honey Lake, because once Honey Lake went away, then it became a different—even though this local arena may or may not have impacted Washington—and you’ll have to talk to those folks about that.

I don’t know what went on in Washington. We never went back to testify or anything. It was just going along. We were happy it was going along. If we were asked to comment, we commented. If we didn’t, we didn’t. But we kept our interest locally. I can remember the conversations about Honey Lake being diffused, reapplying some pressure to get the negotiated settlement, because we’ve never stopped growing here.

Development and the Water Issue

The water issue, much like the Mapes, there are some people that just think that every time there’s a hotel room built, they’re going to do without drinking water. No one in this valley has ever had a dry tap. I used to say this when I was on the City Council and people were complaining about us approving developments, I said, “When your tap doesn’t come on, you call me, and then I’ll talk to you about it.” But it’s never happened and, quite frankly, I’m surprised that we’ve done as well as we’ve done.

Looking at the community from almost a thirty-year perspective now, and the number of people that are here now, my own personal view is that Reno is a much better community to live in now than it was when I moved here, because it has more resources in terms of health care, law enforcement, libraries, parks, all the things that people, I assume, want in a community. Reno is a much better town. There are some people, however, that don't agree with that. They feel the town is too big now, and the little town that they grew up in and loved has been ruined.

I don't share that view. I think we've done an excellent job managing growth. We've grown about three percent a year over the years that I've been here, and it's been quality development. You go out to some of these subdivisions and look at some of the homes, they're quality homes. Sure, we did the first zero lot-line developments when I was on the City Council, and a lot of people thought that was appalling. I went to Las Vegas on my own nickel to check out this developer who wanted to do them, and went down to Las Vegas and looked at them, and they were beautiful.

Seney: What is zero lot line?

Howard: You have no yard. Minimum yard. This was also during the drought. Very attractive to me, because I was the one who wanted the limited landscaping, right?

Seney: That's one way to do it.

Howard: So, the first development that this person did was an eighty-two-unit thing over by the airport. He sold eighty-one the first weekend. Sold them. Eighty-one. Not even built. Eighty-one. He had a model. He sold the model and eighty others the first weekend, and it's still out there. He's built four since then. And they're wonderful. People love them because some people don't want a big yard. They don't want the headache. And they don't have pets and they don't have a lot of other things, but they want a nice independent house. They don't want to live in an apartment. And there was a niche there that this guy knew about, and he filled it and he was successful. But the editorials and the outcry that came at that time, "Oh, what are we doing? We're ruining our town." It hasn't been the case.

Now we've had ten, fifteen years to look at that. I can take you over there right now. You'll say, "Gee, this is beautiful." It is. It's a beautiful little community and it sits right off the airport. In the older cities. You don't have six thousand square feet. My dad's property on the Ohio River, I think it was 75 feet wide by, I don't know, 150 deep. There was a house right next door to us. We always knew our neighbors. We always knew what they were talking about. "Hey, what are you doing over there?"

Efforts at Flood Control on the Truckee

Seney: Let me ask you about flood control, because you raised that. Talk a little bit about the flood

control problems and what's going on there in Truckee.

Howard: Well, currently?

Seney: Yes. Or give us the context. If you like, go back a bit. What do you think we need to know?

Howard: Well, during the eighties, we had, believe it or not, even with the drought, we had the reverse. We had a flood in the eighties. The [U.S. Army] Corps of Engineers came in with a proposed plan. This was '86, '87, somewhere in there. And we had a huge community public hearing and all that. To make a long story short, the community rejected the plan, because it meant building levees along the river.

Seney: And channelling the river more.

Howard: Channelling more. People just didn't want that to happen. So, let's fast-forward to '97.

Seney: January of '97.

Howard: Yes. Of course, we got another flood and we made national news and it was totally distorted. I mean, they had us completely—we were devastated. Well, we weren't devastated. It's happened before. It's happened three or four times since I've been here.

But back comes concerns for flood control. Right now, we are looking at a quarter-percent sales tax increase to do four things in the

community. This was legislated by the state legislature, and we participated in that legislation on behalf of our members, because many of our members got flooded. But anyway, the pieces are the flood control piece, which we're going to go revisit the Corps of Engineers' plan of '87, because it's the same river, same problems, and there's some federal dollars to go with that.

Second piece is emergency response unit to build an emergency response place. Third piece is a public safety training facility. Those two pieces kind of go together. And then lowering of the railroad tracks is the fourth piece. All four of those are to be funded by a quarter-percent sales tax increase, and with the railroad, there's also a one percent increase in the room tax to go along with it, if and when it's done.

We just recently had a public hearing where the county commissioners were given the authority by the legislation to impose this tax without a vote of the people, and they chose not to do that. I mean, they chose to do that. Maybe I should expand this just a little bit. This legislation applied to Las Vegas as well as Reno, because they have a water problem in Las Vegas, in delivery, water delivery. We went and worked on the legislation with that same Senator Raggio, that we talked about before, the leader of this.

And local government in both counties said, "We will impose this tax if you give us the authority." Okay, they got the authority. Clark

County [Las Vegas] opted not to do it. Political pressure got to them and they said, “All right, we’ll put it on the ballot.” But they’re not going to get a vote of the people to do it now. They lose. Our commissioners here last week had the courage to say, “All right, we’re going to study this and we’re going to put it on.” Haven’t done it yet, but it looks like they’re going to. Tremendous political pressure.

To expand that a little bit more, our concern was, we didn’t want the quarter-percent sales tax on the ballot at the same time as the school bond, because people are very sensitive about raising their taxes.

And so, we were in there arguing, “Do what the legislature told you,” and I always argue from the lobbyist point of view. “Look, you people yell about home rule all the time. Here’s your opportunity for home rule. If you don’t use it, I’m going to tell them in Carson City that you don’t deserve it if you ask for it again.” That was my testimony. I said it nicer than that.

Seney: They understood.

Howard: They understood. So, anyway, getting back to flood control, the floods themselves, it’s kind of hard to—the Indians probably don’t mind the floods, because they’re the recipient of more water. In fact, until this negotiated settlement thing is completely done, they benefit by all of the excess water. I’ve never stood on the bridge down here during a flood, or an excess of water,

and felt like we're letting a lot of our water go down to the lake.

And if you don't know this—and I told you I've spent a lot of time at Pyramid, particularly in winter, when the fishing's good, Washoe County, in the seventies, negotiated a deal with the Indians to build a park at Warrior Point. They built a campground, a concession stand, rest room, and a boat dock. That was in '74, '75, somewhere in there. And they had a ninety-nine-year deal. The county was going to maintain and supervise it. A beautiful place. I mean, the best thing on the lake at that time.

Well, hard times came to the county, and they gave it up, gave it back to the Indians. Well, two things have happened. The Indians have let it go into disrepair and the lake has come up over the years so much that where the concession stand and boat dock used to be is now five feet of water, and there is no actual Warrior Point anymore. There used to be a point out there that they had an oscillating light on so that at night you could make your way back to the boat dock across the lake. It doesn't exist anymore because the lake has come up.

Some of my friends out at the lake, they know they can't bullshit me about the lake receding, because I've been there. I know the lake very well. Where I used to put my boat in, it no longer exists. So, the lake has come up. Why has it come up? Because we've had reasonably good water years.

Seney: Well, the '97 flood brought a *lot* of water into the lake.

Howard: Yes. There's no—when you go down to Pyramid Lake, there's like a plain, a flat, if you will, where the water comes into the lake. No damage is possible. It's sort of like the Mississippi Delta, you know, which is—

Seney: So broad.

Howard: Yes, and there's no development either side. It just comes out there and it's muddy, of course, when it's flooding. But it's of no danger. Flooding is of no danger. The danger of flooding here is to our industrial area in Sparks, because it's lower. Unfortunately, those people who bought property down there and built warehouses down there built it on the cheap, and now they're whining because they got flooded. Well, they got the land for \$1.99 a foot and wondered why. The ground up out of the flood plain is 2.99. It's just a matter of getting what you pay for, you know.

But anyway, we have to listen to these people and we have to represent them. As long as they don't try to get too far afield with real sense, I'm perfectly willing to talk to them. But the idea that they built on the cheap and now they're looking for a flood plan, we want those folks out in front on selling the quarter-percent sales tax. We made them work their butt off to work on the commissioners to do that. So, there's all ways to work these things. But the most important part of the flooding is right

down here in our core district, in that you have to shut down your main entertainment center because of the flood.

And, again, the '97 flood played on T-V for a couple of weeks. It was only two days here. Two days we had a flood here. My dad said, "Jesus, are you okay?" I said, "Dad, you and I"—I grew up with floods on the Ohio, nothing new to me, and I live up on the hill. I said, "Dad, you know if the flood gets my house, the whole town's under water." I live up by the university. There's no way.

But the Chamber will take a proactive position on the sales tax. Two reasons. One, we lobbied the legislature. For good faith, we'll stay with that. Secondly, those four projects are very much needed, particularly the railroad depression. It's going to be a very difficult sell to the community.

The Problem of the Railroad Tracks in Downtown Reno

Seney: Is that also part of eliminating the blockage of traffic when the trains come through, which is a bigger problem now with the consolidation, the merger of the two big lines?

Howard: We haven't seen it yet, but they promise us. The merger has yet to realize itself as far as—they've had a lot of problems. The railroad has just really had a lot of difficulty getting their act together. But they're going to get it together. And, yes, that's part of it.

Seney: Would this depression then work as a conveyance for water if it gets there?

Howard: No. No. No, it's too far north. Some people thought that it could be used as a diversion, but you wouldn't want to do that because you'd tear up everything they've built. Water would take that track right out.

Seney: Merciless, yes.

Nuclear Waste and the Local Community

Howard: Yes. But it's an important piece of our economic puzzle. Interesting comment in this morning's *San Francisco Chronicle*. They showed the nuclear waste coming through the Golden Gate this morning, a picture, and talked about where it was going to go. There was a quote in there that people along the route stood more risk of being hit by a train than being exposed to radiation. And then one of our local guys picked it up in our paper and, of course, made it his own quote and said we have more to be concerned about crossing the railroad tracks here in Reno than we do about—and I think he's right. But that's another issue that the Chamber has tried to be out in front on.

The Reno Community, Gaming and Water Use

The community here is divided—always has been—about gaming versus the community. They always see them as apart. Economically it's just like the water. The gaming community supports about fifty-two percent of the tax base

in this community—gaming and tourism. So, we need to be very cognizant of helping them as well. But they have a stake in the water as well, because they're tremendous water users. However, people always seem to forget that all commercial properties, be they hotel or whatever, are metered. So whatever water is used is metered.

When you tell people that, a lot of people don't realize that. That's always been the case in Reno. When the first expansion of the original M-G-M was built, which is now the Reno Hilton, it was the largest single hotel in the state at that time, 2,000 rooms. People said, "Oh, what are we going to do?" Well, when people found out that they were paying metered rate, it kind of changed their tune a little bit.

But the gaming industry, too, is a good partner in the water process, and you can see you're going to run into some of those people. It's important to them to have this negotiated settlement signed off, because all those hotel rooms need water. The gaming people have been very good about drought, putting cards in the rooms, and during the really severe drought, you had to ask for water. The things that are just common sense. They've been good about that. They've been a good citizen, good corporate citizens about that. And when it comes time to go to the tables, they send their people. They're there. They need to be, because it's a good piece of the action.

Seney: And they have a strong political voice in Nevada?

Howard: Sort of. [Laughter]

Seney: Sort of. [Laughter]

Howard: You know, I'm going to have to wrap this up. I don't know if we've got what you wanted to do.

Seney: That's all the questions I had for you, as a matter of fact, so this is a good time to stop.

Howard: I enjoyed chatting with you. Nevada is a very interesting place.

Seney: I found that so. Right.

Howard: And it's always a challenge. I enjoy it thoroughly. I hope it shows.

Seney: Yes.

Howard: I really do. We don't always win, but when we do, it feels good.

Seney: On behalf of the Bureau, thank you very much.

Howard: You're welcome.

END SIDE A, TAPE 2.
END OF INTERVIEW.