

ORAL HISTORY INTERVIEW

THOMAS (TOM) A. STREKAL



STATUS OF INTERVIEW:
OPEN FOR RESEARCH



Interview Conducted and Edited by:
Donald B. Seney in 1995, 1998, 2006
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Statement of Donation

Enclosure 1

STATEMENT OF DONATION ORAL HISTORY INTERVIEWS THOMAS (TOM) A. STREKAL

1. In accordance with the provisions of Chapter 21 of Title 44, United States Code, and subject to the terms, conditions, and restrictions set forth in this instrument, I, Thomas A. Strekal, (hereinafter referred to as "the Donor"), of the Bureau of Indian Affairs in Carson City, Nevada, do hereby give, donate, and convey to the Bureau of Reclamation and the National Archives and Records Administration (hereinafter referred to as "the National Archives"), acting for and on behalf of the United States of America, all of my rights and title to, and interest in the information and responses (hereinafter referred to as "the Donated Materials") provided during the interviews conducted on October 10, 1995, July 20, 1998, and June 15, 2006, at Carson City, and prepared for deposit with the National Archives and Records Administration in the following format: cassette tapes and transcripts. This donation includes, but is not limited to, all copyright interests I now possess in the Donated Materials.
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Date: 8/10/2010Signed: Thomas A. Strekal
Thomas A. Strekal

INTERVIEWER: Donald B. Seney

Introduction

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

One component of Reclamation's history program is its oral history activity. The primary objectives of Reclamation's oral history activities are: preservation of historical data not normally available through Reclamation records (supplementing already available data on the whole range of Reclamation's history); making the preserved data available to researchers inside and outside Reclamation.

In the case of the Newlands Project, the senior historian consulted the regional director to design a special research project to take an all-around look at one Reclamation project. The regional director suggested the Newlands Project, and the research program occurred between 1994 and signing of the Truckee River Operating Agreement in 2008. Professor Donald B. Seney of the Government Department at California State University - Sacramento (now emeritus and living in South Lake Tahoe, California) undertook this work. The Newlands Project, while a small- to medium-sized Reclamation project, represents a microcosm of issues found throughout Reclamation: water transportation over great distances; three Native American groups with sometimes conflicting interests; private entities with competitive and sometimes misunderstood water rights; many local governments with growing water needs; Fish and Wildlife Service programs competing for water for endangered species in Pyramid Lake and for viability of the Stillwater National Wildlife Refuge to the east of Fallon, Nevada; and Reclamation's original water user, the Truckee-Carson Irrigation District, having to deal with modern competition for some of the water supply that originally flowed to farms and ranches in its community.

Questions, comments, and suggestions may be addressed to:

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

Editorial Convention

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

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

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

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

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**Oral History Interview
Tom Strekal**

Seney: It is October 10, 1995. My name is Donald Seney, and I am with Mr. Tom Strekal in his office in Carson City, Nevada. Good afternoon, Tom.

Strekal: Hello, Don.

Seney: Let me begin by asking you to tell me when and where you were born.

Early Life

Strekal: I was born in Cleveland, Ohio, on Groundhog Day in 1949.

Seney: What is Groundhog Day?

Strekal: February second.

Seney: February second. Okay. What did your father do?

Strekal: When I was a child my father was a bank manager, and going through change of life, as we all do, he became a maintenance man (chuckles) late in life.

Seney: How does that happen? Did he tire of being a bank manager?

Strekal: No. Medical problems, personal problems. You know, things fell apart.

Seney: Was he happier as a maintenance man?

Strekal: In some respects, I think. It kept him out of the house more. (both chuckle) Well, he worked as a security guard too, which to me is just a really-strange type of occupation, you know. So, I mean, he replaced a home-life with work.

Seney: Home-life meaning he was gone so much (Strekal: Oh, sure.) at this point. How did that affect you? I mean, your father going from a professional job to maybe not a professional job.

Strekal: It was a shock. I mean, you know, then again there were a lot of changes in the family that related to it, and you know, he essentially became an odd person to me. So, in a lot of respects I regret that, and [was] even a little bit angry because as I was growing up and was discovering things, there no one to share them with.

Seney: How old were you when this came about?

Strekal: Oh, let's see, I guess the pivotal time was probably, I was thirteen. I think that's probably the beginning of the major changes. We used to go Canada every summer. So, for me, as a city boy, going to Canada for two weeks was just something I lived the other fifty weeks of the year for, and that first year in *my* memory that we didn't go to Canada, it signified to me that things were different.

Seney: Yeah. What about your mom? Was she a homemaker as they say?

Strekal: Yeah, yeah. She was a homemaker and that was pretty much it. Neurotic, but a homemaker. (laughter) It was only in later life that I realized it.

Seney: Is that right?

Strekal: Yeah.

Seney: And you went through high school in Cleveland?

Strekal: Yeah, yeah.

Seney: High school or school much of an influence on you, do you think?

Strekal: Well, my schooling was different from—certainly in my formative years—different from academic career in college because I lived in the city. So urban dweller and in a transitional neighborhood. So, it went from very ethnic to very much a racial type of neighborhood. I mean, you know the neighborhood was changing.

Seney: Changing to a black neighborhood?

Strekal: Yeah, I mean, we used to have our individual neighborhoods: the Polish people, the Slovaks, the Slovenians, the Bohemians, the Jewish people, and then the blacks were kind of out *there*. And as I was growing up the neighborhoods started changing, the blacks were moving closer, the ethnic groups were moving out of town to the suburbs, and my high school was actually larger than my college and probably seventy-five percent black. College was ninety-nine-point nine percent white. So, my background was a lot different.

Seney: What kind of a name is Strekal?

Strekal: Its Slovenian. As I understand it, it was possibly originally "Strekalje" with a J-E at the end, and then it was shortened when a series of brothers came over in the early 1900s. So, it's an unusual name. I think anyone that has my last name would be a

relative, more likely than not.

Seney: Well, these were frequently shortened at the embarkation points. (Strekal: Yeah.) "Embarkation" is not quite right, is it?

Strekal: The point of landing. Yeah, the entry point.

Seney: Yeah, the point of entry. Right, right. Where did you go to college?

Strekal: I went to Bucknell University. It's in Lewisburg, Pennsylvania. About sixty miles east of Penn State.

Seney: That's a private school, isn't it?

Strekal: Yeah.

Seney: What took you there?

Strekal: I guess because I was too late to get into Stanford and go Ivy League and these were the expectations for the group of kids in my class, or in my group in high school. You know, we were the academically talented. There were the aspirations for all of us to go Ivy League and be big time. So I ...

Seney: You did well in high school then? You've been a good student pretty much all along?

Strekal: Oh, yeah. Oh, yeah. I guess the thing that was great about being a good student in school in Cleveland is that if you got all As on your report card you got free baseball tickets to go the Indians games. (Seney: Ah!) So, I used to get six pairs of tickets every year, and then when my dad was working at the bank he would get free tickets. Sometimes I would just go with him; other times I would be able to go to these bank dinners and then go to games—see [Micky] Mantle and [Roger] Maris play and everything else. So, baseball was always *big time* growing up in the city and it was real accessible. And real cheap.

Seney: Yeah. That's interesting. I've never really heard of a team doing that. That's kind of a neat incentive.

Strekal: Well, it was through one of the local newspapers. And so, I mean, it was big time. When you got your report card you jumped on the bus, went downtown, went to the desk at the newspaper office and you got your envelope. And it was great, I mean, it was real exciting.

Seney: You got six tickets because there were six of you in your family?

Strekal: No. There was just six pairs. That's the way it worked. Any of—like ninth grade and above. So, every year it was six sets of tickets. It was a good deal.

Seney: Yeah, I would think.

Cleveland Influence

Strekal: I had a lot of fun. You know, I look back on growing up in the big city—and, of course, as a youth always rebellious and kind of always finding fault with everything—I look back there were a lot of advantages growing up in a big city. And then culturally, recreationally, there were a lot of good things. And I gained a lot of insight, I think, because of the ethnic background, and also the racial stuff as well. I have experiences that a lot of people don't have. I was a bartender when I was fourteen. (laughs)

Seney: How did you get to be a bartender at fourteen?

Strekal: I worked at a bowling alley and one of the jobs that I assumed was tending bars, so I was serving shots and beer and everything else. (both chuckle) And there was a bus stop right outside the window, so, I mean, anyone getting off the bus could see there was a kid tending bar, but it was a neighborhood nobody cared; just the way the neighborhood operated. And then going to college it was—Bucknell's not Ivy League but *almost* Ivy League.

Seney: Yes, it's a very good school, isn't it?

Strekal: Yeah. And so, my experiences were a lot different from most of the kids from New York, Southern Connecticut, New Jersey.

Seney: What year did you graduate from high school?

Strekal: [In] '67.

Seney: [In] '67. Would Cleveland have been immersed in riots at the time? (Strekal: Oh, sure.) So, you were there when that happened?

Strekal: Oh, yeah. I was working for the phone company at the time, and I was an installer, and so I had go into the ghetto to do the work. And my recollection—probably the most poignant thing—they said that we couldn't work alone, so they assigned each of the installers a person from management to accompany us. And I realized the only reason these people were coming along with us was to be a witness in case something

happened. (laughter)

Seney: Did you have any trouble, as a matter of fact?

Strekal: No, I didn't. In fact, I gained some insights from *that* experience, too, because I realized that not everyone was rioting, not everyone was angry. I *knew* why people were angry, but in being able to talk to the individuals, rather than being caught up in that group mentality or the riot mentality, there was a lot of sadness, lot of people were hurt by it—the black people—many said they felt sorry for me because I had to be there. And I thought, “My gosh, these people are very caring; they understand what’s happening.” And it changed my attitude, too, because there was a lot of bigotry among the ethnic groups. Everybody hated the blacks, because they were infringing on their lifestyle, taking their freedoms that *they* or *their* parents had achieved. It was an interesting place to grow up.

Seney: When you say you realized why they were rioting, why they were angry, is that one of the reasons, you mean, is the antagonism that the ethnics felt for the blacks and the ...

Strekal: Yeah, sure, sure. Yeah, I mean the neighborhoods were horrible. They didn't have a lot. But, of course, I tend to see now that the people in Nevada have very negative feelings about Indians because they say, “Ah! These Indians are getting everything. They're taking stuff away from us.” I'm thinking, “My gosh! They never had much for the past hundred or so years.” So, I mean I ...

Seney: You see a parallel there?

Strekal: Oh, sure. Oh, sure. I mean for me every day is an education. Bigotry is everywhere, and I think it's really tough to overcome it.

Seney: Yeah. What did you study at Bucknell?

College Education

Strekal: I thought I would be a math major, because I was very good in math. In fact, I won the math award in high school and decided I didn't want to go to University of Rochester and picked Bucknell somehow. When I realized that I didn't really care about math—it didn't relate to anything—I thought maybe I'd be a French major, maybe psychology major, maybe an English major. But then I realized that my love was biology, and just kind of fell into it. Finally admitted that the other things were nice and I could be a dilettante but I had to devote myself to something, and the biology was really my first love.

Seney: What is it about biology that attracts you?

Strekal: Natural history. As a kid that's what made Canada so exciting, so much fun, because getting out of town and spending time on the water, turning over rocks, collecting stuff, taking stuff back to Cleveland, the 500-mile drive, walking in the woods, just all that time to explore.

Seney: When you say, "natural history," what do you mean?

Strekal: Identifying plants, animals, kind of understanding the interrelationships. I became a real avid hiker in high school. I don't exactly know how that happen. Well, let's say, I admitted to myself in high school that I liked being out in the woods, and then when I went to college, being in Central Pennsylvania, it was a perfect place to get out and explore, because Lewisburg had 5,000 people as opposed to the million-plus that was in Cleveland, and within five minutes to be out of the town, off the campus, on the river, in the mountains, in the streams. And somehow, at some point I learned about limnology. In fact, it was my senior year. [I] took a course in limnology, and I found out that everything that I *knew* and everything that I *liked* was sort of embodied in limnology.

Seney: What is limnology?

Strekal: Study of lakes and rivers, freshwater systems ... And went on to do my graduate work in aquatic biology. Everything just kind of fell into place.

Seney: Did you continue to at Bucknell for your graduate ...

Strekal: Yeah, yeah. Didn't know what else to do, and they offered me an assistantship and a master's degree and I said, "Sure, why not? We'll do that." And it really helped to confirm a lot of the things that I knew and felt, and also by teaching others, you learn yourself, and it was a good opportunity.

Seney: The Vietnam War was going on at this point.

Strekal: Uh-huh.

Seney: Was that an incentive to stay and get a master's degree, do you think? (Strekal: No.) People thought in those terms in those days.

Strekal: Well, people did, but at that time I think the fear was gone. I wasn't going to be drafted. My number was never called, and for me ...

Seney: Did you have a pretty high number in the lottery?

Strekal: Oh, it was 154, I think, or something like that. So, I made out okay. And really not that many of my friends went. When I got out of college, I found out that several of the people with whom I'd attended high school had gone to the war, and I finally learned at least of one person that had been killed, but never really had much direct involvement. I did the protesting in Washington, did the door-to-door stuff in Lewisburg, was active for quite a while in anti-war activity, but when you're in the center of Pennsylvania you're pretty much removed from the hotbed of political action.

Seney: When did you finish your master's degree?

Going to Work for the State of Pennsylvania

Strekal: I got that in 1973 and had an opportunity then—I'd done some work with the State of Pennsylvania, and they had asked me if I would be interested in working for *them* in doing water quality work. And at the same time, I got a letter from a power company in North Carolina telling me that they had a position opening and they wanted someone with my background. I didn't know *anybody* in Carolina Power and Light ...

Seney: How did they find you?

Strekal: Apparently, a friend met one of their employees at a cocktail party and passed on my name. They sent me a letter, flew me down, interviewed me, offered me a job, and I decided I didn't want to be an apologist for the power company, because I think that's what they wanted. They wanted someone that they could push up front and say, "Look, we have an ecologist working for us. For me it was ... Well, Pennsylvania was very familiar and very dear to me at the time, and to be able to work for them as an aquatic biologist, water pollution biologist, it just seemed to be the right thing to do.

Seney: Which part of the Pennsylvania State Government did you go to work for?

Strekal: Well, at the time, it was the Department of Environmental Resources, and it was their Bureau of Water Quality Management, and I was working in Philadelphia and the four surrounding counties. So very limited geographically, but real diverse in terms of biological conditions, because I had the country, and I had intercity, Delaware River, Schuylkill River and then all the little tributaries and all of the farms, so ...

Seney: What were you doing for them?

Strekal: Water quality sampling, evaluation, assessment—had a regular monitoring program.

We'd go to various streams and then if there were fish-kills or reports of discharges and such, I would go out and do an evaluation of the stream conditions. And in a fish-kill you try to go out and determine the cause of the kill, but in the river systems that I was working in—the Delaware River's a pretty large river—pretty difficult to attribute the cause to any *one* entity. But I ...

Seney: Took a little detective work, I take it.

Strekal: Yeah, yeah, in some respects and, of course, it got me out a lot. A lot of opportunities to go on boats, wander around in streams, make my own schedule. I was in the field maybe four out of five days, worked out of my home, had a Jeep to use, only went in to write up reports. It was kind of an ideal situation. I was told once that it's probably one of the best jobs in the world. (Seney chuckles) And, I guess, if you're living in Pennsylvania maybe it is one of the best jobs in the world.

Seney: You began there in '73? (Strekal: Yeah.) And how long did you stay?

Strekal: I stayed five and a half years. I always felt that there was something more that I should be doing. I was becoming stale.

Seney: Doing the same job essentially.

Joined the U.S. Fish and Wildlife Service

Strekal: Yeah, yeah. And I didn't think that things were going to get any better; there was no opportunity for advancement; very few administrative positions, working up through the ranks, and I had always enjoyed ... Well, I remember as a kid, I was concerned about endangered species even as a kid, even before there was that official designation, and I had an opportunity one time to work for the Office of Endangered Species in Washington, had an interview ... Well, there are a lot of stories that go along with my employment. I've always been very fortunate. Jobs have always presented themselves to me. I've never really had to go out and seek them. And going to work in Washington was sort of a dream come true. You know, working in the Endangered Species Program *and* going to Washington, because Washington was a place that as a kid I always wanted to go. My family knew our congressman, and I always used to get stuff in the mail from him, and I knew his sister and ... It was one of those magical places. So, to go to work in Washington was viewed as a plum at the time.

Seney: Where was this job in terms of the federal bureaucracy?

Strekal: It was within Fish and Wildlife Service. So, it was one of the many divisions of Fish and Wildlife Service in the Department of the Interior.

Seney: And how did you get this job? How did it come about?

Strekal: Let's see how *did* it come about? I had heard about a job in Washington, D.C., within this office, and had sent in an application, went down for an interview, had a *great* interview, I thought, with the man who was doing the hiring and his fishery biologist. [I] thought it was just a terrific time; took off work one day, left at five in the morning, drove to D.C., had my interview, and drove back to greater Philadelphia area. And I waited. After the interview I waited, I waited, I waited. Five months went by, never heard anything. I thought, "What's going on here?" I got a telephone call from somebody else that worked in the office but in a different division, and he introduced himself to me and said, "I'm 'So-and-So' and I have a job open here and I was wondering if you would be interested in it." And I said, "Well gosh, Dave, it's really nice of you to call, but I've interviewed with Paul, and I'm still waiting to hear from him." And he said, "Oh, you didn't get that job." (both chuckle) And I said, "What do you mean I didn't get that job?" He said, "You didn't get it." I said, "Why not?" He said, "Oh, they abolished it. There's not a position there." And then I was angry because I thought, "Well what are you doing telling me? Why didn't Paul tell me?" Well, I finally got over that. We talked it through a little bit, and he says, "I've got this job and it's a pretty good one—and someone with your background. I'd like you to come down and talk to me about it." I said, "Okay," went down, had an interview with him and he hired me.

Seney: On the spot?

Strekal: Essentially. Well, actually he said, "I'm offering you the job. Do you want it?" And I said, "Well, give me a couple of days to think about it." And I thought about it, and it was certainly a major change of life. I mean, leaving the familiar, leaving the security of what you know, and moving to D.C. and taking a pay cut. It was a big decision, but I thought, "Well, if I don't do it now, when will I do it?" And so, I went down and took the pay cut and bought a house, which I couldn't imagine ever doing. But eventually things worked out real well. I sort of got back the money that I had lost and then got a couple of promotions; ended up working for the guy who interviewed me initially. I mean, things were okay, but it was a fledgling program. People were still trying to figure out what their jobs were, and what our role was in the whole scheme of things, and things were not very organized in Washington.

Endangered Species Office

Seney: Now this was the Endangered Species Office (Strekal: Right.) within Fish and Wildlife. (Strekal: Right.) What did you understand, in time, your job to be in that office?

- Strekal: Well, initially I was in the Management Branch, and I was doing consultations under Section Seven of the Endangered Species Act. The various bureaus consult with the secretary on actions that might affect endangered species. So, I was doing programs on bats, on alligators, on fish, on freshwater mussels, on any type of animal imaginable—really learned a lot. I mean, to me it was exciting because I was open to it. Experts all around the country and even around the world, constant telephone interviews, people that are working on this, that, and the other. And for me, it really opened my eyes a lot. I saw the range of activity and the range of impacts.
- Seney: Give me a concrete example of what you might do concerning bats. I mean, might there be a question: Is this particular type of bat endangered? And then would you ...
- Strekal: Well, we'd know if it were or not.
- Seney: Okay, how would you know that?
- Strekal: Well, that would be established because there was a list of species, and we would contact the appropriate office. They'd tell us the species is here or not, and then we would get this proposal as part of the consultation from the action agency, and they would describe what they wanted to do, where. And we'd get out the maps and we'd look at the locations and try to figure out where the bat habit was and figure out, "Well, is there going to be an effect on the opening of the bat cave? Is this going to affect ventilation at all? What are the habits of the bats? Where are the foraging areas, the nesting areas and everything else?"
- Seney: Might this be the Park Service, for example?
- Strekal: Oh, sure. Park Service, Corps of Engineers ...
- Seney: Bureau of Reclamation even?
- Strekal: Could even be Bureau of Reclamation. And then I would start calling the noted experts and telling them what the plan was intending to do, and if it were in this type of habitat, what could we expect, and if it were in this type of habitat, what we could expect. So [I'd] try to tie all of the various pieces of the puzzle together and then make an assessment: Will this have an effect or not? If not, that's fine. If it will [have] an effect, then what can done *to* the project to change it so it won't have an effect? So, again, it's kind of investigative. It's an academic exercise, and it was fun. I've since learned, I'm not really a scientist, I think, in the strict sense, but I still have that keen sense of inquiry. It's probably why I'm doing what I do here, whatever it is I do. And that was fun. Then I had an opportunity to go into the Listing Branch which would take—this was before the species ever appeared on the list—and helping

make the determination if the species is truly endangered or threatened; putting together what we called the listing packages, the regulation package that would get published in the *Federal Register*; and again, talking to the experts and evaluating public comment; and then making determinations based on all the information.

Seney: So, would this be a kind of recipe that one would follow in terms of *listing* a species then, the steps you'd have to go through?

Strekal: There are certain procedures, but what you do within each step is kind of wide open, depending on the contacts that you make and the evaluation you do and the conclusion you reach. So, there was a lot of freedom involved in that, but the program was just *so* big, so far-reaching. I mean, again, working from coast-to-coast, and a lot of times trying to do some international things as well. It was fun, but there was a lot of pressure working in D.C. also.

Seney: Let me ask you, first of all, because I want to see if I can get you to be as concrete as possible about these things because, remember, people are going to be reading this in the future, and they are going to be wondering, "Well, exactly was he doing coast-to-coast and internationally, in listing these things?" So, if you could give us just a concrete example of what you might have done.

Strekal: One thing that I was doing, there was a project in Alabama and Mississippi. It was called the Tenn-Tom Project, Tennessee-Tombigbee rivers, and the Corps of Engineers was building a canal to connect the Tennessee and Tombigbee rivers so it would allow towboats/tugboats—depending on the part of the part of the country you're in and who you're talking to they're either tugs or tows—and moving these things from the Tennessee and moving coal down the Tombigbee River to the Gulf of Mexico. And, of course, this was going to change the entire flow regime in both rivers—flow regimes and water quality. And my job was to evaluate impacts that this change in flow regime and change in water quality would have on the known freshwater mussels that were in the Tombigbee River system. So, I would try to see where the locks were going to be built, and how they would regulate water, and then look to find the habitat areas for these various mussels and try to evaluate what the impacts would be, and then also come up with recommendations to the Corps of Engineers: what they could do to either eliminate or at least reduce impacts in these various areas.

Seney: This would, I think, would probably be fairly imprecise, wouldn't it? I mean, would it be easy to get a handle on what might happen to these mussels as you introduce this other river flow into the Tombigbee River?

Strekal: Judgment call. And so much is based upon experience—what you know *generally*

about hydrology, what you know *generally* about biology—but then you also have to look at the specific requirements for each species. Freshwater mussels themselves are very interesting because they have a complex life cycle. There's a parasitic stage that attaches to the gills of fish, and so the fish is an intermediary in their life cycle. They depend on the fish in large part for sustenance and then also in assisting these things in relocating and becoming distributed in the river system. So, they're pretty fascinating animals. I mean, they're not much to look at, but they're varied, and many, many locations in the Southeastern United States had mussel species and a number of them were endangered or threatened because of all of the water projects, demands for water.

Seney: Are these edible?

Strekal: They're edible, but apparently they don't have high food value; probably greater food value for raccoons and such. I know that aboriginal Americans ate them, but, again, it was sort of a secondary food source, because there'd be more protein in other types of food.

Seney: So, you primarily worried about them as a food source for other animals.

Strekal: For the animals. You just reminded me one of the main reasons these things were endangered is because freshwater mussels produce pearls, and the pearls are highly prized. So, there are a lot of pearling operations—Mississippi River and also in the Southeast. So many of these things were dredged, and a lot of them were wasted just to find those few gems.

Seney: Although this would be a group of people who'd be interested in making sure these mussels were still around.

Strekal: Well, it'd be kind of like the same people that are cutting are down the forest in the Northwest. (laughter) *You* make the analogy. (laughter)

Seney: Yeah, okay. You started to say that this was different, working in this large federal bureaucracy, and I wanted to ask you about that. Here you'd been working for the state pretty much on your own, I take, without a great deal of supervision, (Strekal: Right.) and now you come into the federal agency. Tell us what that was like.

Fish and Wildlife Service

Strekal: It was real difficult to figure out where I fit. I think many of us had a difficult time figuring out where we fit because when I worked for the state I had supervisor and my supervisor had a supervisor, and that was pretty much the chain of command. Going to work for the federal government, I had a supervisor, he had a boss, the boss

answered to a higher-level management person, who answered to another higher-level management person, who answered to an assistant secretary, and then there was the secretary, and then we had the various solicitors, the lawyers that we dealt with, and an incredible web of bureaucracy. So, I came in, I think, fairly ingenuous, and I don't think I ever *really* quite figured out where I fit there, because of all of these interconnections, and a lot of times I didn't want to play those bureaucratic games. Sometimes we're at the mercy of Congress for funding for authorization for programs, and so I think I always felt just a little bit off balance.

Seney: Let me turn this [tape] over.

END SIDE 1, TAPE 1. OCTOBER 10, 1995.

BEGIN SIDE 2, TAPE 1. OCTOBER 10, 1995.

Seney: Let me say something. I mean, here you're out working on your own, you've got your Jeep, you're working at home, going in to, I take it, a small office where you've got a desk once a week at the state. Now, physically, I take it, you probably had a desk in a large room filled with like desks.

Strekal: Let's say in a large complex in a high-rise building. I became a commuter. That was a real shock. I went from being fairly autonomous to being very regimented. I carpooled with five other people, and I learned quickly how easy it was for people not to talk to each other, to keep crazy hours, to be in bumper-to-bumper traffic, and travel anywhere from an hour to three hours every day for a job that sometimes you wondered, you know, was it really rewarding.

Seney: Well, there must have been times when you wondered that.

Strekal: Many times. The climate wasn't good—a lot of pressures, urban pressures or suburban pressures, climate, political pressures—and it's a very stressful environment. In looking back on it, I'm glad I did it when I was younger, because I endured and also became knowledgeable how the system works. So now when I go to Washington, I feel very comfortable, very secure in what I know and in understanding how the government operates. I'm not intimidated when I go back. I think when I worked there I was intimidated, but one of the pleasures now is when I go back to Washington, I also know I can leave.

Seney: Yeah, yeah. And I suppose it is a good sort of primer, isn't it, in demystifying the (Strekal: *Very good.*) bureaucracy back there.

Strekal: It's a *very* good primer. Again, some people view it as the reward for good service to the government, and in getting that job in Washington, to me, the reward is being

able to leave and still be employed.

Seney: So, this would have been about, what, '78 or '79 when you went to work for the Fish and Wildlife Service?

Strekal: It was 1979.

Seney: [In] '79. And how long did you stay in Washington?

Coming to Nevada

Strekal: Three-and-a-half years. So, I came to Nevada in 1982.

Seney: What brought you to Nevada?

Strekal: A friend of a friend who worked for Fish and Wildlife Service heard about a job that Reclamation had advertised in Carson City. They were looking for a fishery biologist, someone to work on, as they said, Pyramid Lake issues. And a friend of a friend told me and said, "This sounds like something *you* might like." And both of these friends worked in Sacramento. I had met them when I first started working for the federal government; and very close to them. I sent in an application, had a phone interview, and was offered the job.

Seney: You had never been to Carson City, Nevada? (Strekal: Oh, no.) Any further west probably than what Pittsburgh, maybe?

Strekal: Well, when I was fifteen years old I took a train trip to Arizona. I had a cousin who worked for the Park Service, and he was working at Petrified Forest. So, I had a month in the West with a cousin who was one my favorite, if not my most favorite, relative. Fifteen years older than me, but he was the one, as a kid, who was traveling. He was off here and off there and had the stories from South Dakota and the stories from Montana. So, he opened my eyes, or least the stories got me thinking when I was a kid and moving west was something I always wanted to do.

Seney: So, you had this kind of rosy picture of (Strekal: Oh, sure.) the West, maybe.

Strekal: Oh, sure. And when I took the *El Capitan* from Cleveland to Winslow, Arizona, by myself ...

Seney: That must have been quite a ...

Strekal: It was an adventure. (Seney: I would say!) A *true* adventure. And a month being able to hike the Petrified Forest and looking at the petrified wood and getting to the Grand

Canyon, going to Zion, going to Bryce, Canyon De Chelly, Walnut Creek Canyon—all of these places—fishing in the mountains and hiking in the desert; and nighttime rides, listening to the Oklahoma City radio station as a fifteen-year-old (Seney laughs) and eating Mexican food and seeing Indians and cowboys and all of this. It was grand adventure. So that always stuck in my mind, and when the question was posed to me: “We have a job in Carson City. Are you interested?” And I thought, “This is kind of a culmination of my entire life.”

Seney: All the sudden this rosy memory starts to glow, does it, in the back of your mind?

Strekal: Oh yeah, but there was fear again, too, and apprehension because leaving the security of the known and also thinking, “I’m going to work for Reclamation! And I’m going to take a pay cut again!” (laughter) And somehow things didn’t really *sound* right, but I’d never been to Carson City and didn’t really know anything about Nevada. And Nevada didn’t really sound all that ... I had been to Vegas once when I was twenty-one, when I first graduated from school, I took a 10,000-mile trip by myself through the West, and Vegas was what I had seen of Nevada, and was not favorably impressed then, as I am yet now, not impressed.

Seney: Las Vegas, you mean.

Strekal: Right. And I never realized how big the state really was. So, when they offer me the job, I had to think. And they said, “We’ll give you a week.” And I thought up until the absolute last minute, whether or not I would accept the job. Again, there were a lot of factors involved.

Seney: Did you know what your decision was as you were dialing the phone?

Strekal: Oh! I have a very good story for you here, and I’ll try to make it as quick as I can.

Seney: Don’t, don’t. We want details. Don’t rush.

Strekal: Okay. I had a friend, our economist when I was working in Washington had worked several summers for the Forest Service in Carson City. He was going to school in Berkeley at the time, and I was talking to him about the job in Carson City, and he always had great things to say about Carson City. It was one of the things that got me interested. My boss also had spent time in Carson City, and he said he thought it would just be a great place to live. So, I thought about that, and I had worked on projects with Reclamation while I was in Washington, and I thought, “Well, this is a different group of people.” I had worked with engineers when I worked for the State of Pennsylvania—always realized that their interests and background were different from mine. So, I was agonizing: “Do I want to take a pay cut? Do I want to move

that far away? What's it going to be like?" I agonized, I agonized. It got to the last day, and I thought, "Nah, for sake of security and money, I'm going to stay in Washington." But before I made the phone call, I went to see my friend Ray, and I said, "Ray, I don't think I'm going to take the job in Carson City because ..." and I gave him the list of reasons. And he just looked at me and—Ray was a fairly droll person—and he says, "It's okay Tom. Don't take the job." He said, "It's not going to matter, but when your older son ..."—at the time I only had one child—he said, "Well, when you son gets older and comes up to you and says, 'Dad, tell me the story about how we almost moved to Carson City. I like that story, but you always cry every time you tell it.'" And as soon as Ray said that to me I said, "That's it. I'm going to Carson City." And I just needed that shock; just that last chink.

Seney: Well, clearly you hadn't convinced yourself with these arguments of security or you wouldn't have gone to see your friend. You knew what his advice would be, right?

Strekal: Exactly. And it was probably the same defense that I sort of built for myself when I was leaving Pennsylvania. And I realized, well, the unknown is pretty appealing.

Seney: Right. Tell me, when did you get married?

Strekal: I was married in ... uh-oh ... in 1975, (both chuckle) when I was working for the state.

Seney: Where did you meet your wife?

Strekal: She was working for temporary services, Kelly Girl or something like that. She had a degree in languages—wasn't doing anything with it—after school went back to live with her parents, and I was working on a project for the state. They had this thing, they called it January Plan, through my school, wherein you wouldn't be attending classes during January, you would just be off, but if there some project you wanted to do, you could. And the organization that I eventually worked for had this plan, and it was room and board for the entire month of January in Harrisburg where the central office was and doing water quality work, insect identification, fish identification, doing some evaluations, helping with *some* field work, as much as you could do in January in the East. And I saw her and thought she was one of the prettiest women I'd ever seen, and we got to talking and kind of went on from there.

Seney: What's her name?

Strekal: Her name's Sue.

Seney: Sue. And you were married in '75? (Strekal: Yeah.) And as you get ready to come west in '82, you have a son already? (Strekal: Yeah.) When was he born?

Strekal: About ten months after we moved to Virginia.

Seney: And his name is?

Strekal: Teague, T-E-A-G-U-E, no middle name.

Seney: Is that a family name?

Strekal: No. No, it was a name, as a kid, I thought that if I had a son that I would name him Teague.

Seney: And you did.

Strekal: And I did. It was just a name that kind of stuck with me. In Celtic it means “poet.” And I’d always hoped that at some point maybe the name would fit.

Seney: Has it so far?

Strekal: He shares an appreciation for language that I do. I don’t know. He’s still young. (laughs) Well, he’s fifteen, but I still think that’s young. You never really know when you find your true self, I think.

Seney: What was your wife’s reaction to coming to Carson City? She, I take it, was a Pennsylvania person too?

Strekal: Yeah, yeah. A little apprehension, but I think also a sense of enthusiasm, sense of excitement—something different. Why not try it? So, it was exciting to leave, especially driving two vehicles, a baby, a dog, a cat, canoe on top of my Volkswagen bus, trying to drive across Oklahoma with the wind blowing like ... No, that wasn’t Oklahoma, it was Kansas with the wind blowing like crazy, and for some reason in the middle of the summer the temperature was sixty degrees, and there was no heat in the bus either. (laughter) So we stopped in Limon, Colorado, and bought some walkie-talkies, because I realized that none of our headlight signals or our arm waving really made any sense after a while. When we made a turn at one point and she was headed toward Wyoming and I was headed toward Utah, I knew we needed to do something. (laughter)

Seney: What was your first impression of Carson City?

Strekal: Well, before we moved we were able to come out for a house-hunting trip—didn’t find a house at the time as it turned out, but as I came over Duck Hill into Carson City, I got goose bumps. Flying into Reno and looking at Reno I thought, “What am I

doing? Why am I coming here?" It was a shock to land in Reno, and driving down on [Highway] 395, there was a lot of road construction and so it had backed up traffic, and I thought, "It's just as bad as D.C. and it's not as green." And I really didn't know what to expect, but when I came over the hill into Carson City I knew it was right. It was magic.

Seney: You've mentioned the engineers in regard to the bureau, which is, of course, primarily an engineering organization and still is although it's trying to change itself. But what knowledge did you have of the bureau? What was its reputation in your mind?

Going to Work for Reclamation

Strekal: A development organization, build the dams and get on with business. So, I felt there was a real insensitivity to environmental issues. In fact, I was told by other people that were working in the area that Reclamation hired me to be a spy, and that rankled me a little bit because ...

Seney: A spy for whom?

Strekal: To check primarily on Fish and Wildlife Service to make sure that they were on the up-and-up; that they were conducting business professionally; that they were making good decisions; and ...

Seney: In other words, they weren't making judgments that might thwart the plans of the Bureau of Reclamation.

Strekal: Right, right. That there was science in their work just like maybe that there is science in engineering as well. I think back on that, and it does make me chuckle a little bit.

Seney: Did you ever find yourself in a situation where you thought that might in fact be what the Bureau of Reclamation was up to?

Strekal: I felt there were many times when Reclamation was asking me to compromise my beliefs.

Seney: When was that?

Strekal: I'd say throughout my career.

Seney: Tell me about that.

Strekal: I'm not sure I can give you some specific examples right now. It's more of a feeling

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- that I have. Reclamation is very much of a top-down organization, very paternalistic; you don't argue with the boss; you do what you're told. There was not a lot of room for discussion, for evaluation. Pretty much, the decisions were made and you were told to conform.
- Seney: You felt maybe that wasn't the case at Fish and Wildlife?
- Strekal: Actually, the more I work with the service, I tend to see that more and more now, but at the time I didn't because I was still young and ... Oh, I think I'm still idealistic, but maybe even more so *then* because I was one of the crusaders when I was working for the service.
- Seney: Did it make a difference, too, with Fish and Wildlife, that what you were doing was relatively new, in terms of the Endangered Species Act, that matters had not become settled and routine?
- Strekal: Yeah. Well, maybe I'm not understanding your question.
- Seney: Well, I'm thinking of the duties and the tasks you had when you were at Fish and Wildlife Service. (Strekal: Oh.) I take it those things were still evolving.
- Strekal: They were still evolving, but these were a group of people of like mind, like interest. We were all crusaders. I think we truly were. We were given an opportunity to exercise some, no pun intended, exercise some muscle that really had never had an opportunity to be exercised. So, we were all kind of full of ourselves. You know, here was our mandate. And I think a number of the people that I worked with still have that. I think I've changed a little bit. I've certainly been involved in a lot of different aspects of water management, and I think I've become maybe a little bit more of a diplomat—a *lot* more of a diplomat and even something of a politician, too, over the years.
- Seney: Well, the tasks and duties you have now really require that, don't they? (Strekal: They certainly do.) Yeah. We'll get to that in time, but I mean you on a regular basis deal with these other ... (aside about time) After our break, let me say that what I was trying to get at, you said that when you worked for the bureau, you felt sometimes that they were maybe having you keep an eye on Fish and Wildlife Service, and it was kind of a feeling you had of that, but there were some specifics that you were trying to recollect for us.
- Strekal: Well, thinking back to that time, I think there was a lot of ... distrust amongst the various bureaus within Interior because the individual bureau's interests seem to infringe upon those of others, and it was ...
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Seney: Explain that a little more. Be more specific.

Strekal: Well, Reclamation had its priorities to ... They weren't building many dams at the time, but they were the dam builders, and they were the water managers; they were the providers of water to the users, primarily the agricultural interests, and nothing should interfere with their mission. Of course, they had the facilities; they had the power, hydroelectric and otherwise. And so, they, I think, felt threatened by the new regulations. Of course, Fish and Wildlife Service—and I tell people that Reclamation, I think, has one character—I think Fish and Wildlife Service has maybe four or five characters, because there are different divisions or different branches within Fish and Wildlife Service. Endangered Species people I think have one character; the contaminants people have another character; the refuge people, a different character again; the fishery people, *again*, another character—so it's a much looser assemblage of people, much harder to keep them in line. So, when you're dealing with the Fish and Wildlife Service, I always asked the people, "Well, *who* in Fish and Wildlife Service are you dealing with?" Because you can get markedly different reactions depending on which branch, which interest group within that organization you come in contact.

Reclamation, not so much that way, again, I said very much of a top-down organization. There was a lot of feeling when I was hired that Fish and Wildlife Service was not dealing fairly with the issue, was not using good science, and I think Fish and Wildlife Service, at the time, was in a relatively weak position. [If] the question was asked, "How much water do you need for Pyramid Lake?" the response would be, "As much as we can get." "Well, this is all I'm going give you, so this is all you can get; it must be enough." So, it was a lot different character at the time.

Adjusting to Reclamation

Seney: When you came to work in the Carson City office for the Bureau of Reclamation, was it a difficult adjustment at all? We talked before we were on tape that Bob Whitney hired you. (Strekal: Right.) And was he acting project manager at the time?

Strekal: No. He was the head of planning. He was my immediate supervisor.

Seney: Right. Because I know he was acting project manager ...

Strekal: Acting project manager, yeah, for a while, in fact, probably several times over his long career.

Seney: Right, in and out of that position, as he has told me. (Strekal: Right.) But how were you treated? How were you greeted when you came to work for the Fish and Wildlife Service?

Strekal: I think a little bit coldly, not by Bob, because Bob is truly a prince, really a fine guy, and I know this is on tape, but I wouldn't say it ...

Seney: You'd mean it anyway.

Strekal: I'd mean it anyway. We're still good friends. But a little bit coldly. I was the person from Washington, and I was the biologist, and I was a little bit more accustomed to kind of scrambling for things. You know, you become a little bit more competitive in Washington. I probably stepped on a few toes when I came there, but I also sensed that the sensibilities were different in Carson City than in Washington. I was working for *those* guys rather than *us*. So, there was a lot of tension, and I'm sure a lot of it had to do with *my* interest and *my* personality. I mean, I was not a person they were accustomed to having working for Reclamation in Carson City.

Seney: What difference did it make that you had a non-engineering background, do you think?

Strekal: Well, my experiences and interests were different. I would ask different questions. My thinking perhaps was not so linear, and also I wasn't so much interested in the regulations as I was in the protection of the resources, and realizing that there are a lot of ways that you could achieve that end. It wasn't a simple formula.

Seney: What were you assigned to do? What did you do for the bureau?

Monitoring Fish and Wildlife Service Activities for Reclamation

Strekal: I was to be the fishery biologist monitoring activities related to Pyramid Lake that Fish and Wildlife Service was doing; managing Marble Bluff Fish Facility;¹ and managing releases from Stampede Reservoir² to promote spawning of *cui-ui* and cutthroat trout at Pyramid Lake; also, to do the NEPA work, the National Environmental Policy Act ...

¹ U.S. Fish and Wildlife Service, Marble Bluff Fish Passage Facility, "The Marble Bluff Fish Passage Facility aids in the spawning migration of cui-ui and LCT from Pyramid Lake into the Truckee River. The facility consists of four major components: Marble Bluff Dam, a fish lock (elevator), a fishway and a fish handling building. The facility was constructed in 1975 to reduce further erosion of the lower Truckee River and to impound and divert water to the fishway to allow passage around the delta. Without this facility, these fish are unable to access their old spawning grounds because of the changes in the lake's elevation over the last century." www.fws.gov/lahontannfmc/mbff.html (Accessed 1/2019).

² Stampede Reservoir is the principle storage facility of the Bureau of Reclamation's Washoe Project in northwestern Nevada. The water storage capacity is 226,500 acre feet which is reserved by court decree for fishery enhancement, primarily for the spawning of the endangered cui-ui, along the Truckee River downstream from Derby Dam and facilities operation of the Pyramid Lake Fishway.

- Seney: Let me stop you before we go on to the NEPA stuff. (Strekal: Okay.) I guess it would suggest to me, what you've said, that if the bureau is going to hire a separate fish biologist to see what's going on in Pyramid Lake, they must not much confidence in what Fish and Wildlife is doing up there.
- Strekal: No, they didn't. In fact—whether this gets transcribed or not, just an honest statement—I would say that the two managers, Fish and Wildlife Service in Reno and the project manager for Reclamation in Carson City, each considered each other a horse's ass. (laughs) And the relationship went downhill from there. So, there was a lot of animosity.
- Seney: And that might have been, as a matter of fact, one of the key *reasons*—this personal antagonism between these two—that they decided to create your position, bring someone out here.
- Strekal: Yeah, but I think it was an institutional antagonism, also. There was a long history of that. But, again, we're dealing in a very gray area; lot of uncertainty in endangered species requirements for a long-lived species. And again, there was the demands that the tribe was making for Pyramid Lake was contradictory to the bureau's mission of many years—to divert the water and deliver it to agriculture. So, very confrontational.
- Seney: How were you treated? I take it, one of the things you'd have to do pretty quickly is go on up to Pyramid Lake and introduce yourself to the Fish and Wildlife fish biologist up there—maybe over in Reno, wherever they're situated.
- Strekal: Yeah, they were in Reno.
- Seney: Get acquainted. (Strekal: Uh-huh.) And what was that like?
- Strekal: Real cordial. In truth I was one of them. It was because of Fish and Wildlife Service that I got the job. It was their notification to me, and I had met one of the people when I was working in Washington, and I actually knew him from Sacramento, and had spoken to a couple of the other people before I moved out here just to find out what was happening, and I was also trying find a home for my dog—at least 'til I found a place to live. My acceptance by the service was immediate. I knew what they were doing, and I was familiar with their regional office. So, we sort of had a lot of history in common.
- Seney: What was your charge from the project manager or from Bob Whitney as Planning Director, I guess whom you worked directly under, to do, so far as Pyramid Lake was concerned?

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- Strekal: Monitor the service's activities and provide guidance where I could. I'd say that would be the general charge.
- Seney: "Here are some of their reports. Look them over." (Strekal: Sure.) "Do they make sense? Are they doing what they should be doing?"
- Strekal: That's right. And then become involved in the day-to-day operations. And, of course, it became very easy to do because there was a lot of work to be done. I find more and more that when you enter a project fresh, you certainly have insights that somebody else that's been working on it for a long time doesn't have, and I see this in Klamath Falls now, too. I find out that the years of experience here have been very beneficial, and I go up to Klamath Falls, and I see things very differently, I think, than the people up there do, but again I've been sensitized to it here—learned a lot over the years.
- Seney: What *did* you find? What was your impression of the Fish and Wildlife operation up there?
- Strekal: From the Reclamation perspective, what I learned very quickly, it was a very unsafe operation. (laughs)
- Seney: How do you mean?
- Strekal: Well, Fish and Wildlife Service, the attitude of the people is, "We're the poor relation. *We're* doing the environmental work. *We* don't have time to do anything other than our job. Our job is so important, don't let anything else interfere with it," and in many respects a shoestring operation—you know, jury-rigged facilities. I shouldn't say jury-rigged facilities because Reclamation built a Fish and Wildlife Service design, but safety wasn't their interest. So, working for Reclamation, finding out the importance they placed, emphasis, on safety, I started looking at the service operations and said, "You guys have to change this place. If you expect anybody to be working here, put up some rails, put up some signs, get rid of the hoses. Somebody's going to get killed."
- Seney: The hoses being? (Strekal: Water ...) To be tripped over, you mean?
- Strekal: To be tripped over, wet floors, a lot of steep drops ... And the service, I think, was having a difficult time because they hadn't really done a lot of research—wasn't a lot of information available *on* species *like* this, long-lived suckers—a lot of unknowns. Water Management really wasn't in the service lexicon. So, they're grabbing at straws, so many places. And it's really been a slow, tedious process to not only do biology, but to do hydrology; to do water management; to do facilities review; to do

modeling; to really take a hard-*scientific* look, rather than kind of an emotional look at a resource.

Cui-ui

Seney: I know the *cui-ui* has what, a forty-year life span?

Strekal: Forty, forty plus.

Seney: Yeah. And that makes it very different than most other fish, doesn't it?

Strekal: Oh, sure. The cutthroat trout live, perhaps, nine years. It's more imperative that trout spawn annually than the suckers, because a year-class will last a long time, and of course, *cui-ui* don't mature until they're six, seven, eight, nine, ten years old. So, it's a long maturation process involved. Whereas with trout, it might be a matter of two years, say, before they're reproductively active. They've only got so many years to produce the eggs and get another year-class, another generation, to perpetuate the species.

Seney: By the time you came here—we now talking about '82, '83? (Strekal: 1982.) [In] '82, as you're starting to go up to Pyramid and have a look. Did they have a good idea of these factors at that point?

Strekal: It was pretty rudimentary: still trying to figure out how old the fish were, what the year-class representation was. In other words, when the years in which spawning had occurred. But it was real clear when I first came here that the species was on the decline. Numbers were diminishing annually, and there were very few year-classes, an indication that ... tough times ahead. Of course, the lake was at its lowest level in recorded history, too. Of course, right after I came here the lake was at one of its highest levels (chuckles) in recorded history, at least since the diversions to Newlands [Project]³ began.

Seney: Because of the heavy winter of '82-'83?

Strekal: Right, right. So, I've seen highs and lows out there. I've seen no flow in the river and I've seen floods.

³ The Newlands Project was one of the first Reclamation projects. It provides irrigation water from the Truckee and Carson Rivers for about 57,000 acres of cropland in the Lahontan Valley near Fallon and bench lands near Fernley in western Nevada. In addition, water from about 6,000 acres of project land has been transferred to the Lahontan Valley Wetlands near Fallon. For more information, see Wm. Joe Simons, "The Newlands Project," Denver: Bureau of Reclamation History Program, 1996, www.usbr.gov/history/projhist.html.

Coordinating with FWS

Seney: Let me go back because I want to, I hope not berate this relationship between the bureau and the service, but did you find yourself, as you went out there, saying, not only, "Gee, you guys better put some safety stuff up here." I mean, that seems to me like it was just kind of collegial advice, friendly, "Gee, guys, some signs and railings would be a good idea." (Strekal: Yeah.) I mean, clearly, you don't have the authority to tell them to do this, and you're not going to go snitch to somebody to say they're *not* doing this, I take it.

Strekal: Oh, no. It's just something that, as a matter of course, they *should* do.

Seney: Right, right. Did you find yourself aiding them in other ways, that is, rolling up your sleeves and helping them in the studies *they* were doing? (Strekal: Oh, sure.) Did that constitute, in any way, stepping over the boundary from Reclamation to the Fish and Wild ...

END SIDE 2, TAPE 1. OCTOBER 10, 1995.

BEGIN SIDE 1, TAPE 2. OCTOBER 10, 1995.

Seney: My name is Donald Seney. Today is October 10, 1995. I'm with Tom Strekal of the Bureau of Indian Affairs in his office in Carson City. This is our second tape. This is our first session. And before the tape cut off, I was starting to ask you about your relationship with the Fish and Wildlife people and the fact that you had advised them on safety matters in a collegial fashion. And then I was asking if your charge from the bureau, from Bob Whitney, your superior, was to go out and give them a hand where you could so that, presumably, you could get a better understanding of what the life cycle of the fish was and the likelihood of regeneration, I suppose. Was that his charge to you, among other things?

Strekal: If not direct, certainly indirect. I was never told, "Don't become involved." And I think my efforts were recognized and promoted. Yeah.

Seney: Do you remember what—I know it's going a long time back and you've done so much of this by now—could you kind of isolate what it was you were doing at that point and the Fish and Wildlife Service was doing and ...

Strekal: We were trying to figure out ... I wasn't involved in doing the research on the fish, but we were trying to come up with a plan to manage water releases from Stampede Reservoir, because the water in the reservoir was dedicated by the court for use by the endangered and threatened species of Pyramid Lake. We were trying to figure out how that water could be used the best. I would probably qualify that to say, most

conservatively. In other words, how seldom could we release water and still obtain benefits for the fish?

Seney: Now you're talking as a bureau employee, or did the Fish and ...

Strekal: Well, Fish and Wildlife Service had that too because, again, they kind of had the "poor relation" mentality. "How much water do you need?" "All we can get." "Well, we only have this little bit of water. We'd better use it judiciously because we don't know how much we're going to have in the future." So, I think we were, when I say *we*, I mean the service and I, were looking for reasons *not* to release water from Stampede, so we could always have some when the drought came; however, you define drought. Again, I think ...

Seney: Well, there had been a '75 to '77, short, but very sharp drought. (Strekal: '76-'77. Yeah.) Right. And then fairly decent years, not great. But then here comes '82-'83 and that was a very big year. (Strekal: Right.) Do you remember what the carryover in Stampede was that summer of '82, before that big?

Strekal: No, right offhand I don't. There are tables and figures that show that.

Seney: We can refer to [those tables and figures]. What I'm trying to get at is how this attitude of scarcity might have developed ... because, certainly after '83, then the drought begins pretty much, (Strekal: Right.) and continues on. I mean there are some better years than others.

Strekal: Several good years. I think, in part, it was the status of the water in the reservoir, because initially the facility ... Well, the facility was built for multiple purposes, flood control recreation and endangered species. (Seney: And M&I [municipal and industrial uses].) And M&I. And of course, there was a very great interest for the M&I, and then the courts turned it over to the service for endangered species purposes only. And I think at one point then, that was rescinded and then given back again to the service. So, there was uncertainty about whether that resource would continue to be there.

And in retrospect, I'd probably say that it's been a good operation, in that the service can point to it and say, "Look how well managed the water. Every time we released it we got a spawn and the times we didn't release it, well, there was the recreational benefit." So, it's a tough call to make, and there were some real Byzantine diagrams that I remember that were used to try to determine whether or not you would release water in consecutive years. One of the criteria was: Was there a spawn the previous year? And that was a major decision point. Many times you'd say, "Yes, if there was a spawn last year, okay we don't need one this year. Hold the water. Doesn't matter what the flows are. Hold the water." And then we were

looking at various thresholds of operation: “Well, if we have this much water in storage and the runoff is predicted to be such-and-such and there was a spawn last year, then maybe we’ll release this much water, but maybe we won’t release it.” It was real convoluted. It was a *real* difficult process.

There was a lot of importance placed on it, and I think a lot of people were very cautious, extremely cautious. When we came around to doing the recovery plan in recent years—of course, I don’t know *how* many iterations of a release schedule for Stampede we’ve come up with over the years—we finally decided that the facility is to be used for endangered and threatened species, and any year we can get a spawn, we release the water. It’s *not* a recreation facility. It’s *not* a water storage facility. It’s for the benefit of the species and use it accordingly.

Seney: Not excluding this scientific fish management decision, but does this newer attitude also come from the changed political position that the Fish and Wildlife Service finds itself in, in terms of, say, the Bureau of Reclamation or some of the other interests?

Strekal: I think so, and I think, also, over the years the service has probably proved itself as an agency where at least certain individuals have shown their willingness to negotiate, to reason, to consult with the other bureaus and find out what the interests are and what the drawbacks or benefits would be from certain operations. There’s been a lot more consultation in recent years. I think the mood, the attitude, the relationships have improved tremendously.

Seney: And this improves the political standing of the service, doesn’t it? (Strekal: It does.) To be perceived as a kind of responsible, moderate, willing to negotiate, willing to see the other person’s point of view kind of agency.

Strekal: Right, and I think it just been kind of growing pains in the relationship. We’ve gotten accustomed—all of “us,” and again, there are several bureaus involved in operations here—have become accustomed to working together and finding out what our interests really are and how we can accommodate each other. So, it’s an evolutionary process, I think. It has improved *dramatically* over the years.

Seney: Let’s talk a little about the NEPA things that you did for the bureau.

NEPA Activities

Strekal: Okay. NEPA is National Environmental Policy Act, and there’s certain requirements that have to be complied with when federal agencies are doing things. Let’s say taking actions, and environmental review. Let’s say doing categorical exclusion checklists, which mean an action that’s being proposed falls within a certain category.

It's part of normal operations, and you do this checklist just as a matter of course to say, "Yep, we've looked at it. Everything is fine. Let's go ahead and do it." Like normal maintenance activities, perhaps water studies, things that don't involve a commitment of resources or drastic changes in the environment. Again, things that have already been authorized, published, and that are covered by regulations normally require a checklist. Environmental assessments are projects that would involve a commitment of resources, but that could probably be resolved through a FONSI—a Finding of No Significant Impact—and would say that we've looked at the impacts and not viewed [them] to be major ... (aside about clicking noise) ... and then an environmental impact statement.

Seney: Give me some examples of these. I mean, when we're talking about routine maintenance that you'd say, "This is just something we're normally doing and it's really excluded from NEPA; we don't need an assessment; we don't need an impact statement ..."

Strekal: A canal is clogged. You go out, you take a scraper, and you haul the sediment out of a canal. That would be part of normal maintenance, and you would say, "Well, there is machinery involved. Yeah, we're moving some dirt, but this part of normal O&M, operation and maintenance, of the project." So, a checklist.

Seney: And by statute that's excluded from having to file an assessment (Strekal: Right.) or an impact report.

Strekal: Right. And again, each bureau has its own set of regulations that's established for these. So, Reclamation had a fairly extensive list of checklist items. So that was one thing that I was doing. An environmental assessment would be something like building structures out at Carson Lake and Pasture for viewing wildlife. It was money ...

Seney: But on those structures, those would require a ...?

Strekal: They would, yeah. And there was also some change in water management that was associated with them—operating the drains differently. It was state money, but federal land, so the federal bureau has the responsibility to review and evaluate. And something like that fell within an environmental assessment and a FONSI. An environment impact statement would ... the best example would be Newlands OCAP [Operating Criteria and Procedures];⁴ operation of the Newlands Project; water diversions from the Truckee [River]; water distribution within the system; endangered

⁴ The OCAP is a federal rule that lays out how Reclamation's Newlands Project is operated. Its main purposes are: To ensure legitimate Newlands Project water rights are served; to regulate the timing and amount of water that can be diverted out of the Truckee River to serve Newlands Project water rights; to minimize the use of the Truckee River and maximize the use of the Carson River.

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- species implications; water management implications; a lot of socioeconomic, whether real or perceived, impacts. And something like that would automatically put it into the realm of an E-I-S. So, all of these things fell under my responsibilities when I was working for Reclamation.
- Seney: Had you done these before for Fish and Wildlife?
- Strekal: I had reviewed E-As and E-I-Ss when I was working in Washington. I provided some oversight for the service there and was involved in writing some sections for a programmatic E-I-S, kind of an overall or comprehensive E-I-S for the Endangered Species Program, but had never really worked on a document, per se. So, this was my introduction to the world of NEPA, working for Reclamation.
- Seney: When you did these assessments and impact statements for the bureau, did you feel as though you had a free hand to approach these as you understood the regulations? Or was there a feeling that the bureau wanted to accomplish certain objectives and—you're smiling as I'm asking you this question (Strekal: Sure.)—but the bureau wanted to achieve certain objectives? "We'll do this because the statute requires it, but we don't really want this to get in our way?"
- Strekal: My answer would be "yes" and "no" because there were certain actions on which the bureau was neutral—didn't have any political ramifications ...
- Seney: What would those be?
- Strekal: Carson Lake and Pasture. There are no implications, no ramifications to that action. Something like OCAP, I'd say a very definite desire to kind of just, "Let's get this stuff out of the way because there's certain things that just have to be done." The NEPA compliance, I think in many respects, and I shouldn't say it's *just* Reclamation, but "Let's get the compliance over with so we can do what we want to do." In many, many bureaus, I think that it's an afterthought, it's just something that has to be done. "We know what we're going to do. We're not really using it as a decision-making document; it's public information, but we know what we have mind."
- Seney: "We'll give you a trial, then we'll hang you."
- Strekal: Yeah, yeah, exactly. That's a good analogy. And OCAP was very definitely that way, I think. We had done three environmental assessments on interim OCAP preparatory to the '88, which we, at the time, unfortunately called final OCAP. (laughter) More like antepenultimate OCAP. But ...

Truckee River Operating Criteria and Procedure

Seney: Yeah, right. First final OCAP. (laughter)

Strekal: But I think there were very definite ideas of what was wanted to be done. And the word came down, whether directly or indirectly, from up above that this is what we're doing and let's get on with it.

Seney: Yeah. Make it look good. (Strekal: Sure.) But let's get on with it. OCAPs were not *all* that new. I mean, Judge [Gehard] Gessell had put one in in '73 and I think there's been one ... (Strekal: Well, there was also one in '67.) [The] '67 was really the first one that eliminated the winter power, most importantly, and that was, I think, an important change (Strekal: Oh, sure.) to get rid of that winter power generation. One is put in in '73 ... What I'm trying to get at is, what was your feeling of the bureau's feeling toward these OCAPs?

Strekal: They were an impediment, an imposition on the sovereignty of Reclamation to operate its project. And after all, they were only Indians that would get the water (chuckles) otherwise. I mean, it sounds funny saying that, but in truth the Indians were getting the water that the irrigators felt they were entitled to—what was their right. And in hearings that I have gone to [there was] quite a disparity in the way people refer to their occupancy of the land here, or their right to certain resources because the irrigators would make a point to the judge saying, "Well, I'm a third-generation irrigator." And the Paiutes would say, "I'm a fortieth-generation person on the land." And there was quite a disparity there, but again, the water rights were established for those beneficial uses; there weren't water rights established before the lake, *per se*. So that created quite a struggle, a lot of animosity.

Seney: Even though the OCAP had the immediate effect of giving greater power to the project office over the day-to-day affairs of the Newlands Project, it would still have been regarded as an imposition, in general, on Reclamation's ability to operate as it saw fit.

Strekal: Right, because it was truly going against Reclamation's mission. I mean, it created a problem within Reclamation, not only between Reclamation and the irrigators, a lot of dissonance began with that. It was an arduous process to come up with OCAP that would address the seemingly related but conflicting requirements for maximizing Carson [River], minimizing Truckee [River]. Again, they are subjective terms, so you could apply them variously. I guess if you reduced diversions by a drop, that is minimizing. But again, so much of it has to do with how you view water rights, how you view historic operations versus legal requirements for water.

Seney: How did you view these things yourself when you were working there at the time?

Strekal: Um ... (four-second pause) There's a lot of silence here! (laughter) It created a lot of problems for me because I saw what the farmers had done. I recall when I moved to Nevada, first driving into Fallon and seeing the signs "Oasis of Nevada," and seeing how green it was and contrasting that to everything else that I had seen driving across the state. And I thought, "This is quite a garden. This is quite a nice place. A little bit remote, but very nice." [I was] a little bit shocked to see how relatively small Lahontan Reservoir was. I thought, "We're fighting over this?" (laughter) And then seeing the Truckee River, no more than a creek—and most of the places back East ... But I saw what diversions had done and *were* doing to the level of Pyramid Lake, to the resources and to the river. What all the changes in water management and hydraulics of the river had done to the resources in the lower river and Pyramid Lake. And being an aquatic biologist, being sensitive to the requirements of aquatic resources, I did have a certain allegiance. I felt that I *was* working for Reclamation, and yet it was my job to help maintain ... I hate to use, the word's almost hackneyed to use the word "ecosystem," but viable ecosystems in both basins. And I knew it was going to be very difficult, because I knew what the demands were and how strong the interests were for the water.

Seney: You said that Fish and Wildlife in Washington, that you all were "true believers."

Strekal: Oh, I think we were.

Seney: And I take it by this time you hadn't given up your religion.

Strekal: No, no I still had some hope. (laughs) I still have hope. I still have hope. (Seney laughs)

Seney: So, my next question is: Did you think of yourself as coming out here to maybe enlighten the bureau and bring some fish biology and new understanding to the Bureau of Reclamation?

Reflections on the Bureau of Reclamation

Strekal: No, I really came out here for selfish reasons, because I wanted to come West and I wanted to work in the field again. I wanted to work with real things rather than the ether that was in Washington. I don't know if I necessarily had those high ideals when I came out. I mainly wanted to escape, but I viewed this as a wonderful opportunity to do it, and I think eventually to make a difference. I felt I certainly had some understanding of aquatic systems, and I had some very definite ideas of how things should be. (both chuckle)

Seney: But you never really, I take it, embraced the culture of the Bureau of Reclamation. (Strekal: No, no.) Did you come close?

- Strekal: No, no. I don't think I ever did, and it created a lot of difficulties over the years. I thought I was a very good employee. I may not necessarily have embraced the ideals, but I thought I gave them very good work. Of course, I had several achievement awards to show for my effort. I gave them a lot a time, and I think we're all richer for the experience. Of course, I knew when it was time to leave.
- Seney: And I take it that—maybe you've answered this—you never quite felt at home with the bureau.
- Strekal: No, no. It was never very obvious, never blatant, but a certain desire that I conform more, that I perhaps be a little bit more conservative, be a little less outspoken. My personality is just different; I am a little bit more outgoing, and I did have beliefs, I think, that didn't coincide. I came as a maverick; I think I left as a maverick.
- Seney: I'm told by other bureau people that I've interviewed, that during that period that there was a good deal of socializing amongst bureau families and picnics and cookouts. Do you recall that?
- Strekal: No. Well, not that much. I think the events, at least from the time I arrived there, there were occasional events, but I don't think people embraced them heartily. There was more socializing within the office, you know, whose name was in the paper, buy donuts; who was on TV, buy donuts; who won the football pool, buy donuts. And Reclamation gradually evolved a little bit more with various celebrations and daily observances, Asian-American Week, Native-American Week, Black Awareness Week, so there would always be a speaker and some opportunity for a potluck. But socializing outside the office was pretty rare from my experience. Maybe that was an earlier Reclamation, perhaps. I think, when the sense of mission was a little bit stronger, when the sense of identity with Reclamation was stronger.
- Seney: Well, this was particularly mentioned by Monte Bianchi,⁵ who we spoke of off the tape, who you know, but your careers did not coincide. (Strekal: No.) He had left the bureau by this time.
- Strekal: About a year before I arrived. But again, we did have contact when he was working for the Watermaster, and I see him in town on occasion.
- Seney: Sure. Well, I think your right in saying that the sense of mission would have been stronger in the '50s, '60s, and '70s, than it was by the time we get to the '80s where you have these stresses that the bureau is under: the OCAPs, the environmental

⁵ Mr. Bianchi participated in the Bureau of Reclamation's Oral History Program, Newlands Project series. See, M. W. (Monte) Bianchi, *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, 2009, www.usbr.gov/history/oralhist.html.

concerns and constraints.

Strekal: And a lot more scrutiny than they'd ever been under before. A lot of people were asking the questions, "What are you doing out there?" (chuckles) No one had asked that before because they were doing just what everyone expected them to do.

Seney: Well, I suppose with the building of Stampede, which, if I'm not mistaken, was the last of the features that was constructed in this basin ...

Strekal: Well, at least we could say the most recent. (laughs)

Seney: Yes. That's why I guessed it. I stand corrected. And with the killing off Watasheamu, the kind of construction phase of the Lahontan Basin Office comes to an end. (Strekal: Right.) Was that awareness there when you were there, do you think? (Strekal: Oh, yeah.) "We're not building anymore; we'll buff the old ones, but we're not building any new ones"?

Strekal: That's right, yeah. I think there was a real sense of loss, a tremendous sense of loss, in fact, because you did have people that prided themselves on their abilities, and Reclamation did have a lot, and still does have a lot of good people. Again, if I say things negative, it's not because I'm necessarily being critical of the organization, (Seney: I understand, right.) but they *did* and *do* have good people and people very dedicated to their work.

Seney: Well, as I've said what we'd like is to be as illuminating. Whether it's negative or positive is not so important. That it be illuminating and help in the future understanding of what the bureau was ...

Strekal: Yeah. But I don't have animosity, because I told you earlier, privately, I learned a lot from Reclamation, and I attribute my position today to what I learned when I worked for them, in terms of computer modeling, hydrology, facilities operation, any number of things.

Seney: Was it a valuable experience resumé-wise? That is, to have worked—now that you're with the Bureau of Indians Affairs—having worked with Fish and Wildlife and having worked for the Bureau of Reclamation are these important things in terms of your career with the Bureau of Indian Affairs?

Attaining a Diverse Federal Background

Strekal: For *me* they are. They give me a broad background, both in terms of technical experience and also in terms of understanding the organizations. I understand better

now why things went the way they did, and perhaps why they are the way they are now, because of the characters of the bureaus and the changes that have occurred over time. And, of course, I think I'm in a very unique position that I have personal relationships with people in *all* of the bureaus. So, I can go to Bureau of Reclamation and use the phone and stop in and talk to people, and I can go to Fish and Wildlife Service and use a phone.—in fact, they joke that, “Oh, this is your *other* office, isn't it?”—use the phone and talk to people. For me it's extremely cordial; makes for a *terrific* working relationship. And I think people are willing to tell me a lot of things that maybe outsiders wouldn't hear. Again, I've been “one of us” for a long time.

Seney: When and what was it that made you decide it was time for a change?

Strekal: I had struggled for a long time in Reclamation in getting a promotion. I took a two-grade cut and several-thousand-dollar cut in pay to come out here, and by doing so I was topped out in salary. So, for a number of years, if I didn't get a performance award, there was no increase in my salary, and there was a little disparity between what I was making and what engineers were making because they got a differential because they were engineers. It took me six years to get my position upgraded, to get a promotion. “Recognize my experience; recognize my education, recognize my abilities,” I thought. So that was a struggle, and I think it was given to me grudgingly. And having achieved that, I was unwilling to give it up, and I was told there were going to be some changes, and it was possible that I would be downgraded again because the job was changing and there wasn't as much requirement for working on Pyramid Lake, *per se*, but there was this federal law, Public Law 101-618, that was emerging, and well, “But you're probably not going to be involved with that, so we may have to downgrade you.” And I realized that I think I had probably played as many cards as I possibly could. I could only be *that* biologist for so long, and I knew it was time to change. And I was glad I recognized it. Again, I left Reclamation on very good terms—learned a lot, but I knew it was time to do something different. I didn't want to leave the area; I'd come to enjoy Nevada tremendously; was fortunate to be hired by Fish and Wildlife Service.

Seney: So why don't we leave it there for today, because the tape is about out, and then it will give us a natural place to start next time—as you go to work for the Fish and Wildlife Service. So, for today I appreciate it, and I'll be back.

Strekal: Okay.

END SIDE 1, TAPE 2. OCTOBER 10, 1995.

BEGIN SIDE 1, TAPE 1. JULY 20, 1998.

Seney: All right. My name is Donald Seney and I'm with Tom Strekal in my study in South Lake Tahoe, California. Today is July 20, 1998. This is our second session, and this

is our first tape. Good morning, Tom.

Strekal: Good morning, Don.

Seney: Well, when we left this nearly three years ago we were, we had finished talking about working for the Bureau of Reclamation and now you, you described your frustrations there, and then you go to work for the Fish & Wildlife Service. How did all that come about, and getting the job with Fish & Wildlife and all that?

Returns to Fish and Wildlife Service

Strekal: Well, the Fish & Wildlife Service was sort of my parachute, that, they rescued me from Reclamation. I knew that my tenure was rapidly coming to a close and I had worked with Fish and, well I had worked for Fish & Wildlife Service prior to working for Reclamation, when I was in Washington, D.C., and had worked very closely with Fish & Wildlife Service throughout the time that I was working for Reclamation.

Seney: Here in Carson City?

Strekal: Well, Fish & Wildlife, when I was in Carson City, Fish & Wildlife Service was in Reno, (Seney: Okay.) still is in Reno.

Seney: Right.

Strekal: And, I had worked on a lot of stuff with the fish and other resource issues and felt that I still had a very close connection with the service people because of my Washington experience, and also because of my interests and my leanings. They were very happy to offer me a position, and it came kind of on the heels of the public law being passed. It seemed to be a natural change.

Seney: Which Public? Do we mean 101-618?

Strekal: 101-618.⁶

⁶ 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

Seney: So, we're talking about right around 1990 this is going on?

Strekal: That's right. That's right. In fact, yeah, it was 1990. And, Fish & Wildlife Service was beginning to do an Impact Statement, Environmental Impact Statement, on their Water Right Acquisition Program for Stillwater. So, it was, it was a natural position for me to take because I had been working on related issues while I was with the bureau, and the service just came in and said, "Would you like a job?"

Seney: Is that unusual under these circumstances? I take it you, when you say that the bureau business was running out you felt like your tenure there wasn't secure, perhaps? That ...

Strekal: That they, there was some talk that my promotion would have expired, which is kind of an unusual thing. You never hear of such, I seldom hear of such things happening. So, it had taken me a long time to get the promotion, (Seney: Yeah.) and then I thought, "What a slap in the face, then, to lose it," especially since perhaps I might not have been representing the bureau well, but I certainly thought I was representing the government well. (Seney: Yeah. Yeah.) And, I guess that's still the way I view my position, that I'm working for the government. I'm not necessarily working for a certain agency. Maybe there's a certain disloyalty (Seney: Yeah.) that seems to be associated with that, but I still feel that I've been true to my ideals.

Seney: Yeah. Well, I'm sure there probably is, don't you suppose, a sense of disloyalty on the part of the bureau, or thinking you're disloyal if you're not?

Strekal: Yeah. Oh sure.

Seney: Yeah. Because, these bureaus quarrel with one another and disagree?

Strekal: Constantly. (Laugh)

Seney: That's the game, right? (Laugh)

Strekal: That's right.

Seney: So, they were probably trying to communicate to you by this indication that this promotion might expire that you were on shaky ground, (Strekal: Uhm-hmm.) and encouragement to leave, perhaps?

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- 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 December 2011).

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- Strekal: Yeah. It was the kindest way (Seney: Yeah.) to do it, and actually it was, it was good for me to do that. Because, I think working in a job for nine and a half years is a long time. (Seney: Yeah.) And, so it, yeah, it did shake me up a little bit.
- Seney: What, talk about the differences, if there are any, and I assume there are, between working for the bureau and working for Fish & Wildlife Service.
- Strekal: I'd say the primary difference is that with the bureau there was a, a kind of a consistency, or you might say a constancy, among the various offices, that there was—I hope this doesn't sound too hackneyed—but you could pretty much assume what, what the view of the office manager would be in terms of the resources. You protect irrigation. In Fish & Wildlife Service, it had many different characters, depending on, on which part of the service you were working for. Because, I'd say the primary differences, difference in the service, refuges seems [*sic*] to be very distinct from endangered species, or ecological services. So, your refuge managers tended to be more like irrigators, much more conservative, and your other, other elements of the service were more the crusaders. So, you had a lot of tension within the organization and it was a little bit more difficult, sometimes, to try to balance the interests. And, I was working essentially for refuges, although I was in the Endangered Species Office. But again, these were all people that I knew, (Seney: Yeah.) so it didn't, it didn't create a real problem for me. I had already recognized where the, where the problems might be. And again, these were people who were very supportive of me for a number of years.

Stillwater Refuge Manager

- Seney: Yeah. Was Ron Anglin the refuge manager then?⁷
- Strekal: Yeah. Yeah. He was.
- Seney: What was he like to work with?
- Strekal: Ron is a very interesting man. He's a very complex man. And Ron, very much of a politician. I mean he, he had a lot of interest in the Indians, certainly wanted to get along with the irrigators, with the farmers, because they were his neighbors, both personally and professionally. Ron had a lot of interest, a lot of interest in history. So he, I'd say anyplace that Ron went Ron would feel at home because he would immediately immerse himself in the culture. But, Ron—I'll just, I'll say that much.

⁷ Mr. Anglin participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Ronald M. Anglin, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, Historian, Bureau of Reclamation, October 14, 1994, in the narrator's office in Fallon, Nevada, edited by Donald B. Seney, www.usbr.gov/history/oralhist.html.

Seney: No. Say more. What ...

Strekal: Well ...

Seney: What else do you, that's important for us, because he was an important player in all of this.

Strekal: Right.

Seney: And, you know, personality, as you know, plays into these kinds of things, (Strekal: Sure.) how a person behaves. And, that's what I'm trying to get at here. You seem to start to say something perhaps that's important, then, and ...

Strekal: Well, Ron, (Laugh) yeah. It's important because ... I don't know quite how to say this because I don't know how this will come out in print. (Seney: Right.) But, I said that Ron is complex and Ron has sort of a dark side to him, a side that I think I understand well. And, Ron was interested in writing books and had some very dark tales that he was interested in telling. Ron wouldn't always share some of these thoughts with everyone, because, you know, you'd wonder who Ron really was (Laugh) if, if he was telling these stories to everybody. But, he shared the stuff with me and manuscripts that he was writing for some of these dark tales.

Seney: So, he had a kind of literary side, you mean?

Strekal: Well, let's say there were good stories to tell, but Ron could not write. (Laughter)

Seney: I don't mean to belabor this and I don't want to put you in an uncomfortable position, (Strekal: Sure.) but did this have a bearing on the way he, he discharged his responsibilities, you think?

Strekal: I'm not sure. I'm not sure. Ron, I said Ron was a politician. Ron liked to get the notoriety for a lot of things that happened and Ron, Ron did instigate a lot of stuff. And, "instigate" has a negative connotation. I think Ron got a lot of good things started. (Seney: Right.) I think maybe he got credit for some things that he didn't, that he might have begun but didn't necessarily finish, and I know people who worked for him were a little bit miffed at times because Ron was getting credit for things that his employees had actually done.

Seney: Ah.

Strekal: But, but again, Ron was still, I think, very important (Seney: Right.) in getting a movement started. But, I think with any resource manager that's living so close to the resource (Seney: Yeah.) you tend to have problems after a while, because

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- certainly water rights acquisition was not viewed favorably by the, by the local populace. (Seney: Right.) And, I think Ron felt that he had outlived his usefulness there and it was time to move on to do something else.
- Seney: Well he's, in his position, and I suppose anyone in that position, is going to find themselves at odds with the community if they're carrying out what the Fish & Wildlife Service expects them to carry out.
- Strekal: Right. Or what Congress has directed to be done.
- Seney: Yes. Right.
- Strekal: Sure. And Ron obviously had a directive, a mandate we'd say, through the public law to purchase water rights (Seney: Yeah.) to essentially change the character of the farming community, which I think was anathema. It's still anathema to many of the people, even though the character of the community is changing, and fairly rapidly. (Seney: Yeah.) People are not becoming farmers.
- Seney: Yeah. Yeah.
- Strekal: But those who are farmers, who want the good old days to remain, were offended, I think, by Ron's actions, you know. But, Ron was doing his job.
- Seney: Right. Right. You said that the refuge managers are more conservative while the other, the fish people, the environmental people are maybe more crusaders?
- Strekal: Uhm-hmm. Let's say conservative in a different way. (Laugh)
- Seney: Kind of explain what you mean by that, not necessarily focusing on Ron. (Strekal: Uh huh.) I'm more interested in, say, the conflicts within the Fish & Wildlife Service, again as you were able to observe them both as an outsider, (Strekal: Uhm-hmm.) which I'm sure you saw all of this as an outsider. Then you must have gotten a more intimate view of it as, as an employee. But, give us a little more on the, on these splits between the units. Because, and let me tell you why I'm asking this. I know there's conflict between the Fish & Wildlife people out on the Newlands Project.

FWS Culture

- Strekal: Oh, yeah.
- Seney: You've got the people at Pyramid Lake, who want more water for Pyramid Lake.

- You've got people at Fish, or at Stillwater [National Wildlife Refuge],⁸ who want more water for Stillwater. And there, in a way there can't be both. So.
- Strekal: Right.
- Seney: So, talk a little about those conflicts, if you would, a lot actually about them.
- Strekal: Let's see, (Laugh) let's see if I can actually express this properly. The refuge people, and I'll speak specifically to Stillwater, (Seney: Okay.) although I could speak to refuges in the Klamath Basin as well.
- Seney: Good. Well, I know you worked up in the Klamath on your Bureau of Indian Affairs (Strekal: Right.) responsibilities. So, go ...
- Strekal: Well, at least I had.
- Seney: Yeah. So, go right ahead, (Strekal: Yeah.) if you think that illustrative, include that too.
- Strekal: The problem with the refuges that I saw is that for, let's say when the project was initially begun that there were, was a lot of wetland acreage. And then, as the project grew wetland acreage diminished, water was being diverted elsewhere so it started to shrink. When the Truckee Canal was built there was a lot of water available for the Carson Basin, which obviously pre-project had a lot of water, and then in the early phases the project lost a lot of the water, and certainly lost all those high spring flows. But then, when the canal was built and Lahontan Reservoir was put in place there seemed to be just a glut of water again. The district was taking as much water as they wanted, certainly as much as they needed and as much as they wanted. And so, it was very, no pun intended, flush times (Laugh) for, for refuges.

But then as the regulations were being developed in support of *Pyramid Lake v. Morton* to try to help the secretary realize or implement his trust responsibilities to the tribe, the Operating Criteria and Procedures, OCAP, for Newlands Project were viewed as a threat primarily by the refuges. Because, if there was, if water flows to the project would be cut it would come at the expense of refuges. First of all, there wouldn't be the higher flows in the winter and the spring, and then as the project was forced to become more efficient, the drain flows, the late season flows to the wetlands would diminish, and so wetland acreage would diminish

⁸ Stillwater National Wildlife Refuge is located in the Lahontan Valley in north-central Nevada, near the community of Fallon, sixty miles east of Reno. The refuge has been designated a site of international importance by the Western Hemisphere Shorebird Reserve Network and listed as a "Globally Important Bird Area" by the American Bird Conservancy and an "Important Bird Area" by the National Audubon Society. For more information, see U.S. Fish and Wildlife Service, "Stillwater National Wildlife Refuge/Nevada," www.fws.gov/refuge/stillwater/.

and the water fowl and associated animals would be impacted by it. So, the refuges were accustomed, at one point, to being, let's say, a partner with the farmers, and then they got the short end of the stick. Because, all of the benefits for Pyramid Lake would come at the expense of wetlands.

So, to meet their responsibilities for migratory birds and such, they had to become as adamant about getting water from the Truckee as the farmers. "We need more. We need more. How can you do something that's going to affect what we're directed to do by the people of the United States?" The people on the other side, the endangered species people, are saying, "We have these species that may go extinct. We have a responsibility and a directive from Congress and the people of the United States to save these species. The lake has gone down so much over the years, we have to get back some of that resource to try to save what was there and perhaps put it back into a position that it was prior to irrigation." So, that sets up an immediate conflict. Not only do you have conflicting interests, the birds versus the fish, you also have the birds in a different basin. And, this whole notion of inter-basin diversion, in recent years, has become anathema (Seney: Right.) to, to many people. But, in this instance the canal is not only viewed as a lifeblood for irrigation, but viewed as a lifeblood, a main artery, for the wetlands as well. So, the conflict is sort of built into the mission of the Fish & Wildlife Service.

And, I've seen the same thing in Klamath Falls too, because the refuges would only get drain water. They had no water rights. It was the same thing at Stillwater. No water rights for birds. Of course, there were no water rights for fish at Pyramid, either. (Seney: Yeah.) But, up in Klamath, no rights for fish. No rights for refuges. But, the more inefficient the irrigation project would be, both in Fallon, or let's say at Klamath Falls, the better production would occur for birds at the refuges. So, waste a little water but look at all the benefits. (Seney: Yeah.) And, of course, the interests both from bird watchers, also from hunters, and then the international treaties for the migratory birds was also, you know, of great interest to the refuge managers. So, they could not afford to cut their throats by saying, "We need a more efficient operation," because they would have no resource to manage then. (Seney: Right.) And, this is sort of at the heart of, I think, the dilemma with Fish & Wildlife Service. It's become institutionalized. You don't see the same conflict in Reclamation.

Seney: It's kind of schizophrenia, isn't it, the organization?

Strekal: Very, very definite.

Seney: But, it must be very, is it stressful, or they work it out? Or ...

Strekal: They do, but they're never really sure who, who they're dealing with from one, one

meeting to the next. And, of course, the problem is, in the Newlands area, Pyramid Lake and Newlands, is you have different managers, or different administrators, for each of the two programs. (Seney: Right.) So, the refuge manager is answering to one person in Portland. The endangered species person is answering to a different person in Portland, and the ultimate arbiter in this whole instance becomes the regional director, who is usually not available. So, you have assistant regional directors, with egos, that are constantly butting heads. And, the directives are coming down for the individual programs, and of course the, the local managers are implementing what their bosses are telling them to do. (Seney: Sure.) So, it ... it, resolution is very difficult. And then, when you go to a meeting and people say, "Well, Fish & Wildlife Service has been invited to the meeting," you're never sure if it's Fish & Wildlife Service Endangered Species Ecological Services or if it's Fish & Wildlife Service Refuges. And, many times, when they're both there you don't know who's speaking for the service then, because the individual interests are so disparate.

Seney: And, I'm sure the regional director isn't available because the regional director doesn't want to be available and have to resolve these dilemmas?

Strekal: That's why he has assistants. (Laughter)

Seney: Yeah. Because it's very political charged, I would think, for the regional director, and it's just as well to sort of let these things (Strekal: Right.) go in their own directions?

Strekal: And, of course, when you, when you have a regional director, who also oversees operations in California, you have a person whose interest is being demanded by many, many people. (Seney: Yeah.) Because, there are a lot of, a lot of projects for the service.

Seney: Is there any analogy here with the Bureau of Reclamation, where the regional director of the Mid-Pacific Region is in California, and no question his most important responsibilities are the Central Valley Project and not the Newlands Project? Is that an analogy there?

Strekal: Well, you don't have the competing interests, though, for the people beneath him, because I, (Seney: That's true.) as I'm sure I said in our previous interview that I've always viewed Reclamation as a, as a top-down organization. The managers at the various levels never question what the, (Seney: Yeah.) what the regional director says. So, you don't find disputes like that there. Although, it has created problems, I think, in recent years, that the regional director for Reclamation has not always been available. Because you would, you would like *the* regional person to speak and there have been a lot of, there have been a lot of problems with the local manager for Reclamation, at least, you know, certainly up until, until now. It has not been a very

(Laugh) secure position. (Seney: Right.) You know, the previous, the last two managers have left under very uncomfortable circumstances.

Seney: And, the fact is that the regional director of the Bureau of Reclamation is somewhat cut out of the picture, or has been, because Interior takes a direct interest in the Newlands Project?

Strekal: Sure. Sure. Well, Interior takes a direct interest, at various levels. The assistant secretary for water and science is tracking this very closely. Recently, the assistant secretary for Indian Affairs has taken an interest in things that have been going on. You have the Senator's Office taking a keen interest.

Seney: Senator [Harry] Reid's Office?⁹

Strekal: Senator Reid. So, everyone is kind of looking over their shoulder, you know, to see who's watching them (Seney: Yeah.) do what they do.

Seney: Yeah. Well, let's, we'll get into maybe more of that further down the road, because I want to ask you about the Truckee-Carson Coordinating Office, (Strekal: Okay.) and how you think that works. But, let's go back to your, to what it was you did when you went to work for Fish & Wildlife Service in one of these studies. Tell me what. You know, other people, as they read this, won't be federal employees and they won't quite understand what it is that you would do when you were doing a study for the wetlands impact, and so forth.

Responsibilities for the FWS

Strekal: Okay. My job with Fish & Wildlife was a little bit different, I think, than it was with Reclamation, because I was supposed to be doing a specific program, the Water Rights Acquisition Program, again which was identified in Section 206 of Public Law 101-618. I was still a Recovery Team Leader for *cui-ui*, so that was, that was another, another duty that I had, but what we were doing was trying to come up with alternatives, alternative plans for acquiring the amount of water that would be necessary to promote, support, maintain the 25,000 acres of wetlands on the Newlands Project. There were a couple people that, that were involved in my program and I think most of the people were not as familiar with the resources, certainly and with the politics, as I was. And, we had a lot of—of course, we also had

⁹ Senator Harry Reid represented the state of Nevada in the U.S. Senate from 1987 to 2017. Senator Reid also participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Harry Reid, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

a person from the State of Nevada, who was on a detail to the federal government, who is very interested in wetlands and the migratory birds. And ...

Seney: Who was that?

Strekal: It was Norm Sakey [Spelling?]. And, of course, politically often at odds with the federal government. So, we had a, we had a diverse group that I was working with. And, we spent a lot of time trying to formulate these alternatives to come up with the approach for analysis in an environmental impact statement. As it turns out, I only worked for the service for five months on this program and tried to give them as much insight as I could, both in terms of my experience with the resources in the region and also with my kind of quasi-legal view on things. And, I told you earlier when we were speaking of my interest in language, (Seney: Right.) and understanding the importance of the written word, certainly in a document that gets distributed widely, publicly. And, I don't think a lot of the people that I worked with quite had that sensitivity to the language that I had. So, I was constantly challenging them on proposals that, that they were putting forth to analyze in the document. After I left Fish & Wildlife Service I was still involved as a, what we'd call a "cooperator," assisting the service and putting portions of the document together, and certainly reviewing the document, which eventually was released as a draft E-I-S, a final E-I-S Record of Decision, and which allowed the program to go forward to allow the water rights (Seney: What does that ...) to be purchased.

Seney: What are the elements that goes into something like this? What are the specific categories that you're looking at in an Environmental Impact Statement over wetlands acquisition?

Strekal: Well, you want to, you want to look at all resources that could possibly be affected, for one thing. Well, first of all, you have to come up with, with a project, some, some proposal, and try to determine all of the ramifications of what it is you're proposing, what's the resource you need, how much do you need, how do you get the funding to support it? And then you go out and you look at all the resources in the, in the affected area. Well, you define the affected area and then determine the resources that could possibly be affected by it, and you have to determine if there is available data. If there isn't data, you have to come up with studies, possibly, to collect the data and come up with some means of analyzing it that would make sense, that as people say, "Will pass the straight-face test publicly." (Laugh) Saying, "Yes, we've identified all of the possible impacts, you know, to this degree," and then to the degree that you can, identify mitigation for impacts to try to, which didn't, from the federal side would not necessarily have to be implemented. But, the federal government through NEPA, National Environmental Policy Act, you, you're required to identify mitigation but not required to necessarily implement it. In California you would have to implement mitigation.

Seney: What, because the California CEQA, (Strekal: Right.) the California Environmental Quality Act?

Strekal: Right.

Seney: Can you give us a specific example what you mean when you say “impacts” and then “mitigations”? Are we talking about, try to be specific, (Strekal: Okay.) and give illustration.

Impacts and Mitigation

Strekal: An example would be, specific to Newlands and the wetlands, we would have to acquire water rights, and the simplest way to acquire water rights would be to buy them. So first of all, you have to have the money to buy the water rights. The Congress, of course, was providing money for this purpose. But, by acquiring water rights then you would transfer the water rights from land that had been irrigated for a number of years, send that water down to wetlands. One of the first impacts you might see is, “What happens when you stop applying water to the land? What happens to the groundwater? If you don’t get this additional seepage, will local wells be affected by removing the water? What happens to the land that was originally farmed, up until the time that the water rights were acquired? If there are noxious weeds that grow, what affect is that going to have on the community? If land is no longer farmed, that’s a component of the economy that disappears. What happens if that money is lost from the community?” Taking it on the flipside you say, “Well, this water is now going to promote wetlands, land that perhaps had been dry for a number of years. What’s going to happen when water is applied to it? What type of plants will grow? What type of birds will be attracted to it? Will there be hunting? To what degree? How much money will that generate? What will be the quality of the water? Will there be any problems created by sending water someplace that it hadn’t been before?” So, this is what I would mean by impacts.

Seney: Good.

Strekal: And then you would say, as a mitigation, if there’s an element of—let’s say you would say that land would be taken off the tax rolls, because it would no longer be farmed. But, one of the things that you do to mitigate would be to pay taxes on the land, let’s say. That’s a simple example, (Seney: Right.) and of course the service has a program that allows that to happen, so it doesn’t create an immediate impact to, in services to the community.

Seney: I take it one reason Norm Sakey [Spelling?], of the Nevada Division of Wildlife, would be there is because of the, what was it, Question 9 on the 1990 Nevada ballot

that approved \$8 million for ...

Strekal: There was \$9 million.

Seney: Nine million for wildlife, or for wetlands purchases (Strekal: Right.) out there?

Strekal: Right.

Seney: So, you're dealing with, you're including them because they're going to be one of the purchasers, I suppose?

Strekal: Sure. That's right. Yeah. And, the statement looked at the acquisition of all of the water rights that were identified under the public law, even though a portion of those would be acquired by the states, (Seney: Right.) Nevada, and the State of Nevada has nothing similar to NEPA or CEQA. (Seney: Right.) They don't have to do an environmental analysis. So, the federal government (Seney: Did it?) did that as a sort of an over-arching (Seney: Yeah.) kind of analysis.

Cui-ui Recovery Team

Seney: What did you do on the Cui-ui Recovery Team while you were with Fish & Wildlife Service?

Strekal: Uhm ...

Seney: You were the leader of that team?

Strekal: I, yeah, well and I still am. Hard to believe. (Laughter)

Seney: That's right. You are, aren't you?

Strekal: I still am, for now anyway.

Seney: Yeah.

Strekal: But, we were putting together the recovery plan, the Second Revised Recovery Plan, trying to determine that if status of the species was still appropriate, and then looking at measures that could be implemented to achieve recovery, get the fish off the Endangered Species List. So that, we finally completed that in '92, and of course this was after I had, I had left the service. So, I've been Recovery Team Leader in three different bureaus for Interior.

Seney: For Bureau of Reclamation, (Strekal: Fish & Wildlife.) Fish & Wildlife, and now for

Bureau of Reclamation History Program

Bureau of Indian Affairs?

Strekal: Right. Right.

Seney: How long were you with the Fish & Wildlife Service?

Strekal: I was with them for three and a half years in Washington D.C. from '79 until '82, and then for five and a half months in 1990.

Seney: What made you switch over to the Bureau of Indian Affairs?

Strekal: It was, as they say, "an offer that I couldn't refuse." It was an opportunity to continue working on programs that I had been working on, and to get a promotion, which I figured was long overdue. And, it was an opportunity to, I guess, to maintain a lot of independence, which of course I've always cherished in all jobs that I've had. And, Indian Affairs was going to allow me to retain that independence.

Seney: How does the Bureau of Indian Affairs differ from the Bureau of Reclamation and the Fish & Wildlife Service, do you think?

Strekal: In all ...

END OF SIDE 1, TAPE 1. JULY 20, 1998.

BEGIN SIDE 2, TAPE 1. JULY 20, 1998.

Seney: This tape caught what we were saying at the end, but I wanted you to comment on, you said that the Bureau ...

Strekal: I said, I have to go now. (Laughter)

Seney: Yeah. That was after the tape went off. But, you know, you know and I know that all these organization have their histories, and their cultures, and their personalities, and we expect them to differ.

Strekal: Certainly.

Seney: And, I'm just curious how you would describe those differences and how you would characterize the Bureau of Indian Affairs? Remember, if when you review this manuscript if you'd like to restrict it (Strekal: Uhm-hmm.) we can do that. There's not a problem. (Strekal: Sure.) And, again, let me remind you that this goes to the National Archives (Strekal: Right.) and no one can have access to it, except on the basis that you permit access to it. (Strekal: Okay.) So, and it will go from me to a

professional oral history transcriber. It goes to no one in the government. It comes back to me for review. It goes to you. So, no one will see it (Strekal: Sure.) who can, who can make mischief over anything you say.

Bureau of Indian Affairs

Strekal: Okay. How does, how is B-I-A [Bureau of Indian Affairs] different?

Seney: Right.

Strekal: I said, "In (Seney: Every way.) all respects." I think initially, because there are so many constituencies that B-I-A represents, Reclamation essentially represents, or let's say until recently has represented irrigators. Fish & Wildlife Service has represented wildlife interests, let's say. But, B-I-A has to look at not only irrigation, because there are Indian irrigation projects, and wildlife interests, because there are interests associated with the various reservations. Many of those go back to aboriginal hunting and fishing rights. But, you have social programs. You have road programs. You have tribal administration programs. You have natural resource programs. You have individual Indian money allotments that are coming, all being managed through Bureau of Indian Affairs. So, you have, I'm going to say, let's say at a minimum ten, ten different programs that are run by Indian Affairs, but in addition to the programs then you have all the various tribes, who also have some say in how you spend your money, which is different from the other organizations. The irrigators may, for Reclamation, the irrigators may not like what Reclamation's doing, and they could complain to their congressman, their legislators, and then Congress might make a change depending on, you know, how, in the next budget session as to what Reclamation may or may not do. But, the individual tribes can affect what happens on a month-to-month basis within Indian Affairs. And then you have all of the contracting things that come up where the tribes can assume federal responsibilities of federal programs.

Seney: Let me just stop you there. Obviously, one of the three, I guess you were dealing with three tribes, were you, the Pyramid Lake, the Fallon tribe, and the Washoe tribe? Or, are there others too? Walker tribe, maybe, you were dealing with?

Strekal: Well, our office is unusual. Again, it's the Western Nevada Agency in Carson City. The norm for Indian Affairs is that one agency represents one tribe. An agency is usually out in the field. I mean, that's kind of what an agency means. But, Western Nevada Agency is quite a bit different. There are, I'm trying to think right now, at least twelve tribes that (Seney: Oh.) this office represents interests for. Now, in terms of, in terms of Truckee-Carson issues it's primarily Pyramid tribe, Fallon tribe, and Washoe tribe, but Walker River is becoming very visible now. So, we also represent the Walker tribe and there's an endangered species issue related to Summit Lake

tribe, which is in the northern part of the state, and essentially Western Nevada Agency represents tribes in the entire northern half of the state of Nevada. So, there are a lot of, a lot of demands, a lot of pressures that are placed upon that office, and of course upon the funding that the office gets. And, of course, with a lot of social programs you can't always budget, you can't always anticipate what your budget is going to be, (Seney: Right.) or what it should be, from year to year. And, some programs end up demanding more money. And, unless there is a special appropriation, that additional money might have to come from another program. So, there's a lot of infighting. Of course, there's fighting within the tribes because of different family interests, (Seney: Right.) different political factions, and then those factions can be represented by various employees within the agency, and it's, it's a very difficult juggling act.

Seney: Yeah. You know, one of the things that I've, as you know I've interviewed members of the Fallon tribe and the Pyramid Lake tribe, and there's one thing that's clear to me, and these interviews for me raise special problems, because it's not like interviewing someone like yourself, or other Anglo-Americans. (Strekal: Uhm-hmm.) Because, there's a different cultural perspective.

Strekal: Sure.

Seney: And there, there is a difference, a real difference.

Strekal: Culturally and semantically as well.

Seney: Yes. Absolutely. And, in an agency—and, that's an interesting term, by the way, isn't it? That's an historical term, the idea that you call each of your offices an "agency"?

Strekal: Right.

Seney: Yeah. What is the effect of having Native Americans in this kind of bureaucracy? How does, how does that affect the sort of culture and the nature of the organization?

Strekal: It turns it into a very subjective operation, I think, in many respects. There's an Affirmative Action hiring policy by B-I-A, so, which other bureaus don't have. That if someone, if there are two people with equal qualifications applying for a job in B-I-A and one is an Indian and the other is not, the Indian will always be hired. And, I think it places a lot of pressure on non-Indians in the organization. Because, you're separate really and not equal. And, it's difficult sometimes being a minority in the organization. The other thing is that because of that affirmative hiring policy I think many times you're not getting, and this is going to be a terrible thing to say, but

you're not always getting the best qualified person for the job. People from other agencies note that there is less professionalism in B-I-A, and I think part of it might be because the people that are hired for the jobs don't have the special training, and I think in many respects, too, there are so many demands placed upon the people to do the day-to-day work that the training just isn't provided to become that extra-professional person I think the everyone expects and that they encounter in other organizations. So it's, it's viewed as not quite a professional organization, and it's much more difficult, I think, being a B-I-A representative in meetings because there's already this mindset, "Well, if you work for B-I-A you must not be very good." (Seney: Ah.) I mean this, this happens (Seney: Yeah.) a lot and I'm not speaking for myself, but this is something that I've heard from many people. (Seney: Right. Right.) And, of course, I never, I never expected to work for Bureau of Indian Affairs and I think partly because of what I just said. (Seney: Yeah.) But, they certainly made it compelling for me to work for them. And, I appreciated the fact that they were willing to pay me money that I thought that I deserved, (Seney: Sure.) but secondly to recognize my abilities and to have the confidence in me to do the things that I felt needed to be done.

Seney: Are they trading what we might describe, what you were describing as professionalism for a kind of empathy and rapport with the tribes that they're likely to get from hiring Indians?

Strekal: Oh, sure. Oh sure. And, it's, I'm trying to think, it's kind of compensation, I think, for a lot of (Seney: Yeah.) what's viewed as past wrongs.

Seney: Oh, absolutely. And, I can understand that too. (Strekal: Yeah.) Right. Right.

Strekal: I mean, I think that's kind of what you're saying. But, yes, it's much ...

Seney: Well not, not exactly. What I'm suggesting is that the tribal culture and outlook is, say, very different than the Bureau of Reclamation has to deal with in terms of the irrigators.

Strekal: Right.

Seney: So, you need people who have a rapport and empathy for that culture.

Strekal: A kindred spirit?

Seney: Yeah. Exactly.

Strekal: Sure. I understand what you're saying.

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- Seney: Yeah. And, for that you trade some professionalism perhaps. (Strekal: Sure.) But, underlying this is this notion of guilt that (Strekal: Sure.) for past wrongs we'd better compensate too?
- Strekal: Yeah. Yeah.
- Seney: Yeah.
- Strekal: Yeah. I think both of those are operating. And, I have to admit that I like the people that I work with. (Seney: Yeah.) And, I haven't had a problem personally, although, you know, we do, one of the inequalities in the office is that I get paid a lot more (Laugh) than a lot of people there. But again, I'm ...
- Seney: You're a G-S?
- Strekal: Thirteen.
- Seney: Thirteen?
- Strekal: And, the Superintendent is a fourteen. And, the next highest person in the office is a twelve, for other programs. But, you know, most of the people there are at much lower levels. (Seney: Yeah.) So, being a non-Indian, but also being a professional. And, again, I make a lot of, I deal with a lot of policy issues, (Seney: Right.) and dealing with a lot of people in Washington. (Seney: Yeah.) So, I mean I certainly don't apologize for it. (Seney: Right.) But again, people see not only am I making a lot of money but I'm, or not only am I not an Indian but I'm making (Laugh) more money than them too. So, it does create tensions at times.
- Seney: I'm sure it does. I'm sure it does. Why, why did they hire you? Who was, what do you understand to be the process that went into their asking you to come and work for them?

Bureau of Indian Affairs and the OCAP

- Strekal: When OCAP was first implemented, let's say the 1988 OCAP, it was felt that all of the affected bureaus had to be represented in monitoring the operations. And, obviously Bureau of Reclamation, because it was a Reclamation project, (Seney: Sure.) obviously Fish & Wildlife Service, because of the fish on one side and birds on the other, and then Bureau of Indian Affairs because there were two Indian tribes that were represented, one tribe that was benefiting directly from the irrigation project, and the other tribe that was being impacted by the irrigation project. So, all three were put into this coordinating—I can't remember the exact name of the group, but it

was, each of the bureaus was supposed to be funding an equal portion of this Fallon Field Office for Reclamation that would help to implement and monitor the OCAP for 1988. When the public law was passed, 101-618, there were a lot of elements related to the irrigation project, a lot of elements that related to Fish & Wildlife Service interests, and of course a lot of benefits for the Indian tribes, because this was a water rights settlement act. And, they felt that there had to be, in the past—let's, I'll jump back a second—in the past, B-I-A had not been well represented in a lot of meetings and a lot of the day-to-day workings of Newlands Project and Pyramid Lake, and in part because of, they didn't have sufficient staff because of all of the other programs they were working on, but also they didn't have people that had the background, training, and interest, I think, in a lot of the things that went on. So, B-I-A was always viewed as a casual participant and was never taken, I'd say was seldom taken very seriously, because they weren't always there. If it was convenient for someone to, from Phoenix to come up, with Phoenix being the area office for Western Nevada Agency, you know, that was fine. But again, these people, you were never sure if they would come to successive meetings. So, they were kind of occasional participants. So, there were these ...

Seney: These are very technical matters, aren't they, OCAP?

Strekal: Extremely technical. Extremely.

Seney: They require a lot of knowledge and ...

Strekal: Oh sure.

Seney: Yeah.

Strekal: Sure. I mean, you have to, you have to understand water rights. You have to understand the management of the river. You have to understand the operation of the project, and all of the resources that depend upon the water resource that you're managing. And, of course, a lot of technical elements that go into the analysis, computer modeling, analysis of data, and the like. So, I mean, it isn't a casual business. (Seney: Right.) So anyway, to, to make the story just a little bit shorter, when the public law was implemented there was a view, a very strong desire on the part of the people in Washington, that Bureau of Indian Affairs be represented full-time, be involved in the discussions and help making decisions for the secretary. So, money was provided to Western Nevada Agency for a biologist and an engineer to assist in implementing the public law, and of course representing the interests of the tribes, as well as B-I-A. (Seney: Right.) And, there's a bit of a difference too, because as a B-I-A employee I'm representing one sovereign government, which is the United States, but also representing several other sovereign governments, for whom I can't really speak directly. I feel I can only speak directly for the federal government,

(Seney: Yeah.) because they're, first of all they're the ones that are paying me. The tribes are distinct and separate. Did that answer it?

Seney: It did. Yeah. Right.

Strekal: Okay. Good. (Laughter)

Bob Pelcyger's Influence

Seney: Yeah. Right. It did. Yeah. I mean, I can understand that with the changing law and so forth that this, that this would be something the Bureau of Indian Affairs would want to do. Did Bob Pelcyger,¹⁰ do you think, have anything to do with suggesting that B-I-A should be better represented?

Strekal: I can't imagine that he wouldn't have. Yeah. (Laughter)

Seney: He, of course, is the tribal attorney for Pyramid Lake, and a very able and influential individual?

Strekal: Extremely able and extremely influential, and he's been doing this for (Seney: Twenty-five years.) twenty, twenty-five, twenty-eight years, I think.

Seney: Yeah. Yeah.

Strekal: A long time.

Seney: That's right. That's right.

Strekal: So, not only does he have a history, but I'd say a keen legal mind, and also a keen technical mind as well.

Seney: Yeah. Yeah.

Strekal: And, he's been a real force. I almost hate to use that expression, but he's helped to get a lot of things going in the basin and has had some, some interesting insights into how problems can be resolved. I'll just leave it at that.

¹⁰ Mr. Pelcyger participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Robert (Bob) S. Pelcyger, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Professor Donald B. Seney for the Bureau of Reclamation, in 1995 and 2006, in Reno, Nevada, and Boulder, Colorado, 1995 interviews edited by Donald B. Seney and all interviews further edited by Brit Allan Storey, senior historian of the Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

Seney: Okay.

Strekal: Yeah.

Seney: Excuse me for just a second.

Strekal: Sure. [Recording paused]

Seney: You know, you said a little bit about, about Bob Pelcyger and his importance here, and I don't know quite how to approach this, but maybe we'll just let it flow in a sense. That is, certainly Pyramid Lake Tribe's success, a lot of it has got to be ascribed to their representation by Mr. Pelcyger. Would you agree?

Strekal: Oh, definitely. Definitely. He has, certainly has contacts throughout government and he is loved, hated, feared, despised, and respected.

Seney: Yeah. (Laughter)

Strekal: I think by, by many people. I think "respect" is probably an important word. (Seney: Yeah.) Maybe not sure sometimes where Bob is coming from, and I think a lot of people think that Bob maybe even pushes an issue sometimes too much, but I can't think of anyone better to represent one's interests (Seney: Yeah.) than Bob. And, I think people across the board would agree that he's been a catalyst for the tribe.

Seney: And an influential voice within the Bureau of Indian Affairs?

Strekal: Oh, yeah. Oh, yeah. Bob, well again, Bob is also friends with the present Assistant Secretary for Indian Affairs.

Seney: Who is?

Strekal: Kevin Gover. So, I think they've known each other for a long time. And, Bob knows the secretary, and ...

Seney: Babbitt? Mr. [Bruce] Babbitt?¹¹

Strekal: Mr. Babbitt. And, I think, knows Senator Reid and his staff very well too. So Bob, Bob is well connected. But again, he's a very intelligent and a very capable person.

Seney: From your perspective do you, do you find that always useful or is it sometimes perhaps a little bit of a nuisance in a way?

¹¹ Bruce E. Babbitt served as governor for the state of Arizona from 1978 to 1987 and served as Secretary of the Interior under the Clinton Administration from 1993 to 2001.

Strekal: What's that?

Seney: Well, his influence and, you know, the fact that here you have a tribe which is politically powerful, I mean there's no question about that, (Strekal: Yeah.) and while they have been well led, and conspicuously well led in the case of people like Joe Ely,¹² at critical times, (Strekal: Right.) I don't think anybody would argue with the idea that Mr. Pelcyger has provided the continuity over the years. And, is that advantageous, as you see it, or are there times when you kind of throw up your hands and say, "I wish it were otherwise"? Or ...

Strekal: Well, you always know that if you have a phone call from Bob Pelcyger that you're going to be asked to do something. It's, (Laugh) it's not usually a social call. (Laugh) But, I think one of the other difficulties with Bob, because of his history and knowledge, we're unclear sometimes—when I say "we" I would say generally the feds, who deal with Bob on a regular basis—are not always sure who Bob is representing. If Bob is representing the interests of the tribal council, or if Bob is representing some interest that he's been championing over the years. Because, you know, there are changes that occur within the tribe.

Seney: Sure.

Strekal: The administration changes at least, at least every four years, and maybe more often than that. And sometimes, when a certain faction would come in, they would have interests that would not necessarily congruent with Bob's. (Seney: Right.) That certainly happened in recent years. So, Bob is still carrying the banner. I'm not sure there's anyone behind him. (Laughter) But, he has been consistent.

Seney: What would be an example of what you're alluding to here, something that he may be championing that you, you suspect that the current leadership or the leadership at the time of the tribe is not championing?

Truckee River Operating Agreement

Strekal: In terms of the Truckee River Operating Agreement, Bob, Bob, of course, has been a promoter and a supporter, and has been very influential, I think, in getting the draft agreement to the point where it is now. But, the administration, the current council, or let's say maybe the previous council in the tribe either has not completely understood what the Truckee River Operating Agreement is to have been, or have not been, able to see the advantages that would accrue to the tribe by having such an

¹² Joseph (Joe) H. Ely participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See Joseph (Joe) H. Ely, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2011, www.usbr.gov/history/oralhist.html.

agreement. And when I say “Truckee River Operating Agreement” this is a multi-party agreement to change the operation of Truckee River reservoirs: Stampede, Boca, Prosser, Tahoe, Independence, Martis, and Donner. Did I say Donner?

Seney: I’m not sure you did.

Strekal: Okay, anyway. Donner. And, the tribe sometimes is a bit leery of changes. Of course, over the years they have, they have spoken out quite a bit about the growth in Reno and Sparks and what effect that’s going to have on the tribe. They say, “Well, we’ve been fighting the [Truckee-Carson] irrigation district all these years. Now if we get, if we get the problem resolved with the irrigation district do we have to fight Reno and Sparks?” And, of course, the alliances have changed in recent years, that Sierra Pacific and Newlands Project seem to be more on the same side, but now the tribe and Sierra Pacific (Seney: Yeah.) seem to be more allies, and they’ve been promoting the Truckee River Operating Agreement [TROA]¹³ for the past eight years that’s, it’s been, that it has been negotiated. So, there’s always that, that skepticism on the part of the tribal members, you know, “Who’s going to screw us next?” (Seney: Yeah.) And, of course, there is a small but very vocal constituency within the Pyramid tribe that questions any agreement, any type of settlement with the government and any of the parties. And, I think one of the problems that comes about too is that money has been set aside for the tribes, or let’s say for the Pyramid tribe, that, as part of the Settlement Agreement, that doesn’t become available until there is a Truckee River Operating Agreement. There are members within the tribe who say, “Well, if the money’s been put aside it should just be made available to us,” and that the money would be distributed amongst the tribal members. Of course, there are other restrictions that are included in the law. First of all, that there has to be this agreement, and secondly that the money can be used, or must be used for economic development, and only in certain ways.

Seney: And, there could be no per capita distribution?

Strekal: Right.

¹³ “More than 27 years in the making, the Truckee River Operating Agreement (TROA) now guides use of the river that winds nearly 120 miles from the mountains of Lake Tahoe to Pyramid Lake and is the primary water source for Reno and Sparks. The long pursued plan brings the Truckee River’s management into modern times, protects the area from protracted droughts and offers a promising future for the region....

The agreement brings an end to historic uncertainty between Nevada and California over distribution of the river’s water, allocating 90 percent to Nevada. Beyond enhanced drought storage for the Truckee Meadows community, it modifies the operation of federal and selected non-federal reservoirs in the river system to protect and improve water quality and enhances conditions for the endangered Pyramid Lake cui-ui and the threatened Lahontan cutthroat trout. By retaining more water in upstream reservoirs, TROA also expands the range of recreational opportunities, including boating and fishing.” See, Truckee Meadows Water Authority, “Truckee River Operating Agreement,” http://tmwa.com/water_system_settlement/ (Accessed 2/1019)

Seney: Yeah.

Strekal: Right. Or, let's say ...

Seney: Only the interest, perhaps, (Strekal: Yes.) but not the principal?

Strekal: But not the principal.

Seney: We're talking about \$42 million?

Strekal: Forty million.

Seney: Forty million?

Strekal: And, additionally, there was \$25 million provided to the Fishery Fund, (Seney: Right.) and again the principal could not be used but the interest would be used to support (Seney: Yes.) the operation ...

Seney: But essentially, both are essentially endowments?

Strekal: Right.

Seney: Yeah.

Strekal: Right.

Seney: Right. Do you attend the TROA meetings?

Strekal: Oh yeah. (Laughter)

Seney: I've attended one of them and, of course, at that time I knew nothing, really, about what was going on, and it was just completely, completely incomprehensible to me. I know it's not to you.

Strekal: Right.

Seney: But, why would you attend them as long as Bob Pelcyger and the tribal people are there? I mean, the B-I-A is not a signatory, are they, to the agreement?

Strekal: No.

Seney: But, Pyramid Lake is?

Strekal: Well, the secretary of interior would be a signatory. But again, it's the secretary representing the interests of the various bureaus. But again, just because the tribe is there, the tribe still has its own interests and Bureau of Indian Affairs, although it does represent interests of the tribe, is, directly B-I-A represents the interests of the secretary, still.

Seney: Yeah. What are you there looking for and looking at?

Indian Affair's Interest in the TROA

Strekal: I'm looking at a number of factors. One, I'm trying to see if the agreements, or side agreements, any of the components of the agreement make sense, whether they're consistent with water rights, whether they make sense from a water management perspective, trying to see if the interests of the tribe are represented, and if they are, are the interests of the secretary being represented as well. So, I'm looking at it partly from a management perspective, partly from a biological resource perspective, and partly from kind of a legal perspective as well, because I think one of the things that I bring on the federal side, although I'm not an attorney, is an understanding of the language and the implications of, of agreement language. And, I think it's been very helpful. I've participated in a number of negotiations, not only for Truckee River Operating Agreement but other settlements as well, and I've sort of taken it upon myself to be the semantician, let's say, for the feds, both the boon and the bane for the attorneys.

Seney: Yeah. Be specific again, if you don't mind, about what specific things in the TROA agreement, a couple of them, that you're looking at.

Strekal: Looking at how, how water is stored. Currently, reservoirs are operating, we say essentially for a single purpose, one type of water in one reservoir. The operating agreement will allow different categories of water, water that might be owned or could benefit a number of different parties, being stored in one reservoir, and then for water to exchanged among the various reservoirs at various times. When I say exchanged, in other words you would, instead of traditionally water being released, let's say, from Stampede for fish at Pyramid Lake, you might be releasing water from Prosser Creek Reservoir and then crediting the amount of water that was released back to the other reservoir in exchange for this water being released to try to maintain a higher reservoir level for recreation purposes or perhaps for water quality, for temperature purposes, and the like. So, to try to integrate the operation of all of the reservoirs. One of the things that we were looking at is (Phone ringing) ...
[Recording paused]

Seney: Go ahead.

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- Strekal: And, another aspect that we would look at is how these exchanges would affect flows in the various tributaries to the Truckee River by changing the operations. Great interest in California (Seney: Right.) for how the reservoirs would be managed to try to promote local fishery interests, or the local fishery. We would look at water quality in the Truckee River. We would look at how the various interests would receive their water, and of course try to ensure that as much water as possible would be made available for the federal interests and, of course, to benefit Pyramid Lake. So, there are a lot of elements that go into it, and it's kind of the practical aspect of managing the water, but then also the ultra-legal aspects that go into some of this (Seney: Right.) arcane language that the attorneys have been putting into the agreement.
- Seney: So you, what you're saying is that no matter what the tribe and Bob Pelcyger might be interested in, you want to make sure that from the point of view of the B-I-A that, that you're satisfied that the (Strekal: Right.) tribes' interests have been met?
- Strekal: Right. That we're discharging our trust responsibility properly and that we're protecting the secretary and the United States. (Seney: Yeah.) Because, we may not necessarily find the interests of the tribe to be congruent with that of the federal government (Seney: Right.) all the time.
- Seney: Right. Right. You know, I want to ask you what you mean by "trust responsibilities" in a second, but I also want to raise a question that's a little more delicate. And, that is I have heard it said, and again this is largely by people on the project, and a number of them have said this to me, that they are suspicious about Mr. Pelcyger's true motives, and that is that they think he's a little too cozy with Sierra Pacific Power. You must have heard, have you heard these allegations?

Making Alliances

- Strekal: Oh sure.
- Seney: This is a, this is a kind of constant, I think, within the Fallon community. (Strekal: Uh huh.) One of the things they say about him is, "Who does he really represent?" Because these agreements, the Preliminary Settlement Agreement, the TROA, will work to the advantage of Reno and Sparks, Westpac Utilities, which is Sierra Pacific Power.
- Strekal: Right. I think, just to interject real quickly, I think Bob recognizes the importance of a powerful alliance, and Reno-Sparks is in the same basin as Pyramid Lake. If the Truckee Canal were to close, Bob would still have to deal with Reno and Sparks. So, what he's trying to do first of all is to come up with an agreement that would

essentially separate the two river basins, resolve the Carson River stuff with, with the Newlands Project, and what better way to do it than to have a strong, large constituency on his side.

END OF SIDE 2, TAPE 1. JULY 20, 1998.

BEGIN SIDE 1, TAPE 2. JULY 20, 1998.

Seney: What you were saying. We were talking about, I suppose, essentially the relationship between the tribe and Sierra Pacific Power, and Bob Pelcyger's role in this, and some of the negative things that are said about him in this relationship among the irrigators. So, go ahead and expand on that.

Strekal: Yeah. And, in fact, it's good that we get to come back to this. Because in the agreement that currently guides the operation ...

Seney: Oh, I'm sorry, let me say, (Laugh) this is—my name is Donald Seney. I was so excited to get to this information. My name is Donald Seney. I'm with Thomas A. Strekal. Today is July 20, 1998. This is our second session and our second tape, and we're in South Lake Tahoe, California. Go ahead, Tom. I'm sorry.

Strekal: I hope I didn't forget the point. (Laughter) The current operation of the river is guided by something called the Truckee River Agreement, which is something that was put together in 1935 and has been incorporated into the Orr Ditch Decree,¹⁴ and it essentially gives the power of operation to the Washoe County Water Conservation District, Sierra Pacific Power Company, and the Newlands Project for operations of the Truckee River and the reservoirs. So, this is, I think Sierra Pacific, in part, is viewed as a traitor by Newlands Project, because all of a sudden when you had the big three that essentially could determine what happened on the river you find one of these members kind of branching out and going with the enemy. Now, Bob Pelcyger recognizes that there are water rights in Truckee Meadows, that Sierra Pacific owns a goodly number of those water rights and will seek to acquire more in order to provide the service for the growing urban area. I think Bob is a realist in this instance, because he knows that the water rights are protected. There's nothing, let's say there's everything in the settlement agreement that says that water rights will be

¹⁴ The Orr Ditch decree was entered by the U.S. District Court for the District of Nevada in 1944 in *United States v. Orr Water Ditch Co., et al.* The decree was the result of a legal action brought by the United States in 1913 to fully specify who owned water rights on the Truckee River and had rights to storage in Lake Tahoe. The Orr Ditch decree adjudicated water rights of the Truckee River in Nevada and established amounts, places, types of use, and priorities of the various rights, including the United States' right to store water in Lake Tahoe for the Newlands Project. The decree also incorporated the 1935 Truckee River Agreement among Sierra Pacific Power Company (now Truckee Meadows Water Authority), TCID, Washoe County Water Conservation District, Department of the Interior, and certain other Truckee River water users. See Truckee Carson Irrigation District, "What is the Orr Ditch Decree and why is it important?" <http://www.tcid.org/support/faq-detail-view/what-is-the-orr-ditch-decree-and-why-is-it-important>. (Accessed 5/2016)

protected. So Bob, I think, recognizes the power that Sierra Pacific and the Truckee Meadows area has, the influence that they would have over operations, and the value of their resource. What Bob is trying to do is respect what they own and to try to coordinate with them the operation of the river to benefit, certainly to not harm Sierra Pacific and Truckee Meadows interests, and also to try to benefit the Lower Truckee River and Pyramid Lake to the degree possible. So, I think Bob has been very good in this regard, in getting this alliance. Because again, previously Sierra Pacific was tied closely with Newlands Project, with T-C-I-D [Truckee-Carson Irrigation District], and also Sierra Pacific and T-C-I-D used to have the same consultants. Now that the consultants are no longer working for T-C-I-D they're working specifically for Sierra Pacific.

Seney: Is this Joe Burns?¹⁵

Strekal: Well, it's Joe Burns and Rod Hall.

Seney: Yeah.

Strekal: And then, of course, assisting a lot in doing the analysis for this operating agreement, and to try to get the thing done. So, Rod and Joe are no longer anathema to Pyramid Lake. They're viewed as, as aids and allies now. Whereas in the past I've been in court on the opposite side of the fence from Joe and Rod a number of times. Now we seem to be on, more on the same side of the fence, although obviously Sierra Pacific still has certain vested interests. (Seney: Yeah.) And, one of the jobs that we have in negotiating this agreement is to make sure that Sierra Pacific doesn't get more than they should have. (Seney: Yeah.) Even though they're representing the public good, they're still a company. (Seney: Right. Right.) And, the secretary has to ensure that the interests of the United States are protected.

Preliminary Settlement Agreement

Seney: Well the, the Preliminary Settlement Agreement between the tribe and Sierra Pacific figures in here, I think, perhaps in what you're saying, and that is the water conservation part of that, where the tribe has insisted that as an element of that agreement that Sierra Pacific conserve water and encourages customers to conserve water.

Strekal: Right. Right. And, I think the biggest benefit for that is, is now, before all of the

¹⁵ Joseph I Burns participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Joseph I. Burns, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2010, www.usbr.gov/history/oralhist.html.

water rights are being utilized, let's say all of the water rights have been identified with Truckee Meadows area are fully utilized. We were looking down the road on 119,000 acre feet per year could be utilized for Truckee Meadows. It's going to be a much larger population. So, now at least, the water conservation will help stretch the supply, and this is Pyramid Lake, and I think in the stages when, when we're hoping that we could perhaps recover *cui-ui* and perhaps do something beneficial for cutthroat trout as well. And, of course, the United States also has an interest in the Preliminary Settlement Agreement. The Preliminary Settlement Agreement is identified in the public law (Seney: Right.) as ...

Seney: And ratified in the public law.

Strekal: Yeah. And so that, and the Preliminary Settlement Agreement has to be incorporated into the Truckee River Operating Agreement.

Seney: Right.

Strekal: So, I mean it's very complicated. Of course, you know, people are wondering, "Well how does, how does an Indian tribe and a public utility (Laugh) (Seney: Yeah.) come, make an agreement that will affect everyone?" Well, the way it does that is by being ratified by the United States and then being negotiated amongst all the parties as, as being viable, and (Seney: Right.) the primacy, (Seney: Yeah.) let's say, in the basin.

Seney: I know the federal government was a little bit miffed at being left out of those negotiations, (Strekal: Right.) and sort of presented with the fait accompli. (Strekal: Right.) Which, does make sense, by the way, doesn't it? I mean, it's a good agreement the Preliminary Settlement Agreement?

Strekal: It is a good agreement as long as everyone else accepts it.

Seney: Right.

Strekal: I mean, what it, what it did was it formalized the alliance between the tribe and (Seney: Right.) Sierra Pacific, (Seney: Right.) and then gave a lot of impetus to negotiations, showed the congressional delegation that, "Look, you've got two large water interests in the basin that have come up with something that's workable, and if they're not going to fight, why should everybody else?"

Seney: Yeah. Yeah. Right.

Strekal: So, I mean it was, I think it was quite a coup. (Seney: Yeah.) It was quite a coup.

Seney: Yeah. I agree.

Strekal: In some respects, we're still trying to understand (Laugh) some of the elements of the Preliminary Settlement Agreement, but I'm sure twenty years after the Truckee River Operating Agreement is signed people are going to say, "What did they mean when they wrote that?"

Cui-ui Recovery Team Participants

Seney: Yeah. Yeah. Let's go, let's talk about the Cui-ui Recovery Team, and so forth, which you have led. This is made up of, is inter-bureau people? Who's on the Cui-ui Recovery Team?

Strekal: There are several people from the federal government. There were two people from the state, and there were two people from academia. There was one person from the University of Nevada, Reno and one person from Arizona State University. There were two people representing State of Nevada.

Seney: They're no longer, these people are no longer on the team?

Strekal: One of the people has dropped off the team, I think in part because he, he was no longer agreeing with what the team was doing, and of course he's, has since retired.

Seney: Who is this?

Strekal: This is, his name is Jim Curran [Spelling?], and he used to be the Fisheries Director for Nevada Division of Wildlife. And, a man who I've known for a long time and respect greatly, and I was really saddened when he, when he tendered his resignation from the group. But, he was retiring and, of course, he's a resident of Fallon, (Seney: Yeah.) and an irrigator, and decided that he would dedicate his time and interest to his community rather than to the team. And, I certainly understand what he did.

Seney: Who else was—go ahead.

Strekal: Do you want the names? I mean, I can ...

Seney: Yeah. That would be fine.

Strekal: I might as well give you the names.

Seney: Sure. Absolutely.

Strekal: I mean, why ...

Seney: I'll just ask you about it anyway.

Strekal: Why be coy?

Seney: Yeah.

Strekal: Well, Dr. Minckley from Arizona State.

Seney: First name is?

Strekal: Well, it's W.W. Minckley.

Seney: Okay.

Strekal: Goes by "Minck."

Seney: M-I-N-K?

Strekal: M-I-N-C-K-L-E-Y.

Seney: Okay.

Strekal: He never gives anyone his first name. So. (Laugh) So, he's "W.W."

Seney: It must be pretty awful.

Strekal: Well, I think his first name is Wendell. But, (Seney: Uh huh.) Gary Vineyard [Spelling?] from University of Nevada Reno, Gary Scopatoni [Spelling?], who is now working for U.S. Geological Survey in Reno. He used to work for the Research Division of Fish & Wildlife Service, was caught up in the changes that occurred with the biological survey. So, now he's part of U-S-G-S. But, he's been working on *cui-ui*, been doing *cui-ui* research for fifteen, twenty years, something like that. So, he's very knowledgeable. Jim Cooper, from the State of Nevada Department of Conservation and Natural Resources, Division of Environmental Protection. And then I said Jim Curran [Spelling?], who again was the Fisheries Director for Division of Wildlife, which is now part of Department of Conservation and Natural Resources. Paul Wagner, the former Director of Pyramid Lake Fisheries. Paul is no longer working for the tribe. He is now working for National Marine Fisheries Service in Portland. So, his status is a little uncertain right now.

Seney: He was a longtime hatchery director, fishery director for the tribe?

Strekal: Yeah. Yeah. He had worked for the tribe for about eight years, ten years, something

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- like that, quite a long time, and only recently, he left in April of '98 to go to work in Portland. Of course me, on the team. And, who am I forgetting?
- Seney: There must be people from Pyramid Lake on the team?
- Strekal: Well no, Paul, Paul was representing the interest ...
- Seney: He was representing the tribe?
- Strekal: Of, of Pyramid Lake Fisheries. No tribal member, per se. Let's see, I think ... Paul, Scopotoni [Spelling?], that's all.
- Seney: Okay.
- Strekal: There are seven, seven members.
- Seney: Give us a kind of history of the team since you've been on it.
- Strekal: We were formed in 1989 and I think this, we were the third team that has been in existence, have been convened by Fish & Wildlife Service. There were recovery, again recovery teams and recovery plans that they had done in the past, but we felt that the previous recovery plans weren't quantitative enough, really couldn't tell you when you had achieved recovery. A lot of recovery plans in the past had talked about establishing a self-sustaining population. Well, nobody knows what that means, because you don't know what period of years you're reviewing to determine what's self-sustaining. Is the fact that you have something in existence proof that it's self-sustaining or do you need to, do you need to monitor this for a long period of time to determine if it's, if it's stable. In other words, does it, does it undergo natural, or normal oscillations over time, or is it on a decline, or is it on a rise? It was not very clear. (Seney: Yeah.) And this was, the team was reconvened in anticipation of Public Law 101-618 being passed, that called for a timely preparation of, of a recovery plan and to try to recover the species. So, the service, again the responsibility for establishing a recovery team is, belongs with the Fish & Wildlife Service as part of the Endangered Species Act. It gives the service, Fish & Wildlife Service or National Marine Fisheries Service, for marine animals, the responsibility for recovery planning. And, the service could do ...
- Seney: By the "marine" you mean ocean, out in the ocean?
- Strekal: Ocean. Yeah.
- Seney: Yeah.

Strekal: Yeah. The service could put a recovery plan together by itself. They could do it unilaterally. They could contract with someone, some academician, researcher from somewhere, to put a plan together, or they can form teams. In this instance, they decided to form a team, I think, because of the various interests that were represented in the basin and to grade interest by these interests to recover the species or at least determine its status. Seven of us were invited to participate, and I was made the team leader, in part because I had worked as a fishery biologist for Bureau of Reclamation, and I was very familiar with, with issues related to Pyramid Lake and the species. It took us three and a half years to put a plan together, amassing all of the data and trying to come up with some type of tool to evaluate the status of the species and what measures would be appropriate and could be demonstrated to achieve recovery. I and Chet Buchanan¹⁶ from Fish & Wildlife Service had pretty much, on our own, developed what we called the Cui-ui Model, a computer model tool to evaluate the population. And we, we wanted something that would operate over a long period of time. So, we were using the historic hydrology record, the water flows in the river, and using those in conjunction with what we knew of the life history of *cui-ui*. In other words, how long they lived, when they reproduced, how many eggs the females would produce, and what the survival of the eggs, and the young, and the adults would be over time. Tried to integrate all of this information into a model, which I think essentially is what a model is, (Seney: Right.) just a description of available information and use this as a tool both in terms of the recovery plan and also in terms of monthly/annual water management for the basin. And we finally had a plan put together that was approved in May of '92. It identified a number of measures for the basin, which we thought, if implemented, would achieve recovery. And our main, the main thrust of the recovery plan was that additional water would be very beneficial for Pyramid Lake, and water managed properly. In other words, water that would promote spawning, promote reproduction, promote an increase in the population size for Pyramid Lake. I mean for *cui-ui* in Pyramid Lake would be most beneficial.

Seney: This is May and June water, really, isn't it?

Strekal: Well, yeah, but I mean at the time that's, we were managing, essentially managing water for a six-month period of time. And, the thought was that if, if you were promoting spawning when the fish were in the river, because *cui-ui* are only part-time residents in the river, they're only in the river long enough to spawn and then they return to Pyramid Lake, (Seney: Right.) we figured that was sufficient. But, in recent years we've been changing our thinking quite a bit because we realize that relative to Pyramid Lake, just as relative to Truckee Meadows, a river is not a part-time thing.

¹⁶ Chester Buchanan participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Chester Buchanan, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, emeritus, California State University-Sacramento, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation 2010. www.usbr.gov/history/oralhist.html.

A river is not a water delivery system. Water is a viable living thing.

Seney: The river is a viable living thing?

Strekal: Right.

Seney: Yeah.

Strekal: I mean, it's hackneyed to say that, but (Seney: Yeah.) we thought that we couldn't manage water for six months out of the year to have a twelve-month river. So, we've been changing our views and the service, Fish & Wildlife Service, has been trying to manage some excess water to try to promote the growth of cottonwoods in the lower river, in part to stabilize the lower river and also to reestablish a canopy, which would tend to prevent heating of the river from the effects of sun rays, and that would be beneficial. It would keep the water temperatures lower. It would also require less water at certain times of the year. So, you could extend your water supply for other uses in the river. And, of course, one of the uses of water in the river would be to promote a fishery. (Seney: Yeah.) And, the most obvious fishery, then, is Lahontan cutthroat trout, which was the historic trout of the basin.

Seney: How many *cui-ui* did you think were in the river or in the lake when you started out?

Strekal: When we started we, we had an estimate of somewhere between 92,000-140,000 fish, total. Historically, and by saying "historically" let's say turn of the century, twentieth century, reports were that there were millions and millions of *cui-ui* in Pyramid Lake and they would make these massive spawning runs up the river, and, which was, historically again, was beneficial for the Pyramid Lake because it was an integral part of their culture, the Pyramid Lake Tribe being known as "*cui-ui toccata*", "*cui-ui* eaters." I mean, you don't separate the fish from the people. They're one and the same. (Seney: Yeah.) But in, certainly in recent years the Pyramid tribe has not been *cui-ui* eaters because the population has declined so dramatically, which of course is the reason why the fish is on the Endangered Species List, but the tribe has not fished for them because of the status as endangered. Politically it would not be beneficial for the tribe to be out there catching tens of thousands of fish and eating them when you're saying, "Oh, but it's, but the fish might go extinct." (Seney: Yeah.) So, I think it's created a lot of problems within the tribe, some of the people who remember the old days know themselves as *cui-ui* eaters and would like to reestablish the old culture, the old habits and the younger people, who don't really remember much of it, because it's been so long since any of this has been practiced.

In recent years, and I know that you're getting to the issue of, "But now there are so many fish," and I think the estimate now is several million *cui-ui*, and we've—

I say “we”—but, the fish have benefited, I guess if fish can benefit, from some very good years of runoff into Pyramid Lake. I think Fish & Wildlife Service’s management of fish passage facilities on the reservation has improved tremendously, and there must be some other salutary effects that are going on (Laugh) that I think a lot of us still don’t understand (Seney: Yeah.) what’s going on. Of course, along with the additional fish have come additional pelicans, who have been ravaging the, (Laugh) these massive spawning runs in recent years. So, we may be seeing just, just a cycle in the life history of the fish. Again, they’re long-lived, forty-plus years. (Seney: Right.) A lot of fish right now, from some very good years, we may find down the road that the population could crash again. We may not have as much water in the future, either because of decisions on, for water management or water rights, or because of meteorological change. So, even though we can say we’re experiencing good times right now, we’re not certain how long they can last. And, a recovery plan, I think, has to be conservative, by nature, to ensure that the species will, first of all will survive, and secondly will improve to the point of it being able to be officially taken off the list.

Questions Regarding Cui-ui Recovery

Seney: Well, you’ve maybe answered what I, because you anticipated what I was going to ask you, and that is essentially what the people out on the project say?

Strekal: Right.

Seney: They express a good deal of skepticism about whether or not this is an endangered species?

Strekal: Right.

Seney: And, you would say to them what you have just said and that is that these may be example of a few good years, (Strekal: Right.) but a recovery plan takes cognizant of more years (Strekal: Sure.) than just a few good years?

Strekal: Again, the normal lifespan for, for a fish is forty years, and if you’re trying to monitor the health of a population you want to look at several generations. So, forty years isn’t really long enough. You might say that perhaps the species isn’t endangered. Maybe it’s threatened right now. So, so maybe a little lesser, what’s the word I’m looking for, a lower category, let’s say. (Seney: Yeah.) But, it wouldn’t necessarily diminish the protection to the species that’s provided by the Endangered Species Act. A threatened species has the same protection as an endangered one, it’s just that you may need fewer measures to implement in order to achieve the recovery. And, this is something that we are going to be doing very shortly that we’ve had, the Fish & Wildlife Service has a contact with U.S. Geological Survey, essentially, Scopatoni

[Spelling?] and his crew, to redo this model that we've had for *cui-ui*, to try to incorporate more information, that the information that's been collected in the past four or five years and also look at new hydrologic data and to reassess, reevaluate the status of the species and to see what, what measures might be required for implementation. Again, I think recovery itself is dependent upon some assurance of water, a secure water supply, and the main way that you secure a water supply is to acquire water rights. (Seney: Right.) So, there are several measures being implemented in the basin to acquire water rights, and then the tribe has always had an interest in securing the unappropriated rights in the basin. And, a decision on that is, is yet forthcoming, from the State of Nevada.

Seney: I'm told the decision's been made but not released?

Strekal: That could be true too. (Laugh)

Seney: Yeah.

Strekal: But, I can't speak for the State of Nevada.

Seney: Right. My understanding is, and I've been told by people who I think are knowledgeable, that it doesn't matter even if the *cui-ui* were taken off the Endangered Species List, that the Public Law 101-618 still guarantees them, along with the Preliminary Settlement Agreement, continued flows into the Truckee River, and into Pyramid Lake, I guess I should say.

Strekal: Well, let's say there are mechanisms in the public law that will assure a flow of water, but again by identifying a recovery, requirement of a Recovery Plan for *cui-ui* it ensures that there is some mechanism, some program to secure the resources necessary for the fish. But, a related aspect, we had mentioned "trust" before, (Seney: Right.) and I know you had an interest in that.

Seney: Right.

Strekal: The federal government still has a responsibility to protect the interests of the tribe.

Seney: Can, yeah, this is a good place to put that, I think. What is your understanding of what the term "trust responsibility" means?

Trust Responsibility

Strekal: Well, trust, trust is almost anything you want it to be. But, in terms of the Pyramid tribe I would say the "trust" relates to reestablishing, maintaining some vestige of that

historic fishery, for one thing. And, related to numbers of fish, of course, is a flow of water, is an elevation of Pyramid Lake, is a quality of water in Pyramid Lake, is a viable fishery. And now, you would say something related to a commercial fishery, or at least a recreational fishery that would allow the tribe to do, in the future, what it had done in the past, and that is to have access to a lot of fish, both for their own uses and now, of course, because it's a premier sport fishery for cutthroat trout, to promote that for the benefit of the tribe in the future. So, trust a lot of times is hard to define. Sometimes trust is looked at as aboriginal hunting and fishing rights, I think as I had mentioned earlier. And certainly, a fishing right for Pyramid Lake, the *cui-ui*, cutthroat trout. But, the funny thing is, when water rights were adjudicated in the basin, the only rights that were adjudicated for Pyramid Lake were for agricultural purposes. (Seney: Yes.) The fishery wasn't part of it. But, I think we've recognized that the interest of Pyramid Lake and the interest of the Pyramid Lake Tribe, kind of one and the same, is water. And it's, it is a phenomenal resource, a starkly beautiful place. I mean, obviously I'm interjecting some, some (Seney: Well, that's all right.) personal interest into this, (Seney: Yeah.) whether I were working for Indian Affairs or not, or whether I were representing the interests of the Pyramid tribe or not, I think I would still be working to protect Pyramid Lake as a resource, (Seney: Yeah.) because it is unique and it has unique species that live there. I get goose bumps every time I see it, and I could go there on a daily basis and I would get the same goose bumps.

Seney: Yeah. It is beautiful. No question about it.

Strekal: Because it's magnificent.

Seney: Sitting in that desert bowl and, yeah.

Strekal: Hard to imagine something as large as [Lake] Tahoe, at least in terms of aerial extent, (Seney: Yeah.) sitting at the opposite end of the basin.

Seney: Right. Right.

Strekal: I mean, what a contrast.

Seney: Yeah.

Strekal: The trees of Tahoe and the lack of trees at Pyramid.

Seney: Martian sand, yeah.

Strekal: But, magnificent nonetheless.

Water Quality Agreement

Seney: But, let me, you know, you mentioned the quality of the water and let's talk a little bit about the recent Water Quality Agreement. Did you play any part in that? Did you take part in those negotiations?

Strekal: I was on the federal team to negotiate it. Sure.

Seney: Okay. Describe what, what that was all about. I know that's regarded as an important agreement, isn't it?

Strekal: It's very important, important in part because it provides, again, another vehicle to secure water rights that will benefit Pyramid Lake, at the same time benefiting Truckee Meadows area. The agreement was negotiated, in part, to settle a longstanding lawsuit that had been filed by the Pyramid tribe because of operations of the sewer plant at, in Truckee Meadows, essentially the Reno-Sparks area. And, it was, again, I don't know if the summary is quite correct, but the upshot of it is that the plant was too large and too inefficient to do what it was supposed to do to protect the water quality in the river, and then it was viewed that the excess nutrients that were being discharged into the river would be detrimental to Pyramid Lake, certainly to the lower river and detrimental to Pyramid Lake. (Seney: Yeah.) So, the Water Quality Settlement Agreement essentially established, I think, a good compromise to, to take money, which would be required to resolve the dispute, but would take less money rather than to build facilities to expand the sewage treatment plant and to put in all kinds of technological fixes, it was thought that the easiest way to protect water quality in a river was to dilute the sewage. And that's, essentially, what the Water Quality Settlement Agreement does. It provides a funding source to purchase water rights. The water associated with those rights could be stored in the upper basin and then released at times of the year, essentially mid to late summer when flow was generally lowest, when water was warmest, to dilute, dilute that water, dilute the nutrients, cool the water, and allow that water to flow all the way to Pyramid Lake.

Seney: Where did the money come from and where do water rights come from?

Strekal: The money is coming and, well, I'd have to say I'm pretty sure all of the money is coming from the federal government, but through various mechanisms. Half of the ...

Seney: Let me turn this over.

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BEGIN SIDE 2, TAPE 2. JULY 20, 1998.

Seney: Okay.

Strekal: Half of the money is coming from Truckee Meadows area, but that's coming from the state, which I think is getting a goodly portion of that money from, at least on a loan, from E-P-A [Environmental Protection Agency]. And then, \$12 million is coming from the federal government. The Truckee Meadows interests are purchasing water separately from the federal government. Of course, the federal government ...

Seney: Would this be Westpac Utilities, Sierra Pacific Power?

Strekal: No. No. Sierra Pacific doesn't have anything to do with it. It's ...

Seney: Oh, I'm sorry, City of Reno and Sparks?

Strekal: Yeah. Reno-Sparks, and Washoe County. (Seney: Yeah.) It's the municipal interests. And then on the federal side, of course, the federal government would be purchasing \$12 million worth of water rights, but the Pyramid tribe has contacted, through this 638, 638 Process, to take over the federal acquisition program.

Seney: Six-thirty-eight process means?

Strekal: Well it's, it's a self-determination act and it allows tribes to contract for programs and activities that the federal government would do and take them on (Seney: Uh huh.) itself. The interesting thing is that the cities and the tribe are using the same organization to purchase the water rights, which is very beneficial, because now the tribe and the cities are not in competition. They're coordinating their efforts. (Seney: Yeah.) They've agreed that they would try to spend the money equally so that one group didn't get ahead of the other group and that prices would be fairly similar at any time that they were acquiring rights. Essentially, as the cities were acquiring rights the tribe would acquire an equal amount of rights. And, of course, they had the same representative, the same agent to do this. Again it's, it's another reinforcement of, of the alliance (Seney: Uh huh.) so that the tribe and Sierra Pacific are allied through the Preliminary Settlement Agreement, the tribe and the cities and county are allied through the Water Quality Settlement Agreement. (Seney: Uh huh.) But essentially, the cities, the county, and Sierra Pacific are all sort of the same (Seney: Right.) in terms of their interests, (Seney: Right.) supplying water and treating the sewage.

Seney: Right. And accommodating growth?

Strekal: Yeah.

Seney: Yeah.

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- Strekal: Yeah. Again, we won't say promoting growth, accommodating growth, because the assumption is that Reno and Sparks and Washoe County will grow (Seney: Right.) anyway. (Seney: Right.) And, I think understandable why, because it's still a very good place to be.
- Seney: People like it?
- Strekal: Yes.
- Seney: It's attractive? Right.
- Strekal: The climate is relatively good, and, but the character is changing rapidly, (Laugh) but we're not talking about that right now. But anyway, (Seney: Okay.) but yeah, (Seney: Okay.) but the Water Quality Settlement Agreement was important because, again, it created another alliance. It created an opportunity to acquire water that would both make water in the river better, and also would secure some of the water that had been identified in the recovery plan to go to Pyramid Lake. So essentially, the cities are using the water. Pyramid Lake is the ultimate recipient of it. I don't know what else I could ...
- Seney: So, I think that's, and the water is simply coming from willing sellers, whoever they may be?
- Strekal: Oh, right. Anyone in, in the Truckee River basin, of course, one of the most obvious sources of the water rights would be from the Truckee Division of the Newlands Project, which is still a Truckee River water right.
- Seney: Yes.
- Strekal: That's where the water (Seney: Right.) is coming from to, to serve these rights. (Seney: Right.) But, also looking at any rights that would be available in the Truckee River basin for this.
- Seney: Have they been successful down in the Truckee Division in Fernley in buying up some of those water rights for this?
- Strekal: I think there have been about a 128 acre feet purchased so far.
- Seney: And how many acre feet are contemplated to be purchased, would you say?
- Strekal: Well, it was hoped that 24,000 acre feet would be secured. Again, half coming from the municipal interests and half coming from the federal, (Seney: Yeah.) before the

federal interests. But, the agreement was predicated upon a dollar amount not an amount of water. The assumption was that an acre foot of water would cost \$1,000. So, the agreement actually specifies \$12 million from the feds, \$12 million from the municipal interests.

Seney: To buy 24,000 acre feet?

Strekal: Well, well to, to spend \$24 million and to acquire all of the water rights that you can for that amount of money. And, of course ...

Seney: Is that a, does that, forgive my rudimentary math, is \$1,000 an acre foot times 24,000 acre feet, does that come out to \$24 million?

Strekal: Yeah. Yeah.

Seney: Yeah. Okay.

Water for Changing Demographics in the Truckee Meadows

Strekal: And, again, there's quite an assumption implicit in that. Depending on where you're purchasing water rights an individual water right could cost considerably less than a thousand dollars or considerably more than a thousand dollars. (Seney: Yeah.) And, of course, one of the problems that complicates this is that the longer it takes to purchase the water rights the more money will be acquired. Let's say, the quicker the money will go, (Seney: Yeah.) because, because of inflation, (Seney: Right.) because of the demand for the resource. One of the related problems, of course, is that we view that all of the water rights in the Truckee Meadows will probably be acquired by Sierra Pacific over time to provide the M&I water, the municipal water, (Seney: Right.) for the growing city. So that, that shifts the emphasis and interest immediately to Newlands Project water rights. And, of course, in the Truckee Division of the Newlands Project the character is changing, the demographics are changing, it's becoming more and more of an urban area, less and less interest in agriculture, and people are moving there, people are working in Washoe County, (Seney: Yeah.) in Truckee Meadows area. And, of course, the city, or the town of Fernley is promoting industrial development as well. So, there's less and less interest in, in growing crops, more interest in just growing. (Laugh)

Seney: Yes. Yes. And, I know that the tribe has, has put up feelers towards Fernley, trying to tell them that they will be a source of municipal water for them if they will, if they will come in their direction.

Strekal: Right. And, of course, the other side of that is that the hope that Fernley would provide some sewage treatment capabilities for the Pyramid tribe, because the tribe

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- really doesn't have a sewage treatment plant. But, they're doing, they're working on more of an infiltration system. (Seney: Yeah.) So, so they're trying to come up with something that would be mutually beneficial.
- Seney: Build another alliance, in other words.
- Strekal: Right. Yeah. A source of, a source of good quality water for Fernley. Certainly, the water in the Truckee River would be better than much of the groundwater that's in the Fernley area. And, for that, the town would offer the tribe sewage capacity. (Seney: Right.) So, again, mutually beneficial.
- Seney: Is that moving along at all, do you know?
- Strekal: It's moving. (Laugh)
- Seney: Yeah.
- Strekal: And I, I can't tell you any more than that because they're, they have begun to negotiate again, (Seney: Yeah.) and it had been on hold for a while, and I really, and I can't really tell you any more than that right now.
- Seney: Because you don't know more or because of a sense confidentiality and that kind of thing?
- Strekal: Well, I think mostly because I haven't been involved (Seney: Okay.) in those negotiations. The tribe and the town of Fernley have essentially said to the federal government, "We'd like to work it out ourselves." So, the government will provide money to do some of the studies, and of course will help in any way it can, but those interests have said they, they'd like to do it by themselves right now. So.
- Seney: I know that ...
- Strekal: And we obviously respect it.
- Seney: I know that Pete Morose [Spelling?] has put together, tried to put together some negotiations between the tribe and T-C-I-D, the Fallon interests, that's, (Strekal: Right.) that came to nothing or are those still going on?
- Strekal: They're still going on. They're still going on.
- Seney: And in that case, they're keeping the feds out, the attorneys out, and isn't that ...
- Strekal: No, actually the feds are involved in this, (Seney: Are they?) because the feds are

doing quite a bit of the analysis. And, of course, there is a lot of federal interest (Seney: Yeah.) because, because the desire to resolve OCAP, the desire to resolve the recoupment issue¹⁷ for water that had been illegally diverted in the past, essentially figure out what the long-term operation of Truckee Canal and Newlands Project will be to avoid litigation in the future.

Seney: Yeah.

Strekal: But again, these have been very confidential. And ...

Seney: Have you been attending those?

Strekal: Not—I haven't been attending the negotiating sessions. As I say, in other words, that's why the emphasis on the word is wrong.

Seney: Okay.

Strekal: But, I've been involved in a lot of the technical review, (Seney: Okay.) and putting some of the proposals together. The main reason we haven't been involved is because they've tried to, there's been a lot of interest in keeping the federal presence to a minimum. So essentially, it's been four, four representatives from the federal government and then representatives from T-C-I-D, the State, and Pyramid tribe.

Seney: Who's representing the state in these negotiations?

Strekal: Pete Morose [Spelling?].

Seney: Pete Morose [Spelling?] is?

Strekal: Yeah.

Seney: Who's representing the tribe?

¹⁷ On behalf of the Pyramid Lake Indian Tribe, the USDI claimed that between 1973 and 1987 (15 years) TCID over-diverted approximately 1,057,000 acre feet of Truckee River water and is calling for this recoupment to be repaid to Pyramid Lake. Churchill County, the City of Fallon, and TCID officials, as well as Newlands Project farmers, argued that because the City of Fallon filed a 1974 lawsuit against the implementation of the new OCAP, in part calling for a complete Environmental Impact Statement (EIS) under the National Environmental Protection Act (NEPA), the 1973 OCAP should not have been implemented. TCID further maintained that, as the appeals process for these suits against the implementation of the new OCAP were not fully resolved until 1988, the claim for recoupment of excessive diversions before that date is unreasonable. The recoupment of Truckee River waters remains a major issue in the eventual resolution of the Negotiated Settlement Act (Public Law 101-618) which, when passed by Congress in November 1990, was intended to settle the myriad of claims and outstanding lawsuits associated with these issues.

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- Strekal: Pelcyger and ...
- Seney: Mervin Wright, the current chairman?
- Strekal: And Mervin. Mervin, the tribal council let's say.
- Seney: Yeah. Who's representing the feds?
- Strekal: Bill Bettenberg,¹⁸ Fred Disheroon,¹⁹ and Roger Patterson,²⁰ who's the regional director for Reclamation. (Seney: Yeah.) And, I think David Naui [Spelling?], who is the Regional Solicitor for Interior.
- Seney: The man who replaced Lynn Collins?²¹
- Strekal: No. No. Actually, until Lynn retired (Seney: Oh.) David Naui [Spelling?] was Lynn's boss.
- Seney: Oh, okay. I see. Yeah. Okay.
- Strekal: But before Lynn worked for David Naui [Spelling?], Lynn and David Naui [Spelling?] were equals. (Seney: Oh.) They were both regional solicitors. There have been some interesting politics in that regard. But, but essentially it's, that's been the representation for the federal government. Again, they've tried to not overwhelm.
- Seney: Who's doing, just to round it out, who's representing T-C-I-D?
- Strekal: I'm not sure. I have to assume it's the board, the president of the board.

¹⁸ William Bettenberg participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, 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, 2009, www.usbr.gov/history/oralhist.html.

¹⁹ Fred Disheroon participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, 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, 2009, www.usbr.gov/history/oralhist.html.

²⁰ Roger Patterson served as Bureau of Reclamation's Mid-Pacific Regional Manager from 1991 to 1999 and participated in Reclamation's Oral History Program. See, Roger K. Patterson, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation oral history interviews conducted by Brit Allan Storey, senior historian, Bureau of Reclamation, from 1994 to 2000, in Sacramento, California, and Lincoln, Nebraska, edited by Brit Allan Storey, 2009, www.usbr.gov/history/oralhist.html.

²¹ Lynn Collins participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Lynn Collins, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Andrew H. Gahan, historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

Seney: Ted de Braga?²²

Strekal: Well, up until he retired, Ted, and now Ernie Schank, who's the new president for T-C-I-D Board. But, other than that I don't know who's, who's been representing them, because there have been no, no attendance rosters and I haven't been at the negotiating sessions.

Seney: Yeah. How long have they been going on?

Strekal: For a long time. (Laughter) I think we're into about a year and a half or so into this latest go around.

Seney: How often do they meet?

Strekal: The meetings aren't scheduled regularly. It's just when, when it seems like it's time to meet they do. They've gone quite a few months without meeting now. They were supposed to have met last week, but there were some proposals that were anticipated that never quite materialized. So.

Seney: And, this is all quite hush-hush is it?

Strekal: Yeah. Yeah, so why am I talking about it? (Laugh)

Seney: Well no, well I don't know that you're saying anything of substance.

Strekal: No. No. I mean ...

Seney: You're describing the process, (Strekal: Right.) which everyone knows is going on.

Strekal: There's, there is a desire to resolve the disputes between Pyramid tribe and T-C-I-D and I think Pete Morose would still like to see something resolved before he retires, which will probably be this fall.

Seney: What, what is your sense of the likelihood of success here? Do you have a fix on it or a feel for it?

Strekal: I haven't. Since I haven't been in the negotiations I can't tell you, but it seems like the parties have been pretty far apart.

²² Ted de Braga participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Ted de Braga, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Donald B. Seney, Bureau of Reclamation, August 5 and 11, 1994, in Fallon, Nevada, edited by Donald B. Seney, www.usbr.gov/history/oralhist.html.

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- Seney: Is there—so, that’s the kind of scuttlebutt you’re hearing (Strekal: Yeah.) and general word around?
- Strekal: Uhm-hmm.
- Seney: Because, people talk. I mean, this is, (Strekal: Sure.) you know, that’s one of the things that struck me at this TROA meeting, this is kind of a fraternity, really, of people who have been at this often for a long time, and I would think it would be hard not to, not to hear things?
- Strekal: Yeah.
- Seney: Yeah.
- Strekal: Yeah.
- Seney: Yeah.
- Strekal: But, I think the interests of T-C-I-D and the Newlands Project is still a desire to maintain the myth of the past. I mean that, that’s the sense that I get. And again, I’m certainly not intending to offend anyone (Seney: No. No.) by saying that, but to maintain the status quo.
- Seney: This is the irrigation district’s (Strekal: Yeah.) purpose?

Truckee-Carson Irrigation District

- Strekal: Yeah. Yeah. So, I remember a quote that I had heard a long time ago and I probably even mentioned this in an earlier interview, but I can remember what one of the T-C-I-D Board members said when I first started working in this area. And this is, you know, talking, how long ago now? Sixteen years ago, first meeting I ever went to, “We’re willing to compromise as long as we don’t have to give up anything.” And, and that quote keeps echoing, (Laugh) you know, every session I go to. And, and I think that’s probably still the mentality.
- Seney: Yeah. Let me say something and get you to comment on it, because it struck me as interesting. In a recent interview with one of the people out on the project this person expressed the view, which I think is probably a common view. You know, the views are quite consistent out on the project. It’s a small town. They talk to one another a lot about these matters, and there’s, that’s always struck me, the consistency of view among the people out in Fallon. And, and this was that, “The Pyramid Lake Tribe really isn’t interested in the *cui-ui*, that that’s not what they’re interested in. If they’re

interested in any fish they're interested in the cutthroat trout because that has a commercial impact. (Strekal: Uhm-hmm.) But, the *cui-ui* is just a convenient sort of hook, through the Endangered Species Act, to get more water for Pyramid Lake. And what the outcome of all that will be, who knows? But, the suspicion is that they probably then want to sell that water that they get their hands on, at the expense of T-C-I-D, to Sierra Pacific Power or the upstream interests."

Strekal: I think that's, that might be the view, but I don't think that will be the reality. Although, I have, I have to admit that having an endangered species is helpful to the tribe's cause. But, whether or not there were an endangered species there would still be the trust responsibility once again. (Seney: Yeah.) And Pyramid, the decision in *Pyramid Lake v. Morton* directs the secretary to do everything he possibly can to secure the resources for Pyramid Lake. So, there's still that decision that provides direction for the federal government. And certainly because of endangered species requirements there are measures to be implemented and certain assurances that the measures be implemented properly and are secured long-term.

I mean, that was, that was one of the big things that I identified, that we identified in the recovery plan, was that, not that we secure resources, and we defined "secure" as being able to have the benefit of the various resources, and let's say the water, for a minimum of 200 years. (Seney: Yeah.) So, that securement and security, to me, was long lasting. Because of the requirements of Endangered Species Act, the tribe then does not have the luxury of disposing of these resources. Because, in order to achieve recovery and secure the resources you have to maintain them. People in Newlands Project are saying, "Well once, once the fish are no longer listed you, you don't need Stampede anymore." But, the recovery of the species is predicated upon the long-term existence and utility of Stampede Reservoir. If Stampede disappears, let's say if the use of Stampede disappears you no longer have that security. You're back to where you were, maybe even in worse straights than you were before. You again have endangered species, I'd say. So, you can't separate. I, let's say, though the tribe, and this goes back to a question you were talking about earlier of representing the interests of the tribe, I'd say the secretary does not have the luxury of saying, "Well, whatever the tribe wants to do is just fine with me." Let's say, "Whatever the tribe wants to do that is beneficial for, for tribe and trust resources is okay with the secretary." So, we have to ensure, first of all, that the trust resource is protected. Let's say that the tribe's interests are represented, but that the trust interest is still represented, long-term. Because, a short-term decision by the tribe may not be in the long-term interest of the tribe. (Seney: Right.) And so, that's, again it's kind of a paternal view, but the paternal view of the federal government is directly related to the trust.

Seney: Let, let me ...

Strekal: That made, that made sense, didn't it?

Seney: It did.

Strekal: Okay.

Seney: Yeah. But, let me twist what I said a little bit more, (Strekal: Okay.) because it seems to me that if I'm out on the project and I hold the views that I expressed to you, (Strekal: Uhm-hmm.) I'm not going to be very willing to negotiate with these people. I'm not going to regard them as serious or sincere. (Strekal: Right.) And, I guess, I'd like you to comment maybe on that too, how that attitude, community attitude, irrigator attitude, (Strekal: Uhm-hmm.) limits the capacity for a negotiation that's fruitful.

Strekal: Yeah. Well I, related to what you're saying is I think that some people view Bob Pelcyger as being vindictive. That not only does he want to secure resources for the tribe, he also wants to do harm to the irrigators for all of the harm that the irrigators have done to the tribe. But, I think it does set up a difficult situation. Because, how do you negotiate in good faith when you think that someone is not just out to help themselves but is out to hurt you? And, and I don't think that the things that Pelcyger says sometimes have, you know, helped to mollify the local people.

Seney: Like shutting down the Truckee Canal?

Strekal: Oh, exactly. (Seney: Yeah.) Exactly.

Seney: Blowing up Derby Dam. He's apparently, he says he's never said that, but ...

Strekal: I don't know if he has or not.

Seney: That's certainly in the mythology, isn't it, (Strekal: Oh sure.) of the project?

Strekal: Sure. And it's a very, it's a very strong mythology, and it plays well. But, the Truckee Canal, itself, is part of the mythology, because it's the history of the project. Derby Dam is on the Register of Historical Places. You know, Derby Dam²³ and Newlands Project are one and the same. Derby Dam was in existence before Lahontan Reservoir. So absent, absent the dam there would have been no project, or certainly not, not the project that had been envisioned.

²³ Derby Dam is a diversion dam on the Truckee River, located between Reno and Fernley in Storey and Washoe counties in the U.S. state of Nevada. The dam was constructed by the U.S. Reclamation Service following an authorization for construction issued on March 14, 1903. Construction commenced on October 2, 1903 and was completed on May 20, 1905.

Seney: Yeah.

Strekal: I don't know if I, if I've answered?

Seney: Yeah, you have.

Strekal: It's a hard one to answer.

Seney: Right. Right. It is.

Strekal: Because, how do you, how do you tell people that their beliefs are wrong? You don't. (Seney: Yeah.) Just like how would tell the Pyramid tribe that the irrigators are okay people? I mean, when, sometimes when they get together in a room you, you figure, "Well, people are just people," and they get along fine. But, when you start looking at the vested interests, the affiliations then is where people stop viewing each other as individuals and start looking at this interest versus that interest. Although, there's still, and again I might as well interject it at this point, there is still an element of racism in all of the sessions, and I see it many times, certainly in Fallon, where you have the Fallon tribe, which views itself as an irrigator, and probably more closely allied to Newlands Project interests, T-C-I-D interests, than Pyramid interests, even though there are a lot of people in Fallon, on the Fallon reservation, who are related to people at Pyramid Lake, and obviously vice versa. But, you'll go into a meeting with members of the Fallon tribe, and people from T-C-I-D or people from the Newlands Project and they will, they will talk about "Those damn Indians," and the Indians will be in the meeting, and yet they don't make the connection between their fellow irrigators and that other race of people that are out there. (Seney: Yeah.) So, I think, I think racism is still alive and well in Nevada. (Seney: Yeah.) Not just on the project. (Seney: Yeah.) I think, I think throughout much of the white population. But, but again, the demographics are changing, because you also have a lot of Hispanic people coming into the area, certainly in Carson City and Reno. But the Indians, I, you know, again that's, I think that's part of the American mythology, certainly, certainly created and promoted by the movies, cowboys and Indians.

Seney: Yeah. You know, let me, let me shift a little bit. It's sort of related. I've been reading the Western Water Policy Review Commission, if that's the right title.

Western Water Policy Review Commission

Strekal: Close enough.

Seney: Yeah.

Strekal: I know what, I know what you're talking about.

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- Seney: Yeah. Their report on the Truckee-Carson, have you had a chance to read that? Have you gone through it?
- Strekal: You know, I haven't, because I became very frustrated with the draft of the document and I felt that it was not objective. I felt that there were a lot of things that were given to the person who prepared the report and chose to ignore a lot of information. And, it seemed like it was, it was written from an irrigator standpoint, that it became a forum for the irrigators. So, when the final report came out I, I didn't even bother to read it. Which, one of the reasons is, of course, I had so many other things (Laugh) to read. (Seney: Sure.) But I was, I was irritated and offended by the tone in the draft document.
- Seney: Did you respond at all to the draft document?
- Strekal: I had prepared comments and I had forwarded them to Bill Bettenberg, who was, who had prepared, I think who had prepared comments for Interior, to them. And, I don't know where it went after that. I did not have faith in that process.
- Seney: What's the general sort of comment among the sort of water fraternity that we've been talking about, about this report? What do you . . .
- Strekal: I haven't heard much said about it. I mean, there was a lot of frustration on the side of Interior because, again, of the slant, I think, that was put on that. But, there's not been a lot of discussion about it. My feeling—well, again, this, this is my view.
- Seney: Right. That's what I want. Right.
- Strekal: Not supported by anyone else, that because of the slant that the document was dismissed by, by a large number of people. It may not be true, but again it hasn't been the topic of conversation, (Seney: Right.) at all.
- Seney: I have seen reprints of articles from a couple of sources. One is the Elko newspaper, and the other is something called *Electric Nevada*, which has reprinted those, an internet (Strekal: Uhm-hmm.) publication, conservative, very conservative. And then the Nevada—I'm trying to remember the name of it. Let me see if I can find a copy of it. It may be sitting here next to you, which is also very conservative, the Nevada Policy Research Institute?
- Strekal: Oh, right.
- Seney: And, they have taken some, they have taken some comfort in, the irrigators clearly have, (Strekal: Sure.) in the kind of pro-irrigator stance taken by the report. (Strekal:

- Right.) Does that figure into anything or, (Strekal: Well ...) is that important? Or ...
- Strekal: The same people that provided information that was used in that report are the same people that are writing the articles (Laugh) (Seney: Okay.) for the Policy Forum. (Seney: Right.) So, essentially, it's just, they're just echoing the same words.
- Seney: Yeah. So, it's not going to amount to anything, you don't think, is it?
- Strekal: Well, I don't think so, because I—well, I ...
- Seney: I guess I'm thinking of politics of it.
- Strekal: Just because I've dismissed it doesn't mean that everyone has dismissed it. (Seney: Yeah.) But, I don't take a lot of the stuff seriously. (Seney: Okay.) It's a lot of rhetoric, (Seney: Yeah.) you'll see.
- Seney: Yeah.
- Strekal: And, anyway.
- Seney: I'm just thinking of it terms of what will make a negotiated settlement between the irrigation district and the tribe, others more difficult? And, it would seem to me, and I may be wrong in this, but it would seem to me that the irrigators, T-C-I-D, the Fallon community, who want to maintain the status quo would find some comfort in this report, would use it to bolster their views? It would make them less likely to (Strekal: Uhm-hmm.) want to agree to something than more likely?
- Strekal: Well, it certainly makes the polarization more obvious. (Laugh)
- Seney: Yeah.
- Strekal: It might, it might support their notion, but it doesn't get them any closer to an agreement. (Seney: Right.) And, certainly the, with the changing demographics even, even people in Newlands have to realize that people aren't moving to Fallon to farm. That there's going to be a demand for water for municipal purposes, not for farming. At some point, farming is going to be an anachronism out there. It's a lifestyle, but it's, it will not necessarily be the economic venture for the Newlands area. Certainly, the current regime in T-C-I-D is holding onto a view of the past. But again, I don't know how much of, how widely held certain of the beliefs are. Certainly, people who are moving to Fallon and not farming would not necessarily be as adamant. But again, the people who are comfortable urban dwellers are not going to take an interest in the water dispute (Seney: Yeah.) unless it's going to affect them directly. And if they're on some type of municipal system and not dependent on groundwater, or not

dependent on drainage, or inefficiency of Newlands Project, they could care less, I would think.

Seney: Right. Do you think it's going to make any difference in terms of the attitudes that Ernie Schank has replaced Ted de Braga as board chairman?

Strekal: I don't know, I don't know what that's going to do. I really don't. I haven't, I haven't dealt with Ernie enough, of late, to say. Again, I don't, I don't think it's, I don't think this dispute is going to be resolved quickly. I think there's still going to be litigation at some point on some issues. Certainly, the notion of recoupment is not going to be settled easily, because the district still doesn't think that recoupment is appropriate. They don't think it's legal. (Laugh)

Seney: Right. Right. There's very strong feelings about that issue, and it's being litigated now, isn't it?

Strekal: Yeah. Yeah.

Seney: And it's, is it at any stage that just, it's just in the courts?

Strekal: Yeah. It's in the courts. And Interior, well one of the things that the negotiations with T-C-I-D is intending to do is to resolve the recoupment dispute. That's one, one important element of it. But ...

Seney: Who knows how that's going?

Strekal: Right. Exactly.

Seney: Yeah.

Strekal: Exactly. So, I don't know.

Seney: Why don't we take a break?

Strekal: Sure. [Recording paused]

END OF SIDE 2, TAPE 2. JULY 20, 1998
BEGIN SIDE I, TAPE 1. JUNE 2, 2006

Seney: Tom Strekal at his office in Carson City, Nevada. This is our third session and this is our first tape. Good afternoon Tom, or I should say good morning, shouldn't I?

- Strekal: Sure. If you want to. (Laughter)
- Seney: If I want to? You know, it's been a while, 1998, since we talked. Did I get your name wrong?
- Strekal: You got my name wrong.
- Seney: Then I'll have to redo the whole thing?
- Strekal: Yes.
- Seney: It's been a while since we've talked. In fact, did I say 1998
- Strekal: You did say 1998.

Truckee River Operating Agreement Negotiations

- Seney: Eight years, and a lot has gone on and a lot hasn't gone on. What hasn't gone on is the completion of TROA [Truckee River Operating Agreement] yet. I know you're, first of all explain for us what, what has been your role in these negotiations?
- Strekal: I have provided technical assistance to the department in negotiations.
- Seney: Of the Interior?
- Strekal: Of Interior. And, I have participated in negotiations. I have participated in drafting committee meetings. I've been Editorial Committee, Hydrology Committee. I'm also the team leader for the E-I-S [Environmental Impact Statement] activities, which means that I essentially run herd over the three bureaus in Interior that are trying to put together the E-I-S/E-I-R [Environmental Impact Statement/Environmental Impact Report].
- Seney: That's Indian Affairs, Reclamation, and Fish and Wildlife?
- Strekal: Fish and Wildlife Service. (Seney: Okay.) And, I assume the role because I figured I will probably be appointed to it anyway, so rather than (Laugh) have any doubt as to what would happen—and at the time I felt I was maybe the second or third most knowledgeable person in the department on the vagaries of the agreement, (Seney: Right.) and with the NEPA [National Environmental Policy Act] process as well. So, I figured it was just easier to have someone knowledgeable in charge. And, I assumed the role.
- Seney: Great. Let me go back to the first part. You said you provide technical support

(Strekal: Uhm-hmm.) and information? Give us an example of what that would be.

Strekal: Oh, I would look at various proposals that other parties would make and just kind of pass a litmus test on and see if things made sense.

Seney: Can you give us a couple of examples?

Strekal: No. (Laughter) It's ... gosh.

Seney: Well, I know one of the problems is, and I've had this with other people I've interviewed, that it's almost confoundingly complex and that the human mind, some suggest, almost recoils from the detail. So, it tends to sleep in the recesses rather than stay on the surface, and that makes it more difficult to recall. Am I being too verbose here?

Strekal: It's like a caldron on a slow bubble. (Laugh) Well, I guess I could give you, an example would be how you would, mechanisms for exchanging water among reservoirs and how you could provide water to the lower river to benefit *cui-ui* spawning, let's say, and mechanisms for protecting the water (Seney: Right.) and also rationale for releasing the water. (Seney: Right.) And that's very general.

Seney: Let me try to jolt your memory if I can a little bit. One of the things California was interested in was instream flows (Strekal: Right.) below the dam at the Truckee, at Lake Tahoe, (Strekal: Right.) the dam being ...

Strekal: Actually down, well it's the Lake Tahoe Dam (Seney: Right.) at Tahoe City. (Seney: Yeah.) In fact, they were interested in flows downstream from all of the reservoirs.

Seney: Right. Right. For fish protection?

Strekal: Right.

Seney: Would that be the kind of thing you'd have a look at?

Strekal: That was certainly part of it, and that was part of negotiations and it was also technical issues that we looked at in preparing the E-I-S/E-I-R as well, how you could make the water available, mechanisms for protecting that water once released if you had downstream storage available, and also trying to make a determination as to what numbers were reasonable based on data. So, thank you for jogging my memory. (Laugh)

Seney: Yeah. Let me go a little further on that. Did you find that the California proposals were pretty good ones? Did you ...

Strekal: I would say generally they were, and I had to look at them and let's say take a half step back and recognize their interests in providing benefits from this agreement. (Seney: Right.) I mean, again maybe we've had this discussion in the past, but though we talked about, or though it has been talked about trying to create a living river again rather than a, just a delivery conduit for the various water users, you find after a while that when you start talking about numbers that you get back to this notion of a conduit. You know, it's a big plumbing system where you, you know, turn water off and on and you have to take a step or two back and recognize all of the beneficial uses of the water. It's not just satisfying the water rights. It's to try to reestablish or create a river again. Again, a lot of interest in, certainly for sport fishing in California. A lot of interest in recreational uses of the Truckee River in particular, and rafting was a big issue, remains a big issue I think. So, having a lot of almost competing uses for the non-consumptive water.

Seney: "Non-consumptive" meaning generally?

Strekal: Water that would stay in the stream. I mean, people would refer to it as instream flow. (Seney: Right.) But, we realized that instream flow is almost a term of art. So, we just look at stream flows. (Seney: Right.) I mean it's—where else would, (Seney: Right.) where else would the water be but in the stream (Laugh) if it's a stream flow?

Seney: How did the rafting needs, demands, dovetail as they did with the stream flows for fish protection?

Strekal: I don't know that they necessarily dovetail. They seem to be competing uses. And times when the rafting companies would be operating would perhaps be times when you either didn't have sufficient water or you would like to meter it out more for the fish. So, rafters want bigger slugs of water, need bigger slugs of water (Seney: Right.) for their purposes. So, you either have, you either manage for rafting in spite of the fish or you manage more for fish in spite of the rafters. They're both profitable ventures, but the rafters tend to be a little bit more visible. (Seney: Right.) And more vocal too.

Seney: Who came out on top between the rafters and the fish?

Floriston Rates

Strekal: My guess is that the fish are probably more influential. I mean, you have bureau of California supporting stream flows (Seney: Yeah.), Cal Fish and Game, and it was easy, I think, through modeling exercises to see how you would deplete the supply by providing big slugs of water. And of course, you still, you still have to manage

the water to meet Floriston Rates and not exceed Floriston Rates.²⁴ And, of course Truckee River Operating Agreement has elements in it that would allow flows to be diminished relative to Floriston Rates to create the storage water for later use. (Seney: Right.) So, I mean, again there were a lot of conflicting elements in the agreement.

Seney: Are the Floriston Rates still being observed?

Strekal: Oh yeah. Yeah.

Seney: Will they not be abandoned?

Strekal: They won't be ...

Seney: At some point?

Strekal: They won't be abandoned. They still provide the basis for calculating flow and creation of credit water. So they, they're sort of the baseline against which flows are measured.

Seney: My understanding, and obviously it's not right here, is that under the Preliminary Settlement Agreement, which is folded into the TROA that the power company and its successors had given up some of the Floriston Rates?

Strekal: No, they didn't give up the Floriston ...

Seney: To get storage in ...

Strekal: They only gave up the hydro power right. In other words, they couldn't call for release of water just to generate (Seney: Ah.) electricity. But, the Floriston Rates remain in place. Again, they're the basis but we look at two different notions now. One is the rates themselves and then the flows that would be equivalent to the rate when you consider creation of credit storage (Seney: Ah.) the process. So, it's the

²⁴ "Floriston rates are the rates of flow of the Truckee River at Floriston, California, as actually measured at the U.S. Geological Survey stream gaging station near Farad, California. Floriston rates currently vary between 300 cubic feet per second (cfs) and 500 cfs depending on Lake Tahoe elevation and season. The Floriston rates required that there be a mean flow of water in the Truckee River near Floriston of 500 cfs during the period from March 1 to September 30, and 400 cfs between October 1 and the last day of February. This agreement required that if there was insufficient flow from the remaining portion of the Truckee River system to meet the Floriston rates, water would be released, if possible, from Lake Tahoe to maintain those specific rates of flow." See Summary of Truckee River Operations, www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/docs/farad/deir/appendixb.pdf. (Accessed 1/2019)

measure.

Seney: There are two Floriston Rates depending on time of year, right?

Strekal: Right. Yeah. There are Floriston Rates and Reduced Floriston Rates.

Seney: Reduced are the winter rates?

Strekal: Well no, reduced, reduced are the rates when [Lake] Tahoe is below a certain elevation. They both, they vary from season to season individually. Reduce Floriston Rates are obviously lower than Floriston Rates, but Floriston Rates go from a high of five hundred in the summer to, it's been a while since I've looked at numbers, but let's say 400 c-f-s [cubic feet per second] in the wintertime. And then Reduced Floriston Rates are less.

Seney: Yeah, one or two hundred, aren't they?

Strekal: I think they go down to three hundred, (Seney: Yeah.) and then of course flows can be adjusted depending on water availability and the type of, the type of water that you have.

Well-Drilling Requirements

Seney: Right. Let me ask about another issue on the California side, and that is where the wells go. There's a power company, I think, and perhaps the tribe too in this was concerned about the 32,000 acre foot allocation on the upper Truckee [River] for California. What, 11,000 from surface water and 21,000 from groundwater?

Strekal: Something like that. I don't, I don't recall the specific numbers.

Seney: Yeah. Yeah. And then the question is, "How close do you drill your wells to the Truckee River?"

Strekal: Well, it's how close you drill your wells to the various streams. (Seney: Okay.) Because there are zones throughout the upper basin and there are minimum distance for drilling a well. It isn't so much that they're trying to prevent wells having an effect on surface water, but I think it's more the notion that they're trying to avoid having an immediate effect on surface water. I mean, I would think that at some point you would be affecting surface flows. But, there were a lot of esoteric discussions that went on.

Seney: This is difficult to pin down, isn't it?

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- Strekal: Well, it is. It is. And, most of us weren't involved in these discussions. Again, they were very esoteric and they were pretty much parochial too.
- Seney: Were the zones established in these TROA negotiations, or were they, did they come before the TROA negotiations?
- Strekal: They, they were a result—they went on concurrent with the negotiations. There were separate meetings.
- Seney: Right. But, they were part of the TROA process?
- Strekal: Yeah. Yeah.
- Seney: Right. Right. Yeah. And, did you do things? Did you provide technical support on this as well?
- Strekal: No.
- Seney: I guess that's right.
- Strekal: No. I avoided the well issue all together. (Laugh) In fact, if you read Article X of TROA, of the Truckee River Operating Agreement, at least the draft, you will find it very lawyerly and very uninteresting. (Laugh)
- Seney: Is that because they were deprived of the editorial skills of one Thomas A. Strekal?
- Strekal: Let's just say that I have not spent much time on Article X.
- Seney: How modest of you. (Laugh) This, I guess, would be Ali Shahroody²⁵ and Joe Burns [spelling?] and Rod Hall [spelling?] when he was still alive, would have been working on that?
- Strekal: Well, Ali and Neil Eskin [spelling?] I think was heavily involved in that. Again, it was primarily a California issue. But, the tribe had a great interest (Seney: Right.) because again they were interested in the depletion issue. (Seney: Right. Right.) I don't, I don't know how involved Joe Burns [spelling?] was. I don't know how involved Ron Hall [spelling?] was.

²⁵ Ali Shahroody participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Ali Shahroody, *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, 2013, www.usbr.gov/history/oralhist.html.

- Seney: An element of this problem is the fact that California law mandates the use of gray water systems and other ways of making the maximum use of water. And this raised, did it not, some concerns about how much was going to be coming back, the question of depletion? Do you remember?
- Strekal: I don't recall discussions about that.
- Seney: Yeah.
- Strekal: No one ever talked about gray water, at least not in meetings that I, (Seney: I see.) I attended. And again, I didn't go to any of the meetings that related to the well issue.
- Seney: Right. Right. What was the, what was the stickiest problem do you think you ran into in the TROA? (Laugh) You've got a big grin on your face that the tape won't see.

Credit Water to Newlands Project

- Strekal: The stickiest issue? Oh my gosh.
- Seney: The most difficult one? Or would you bunch them up, say very difficult, not so bad, pretty easy?
- Strekal: You know, it's all a jumble. I mean, if you look at maybe a bottom line here, at this date, or as of this date, we are anywhere within a week of completing the agreement or not completing the agreement for who knows how long. (Seney: Right.) And, one of the issues outstanding relates to credit water relative to Newlands Project. And, the reason it's problematic is because you have two different regulations, or let's say one existing regulation and one future regulation, that deal with the same type of water. This is water that the Operating Criteria and Procedures, OCAP, for Newlands Project identifies as Newlands Credit Water, Newlands Credit Storage. (Seney: Right.) And, it's a mechanism to withhold water, or withhold diversions, to Lahontan Reservoir until the end of June when you know how the water year has developed. So, to withhold water that would otherwise have been diverted to Lahontan Reservoir, when forecasts were not very accurate or when you were very early in the water year, and then to make a determination at the end of June how much water is necessary with the end of June storage objective. So, that way water wouldn't be over-diverted and the excess water, let's say, would then go to Pyramid Lake and could be managed for the benefit of fish.

So, OCAP has a mechanism for that but OCAP, as written, is sometimes hard to decipher. (Laugh) There's a certain vagueness to OCAP, and but then there was also credit water that was identified in Truckee River Operating Agreement utilizing

unappropriated water, water that would have gone to Pyramid but that could be withheld using Floriston Rates, or using Floriston Rate water, which then became unappropriated water, withholding that in the reservoirs also as a credit type of operation. So, you had two different regulations and a lot of the language that had been negotiated seemed to confound the regulations. And then there was a thought that perhaps OCAP would be modified to permit the TROA operation and that wasn't happening, so we've been involved for a number of months of trying to figure out how you can still maintain OCAP requirements and then dovetail TROA provisions into that. And, I think we may have it. And, when I say "we", I've been working with Betsy Rieke²⁶ and Chet Buchanan primarily to try to decipher all of this, have it make sense, and make it workable. Again, we're at 11:59, you know, waiting for midnight to strike and we have a meeting next week and we'll find out whether or not the parties agree to a policy that we've come up with to make this work. And also TROA language as well. Another issue that's been holding . . .

Seney: If I may, this is the so-called "Fernley credit water problem" isn't it?

Strekal: No, now I'm just getting to Fernley water.

Seney: Oh okay.

Strekal: No, this is still Newlands Project credit water or Newlands credit storage. We have two, two different types of water that function the same.

Seney: Okay.

Strekal: Two different names for two different types of water that function the same way.

Seney: Have you been consulting at all with the Truckee-Carson Irrigation District on this Newlands Credit Water problem?

Strekal: We have only in so far as we have gotten some comment letters from them, but there have been no direct discussions with them. Again, this procedure that is allowed under OCAP. But, there's a misconception on their part. They think that they are being shorted. In other words, that we're taking, that we're diminishing their water right. The only thing that we may be doing through this process, or that would be done through this process, is reducing carry-over storage, which they say they have a

²⁶ Elizabeth (Betsy) Ann Rieke served as Assistant Secretary for Water and Science under the Clinton administration from 1993 to 1996 and participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Elizabeth (Betsy) Rieke, Oral History Interview, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

right to and which we say they don't, because they, carry-over storage doesn't relate to the annual, (Seney: Right.) annual entitlement.

Seney: Now, the State of Nevada has an interest in that carryover because they want to maintain a minimum pool for fish? (Strekal: Well ...) But, I take it T-C-I-D want's more than the State of Nevada thinks it needs?

Strekal: I think they, their interests are probably very similar. I mean, we never talk about, we haven't talked about minimum pool, but you just talk about the general concept of carryover storage. Obviously, the more carryover you have the higher the reservoir may be if you have a wet year (Seney: Right.) following. And, if you have, and the less water that you have, if you have a dry year, dryer year following, you may experience a shortage that year. But again the, each year's operation is distinct.

Seney: What about, you know, you've got the fish people on, the Fish and Wildlife [Service] who are interested in Pyramid Lake, committed to the Pyramid Lake. You've got the bird people, who are interested in the wetlands. Do they get involved here, the bird types, (Strekal: No.) talking about supporting maybe a T-C-I-D [Truckee Carson Irrigation District] position on (Strekal: No.) storage?

Water Acquisition for Stillwater Wetlands

Strekal: No. They, the wetlands interests haven't been actively involved. Again, because there's a program under Public Law 101-618 that allows for the acquisition of water rights (Seney: Right.) for Stillwater wetlands, and Carson Lake, and Pasture.

Seney: What? Up to 25,000 acre feet?

Strekal: Up to twenty-five to maintain, up to 25,000 acres.

Seney: Acres. That's right. Acres. How has that gone?

Strekal: I think that the service has acquired, I think, 21,000 acre feet, but also in the process of negotiated criteria for managing spills from Lahontan [Dam], and in the past water, I'll just speak generally here, water that would have spilled from Lahontan or water that would be released precautionarily could be diverted and applied to fields at will, (Seney: Right.) let's say, and part of the reason for that was to reduce the likelihood of flood damage (Seney: Right.) downstream from Lahontan. But, the criteria that were negotiated established a priority for the disposition of those waters that were either spilled or released. And, there was a requirement that first priority would be that these spills or releases could go to wetlands (Seney: Right.) rather than just be spread randomly in the project. And so, that provided one benefit that the wetlands had enjoyed, let's say, in the past when diversions were made heedlessly.

Seney: From the Truckee?

Strekal: From the Truckee. (Seney: Yeah.) And, then with the water rights, as well, it gives the wetland managers an opportunity to manage the water a little bit better. So, the only point that I see that the bird people, the wetlands interest, could make is that by reducing diversions to Lahontan you reduce the likelihood of spill and therefore you reduce the amount of water that would go to wetlands. But, you also have to look at the requirements of the law and *Pyramid Lake v. Morton*, that you only divert as much water to the project as is necessary. (Seney: Right.) And, you know, maximize flows to Pyramid Lake. So, you do have competing interests and ever since the Derby Dam was built, Truckee Canal built, you've had competing interests. (Seney: Right. Right.) And, the unfortunate thing is that once the Operating Criteria and Procedures became effective then it pitted the fish interests against the bird interests, or the bird interests against the fish interests, whereas historically the bird interests enjoyed the benefits of endless diversion (Seney: Right.) from the Truckee (Seney: Right.) River. So ...

Seney: Including the winter power diversions?

Strekal: Especially winter power. (Laugh)

Fernley Credit Water

Seney: Right. Right. So, go ahead on the Fernley credit water.

Strekal: And, the other issue that's outstanding relates to Fernley credit water. Fernley has been growing quite fast and ...

Seney: Well, Lyon County is the fastest growing county in Nevada now isn't it?

Strekal: It is, but there are two different characters to Lyon County. Fernley, Fernley is growing rapidly because of the proximity to Reno and the proximity to Interstate 80. I don't think Yerington is growing (Laugh) at nearly (Seney: Right.) that rate. So, it's definitely, well let's say maybe it's the difference between Northern California and Southern California. (Seney: Right. Right.) It's very, very similar in that regard. But, there had been provisions that had been negotiated, oh a number of years ago, relative to a Fernley credit water component in TROA, and again I think at that point Fernley had not been growing quite as quickly as now, and Fernley has found itself in a bind because they seem to have overextended themselves, don't have the water supply to meet, I think, the near-future demand. And, I'm not sure that the administration in the City of Fernley, now that it is a city, really understands how the Truckee River is operated and how storage is created, and how water then would be

released.

The Pyramid tribe has been negotiating, or had been negotiating, with the City of Fernley for quite a while trying to come up with an agreement that Fernley would, indeed, get the credit water if they agreed to not take their water from the Truckee Canal. Because all of their surface water rights are Truckee Division rights, which is water that's diverted via the Truckee Canal. The tribe would like them to, or would like to have wells drilled proximal to the Truckee River and then deliver the water to Fernley via a pipeline. And, that would be one more reason or one more element leading to the closure of the Truckee Canal, (Seney: Right.) because first of all you have diversions to the Truckee Canal being reduced because of OCAP, let's say long-term, because you don't have, you have very strict criteria for making diversions, certainly for water that goes to Lahontan [Reservoir]. Secondly, you have water rights being acquired in the Newlands Project and being transferred to wetlands, and there is a reduced duty. Rather than 3.5 they get the, they can only transfer the consumptive use component, which is 2.99 acre feet per acre per year. So, that reduces the annual demand for the Carson Division, (Seney: Right. Right.) which translates to reduced diversions from the Truckee.

And then you have, have water rights being acquired by Truckee Meadows communities and also the United States, through its agent, the Pyramid tribe, for, to comply with Water Quality Settlement Agreement. And, it was thought, when the agreement was signed, the \$24 million would acquire 24,000 acre feet of water rights, which would essentially be the Truckee Division. Prices of water rights have skyrocketed (Seney: Right.) in recent years and the thousand dollars an acre-foot is now \$15-\$30,000 an acre-foot. So, there isn't, there isn't much of a market right now for completing the terms of the Water Quality Settlement Agreement. But anyway, you have all of these measures that would be reducing diversions to the canal. And so, the tribe's view is that if you could then take all of these water rights that the city of Fernley would acquire and take that water from the river directly you would do two things. Do you want me to stop?

Seney: Let me turn this over.

END SIDE 1, TAPE 1. JUNE 15, 2006.

BEGIN SIDE 2, TAPE 1. JUNE 15, 2006.

Seney: Okay. Go ahead.

Strekal: Okay. You would do two things. First of all, you would decrease the demand in most years for diversion through the canal. And then secondly, you would save all of the seepage and evaporative losses from the canal. (Seney: Right.) And so, it would be beneficial to Pyramid Lake in two respects, but the main issue was that you

would save all of those seepage losses. But, that was part of, the seepage losses were also a component of TROA negotiations too, as to whether or not a party could claim the conveyance losses from the canal as part of their water right. So, the Truckee Division water rights were considered, or Truckee Division lands were considered bench lands and they had a duty of 4.5 acre feet per acre per year. And, then if you added a conveyance loss component to that, you know, could a party indeed transfer a right at let's say 4.8 acre feet per acre per year, or even higher, because of that conveyance loss component? And, again we're at 11:59 relative to negotiations, and of the sudden, or I shouldn't say "of the sudden," because the tribe has been saying for a long time that in order to reap the benefits of TROA that they have to give something up, that every other party has ...

Seney: Fernley has to give something up?

Strekal: That Fernley has to give something up, and the best thing and the most obvious thing, the most beneficial thing that Fernley could do would be to agree to not take its water from the Truckee Canal, that they would agree to a pipeline. And, the City of Fernley has essentially said they want to keep their options open. The main reason they want to keep their options open, as I'm understanding it, is that there are still parties that see themselves as being a part of the Newlands Project, even though this urban development doesn't seem to relate to an agricultural community at all. (Seney: Right.) And the, sort of the gravy in all of this is the water that's lost through seepage from the canal, which supports vegetation proximal to the canal and also recharges wells in the area. And, they don't have a right to the seepage loss. They would only have a right to the surface flows. So, so they're sort of taking (Seney: Ah.) advantage of an inefficient, highly inefficient, I shouldn't say "highly inefficient," but an inefficient operation.

Seney: So, they think obviously this agreement with the tribe for the pipeline would really reduce the amount of water there available to them.

Strekal: Right. It would actually force them to acquire more water rights (Seney: Yeah.) in order to support let's say riparian vegetation or a green belt that they're interested in maintaining there, even though many of the agricultural lands are going out of production. But, it would just be an additional water source that they would have to secure.

Seney: Ah. If I have, if I have some of those bench lands up on the Truckee Division and I've been irrigating them, and so forth, and now I want to sell them to someone I can convey at this point those water rights to that buyer can't I?

Strekal: Yes.

Seney: Right.

Strekal: Yes.

Seney: Now, is what's being asked of them to give up those water rights for, for that pipeline water?

Strekal: Well, no one's being asked to give anything up. All the water rights are being purchased, (Seney: I see. Okay.) and transferred. So, there's no imminent domain aspect, (Seney: Ah.) which is kind of what you were implying.

Seney: Yeah, exactly. So, in other words if I come in and buy from you, now wanting to retire, a farmer, these water rights and the pipeline goes through then I would get my share of those water rights from the pipeline?

Strekal: Well, in order to—once the water rights would be acquired the place and manner of use would change once those water rights are transferred. So, you probably would not be—as long as you, as long as one is maintaining an agricultural operation water still must be delivered via project facilities. (Seney: Ah.) So, that would maintain the diversions, maintain the canal operation. But, and this has been part of discussions about some land in the Carson Division of the Newlands Project. If it can be demonstrated that an agricultural operation is not a beneficial use of water, just to take as an example there was a parcel of land that I think required a diversion of eight miles in order to deliver two hundred fifty acre feet a year, and the losses associated with that were greater than the amount of water to be delivered. A determination could be made that this was not beneficial use of water and I think there could have been an eminent domain taking or cutting off of the deliveries. (Seney: Right. Right.) But, that's not an issue right now in Fernley or (Seney: Right. Right.) in Truckee, Truckee Division rights.

Seney: Hmm. Yeah. You know, there's been a couple of changes in Fernley, one you alluded to and that is it's now a city.

Strekal: It is a city.

Seney: As opposed to being a town, which was subservient to Lyon County?

Strekal: Right.

Seney: Also as a city it now has an elected mayor?

Strekal: It does.

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- Seney: Jim Stix is that it? Mike Stix?
- Strekal: Dave Stix.
- Seney: Dave Stix.
- Strekal: Dave Stix, Jr.
- Seney: Dave Stix, Jr.?
- Strekal: Or, Davey Stix.
- Seney: Davey?
- Strekal: As he's known.
- Seney: All right. And he, I understand, replaced Rebecca Harold²⁷ who had been the longtime town council and negotiator on this?
- Strekal: She was relieved of her duties.
- Seney: Right. Exactly.
- Strekal: Just to be accurate, he didn't replace her.
- Seney: Oh, I see.
- Strekal: But she, she was relieved of her duties.
- Seney: And did he, does he now do the negotiating? Or they have a lawyer?
- Strekal: They have a lawyer, Paul Taggart who used to work for State of Nevada. And, he has come to negotiations. Dave Stix has come to negotiations, on occasion. They've not been actively involved but they've certainly come when a matter of Fernley has been discussed. So ...
- Seney: How have these changes in the negotiator and in the municipal status, how has that

²⁷ Rebecca Ann Harold participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Rebecca Ann Harold, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, Professor of Government, California State University, Sacramento, October 9, 1995, in the narrator's office in Fernley, Nevada, edited by Donald B. Seney, desk-top edited and published by Andrew H. Gahan, historian, Bureau of Reclamation, 2012, www.usbr.gov/history/oralhist.html.

impacted Fernley's views on these matters, do you think?

Strekal: Well, they have not been actively involved in negotiations, for one thing. And two, I think a lot of decisions, again my opinion, (Seney: Sure.) a lot of decisions have been made without a full consideration of the water supply. And they, it, what strikes me or at least what I understand is that they have made commitments for water that they currently don't have and that they are scrambling. Because Fernley has just expanded tremendously. I don't know what the infrastructure is for delivering water, but there are communities that exist today that five years ago I don't think were even imagined.

Seney: Right. Right.

Strekal: That farm, let's see what's it called? Farm, not Farm Road but Farmhouse Road, or something like that, it's a road that used to provide access to a lot of large farms in the area. It seems like it's become just a series of subdivisions. A lot of people live out there.

Seney: Yeah. Yeah. It's been some time since I've been there. I should go have a look.

Strekal: Big houses and small lots.

Seney: Oh. (Laugh) These would be commuters, I take it, to Reno, that kind of thing?

Strekal: That's, it's generally referred to as a "bedroom community."

Seney: Right. Right.

Strekal: Although it seems like the notion of a bedroom community is maybe an old-fashioned notion now in light of fuel prices. I mean, it's not very economical (Seney: Right.) to be a commuter. (Seney: Right.) There is no, I don't think there's public transportation right now.

Seney: I doubt it. Yeah. Whether people would use it even if it were there is another thing?

Strekal: Well, that's right because it's not as convenient. (Seney: Right. Yeah.) And, it's an imposition. (Laugh)

Seney: Yes. Now, they're also wanting some storage? I understand that it's alluded to in 101-618 and somehow Mr. Stix and Mr. Taggart feel that it's automatically theirs without negotiation. I've been told that.

Strekal: Well, I think they feel that the terms that have been negotiated should, should stand.

Again it's, it's hard to say which party is correct in this, that granted language had been negotiated but I think that there was always a condition that that was implied, that it depended on how negotiations between the tribe and Fernley went. And, in doing the E-I-S/E-I-R, we did two analysis, one assuming that Fernley had credit water as negotiated, or two that they did not have credit water. So, so we looked at it both ways because we were uncertain as to how, how things would turn out. But, we wanted to be able to go forward with the E-I-S/E-I-R, which of course you can do as long as you're disclosing all of the information, you know, that you have available.

Seney: Right. Right. Let me—anything else on the Fernley problem? Let me just say one more thing. I understand that there's some attempt how being made to remove the Fernley question from the TROA so the TROA can move ahead?

Strekal: Well, how it's been discussed is that there would be language perhaps that would say that "Fernley credit storage may be provided depending on the outcome of the separate negotiations (Seney: Right.) among the parties." (Seney: Right.) So, and then in doing it that way, you would not have to renegotiate TROA. Because once the agreement would be signed the only way it could be modified would be for all of the signatory parties to renegotiate. (Seney: Right.) And in light of the fact that it's been sixteen years in the making, and counting, I don't think anyone has the heart to (Seney: Right.) (Laugh) to re-embark on that journey.

Seney: Right. So, it may work out that it will be done separately?

Strekal: Well, something will happen. (Laugh)

Seney: Right. Right. I just don't ...

Strekal: I don't hazard a guess.

Seney: The language is now being discussed isn't it?

Strekal: It is.

Seney: To work out what, (Strekal: It is.), and you mentioned before we went on the tape that you'd actually met with people in the Bureau of Reclamation Office about this, is that so? You've been ... Betsy Rieke specifically?

Strekal: We've not really had meetings about Fernley, the details of negotiations. We have mostly talked about how we would do the analysis and what these negotiations mean in terms of coming up with a final agreement, a signable agreement, and whether or not we can go forward with the final E-I-S/E-I-R. Again, we're very, we're very

close to (Seney: Yeah.) having a final E-I-S/E-I-R. The resolution of Newlands credit storage, and the resolution of Fernley are the two outstanding issues right now.

Seney: Yeah. Does it look like there's anytime soon those are going to be resolved?

Strekal: Well, you never know. (Laugh)

Seney: You never know. There might be a breakthrough, huh?

Strekal: One remains hopeful.

Seney: Well, there have been stumbling blocks in the past, of course, and one of them had been before the tape was on we talked about, you raised the question of different sides to things, and how different people see things differently. And I mentioned a couple of issues that, where I thought that was true. But, there may be another one, and that's the so-called Fork in the Road.

Fork in the Road

Strekal: The Fork in the Road, (Laugh) July of, what year was that? That related to the status of water in Little Truckee River, whether or not that was water that could be stored over and above Floriston Rates. And, I think it was one of those issues that everybody but Sierra Pacific at the time viewed one way, and Sierra Pacific viewed another way. And, I can't give you a lot of details about that because certain of these issues I've glazed over. (Seney: Right.) I mean, one of the things that has helped me, and you know maybe it's a handy excuse, in a lot of the TROA issues is to remain maybe blissfully ignorant of certain of the components so that I can maintain my objectivity. (Laugh) And, you know to be able to come back at a later time and read something (Seney: Right.) and review something, and say, "Oh, this is this. This is that." Rather than knowing it so well that I almost can't see myself outside of it anymore.

Seney: This was an issue raised by the tribe, wasn't it?

Strekal: Yeah, well it was the tribe and the United States also. I think it was kind of like a blow to the head, because I think at the time the Fork in the Road came up we were, we thought we had an agreement. Then all of a sudden, "Wait a minute, that isn't what I understood." "Well, of course, we've always said it was such and such." "We didn't know that. We didn't know that you were looking at it that way. We didn't know you modeled it that way." "Oh." (Laugh)

Seney: What was the, if you recall this part, what was the element in it that made the Sierra Pacific Power look at it so differently?

- Strekal: Their desire, I think, to maximize their storage. I mean, Sierra Pacific, at the time, or Truckee Meadows Water Authority now have been scrupulous in the details that they have applied to the agreement. And, most of the detail in the agreement relates to issues that either protects their water or enhances their storage. And, I mean I, I give them a lot of credit for being so, so diligent, so dedicated over the years. I mean, it's just, it's astounding to me how much detail that's in the agreement is the result of issues that Sierra Pacific brought forward to protect their water, or to gain an advantage.
- Seney: Is that necessarily a bad thing, do you think, to have it so comprehensively done?
- Strekal: Well, the problem is that by creating so much detail you're never really certain what elements you've left out. And so, the, the less you leave to interpretation, let's say, provides an opportunity for, maybe for parties to create mischief later on.
- Seney: So, you think maybe the detail, instead of reducing ambiguity may have increased it?
- Strekal: Oh, I think so. I think so. And again, I have spent a lot of time in recent years reviewing the documents, looking at the various sections, of course, and looking at the grammar, but also in interpreting the language. And, I think one of the advantages that I've had, again by maybe being blissfully ignorant of certain of these components is being able to come back at a later time and say, "Well, this doesn't make any sense." I can remember once exchange I had in a meeting where the group was getting ready to accept a certain provision, and I read the provision before the group voted and I said, "Well, this doesn't say what you're agreeing to. This says exactly the opposite of what you think it means." (Seney: Right.) And, I remember Sue Oldham saying "Oh no. No. You're wrong, Tom. You know, this is [tapping table], you know, we negotiated this and the language stands, you know, and it makes sense the way it is." I said, "No." I said, "You have to look at it again." I said, "Read it closely." And, I read it and I gave my interpretation and everyone in the meeting said, "You're right." And this, that's not the only time. And again, it's a general reference. But, I have found many times that by reading closely (Laugh) you find a lot of inconsistencies.
- Seney: Did Sue Oldham maintain that this was had been negotiated and, and everyone else thought maybe it hadn't been?
- Strekal: A deal's a deal, you know. (Seney: Yeah. Yeah.) That's the line. My experience with Sue, many times, is that I will, I would propose something that would be different from what she would propose. She would argue with me, and then the matter would be silent for a while. And then twenty minutes later, Sue would propose what I had proposed, as if it were hers, and then the group would agree to it.

So, I sort of understood my role in negotiations as not so much (Seney: Right.) to be the hard-nosed negotiator but at least to provide the ideas, and either fuel a fire or create a different fire.

Seney: I understand that when the negotiations began that Sierra Pacific Power volunteered to sort of be [the] keeper of the amendments?

Strekal: They were the keeper of the document for a long time, and sometimes when, in a subsequent meeting we would discover language that was different than people remembered agreeing to. (Laughter) So, you never know. But, of course, you had different, you had different secretaries and different word processing programs, and ...

Seney: My, aren't we charitable on Wednesdays?

Strekal: Yes. Yes, we are. Well, you know, you just don't know.

Keepers of the Document

Seney: Although I understand after an accumulation of these problems that then the feds became the keeper of the document?

Strekal: Yes. And—yeah. Well, because it was going to be a federal regulation it made sense for the federal government to maintain the document. And, I'm trying to think how long we've been—we've been maintaining it for at least four years now.

Seney: Is that your job?

Strekal: No. No. Reclamation is the keeper of the official draft, and so right now Kenneth Parr [spelling?] who works for Betsy (Seney: Right.) maintains that, and Chet Buchanan who used to work for Fish and Wildlife Service has been hired as a consultant to Reclamation. And Chet, I think, is the most knowledgeable non-lawyer about the intricacies of TROA, and then I think I am probably second most knowledgeable about the intricacies of TROA. And we both have spent a lot of time both in the Editorial Committee, and also separately reviewing the document. And, part of our review had related to the format of the document, just to make sure it looks correct, but then also looking at the individual provisions, seeing if they make sense, seeing if the references are correct, seeing if there's a logic to it. And, what I have done, I've tried to, I've tried to put it into more English than as we refer to, rather than TROAese, which is a language in and of itself. (Seney: Right.) And, I think that's, that's probably one of the things that I've added to the process over the years. And again, taking the lawyers to task.

Seney: Well, I've spent a great deal of time reviewing the document and I must say it's very difficult for me to grasp what's going on in there. I mean, I try (Strekal: Yeah.) and it's ...

Strekal: Well, as we say, "It's not like reading a novel."

Seney: Yeah. No. No. Not even remotely.

Strekal: It's like, well it's like reading a collection of either of memoirs or short stories. And, there are sometimes are threads (Seney: Right. Right.) and sometimes not. (Seney: Right.) So, it again, it's something that's been developed by committee over a number of years. When we had our initial meeting back in 1990, I had offered to craft the agreement, and I figured that I could do it in thirty pages. We're up to two hundred plus (Seney: Right.) pages (Seney: Right.) and we still find, after this many years, that there are elements of the agreement that people aren't understanding, or that seem to be wrong. So, I mean I think we've whittled down the issues tremendously (Seney: Right.) you know, in recent years but I still find I'll pick up the document and I'll read it and I'll say, "Wait a minute," (Laugh) and then I'll go to the Editorial Committee and they'll say, "No, you're wrong Tom," and then we'll discuss it and they'll say, "No. You're right Tom." (Seney: Yeah.) So, again I just tell people that "The reason we have language is so we can misunderstand each other."

Seney: Well, that sometimes is the case.

Strekal: Is to function that way.

Editorial Committee

Seney: It must be difficult when you're working, doing the editorial committee work. You have to have great care to make sure you're not changing the meaning of it, (Strekal: That's right.) as you're changing the words?

Strekal: That's right. And also to try to keep the language similar to other sections as well. I mean, there are certain words that we use or certain phrases that we use that maintain a consistency. But again, because it is so detailed you want to make sure that you've not ...

Seney: Well no, go ahead. I'm sorry.

Strekal: Precluded something or that you've not ignored something, or that you've not misinterpreted something else. (Seney: Right.) Because again, sometimes you may

have three, four, five different section references for a provision. And, it is incredibly detailed. It's been a marvel to experience over the years.

Seney: Who has been on the editorial committee?

Strekal: Ali Shahroody had been on it, Chet Buchanan, I've been on it, Gordon De Paoli,²⁸ Sue Oldham, and John Kramer, John Sarna, from California. So, that's pretty much the nucleus of the committee.

Seney: Nobody from Nevada? Roland's not?

Strekal: Well, I'm sorry. I'm sorry. And Roland has been part of it as (Seney: Right.) well.

Seney: Right. I mean, these are all the players, the major players?

Strekal: It's all the mandatory signatories.

Seney: Right. Right. And I can understand that. I mean, you want to make sure that everyone is there to keep an eye on their part of it?

Strekal: Right.

Seney: Yeah.

Strekal: But, it's interesting because we have lawyers and non-lawyers, (Seney: Right.) and I do find that sometimes the lawyers complicate things but they do lend insights and understanding to the process as well. (Seney: Right.) So, it's been a very interesting mix of people over time. And again, many of us have served on various committees in preparing this document over the years. And one of the reasons I assume the management responsibility for the operating agreement is, or for the E-I-S is because of my understanding of the operating agreement, and also because I think I understand local issues and local politics (Seney: Right.) very well, and I also have a good command of the language (Seney: Right.) which helps tremendously. (Seney: Right.) So, I provide direction both to the local people and also to the people in Denver who are charged with putting the document together. So, I have the ultimate editorial oversight in the document. You know, it's perversely fun. (Laughter)

Seney: Let me ask you about the Truckee-Carson Irrigation District because, of course, they were signatories of the original Truckee River Agreement?

²⁸ Gordon De Paoli participated in the Bureau of Reclamation's Oral History Program, Newlands Series. See, Gordon De Paoli, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Andrew H. Gahan, historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

Irrigation District and TROA

Strekal: Right.

Seney: And are not signatories of the Truckee River Operating Agreement?

Strekal: Right.

Seney: Now, I've been given to understand that you've gone to great lengths to especially not infringe on any of their rights in the Truckee River Agreement, the old what is it 1936, 1935, (Strekal: 1935.), '35 agreement? Can you tell a little—how have you tried to accommodate? Because, and let me add by saying that everyone expects that they will be suing and trying to block this.

Strekal: Oh certainly.

Seney: How have you tried to, from your point of view, take care of that problem?

Strekal: All of the operational elements of the Truckee River Agreement have been incorporated into the Truckee River Operating Agreement. The Truckee River Operating Agreement is an operating agreement, so it would make sense to incorporate the operational elements of the Truckee River Agreement (Seney: Right.) where you don't deal with water rights specifically, only in so far as we recognize that there are rights that must be served. And, we also don't infringe on OCAP, which again is a separate federal regulation. So, OCAP determines how water is diverted from the Truckee River, not the Truckee River Operating Agreement. But, the position of T-C-I-D is that they were a party to that agreement and the only way you can change that agreement is to have all the signatories agree to change it. But, what has to happen then with the Truckee River Operating Agreement, since T-C-I-D is not going to be signatory, unlikely to be signatory, this still has to be ...

Seney: Could they, by the way? Could they come forward and sign it?

Strekal: They could be, but considering the late hour, (Seney: Right.) that they've not been involved in discussions at all, I think they would have very little basis for doing that. Let's say there's nothing, there's nothing in the operating agreement that is necessarily beneficial to them. There is also nothing in the agreement that is detrimental to them. (Seney: Right.) Because, again, it's not infringing on their water rights, but it is allowing water right holders in the Truckee River, who have maybe not previously exercised rights, to exercise them now. And that's where the problem comes in, (Seney: Ah.) relative to T-C-I-D because you have, you have a greater

demand being served on the Truckee side, therefore there's a likelihood that perhaps less water may be available to divert, not that they have a claim to that water directly, (Seney: Right.) then any water that is available can be diverted to help achieve—well first of all to serve the rights on the Truckee Canal, which were served directly from the Truckee River, and then secondly to assist in achieving storage targets and the end of June storage objective in Lahontan (Seney: Right.) for satisfying the rights in the Carson Division. So that's ...

Seney: Let me change the tape.

END OF SIDE 2, TAPE 1. JUNE 15, 2006.

BEGIN SIDE 1, TAPE 2. JUNE 15, 2006.

Seney: Carson City, Nevada. Today is June 15, 2006. This is our third session and our second tape. Go ahead, Tom.

Strekal: We were talking about T-C-I-D and ...

Seney: Trying to hold them harmless?

Strekal: Trying to hold them harmless. And, that has been a big part of discussions relative to Newlands credit water. One of the things that, again, as I explained earlier they feel that this credit water is one of two things. It's either something that will hurt them and diminish their water right, and they also fear it will give control over their water to the Pyramid tribe, which is anathema (Seney: Right.) to T-C-I-D. The other view they have is that somehow Newlands credit water would be beneficial to the project and they want a part of it. Well, Newlands Project credit water, or Newlands credit storage does not create a benefit for T-C-I-D. It is a mechanism that could reduce the amount of water that's diverted but not the amount of water that's required to satisfy their water right. (Seney: Uh huh.) So, again there's some misunderstanding, fueled by years of animosity and disagreement (Seney: Right.) and misunderstanding.

Seney: You know, this is one of those issues where people see it very different. How do you see the attempts by T-C-I-D to take some part in TROA at least through an observer? I remember Russ, I wish I could remember his last name. For the moment I can't.

Strekal: But, I know who you mean and I can't think of his last name either. (Laugh)

Seney: Yeah. He came for a period of time to the TROA.

Strekal: He did. He did. And, gosh what was his last name? Or, what is his last name? He

used to own property in the Truckee Division and has since sold. And, I don't know—Russ Armstrong.

Seney: Armstrong. That's it. Right.

Strekal: And, he had been employed by T-C-I-D for a while and again I don't know where he's gone, but I know he did come to meetings. He participated, and he did, at times, provide suggestions, or recommended language. But, generally we found that T-C-I-D was not, let's say, negotiating a compromise. They were suggesting language that would just maybe affirm current operations at the time. So, to protect their interests. (Seney: Right.) So, either, either because they didn't understand what the agreement was doing or, or intending to do, or they only understood too well what the agreement was intending to do and didn't want that to happen. I remember way back when in 1982, when I moved here, I went to a meeting that T-C-I-D was sponsoring in Fallon and the president of the Board of Directors for T-C-I-D said at this meeting ...

Seney: Was that Ted De Braga?

Strekal: No. This was Enos Locka [spelling?]. This is years ago. (Seney: Yeah.) He said, "We're willing to compromise as long as we don't have to give up anything." (Laughter) And that was, that was a very good lesson very early in my career here.

Seney: Well, they were offered, they were offered an agreement in 1982, '81, '82, that guaranteed them 370,000 acre feet? Or ...

Strekal: I'm not sure of the year, but there was an offer that would, yeah, that would provide, or that attempted to guarantee delivery every year and it was rejected for whatever reason. (Seney: Right. Right.) I don't know. And, in fact, I think to this day people still shake their heads and say, "Why didn't they see?" (Seney: Yeah. Right.) Because they have not won any cases.

Seney: Yes. That's true. And, they're down to what, about 260,000 acre feet now or something?

Strekal: I think the annual for Carson Division is maybe 275,000 acre feet. But again, it's not because their rights have been taken from them. (Seney: Right.) It's just that rights have been sold and transferred, and because of the consumptive use (Seney: Right.) differential, (Seney: Right.) the demand is less. But also, OCAP has been adjusted to recognize that the storage targets for Lahontan should be variable because the annual demand is variable. And so, back in '97 the targets were meant or purposed to float. In other words, the higher the demand in the Carson Division

the relatively higher the storage targets would be, and likewise, if the demand were less the targets would be lower. And this way you would provide some consistency and again try to reduce over-diversion to the project.

Seney: You know, they're actually down there changing some crops around. They're growing grapes now? Are they growing those on, where ...

Strekal: I had heard that grapes were being proposed. (Seney: Right.) I don't know how extensive it is.

Seney: Right. Right. Right. My understanding is maybe some were actually being grown. I'm not a hundred percent certain of that.

Strekal: I think that that's (Seney: Yeah.) that may be done several places in western Nevada, but again I don't know to what degree.

Seney: Well, over the years they've tried different things, melons, and turkeys, and other kinds of crops but have always come back to alfalfa?

Strekal: Right. It's what the, it's what the farmers know.

Seney: Right. Right. Yeah. What, what other things have you tried to do in TROA to forestall—well, I don't mean, you probably can't forestall a lawsuit by T-C-I-D, but to make the courts see or understand that you've taken care of their interests and their interests have not been damaged or diminished?

Strekal: Well again, by incorporating the operational elements of the Truckee River Agreement. It's sort of a—I mean, the lawyers have been very adamant about doing this because they feel this is the only way that the operating agreement can be presented to the court and pass muster, if it does at all. And, that would at least address a large part of the argument from, let's say Churchill County interests and whoever else might be protesting the agreement. So, it's been, again it's with the intent of not diminishing the water right. That's, that is the bottom line. (Seney: Right.) And again, the argument from T-C-I-D is, T-C-I-D is that this agreement was negotiated and signed by these parties and it is the law. (Seney: Right.) What they don't say is that that agreement is now seventy years old and the character of the basin has changed tremendously, that it is no longer an agrarian culture, virtually nowhere is it an agrarian culture (Laugh) (Seney: Yeah.) in western Nevada now. Maybe more so in Walker River than here, but it's a very different (Seney: Right.) very different culture there.

Seney: Right.

Walker River

Strekal: And again, they've not been in—first of all, you don't have a Reclamation project in the Walker [River] basin, and consequent—well I can't say that we've not been in court for as many years, it's just that it's a different decree. But again, you don't have the government presence in the Walker basin that you do in Truckee and Carson. (Seney: Right. Right.) And of course, in the—you also have the upper Carson basin urbanizing rapidly as well. So, so you have several competing interests for the water that Newlands Project would get. First of all, you have interests in the Truckee basin exercising rights that perhaps have not been exercised in the past, and then secondly you have an expanding urban population in the upper Carson basin and also an interest in more beneficial and non-consumptive uses for the water. So, so you have two sets of demands (Seney: Right.) for the water that the Newlands Project traditionally received, or historically received.

Seney: I understand also, as long as we're talking about the Walker River, there's a huge pot of money?

Strekal: Yes. (Laughter) Well, there's ...

Seney: I mean a huge pot.

Strekal: There is at least \$90 million, \$95 million that has been made available for various programs in the Walker basin, in part to acquire water rights for Walker Lake; in part to create a research center to—one of the things that it would do would be to look at maybe alternative crops that could be raised. And also to study the plight of Walker Lake and indigenous fish program to acquire water and water rights on the Walker River Indian reservation, money made available for recovery of western trout, one of which is the Lahontan cutthroat trout. And then also, money available to try to restore the riparian canopy, the riverine habitat in the Walker River. So, there's \$95 million that's been made available for that. And, there's also about another \$78 million that, or \$75 million, that may yet be available for local programs. But, the initiatives haven't been identified. But, parties who have been negotiating a settlement of the Walker River rights, and in part to protect Walker Lake (Seney: Right.) are seeing that money as potentially available to them to help resolve the issues. But, there seems to be some disagreement between Senator Reid and the negotiating parties as to who gets the money and how it's used. To be determined.

Seney: Yeah. And there's even more money?

Strekal: No. Those are the two pots of money that are available.

Seney: Those are the two pots? Yeah.

Strekal: Originally there was \$200 million (Seney: Right.) that was made available, but portions of the money, a portion of that original appropriation have been provided to Truckee River interests (Seney: Ah.) to increase the flow to Pyramid Lake. And some of the money had been made available to the TROA parties to help fund negotiations and to (Seney: Right.) support the Watermaster's Office in developing the procedures for TROA.

Seney: There was some interpret, or amendment I guess of that act, wasn't there, to permit the inclusion of the Carson and the Truckee rivers?

Strekal: Well, initially it was \$200 million for, to protect desert terminal lakes, but the condition in the original bill was that none of the money could be used to buy water rights. But, the money was to be used to increase flows to protect the lakes. So, very difficult to protect a body of water if you don't have a water right guaranteed, or let's say a somewhat assured supply and something that you could manage.

Seney: Right. I understand Senator [John] Ensign put that in the bill, wanted, insisted on that?

Strekal: I don't know if it was Ensign or Reid, but Senator Ensign and Senator Reid had been working very closely together. (Seney: Right.) I'll just leave it at that. I, there are certain things that I can't say because I'm, I'm the federal team leader (Seney: Sure. I understand.) for Walker negotiations and we have a confidentiality agreement that we have to adhere to. (Seney: Right.) There's certain things I can tell you, and certain things I just can't.

Seney: Sure. So much for the right of the people to know, Mr. Strekal. (Laughter) No, I ...

Strekal: Wink. Wink. Wink. Nudge. Nudge.

Seney: Yeah. Wink. Wink. Nod. Nod. You know, there was, I think, a big change in the TROA negotiations when Bill Bettenberg retired. Would you regard that as a big change, or no? Or ...

Bill Bettenberg

Strekal: Well, let's say we lost our friend in Washington. And, I think that did make a change. First of all, Bill had been involved in the process, well since the bill was passed. (Seney: Right.) And, provided a lot of guidance, leadership. I'll make a distinction in those two. And, also Bill understood the budget process very well and knew the ins and outs of finding money, making money available.

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- Seney: Also known as “Dollar Bill”?
- Strekal: Dollar Bill. And, again he, I think he wore the moniker well. But, Bill ...
- Seney: He could find bits and pieces of money when those were needed to help move the settlement along?
- Strekal: Very much so. And, Bill also was keenly interested in the negotiations. Bill, Bill seemed to have very much of an environmental ethic about him, and wanted to see, I think, a good resolution to a lot of the issues. Again, I, Bill was sort of my unofficial boss, many times on issues people say, “Who do you work for?” And I say, “Well, the department,” because a lot of the jobs that I’ve had or a lot of the projects that I’ve worked on have transcended bureau boundaries.
- Seney: Bureau of Indian Affairs?
- Strekal: Yeah. Yeah. Indian Affairs, but again as I’ve said in the past I’ve also worked for Fish and Wildlife Service and worked for Reclamation (Seney: Right.) in the process. So, I feel I understand all of the cultures and for me the bottom line has been to come up with projects or decisions that work, that get the department, get the United States closer to a resolution of a lot of the issues. I’ve not wanted to feel constrained by bureaus (Laugh) in doing this and Bill provided me that opportunity. So many times, work assignments would come from Bill, and he and I talked a lot, and I thought it was a very satisfying affiliation. I certainly respected him, and I think he respected me. So, it worked, it worked well. And again he, Bill never forgot anything.
- Seney: Are you tearing up?
- Strekal: I am.
- Seney: You are tearing up, aren’t you? Yeah.
- Strekal: I am. I liked Bill.
- Seney: Well, I know he liked you too or (Strekal: Yeah.) he wouldn’t have given you these assignments.
- Strekal: That’s right.
- Seney: I mean, he wasn’t the kind of guy who did that?

Strekal: No. No. (Seney: Yeah.) Bill was very demanding. (Seney: Yeah.) And, he was very scrupulous, I think in everything that he did. In fact, sometimes he would get angry because I would correct his writing. (Laughter) And then we would talk about it, (Seney: Yeah.) and sometimes he would accept the changes and sometimes not. (Laugh) But, we always had good discussion. (Seney: Yeah. Yeah.) We used to have good discussion. But, I felt that he was, he was truly interested. I think a public servant in the best way. So yeah, I do get a little misty-eyed (Seney: Yeah.) but I'm that kind of person.

Seney: That's fine.

Strekal: Anyway.

Seney: Yeah. Well, he had a good rep among the—of course, there were people who didn't like him.

Strekal: Right.

Seney: Right. But, I think still respected him because of his abilities, (Strekal: Right.) and kind of gentlemanliness, very much?

Strekal: He was very much a gentleman. (Seney: Right.) And again, not a politician. Again, I say "a public servant" in the best way.

Seney: Right. Right. Was he disappointed about TROA not being done when he left?

Strekal: I don't know. I don't know. I was surprised when he retired, but I think even Bill started feeling his mortality a little bit (Seney: Right.) and decided there were things that he yet needed to do. (Seney: Right.) I mean, I would have liked to have seen this issue resolved. And probably him as well, but I think for personal reasons and probably for political reasons too it just became apparent it was time. And again I, you know, I was sad in part because I liked the man, I liked working with him, he challenged me, taught me a lot, but also he was my contact in Washington and I essentially now have no contact in Washington, at least not in the department. (Seney: Right.) And, it's not that I was that influential in, you know, departmental policy, but it was always nice to have his insights and to know that I was helping in the process (Seney: Right.) at that level. So, it was, yeah it was satisfying.

Seney: Betsy Rieke has taken over from Bill?

Strekal: Yes.

Betsy Rieke

- Seney: Succeeded him, I guess. How has that change worked?
- Strekal: I think it's worked pretty well. Betsy had not been closely involved in a lot of the issues, and Betsy, I think, is more political than Bill but Betsy has lived in the rarified air of Washington D.C. as a former assistant secretary and her understanding of issues, both technical, regulatory, political, are astounding. And, you know, again she's, she has quite a track record over the years.
- Seney: This current administration is one that's known for going out of its way to, I'm not quite sure how to put this, going out of its way to ignore the actions of its immediate predecessor, the Clinton administration?
- Strekal: I think that's true.
- Seney: And, Betsy Rieke, of course, was assistant secretary under that administration, has that, have you seen any examples of how that might have made things more difficult for her?
- Strekal: Betsy's very savvy. She seems to have maintained a good relationship with people who have now become her bosses since the administration change. And, I think the people who occupy the position she used to have recognize her experience, and there, at least as she describes it, there seems to be mutual respect. And so she, she still has contacts in Washington. (Seney: Yeah.) And, it's, it's always astounding to me, thinking of the jobs that she's had and working here, (Seney: Right.) in fact, being the head of the office that I used to work in. (Seney: Right.) And, her, her character is just so different from the old Reclamation bosses. (Seney: Right. Right.) Her view is much broader, and I think her influence is much broader and stronger. She's not provincial in her view (Seney: Right.) and I think that makes quite a difference.
- Seney: What has happened to the Truckee Carson Coordinating Office?
- Strekal: Oh, it was disbanded, disbanded five years ago.
- Seney: Why?
- Strekal: Because I think the view was that it had served its purpose.
- Seney: Its purpose being?

Truckee Carson Coordinating Office

Strekal: The purpose was, as the title suggests, to coordinate a lot of the actions of the local bureaus in implementing the public law. I think it did a lot of good things. Well first of all, it provided an Interior presence locally and got the bureaus to cooperate, coordinate, discuss. I think the character and relationships are much different because of that, even though with the passage of time we tend to forget that they were here. (Seney: Right.) But, one of the things that was implemented through that office was what we called the I-B-C or the Inter Bureau Coordination meetings, where monthly Fish and Wildlife Service, Reclamation, B-I-A [Bureau of Indian Affairs], Coordination Office would get together and talk about issues of mutual interest and concern, and to provide a forum for discussion. And, just to get us talking, (Seney: Right.) whereas (Seney: Right.) in the past we wouldn't or where correspondence previously would have relegated to a letter. There was now face-to-face meetings, an opportunity to discuss things candidly, and again to also to provide some parental guidance, let's say, from the department (Seney: Right.) for a while. But even after the office disbanded, or was disbanded, the I-B-C meetings still take place. We don't do them monthly now. None of us seems to have enough time (Seney: Right.) to get together. But, we still meet on a somewhat regular basis and we have a standard list of topics and then have new issues that arise as well. So, it's still, I think it's created a lot of good things.

Seney: That office was headed by Jeff Zippen [spelling?]?

Strekal: Right.

Seney: A very able guy I understand?

Strekal: Very able, very personable, really a smart guy.

Seney: Yeah. And a protege of Bill Bettenberg's?

Strekal: Yeah. Jeff had worked for Bill in Minerals Management Service (Seney: Right.) back in Washington. Yeah, but Jeff had his own personality. (Seney: Right.) Obviously, he worked with people well.

Seney: Right. And he's moved up in the department hasn't he?

Strekal: Yeah. He's the head of the historical—ooh, I can't remember what the name of the office is but essentially overseeing the resolution of the Indian Trust Asset accounts.

Seney: Wow. That's a big job?

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- Strekal: It is a big job and Steve Alcorn who worked in that office and who worked for Betsy for a while as her deputy went back and he works for Jeff in Washington.
- Seney: Ah.
- Strekal: And I, of course, was affiliated with the Coordination Office for several years. (Seney: Right.) I was detailed to help them with a lot of the tasks that have since been assumed by, I'd say, primarily Reclamation because so many of the things relate to (Seney: Right. Right.) Newlands Project or operation of the Truckee (Seney: Right.) River.
- Seney: I recall that there was a report, the Glaser Report. Remember that?
- Strekal: I vaguely remember it.
- Seney: It was commissioned by the Bureau of Reclamation. Mr. [Donald] Glaser²⁹ had been a, I think what, he'd been regional director maybe or he'd been hired?
- Strekal: I think he had been like a deputy assistant secretary or something like that.
- Seney: Maybe so. And he came out and looked at what was going on and said, "There really should be more of a role for the Bureau of Reclamation here," and made some other recommendations. And what, the upshot of that, however, was the Truckee Carson Coordinating Office.
- Strekal: He reviewed the Truckee Carson Coordinating Office and I think one of his recommendations was that the Coordination Office had fulfilled its purpose and should probably be disbanded.
- Seney: Was that it?
- Strekal: I think so.
- Seney: Do I have this wrong?

²⁹ Donald R. Glaser served in a number of leadership positions for the Bureau of Reclamation and the Department of the Interior: Assistant Commissioner Program, Budget, and Liaison 1990-1991; Acting Assistant Secretary for Water and Science 1993; Deputy Commissioner 1994-1994; Director of Program Analysis 1994-1995; Mid Pacific Regional Director 2008-2012. Mr. Glaser also participated the Bureau of Reclamation's Oral History Program. See, Donald R. Glaser, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Brit Allan Storey, senior historian, Bureau of Reclamation, from 1993 to 2013, in various locations, edited by Brit Allan Storey, and further edited and desktop published by Andrew H. Gahan, 2014, www.usbr.gov/history/oralhist.html.

Strekal: I think that was it.

Seney: Okay. I'll have to—because I, you know, to me the Truckee Carson Coordination Office was Bill Bettenberg, (Strekal: Right.) fending off challenges?

Strekal: Right.

Seney: Putting someone in place, Jeff Zippen [spelling?] to keep an eye on things and keep an eye on the various bureaus and make sure they were working together.

Strekal: Yeah. And not only keep an eye but, in large part, to provide direction. (Seney: Right.) And to maybe be the lightening rod as well.

Seney: Right. Well, I thought it was, I thought it was a maneuver of a very savvy bureaucratic operator.

Strekal: Yeah. It was.

Seney: Yeah.

Strekal: It was. Again, it's very difficult I think to find an outsider to come in and I would say gain the trust. (Seney: Right.) Not that necessarily everyone's trust was gained, (Seney: Right.) but certainly at least to get a general acceptance, and again to provide department visibility.

Seney: And I suppose to demonstrate departmental interest in making sure these things got done?

Strekal: Right. Right. Well, again I was the team leader for the strategy we ... Bill had put together a strategy team and our job was to look at the components of Public Law 101-618, identify the various actions that were authorized and required, and also to identify the interrelations of the various components. I think we had identified thirty-three distinct actions that the public law had required. And, I had representatives from all of the bureaus and we had spent a number of months, and we were looking, first of all, what the language was, what would be required to implement, who would be implementing, potential costs, time lines, and again the effect on other, on other actions. So, it was, it was quite a learning process (Seney: Right.) first of all. (Seney: Right.) And, certainly made me much more knowledgeable of the public law, and I also served to educate the representatives from the other bureaus as well. (Seney: Right.) And I think that provided a focus and impetus for getting these things done. So again, that was another one of the things that Bill entrusted me to do and a lot of work, certainly having to deal with a lot of personalities too, but also again it made me very knowledgeable of the law and

probably one of the reasons why I've been able to survive here. (Laughter)

Seney: Anything you want to add on the Truckee Carson Coordinating Office?

Strekal: Only maybe an editorial statement that I thought it was—of course, I was part of it there for a while, (Seney: Sure. Sure.) but I respected the team members. I think each of them was very good at what they did, very competent, very capable.

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Seney: Done one side of this.

Strekal: Okay.

Seney: Okay.

Strekal: But again, very capable, competent, and again I thought represented the department well. They were fun to work with. I mean they all individually became friends, (Seney: Right.) and made a lot of the tasks easier to endure because they were so easy to talk to and were accessible. (Seney: Right.) I think that is probably the, the best aspect of that office is that they were always available to talk to, (Seney: Right.) and never, and didn't pick favorites either. (Seney: Right. Right.) You know, when you like someone you tend to want to work with them (Seney: That's right.) more. (Seney: That's right.) So, it was good in that respect.

Seney: Anything else you want to add on TROA?

Operating Agreement EIS/EIR

Strekal: Only that I hope that if we talk again that we'll talk about it in the past tense. (Seney: Right.) You know, that it has been signed and it's being implemented, that I'm no longer working on the E-I-S/E-I-R, (Laugh) that we have a signed Record of Decision.

Seney: How is that E-I-S/E-I-R coming along?

Strekal: It is so close to being done. Again, there are only a couple of items that are missing. We can't write about the proposed action until we have all of the elements of the agreement done, and essentially means Fernley resolved.

Seney: But, haven't you done two versions with and without Fernley resolved?

Strekal: Yes. That's carried forward. We did that in the revised draft E-I-S/E-I-R that came out in August of 2004. We carried that analysis forward. Again, because we're not really sure. But again, the parties won't be able to sign the document until the parties agree that we have an agreement, (Seney: Right.) which is what an agreement is obviously. And, of course we have to get agreement on the Newlands credit storage, Newlands credit water issue. When these two things are resolved Chet Buchanan can complete writing chapter two of the document, which is the proposed action, and then I can address a Newlands Project section, which is, sort of summarizes all the information in the document. But for people who want to know, "What are the impacts to the Newlands Project from TROA?" I have everything (Seney: In one section?) summarized there. In one section, (Seney: Yeah.) so it makes it much easier to read. And then when that is done I can also complete the response to comments that we received on the document, on the revised draft. So, I have a couple of tasks that are outstanding, but once decisions are made as to what will be done it won't take me long at all. We've been reviewing the other components of the final document. We will then have an administrative draft and give a quick turnaround for that, then we can get the thing printed and have it released for public review. (Seney: Right.) So, again we are so, so close. And I'm smiling as I'm saying that.

Seney: Yeah. I know. Yes. Yes.

Strekal: You recognize it?

Seney: Yes.

Strekal: It's been a lot of work.

Seney: Yeah.

Strekal: I mean, sixteen years in the making.

Seney: Right. Right.

Strekal: And ...

Seney: So, the process will be: everybody agrees, everybody signs it, and the E-I-S gets issues, finalized, whatever little things you need to do, (Strekal: Well, what we'll ...) and there's a public comment period on that?

Strekal: Well, what will happen is the final document is prepared and released for public review. And then, a minimum of thirty days following the release of the final E-I-S/E-I-R the secretary or whoever is designated to sign the Record of Decision can

sign the Record of Decision. And, of course, the State of California will also be able to sign its Notice of Determination. We refer to this as “the ROD and the NOD.” (Laugh) And many times I NOD [Notice of Determination] when I think of the ROD [Record of Decision]. (Laugh) But, and after which, after the signing of the ROD of the NOD, then the secretary is actually able to sign the Truckee River Operating Agreement. (Seney: Ah.) So, not until that time. Now, the public may comment on the final E-I-S/E-I-R. There isn’t another document that has to be prepared other than the Record of Decision, but the Record of Decision can at least identify what the public concerns were (Seney: Right.) to the final and still would provide an opportunity to address public concerns, up to the time, you know, up to the point that then it is signed. So, I mean there is a lot of public involvement, has been a lot of public involvement throughout, although with some of these lapses, these hiatuses—is the plural hiati?

Seney: I don’t know.

Strekal: Well, hiatuses that we’ve had. Sometimes its, people forget, (Seney: Right.) and you lose that sense of urgency. But those of us who have been negotiating the agreement, those of us who have been preparing the document don’t forget. (Seney: Right. Right.) And so, we are the corporate memory (Seney: Right.) for this. And, it will be nice to complete the document so I maybe can have some corporate forgetfulness.

Seney: Yes. That’s right. (Laugh) Anything else you want to add?

Strekal: No.

Seney: All right.

Strekal: No.

Seney: Well, I may come back and see you again, depending ...

Strekal: Well, I hope you do. I hope you do.

Seney: How long this goes on. There might be a few final things to talk about. At this point, thank you very much for taking part again.

Strekal: Well, my pleasure. And neither of us can get much grayer. So.

Seney: I know that. Yes, our senior citizen (Laugh) status is well-established. Thank you very much Tom.

Strekal: Thank you Don.

END OF SIDE 2, TAPE 2. JUNE 15, 2006.
END INTERVIEW