

ORAL HISTORY INTERVIEW

JEANINE JONES



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Donald B. Seney in 2006
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Table of Contents

Table of Contents..... i

Statement of Donation..... iii

Editorial Convention..... v

Introduction..... vii

Oral History Interview..... 1

 Background..... 1

 Interstate Resource Manager..... 2

 Becoming Involved in Truckee River Issues..... 3

 California-Nevada Interstate Compact..... 7

 California’s Interests in Truckee River Issues..... 8

 Negotiating Public Law 101-618..... 10

 River Flow Modeling..... 12

 Hydrologic Data..... 14

 Small Water Agency Issues..... 18

 Snowmaking Concerns..... 20

 Tribal Concerns..... 21

 Tahoe Basin Utility Districts..... 22

 California Water Management Agencies..... 24

 TROA Negotiations..... 27

 Scoping Meetings..... 29

 Effects of California’s Budget Problems..... 30

 Role Decreased Once Legislation Passed..... 32

 Perspectives on Truckee River Negotiations..... 34

 Response of the Federal Government..... 36

Sierra Pacific Power Company. 38
Truckee Carson Irrigation District. 38
Upper Truckee Basin Interests. 40
Truckee River Issues not a Major California
 Concern. 41
Colorado River Issues. 43
Water Forecasting. 44

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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, Reclamation began to create 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 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, having to deal with modern competition for some of the water supply that originally flowed to farms and ranches in its community.

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

**Oral History Interview
Jeanine Jones**

Seney: My name is Donald Seney and I'm with Jeanine Jones of California Department of Water Resources, in the resources agency building in Sacramento, California. Today is September 26, 2006. This is our first session and our first interview. Good afternoon.

Jones: Hello.

Seney: Let me just begin by asking you a little bit about your background, where you were born, grew up, and a few minutes, a couple minutes on that, where you were educated, and how you got into the water business?

Background

Jones: Okay. Tall order. Well, I'm a California native, so went to school here, went to work for the Department of Water Resources. I'm an engineer, a civil engineer by background.

Seney: Not quite that brief maybe. Where'd you go to school?

Jones: University of the Pacific, C-S-U-S [California State University Sacramento], bachelors and masters degree in civil engineering.

Seney: From C-S-U-S?

Jones: Yeah.

Seney: Yeah.

Jones: And went to the, ended up working for the Department of Water Resources. I currently, I worked for the department, oh about twenty-six or twenty-seven years. My position is Interstate Resources Manager.

Seney: That's your current position?

Jones: That's my current (Seney: Right.) position, is Interstate Resources Manager.

Seney: What does that mean?

Interstate Resource Manager

Jones: It means I work mostly with interstate matters and federal matters, including legislation, things before the Western States Water Council. I represent the department on the Western States Water Council.

Seney: Is this mostly Colorado River stuff at this point?

Jones: The Colorado River is very definitely the largest piece of it.

Seney: Are you still, as part of your responsibilities in this position, working on the Truckee River stuff?

Jones: Not directly. I keep tabs on it in case I would have to backfill for somebody or step in and help out on something, but I don't follow it closely.

Seney: All right, what are you, but you were involved, obviously, in the project and that's why I'm here. (Jones: Uhm-hmm.) Others have urged me to come see you, (Jones: Uhm-hmm.) and as

I've said, made certain promises on your behalf that we'll see if you can keep here. (Laugh)
How did you get involved? When did that . . .

Becoming Involved in Truckee River Issues

Jones: Well, I was working on it probably in the late 1980s through shortly after the federal settlement legislation was passed in the early '90s. Left the project at the time. We had a big budget cut and that program was essentially defunded.

Seney: What did you do? Let's talk a little bit in detail (Jones: Uhm-hmm.) about what you did in that role.

Jones: Well, organizationally that program was located in our Central District Office from a budget and reporting . . .

Seney: Would that be Sacramento?

Jones: That would be Sacramento. Uh huh. It's a district office that deals with local assistance and local planning type issues. When I started with it I was heading up a section that was devoted strictly to the Cal, to the California-Nevada resources issues negotiations, etcetera. Later I became Chief of the Planning Branch in that office but still had the Cal-Nevada activities as part of my portfolio.

Seney: And, what did you do in relation? I'd like you to be pretty detailed for me, actually.

Jones: Oh. Okay.

Seney: What we're trying to get here is all these various voices and perspectives. I mean, I've interview Carol Hamon, (Jones: Uhm-hmm.) and John Sarna, and John Kramer, and David Kennedy, and Joe Burns,¹ (Jones: Uhm-hmm.) whom I'm sure you know, (Jones: Uhm-hmm.) along with probably 115 other people. And, everybody has a little slice, and piece, and perspective, and slightly different vision, (Jones: Uhm-hmm.) and, that's what we're trying to get from everyone. (Jones: Hmm.) So, I don't want you to be, summarize too much for me. (Jones: Hmm.) I want details, and more details. (Jones: Uhm-hmm.) So, exactly what were you doing?

Jones: Well, at the time I got started in the position the department had just recently gotten some funding through a Budget Change Proposal to the legislature to become involved in the negotiations, and for that reason we decided to actually start the technical program at our Central District Office.

Seney: These would be the negotiations that preceded Public Law 101-618?²

1. Joseph Burns participated in Reclamation's oral history program's Newlands series project. See Joseph I Burns, *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, 2010, www.usbr.gov/history/oralhist.html.

2. 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-Shoshone Tribal Settlement Act

(continued...)

Jones: Actually, technically they would be the negotiations to, which had already begun on the Nevada side to settle the E-S-A [Endangered Species Act] litigation brought by the Pyramid Lake Paiute Tribe against Sierra Pacific Power Company, (Seney: Ah. Okay.) U.S. Bureau of Reclamation, etcetera.

Seney: Over the Stampede Reservoir³ business?

Jones: And, yes, that, that whole issue. And, the

2. (...continued)

- Interstate allocation of waters of the Truckee and Carson rivers.
- Negotiation 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 is: http://www.usbr.gov/mp/lbao/public_law_101-618.html

accessed on December 7, 2011, at about 2:00 in the afternoon.

3. Completed in 1970, Stampede Dam is a major feature of the Bureau of Reclamation's Washoe Project in Nevada. For more information, see Carolyn Hartl, "Washoe Project," Denver: Bureau of Reclamation History Program, 2001, www.usbr.gov/history/projhist.html.

interstate allocation issues were brought into it at the time because the states had, as you probably heard, negotiated an interstate compact⁴ that was (Seney: Right.) never ratified by Congress. (Seney: Right.) So, that matter was still left sitting on the table, so to speak, and was of interest to the states to resolve, and related to the litigation negotiations.

Seney: Was there any interest in amending that interstate allocation that had been negotiated for the interstate compact? I think it was what, 33,000 acre feet overall at Lake Tahoe, (Jones: Uhm-hmm.) twenty-two to California, eleven to Nevada, and then the split on the Truckee River, ninety-ten, (Jones: Uhm-hmm.) on the Truckee? Was there an interest in renegotiating those

4. “After thirteen years of negotiations between the two states (begun in 1955), the joint California–Nevada Interstate Compact Commission approved a provisional Interstate Compact in July 1968 for the division of the waters of Lake Tahoe, and the Truckee, Carson, and Walker rivers. This provisional compact, with some modification, was eventually ratified by both states (California in September 1970 and Nevada in March 1971). The compact created the Tahoe Regional Planning Agency (TRPA) to oversee land-use planning and environmental issues within the Lake Tahoe Basin. However, the compact was never ratified by Congress which would have made it law. A major issue of contention was a phrase in the compact which stated that the use of waters by the federal government, its agencies, instrumentalities, or wards was to be against the use by the state in which it is made. This limitation, combined with new court interpretations of the federal reserved water rights (Winters Doctrine), waters required for Pyramid Lake fish species under the Endangered Species Act (ESA), and public trust doctrine issues combined to derail Congressional approval.” For more information, see Nevada Division of Water Planning, “Nevada State Water Plan: Part 1–Background and Resource Assessment, water.nv/programs/planning/stateplan. (Accessed 5/2016)

numbers?

California-Nevada Interstate Compact

Jones: You know, I certainly don't think the State of Nevada, for example, wanted to. They, along with at least our State Water Resources Control Board, as it relates to issuance of certain permits in the Tahoe Basin, had been trying to live by, so to speak, (Seney: Right.) the allocation terms of the compact (Seney: Right.) that the states had negotiated. And, I think the idea was that was the starting point for the interstate negotiations and if we had to clarify or fine tune, or add more detail, or respond directly to things brought up in the litigation we would do so, but there was not an intent to throw it, throw it all out (Seney: Okay.) and start over again.

Seney: Right. Okay.

Jones: So.

Seney: Where did your marching orders come from on this?

Jones: Well, actually Dave Kennedy pretty much ended up heading up the activity at a fairly high level. He just took a personal interest (Seney: Right.) in the subject matter. On a, you know, the more day-to-day basis, John Kramer handled the legal side and I was handling the technical support, if you will, function for that. And essentially, we spent a lot of time working on negotiating positions and going to meetings with the other folks who were involved in the negotiation of the settlement litigation, which when that finally

ended then we started the very first attempt at the, at the TROA [Truckee River Operating Agreement],⁵ (Seney: Right.) and in fact, the time our funding ran out was just after we had held the first set of scoping meetings on what was to be the E-I-R/E-I-S [Environmental Impact Report/Environmental Impact Statement] for TROA.

Seney: Uh huh. Let's go back to these other—what were you doing specifically on the California side? What were you looking into? What was California interested in or responding to?

California's Interests in Truckee River Issues

Jones: Well, the Tahoe Basin allocations were pretty well understood and settled, so to speak. There

5. "More than 27 years in the making, the Truckee River Operating Agreement (TROA) now guides use of the river that winds nearly 120 miles from the mountains of Lake Tahoe to Pyramid Lake and is the primary water source for Reno and Sparks. The long-pursued plan brings the Truckee River's management into modern times, protects the area from protracted droughts and offers a promising future for the region as a whole....

"The agreement brings an end to historic uncertainty between Nevada and California over distribution of the river's water, allocating 90 percent to Nevada. Beyond enhanced drought storage for the Truckee Meadows community, it modifies the operation of federal and selected non-federal reservoirs in the river system to protect and improve water quality and enhances conditions for the endangered Pyramid Lake cui-ui and the threatened Lahontan cutthroat trout. By retaining more water in upstream reservoirs, TROA also expands the range of recreational opportunities, including boating and fishing." See, Truckee Meadows Water Authority, "Truckee River Operating Agreement," https://tmwa.com/water_system/settlement/ (Accessed 2/2016)

were a couple of minor technical issues there. There was more work on the Truckee [River] basin side and on the Carson [River] basin side.

Seney: What were the technical, minor technical issues?

Jones: Oh, there were some things about how much to count sewer line inflow and infiltration, for example, which was a very small amount of water. And one of the issues that was inordinately of interest of the local entities, relative to the amount of water that was required for it, was snowmaking water use. (Seney: Right.) Because obviously, there are ski resorts in both the Tahoe and Truckee basins, and, or some of which went over to the Truckee basin, and that was a significant issue for them.

There were also concerns about return-flow credits, so to speak, from the regional sewage treatment plant located in the Truckee Meadows, Tahoe-Truckee Sanitation Agency. (Seney: Right.) And, in the Carson basin there were issues about had the compact, the old compact hadn't elaborated on uses of water that perhaps were not covered at that time. So, we went through a little investigative process to see if there were any uses of water that were not covered in the Alpine Decree,⁶ had not been

6. The Alpine Decree, "initiated by the U.S. Department of the Interior on May 1, 1925 through U.S. v. Alpine Land and Reservoir Company, et al., to adjudicate water rights along the Carson River. The decree was finally entered 55 years later on October 28, 1980, making it the longest lawsuit undertaken by the federal government against

(continued...)

considered in the compact.

Seney: Uses for?

Jones: Could be anything, agricultural, recreational, as in a campground or something.

Seney: I see. In other words, if there was no, if there was some unappropriated water in the [inaudible]?

Jones: Well, water that was appropriated, under being, appropriated being used under California law that hadn't been picked up in the decree.

Seney: I see. Okay. Right. What did you do in preparation for Public Law 101-618 and those, did you take part in those negotiations?

Negotiating Public Law 101-618

Jones: Yeah. I was, a large amount of the time. The folks on the Nevada side of the boundary, in particular Sierra Pacific Power Company had developed a model that was used, for negotiating purposes, for operation of the Truckee River system and there were many, many technical meetings about the adequacy of the model; what went into the model, did it correctly reflect what we thought was happening? And then, just a lot of running

6. (...continued)

private parties over water rights. The decree established the respective water rights (to surface water only) of the parties to the original lawsuit, both in California and Nevada to Carson River water. For more information, see Nevada Division of Water Planning, "Nevada State Water Plan: Part 1—Background and Resource Assessment, water.nv/programs/planning/stateplan. (Accessed 5/2016)

scenarios with the model with, of course, a whole group representing all the interests involved in negotiations, all wanting to make sure that they understood what the model was doing.

Seney: Any parts of the model that particularly interested California or bothered you?

Jones: No. You know, it was a black-box model, which was an issue that some folks . . .

Seney: What does that mean?

Jones: It was not a commercially-available off-the-shelf model which everyone understands. The model was developed by a consultant for Sierra Pacific Power Company. (Seney: Right.) The code was private, if you will, and not all the code was available. So, there were concerns.

Seney: The code meaning what you'd need to (Jones: The modeling. The modeling.) manipulate the model?

Jones: The modeling code.

Seney: Right.

Jones: And, it was not in the format of what the typically available commercial models were then. So, it was something that was a concern for some parties (Seney: Right.) in negoti[at]ing—well, more recently in the world of CEQA [California Environmental Quality Act] and NEPA [National Environmental Policy Act], CEQA guidance now frowns on using

proprietary models in those, in negotiations, or basing your environmental document on it. So, at the time that was an issue, I think, probably more for the tribe, the Pyramid Lake Paiute Tribe, (Seney: Right.) than anyone.

Seney: That model has evolved and become pretty well accepted hasn't it?

Jones: You know, I've been away from it so long I don't know the current (Seney: Okay.) status of people's (Seney: Okay.) comfort level with the model. At the time there was a lot of argument about it, and initially Sierra . . .

Seney: Can you remember some of the details? Because as I said I'd like, you know, as many details as you can conjure.

River Flow Modeling

Jones: Well, I mean at the time Sierra Pacific held a number of workshops, if you will, on what inputs went into the model, how did you get from Point A to Point B, what hydrology was used, and so forth. And you know, different parties had different interests in the model and different needs for level of detail, depending on what your interests were in it. From California's perspective we were more at the 30,000-[acre] foot level in terms of just the interstate allocation between the two states, whereas some like the tribe were a lot more interested in the operational details because they were really interested in how much water ends up at the end of the system at Pyramid Lake.

Seney: And, you were interested in the Truckee River allocation as well as the Tahoe allocation?

-
- Jones: Well, yeah. Everything on the California side.
- Seney: Right. Right.
- Jones: And, you know, that was a high-level model for, you know, a mass-balance type model for allocation, or negotiations.
- Seney: What does that mean “mass balanced”?
- Jones: A very simple type of model. Inputs in and up to inputs out. It’s a conservation-of-mass kind of concept. Typically those kind of models have perhaps an annual time step so they’re not real detailed. (Seney: I see.) It’s different from a model that you would use to actually operate a reservoir system where you’re down to daily or sometimes even hourly time steps. It’s a very different kind of model.
- Seney: Ah. Ah. And these other, the model you just referred to would be say the kind you’d use to operate the dams [inaudible]?
- Jones: To actually operate the system. Yeah. You know, it was fine for planning purposes, which is what it was, (Seney: Right.) but, for operational purposes, where the tribe’s interests tended to hit more, you know they were always concerned about the representativeness of using that kind of model.
- Seney: What does “representativeness” mean in this regard?
- Jones: Oh how, how well the model would pick up, given that it was an annual timestep, how well

the model would pick up on conditions that would affect basically fish spawning, you know, because that being a concern of (Seney: Right.) theirs. (Seney: Right.) And that's almost more of an operational level of concern, as opposed to seeing, "Well, how much water ended up in the reservoir at the end of the year?"

Seney: I see. Right.

Hydrologic Data

Jones: Probably, California's biggest interest in the model, and something we spent some time on, on our own, was the, how good was the hydrologic data set that was used in the model? One of the concerns or interests that we had was a problem throughout the western U.S. is that you only have about a hundred years recorded history (Seney: Right.) of hydrologic data, at most, in terms of your gauge system.

Well, are there, is it likely that you would have a drought that is more severe than the drought you had in that short period of record, and if so, what does that do to your system? Because, when you're making an interstate allocation, you know, that's a one-time deal, so to speak. (Seney: Right. Right.) So, you want to make sure the numbers made sense.

And, we'd certainly, you know, by that time knew about the situation on the Colorado River, for example, where they negotiated the Colorado River Compact⁷ in the wettest twenty

7. The Colorado River Compact is an agreement signed in 1922 by the seven basin state, Wyoming, Utah, Colorado, New Mexico,

(continued...)

years or so of the river system, literally, (Seney: Yeah.) and you know have allocations that we now know represents an over-appropriated system. Because, you know, since that short slice of time (Seney: Right.) they used for those negotiations it's been a lot drier and the paleo-record, paleo-chronology record, shows that that really was the wettest time in the system when they made those allocations.

Seney: "Paleo record" would be?

Jones: Reconstructed from tree rings, for example.

Seney: I was going to ask about it, and I (Jones: Yeah.) hoped I wasn't going to be naive, but you do use tree rings in that kind of thing?

Jones: We use it a lot more now than we did back at the time when we were doing that. As a matter of fact, one of the things we looked into a little bit technically at the time was the tree stumps that are submerged in Lake Tahoe. We actually funded one of the researchers at D-R-I [Desert Research Institute] who was dating, carbon dating them. As it turned out they were a bit earlier than we would be interested in from a, you know, reconstruction kind of line.

Seney: How early were they?

7. (...continued)

Arizona, Nevada, and California, that divided the flows of the Colorado between the upper basin states and lower basin states. For more information, see Norris Hundley, Jr., *Water and the West: The Colorado River Compact and the Politics of Water in the American West* (Berkeley: University of California Press, 1975).

Jones: Oh, I think they were about four or six thousand years old.

Seney: Oh, that's (Laugh) that's going to be a bit early?

Jones: Yeah. (Seney: Yeah.) You know, for what people are working on now in terms of paleo-hydrology is maybe a thousand years or so. (Seney: Right.) You know, because you only, if you have ten percent of the record now at a hundred years, you know, that gives you some confidence (Seney: Right.) and you pick up some significant droughts. The Mediaeval Drought Period, as it's called, the dry period of the 1500s. So, if you have that long a record reconstructed you have a, you know, a pretty decent sense of (Seney: Right.) the worst cases.

Seney: And, there's a shared confidence in this kind of (Jones: Yeah.) investigation?

Jones: More so in some river basins than in others. It's been used a lot on the Colorado River basin, for example. Less so, I think, on the Truckee and Carson, simply because they're so much smaller systems and have so fewer players, relatively speaking, that people hadn't gone to that level of analysis there.

Seney: Ah. You mean that the over appropriation of the Colorado [River] and all of this? How many states, seven?

Jones: Seven states. Uhm-hmm.

Seney: Has led to more reliance on this kind of technology?

Jones: Well, plus the fact that you have a large basin,

so you have a lot of tree ring records that you can work with, so to speak, and the fact that you have a lot of demands on the river system, (Seney: Right. Right.) some of which developed very early. You have a lot of critical demands, like large urban areas, and so you have the resources and the will to go out and do investigations to really sharpen your pencil and look how the [inaudible] are.

Seney: Right. Would critical demands like urban areas take precedence under extreme cases? Is that something that . . .

Jones: That depends totally on the river system. In the Colorado River (Seney: And the agreements maybe?) if you go by the law of the river, as it's called, in California, the urban user is the most junior one on the block, under the prior appropriation doctrine⁸ and the agreements that were (Seney: Yes.) put in place then.

Seney: I guess that makes sense, doesn't it?

Jones: Uhm-hmm.

Seney: Right. Right. Yeah. (Jones: Uhm-hmm.) Right. That must be one of the reasons they're trying so hard to wring water out of the Imperial Irrigation District, etcetera, (Jones: Well . . .) down in the south part?

8. The prior appropriation doctrine is the centerpiece of water law in western states, which simply states that "first in time, first in right," meaning those who put water to beneficial use first had the priority over others in water allocations.

Small Water Agency Issues

- Jones: Ag to urban transfers, yeah, (Seney: Right.) is a more, is a commonly-used tool these days.
- Seney: Right. Right. (Jones: Uhm-hmm.) What else on the Truckee did you, were you interested in besides this long-term understanding of the hydrology?
- Jones: Well, one of the things we did on the California side was create a technical committee of the small local water agencies that were the retail providers of urban water (Seney: Right.) there, mostly all groundwater-based folks. And one of the issues in the negotiations was, “To what extent would pumping groundwater affect surface water flows and how would you count groundwater?” And, we went through a number of different exercises to consider how groundwater might be treated in . . .
- Seney: Can you give me some detail on that?
- Jones: Well, for example—and I should say that, by the way, the way, starting out working backwards, the way we ended up for the purposes of the legislation was we punted that to the operating agreement, to be figured out. And, that discussion has been going on in the (Seney: Right.) operating agreement context. But, some of the things we talked about in the legislation . . .
- Seney: This would be the—excuse me—the depletion issue in the negotiations, the TROA negotiations?
- Jones: Yeah. (Seney: Yeah.) Yeah. Well, depletion

just means using water, (Seney: Yeah.) you know, using it all up. (Seney: Right.) And, the question is, to what extent are you taking (Seney: Oh, I'm sorry. I see.) surface water?

Seney: Yeah. I'm sorry. (Jones: Yeah.) I muddied the water, shall we say?

Jones: Uhm-hmm. But, one of the things we did, we looked at the formula that was then proposed by the Safe Drinking Water Act regulations, which had a, at the time, a proposed regulatory approach for what they called "groundwater under the influence of surface water," which was based on a distance-in-travel-time concept. So, if your well was, you know, more than a certain distance from the river and, you know, met certain other tests then you counted it as surface water or not surface water. (Seney: I see.)

We looked at that. We looked at some very simple just, you know, draw lines on a map and if it was, you know, closer than x-distance to the stream it counted as surface water, not as surface water, (Seney: Right.) etcetera. So, we went through a number of permutations and variations on that. Given the context of the timing of the negotiations and trying to get a bill through Congress there wasn't time to exhaustively go through that and a lot of people wanted to play with it further, (Seney: Right.) so it was essentially put into (Seney: Right.) the TROA negotiations.

Seney: And this is then what, says how close you can drill to the river?

Jones: Or to what extent if you'd pump groundwater is it counted as surface water, (Seney: Uh huh.) is a better way to put it.

Seney: Okay. Right. What other things were you looking at?

Snowmaking Concerns

Jones: Well, as I said, the snowmaking one was huge, so we spent . . .

Seney: Well, it was 700 acre feet of water.

Jones: I know. It's a very small amount (Seney: Right.) of water, but for some reason the, well the folks on the other side of the state line, I think the tribe especially were just, (Seney: Right.) you know, just very, very concerned about that snowmaking issue. So we spent a lot of time talking about evaporative losses associated with snowmaking. You know, a ten-percent loss on 700 acre feet, you can't measure it in the river. (Seney: Right.) But, so those negotiations, or that, those discussions went on for quite a bit of time.

Seney: Why do you think they, why do you think they showed such interest in such a small amount?

Jones: I don't know, unless they thought that perhaps there was going to be a great expansion of snowmaking in the Truckee Basin. You know, hard to imagine because that would be a far-future thing. But, at one point before these negotiations had started on the congressional legislation, a few years earlier there had been a proposal, I think linked to Disney somehow, to build a big resort-type development up there.

You know, the mega-resort with condos (Seney: Right.) and snow, you know, skiing, and etcetera, and I think that, the thought of that happening at some time (Seney: Ah.) in the future.

Actually, I think Sierra Pacific was to have been involved in selling some land around Independence Lake to it, or something like that. They had a relationship with that development proposal, and I think that made some of the folks then, (Seney: Right.) in Nevada, nervous. Because, you know, if you look at the Truckee Basin today it's not heavily developed and there's a lot of federal land holdings, (Seney: Right.) which limits ability to do future development. But, I think the memories of that, you know, somewhat pie-in-the-sky land development proposal that had been floated at the time were still fresh enough in some peoples' minds that (Seney: Ah.) they were concerned about, you know, a Disney North located there.

Seney: Right. Right. (Laughter) Some people I've interviewed have thought the tribe pushed hard on everything. Was that your impression?

Tribal Concerns

Jones: I would say they pushed pretty hard in everything.

Seney: Right. Right.

Jones: Uhm-hmm. But, you know, I'm assuming they came from the perspective of knowing that they

had the E-S-A as their major tool, and that was a very good tool that they, I presume they thought they could have gotten quite a bit out of going to court and using that tool. (Seney: Right.) So, if they're going to negotiate in lieu of, or settle in lieu of litigating they thought they had a pretty good hand of cards.

Seney: Right. Right. What did you do in terms of the North Tahoe Public Utilities District, (Jones: Uhm-hmm.) the Tahoe City Public Utilities (Jones: Uhm-hmm.) District? What was your relationship with them (Jones: Well . . .) and the other water purveyors? Well we, I live in South Lake Tahoe in what we call STPUD [*pron.* stupid] (Jones: Yeah. STPUD. Uhm-hmm.) the South Tahoe Public Utility District.

Tahoe Basin Utility Districts

Jones: We actually had a couple of different technical committees going. We had a technical committee in which we went, met primarily with the Tahoe area districts. More in terms of just briefing them on the status of negotiations sort of thing. Because the Tahoe, there wasn't really much in terms of the negotiations that would change the Tahoe allocation. (Seney: Right.) You know, that was more set in stone, shall we say, than the Truckee one. (Seney: Right.) Because the Tahoe Basin, you know, I think one of the huge differences, of course, was the development there was controlled by T-R-P-A [Tahoe Regional Planning Agency] and people knew that you were not going to, you know, have a Disney North (Seney: Ah.) kind of thing (Seney: Yes.) in the Tahoe Basin. So, we all . . .

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- Seney: There was a big scramble, in other words, by developers to increase the water allocation?
- Jones: And you know you have, again, a large amount of federal land holding. And, if you're at all familiar with how tightly T-R-P-A regulates everything in the Tahoe Basin, (Seney: Right.) you could see that you didn't really have to worry about a huge (Seney: Ah.) development boom and increase in water use. So, we also worked with the water users, the retailers in the Truckee Basin who are, relatively speaking, very small water systems, (Seney: Right.) you know, a few, some with just a few hundred connections actually, (Seney: Right.) and obviously a lot less in the way of resources to participate in things. But there, there was more of a technical aspect because of the issues about groundwater and those kinds of things. (Seney: Right.) So, we probably spent more time with them just because of all the discussions about, we had to go out and find out where there wells were and, you know, were they actually that close to the stream, (Seney: Right. Right.) and those kinds of things.
- Seney: I know the North Tahoe Public Utility District was concerned about its leaky system (Jones: Uhm-hmm.) and how the water was measured. What can you tell me about that from your perspective?
- Jones: Well, that was the inflow and infiltration discussions and we spent not a whole lot of time on that, compared to some of the other things in the discussion. There was a report that the state board had done probably, oh, back in the '70s.

It was a few years . . .

Seney: State Water Resource Control Board.

Jones: State Water Resource Control Board, in which they had attempted to assess the water losses, if you will, in the Tahoe Basin in order to get at, “Well, what is the total consumptive use or depletion?” And I know one of the things that some of the water agencies felt that the estimates that the state board had in their report for things like inflow and infiltration were too high. (Seney: Right.) I mean they said, “Well yeah, we’re high but we’re not that high.” (Seney: Right.) But, you know, in the big picture in negotiations that wasn’t a significant issue.

Seney: Tell me, what does the Water Resources Control Board do as opposed to the Department of Water Resources?

California Water Management Agencies

Jones: Well, the Department of Water Resources is primarily a water supply agency. We operate, own and operate the State Water Project, we provide local assistance and do statewide water planning, we run the state’s Dam Safety Program, and we run flood control programs. The State Water Resources Control Board is almost entirely a regulatory agency. On the water quality side they are the agency that administers the Clean Water Act and the Porter-Cologne Act,⁹ the state counterpart of the Clean

9. The Porter Cologne Water Quality Control Act of 1969 “is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and
(continued...)”

Bureau of Reclamation History Program

Water Act. So they do the, you know, wastewater nonpoint source runoff, all those regulatory things, and they also have the Division of Water Rights, which issues water rights. And, in fact, we had an attorney from the Division of Water Rights as part of our negotiating team, John Arkle [spelling?], (Seney: Right.) whom John Kramer probably mentioned to you?

Seney: Right. I've heard his name several times. (Jones: Uhm-hmm.) Right. Right. (Jones: Uhm-hmm.) And, I've actually spoken to him and hope to interview him. (Jones: Uhm-hmm.) Right. Good. So, you do do business obviously from time to time in various areas with the Water, Water Resource Control Board? They'll come in and look at matters that you're somehow involved in?

Jones: Well, actually, most of the department's activity with them is probably in the form of being a regulative community for our State Water Project. We've had years of hearings on the Bay Delta,¹⁰ for example, with the board, which

9. (...continued)

beneficial use of water.... [and] established nine Water Resources Boards and the State Water Board." See www.waterboards.ca.gov. (Accessed 5/2016)

10. Referring to the delta of the San Joaquin and Sacramento rivers—often referred to as the Bay-Delta. This is located on the northeast quadrant of San Francisco Bay (San Pablo Bay). The water from the Delta exits to San Pablo Bay through the Carquinez Straits. "The Bay Delta Conservation Plan (BDCP) is a part of California's overall water management portfolio. It is being developed as a 50-year (continued...)

issues our water rights permits and those of the Bureau of Reclamation for the State Water Project. (Seney: I see.) And that's, by far, our greatest activity with them.

Seney: Right. Right. And it's not a problem that they're separate from you? Or . . .

Jones: Actually, at one time back in the, up until about the '70s I believe, they were part of the department. They were split from the—or maybe '60s—they were split from the department because of the perception that there would be a perceived conflict for the department to regulate itself with respect to its water rights permits.

Seney: Ah. Ah. So, it was spun off at that point?

Jones: Uhm-hmm.

Seney: I see. What about water quality questions on Lake Tahoe, how do you deal with those? Or, what is . . .

Jones: Those are the responsibility of the State Water Resources Control Board.

Seney: Totally? That's their . . .

10. (...continued)

habitat conservation plan with the goals of restoring the Sacramento-San Joaquin Delta ecosystem and securing California water supplies. The BDCP would secure California's water supply by building new water delivery infrastructure and operating the system to improve the ecological health of the Delta. The BDCP also would restore or protect approximately 150,000 acres of habitat to address the Delta's environmental challenges." See baydeltaconservationplan.com (Accessed June 2014).

Jones: We have no jurisdiction there.

Seney: I see. Okay. What other things were you involved in with the Truckee River?

TROA Negotiations

Jones: Well, at the time we were finishing up the negotiations on the settlement legislation and getting ready to start negotiation of the TROA. You know, this was a river system that was, had a fairly complicated administrative record, shall we say, in terms of the litigation, the legislation, the decrees, and etcetera, and I thought it would be useful to, since we were going out and doing this CEQA/NEPA process, produce something that laypeople could follow to help them understand this (Seney: Right.) as we went through the TROA negotiations.

Seney: Just for the trans—just for the transcriber, CEQA is the California Environmental Quality Act. NEPA's the National Environmental Policy Act? (Jones: Uhm-hmm.) And CEQA is the . . .

Jones: You just said it, the California Environmental Quality Act.

Seney: That's right. (Jones: Yeah.) What am I thinking? Yeah. (Jones: Uhm-hmm.) It's C instead of S? (Jones: Uhm-hmm.) Right. (Laugh) Okay.

Jones: Uhm-hmm. So, I wrote a report that turned out

to be the Truckee River Atlas¹¹, which you may have seen.

Seney: I have seen and read, and profited (Jones: Uhm-hmm.) from greatly, actually.

Jones: With the idea of that would be a good public outreach tool for the environmental document process. And that turned out to be so popular in terms of usefulness among the target audience that I went ahead and, as a spare-time activity, did one for the Carson and Walker rivers as well.

Seney: I also have—the Walker doesn't interest me, but I have the (Jones: Uhm-hmm.)—those are excellent. Congratulations.

Jones: Oh, thank you.

Seney: That was your handy work?

Jones: Uhm-hmm. Uhm-hmm.

Seney: Well, those are really great. They're really useful.

Jones: Yeah. By the time we got to the Carson one too the budget cuts were starting to impact our program and we were not going to be doing a lot of the things we had planned to do, so we didn't have money to do those things. So, the Carson Atlas and the Walker Atlas were simply things that could be done very cheaply with funds available.

11. Jeanine Jones, *Truckee River Atlas* (Sacramento, California: Department of Water Resources, June 1991).

Seney: Right. Well, I must say it didn't really show up that much, (Jones: Uhm-hmm.) you know. (Laugh) I mean, I didn't notice any difference in quality between the two, or usefulness.

Jones: Well no. But, for example we had at one time budgeted something like about 900,000 bucks to start the CEQA process for the TROA, and as I said we had started the scoping. We had actually held the first round of scoping meetings for that.

Seney: "Scoping" means what in this context?

Scoping Meetings

Jones: "Scoping" is a term of art in both NEPA and CEQA that is a requirement in both of those pieces of legislation that you issue a notice that tells the world at large that you are going to begin an environmental document process and ask people if they have any burning issues they would like you to . . .

END SIDE 1, TAPE 1. SEPTEMBER 26, 2006.
BEGIN SIDE 2, TAPE 1. SEPTEMBER 26, 2006.

Seney: Go ahead.

Jones: So, "scoping" is a process that you do to see if people have any burning issues they want you to know about at the beginning of the NEPA or CEQA process, (Seney: Ah.) and you are required to publish a scoping notice. Normally, you go out and do public meetings as well.

Seney: Where would you have put the scoping notice?

In the normal paper? Or . . .

Jones: Oh, it's, if you're doing NEPA it goes in the *Federal Register*. CEQA says "newspaper of general circulation," etcetera. It's a commonly done thing.

Seney: Right. Right. Do you do anything else? Do you call people that you know who are likely to be interested?

Jones: Well, normally (Seney: Or send them letters?) the folks that are most interested are already in your process.

Seney: I suppose.

Jones: Is the typical way. (Seney: Yeah.) Particularly in something like this that was so visible. (Seney: Right.) But anyway, so we held our first round of scoping meetings and that's about the time the budget was cut. Because as I said we had about 900,000 bucks and we were planning to go out and contract for the work to do the E-I-R/E-I-S.

Seney: You've alluded to budget problems. What was the context of that? What was going on?

Effects of California's Budget Problems

Jones: It was just the state's general fund was not doing well at the time, and this was . . .

Seney: This would be the year?

Jones: This was a general funded program. This is early '90s, early 1990s, when the state was experiencing recession, (Seney: Right.) which

meant less revenues into the general fund, and this was by no means a health and safety program, which are those things that (Seney: Right.) you preserve (Seney: Right.) during budget cuts. (Seney: Right.) This was an optional planning program so it was substantially whacked. But, for example we did actually do a contract. We were trying to move this along very expeditiously. (Seney: Right.) We did actually do a contract for the archaeological part of the NEPA/CEQA compliance and got that finished, because that's something you can do, you know, sort of at any point in the process. It doesn't have to wait on other things.

Seney: Was this a survey to see if they're likely to impact any archaeological sites?

Jones: It's basically a cultural, cultural resources survey. I mean, even if you're not going to go out and be digging very much, which was certainly not the case for TROA, (Seney: Right.) this was not a construction project, you still have to check off that box on NEPA/CEQA that you did it.

Seney: Did you find much?

Jones: Just what you would expect. I mean, as I said this wasn't a construction (Seney: Right.) project so this was more an exercise to show that you went through the process that you're required to when you, you know, did the required cultural resources studies. (Seney: Right.) But, that's about when the money quit.

Seney: Right. And, but when the money gets cut back you have to cut back on the scoping and all the rest of this business?

Jones: Well, because of—there was a perception, certainly along the Nevada side, who is a state that doesn't have CEQA, was not real familiar with doing NEPA/CEQA documents, whereas, you know, in California we're very familiar with doing those, (Seney: Right.) clearly the State of Nevada folks were very uncomfortable with the NEPA process, and the amount of time it took, and level of detail, and etcetera. So, they were also concerned that the Bureau wasn't moving fast enough. And since we had the ability, in the background on the California side, and up to a point we had the money, we said, "Okay, well, you know, we'll get this process started and then move it a long." (Seney: Right.) So, we were doing that until the money went and then, you know, at that point the Bureau eventually had to pick it up.

Seney: Ah, I see. Okay. And they've paid for it then?

Jones: Uhm-hmm.

Seney: Yeah. You know, I've got a—anything else you want to add on that stuff? I've got a document here, the proposed resolution of TROA in '96. Were you, did you have a hand in this?

Jones: In '96? Oh no, that was after my time.

Seney: I see. Okay. Once the legislation was passed did you have a role in the process?

Role Decreased Once Legislation Passed

- Jones: Well, the legislation was passed and we, actually that's when we started the scoping process (Seney: Okay.) for TROA, and we started the initial groundwork to do TROA. And, I don't know how far we were into that, six months, eight months, something like that, and that's about the time the budget cuts really hit. And, at that time we basically eliminated the Planning Branch in the Central District Office and I moved downtown to work on something else.
- Seney: What else, where did you go then?
- Jones: Actually I went to what was then our Planning Division working on Central Valley Project issues.
- Seney: I see. Was that more interesting? Less interesting? You're sort of shrugging your shoulders and putting your hands up. What difference does it make, right? (Laugh) The paycheck comes every month? (Laugh)
- Jones: Uhm-hmm.
- Seney: What would—do you have any more detailed things that you can talk about in terms of the Truckee River? Because, I want to ask you a general question.
- Jones: Yeah. Go ahead.
- Seney: Okay. That is, you know, from your perspective—and again David Kennedy spoke really highly of your grasp of these things—(Jones: Uhm-hmm.) can you give me

kind of a, if you were to explain this, the Truckee River business, from your point of view and your experience (Jones: Uhm-hmm.) with it, how would you do that? What would you say about it to someone who is, who like me wants to know what your perspective is on all of these events?

Jones: You mean the legislation negotiations?

Seney: Right. And all the rest of your work on, what you've gained from your work? Because obviously you've, you know, you've developed some general notions, I suppose (Jones: Uhm-hmm.) and had various kinds of reactions that I think readers in the future would find very useful.

Perspectives on Truckee River Negotiations

Jones: Well, I suppose you could say that historically the Truckee River system, you know had been adjudicated early and had some court decrees that essentially ran the river system, that were put in place quite early, relatively speaking. The Orr Ditch Decree,¹² which was controlling,

12. The Orr Ditch decree was entered by the U.S. District Court for the District of Nevada in 1944 in *United States v. Orr Water Ditch Co., et al.* The decree was the result of a legal action brought by the United States in 1913 to fully specify who owned water rights on the Truckee River and had rights to storage in Lake Tahoe. The Orr Ditch decree adjudicated water rights of the Truckee River in Nevada and established amounts, places, types of use, and priorities of the various rights, including the United States' right to store water in Lake Tahoe for the Newlands Project. The decree also incorporated the 1935 Truckee River Agreement among Sierra Pacific Power Company (now Truckee Meadows Water Authority), TCID, Washoe County Water
(continued...)

really the controlling one, was set up really for hydro power flow, you know, a use or a way of using the river that would have been, made a lot of sense in the late 1800s, early 1900s but was not typical of river systems by the time you got into the 1980s or 1990s, etcetera, particularly for a river with such a relatively small flow. (Seney: Right.)

At the same time you have the Reno-Sparks area urbanizing greatly. You have the Endangered Species Act come along and clearly a paradigm shift was going to happen. The only question was how it would happen. The thing that drove these negotiations was the use of E-S-A as, you know, the litigation tool to get folks to the table to basically talk about not only the interstate allocation, which was kind of a little odd issue on the side in a sense, but really operating the river system under more modern constraints, or under more modern value systems, I suppose would be the phrase.

And, how the federal government was going to modernize its operations to also address, you know, their competing environmental responsibilities, the wetlands needs of the Carson River system, which you know receive water from the diversion (Seney: Right.) off the Truckee; their trust responsibility

12. (...continued)

Conservation District, Department of the Interior, and certain other Truckee River water users. See Truckee Carson Irrigation District, "What is the Orr Ditch Decree and why is it important?" <http://www.tcid.org/support/faq-detail-view/what-is-the-orr-ditch-decree-and-why-is-it-important> (Accessed 5/2016).

to the tribe; the E-S-A responsibilities. And then how the growing municipal needs in the Reno-Sparks area fit into all that.

Seney: How would you evaluate the federal government's job and all these responsibilities that you rightly point out?

Response of the Federal Government

Jones: Well, in this situation it was a little bit unusual from a water management standpoint because of the litigation going on. You had the Department of Justice stepping in and often assuming a lead role. And, the Department of Justice really isn't a water management agency, you know, so that definitely made things more difficult. You also had B-I-A [Bureau of Indian Affairs], which typically is weak in terms of administrative strength compared to Bureau of Reclamation.

Seney: What does that mean?

Jones: You know, they're not water experts. They don't have the resources that the Bureau does. They're not as up to speed as the Bureau is on water management activities, and, you know, hard to get them as involved or actively involved in the negotiations. So, the Bureau is almost playing dual role there, doing things it probably shouldn't, that B-I-A should have been doing had they been more active.

Seney: But, the Bureau of Reclamation was these things?

Jones: Because they had to in terms of trust responsibilities. (Seney: Right. Right.) Probably one of the other things relevant to

Bureau of Reclamation History Program

these negotiations was the fact that you had a Nevada senator, Senator Harry Reid,¹³ who really wanted to see this problem resolved and had enough legislative seniority to be able to push a bill through and keep the bill intact, get it through Congress, and basically ensure that the, what the negotiators agreed to was what came out of the legislative process.

- Seney: Did you ever have contact with Senator [Pete] Wilson on any of these things? Did his office get a hold of you wanting to know, “Was California being served properly in all of this?”
- Jones: You know, I can’t remember any contacts (Seney: Yeah.) with, with California’s delegation. (Seney: Right.) This was primarily Nevada.
- Seney: Senator Reid has told me that Wilson was very helpful to him, (Jones: Uhm-hmm.) in all of this stuff. And, I know it’s not unusual for them to get a hold of their own people. But, who knows what (Jones: Uhm-hmm.) he may have done on that. Is it peculiar to have a public utility like Sierra Pacific Power in one of these things as the water purveyor at the time and a power purveyor as well?

13. Senator Harry Reid participated in Reclamation’s oral history program’s Newlands series. 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.

Sierra Pacific Power Company

Jones: Well, you know, it's certainly less common in California because most of our water purveyors are now public not private. There are certainly examples of other water negotiations in the not terribly distant past where you would find P-G&E [Pacific Gas & Electric], you know, as the major player in the negotiations as a private power entity. But, in a sense, Sierra Pacific was easy to work with as a private entity because they didn't have the issues that sometimes you see the small water agencies of having to go back to the board all the time, you know, and having a difficult time figuring out internally what their position was. (Seney: Uh huh.) They were easy to work with because whatever they did internally to establish their negotiating authority and determine their positions they did very quickly and easily.

Seney: What about working with T-C-I-D [Truckee Carson Irrigation District] on this stuff?

Truckee Carson Irrigation District

Jones: Well, you know, clearly they were very much firmly rooted in the turn of the 19th Century. And, they had not changed while the world around them had changed, which is always a difficult situation to be in.

Seney: Can you illustrate what you mean by that?

Jones: Well, you know, the idea of having to give up water for the environment was just totally foreign to them, and clearly things had not changed in their world since 1902. Whereas, had you come over to California and looked at

what had gone on with say the Central Valley Project, to pick another federal project, the fact that over time water quality standards for the Bay Delta were changed and the project had to give up some of its developed yields for environmental purposes, and so forth, (Seney: Right.) you know, what we kind of accepted as a given in California was, in many ways, very foreign to them and they certainly weren't used to dealing with the scrutiny of NEPA very much.

Seney: Right. What about the State of Nevada? How did you find them to deal with?

Jones: We had a great working relationship with the State of Nevada.

Seney: Would that have been Roland Westergard (Jones: Uh huh.) at the time?

Jones: Uh huh. Yeah. He . . .

Seney: Because I've said to Roland he's "been there since water was invented." (Laugh)

Jones: You know, I mean he was there when the compact (Seney: Right.) was negotiated. He was very familiar with all of that. And, you know, he had basically made a gentleman's agreement, so to speak, with California that from a water rights perspective, "We will live with the compact," you know, even though it had not been approved (Seney: Right.) "until such time as we work out something else."

Seney: Right. Well, the two state legislatures had

approved it? (Jones: Uhm-hmm.) It was the federal government (Jones: federal government had not ratified it.) had not approved it?

Jones: Uh huh.

Seney: Were you involved in that at all when that was defeated (Jones: No.) in the late '80s?

Jones: No. That was before my time.

Upper Truckee Basin Interests

Seney: Right. Right. What about the Upper Truckee interests? They were very quiet to begin with but then as TROA advanced they became a little more, well a lot more, vocal. (Jones: Uhm-hmm.) Were you involved with them at all?

Jones: When you say "Upper Truckee" do you mean . . .

Seney: Well, it's to me the, I'm thinking of the mayor of Truckee becoming involved, a local attorney.

Jones: That, that was after I left.

Seney: Right.

Jones: Yeah. At the time we were just starting the TROA negotiations and you could see from, originally Truckee-Donner P-U-D was the most active entity there. (Seney: Right.) And, you could see that some of the member agencies of the Tahoe-Truckee Sanitation District, or Agency rather, like the, I believe it was the little sanitation district that just served Truckee, and was a member agency of, of T-T-S-A, were just starting to get involved when the Operating

Agreement discussions started, but that was about the time I left.

Seney: Right. Right. Because I know subsequent, of course, they became more active, (Jones: Uhm-hmm. Uhm-hmm.) and had some things to say. (Jones: Uhm-hmm.) Anything else you want to add?

Jones: No, I can't think of anything.

Seney: Can't think of anything? And, I have to have a can opener to pry open your brain here to get most of these details out, because . . .

Jones: Well, yeah. It was a long time ago. And . . .

Seney: Well no, your memory's great. But, like a lot of people who know a lot about things, (Jones: Uhm-hmm.) you know you just say a few sentences when, of course, I would like pages (Jones: Uhm-hmm.) and pages. (Jones: Uhm-hmm.) Overall, is this one of the better projects around, or better successes for the Department of Water Resources, or the Truckee River basin, the Carson River, or is it an ongoing frustration, do you think?

Truckee River Issues not a Major California Concern

Jones: Well, you now, it's the kind of thing that's an ongoing, relatively low-level activity, sort of steady activity over time, and you know, frankly from a State of California perspective that area is very low on the priority list in terms of major water problems. (Seney: Right.) You know, if you look at the areas where the major water

resources problems are in California they're caused by the imbalances between population growth and supply needs, or agricultural issues, or seawater intrusion, groundwater management issues, etcetera, the uses of the resource are so light over there on the California side (Seney: Right. Right.) that from a California perspective, you know, there's, that's probably one of the better places in the state in terms of not having problems, resource problems.

Seney: Right. Right. Because in terms of the amount of water it's just a pittance compared to . . .

Jones: It's a very, very small amount of water.

Seney: How much does the California Water Project handle? What kind of . . .

Jones: Oh, about three million acre foot deliveries on an average basis. (Laugh)

Seney: As opposed to say 300,000, (Jones: Exactly.) here. Right. Right. (Jones: Uh huh.) I understand.

Jones: And yeah, most of the water that flows down the river, of course, is used on the Nevada side (Seney: That's right.) not the California side.

Seney: That's right.

Jones: So, from the California perspective you've got low water demands, very small population, and the major environmental issues are actually also downstream. (Seney: Right. Right.) You know, so (Seney: Exactly.) from that standpoint it would never light up on a map of problem areas in California.

Seney: Right. Anything else you want to add?

Jones: Really can't think of anything.

Seney: Let me ask you then about a situation for a minute on the Colorado River (Jones: Uhm-hmm.) because I know that Arizona is now beginning to exercise its rights, which it hadn't in the past, and that water California had used, (Jones: Uhm-hmm.) had they not, when it was flowing on down? (Jones: Uhm-hmm.) What's the status of that now? What's going on down there?

Colorado River Issues

Jones: California is at 4.4 million acre feet per year, its basic interstate apportionment. And, Arizona and Nevada too are basically taking just about all of their water, although Arizona is not using its water in the normal sense. It's banking it. Its demands do not yet meet 2.8 [million acre feet], (Seney: Ah.) which is its compact allocation. It's banking . . .

Seney: Are they pretty close?

Jones: No.

Seney: No?

Jones: They're banking quite a bit of it in ground, in groundwater basins. Their, their view being . . .

Seney: I'm sorry. Are they pumping it into the groundwater?

- Jones: No, they're recharging. They're like seep—they're not pumping it. They're not injecting it.
- Seney: Oh, they're recharging it to a lake?
- Jones: Yeah, through ponds.
- Seney: Ah, I see, okay.
- Jones: So, their point is that such time as, you know, they do actually max out in terms of actual demand, since they have the lowest priority in the lower basin, at least part of their priority, you know, when there are times of shortage that's why they need this groundwater because they will then call on that groundwater to carry them over.
- Seney: And, how is California doing with its supply?
- Jones: I don't know. M-W-D [Metropolitan Water District] is managing.
- Seney: So far so good?
- Jones: There have been no shortages.
- Seney: Yeah. Right. What's the, what's the forecast for the current winter coming?

Water Forecasting

- Jones: Well, this current water year that we're in now the runoff forecast is about seventy-seven percent of average. Overall system storage is a little under sixty percent of river system storage. That's out of about 60 million acre feet of storage, very large storage capacity on the river

system.

Seney: Right. Is that good? Are you, is that . . .

Jones: No, we're coming out of a drought cycle.

Seney: Aha. Okay.

Jones: And, it's way too early to make forecasts for the next water year yet.

Seney: So, you're not going to tell me what's going to happen next month or the month after? You must have a . . .

Jones: Who knows?

Seney: You must have a forecast?

Jones: No. There is not. (Seney: No?) No. I mean, the forecast, forecasting season doesn't start until the snow melt season, until the snow pack gets out there.

Seney: Oh, I see. That's the part? Oh okay. (Jones: Yes. Yes.) I'm talking about what precedes the runoff and that's the accumulation. So, you don't have any (Jones: No.) sense at all?

Jones: I mean, right now we'll end up the year, as I said, a little under sixty percent of reservoir capacity, which is not good.

Seney: Right. When does the year end for you?

Jones: Depending on whether you use the Weather Service or Bureau accounting system, I think of

it as being the federal fiscal year. (Seney: Okay.) So, a new one starts in October.

Seney: September 1. Yeah.

Jones: Yeah. But, the new snow melt runoff forecast won't start being made until, you know, January, December's first run.

Seney: Right. Right. Until there's some snow on the ground?

Jones: But, that's really, that's an early one. Yeah.

Seney: All right. You burning incense over here and rubbing bones together and doing whatever it is you're . . .

Jones: Well, what we're doing is shortage negotiations among the basin states and the Department of the Interior.

Seney: Ah. Something a little more practical, I guess?

Jones: Well, so far the Colorado River system is about the only river system, large river system, and the last I can think of, that doesn't have shortage criteria in place, and that's because for many years it's lived on the paradigm of always having surpluses.

Seney: Right. But, that won't last forever, obviously.

Jones: No. No. We had a five-year drought a couple of years ago and I think that definitely got people's attention.

Seney: Right. Right. (Jones: Uhm-hmm.) Exactly. All right. Well, thank you very much. I really

appreciate you giving us this time.

Jones: Not a problem.

Seney: All right.

END SIDE 2, TAPE 1. SEPTEMBER 26, 2006.
END OF INTERVIEW.