ELDON MILLS

TAPE 1, Side 1

June 25, 1996

M.O'R.: This is Michael O'Rourke for the Washington County Historical Society. Today must be the 25th of June, and this is an interview with Eldon Mills taking place at his home in Hillsboro.

First of all, for the sake of background, I wonder if you could talk a little bit about your life from the beginning and how you wound up in Hillsboro. I guess you were born in Idaho; is that right?

E.M.: That's correct, yes. Payette County.

M.O'R.: And how long did you spend in Idaho, then?

E.M.: Well, I lived there until I was almost 18, and then I went in the service. Then I went back to Idaho and took an undergraduate degree at what was then the College of Idaho, which is now Albertson's College.

Then I moved to Oregon in 1951.

M.O'R.: And what brought you to Oregon?

E.M.: Well, I ran out of G.I. Bill of Rights, and I didn't have any resources, so I had to get a job. About the only job I could find that I was qualified for at that time was in the field of education, so I took a job as a - at the beginning as an elementary school principal in Malheur County. I think I was there three years, and then I went into the County School Superintendent's Office for a couple of years, and really decided that public education was not my thing.

Then I took a job with the City of Ontario, Oregon as a - in those days they called it City Recorder, Municipal Judge. So I was there for, I guess, four years, and I recovered a bit financially and then went back to the University of Oregon to do some more study and also got a job as a research assistant at what was then the Bureau of Municipal Research at the University, which was one of the research arms at the University of Oregon.

I worked there through the season and through the winter, I guess, and into the next summer, and then the chair of the school, whose name was Herman Carley, called me in one day and said a good friend of his who was City Manager of Hillsboro really needed some help for about one year to do some financial analysis and a couple other minor things for the City of Hillsboro and wondered if I would be willing to take a leave of absence and go up there and do that.

So I did that in 1961, and I guess I never got my work done; I never left.

M.O'R.: So that was supposed to be a temporary contract, then, with the City of Hillsboro?

E.M.: Yeah. It wasn't a contract, really. I just came on as an employee, and they gave me a title as the Assistant City Manager so that the - you know, so that the old timers wouldn't push me around too much. That didn't keep some of them from pushing me around anyway, but then -. So that's how come I came to Hillsboro.

M.O'R.: Well, how did that job evolve, then?

E.M.: Well, gee whiz, I stayed in that job and stayed with that title and took over control - in a relatively short period of time took over control of the finances in the City. I ran that and

then other things that the City Manager just wanted to assign out. As time went on he allowed me to branch into other areas.

M.O'R.: And who was the City Manager?

E.M.: His name was Jim Barney, and he had been City Manager and City Engineer, a combination thing, in Hillsboro since 1939. And he didn't retire until - I guess it was the end of 1971, so he had a long, long tenure.

So I worked for him for ten years as assistant.

M.O'R.: And what did you learn about the City of Hillsboro in those ten years? What were the problems and issues that you dealt with?

E.M.: Well, one of the things that - of course, we didn't have any water supply, and so we proceeded to fix that. We were the first in the - certainly the metropolitan area to bring on activated sludge sewage treatment in the secondary capacity.

But that first plant came before I came here, and that one is credited to a guy by the name of Jim Burns, who was the manager of the sewage treatment systems. And he, along with an engineering firm in Portland - which no longer exists as that firm but was Stevens, Thompson & Runyan - designed the secondary treatment plant, built it and operated it, and it was amazing to me to see Jim Burns take a glass in the middle of summertime and dip it into the outflow line and stand there and drink the water when there was 50 or 60 people in an audience watching this.

You note that I said that Jim drank it. I didn't drink it.

One of the things that we had - we didn't have the transportation problem we have today, of course, but what we did have is the problem of no jobs to keep people in the community, and we were

becoming a bedroom community for the industrial areas of Portland and so forth. Really the only sizeable industry in Washington County that I became familiar with early on was Tektronix.

So we decided we would set about and try to attract enough business and industry to the community to at least accommodate the local people who wanted to stay and work and the kids who were getting out of school so that they wouldn't have to move to Portland or Corvallis or someplace else in the state in order to find a job - that's if they didn't choose to or weren't able to go on to higher ed. We might, now looking at it, have been guilty of an overkill; I'm not sure. We certainly have enough industry today.

M.O'R.: That's right. Well, I guess Tektronix led the way for a whole ...

E.M.: Well, sure they did, you know, but it wasn't really Tektronix that provided the springboard, it was the Intels and the NEC's and Fujitsu that are ones that - you know, that were the springboard in the city. And then Epson, and now all the stuff that's in the process of being developed, everything north of Evergreen Road and east of Shute Road, that's - there's probably $8 billion worth of new development going to be occurring - is occurring and will have occurred there before the turn of the century.

I can remember when we had only - maybe a half a billion dollars in assessed valuation in the City.

M.O'R.: You mentioned to me when we first got together, many months ago now, that back in the 60's, I guess this would be when you first arrived in this area, that the Tualatin wasn't in very good shape?

E.M.: Well, in the summertime there really wasn't a viable stream, and everybody has seen the pictures of Oscar Hagg standing with one foot on each side of the stream in the middle of summer, and that wasn't - you know, that wasn't a made-up picture; that was actual fact.

What water was coming down was being pumped out, most of it illegally by people who didn't have the water rights to take it out. And so consequently what was going on down the river was the effluence from sewage treatment plants that were - most of the treatment plants were not even up to state standards.

M.O'R.: Now, that didn't include Hillsboro; is that right?

E.M.: It didn't include the Hillsboro east side plant which was up to standard and had an operating permit. It probably included for a time the old west side plant, which was down around First Avenue. But it was divided, and in those days we also treated the Birdseye cannery waste there, and the way we treated that, instead of putting stuff in the river, we separated it and ran it through a screening plant to take the majority of the solids out, which would have been - gee, what were they processing then? - broccoli and squash and that sort of stuff. So we took most of the solids out by screening plants and shovels and pitchforks, you know, and then the rest of it we sprayed out on Jackson Bottom. But the industrial waste was going through the plant.

We set about to rebuild that plant, which we did, and then of course it became another secondary treatment plant that would meet the DEQ standards. But there were so many sanitary districts scattered around the county that didn't meet the standards and couldn't meet the standards.

And then another problem, too, there was a lot of pipeline in the sewage treatment systems that was substandard, that was leaking like crazy. It wasn't a major problem in the summertime, but in the wintertime when the groundwater would start to come up or the flood water would come in, it would fill those pipes up and just overflow the treatment plant, you know, and that has been a problem.

I don't know whether it's still a problem. The guys at USA could tell you, but I know they still fight that in the wintertime to some degree, because you can have a - you know, you can have a plant that has a 15 million gallon a day design on it, for instance, and in the summertime it will be treating four or five or six, and in the wintertime it will try and treat 40, and of course it can't treat 40. So when those things happen, why, you're going to get spillover into some receiving stream someplace.

It's kind of like City of Portland. Portland's finally just - I just watched it on TV, it's finally been put on the fire by the feds saying, "You can no longer allow your overflows to go into the Willamette." How many years late is that? Thirty-five years?

M.O'R.: It's been a long time in coming.

E.M.: Yeah, it's been a long time coming, hasn't it?

M.O'R.: In fact, I think Washington County got its act together quicker than Portland on that particular issue.

E.M.: Well, Portland is many hundreds of millions of dollars away from solving that problem. For instance, we were salmon fishing back in - I don't know, maybe the first of May or something - at the head of the Multnomah Channel, and we were just trolling there one day, and you can't believe - and Gary Krahmer was with

me, and you can't believe the identifiable stuff that was in the water that day that we were seeing floating by the boat, just coming straight out of the sewer systems. It wasn't going through any kind of treatment.

M.O'R.: What did you identify?

E.M.: We were laughing because there were condoms floating on the water, for instance, and any kind of a screening system would have been picking those off, you know.

M.O'R.: Now, you said that in the 60's when you were Assistant City Manager you solved the water problem for Hillsboro?

E.M.: We did, because we did two things in the 60's. We got ourselves in a position to build a dam on the middle fork and the north fork of the Trask River, which is on the other side of the watershed. So we bought the land, and we filed the water rights for the ultimate dam that could be built there, but we were all by ourselves, Hillsboro, so we didn't have enough money to build the ultimate dam, which was a 20,000 acre-foot impoundment.

So we designed it to be built in three phases, or four. Well, until several years ago we hadn't raised it. We built the four, and then Forest Grove came in for a small percentage of it after it was built, and then we took in - we built treatment plants, water treatment plants. Then we took in Beaverton, and then the Tualatin Valley Water District needed water because their total supply comes out of Portland Bull Run. So we said, "Well, we'll take you guys on, but we'll have to build the rest of that dam." So that's what we're doing now. This is the second year of construction. We're under construction, and we'll finish it next year. So we're taking it from 4,000 acre-feet to 20,000 acre-feet.

The other thing we did during that period of time is we became one of the two original sponsors on the Scoggins Valley Project, or the Hagg Lake Project. We put up the first dollars to the Bureau of Reclamation for the Portland area study of that. I think that occurred a little before I came here, because I don't remember that check ever going through me, but it didn't amount to very much; like it was $5,000 or something on this order. Forest Grove did the same thing.

Well, anyway, out of that project when it was built both Hillsboro and Forest Grove - each, Hillsboro and Forest Grove got 4500 acre-feet of impoundment that they had to buy and pay for. Tigard Water District had 2500, which they gave up and Hillsboro picked up, and then laid it over and just gave it to Beaverton because Beaverton didn't have any water. And then Lake Oswego Corporation had 500 feet, and they gave that up, too, and Hillsboro picked that up and kept that.

M.O'R.: This is all relative to Scoggins Dam, then?

E.M.: Yeah, it's all in Scoggins, yeah.

So there was about - I can't remember - about 13,500 acre-feet of municipal and industrial water in the Scoggins Project. Let's see, there's nine for the two cities, and 25, that's 11.5. Who'd I leave out? There's 1500 acre-feet someplace else. Maybe it was Beaverton had it. I think Beaverton maybe had it. Anyway, there was about 13,500 acre-feet.

Well, the Bureau didn't have enough money to build the treatment plant or the pump station for the irrigators, and all of us that had impounded water had a 50-year contract to pay it back at something like 3.9 percent, but we didn't have to start paying

until we started drawing the water or until the 11th year after it was certified to be available.

So Hillsboro went to - as a matter of fact, I went to Boise and talked to the Bureau of Reclamation people about advancing them the money to build the pump station so that we could get into the same pump station - because they had bought the ideal spot on the river for the pump station. Well, that took some doing because nobody had ever loaned money like that to the federal government before. But we said, "Hey, we'll just consider that a prepayment, then, on what we owe for water in the Scoggins Project." Anyway, we gave them enough money to build the - prepaid enough money for them to build the pump station, so that's how that got built.

M.O'R.: It was scheduled to be built anyway, but they didn't have the financing for it?

E.M.: Well, it was scheduled, but they didn't have it on a timetable. They had enough money to buy the land, but they didn't have enough money to go ahead and build it, and they could have strung that out for four or five or six years, you know, until they got an appropriation. This way they didn't need the appropriation because we prepaid what we owed up there. Hillsboro doesn't owe any more money on the water that they have because they've already prepaid it, but all the rest of them still owe - I don't know - probably 38 years or something like that they have to pay it. Well, they have the same opportunity; they can prepay it, but who in the hell's going to prepay a 3.9 or 3.8, whatever it was? Nobody.

M.O'R.: Right. Unless they have some motivation.

E.M.: Yeah, you've got to have a motivation to do that.

M.O'R.: And Hillsboro had the motivation because they wanted the pump station built?

E.M.: That's right. So then, you know, when it was time to take in Tualatin Valley, and then USA wanted to come in for more stream augmentation out of the dam they were building over on the other side of the mountain, and we had put them in for that water right back in the 60's - I don't know, '67, '66. I can't remember the date on it. So they had the water right. All we had to do was build the dam.

So they all came in, but what they did is in buying in - they bought into existing facilities according to the January 1, '95 appraisal. So some of those things that were built in the 70's had appreciated rather than depreciated. Some of them were 75 years, some of them were 50 years. But a lot of that stuff was 75-year stuff, you know, and so they rolled it up against the engineering index, and so Hillsboro found a little bit of a windfall there, which helped them because they had - in addition to building this dam now, which was going to run maybe $25 million, then the partners also have to build a major expansion of the treatment plant, and then they've got to build some more water lines to get the water at least east of the Tualatin Valley Water District.

M.O'R.: Let me back up here just a little bit to the idea that you helped the BLM build the pump station by prepaying.

E.M.: Not BLM. The ...

M.O'R.: Reclamation, was it?

E.M.: Bureau of Reclamation, yeah.

M.O'R.: Bureau of Reclamation, right. Anyway, from what I know about the federal government, I imagine it took some doing to put that together?

E.M.: Yeah.

M.O'R.: Can you tell me a little bit more about that?

E.M.: Well, the Solicitor said, "I don't think we can do that." And so I had made friends with a guy in Boise, who was a duck hunter, thank goodness, who was high on their staff in Boise. And so we had a number of conversations about this, and I said, "Why don't you call the Solicitor in Denver," who is the boss of the Solicitor in Boise, you know, "and explain what we're willing to do and what advantage it means to the federal government?"

Eventually, I suppose we messed with it for eight or nine months and probably no less than three trips to Boise, maybe four, I don't know, and probably a couple of trips of those guys coming over here, they finally got the approval to do it. But they had to write a special agreement. No agreements existed, you know, that would allow it. But it turned out to be a beautiful deal.

M.O'R.: It sounds like it. And what was your friend's name in Boise? Do you ...

E.M.: Keys was the guy that was in charge of it. All I can remember is that his nickname was Googin, but I can't remember his name. He was the guy I talked to, mostly. I'm sorry I don't remember the name.

M.O'R.: At this point you were still the Assistant City Manager or -?

E.M.: Yeah, I probably was.

M.O'R.: And was this sort of your project, then, or were there others involved in it as well on the Hillsboro end?

E.M.: Oh, well, everybody in Hillsboro was involved in it - I mean, the Utilities Commission, which was made up at that time of three very aggressive, very good businessmen, all of them now dead. They - you know, they were long-range people. They were willing to commit money when nobody else would commit money.

And because of the uniqueness of the charter of Hillsboro, these guys had authority to do an awful lot of things without approval of the elected officials. They could even issue bonds at that time. The State has now taken this away from them, but they could issue bonds of a general obligation nature without the vote of the people because the people had given them this power in a charter amendment.

The hooker to that was that if you didn't have enough money in your resources at the end of the year to pay your debt, then you were required to levy a tax, but you could only do it for one year.

[Interruption]

M.O'R.: Well, that was quite an easy arrangement, then, in terms of financing projects, but you probably had to be a little careful, too?

E.M.: Well, we didn't have any problems. We didn't have any problems with it.

One of the neat things about the water project is that we had an assistant engineer at that time who found a place over on the other side of the mountain, up high on the Pacific slope side, where we could build this dam and run a pipeline, you know, down and then along the bottom fairly well along the river for about

7200 feet for a little over a mile, and then come up the side of the bank and with a little 25-foot deep cut through a little saddle, where the road ran right across the top of the saddle, we could dump water into the Tualatin without pumping it, which, you know, you can't believe the thousands and thousands of dollars that has saved - because there wasn't even a power line within eight miles, you know. And so we were able to divert this, and we're still doing it and are still diverting this water. We store it in a dam, and when we need it we boot it over into the Tualatin and then free run it down the Tualatin, pick it up at the treatment plant.

M.O'R.: Before we leave the topic of the financing of the Scoggins Project, can you tell me the names of the three utility commissioners that you said were - had the long view?

E.M.: Oh, yeah. Sure. Harold Kummer, K-u-m-m-e-r, was one of them, and Herb Schneider was one of them, S-c-h-n-e-i-d-e-r. And then there were a couple of others that filled in their slot. One of them was Gary Baker, Sr., and the other was Howard Davis.

M.O'R.: And these were people I suppose that you knew very well?

E.M.: Oh, yeah, these were people that had run businesses here for years, yeah.

M.O'R.: And you had worked with them on other things as well?

E.M.: Oh, everything pertaining to water. They were to water just like the Council was to everything else, you know. We met with them regularly, at least once a month. We filed the same kinds of reports with them and everything. They were responsible to their own budget and their own audit and that whole thing. We

always filed their audits and their budgets with the cities, but technically we were not required to do that for a long time. You are now, but back then you weren't required to do it that way. We always did it.

And then we created a new commission when we took in Forest Grove - and then Beaverton, we expanded to include Beaverton. Now we've formed another one yet because that joint commission now takes in Hillsboro and Forest Grove and Beaverton and Tualatin Valley Water District and USA, and we formed a bargaining commission, which is a different creature that controls the dam that we're building now.

M.O'R.: At the expansion of the Trask ...

E.M.: Yeah. The different players, yeah.

M.O'R.: And in the original - I think you said it was, what, 4,000 ...

E.M.: Four thousand acre-feet.

M.O'R.: ... 4,000 acre-feet of impoundment on the Trask, when that project was originally set up, it sounds like you did the analysis that you're using today, but I'm just wondering what were the problems that you faced in putting that one over at that time? It seems like it could have been controversial, like today it might have been with the water really being part of the other side of the mountain's watershed, and presumably people ...

E.M.: There wasn't any controversy in 1969 and '70. Nobody had any concerns about it at all because it was water that we were going to trap in the upper end of that basin, which was just running out to sea, and most of the time we'd be trapping it the low-

lands down in the Tillamook Valley [which] would be at semi-flood stage, anyway.

Such has not been the case with the permits this time to increase it. Everybody got in the act this time, you know. U.S. Fish got in the act, EPA got in the act, Corps of Engineers got in the act, state Fish & Wildlife got in the act, all the environmental groups got in the act. The Department of Water Resources, DOGAMI, which is the Department of Geology in the state, Department of Geology and Mineral Industries. State Department of Forestry. God, I can't think of anybody that didn't get into it this time.

But we picked up support. We got support because what we said is "We'll commit to release 20 percent of our impounded downstream to the benefit of the fish." And we said to the Fish Commission, "You tell us when you want that water and how you want it released. If you want it all in the months of September and October, that's when you'll get it. If you want a uniform release, that's the way you'll get it. Just give us 48 hours' notice and we'll change the release for you, but we'll control the release."

So guess what, we picked up support.

M.O'R.: From the Fish Commission?

E.M.: Well, they didn't really say they'd support it. They said they didn't have any objection. But we got support from Northwest Steelheaders, Oregon Trout, Water Watch. And no objections filed by anybody with the exception of Tillamook County. And they didn't file about the water; they filed because they wanted us to furnish - well, we already were furnishing an emergency action plan so in case there would be a major earthquake and the dam would

have any risk of going out, there would be early warning notification going into Tillamook County 9-1-1 center.

They wanted more than we originally put in the plan. Like they wanted us to furnish them all new computers and all we were going to do - all we would be doing is going into their 9-1-1 computer center anyway. We said we would put alarm systems in all the houses along the stream so that they could be activated from the alarm center by pushing one button. And we maintain - that we would furnish the batteries to recharge those annually; we'll just walk in and put down however many batteries it takes, 106 or whatever it is, at the emergency center.

[end of side one]

ELDON MILLS

TAPE 1, Side 2

June 25, 1996

E.M.: ... as a matter of fact, we were working on that this morning.

The Administrative Assistant for the Commissioners has turned his recommendation over to the Commissioners and whoever is serving as County Counsel. It's their last move. We told last night the Department of Water Resources dam safety people that without some guidance from somebody we've got to close the plan because we've got a contractor that's saying to us, "Where do I put these conduits," you know, and we've been messing with this for, oh, 22 months at least, you know, trying to get a solution.

So I think the State is saying what they said to us last night - and I was not party to the conversation, so I got it secondhand this morning - they said, "Go ahead and close up your plan and send it to us. We'll send it to Tillamook County and give them 21 days for final response. They can either accept the plan or they can file for a contested case hearing."

And my attitude is, I need the contested case hearing, you know. I've committed a lot of money to accommodate our safety and early warning system for Tillamook County. They wouldn't get as bad a flood if the dam went out as they had over there in February, unless it went out when - you know, unless it went out when they had that kind of a situation already, because there are some areas in Tillamook County that - in Tillamook itself that would have some

water in the ground floor, but they had lots of water on ground floors over there this year in February.

So we want to make sure -in the first place, the dam is way over designed. It's designed to accommodate at least an 8.8, if the seismologists are right the backbone of this dam - the additional backbone of this dam is 790,000 cubic yards of rock, of crushed - big rock, not small rock, which is what we call shot rock, which is because they just shoot it out of the quarry with dynamite, you know. So some of it may be half the size of the table, and some of it may be, you know, like this.

The characteristic of that rock in an earth movement is it just shakes down. You know, it just settles down. So if it settled down two feet, it's not going to hurt anything. But it doesn't void; it just doesn't void. It may open up and leak for a while, but those leaks typically will still back up. So there's very little risk that the thing would ever blow out of there unless you had an earth rupture right under it or something.

M.O'R.: In which case there would probably be lots of other things happening, too.

E.M.: Well, that's right, you know. Or else you've got that big one that they keep talking off the coast. I suppose it's possible it would knock it out, but by the time the water got down here Tillamook would be gone, anyway.

M.O'R.: But that's still a sticking point as of right now on the ...

E.M.: Well, you know, if you were in that position, you'd be trying to get everything you could get. I would.

M.O'R.: Right.

E.M.: And I think they've got it. You know, I think that we gave them - we even said, "As we design this, we will pay for you to have an unbiased expert sit through the design stages." And so we gave them three names that we came up with, one of which was a professor of engineering at Oregon State. Turned out to be an extremely bright guy. Charged a lot of money. But he sat through all the review sessions where we went over all the planning processes, you know, and he gave everybody his opinion as to what should be done, and I don't think we disappointed him anyplace. And he billed them, and they just turned around and sent the bill to me, and I paid him, you know.

Then he came up apparently with some recommendation that they didn't like, and they fired him. So they never replaced him. But we were done with the design, anyway.

M.O'R.: What was his name?

E.M.: Lee Schroeder.

M.O'R.: Okay. And then how soon do you think this project will actually be on line?

E.M.: We'll impound water November, December '97.

M.O'R.: And will that meet with the original time line that you had imagined?

E.M.: Yes. Yes. Now, don't ask me if it's going to meet with my original budget. I don't know yet. I think so.

M.O'R.: And this will provide expanded water supplies for all of the districts you mentioned that are in it?

E.M.: Yes. It's kind of interesting, we probably had a little over a million dollars more in the environmental study and

environmental planning in this - to raise this thing than it cost to build the original dam and buy all the land and timber.

M.O'R.: And what are these figures?

E.M.: I think it's probably close to three-and-a-half million dollars.

M.O'R.: In the -

E.M.: It cost $2,555,000 to build the first one. That was just the contract I think, and then we had some dollars that went for land that we bought, timberland, you know, that we bought to accommodate this expansion. And we're probably someplace in the high 300,000 or $3,800,000 area on the permitting and stuff.

M.O'R.: And then the dam itself - or the expansion itself?

E.M.: Well, just the construction is about $16 million, but you know, you've got four inspectors up there, and all four of them are - or three of them are engineers, and so, you know, that's a sizable bill. We're probably spending 2.5, 2.6 just on inspections of the project, you know. Pretty high because there's a lot of stuff going on at once.

We're having to build new wetlands because there weren't any wetlands when we built it first, so we created some. Now we're covering them up. So the fact that we're covering them up means that we have to go out and build more, but we have to build more than we're covering up - at least one-and-a-half times as much as we're covering up, and preferably two times. So you couldn't get up there, because you know, as you come up out of the bottom the side will get steep.

So what we did is we got some off-site improvement out here south of Forest Grove, so we're going to do another 40-plus, 42 acres out here of off-site wetland development as mitigation.

M.O'R.: And what will that project involve, then, the wetlands part of it?

E.M.: We did a lot of grading last year. We'll hopefully get finished grading this year and get the planting done. Till out the reed canary grass - if anybody can do that; I don't think it can be done. And then they will probably be willows and whatnot to be put in, you know, in the wetland area. I don't know, I haven't seen the - I've seen the grading plan, but I haven't seen the final plan of how they're going to finish it off. It will be another contract, but I haven't let it out yet.

M.O'R.: And the wetlands development, was that something that the City had envisioned right from the beginning, or is that something that was ...

E.M.: No, we knew we were going to have to do it. It was just a question of where we were going to be able to put it because you couldn't do it up there. We're doing a lot of it up there.

As a matter of fact, we're building three wetlands up there that require building a 50-foot dam, and then filling a draw, you know, against the dam from 50 feet up to nothing. And then some of those are - gee, some of those are 250, 300 yards long. One of those had like 380,000 yards of dirt and fill material to go into the bottom of it to raise it up so you can create a wetland.

It's not a question of what you want to do. It's a question of what you have to do to qualify for your 404 permit.

M.O'R.: And this is federal regulation?

E.M.: Yeah.

M.O'R.: Now, I take it that at least part of the difference between the construction of the original dam and the construction you're facing today is the increased burden of regulation?

E.M.: Yeah. We built a beautiful project in the beginning. We left some trees standing for the raptors, and we built a beautiful project, you know, but we let the trees come right down to the water's edge. And of course we're going to do that this time, but now we have to leave all these dead snags stand up, you know, which are going to fall, eventually, which then are going to have to be - you're going to have to go out and tow them out and get them out of here.

We have to leave so many trees standing per acre. We've got to put up so many raptor platforms on top of these dead snags. We have seen two raptors up there since we have been under construction. One was a sharp-tailed hawk, and I'm not sure what kind of a hawk the other one was. Saw a couple turkey buzzards the other day, but they're not raptors.

But it doesn't make any difference, you know. You've got to put them in there, so we're going to put them in there. That's no problem.

There's a lot of the environmental - well, let me give you an illustration. There was one endangered plant found up there, which is called [indiscernible], and it's it a chicory of some sort, but it is not native to the area. And the guys at Oregon State tell me that it got into the area back in the days when they used to log with horses and oxen, and they brought in their hay and their bedding and stuff in baled hay, and so the stuff went through the

digestive tract of the animals and got scattered around the mountains.

Well, then somebody got the idea that it was endangered, so they got it on the list. Well, we've got a bunch of it up there, and it was in one of the wetlands that we were going to cover up. We had a terrible time with it. We didn't have so much trouble after we found out that there was a whole big colony around the airport in Salem, and for years they'd been going out there and just mowing it with a rotary mower, not even letting it go to seed.

But we had to transplant this stuff up into - above where we were going to inundate. We had to transplant it, item by item, a stem at a time. We had to go out and gather the seeds and put them in - what do they call it? cryo-pack or something, vacuum seal them, put them in storage for ten years, guarantee the storage for ten years, in case we lost the colony. Then we'd have to go back and replant it. We have to inspect it quarterly for three years and semi-annually for two years and annually for five more years and file a report as to the success of the colony. That's not cheap.

But now we find that all over, up into Washington and every-place, there's this damn weed. There's lots of it. Now, if it was a natural vegetation, this whole thing would make sense to us. This doesn't make sense to us, and we into - I don't know - we're probably into it well over $150,000. What has it accomplished? I don't know. And it's grown, you know. The guys were up there a week ago last Thursday and did their quarterly check. They said, "It's just growing like a weed. That's what it's supposed to do."

It's just - you know, all the transplanted plants are just growing and -. But what have we accomplished with it? You tell me.

M.O'R.: Well, I'm not sure.

E.M.: I'm not either. But one thing about this project, we have had just super cooperation from all the state and federal agencies. You know, they made us do everything that we were supposed to do; I don't mean that we got any - we didn't cut any corners, didn't try to, but as soon as the state and federal people became convinced that we would do what we said we would do, or that we would do what they said we should do, they jumped in and helped us every way they could, which was kind of a surprise to us.

M.O'R.: I was going to ask you, is that unusual?

E.M.: Surprised the hell out of us, yeah. Yeah. We had an excellent environmental engineer with us from CHMM Hill. In my opinion we might not have gotten these permits without his expertise.

M.O'R.: And what was his name?

E.M.: Daniel Haggarty. A name that you should relate with all right, you know. A good Irish name, huh?

M.O'R.: That's right. Well, that's interesting. It's interesting to contrast the two different dams, you know, almost 30 years apart now, and some of the things that you're facing both times.

E.M.: We bought land. We bought rock from DOGAMI. We bought trees from the Forestry Department. We had to relocate all those roads around the dam. No problem. All we had to do was buy the timber and then build the road to their specification. And then sent guys out to help us with the inspection, and we had to put in

some culverts this week on some streams that were still flowing a little bit. Normally they wouldn't let you touch those, at least on the road relocation, because there's a window between the 1st of July and the 30th of September is the only time you're supposed to be able to get in there and do any work. And they said, "Well, if it doesn't rain," and of course it rained the day after we got through, but "If it doesn't rain, go ahead and get in there and get it done," you know, "and get it out of your way." And whew, we made it!

M.O'R.: Sounds like you've been making fairly frequent visits up there, then?

E.M.: Mostly I'm only going once a week, but we have pretty good communications up there and so on. I can call the construction trailer, and I can call - I can get messages back and forth from the logger; he's doing all the slash clean-up for us. We'll probably spend $500,000 in slash clean-up before we get all that stuff picked up, you know, from the logging operation.

M.O'R.: Now, is this area a place where the public is allowed?

E.M.: Well, that's under discussion. Fish & Wildlife want to open it for recreation. Department of Forestry doesn't want it open for recreation because of fire hazard, fire risk because it's pretty remote. But like I said, there's no power.

So what we told them, "You guys resolve it. We really don't care, but we don't - we refuse to be responsible if you're going in there and allowing people to camp, and if you're going to allow people to have recreation on it, we refuse to be responsible for the clean-up of the litter and that stuff. If you guys decide to

open it, it's your responsibility." So that's where it's sitting. And it's our property, and I don't think that they can or will force us to do the maintenance on it because we've seen what can happen in some of the other places, and you can get two truckloads of debris over a weekend.

M.O'R.: And it doesn't have any impact on the water quality in terms of public use up there?

E.M.: Well, I don't suppose they'd allow them to put motor boats on it. So if they allow people to go out there in canoes, it shouldn't, you know, if they put some kind of sanitation facilities up there. Now, if it got bad and there started to be a degradation of water quality, we would have to get distressed about that, but I think that the Fish Commission would, too, because this is one of the streams that feeds the lower Trask.

Several miles below the dam there's a falls, a major falls, that the fish can't get back up the falls. So there's no spawners above the falls, okay? I can't imagine that they would permit any significant degradation of water down into those spawning grounds, particularly for those wild steelhead and Chinook.

M.O'R.: Yeah, especially not these days, with those populations.

E.M.: There are not very many - it's not a good reservoir for a fishery. I'll tell you why: we draw down. We will draw down, you know. When you draw down, you kill all the vegetation, basically, because it's hot weather, and you're pulling it down. And you get the water level down, and so you kill the vegetation, and then you fill it back up in the wintertime. So there's really not a good food chain in there for fish.

Above the reservoir, in these little streams, there's a bunch of native cutthroat, but I've never seen one bigger than that. There's some place there's got to be some bigger fish. I don't know where they are. And maybe they're down in the lake, but we've had divers in there a few times, and they say the fish that they see, maybe this long and this big around. They're just real skinny things. I've never seen a fish caught out of it, and nobody's supposed to fish it, but I did catch some of the construction guys the other night fishing, and I said, "You guys catching any fish?" And one guy said, "No," he said, "we're just sitting here drinking a bottle of whiskey and watching the bobbers."

M.O'R.: So just for the record, the cutthroats you find in the streams, then, are six to eight inches?

E.M.: I never even found one eight, but maybe I've seen them five or six, yeah.

M.O'R.: Yeah? And then the ones that they've seen in the lake are longer than that, but not much?

E.M.: Oh, yeah. But I don't know what they are. We tried the lake years ago as a rearing pond for - let's see; first we tried it for Chinook. I think we planted Chinook in it three years in a row. We couldn't get them out. And then when they did go out, they went out the overflow, the mortality rate was so high on them that it just didn't appear to be worthwhile.

So then we tried coho in it a few years, and that was the same kind of a story as the Chinook, they'd hang in till the overflow started, and then they'd go out the overflow and they'd get beaten up and so you'd lose 60 or 70 percent of them through the overflow.

And then we tried steelhead. Well, I don't know on the steelhead, but we sure did rebuild a run of steelhead in the Tualatin. So what those steelhead must have been doing is coming through the pipeline and went over into the Tualatin when they were coming out, and so when it was time for them to come back they went up the Tualatin and they hit Haines Falls and that's as far as they could go. So they was a pretty good fishery there of steelhead for a while, but I understand that's kind of gone by the board, too. We haven't tried to raise them for - I don't know - probably 12 or 14 years.

M.O'R.: Well, I think it's very interesting to talk about that project because it's obviously got a lot to do with the quality of life down here.

E.M.: Oh, yeah.

M.O'R.: And as I say, it's interesting to hear the difference between doing it the first time in 1969 and presently.

E.M.: One time - I don't know what year it was, but it must have been around '69 - the Water Master came in the office, and he said, "I have locked your head gate today," meaning we could take no water out of the Tualatin River. Way up high, that's the only place we could get it. And he said, "I'm sorry, but all the water rights ahead of you are demanding water."

Well, that meant that we had about enough water for probably 28 to 34 hours, I don't know, in storage. So without any authority I got some bolt cutters and went up that night and cut the lock off, opened the head gate back up. I think I planned to go back up early the next morning and put it back on, but I wanted to fill everything up that night. Just as illegal as could be, and fortun-

ately I was saved because it started raining about 4 o'clock in the morning, and nothing was ever said. That was the end of it. It got awfully close back then as to whether you had enough water for people or whether you had enough water for crops.

M.O'R.: And you think that there was an awareness that you had done this, but it just ...

E.M.: No, I don't think they ever probably went back.

M.O'R.: I see. Because there was no reason to go back once it started raining?

E.M.: Well, yeah. I just cut a link out of the chain and took it back and put another lock on it. His lock was still on it, and my lock was on it. And he took his lock off and - I don't remember if he ever did or not. Maybe he didn't; I don't know. Anyway, nothing was ever said about it.

The Water Master was a good guy, and he knew we were in trouble, you know.

M.O'R.: And what was his name?

E.M.: I don't remember. I don't remember. Too many years ago. You're asking me to think of people's names 30 years ago.

M.O'R.: Well, I probably wouldn't do so well under similar circumstances myself, and that's fine, you know, just whatever you can offer here to give us some facts and figures in the record, but mostly we're interested in your story, anyway.

E.M.: Well, you don't need to put that in any kind of story, because that was going outside of the law, and I knew it, and I'd rather not read that someplace.

M.O'R.: Well, we can restrict it.

E.M.: Of course I don't suppose there's any statute of limitations that would come and get me, but I don't need to be known as a bandit.

M.O'R.: There's a lot of things that we still haven't touched on yet.

E.M.: Go.

M.O'R.: One was that you mentioned the Birdseye plant and the way that you dealt with their waste at the other sewage plant here.

E.M.: Well, they were doing that when I came here. It - the Birdseye plant from the processing sheds had a pipeline directly to the sewage treatment plant, and where that water came out, it came out and ran over these screens. This is where I was telling you those guys stood with their pitchforks, and they shoveled this stuff off. I don't know what they did with it; I suspect they buried it someplace, but I don't know. Anyway, then the liquids went on into the irrigation system and were spray irrigated out on Jackson Bottom. And at that time they grew some row crops down there. I think they grew beans down there. And later on they quit growing crops and started leasing it to somebody to put sheep in there to keep the stuff down, but that's when the reed canary grass got - really got a head start.

M.O'R.: Now, this was in Jackson Bottom?

E.M.: Yeah. I think they leased to a guy by the name of Vince Dobbin, and I think he went down there and cut that wild - "wild hay" I'm going to call it for lack of a better term. I think he cut it, and he might have baled it, and he might have chopped it; I don't know. But he cut it and got it out of there. I

believe that was his name. And then I don't know how long they ran those sheep down there.

M.O'R.: Now, did the cannery finally have to do something different with their wastes?

E.M.: Well, the cannery probably didn't have to, but it was an old cannery, and of course their headquarters is in White Plains, New York, and they just decided to shut this one down. So when the plant manager, who I knew fairly well, came to tell me about it, I thought, "Gee whiz, you know, there's a whole bunch of local people, particularly the women around here that get three or four months' of work out of that thing every year, you know - stand at those sorting tables, throw the bad broccoli or the whatever, you know, over their shoulder.

And so we talked that day, and then a couple days later I called him and said, "I'll buy you lunch." And so then we talked about if they're going to close it, what are you going to do with it? Well, they didn't know what they were going to do with it. So ultimately we got them to donate as a tax write-off the plant and all the equipment and everything to the City. And then we went in and sold as much of the equipment as could be sold. Ran some auctions. And then tore the buildings down.

M.O'R.: And what year would that have been?

E.M.: I don't remember.

M.O'R.: Well, we can figure that out from the record, anyway.

E.M.: I don't remember.

M.O'R.: Okay. Let me just change the tape here.

[end of tape]