



DEPARTMENT OF THE INTERIOR

INFORMATION SERVICE

For Release On Delivery
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OPENING REMARKS OF UNDER SECRETARY OF THE INTERIOR ELMER F. BENNETT, AT MEETING WITH TULELAKE IRRIGATION DISTRICT IN SECRETARY'S CONFERENCE ROOM, JANUARY 6, 1960

This meeting has been requested by Tulelake Irrigation District. I welcome the representatives of the District and others present who have an interest in this meeting.

By way of brief summary of the background events giving rise to this gathering, the record will show that this Department, under date of December 11, 1959, gave notice to the District that the United States intends to resume the operation and maintenance of certain project works. The specific works to be taken back, by the United States along with other irrigation facilities of the Klamath Federal Reclamation Project serving the District, were transferred to the District for operation and maintenance by the District pursuant to the terms of the Government-District Repayment Contract of September 10, 1956, and regulations issued thereunder. The Department's notice of "Take Back" states that:

"The specific provision of the contract which the District has violated is the failure to maintain the water levels in the Tulelake sump during the year 1959 in accordance with the rules and regulations prescribed therefor, as required by Articles 7(b) and 7(d) of said contract."

Pursuant to the contract, the notice fixes the date for "Take Back" as 65 days from the date of the notice.

Under the terms of the Government-District Repayment Contract the District, as a result of the notice, may initiate measures that will correct violations which have occasioned the issuance of the notice of December 11. We intend today's meeting to include exploration of the willingness or unwillingness of the District's representatives to provide assurances satisfactory to the representatives of the Bureau of Reclamation and the Bureau of Sport Fisheries and Wildlife.

Let me be quite clear as to the position of the Secretary in this matter. The action of the Department in giving the "Take Back" notice of December 11, 1959, was based on (A) the unequivocal advice of the Bureau of Reclamation and the Bureau of Sport Fisheries and Wildlife that District operation of the Tulelake sump regarding the maintenance of water levels for wildlife purposes was in violation of the repayment contract and the operating regulations thereunder for critical portions of the 1959 season; (B) clear advice from the Bureau of Sport Fisheries and Wildlife that such violation was detrimental to the wildlife management functions of the Tulelake sump; (C) equally clear advice from the Bureau of Reclamation that operation of the

sump to meet objective levels in keeping with the contract and regulations would not be incompatible with the irrigation and flood protection operations of the irrigation project; and (D) the Solicitor of the Department has advised the Secretary that the regulations governing the operation of the sump are within the authority of this Department under its contract with the District. These are matters which we do not consider open to debate and on which the Department will stand. In other words, we believe that the contract and regulations required that the Tulalake sump be operated in a manner to meet the Fish and Wildlife use requirements. This was not done. Unless we are satisfied that the District is prepared to meet these requirements--and can provide assurance that it will do so--we intend to resume operation of these facilities.

If there are proposals by the District for the operation of the Tulalake sump that may differ from the current regulations and which will fully meet wildlife conservation objectives while serving the primary purpose of protecting agricultural lands, such proposals should be presented to the representatives of the Bureau of Sport Fisheries and Wildlife and to the Bureau of Reclamation for their consideration. We have present and available for such considerations representatives of those two bureaus as well as the Office of the Solicitor.

Following the opening remarks such representatives will be pleased to meet with the representatives of the District for this purpose. I consider such discussion in this area as the District may wish to initiate with these Federal representatives to be largely of a technical nature.

May I say again that you are welcome and that the representatives of the two bureaus and of the Solicitor are available to meet further with your representatives on such schedule as you may desire for the balance of today and tomorrow. Mr. Palmer of the Bureau of Reclamation and Mr. Quick of the Bureau of Sport Fisheries and Wildlife will represent their respective bureaus in this matter. Your meeting may continue here until noon, after which time further discussions will take place in the Conference Room of the Assistant Secretary for Fish and Wildlife.

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