ORAL HISTORY INTERVIEW

A. BRAIN WALLACE

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STATUS OF INTERVIEW:
OPEN FOR RESEARCH

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Interview Conducted and Edited by:
Donald B. Seney in 7/29/1998
California State University-Sacramento
For the Bureau of Reclamation's
Newlands Project Oral History Series

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Interview desktop published–November 2012
By Andrew H. Gahan, Historian

Oral History Program
Bureau of Reclamation
Denver, Colorado

SUGGESTED CITATION:

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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 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.

A note on the nature of oral histories is in order for readers and researchers who have not worked with oral histories in the past. We attempt to process Reclamation's oral histories so that speech patterns and verbiage are preserved. Speech and formal written text vary greatly in most individuals, and we do not attempt to turn Reclamation's oral histories into polished formal discourse. Rather, the objective during editing of interviews is to convey the information as it was spoken during the interview. However, editorial changes often are made to clarify or expand meaning, and those are shown in the text.

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

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

Editorial Conventions

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 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.

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Oral History

A. Brian Wallace

Seney: This is Donald Seney. I'm with A. Brian Wallace, the tribal chairman of the Washoe tribe, in his office in Gardnerville, Nevada. Today is July 29, 1998. This is our first session and our first tape.

Afternoon, Mr. Wallace.

Wallace: Well, hello. Hello transcriber.

Seney: Yes, (Laugh) indeed. You know, as I told you, and you're going to see I'm not lying, I don't know a lot about the Washoe tribe. The other two tribes involved in the project, Pyramid Lake tribe and the Fallon tribe I'm more familiar with. But, I do know that unlike their tribes, which have really one reservation on which the members live, who live in, your group is scattered around a bit?

Wallace: Well, it's still one reservation.

Seney: Okay.

Wallace: And, you can't see this (Seney: Right.) through transcription, (Seney: Right.) but we're looking at a map, and actually kind of an inaccurate one, of the traditional and ancestral territories of the tribe. So, that's generally how we continue to view the world. (Seney: Okay.) And, actually in the work that I do as the elected political leader of the tribe, that particular area, which is about, oh, a million acres in and around Lake Tahoe, is still considered the area of our interest and influence. Today, actually, it requires me to have to deal with two state governments and probably about eleven county governments, with regards to Washoe diplomacy and external relations with the other communities and governments.

The reservation, as it exists today, are just marginalized land areas of what was once a larger territory. (Seney: Right.) So, the communities are just that. They're generally residential areas: Woodfords, Stewart, Dresslerville, (Seney: Reno.) the Carson Colony. And actually, you know, Reno, Reno, yeah, I guess. Are all just . . . there's, you know, very marginalized remnants of that (Seney: Right.) original area. It also includes approximately, I think at the time in 1887, around the establishment of the General Allotment Act, there was 77,000 acres of public domain trust, Indian trust allotments established, which have, I think, over time, through conveyance or other issue, other ways of title transfer, have been reduced to about 65,000 acres. So, you throw it together today and there are probably, in terms of Washoe Indian

reservation land, probably about 75,000 acres of area that's in California and Nevada, and actually over the last year we've had a very serious repatriation of traditional territories agenda, which has reached into Sierra County and we're taking control of lands near the Sierra Buttes. And actually we're working with the Clinton administration right now to conveying title of certain areas in the Tahoe Basin, which is just part of our long goal of repatriation of Washoe homelands.

Seney: I know you've signed an agreement with the Forest Service, is it, up at Lake Tahoe, to operate, one, a thirty-year agreement, is it?

Wallace: Actually, we took possession of a federal concession for twenty years, with a potential extension of another ten years of the Meeks Bay Resort concession. That was awarded to the tribe through a competitive bidding, public bidding process, I think, on August 27th of this year. We're also working with U-S-D-A [United States Department of Agriculture], and Interior, and E-P-A [Environmental Protection Agency], about the future conveyance of another 500, approximately 500 acres of wetlands and lakefront area to reestablish, as part of the federal land mission, Washoe resource stewardship activities and practices. And also . . .

Seney: Is that on the other side of the lake?

Wallace: No. It's in generally (Seney: The same as Mixed Bay, south?) south and southwest Lake Tahoe (Seney: Yeah.) basically. Mostly right now under consideration are area in the state of California.

Seney: Yeah. Yeah. I think I know the area you're talking about, because I live in South Shore area.

Wallace: Yeah.

Seney: It's Meadowland and [inaudible].

Wallace: Yeah. It's that Taylor Creek, Baldwin Beach, (Seney: Yes.) former Ebright [Spelling?] Estate area that we're working on, (Seney: Right.) in terms of bringing actually resources, that would otherwise not come to the Forest Service but through the tribe, with this establishment of these agreements.

Seney: Well I know, am I right in thinking what you want to do over there is to reintroduce native practices, and basket making, and . . .?

Wallace: Yeah. Actually to the reintroduction of Washoe ethno-botany and ethno-biology basically. That actually is something that's actively being done now with Washoe elders and Forest Service officials, particularly in the Meeks Meadow area where

there's propagation and conservation of bracken fern populations, and other indigenous plants. And, there still exists, certainly, a strong association with Washoe Indians and the lake, which, you know, generally (Seney: Right.) we believe is (Seney: Right.) the place where we came to being.

Seney: You know, this is a warm July day in Gardnerville. A millennia ago would we be up at the lake at this point?

Wallace: Certainly.

Seney: Enjoying the nice weather?

Wallace: And actually, besides having the privileges of being the chairman, and that honor over this last year I've had a large amount of opportunity to work at the lake. And actually we've been up there substantially this summer through the celebration of the Meeks achievements, to the annual celebrations we have, just like this last weekend, on the cultural relationship and the natural and historical heritage of the tribe in the basin. And, there was a gathering of other northern California cultures there with us this weekend to celebrate that connection. It's also to serve as an educational platform, which preexisted, you know, (Seney: Uhm-hmm.) anything we come to know today at Tahoe, where elders taught children from the land. And, we still believe, and this works this way, that our most honest and clear lessons and truths come from the land. Our language comes from it. So, that's kind of our connection. I mean, we plan to just kind of reintroduce Washoes' freedom to express their aboriginality, and we're very serious about the protection of our traditional homelands and our cultural sovereignty. And, it happens here, up there. Traditionally, we should be up there.

And actually, I think the point I was beginning to make was having an opportunity of being up there in a traditional part of the year when we're intended to be there. I can really see and feel what was so missing in our lives up to now, (Seney: Yeah.) because (Seney: Yeah.) I can honestly say up, no matter what your condition is it's certainly gentled by being, you know, at the lake. And I kind of maybe more clearly now come to understand some of the things that we have to deal with, because we've lost that association.

Seney: You think it's . . .

Wallace: Over time.

Seney: Had a negative impact, in a sense, on the tribe?

Wallace: I think so. (Seney: Yeah.) It certainly, you know, has a lot to do with the, some missing parts in our social continuity as a community and, you know, we're very tightly organized around the family unit and extended family unit. You can really understand how we are affected by being at Lake Tahoe (Seney: Yeah.) when we're there together. And actually, that's something that we've come to see with this, like this weekend's celebration where, you know, it took us about a hundred and some odd years to . . . to replay that part of our lives where actual campfire smoke of different families is mingling together and everybody is kind of celebrating our unity, [Knock at door] and the things that draw us here. Excuse me. [Recording paused]

Seney: You've made good progress just in the last couple three years in reestablishing yourself up at the lake, haven't you?

Wallace: Personally, I've had the opportunity to work on it for the last, going on nineteen years now (Seney: Wow.) in my work here with the tribe, as an elected official or a staff member. Just on the issue of the Cultural Center, which is one of these things that, (Seney: Yeah.) you know, is considered one of these presidential deliverables, actually.

Seney: This was from the meeting Clinton had out here a year ago?

Wallace: Right. I mean, that was being worked on. And, I mean that idea's been developing since 1954.

Seney: Yeah. It takes a lot of time for all this, doesn't it?

Wallace: In reviewing the historic record in preparation of the meeting with the president, I mean, you know, there's evidence that these issues were brought forward to several presidents, going back to 1887, where the concerns and interests, or claims, of Washoes, with relation to Tahoe, have been projected. I guess it just wasn't until President Clinton came that, you know, those issues were addressed and answered. So, (Seney: Yeah.) it's taken a while. I mean, we have the privilege of, you know–I forgot who said this, Isaac Newton or someone–but, you know, "We're just lucky to have the privilege of standing on the shoulders of giants that preceded us, and to be able to see more clearly than we have been in the past," I guess.

Seney: Do you have in the back of your mind when the Meeks Bay concession plays itself out, that you'll get that back?

Wallace: It's our or my intention to not see it run its full course of the permit, and with the agreements that were codified with the president. And, right there behind you there's signed . . .

Seney: I see pictures you just–right. I see that.

Wallace: Witnessed by the vice president and Secretary of the Interior [Bruce] Babbitt in the White House. (Seney: Yeah.) That those lands pass into tribal control well before the tenure of these administrative agreements (Seney: Right.) expire.[1]

Seney: Right. I, when I read that that's what I thought, that there was probably (Wallace: Yeah.) you had more serious intentions than simply leasing it?

Wallace: We just see them as administrative mechanisms to put them into a holding pattern (Seney: Yeah.) so they can be pushed into the Washoe orbit in the short future.

Cave Rock

Seney: I know one of the areas up there that you have problems with is Cave Rock, that has been pierced by a highway. But, and that's a sacred place.

Wallace: It certainly is. I mean, (Seney: Yeah.) among, in the midst of the most sacred of places, Lake Tahoe itself. (Seney: Right.) There's a special significance with relation to the values and relationships of Washoe cosmology associated with Cave Rock. Only certain qualified individuals were ever allowed or able to approach that place.

Seney: Spiritually, spiritually qualified, I take it you mean?

Wallace: Right. And, socially conferred, you know, within the tribe at that time, I guess. It's now, today . . .

Seney: Tell me a little about how, who that might be, who's someone?

Wallace: Very power Washoe Indian doctors and shamans are the only ones that are generally allowed, or considered eligible or qualified to be in that place. We are told from childhood, you know, to avoid that place, and if you can't do that to show very extraordinary consideration and respect for what exists there today, yesterday, today, and tomorrow. Although . . .

Seney: Can you explain a little?

[1] President Bill Clinton came to Lake Tahoe in July 1997 to participate in the Lake Tahoe Presidential Forum. The president pledged to increase federal funding to "help fight erosion, restore water quality, revive forest, and reduce traffic congestion by improving mass transit" in the Lake Tahoe area. He also announced "an agreement to give the Washoe . . . unimpeded access to the lake and the use of other land in the basin for the first time in more than 100 years," see Elizabeth Shogren, "Clinton Pledges to Double Aid to Heal Lake Tahoe Area," *Los Angeles Times*, May 14, 1997.

Wallace: This might not be clearly seen by other people. It does not mean it doesn't exist.

Seney: No, I quite agree. But, the other people we would be referring to here are the rock climbers?

Wallace: Well, currently the rock climbers. Maybe in the past, highway engineers (Seney: Yeah.) or people that wanted to, by punching a whole through Cave Rock, unite the East and the West. I mean, that's part of the historic Lincoln Highway. Back in the '50s, I think the, I can't remember which denomination, but there was a church that was trying to put a gigantic neon cross on top of Cave Rock, which was quite ironic to us. But, you have other special users, you know, boaters, other recreationalists. I mean, the State of Nevada has come to have a somewhat of a legal land use interest in that area. The material that was mined or drilled from the original caves, which was very shocking to many Washoes at the time, in the '50s. And, in 1930, I think, was the original cave, or the penetration was made. It is actually now serving as the material for the roadbed that so continually violates the site. And actually, the material that was used to create an artificial land base where the boat ramp is now.[2]

Seney: Ah.

Wallace: So, once the establishment of the boat ramp materialized there were a lot of other people that were brought to the area because of their interest, I would imagine. So, we're not specifically focusing or, you know, attempting to vilify rock climbers. (Seney: Right.) In my opinion, they do that very well on their own. (Laughter) But, but . . .

Seney: Well, I must say in the articles where they're quoted they don't come off as very sophisticated.

Wallace: I'll give you a video, just as a gift from us to you, (Seney: Okay.) that speaks very clearly on this issue.

Seney: I'd love to have that. Right.

Wallace: I've got 150,000 of them around here. I'll get you one before you leave.

Seney: Well, I won't let you forget before I go. Yeah. Well, can you give me a sense, and maybe this is sacred enough that you don't really talk about it . . .?

[2] The Forest Service banned rock climbing on Cave Rock in July 2003. In August 2007 the 9th Circuit Court of Appeals ruled that the Forest Service ban "was constitutional because the Forest Service is protecting and archaeological, cultural, and historic natural resource." See "Cave Rock," www.sacredland.org/caverock (Accessed November 2012); Stephanie Simon, "Washoe Tribe, Climbers Clash Over Rock," *Los Angeles Times*, May 14, 1997; Matthew S. Makley and Michael J. Makley, *Cave Rock: Climbers, Courts, and a Washoe Indian Sacred Place* (Reno: University of Nevada, Reno Press, 2010).

Wallace: Well, that's one of the things we're told is we're not supposed to be talking about it. But in some ways, you know, (Seney: Yeah.) in, in seeking council of Washoe elders and people that I feel are more qualified to talk on this, they say, you know, or understand it, "There's some things that we have to do (Seney: Yeah.) to get at the end result that we (Seney: Yeah.) desire, and sometimes some things you have to do." Because there's been modifications or, you know, loudly believed here desecration of that site, that's very serious changes there. It doesn't diminish what is still there to be protected and saved. And actually I even heard a rock climber say this, that "Because those things have happened and the site is even in more danger all the more reason why it should be protected and taken more seriously than ever (Seney: Yeah.) because of its threatened status." (Seney: Yeah.)

Tribal Interests in Lake Tahoe

But, you know, there still exists, you know, conflicts among users. There still exists the intentional subordination of the tribal values of that site, as equated in other peoples' values, rock climbers, or–rock climbers, mostly, have probably been the (Seney: Yeah.) most loud, loudest representatives of special users there lately. But, you know, that place has its power, you know, and its long-view future will be driven by that. It did, in some ways, come up in a declaration, actually did, as a proclamation made by the president, which you'll see in this video, about his declaration that he is the president and this administration's mission is to protect the sacred areas of the tribe at Lake Tahoe. I mean, we've even been engaged and worked with Evenks and Buryats from Lake Baikal, who, who have joined . . .

Seney: The Soviets?

Wallace: Right.

Seney: Russians, essentially, yeah.

Wallace: Right, that have joined the Washoe tribe in actually having almost very similar if not equal issues that they have to deal with with their (Seney: Right.) national government and, you know, the future of that sacred site to them as well.

Seney: These are native peoples in Russia who . . .

Wallace: Precisely.

Seney: Who live on the periphery of Lake Bai–say it for me.

Wallace: Baikal.

Seney: Baikal? Yeah.

Wallace: As I understand it. And . . .

Seney: And, it's kind of a sister lake to Lake Tahoe?

Wallace: Well . . .

Seney: It has the same characteristics.

Wallace: Actually is, I had a t-shirt I was wearing the other day. There is actually, you know, it's involved in the Sister Cities thing, but also there's a Lake Baikal/Lake Tahoe Institute that actually was on the news this morning.[3]

Seney: That's right, there is. Isn't there? Right.

Wallace: With regards to a visit of Soviet scientists, you know, looking at the issue of water clarity with Dr. Goldman, (Seney: Yeah.) you know, and his people. But, we've been asserting and arguing all along, we're not scientists. But, to understand that if there's the serious consideration of the long view of the lake and its future that the community would profit by engaging the tribe and its experience and knowledge about how that should be approached. And, and also we go out of our way to remind everybody that it's not science that will have the exclusive answer, that, you know, these are tools but they need to be wrapped in the warmth of the, the humanity of the issue. And, there always has been a human/lake relationship, (Seney: Yeah.) as long as we can ever imagine and remember. And actually, it's tied to this discussion that you want to talk about, now, (Seney: Right, exactly.) downstream.

Seney: It is. It is.

Wallace: I mean, for us, (Seney: Yeah, right.) life goes upstream and the source of life in our cosmology and in our strong beliefs today is the pure waters of Lake Tahoe, which very obviously if you get up in a plane, breathe life into everything around it, include Washoe Indians. And, we still say that if you want to translate that into modern currency, I mean it really transforms itself into the economic and social fabric of those who have come to love that place and share it with us now too. So.

Seney: Right. You know, one of the things we try to do with this is to try to get the sense of the feelings that people have about the waters here in the Carson and the Truckee [rivers]. Because, everybody has strong feelings. And . . .

[3] The Tahoe-Baikal Institute was established in 1990. Its goal is to foster "a future where sustainable communities thrive in concert with their environment by connecting passionate young leaders with inspiring, place-based watershed education in two of the world's premier freshwater ecosystems," see Tahoe-Baikal Institute, www.tahoebaikal.org, (Accessed November 2012).

Wallace: It's very powerful stuff.

Seney: Right. And that's why I, this is a most useful, essential discussion to us. Let me ask you, I see, do I count nineteen bands, would we say, of people?

Wallace: Oh, those are, and they're hard to, and there's this book that'll I'll be glad to share with you too about the history of the Washoe (Seney: Great, great.) that you can use as a reference.

Seney: Great.

Wallace: Actually, you probably need it.

Seney: Yes, I do.

Wallace: At the university. It'll be our gift to you.

Seney: Okay.

Wallace: That . . .

Seney: I'll give it to the library.

Wallace: It just kind of, it just talks about certain places. (Seney: Okay.) My family comes from Truckee, for my Washoe blood right. So, when we did go up at the proper time, which nature dictated, (Laugh) (Seney: Sure, yeah.) to enjoy the lake and that relationship, and various families, or clans, or parts of, you know, southern, central, or northern Washoes had designated areas that were respected by everybody, wherever you went and lived.

Seney: That's what I was going to ask you about.

Wallace: So, that's what this is kind of intended to describe.

Seney: Ah, okay.

Wallace: Some of them have cultural historical significance. Some are just, have geographical. (Seney: Okay.) If, or riparian value. You know, but it's all interrelated, interconnected to our, our views and bonds, and connectedness to the lake as a life (Seney: So . . .) source to the Washoe.

Seney: So, you would head up, depending upon what the spring was like, and how soon the snows would permit you to (Wallace: Uhm-hmm.) go up? And . . .

Wallace: Right. I mean, even the highways. Obviously, they're in place today on top of old Washoe trails. So, it's not an unfamiliar route. (Seney: Yeah.) It's just sometimes tends to be an unfamiliar place that we find there.

Seney: Yeah. Yeah.

Wallace: And I remember long ago . . .

Seney: And it would be as soon as the snows would start to go?

Wallace: Right. Yeah. We had to get out of there.

Seney: Yeah.

Wallace: And, we would move into the Pine Nut Range, where we would do our fall harvesting of the pine nuts and everything to prepare for the winter, besides having the, central to our survival of being at the lake, you know. That was also a time where the tribe and its leadership would get together and plan for the coming year, and then exchange information about what had happened since the last time we got together. So, and Taylor Creek was one of the central places where that occurred, where the whole tribe would unite and make policy or, you know, talk about the future. (Seney: Right.) So, that's why that's a real important area to us.

Washoe Tribe Traditional Area

Seney: You know, again, back to what I said about the Pyramid Lake tribe and the Fallon tribe, they're essentially each in one place, Pyramid Lake itself or out in the marshes, whereas your tribe is really spread over an extensive area of land?

Wallace: Uhm-hmm.

Seney: And, you would have people, as you do today, living in the Carson Basin, (Wallace: Uhm-hmm.) and the Truckee Basin, (Wallace: Yeah.) and hoping to establish yourselves back, and I'm sure you will, back on Lake Tahoe.

Wallace: Sure, and the Sierra Valley. I mean, when we weren't in Tahoe we, you know, resided in the lower valleys along the crest, (Seney: Right.) and Antelope Valley, Hope Valley.

Seney: Jacks Valley?

Wallace: Jacks Valley, and Desolation Area, and (Seney: Right.) Truckee.

Seney: Right. Right. And, your territory went up as far as Honey Lake?

Wallace: Uhm-hmm. And as south as Lee Vining, really.

Seney: Yeah. Yeah. And, this sort of brings, and you still view this as your area of interest, as you said, (Wallace: Oh, you bet.) when you can. Right.

Wallace: Yeah. Well, we're not allowed to forget that.

Seney: Yeah. Right. I can understand that. So, this brings you, really, into all these aspects of the water in the two basins, as well as maybe even the questions over what the plans were for Honey Lake on the part of the people down there?

Washoe Influence on Development

Wallace: Certainly. I mean, we get engaged with that. And, you know, it's like with the issue of Cave Rock. I mean, we've always had concerns and interests. It wasn't until more recently that those concerns and claims or issues were either politically or legally aerodynamic, and were given some level of respect or deference. But yeah, because of certain federal statutes they, Sierra Pacific has to talk to us in terms of issues of development that might have impact on the cultural resources of the tribe, or the fact that, say, NDOT [Nevada Department of Transportation] receives federal money, it requires them to consult with the tribe in some of their expansion.

Seney: What would Sierra Pacific talk to you about, specifically?

Wallace: Well say, for instance, if they wanted to either transport water or power from that part of the territories, to say to serve the metropolitan needs of Reno. If they're disturbing land areas where there are cultural values, then under federal statute they're required to deal with the tribe.

Seney: And, the same would be of the Nevada Department of Transportation?

Wallace: Precisely. Or, you know, not just Washoes. If they did it out here, you know, whatever (Seney: Sure.) tribe had a historical–and then from time to time you'll run into areas where there were joint uses, so then they have to deal with more than one tribe. You know, even amongst us we still have historical conflicts over territorial boundaries and interests with our neighbors.

Seney: Pyramid Lake for example?

Wallace: Oh sure, Paiutes, Maidus, Miwoks. And, Shoshones are far east from us.

Seney: Yeah. Yeah. But if, if we were to see a Pyramid Lake tribe map, a traditional map, it might go over into some of what you regard as your territory, in other words?

Wallace: Could possibly be, and that's kind of always been an issue, still is.

Seney: Yeah.

Wallace: But, I mean, also I think this particular map kind of outlines the boundaries of what was adjudicated by the United States in settling those claims. So, Pyramid Lake has its own map of their settlement, their settlement boundaries and whatnot. So, actually I seen a map one time that kind of had the entire United States that articulated graphically the boundaries of all the [Tape distortion] with Indian tribes across the United States. Still, there's some unresolved issues even with relation to the Washoe, particularly the, still the ownership of Lake Tahoe, which was omitted from the settlement. (Laugh) But, you know, it's something that we very privately and confidentially speak of, although we prepare for that day when we assert that claim.

Seney: Yeah. Yeah. And then you must feel pretty good about the way it's going up there?

Wallace: I have to. I would be less of anything of a Washoe, or a man, or as the chairman if, you know, it's my responsibility and duty to press the rights and claims of this tribe, and interests.

Washoe Water Interests

Seney: You know, of course, what I want to talk to you about is water and all of this fits into that almost.

Wallace: Oh, certainly, it's the foundation, I think, of this discussion that we're heading into.

Seney: Right. Right. That the water claims are, are very important. Now, you must have feelings about what comes down the Truckee [River] too, in terms of the welfare of the Washoes in that area?

Wallace: Well, I know a tribal member's joke, you know, "We settle this Tahoe issue we'll solve everybody else's problems." (Laughter) But, you know, with regards to the other competitive interests, and the waterways, and you know, the modification of the water courses, or whatever, it's highly, much more highly competitive than it obviously was in the past. (Seney: Right. Right.) There are certain political calculations that didn't exist even ten years ago.

Seney: Well, you weren't, your tribe was not brought into the negotiations over Public Law 101-618?[4]

Wallace: No, we got engaged with regards to the Phase II Negotiations, which eventually collapsed, (Seney: Right.) and I think broke down into some subsidiary or subordinate arrangements among some of the, what at that time (Seney: Yeah.) were called "stakeholders." Our duty, at that time, was to remind the United States that not only do they have a trust responsibility to represent the interests of the Fallon Shoshone Paiutes, and the Pyramid Lake Paiutes that they also have a duty to enforce the interests of the Washoe tribe, in the upper Carson Basin anyways.

Seney: Well, you know, the upper Carson Basin, including yourself and the Carson Subconservancy District, (Wallace: True, yeah.) and city and county of Carson were not invited to that first negotiations, and apparently you had to sort of push your way through the door?

Wallace: Well, not only that, I think, at that time they were exclusively concentrating on the Truckee [River], and then the diversion, you know. I've forgot what they call it now, Truckee Canal, or something like that. (Seney: Right.) And then, and some informal discussions with Pyramid Lake, primarily. You know, they indicated that, you know, their strategy was to decouple the two systems, which I could clearly understand if I was a Pyramid Lake Paiute, (Seney: Sure.) why that would make strong logic. But in the end it comes down to a political matter of a political water budget that has a deficit in it and therefore during the Phase II dialog inputs from the Carson [River], upper Carson, became part of the calculus.

Seney: How did you push your way through the door? How did you . . .?

Wallace: Through the United States Senate.

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[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-Shoshone Tribal Settlement Act
- 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.

Seney: To Senator [Harry] Reid?

Wallace: Yeah.

Seney: Yeah. Yeah. You know, you said . . .

Wallace: And Secretary Babbitt.

Seney: You . . . and Secretary Babbitt?

Wallace: Yeah.

Seney: Yeah. You've said you worked nineteen years, so that goes back to a staff member elected, I guess, Tribal Council member, and how long have you been tribal chair?

Wallace: Just finishing my second four-year term. I did one four-year term as vice chairman. I've been an elected official since 1980. I have been a Washoe agent since 1978.

Seney: So, you have . . . and how old are you?

Wallace: I turned forty-one on Saturday.

Seney: Yeah. Well, happy birthday.

Wallace: Oh, thanks.

Seney: You're a well-preserved forty-one.

Wallace: Oh, thank you.

Seney: I guessed you for younger than that. So, you've been really involved in this?

Wallace: Well, let me invite you to come and talk to me anytime. (Laughter)

Washoe Tribal History

Seney: My pleasure. But, you didn't, did you play any role, whatsoever, when the–well, let me go back a little bit too, to the Washoe Project, which would have, of course, been before your time, in the mid-fifties up to the mid-sixties, when the, the Watashimu Dam was proposed for theuUpper Carson [River]. Did the tribe, to your knowledge, the Washoe tribe take any interest in that Watashimu [Watasheamu] Dam?[5]

[5] For information on the Washoe Project see Carolyn Hurtl, "Washoe Project," Denver: Colorado: Bureau of Reclamation History Program, 2001.

Wallace: I think at the time when that was being discussed the relevant authorities or powers that be in that dialog generally approached the Bureau of Indian Affairs at the time, who historically then, I think, and maybe because of the development of tribal government, was seen as the, the fiduciary interest of tribal members. Actually, it goes back even further. I came across some stuff, when we got involved in the Phase II discussion, of historic information related to the contemplation of establishing the Pine Nut Allotment Reservation. And, at that time there were private cattle concerns and interests that were interested in taking over the grazing . . .

END OF SIDE 1, TAPE 1. JULY 29, 1998.
BEGINNING OF SIDE 2, TAPE 1. JULY 29, 1998.

Seney: You were saying that . . .

Wallace: Oh the, you know, the . . .

Seney: Just the lands . . .

Wallace: Commercial grazing (Seney: Yeah.) in the valley at the time was working very diligently to convinced Department of the Interior that it was far better interest to the United States to actually remove the Washoes from Carson Valley and establish them out in Stillwater. (Laughter)

Seney: What year would this have been?

Wallace: I think that was, you know, late 1800s and, you know, 1911 in there somewhere. And, you know, they almost did it. I mean they, you know, there's some official record about an active discussion on that alternative. You know, us and probably the Fallon, you know, the Stillwater Paiutes probably, would certainly have disagreed on that. But, in the end, history demonstrates that, you know, the Pine Nuts [Allotments] were established as the Washoe Reservation areas.

But also, even going back a little further, because of the dramatic displacement of the tribe during the Gold Rush/Comstock period, the United States didn't even have time to take a breath to catch up in working with the tribe in the establishment of a treaty or a formal reservation at that time. I mean, I've seen pictures of the basin being denuded of trees, therefore was denuded of Washoes even too.

Seney: [inaudible] even? Yeah.

Wallace: And, you know, we were reduced to a little more than 300 souls on a forty-acre area of rocky land across the river here and asked to rebuild the country from that point on. And I think, if I remember right . . .

Seney: So, your tribe dwindled to (Wallace: Yeah.) 300 in number?

Wallace: Right.

Seney: From, what do you think was the . . .?

Wallace: About 5,000. The . . . yeah, it's pretty sad. I mean at that time President Cleveland declared that any consideration by the United States to establish a Washoe Indian Reservation was unnecessary because none would be needed because the tribe would be extinct in a short period time. So.

Seney: Yeah. Yeah. It's hard to believe it . . .

Wallace: We've seen harder times.

Seney: Yeah.

Wallace: That helps fortify us young guys, you know, (Seney: Sure.) for the future.

Seney: Sure.

Wallace: Yeah.

Washoe Allotments

Seney: You know, I'm looking at the other map you have across your office. It's the Pine Nut Allotments and those, those are allotments to individuals, primarily, I guess. There's a little bit of allotment up toward the top that's tribal trust?

Wallace: Well, I'd say, and this needs to be updated, there are Washoe land areas here. This is kind of where we're at in the northern part of the valley. And this is [Recording paused] there's a Carson Colony.

Seney: Let me make sure is getting on here.

Wallace: We're doing a research project, because there was 8,000 acres of allotted lands in California that somehow disappeared out of tribal ownership over a matter of a year. And there are also some allotted areas up, I think you call that Hallelujah Junction, Beckworth, Frenchman, Gray Eagle, in that area that were Washoe allotments too. And, we actually have a very extensive legal research project engaged right now.

Seney: To see where those other earlier allotments were?

Wallace: See how that title was extinguished. And then we got a broader project in investigating the illegal extinguishment of native title under common law principles, kind of focusing on the non-intercourse clause in the Constitution, because of that rapid displacement and (Seney: Yeah.) the United States obligation to fulfill its constitutional responsibilities.

Seney: These allotments belong to individual members, right, by law?

Wallace: They were established at, see, they were established under the authority of the General Allotment Act, which clearly, from a historical perspective, was a law passed by Senator Dawes of Oklahoma to do two things. One was . . . well, three things. One was to come up with a legislative means to disestablish tribal governments and their organizing processes. Two was a social vehicle, a legislative vehicle, to assimilate Indians into the larger society and become pastoral citizens. The third was to devise a way to come up with a categorization process based on a blood-quantum value, a weighted value, to create a fixed bloodline level of Indianness to be applied to land tenure issues, meaning reservations. But basically, the result of it was that you came up with a fixed number of Indians that were able to only cover a certain amount of area, therefore it created a vehicle to declare the rest of the Indian lands surplus.[6]

Seney: Ah.

Wallace: And, actually, the best picture of the result of the Dawes Act, or the General Allotment Act, is when you see these historical photos of everybody sitting at that line and this guy shoots the gun and everybody makes this mad rush to homestead.

Seney: The Oklahoma land rushes, originally, yeah.

Wallace: That was the Dawes Act.

Seney: And, what you're talking about, the Allotment Act, dispossessed the Indians of most of their lands and . . .

Wallace: And it cruelly continues to do so, to this day. It set aside parcels, and in the Washoe case what it was intended to do was take existing reservation lands, allocate them to individual families rather than the tribal government, so you establish individual land tenure rather than what is historical to us common land, you know, common, communal ownership in the values of everything; (Seney: Right, right.) require Indians to live within a, a view of individual ownership, which was foreign; require them to become farmers, basically, but to reduce the legal title of native lands,

[6] The General Allotment Act (1887), or the Dawes Act, was sponsored by Senator Henry L. Dawes of Massachusetts; for more information on the General Allotment Act see "Dawes Act (1887)", www.ourdocuments.gov (Accessed November 2012).

basically, is what it was intended to do and declare it all surplus for settlement. The problem with Washoe is that we didn't have time to establish a reservation, so we're one of only two tribes in the country where there are allotted lands outside of existing reservation boundaries. Everywhere else the reservation boundaries were allotted up and reduced.

Seney: Oh.

Wallace: So, because of that historical anomaly we kind of have this kind of crazy subject matter jurisdiction land ownership problem. In the meantime, some of those public domain allotments, over time, have passed out of Indian title into private fee status. So, you have inter-dispersed subject matter, islands of subject matter jurisdiction, either state, federal, or county, or tribal, becomes a very serious natural resource management problem, because you have various patterns of ownership and jurisdiction that are hard (Seney: Right.) to unravel. (Seney: Yeah.) So, it's a very cruel, cruel thing that still exists in our lives today. And let's say, say I was around in 1887, you'd say, "Well, here's your 160 acres. Prosper." You know. But, over time, the way the escheat and probate process plays itself out with regards to these public domain allotments, which are adjudicated by administrative law judges in Phoenix or someplace other than here.

Seney: This is Indian administrative law changes?

Wallace: Right. And, so now we have a situation where, because of descendantcy you might have 500, 600, 700 divided interest holders in a 160-acre parcel of land. Under the federal statute, you have to get concurrence of all of those interest holders to do anything with the property. Now, that's good news/bad news. I mean, it does, by accident, put them in a position not to be developed, which is something that's fine. We don't mind the issue of legal, some of the hardships in terms of taking Indian land title and conveying it to private fee, because maybe had not that had happened we would have somehow lost our land a long time ago. So, in some ways, (Seney: I see what you're saying. Yeah.) those paternal and archaic legal standards have kept the country whole, in some ways.

Seney: It backfired?

Wallace: Yeah. But, in the meantime, you have this dividing element chewing away at, you know, the legal tenure of individuals at the same time.

Allotment Issues in Modern Times

Seney: It must cause a lot of family squabbles, I would think?

Wallace: Sure. Yeah. I mean, you know, and interfamily, you know, (Seney: Yeah.) "It's my allotment," and you know this kind of thing. It creates some serious regulatory issues, you know, and jurisdictional questions. And, I actually received some information. There's a hearing that was eleven o'clock this morning in the Senate, or House Natural Resources Committee, on a legislative solution to kind of deal with the fallout of the Dawes Act. And actually . . .

Seney: This is the U.S. House, obviously?

Wallace: Right. In (Seney: Yeah.) Washington. And, actually, Don Young of Alaska has two legislative proposals to address this whole issue of fractionated land interests, and whatnot.

Seney: What do you think of those proposals? Have you seen enough of them to reach an opinion?

Wallace: One of them was put together by what's called the Indian Land Working Group, or whatever, mostly tribal people, tribal, you know, experts, and lawyers, and politicians, and, you know, land practitioners that I think more accurately reflects the values to be preserved in advance by Indians. (Seney: Yeah.) What the other proposal is, other than Indian-authored, you know, and interested, and it's kind of weighted more to allowing the development of those lands.[7]

But, because we're an anomaly with how the Dawes Act played itself out here in Washoe, we're immune from some of the more contentious issues that occur for say in Flathead [Reservation][8] or some other places where you had their reservation subdivided and you have Indian, and non-Indian, and ranch inholdings, and land, water conveyance or, you know, irrigation districts and whatnot who are fighting over, and I imagine someday it'll come in Newlands, where these Reclamation projects were built for Indian purposes but now you have non-Indian interests in there who are trying to say those should be conveyed to them, and there's these fights over (Seney: Yeah.) who controls the water conveyance systems. (Seney: Yeah.) And, you know, responsibility for their operation and maintenance, and on, and on, and on. So, but you know, I mean we look at the Dawes Act that's clearly a repeat of the colonial effort to subdivide and subordinate Indian tribes and Indian peoples interests (Seney: Yeah.) in maintaining their connection to their (Seney: Yeah.) homelands.

[7] The Indian Land Working Group is "dedicated to the restoration and recovery of the native land base; and the control, use, and management of this land base by tribal communities." See Indian Land Working Group, "Mission Statement," http://indianlandworkinggroup.org (Accessed November 2012).

[8] For more information on the subdivision of the Flathead Reservation in Montana see Garrit Voggesser, "The Flathead Project: The Indian Projects," Denver, Colorado: Bureau of Reclamation History Program, 2001.

Seney: Yeah. But, I can see your point, too, that the dividing up of it, in your case, has kept it from being developed, (Wallace: Sure.) and kept it the way you would prefer to have it?

Wallace: Yeah.

Seney: Yeah.

Wallace: So it's cruel irony is at work there.

Nevada Indian Colonies

Seney: Yeah. What's the status of the Woodfords Colony, the Reno Colony, and the Stewart, is it?

Wallace: Well, I don't know where they got the name "colonies." That's kind of an historic moniker, I guess.

Seney: What would you use? I'm sorry. Maybe I can use it?

Wallace: They're just part of the reservation. (Seney: Okay.) They're just communities.

Seney: Okay. Who owns, is that tribal land (Wallace: Right.) in common?

Wallace: Right. There's a question asked who the jurisdictional title of the Reno-Sparks colony, but if you look at the Appropriations Act that, and I actually was up there talking this issue up, which is kind of hard to deal with with the Reno-Sparks council last night up in Reno over this issue, which they have some strong feelings about that.[9]

Seney: That's 20.8 acres?

Wallace: Uhm-hmm.

Seney: Yeah.

Wallace: And then they have another 2,000 acres in Hungry Valley, which is more towards (Seney: Yeah.) Spanish Springs, and whatnot.

Seney: And, these are nice 20.8 acres? I mean it's . . .

[9] In 1917 the Carson Colony was established, soon followed by the Dresslerville Colony near Gardnerville, Nevada and the Reno-Sparks Colony. See Warren D`Azevedo, "Washoe," in *Handbook of North American Indians: Great Basin*, vol 11, Warren D`Azevedo, editor (Washington, D.C.: Smithsonian Institution, 1986).

Wallace: Well, it's right adjacent to the Hilton right now.

Seney: Yeah.

Wallace: So, I mean, commercially it's valuable but it's, actually it's just residential (Seney: Yeah.) right now. So . . .

Seney: What were they, what were they, what were you having to talk to them about?

Wallace: They're in the process of amending their constitution, their . . .

Seney: Charter? City Charter?

Wallace: The basic superior legal document.

Seney: Right.

Wallace: And, they're trying to settle the question of enrollment. Because, one of the . . . I mean, some of the things the tribe has never conceded to the United States, one of which was the power of governments, you know, over our internal affairs, but the power to disestablish citizenship. In the case of Reno-Sparks, because of the way that land was established, if you look at the Appropriations Act of 1916 and 1917, they were set aside for, you know, members of the Washoe tribe of Indians and other homeless Indians, because at that time that was an economic center and a lot of tribes tribal Indians were leaving the reservation (Seney: Right.) for opportunity, you know, (Seney: Right.) or other reasons.

But, over time, that land became inhabited with Washoe, Shoshones, and Paiutes. So, you really have no national basis for that little small country, as I would look at it, for (Seney: Oh.) how it was established. And, it kind of, there's an Indian tribe, a reservation has sprung up right in the middle of our traditional territories. So, always those kind of issue are always under the covers, (Seney: Oh.) and are just now coming out again because of this question of their interest to want to require that Washoes denounce their citizenship with the tribe to enjoy the benefits of living on the Reno-Sparks Indian colony.

Our members take exception to that, because not only have they lived there for generations, since the establishment of the colony, their roots go back thousands and thousands of years. So, they feel a little put upon (Seney: Yeah, I understand.) by their contemporaries abruptly asking them to qualify their interests in their homelands.

Seney: So, on that point . . .

Wallace: And, we're not looking for a civil war between the two governments, but I mean, you know, (Seney: Yeah.) that's the last thing we need. (Seney: Sure, sure.) Because, they're not our enemies. I mean, we have (Laugh) (Seney: Plenty of others?) more serious enemies. (Laughter)

Washoe Tribal Politics

Seney: Yeah. You know, what I was going to ask you about when, when we got started was, when you were elected tribal chairman you have to be, you get votes out of the Woodfords part of the reservation, the Stewart, is it, in . . .

Wallace: Yeah, Stewart. (Seney: Okay.) Dresslerville.

Seney: Dresslerville.

Wallace: Carson Colony. But, not all members reside on the reservation. (Seney: Okay.) There are substantial amount of members that reside off the reservation, on or near the areas.

Seney: Who still have voting rights?

Wallace: Oh, of course. Yeah.

Seney: Yeah.

Wallace: They're entitled. They're citizens of this nation.

Seney: Okay.

Wallace: We have members in, I don't know if it's Cherbourg, France. A lot of them in . . . I have this map that . . .

Seney: Send them an absentee ballot, do you?

Wallace: Right. Yeah. Actually, that's what they're doing now. The elections are coming up in November and they're sending out all the voter information to all the members.

Seney: Are you running for reelection?

Wallace: Yeah.

Seney: Yeah.

Wallace: I had to file the day before yesterday.

Seney: Now, I understand there was an attempt to recall you, actually?

Wallace: Yeah. That was . . . I guess. Now that I've talked to my other contemporaries it's not such an uncommon phenomenon.

Seney: So I hear.

Wallace: If you've been around long enough.

Seney: I understand that, too. Yeah.

Wallace: We're very close to our politics here, and we're all related. So, there are always very strong feelings.

Seney: Right. Right.

Wallace: With the participation of the off-reservation border town, as we call them, publications and media created a lot of controversy with regards to sticking their nose into the internal affairs of the tribe, and inspired this kind of–oh, what would you call it–insurrection that just failed.

Seney: Well, they thought you were using a credit card improperly or something, wasn't it?

Wallace: Oh yeah. I mean, that goes back ten years or something (Seney: Yeah.) like that.

Seney: Yeah. Right. But, it wasn't anything substantive. It wasn't water or something like that. It was just the other, you had power and the other side wanted power?

Wallace: Yeah. You know, here are six people or ten people speak very loudly, particularly if you have the, the off-reservation media (Seney: Right.) supporting them, (Seney: Right.) you know.

Seney: Right. But, you survived that and that probably put you in a stronger position before the common Washoe (Wallace: Yeah.) community?

Wallace: I mean, if I was in their position I wouldn't have done it, because all that did was close ranks, (Seney: Sure, sure.) (Laugh) you know, and fortify us for this (Seney: Right.) coming election, and (Seney: Right. Right.) neutralize a lot of their claims or allegations and problems.

Seney: Do you have term limits in your basic charter?

Wallace: No.

Seney: No? I know, because I know the Pyramid Lake tribe does two two-year terms and then you (Wallace: Yeah.) take time off, you can run again. But, you could be elected forever, presumably, if you were willing to do it?

Wallace: The historical practice of the tribe, as I've seen it, is, you know, they, you know it's not uncommon for chairmen to serve three, four, five terms. Certainly not in my plans to do that, and I would not have even considered running for this term had not that brief insurrection occurred, (Laugh) because now I kind of see what the potential leadership is about.

Seney: Ah.

Wallace: So, I was actually planning on going on my peaceful way until that occurred, and then I kind of see that, you know, all of hard work that they were put into it to me could be endangered.

Seney: I see.

Wallace: There's some things that we want to finish.

Seney: Yeah.

Wallace: Create reservations, or Indian lands in Tahoe, is my main goal, (Seney: Yeah.) and then to continue to stimulate the economy of the tribe.

Seney: And, you're not willing to risk it in the hands of these other people?

Wallace: It doesn't look like they'd be very good (Seney: Yeah.) caretakers of what has been started.

Washoe Interest in Water Development

Seney: Yeah. Let me go back to the water business, because you say in the Watashimu business the tribe just . . .

Wallace: Oh, back to that? Yeah.

Seney: Yeah. That's okay if we range around.

Wallace: No, I did, I mean some of them connected.

Seney: Oh, absolutely. Yeah, absolutely.

Wallace: I did have some experience in the early '80s when that whole idea was resurrected, but, and you've probably run into Ira and his people, the Subconservancy, (Seney: I haven't.) have always been very . . .[10]

Seney: I'll be talking to them.

Wallace: Very interested in developing that idea so they can be in a strong position to allocate the economic value of potential M&I [Municipal and Industrial] water source (Seney: Right.) for valley development. It kind of reminds me of Chinatown.

Seney: Does it, the movie *Chinatown* (Wallace: Yeah.) in L.A., in terms of water? Yeah.

Wallace: Yeah.

Seney: Yeah. Well . . .

Wallace: I mean, even today, legally and economically water is the most powerful thing.

Seney: Yes. Yes. And, this is bound to come up again, isn't it, (Wallace: Yeah.) something like (Wallace: Uhm-hmm.) Watashimu [Watasheamu] on the upper Carson [River]?

Wallace: Oh, sure.

Seney: Yeah.

Wallace: Yeah.

Seney: You know . . .

Wallace: As long as there's people and growth in this valley it will always be an issue.

Seney: The Pyramid Lake tribe opposed it because they felt it would cause continuing, maybe even increasing, drafts on the Truckee River if the Carson were dammed and (Wallace: Yeah.) water rights were made available. But, how does your tribe view the Watashimu business, of the damming thing?

[10] The Carson Water Subconservancy District was established in 1959 "to contract with local ranchers and farmers to guarantee pay back to the Bureau of Reclamation for the construction of Watasheamu Dam and Reservoir." During the early 1980s the federal government withdrew support for the project. Today, the CWSD serves "as the lead agency for watershed planning and management for the Carson River Basin." See Carson River Subconservancy District, www.cwsd.org (Accessed November 2012).

Wallace: We are not so warm to the idea because it implies the continued over development of this area, which we believe has already exceeded the natural resupply of the water source, both, you know, groundwater and surface sources, which are tightly correlated here in this system. Maybe not so much, it's a different system in the Truckee [River]. (Seney: Right.) But, they're very well braided together, the Carson [River], and the groundwater, and the surface water, and then also you've got to consider the inputs from the Carson range, which no one wants to consider right now in their political water budgets. But, they're a reality. They exist.

Seney: How do you mean?

Wallace: It's, it's been put to me, and I haven't heard this personally, but that the state engineer has been declaring that there is no input into the Carson [River] water volume budget from the, say, Stewart, Larson, Jacks Valley, James Canyon, you know, all of the creeks and watersheds that exist on the side of the range.

We've been heavily involved in researching and putting together the documentation as to the volumes and quantities, and quality, and the ownership of those inputs because they cross tribal lands. And also, it's been confirmed that almost fifty percent of the watershed recharge values of the upper Carson come from Indian lands, the Pine Nut lands. So, the tribe has a significant interest in this water question in the Carson and upper Carson Basins.

We also have tremendous concerns about water quality issues in terms of inflows onto the reservation from other areas. You know, like this mine issue (Seney: Yeah.) and some of these other things where you have contamination of water supply. Lake Tahoe and the Carson [River], I mean there are still strong associations with Washoes and these watersheds and stream zones. And, there's a tremendous amount of Washoe pharmacology that still exists, and that is applied by tribal members in these areas. So, those values are very strong, still.

Seney: You're talking about herbal medicines, and (Wallace: Right.) sources for herbal materials?

Wallace: Sure, and other materials that we use, (Seney: Right.) and process. Very strong cultural relationships to these areas because of the central, the central value of water in our religion and cosmology.

Threats to the Groundwater

Seney: Let's talk about the groundwater business a little bit, because I know that's a big concern to you, that the . . .

Wallace: Very big legal issue right now.

Seney: Right. That is this one of the things that you, when we stopped, you said you maybe couldn't talk too much about?

Wallace: No. No. This one's open. It's just the particulars about adjudicating the Leviathan Mine thing that I kind of have some restrictions.

Seney: Oh, okay. Well, no problem on that.

Wallace: But . . .

Seney: But, I know that in this one we're talking about, it's essentially a bowl, in a way, the watershed, and the Pine Nut Allotments are kind of up on the side (Wallace: Uhm-hmm.) of that, and you have groundwater there?

Wallace: Uhm-hmm.

Seney: And, my understanding is that your concern is that more development here on the bottom of the Carson Valley will come . . .

Wallace: The over-drafting of the water, (Seney: Yeah.) the groundwater supply, which like I say is very tightly related to the surface supply. In some of our investigations on the northern part of the Carson Valley, on tribal lands, out of Clear Creek, it's been established that that is the most quantified and water quality–what do you call it –pulverized aquifers that exists in this whole region. It's the most, strongest naturally-recharged source. So, we have a sense and belief that that exists on allotted areas. It just so happens (Laugh) a lot of those tribal lands are at the base of each one of those drainages. So, in some ways, there is some political advantages to being in that position, therefore more reason why we hurry our diligence in terms of nailing down their values. But, I mean, the groundwater thing has always been guessing. I mean, you know, we see continual efforts to do three-dimensional, you know, modeling, and predictions, (Seney: Yeah.) and forecasting of those values. But, you know, ask any farmer and they'll tell you, you know, what flies and what doesn't around here. (Seney: Yeah.) And, contemporary common law view the tribe legally enjoys some of the most strongest perfected entitlements in terms of historic priority in this valley. Because of the way the, some of the reservation lands were established, we have some of the oldest priority dates.

Washoe Tribe's Relationship with the Federal Government

Seney: Under the Alpine Decree?

Wallace: Under the Alpine. Yeah. And then, some we inherited when we took over the federal interests on the old Stewart Indian School, which was an Indian school kind of, again, set up to vocationally transform, initially Nevada Indians, but it became all western, and particularly southwestern, (Seney: Yeah.) Indians. So, to . . .[11]

Seney: To Americanize and acculturate them.

Wallace: To become pass, passive, pastoral type people.

Seney: Yeah. Right. These water rights that are up and flowing down . . .

Wallace: It creates another very peculiar or tense regulatory environment between the tribe, the United States, and the state.

Seney: This whole business about . . .

Wallace: Groundwater.

Seney: Groundwater?

Wallace: Yeah. Very dicey legal issues. Right.

Seney: Yeah. I'm sure. Who do you go to establish those water rights, the state engineer?

Wallace: We, we seek refuge in federal court, actually. The Bureau and the Department of Justice, you know . . .

Seney: The Bureau of Reclamation or Indian Affairs?

Wallace: No, B-I-A. Excuse me.

Seney: Yeah.

Wallace: Actually, Bureau of . . . Interior, actually, (Seney: Yeah.) all those agencies have an obligation to . . .

Seney: Look out for your interests.

Wallace: Preserve the duties. And, one of the things (Seney: Yeah.) I always have to spend time on, and been more successful since President Clinton's been in the neighborhood, of always pointing out the potential conflict of interest within Interior.

[11] For a complete text of the Alpine Decree (1980) see Carson Water Subconservancy District, "Alpine Decree," http://67.199.85.75/newscms/userpage/AlpineDecree.aspx (Accessed November 2012).

Say, for instance, where you have B-L-M [Bureau of Land Management] and B-I-A might have juxtaposed missions. (Seney: Right.) And, the squeeze out of Secretary Babbitt, when we were kind of working, a small group of us, interviewing him to make recommendation on his nomination as Secretary of the Interior. When I asked him this question, he declared very loudly to us in that room that day, that if it came down to a potential conflict he would always weigh his decision in favor of protecting the Indian tribe interests.

Seney: So, you were involved in sort of interviewing him prior to his appointment as Secretary of the Interior?

Wallace: Yeah. We worked on (Seney: How did that work?) the transition team, you know, the Clinton transition team in his first administration.

Storey: How did you get involved in that?

Wallace: Just by pushing.

Seney: You were tribal chairman then?

Wallace: Right. Yeah.

Seney: Yeah.

Wallace: Trying to be, every time someone turned around we were there, and then, you know, using, at that time, what political alliances we had built in the Senate, and the House, (Seney: Yeah.) and you know certain parts of the administration. But then also, became very politically active in the movement of the Democrats at the time.

Seney: Yeah. Yeah. And, you feel, I'm sure, that that's part of what you need to do in terms of protecting and advancing the Washoe tribe's interests?

Wallace: Oh yeah. That's always the, the primary operative goal. I think also at the time I was appointed by Secretary [of the Interior Manuel] Lujan, under the [George H. W.] Bush administration, to serve on an advisory commission on making recommendations to the Secretary of the Interior as to reforming the Bureau of Indian Affairs. So, I was kind of inside already.

Seney: So, that brought your name, maybe, up to the Clinton people?

Wallace: Right.

Seney: Yeah. Yeah.

Wallace: And, since then, you know, we've just, you know, strengthened those bonds and ties, and, you know, particularly with Vice President [Al] Gore now, you know, and the prospect of him sitting in the White House. It gives us . . .

Seney: It must be a very pleasant one for you to contemplate?

Wallace: Sure. Actually, over the last year, he has spent more time than anybody with the tribes. And, somewhere here I've got a picture of them with–where are those? Spending hours, because I scanned those in because we use them, you know.

Seney: Yeah. Sure. Of course. Sure.

Wallace: [Inaudible].

Seney: I see you've got a scanner there for your computer.

Wallace: You know, this type of stuff are good visuals to demonstrate that (Seney: Oh, yes.) we weren't just making it up.

Seney: Yes. Right. Here's the president, and the vice president, and there are you. And, they've signed this picture and there's a group it looks like of tribal elders. (Wallace: Uhm-hmm.) And . . .

Wallace: You know there's, there's tons of these. They got more. I don't know what happened to them. I think I (Seney: Yeah.) gave some away.

Seney: Yeah. That's great. I recognize one of the ladies. I saw her in the lobby.

Wallace: And, here's the rest of them. And, there's (Seney: [inaudible].) another packet of these laying around.

Seney: Yeah. That's a wonderful picture. Yeah.

Wallace: Actually, and this has always been the case . . .

Seney: Who is this gentleman?

Wallace: His name is Stan Hanson [Spelling?]. He's the general manager of Heavenly, (Seney: Ah.) excuse me, Heavenly Valley Resort, Ski Resort, who are very strong supporters of the tribe, both financially and morally.

Seney: That's interesting.

Wallace: Yeah.

Seney: Well . . .

END OF SIDE 2, TAPE 1. JULY 29, 1998.
BEGINNING OF SIDE 1, TAPE 2. JULY 29, 1998.

Goals of the Washoe Tribal Government

Wallace: Yeah. So, when I came to work for the tribe, you know, make kind of a little bit of money, (Seney: Sure.) I felt like I was on top of the world there for a while. And then, you know, over time, and I've seen it happen to anybody that has an association with the tribe, over time, and they sooner or later go bush, you know. And, you get invested in the cause. Certainly, people here don't work because we pay them lots, and lots of money. It's the ethical and moral challenges, I think, of the work that bonds everybody together here. But yeah, we, we developed those relationships, primarily focusing on establishment of the Cultural Center, which was seen by the entire basin community as an advantage. (Seney: Yeah.) If you were a casino person, it had its advantages to keeping people in the basin and doing other things. From the environmental perspective it allowed the projection of, you know, historical stewardship issues.

We were interested in, you know, the matter of cultural revitalization, and actually I should point this out back on the Tahoe thing, our major goal, and still always is, is the repatriation of homelands, particularly Lake Tahoe, but we've always agreed or adopted a strategy to pursue alternative objectives. So, we had four of them. One was to revitalize the cultural heritage of the basin. Another one was to establish land bases, of course. A third one was to reintroduce Washoe stewardship, and the fourth one was to create economic and commercial opportunities for the tribe. So, we're always pursuing those lines of operations and when we get (Seney: Yeah.) stalled on one it helps leverage the other, and it's worked kind of well for us up to now.

Seney: I would think that your success in the basin, with the federal government, and your objectives would depend upon these third-party alliances, getting the gaming, recreation, the visitor's bureau (Wallace: Uhm-hmm.) people behind you?

Wallace: It's critical. (Seney: Yeah.) And, I think also what they declare is the value of us working with them is we continually remind them of the real meaning of the human dimension that needs to be applied, or developed, or protected there in Tahoe or in these traditional areas. We can easily speak authoritative to prior experiences and understandings and how things (Seney: Uhm-hmm.) can be, and that we shouldn't lose sight of that or, you know, go beyond the point of no return where they, they

can't be reclaimed. And then, you know, also, you know, we're there to . . . to stand as visible evidence that, you know, we can even stare down extinction. And, if we can survive so can everybody else.

Seney: Yeah. That's true.

Wallace: And then actually the, the future of the basin kind of went the course of the future of the Washoes, you know. I mean, we were almost extinguished and the basin's looking at the same thing.

Seney: Yeah. Yeah.

Wallace: So, if it can happen to us it can happen to anybody.

Senator Paul Laxalt and the California/Nevada Compact

Seney: Let me take you back to the water business (Wallace: Yeah.) specifically, again, and in the 1980s the, Senator [Paul] Laxalt is attempting to achieve a settlement of the Truckee/Carson issues. And, one of the things he's trying to do is get his, get the Interstate Compact passed, in '85-'86, and he fails in that. Did you play any part at all? Did the tribe play any part in that business over the Compact?

Wallace: We were very close to Senator Laxalt, who actually, you know these former Stewart lands is one of the other crazy assignments I got, was back in the, after the Carter administration left town and Ronald Reagan was President; Jim Watt was selected as Secretary of the Interior. One of the things that they wanted to do was privatize the Interior Department, particularly its federal land interests. They also looked at the operation of these boarding schools, which actually the real racial, cruel racial origination.

Seney: Were you ever sent to one?

Wallace: No. My mother, you know, and a lot of people here attended these schools.

Seney: Your mother did?

Wallace: Yeah.

Seney: Yeah.

Wallace: Her picture is right behind you there.

Seney: Is that your mother getting out of a car?

Wallace: Yeah.

Seney: That's a wonderful picture.

Wallace: Well, thank you.

Seney: She's a lovely lady.

Wallace: Oh, thank you very much.

Seney: Really. It's about a 1947 car, it looks like?

Wallace: Uhm-hmm.

Seney: She's very snappily dressed and (Wallace: Yeah.) a pretty lady.

Wallace: I think about her everyday.

Seney: She's no longer living?

Wallace: No. She passed away in 1986.

Seney: Oh, I'm sorry.

Wallace: No. There's so many things that I wish I could have told her or that I wish I could show her now that (Seney: Yeah.) I couldn't. But, she's still alive in my mind. The . . .

Seney: What is the Washoe view of death like that? Is your mother still here in spirit?

Wallace: Yeah.

Seney: She's still?

Wallace: Oh, she still lives in my heart. All those people that have passed before us do, you know, even, and then the unborn future of our nation resides there too. So. We have a hard time separating that. Anyways, in the end, Secretary Watt surplused the Stewart Indian School. We were able to intervene with the Interior Department and take those lands, under our Special Use Permit actually, a very familiar vehicle, and operate them in conjunction with our ranching unit here, and we were demonstrating that we would be the proper stewards for those surplus lands.

Seney: And then you got them through Congress?

Wallace: Yeah. Senator, yeah, Senator Laxalt, we approached him and said, "Well, we'd sure like to use these lands in perpetuity," and he said, "Well, that's a noble idea, but if you want me to work with you here's, here's the list of things you've got to do. You know, get concurrence of all the adjacent land owners, build support for it, you know, develop an idea, whatever." Well, we exceeded his standards by ten times.

Seney: Did you think that he was being unreasonable when he asked for those things?

Wallace: I kind of think maybe he thought that he wouldn't see us again. So, when we came back with all this very substantial, more than he expected, evidence of support for this idea from all the land owners, private land owners, the governments, the federal agencies, and everything [We] got all the other tribes to agree, you know. So, we built this, this orbit of support. He really didn't have much choice. And, at the time, he was in a pretty strategic political position because (Seney: Yes, he was.) I think he was the chairman of the Republican Party, and obviously very close to then-President Reagan. (Seney: Right.) So, he commanded a lot of attention.

Seney: Well now, when you say the Stewart School, that was really a school to teach ranching and . . .

Wallace: Yeah. It was again . . .

Seney: The school was extensive.

Wallace: It was . . .

Seney: How much land was there?

Wallace: It was actually an assimilation model.

Seney: Was it?

Wallace: And actually the federal policy, you know, and this wasn't reversed until 1981 here, was to just take young Indian children away from their parents and families, put them in boarding schools to teach them to be anything other than who they were. And they were, there was kind of a corporal type education system. It was very stern, rigid. And, I mean, there's even evidence of children being beating to death for speaking, you know, to try and remember their ways.

Seney: What did your mother tell you about going to one of these schools?

Wallace: There's a lot of sorrow. It's really something I don't completely understand. There was a lot of unity of the kids that went to the, that common experience, and all the

cruelties and maybe the, what happiness they did amongst themselves enjoy, or establish. Very mixed emotions. Something that I see, like there'll be an annual kind of celebration of all the alumni to go back there, but I think they celebrate their, their times together and not necessarily why they were there.

Seney: Oh, yeah. Yeah.

Wallace: But, you know, what they did there.

Seney: Yeah.

Wallace: But, it was federal policy and actually it was supported by the Catholic Church, if I remember right. And it was enforced, where actually bonuses were given to federal employees for the number of children that they adopted out of Indian families into white families. So, there was this actual institutional process in place, and it didn't end until, in this area, until 1981 with the closure of that school. But once we kind of exceeded the standard set down by Senator Laxalt, he very dutifully introduced the legislation, and his House counterpart and Senate counterpart joined him. We went through the hearing process in both houses and eventually the law was signed by Ronald Reagan himself, and Strong Thurman was still around, who at that time was the president of the Senate. (Seney: Right.) Or not, I mean the, what do you call it, President Pro Tempe, (Seney: Right.) because the vice president's really the (Seney: Right.) President of the Senate.

Seney: Right.

Wallace: But . . .

Seney: He still is President Pro Tempe, I think, (Wallace: Could be, yeah.) is the old senator, isn't he?

Wallace: Yeah.

Seney: Yeah. Right. How, and again how much land did you get with that?

Wallace: That was about 2,150 acres, which at that time gave us exponential opportunity, because we, it tripled our ranching unit and, you know, hay land potential, and agricultural potential. It . . . there's a number of businesses that sprung off those lands, because right up until then we were just right here where we're sitting and, (Seney: Yeah.) the ranch over there. And so, we didn't have a lot to work with. And then with the restrictions in the Pine Nut Allotments.

Seney: And, this is tribal land? This is (Wallace: Right.) land you hold in commons?

Wallace: Yeah. Technically what they call "tribal trust."

Seney: Yeah. Yeah. And water rights came with that?

Wallace: Right. Yeah. Oh, yeah. All of the interests, the reserved rights that the United States had established back in 1887 when they created the Stewart Indian School.

Seney: So, that's a nice priority, 1887?

Wallace: Yeah.

Seney: Yeah.

Wallace: And then very attractive and beautiful lands. You go up in the Upper Clear Creek, you know, areas. Alpine forested meadows. Very beautiful.

Seney: Yeah. It's a beautiful area around here. It's really . . .

Wallace: And, until this Tahoe stuff it was the only stuff that we had available that represented our former homelands, (Seney: Yeah.) you know, in the Sierras there.

Seney: Yeah. Did he ask you for any support on the, on the passage of the Interstate Compact, Laxalt?

Wallace: We worked with his office and actually supported the Paiutes. Then, I think at that time the Carson [River] was stuck in there and we were working on getting an amendment to exempt us from that statute.

Seney: So, you were supporting the Pyramid Lake tribe's opposition to that?

Wallace: Yeah.

Seney: Yeah.

Wallace: Well, I mean, you know, I wasn't quite totally sure whether they were trying to go along with it or it was something that they developed, and whatnot, and I can't, it goes back some time.

Seney: Well, there was the point at which Senator Laxalt offered them a good deal (Wallace: Yeah.) and they were going along with it, then the Nevada people, Sierra Pacific Power, Nevada state government, (Wallace: Yeah.) said, "No. No. It's not worth it to us to make these kind of changes in the Interstate Compact."

Wallace: Yeah. Because, I remember testifying in those hearings, after Senator Laxalt, you know, with the Pyramid Lake Paiute chairman at the time, which was Wilford Shaw [Spelling?]. And actually, shortly after that, Joe Ely, who was the vice chairman at the time, became chairman and who was the one that finally locked in the final Settlement Agreement (Seney: Right.) a few years later.

Seney: Right. Right. Well, Mr. Shaw [Spelling?] apparently was in favor of the settlement legislation that went along with the Interstate Compact, but then Joe Ely reversed all that (Wallace: Yeah.) when he, when he came. You must have worked with him a good deal, with Joe Ely?

Wallace: I like Joe. He's still around. I see him from time to time and, you know, he should be commended for coming so far in such a short period of time, in terms of turning that around. I'm assuming this is none of, A it's none of my business, and I don't really know anyways.

Seney: Yeah.

Wallace: Then working an arrangement that, you know, where the world turned more in their favor, (Seney: Right, yeah.) than I guess it did before. I mean, there are always marginalized settlements, because when you really look at, in the scope of history, we were never really given consideration for the full value of our interests and claims.

Seney: But, Senator Reid succeeds Senator Laxalt in 1986 and he says, "I'm going to try to solve the water wars in (Wallace: Uhm-hmm.) northern Nevada," and puts together negotiations with the Pyramid Lake tribe and Interior and Sierra Pacific, and T-C-I-D, and environmental groups, but not with your tribe?

Wallace: No. I mean, this also goes back into an issue where we're forcefully projecting is our legal interest in all aboriginal rights and territories and interests. Truckee's one of them. (Seney: Right.) So, you know, again, you're going to get stuck kind of having to sooner or later square off with our Paiute friends someday.

Seney: Were you, did you think at that time, this is something we should be involved in or did you think, do you recall, that this was peripheral to your interests?

Wallace: We were, we were involved in it, like I say, in the original Laxalt proposal. (Seney: Right.) Actually, I think if I remember right it was kind of unfortunate, because I think that's what he wanted to leave as a legacy. And actually, he declared at that time (Seney: That's what he did, yeah.) that "This is, if I ever had a gift (Seney:

Yeah.) to represent what I wanted in (Seney: Yeah.) being a member of the United States Senate, it was that," and he was denied it.[12]

Seney: Yeah. Yeah.

Wallace: And, I talk with him still. We're very close with the Laxalts, and when I go to Washington I stop by and say hello, and play tennis with them, you know. So, we still have those bonds.

Seney: Right. Right. And . . .

Wallace: And, it still serves us well, I mean, you know, just because he's not an elected official doesn't mean he isn't an influential man.

Seney: Oh, he's still influential, isn't he?. Yeah.

Wallace: Yeah. Very strong.

Seney: Yeah. Interesting, he's the only person who hasn't talked to me about this.

Wallace: We have a large amount of respect for him (Seney: Yeah.) and the things that he . . . I remember, he had no reason to be associated with the Washoe tribe, or, there was no political value for that, or whatever. I mean, other than laying down a challenge, and us meeting the challenge, and then we moved, we've walked to the future together. He had no, nothing to gain by working (Seney: Right.) with the tribe. (Seney: Yeah.) So, I would hope that altruistic or ideologically he was a part of the brotherhood of what we wanted to do.

Seney: Yeah. People speak very highly of him as an ethical and a moral individual.

Wallace: He's very strong. And, I remember, in talking with his brother, still, I mean, at that time when they were all growing up in Carson City they were as alienated as Washoe Indians because of their ethnic background.

Storey: Their Basque heritage.

Wallace: And they always, I mean the only people that would be friends with them were Washoe Indians. So, he's always had a positive, you know, (Seney: Yeah.) a relationship with the tribe and never forgot who his friends were.

[12] For more information on the California-Nevada Compact see Donald J. Pisani, "The Strange Death of the California-Nevada Compact: A Study in Interstate Water Negotiations," *Pacific Historical Review* 47:4 (November 1978): 637-658; Leah J. Wilds, *Water Politics in Nevada: A Century of Struggle* (Reno: University of Nevada Press, 2010).

Public Law 101-618

Seney: When Senator Reid starts these negotiations that precede Public Law 101-618, and again you guys weren't included, do you remember that you tried, did you try to give him a call?

Wallace: I kind of half remember. Yeah, that, I mean, (Seney: I guess.) "That's a Pyramid Lake issue," (Seney: Right.) you know, that's, they're certainly capable of, you know, pushing their own issues and whatnot. We were kind of focused on other things, actually, Tahoe, or you know some other issues. And, at that time it was the time when I was working to build the third-party federal network of support at a regional and national level, you know, so we can establish the broader political frontier so we can maneuver. And so, at that time I didn't have an interest. Although, we certainly understood that it's an aboriginal title issue, still. It still is. (Seney: Right.) That's important. But, actually, I never really expected them to come to conclusion. (Laughter)

Seney: A lot of people didn't.

Wallace: Yeah.

Seney: Yeah.

Wallace: So, I mean they should be given a lot of credit. (Seney: Yeah.) I mean, I mean I'd still hear people criticize, you know, because that's their business, really, (Seney: Sure.) of the outcome.

Seney: At this time you would have been only a tribal council member.

Wallace: Right.

Being Tribal Chairman

Seney: In this tribe, is there a big difference between being tribal chairman and just being on the council?

Wallace: Yeah. Tremendous, in terms of the feeling of the weight of responsibility. I mean, even as a vice chairman I would, oh I would assert this to anybody that's crazy enough to try and do this thing. I mean, I don't care who you are and how much time you put in, it's O-J-T [On-the-Job-Training] from day one. (Seney: Yeah.) It's not something you go to school or you . . .

Seney: On-the-job-training, you mean? Yeah.

Wallace: I mean, you can prepare for it, yeah, but I mean you start, everybody starts even (Seney: Yeah.) when they sit in this chair.

Seney: I'm thinking in terms of the kind of leadership role played. You're the real leader here? I mean, obviously you . . .

Wallace: Political leader.

Seney: Yeah. Right. Yeah. Right. That's well put. But, obviously you have to go to the Council for the approval of things, but is the expectation that the tribal chairman will be the leader, the initiator, the strong voice?

Wallace: Pretty much.

Seney: Yeah.

Wallace: And, people give you that flexibility. I mean, you know, we have account, certainly, to the man in the street that gives us, you know, (Seney: Yeah.) power and authority.

Seney: You'll see the purpose for my question here in a moment.

Wallace: Okay.

Seney: There's another one. I'm told that–unless you wanted to add something else to that?

Wallace: No.

Seney: I'm told that until you came along that the leadership was not perhaps as strong as it is now with you in the chair.

Wallace: Oh, that's flattering. I mean, I've heard that.

Seney: Well, would you, would you analyze it that way?

Wallace: There was confusion, and actually with regards to the custodial responsibility over the assets with something that concerned us very strongly. (Seney: Yeah.) The political might of the tribe, I think, has certainly changed. Yeah. I mean, it just wasn't me. It was the councils that allowed us to have the flexibility to press the rights and claims and interests of the tribe. (Seney: Yeah.) And then, you know, backing up what we said we were going to do. (Seney: Right.) So, you know, the trust, the trust was the most powerful thing that maybe makes the difference.

Certainly, you know, we were critical of the leadership at the time, in terms of

how broadly they were advancing interests and rights. And then, you know, being (Seney: Do you . . .) from a different part of the country, in terms of the Washoe way, and, you know, not growing up in Dresslerville or, you know, some of these other communities, kind of had different perspectives, which are an advantage and a disadvantage.

Seney: How do you mean, within the tribe itself you'll have different perspectives?

Wallace: Yeah, I mean, you know, being from say that area up there, (Seney: The northern part?) not from Dresslerville, or not being from Carson Colony, or whatever, which were where a lot of the traditional tribe leaders at the time came from. We just kind of had a broader view, but also a dilated view, diluted, dilution of some of the real tighter bonds of community because you grew up in, with the hardships or the (Seney: Yeah.) disadvantages, or advantages. So, it's just, you know, a different perspective. But, I think another advantage I had that I'm from a small family. So, I don't have a lot of opportunity to look out for my own interests, because, you know, I don't have that (Seney: That's a . . .) to worry about. And . . .

Seney: A disadvantage in electoral terms though isn't it?

Wallace: Yeah. Well, yeah. I mean, but it also . . . it shows that, you know, I have to get broad support from a lot of people that have different perspectives and I've been able to do that up to now.

Seney: What I'm . . . I'm going to get another point here, (Wallace: Sure.) and that is do you think if you had been tribal chairman this period from '86, '87, '88, that the Washoe tribe would have been more involved (Wallace: I think so.) in those negotiations?

Wallace: Of course. Because, you know, I mean those things will come up on you in the end, (Seney: Yeah.) over time. (Seney: Yeah.) You know, those oversights.

Seney: And that's, I take it, why, what . . . let me, let me ask you, first of all, what was your reaction to Public Law 101-618 when it was passed?

Wallace: Well, kind of happy for Pyramid Lake friends. Actually, I remember when some of that stuff was signed, I mean, I always kind of known the Paiute leadership. One of them, I mean Alvin James, I think, after Joe Ely, was my cousin. So, I'm related to Pyramid Lake Paiutes. And, so it's not that disconnected or distant (Seney: Sure.) of an issue. I mean, you are happy that, you know, their long struggle maybe had come to some fruitful conclusion, but also understanding and always reserving in the back of our minds that water runs downhill. (Seney: Yeah.) And, when we settle the

Tahoe issue that we would also be, try to be in a position to advance our claims downstream.[13]

Seney: Is your father a Washoe Indian?

Wallace: Maidu. Maidu Indian (Seney: Maidu.) from Placerville. (Seney: Yeah.) Washoe and Maidu.

Seney: Washoe and Maidu? What about your mom?

Wallace: She was a little, part Maidu and Washoe too.

Seney: But, so you come up being Washoe, (Wallace: Uhm-hmm.) in a sense, (Wallace: Right.) and growing up here?

Wallace: Yeah. We . . . you know, I was born in Auburn, but we always were here, back before, my mother's from Carson. (Seney: Yeah, yeah.) So, we always, we were always kind of up here.

Seney: Well, this is common, isn't it? I mean, I know that, I think that Mervin Wright's mother is a Yurok Indian, if I'm not mistaken.

Wallace: Uhm-hmm. Actually, Mervin Wright is related to some Washoes too.

Seney: Is he?

Wallace: Uh huh.

Seney: Yeah. And, I think Joe Ely's father was a Winnebago Indian.

Wallace: So, yeah, I mean it's . . . it's, there are some basic laws, laws of survival.

Seney: Yes. Right. Right.

Wallace: And, maybe they're different, say, if you were in New York and you thought things were getting a little too crowded you can just pack up and become a Californian. (Seney: Yeah.) But, you couldn't be a Washoe and then all of a sudden move over and be a Paiute. (Seney: Yeah.) So, because of those boundary considerations, I've, you know, kind of been, in reading things or whatever, formulated this idea, you

[13] 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, Repository for the record copy of the transcript is the National Archives and Records Administration in College Park, Maryland.

know. Or I borrowed it from some people. But, those were kind of naturally prescribed boundaries and actually population controls at the same time.

Seney: Yeah.

Wallace: Because, there is only supported a certain level of human relationship. And, so.

Seney: In talking to Joe about this, and Mervin . . .

Wallace: So, I mean, I guess my point is, (Seney: Yeah.) you know, and then the other thing is, you know, we're not interested in marrying our cousins, and sisters, and brothers.

Seney: Yeah. (Laugh) That's right.

Wallace: You're forced to, to do some intertribal stuff.

Seney: Yeah. Well, in talking to them it's, it was . . .

Wallace: And, from time to time it was fashionable to go raid and steal.

Seney: Yeah. Well, there was biological, good sound (Wallace: Yeah.) genetic reasons for that, actually.

Wallace: Precisely.

Seney: Yeah. Right. But, in talking to them, and I guess it's true for you too, there just isn't a sense of prejudice in this regard. I mean, nobody says, "Hey, wait a minute, that guy's mother was part Maidu, or something there."

Wallace: I mean . . .

Seney: Does that come up ever?

Wallace: Yeah. I mean it comes up from time to time. It's, "Ah, those Paiutes," or, you know, "Those crazy, those Washoes," you know, whatever.

Seney: No, I'm thinking more of you, if you run for tribal chairman here, nobody ever says, "Gees, his mom was, you know, she was . . .

Wallace: Oh, someone, I mean, if they want to be really nasty or try and embarrass you (Seney: Oh, okay.) they'll try and say things (Seney: Yeah.) like that. I won't say it doesn't come up or whatever. (Seney: Okay.) It's more so people would criticize for being, you know, what they would say an outsider, maybe, or something like that. (Seney:

Yeah.) But, you know, I'm not really interested in having to qualify my heritage at all to anybody. So. I like, and maybe you're heard me, I'd rather let the merits of the work that we do speak for itself.

Washoe Concerns About Water Issues

Seney: So, you didn't have any real quarrel with Public Law 101-618? You still don't, I take it?

Wallace: No. Well, now I do. I mean, you know, it's an Act of Congress, which figures heavily with regards to, hedging with regards to maybe our aboriginal issues. [Recording interrupted] at the headwater of the whole political and legal discussion of entitlements that cascade out of Lake Tahoe. So, with relation to how it associates itself with the headwaters of the Truckee [River], and then all the way, well you see the river, I mean, it's in our (Seney: Yeah.) aboriginal boundaries. (Seney: Right.) Those are the issues that we have.

Seney: Right. So, you, the idea that it's divided what you think is considered to be your water (Wallace: Right.) and giving it to other people?

Wallace: Yeah. I would argue that the tribe, maybe not in current time, but it has primacy (Laugh) in that issue.

Seney: Let me turn this over.

END OF SIDE 1, TAPE 2. JULY 29, 1998.
BEGINNING OF SIDE 2, TAPE 2. JULY 29, 1998.

Seney: What other aspects of it would bother you, does the division on the Carson River bother you, that–I guess it wouldn't bother you that Nevada gets most of the water? That's . . .

Wallace: Well, I would say, I mean, you know, I don't know if this makes sense, but to me, like the land, I'd say, and they're the same thing. That's Washoe land or Washoe water yesterday. It's Washoe land today. It's Washoe land forever. And, you'd have to dig pretty deep to find, you know, native soil, because the upper part's Washoe. (Laughter)

Seney: Yeah. Yeah. Any problem with the Alpine Ditch Decree on that?

Wallace: Yeah. I mean, we're always nervous about very tightly in-detail confined entitlements, or rights, or conveyance of rights. I mean even today those models say common law as it established from England and applied here in North America. And,

the tools that are presented through those perspectives or those ways of doing things, never served us well. And I guess today our work is, we're . . . we're asked to use the master's tools to take down the master's house. Then maybe, in the end, that's still going to be a failed model because it isn't ours. So, all of this stuff is all part of that. (Seney: Yeah.) That's how I look at it, (Seney: Right.) my perspective. So.

Settlement Phase II Negotiations

Seney: When, when the Settlement II negotiations come up–we spoke about this a little bit earlier–originally the upper Carson [Basin] interests were not considered for inclusion in those negotiations.

Wallace: I remember, like on the Laxalt thing, I don't remember seeing a lot of the Subconservancy or, you know, the people that you're seeing in the Phase II thing (Seney: Yeah.) represented in the Carson there making a lot of noise. Maybe Fish & Wildlife, you know.

Seney: Nevada Fish & Wildlife?

Wallace: Federal.

Seney: Federal?

Wallace: I think I seen the Environmental Defense Fund, you know, some on the peripheral, but not . . . not the large party that's there now.

Seney: Yeah. Yeah. How did that come about? How did you get interested in that and, and did you work with the . . .?

Wallace: I was in White Mountain Apache one evening with the chairman. I was on that task force thing I was talking about, with Interior, and we were having one of our last meetings there at the Mescalero Apache Reservation, and the chairman, sitting around, we were drinking beers and shooting the breeze, and we started talking about primacy and, you know, competitiveness between the tribes and, you know, Paiutes and Washoes. So, he was bugging me about being involved in this Phase II thing, and "How come I didn't know about it?" and "You should be getting involved," and whatnot. It just so happened that a representative, Bob Hunter, was at that meeting too, and I woke him up about one-thirty in the morning and asked him, "What the hell is going on?" And, he came down and we drank some more beers and kind of discussed, you know, "Why hasn't the tribe been notified about this?" And then that's when we got engaged in the Phase II, which was already on its way.

Seney: Right. Right. They were beginning to be organized?

Wallace: Yeah, so, you know, we argued back and forth over (Seney: Yeah.) over, you know . . .

Seney: Gail Bingham[14] had been selected to lead it.

Wallace: That's right. That's . . . yeah. Yeah.

Seney: Right. And, the real discussion was, "Well, do we let the Upper Carson people observe (Wallace: Yeah.) or do we let them take part?"

Wallace: We . . . we projected an interest in just being an observer, because I didn't want to have the historic record established that we were party to any outcome on that, because we didn't want to forebear any potential legal claims in the future (Seney: Ah.) by being represented in any Phase II settlement of something, of 618, which we weren't involved in in the first place.

Seney: I see.

Wallace: So, we didn't want to be, (Seney: Yeah. Yeah.) as a subsidiary, co-opted into any final, finality of that issue. So, we purposely wanted to maintain observer status. And then they gave us an opportunity to project our concerns and interests, you know. So.

Seney: So, you really remained as an observer?

Wallace: Right.

Seney: That is you did, the Washoe tribe?

Wallace: The Subconservancy wanted us to sit with them, and whatever, and I said, "No. We're okay, I guess."

Seney: Did you . . .

Wallace: "Keep our own counsel and kind of watch you guys and (Seney: Yeah.) see what's going on."

Seney: Yeah. Did you or did this Iris [Ira] Shackley [Spelling?], is it?

Wallace: Brackley [Spelling?].

[14] Gail Bingham, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, Repository for the record copy of the interview transcript is the National Archives and Records Administration in College Park, Maryland.

Seney: Brackley [Spelling?]. I'm sorry. Did he contact you? You contact him, about this?

Wallace: I know . . . I knew Ira over the years, you know, but I think once they seen there was advantages to working with the tribe, particularly if it was representative in the Phase II outcome in diminishing the interests up here, that they seen the political value of working closely with the tribe. I don't think, or maybe the commercial guy, in the long-term storage impoundment strategy with the dam and whatnot. (Seney: Yeah.) That they came to us out of the goodness of their heart. And, I understand that. I mean, (Seney: Yeah sure.) that doesn't bother me. I mean, just as long as people are honest and I can tell who I'm dealing with. That's fair (Seney: Right.) enough. (Seney: Right.) That's all you can ask.

Seney: Well, it's politics, isn't it, (Wallace: Yeah.) after all, and alliances?

Wallace: Yeah.

Seney: And, I'm sure, if they are savvy at all they've got to look at the other side and . . .

Wallace: Well, vice versa. I mean, they presented advantages to us too, because they helped us muddy up the water, you know.

Seney: So to speak?

Wallace: Yeah. And . . .

Seney: How do you mean? What do you mean when you say that?

Wallace: Well, I mean, they . . . it . . . it was, everybody was louder because we were shouting together, in terms of the upper basin interests. So, there was no one lone voice, you know, that could be put down by this momentum that was created by 618 and the direction of the Phase II negotiation. And, actually, there was a large intelligence value of sitting there as an observer, because I was able to then begin to clearly understand the outlines of the economic direction and the political direction of the down, downstream interests and what they were really trying to do. And, actually, I got a really good education as to the state's perspective on water issues, and curiously, I mean, the state and the tribe over water are always at odds, but in this one particular situation we were very common agenda, and that was the preservation of the Alpine Decree. It was the only time I've ever seen us sit together on any issue. But, yeah, I mean, you know, for us the collapse of the Phase II, I mean, no action is an action in our perspective. (Seney: Yeah.) So.

Seney: What was your impression of what you observed? What did you . . . these were the first sort of . . .

Wallace: It looked like, and I mean it was one of the times that, you know, you got to see the good-old-boy thing and, you know, and all the, all the actors (Seney: Tell me about that a little.) and–well, you had the well established, you know, infrastructure of the state and its views of their primacy over the known kingdom, you know. You had those tribes and I kind of can see where they were coming from on the commercial and agricultural interests in Fernley, and Fallon, and Lahontan Valley. I got to see Sierra Pacific in action, you know, as a player, in terms of development here. They kept the State of California out of it, although they should have been there. As far as I can tell, it gave us an opportunity and a forum to begin to speak loudly for our interests. It gave me an opportunity to hack on the Department of the Interior for their neglect in looking out for our interests. And, I had known some of those people that were assigned to the Phase II negotiations, so I kind of had an advantage of having, you know, Bill Bettenberg at the time was one of the Interior staffers on that reorganization.[15] So, for three years prior to Phase II me and him traveled from Anchorage, Alaska to Tampa Bay, Florida, holding public hearings on these reform issues for Interior, (Seney: On the BIA?) to recommend to the Senate. Yeah.

Seney: Yeah.

Wallace: So, I had no . . .

Seney: So, he was Deputy Secretary of the Interior?

Wallace: No. Bettenberg has always been in this, the civil service.

Seney: Indian Affairs, at one point he was Deputy Secretary, Assistant . . .

Wallace: I don't think . . . he might have been a Special Assistant.

Seney: Deputy Assistant. Yeah.

Wallace: I mean, he . . .

Seney: For a short period of time.

Wallace: It wasn't a politically-appointed position, because of his civil service status, (Seney: Right, yeah.) He kind of was there for a while. So.

Seney: What's your impression of him?

[15] William Bettenberg, *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, Repository for the record copy of the interview transcript is in the National Archives and Records Administration in College Park, Maryland.

Wallace: Bettenberg? He's a wily, slippery customer. I don't trust him. Yeah.

Seney: Because, he's been . . .

Wallace: I mean, I get along with him. (Seney: Yeah.) I mean, you know, I mean one of the things that I've learned early on is you don't burn bridges.

Seney: Sure. Sure. And, he's been a major player for Interior on this Truckee-Carson business?

Wallace: He's probably one of the most knowledgeable people, really, on the whole Truckee River thing going on.

Seney: Yeah. What was your overall impression of the feds? Now, I know that Betsy Rieke actually led the team, although she wasn't always there, whereas Bill Bettenberg was always there, (Wallace: I think . . .) and Fred Disheroon[16] was?

Wallace: Yeah. I think, in talking to Betsy, they resented our projection of our interests, particularly at the Interior people, that we were kind of coming in there and pissing in their punch bowl, so to speak, because we, we're kind of an unknown, unexpected, "Oh, no! We've got another Indian tribe. Two's enough, you know, (Seney: Yeah.) and they know this." I mean, you know, it kind of complicated their work, I think, a little bit, and you know they, they were (Seney: Were you . . .) sensitive to our criticism about their representation of our interests.

Seney: Were you putting any proposals forward, things that you wanted?

Wallace: No. Other than just speaking to the historical relationships of the tribe to the systems. And then actually we did produce–I don't know where it's at–a paper for consumption in those meetings. The Washoe Whitepaper called it a "long view" where we kind of brought up our historical interests but also the historical development of the non-Indian use of the upper Carson [River] and kind of how that was actually working with the natural processes. They just kind of extended the conveyance processes a little differently. But . . .

Seney: Yeah. I'd like to see that if you can get me one.

Wallace: It's around here someplace. You know, I've got your card. I'll find it. (Seney: Sure.) I've been looking for it, because it's still a very relevant (Seney: Yeah.) piece of work. And . . .

[16] Fred Disheroon, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, Repository for the record copy of the interview transcript is the National Archives and Records Administration in College Park, Maryland.

Washoe Tribe's Relationship with Other Water Players

Seney: I'd like very much to see that. What about Sierra Pacific Power? How would you describe them?

Wallace: Oh, god, we're almost engaged in litigation with them right now. They, like probably other utilities, have a strong heritage of wanting to bully their way through reservation lands, you know. So, we're in a process of litigating some trespass, some trespasses that they're involved in, where they have no legal right of ways for those power lines that crisscross our reservation, and never sought to get them. They just did it.

Seney: So, they've been there a while?

Wallace: Yeah. Oh yeah, you know, and then we're, we've got this fancy hybrid economic pass-through appraisal model that we're cramming down their throat and they don't like it.

Seney: What do you want from them, some sort of financial settlement, or do you want the lines off your land?

Wallace: Both. They need to correct history and the damages they've caused, or the economic thievery they committed, by just kind of procuring tribal lands without no consent. If they do want to maintain those lines across our native lands, they're going to have to pay . . . pay for that. Just recently they're trying to put a 120kV line from here through Carson City and they met on this proposal in their public scoping processes, met with all the other neighbors around where I live on the reservation and after the meeting they all agreed the best place to run this big power line was right through the Indian lands. So, then they tried to proceed to a condemnation process, which is illegal and rather arrogant consideration of the tribal interests. And then, we seized a hold of their throats, and indicated to them that, "It's not going to happen, and if it is they're going to have to pay a dear price for it." At that time, the leader of that negotiating team was Ray Masayko who is now the major of Carson City, (Laugh) who still remembers this harsh treatment that he received at the hands of the tribe. Which, all we we're saying is, "We're entitled to be treated fairly, (Seney: Yeah.) and we have legal rights that need to be respected. (Seney: Yeah.) And, if you wan to work with us, you know . . ."

Seney: And they can't use condemnation on Indian lands, can they?

Wallace: No, they can't. No. You know, they were very arrogant in the beginning. And since this we've chipped some of the edges off of them. But, you know, they still are, you

know. Our relationship with the Sierra Pacific Power is more litigious than anything else.

Seney: Yeah. Yeah. What about the Pyramid Lake tribe in the negotiations?

Wallace: There's always been competitiveness. I mean, it goes back thousands of years between us and northern Paiutes. I mean, the thing that we want to be careful of, although sometimes it's hard, is, you know, we've got enough enemies without drawing lines amongst ourselves as Indians, but then also there's just some things that you can't look away from. Right.

Seney: Yeah.

Wallace: And that's things that affect our interests, no matter who it is. And, that's kind of always been a joke. And intertribally and intratribally, you know, that some of the disadvantages that we've come to see over history is, kind of goes back to this thing, "We have met the enemy and he is us," you know, sometimes. (Laughter) I have an affirmative view of my valued friends. (Seney: Right.) And, there's always, and always will be (Seney: But you understand . . .) a political competitiveness (Seney: Yeah.) among the . . .

Seney: Yeah, that your interests won't always coincide?

Wallace: No.

Seney: Yeah.

Wallace: Never have, probably never will.

Seney: Right. Right. What about the Truckee-Carson Irrigation District? How do you view them?

Wallace: Oh, yeah, you know. Most of my impressions and experiences are translated through the eyes of Paiute people who have a very dim view of that, (Laugh) that group, and they kind of, they're, I guess, the Paiute version of the Sierra Pacific Power Company. I mean, from our perspective (Seney: Yeah, yeah.) because, again, a very arrogant group of people.

Leviathan Mine Issue

Seney: What do you, what are you trying to accomplish in the water area? You know, you mentioned the water quality, which is something, I guess, we shouldn't talk too much about, this mine in . . .

Wallace: I mean it's, it's an issue of we're going to, we're holding Arco and the State of California, who actually are what they call PRPs, Primary Responsible Parties, for water quality degradation because of a mine they established, and owned, and operate still. That, on an average . . .

Seney: What are they mining?

Wallace: Yeah. It was sulfur. But, about three million gallons of this is very high-toxic acid, drains into Bryant, the creeks Bryant, Leviathan, Mountaineer Creek, which have just killed all life on that part of the reservation, and then drained into the Carson, and we're very concerned about the, the chemical, heavy metal contamination of our water supply, and, that our community relies on to, to live. And, it's also, the places which we thought were the safest, and that's where our children play.[17]

Seney: Ah. So, there's that emotional (Wallace: Oh, very much so.) segment as well? Yeah.

Wallace: I mean its just gnawing repetition of the subordination of our interests as against anything else, rock climbers, (Seney: Yeah.) power company, (Seney: Right.) good-old-boys, you know, (Seney: Yeah.) status quo.

Seney: Yeah. You really can't sit back and wait for people to do the right thing, can you?

Wallace: No. We need to . . . I mean, you know, we need to work hard, as if today was the last day.

Seney: Yeah. Well, what did, I take it that's one of the things you want that mess cleaned up and . . .

Wallace: Oh yeah. We have to.

Seney: And, mitigated?

Wallace: I mean, and if that's not our interest I mean this whole valley, you know . . .

Seney: Anyone else going along with you on this?

Wallace: People have been kind of very supportive of the tribe's efforts to bring the Leviathan Mine to the forefront. Before it was something no one was supposed to talk about.

Seney: Yeah.

[17] For information on the Leviathan Mine issue see John M. Glionna, "Poisoned River Threatens Tribal Heritage; Pollution: Old Mine Taints Waters that Flow into Nevada. California Owns Site, Complicating Cleanup Efforts," *Los Angeles Times*, April 22, 2000; "The State; IN BRIEF/ALPINE COUNTY; Oil firm Buys 480 Acres for Tribe in Settlement," *Los Angeles Times*, November 16, 2001.

Wallace: But now that the kitty's out of the bag and all of a sudden it's kind of been a politically popular thing to assign yourself to as, "Boy, we're concerned."

Seney: Yeah. Yeah. What else do . . .

Wallace: But, it took the tribe to get the ball rolling.

Seney: Did it?

Wallace: Yeah.

Seney: Yeah. And was it largely because of your children?

Wallace: I would say almost certainly (Tapping table) because of the, you know, our concerns for children, (Seney: Yeah.) and the welfare of the community. I mean, I remember . . .

Seney: The transcriber will notice you (Wallace: Oh.) playing with your top.

Wallace: I remember the first time . . .

Seney: He's playing with his top, is what he's doing. (Laugh)

Wallace: When we first approached the E-P-A about their enforcement responsibility they kind of laughed at us, but, you know, a year later we're jamming them, you know, and telling them kind of what to do.

Seney: Yeah.

Wallace: And, there's a group, we had to build federal unity. We had to get the whole federal sector together on Leviathan and now there's this group called the Trustees Group for the Leviathan Mine Council, which the tribe is the lead of. And the states, and Arco, and State of Nevada, you know, all the Interior family, you know, the tribe's the lead administrative trustee. So, you know, in about fourteen months (Seney: Yeah.) we've really turned history (Seney: Yeah.) around on that one.

Seney: Well, that's pretty quick movement on something, so it must be a serious situation?

Wallace: Yeah.

Other Washoe Tribe Concerns

Seney: Yeah. What else would you like to see in terms of, as you look out one term, maybe another term as chair? What do you want to see done with the water in, from your interests, the Washoe's interests?

Wallace: Oh, well I mean in the end, I mean, the Washoe primacy established over all of the water resources in our territorial boundaries. We have made that declaration and legislated that just this year, and projected that through the E-P-A.

Seney: You said through the tribe, Tribal Council?

Wallace: Uhm-hmm.

Seney: Yeah.

Wallace: And stapled a nice map. I mean . . . but I mean in the end all we're trying to do is draw our old maps for our children to follow, not follow other peoples', or maps that are drawn by other people. Yeah. Primacy is the best word I can come, come up with.

Seney: You know, I can imagine . . .

Wallace: Legal, political, morally, ethically.

Seney: Right. I can't imagine you want to, all of a sudden, turn off the tap to Reno and Sparks, and Carson City?

Wallace: No. We'd put a meter on the tap, probably.

Seney: Yeah. So, what you're talking about may be stewardship over the water as well as primacy?

Wallace: Well that, I mean . . .

Seney: So that you have some capacity to decide how it's used, where it's used, what it's used for, how much is developed, what is developed, (Wallace: Sure.) where it's developed?

Wallace: It's the key. It's been the key to the past, the present, and the future.

Seney: Is that a . . . is that a realistic and realizable goal, do you think?

Wallace: I don't know. Some people told us that survival was not a predicted outcome, either. So, we believe if we can stare down extinction then we can pretty much deal with any

political water issue. It's the dream that maybe people don't want to see, or can't see that we see, that we pursue. Maybe not in my lifetime. Maybe, I mean it took us 110-112 years to get the president to come here and he finally came. So, we're not going anywhere.

Seney: Is this part of the Indian broader, longer view of things, do you think, than the Anglo-American would have?

Wallace: Yeah. We've always been here and always will be here. We're not going nowhere. I mean, I think that's kind of one of the things that the community is starting to understand is, you know, the Washoes aren't going anywhere. Yeah. I mean, you know, and then they have to deal with us. So, yeah. The repatriation of Washoe homelands is the repatriation of Washoe people too.

Seney: So, I take it, as you said earlier, the repatriation of lands at Tahoe is really important from your point of view?

Wallace: It, it represents survival to us.

Seney: And a kind of regeneration of the culture?

Wallace: You bet. And actually, the clear lesson is, [that] because we were able to hang on and with these lands is why we're here today. Had it not been for that we would be a historical footnote.

Seney: How many of there, how many are there of you now?

Wallace: About 1,650.

Seney: From a low of . . .

Wallace: Technical tribal members, under the Dawes Model.

Seney: Yeah. (Laughter) Yeah, those were enrolled members (Wallace: Right.) of the tribe. Right. And, does that include men, women, children, the whole (Wallace: Yes.) group?

Wallace: Yeah.

Seney: Yeah. I wanted to ask you if your family owns any of these allotments?

Wallace: Yeah. They're scattered all over in there, yeah, Carson, Double Springs out here, and all over the place.

Seney: So, you're one of 300 in this, that, or (Wallace: Could be, yeah.) the other allotment?

Wallace: Yeah.

Seney: Yeah. Right.

Wallace: It's Indian land. That's all we need to know.

Seney: Well, I think your point about the . . . the elaboration of the ownership, keeping it undeveloped, is a very interesting one.

Wallace: Yeah. You know, you kind of wonder. And, like I say, in some ways that was a cruel twist of irony on Senator Dawes. (Laughter)

Seney: Yeah. It backfired on him, didn't it?

Wallace: Yeah.

Seney: Yeah.

Wallace: In this, in this situation.

Seney: In this instance? Yeah. I mean, I can, your point is a fascinating one about how you've allotted out to the, what's left of the tribes and then just squeezed the reservation down to that amount of land. (Wallace: Yeah.) And . . .

Wallace: It's, I mean, gees, the Spanish applied that model in South America, you know, Cortez. The definition of a quantifiable standard of race [Recording interrupted] . . .

Seney: Well, and it's been used recently?

Wallace: Goes back to the colonizing.

Seney: In Europe. Yeah.

Wallace: Well, I mean, believe it or not Hitler admired the model and (Seney: Yeah.) applied it with devastating impact in Europe.

Seney: That's what I'm alluding to. Right.

Wallace: Yeah.

Seney: Who's a Jew, after all? Yeah. (Wallace: Yeah.) It didn't take much to meet their definition.

Wallace: Yeah. (Laugh) Yeah. It didn't take much to set off a Nazi, did it?

Seney: No. Not much.

Wallace: The–and people have argued–you mean . . . the only difference between western history and Europe and here is that the Nazis here get to write the history. (Laughter) But, I mean, you know, it's, we're still pressing for, you know, decolonization, (Seney: Yeah.) believe it or not, here in America. And, it's happening everywhere but America, actually. (Laugh)

Seney: Yeah.

Wallace: You've see it in the Belgian Congo, and you've see it in Indonesia, you see it (Seney: Yeah.) in New Zealand now, and the Northwest Territories. You have very strong decisions that are proclaiming that the Discovery Doctrine[18] and all those legal principles that has cascaded ever since are irrelevant and illegal, with regards to the illegal extinguishment of native title, under common law values and principles. At one time, America was considered as in the forefront of legal progressiveness, but now they're internationally known as being the caboose of human rights. And, (Seney: Yeah.) so.

Seney: I mean, you're obviously someone whose . . . whose learned to adapt and to navigate your way through the Anglo-American political system, legal system, but as an Indian are you bitter?

Wallace: Of course, you've got to remember history. But also, I guess as the Godfather says, I mean, "You also need to understand the world around you." Oh, there's resentment. I mean, you know, before I came down here I had to deal with some very racist issues, law enforcement, subject matter (Seney: [inaudible]) jurisdiction up in Alpine County and Markleeville (Seney: Yeah.) where people were using very stereotypical and racial metaphors for the character of Washoe people and their interests and how we proceed to represent them as a tribal government. And so, if you ever take the time, I don't, to read the local papers there's always constant demonetization of the tribe and its . . . its interests and matters; how we go about doing our business. So, we live with it everyday. Yeah, of course you resent it. I would like to hope that my children, like probably other people before me, like my parents, would come to have an opportunity to live in a world where they don't have to confront that daily. But, a long ways off it seems right now.

[18] For information on the "discovery doctrine see "The Doctrine of Discovery," http://doctrineofdiscovery.org (Accessed November 2012).

Seney: Yeah. Yeah. And you can't, you can't let up if you want to (Wallace: No.) protect yourself or advance your interests?

Wallace: Right. Because we know what will happen if we do.

Seney: Well, that's pretty much all the questions I have. Is there anything else you want to add that I haven't asked? I'm sure there's lots.

Wallace: Well, not that I can think of. I mean, you know, if you want to do this again.

Seney: Okay.

Wallace: It's kind of therapeutic for me too.

Seney: Good. It's been very useful. You really, you're perspective's been superb for me. And, one of the things, you know, that strikes me as I look at your map is how, you know, you're involved with Lake Tahoe. You're involved with the Carson Basin. You're involved with the Truckee Basin. You're the only tribe, really, that has interests in all of those areas.

Wallace: Well, we're getting involved in Sierra Valley. And . . .

Seney: What did you, did you have a view on the Honey Lake Project, when that was being . . .

Wallace: Yeah. I mean, you know, again, if it's anything that has to do with promoting urban growth in traditional territories we're down on.

Seney: Yeah.

Wallace: Plus, we have never been allowed to forget our ethical and moral responsibility to serve as the voice and the guardian of these lands.

Seney: Is the Bureau of Indian Affairs much help?

Wallace: Yeah. I see them as an administrative unit. I mean, they carry the baggage of good and bad, you know, but in the end they're an instrument of U.S. policy that has the whole of it not served us well. They're a good people, like Bob Hunter, and work very hard to try and do (Seney: Right.) right by Indians, but the traditions of the institution that he's a part of. And, I'm not just saying Interior. It's U.S. Forest Service, too. It's E-P-A, or whatever that, that model will never ever be designed to totally benefit us. So.

Seney: All right. Well, thank you. I appreciate your time and I will come back and talk to you again.

Wallace: Sure. I look forward to it.

Seney: All right. Good. Thank you.

END OF SIDE 2, TAPE 2.
END OF INTERVIEW.