JACK SMITH

TAPE 1, Side 1

January 16, 1996

M.O'R.: This is Michael O'Rourke for the Washington County Historical Society beginning an oral history with Jack Smith on January 16th, 1996, and today's interview is taking place at the Oregon Historical Society Library.

Well, I wonder if you could tell me just a brief sketch of your background, maybe starting off with when and where you were born?

J.S.: I was finding it interesting that we're doing this interview in the Thomas Jefferson room. I was born on Thomas Jefferson's birthday.

M.O'R.: Oh, yeah?

J.S.: Not in Oregon, in Longview, Washington, but we promptly moved to Oregon when - before I started school, and I grew up here mostly in McMinnville, but we played football and basketball with Hillsboro and Forest Grove and Beaverton. We were in the old Tualatin-Yamhill valley athletic conference, so I had some youthful experience in the area. And a part of that was a fond remembrance for Roamer's Rest, which was the place that everybody on the northwest corner of Oregon, it seemed like when we were in high school, would always skip school to go and go swimming and buy illegal beer and throw up. But I recall the Tualatin as a major, major recreation center, water recreation center, in the metropolitan area for - oh, like I say, at least from the McMinnville-Yamhill County area to the kids in Portland schools.

When I left high school I went away to the Air Force during the Korean War for about four years, came back, went to engineering school at Oregon State University, finished a Master's degree in sanitary environmental engineering there, and then I went back East about 1961, as I recall, to finish a Ph.D. at Harvard in environmental engineering, environmental sciences, focusing primarily on water - water quality, water resources management issues.

Along the way through graduate school at Harvard I formed an environmental engineering firm called ...

M.O'R.: Let me just back you up for a minute just to get a couple more details here on the earlier part.

Roughly what period would it have been that you were frequenting Roamer's Rest, what years?

J.S.: Would have been the - around 1950-ish. Late 40's, early 50's, since I graduated from high school in 1952, so it would have been ...

M.O'R.: You were born, then, in what year?

J.S.: Oh, a long time ago. 1934.

M.O'R.: Okay. And just another note on Roamer's Rest - well, actually, first of all, so what did your mother and father do?

J.S.: They were farmers. My father was a poultry specialist, was a principal cause of the turkey industry in Oregon that centered in Yamhill County and Douglas County, in this part of the state, and then developed his own breed of turkeys that became fairly nationally well-known. But he was a principal figure in that industry.

M.O'R.: Is it a brand name I would recognize?

J.S.: I don't think - I don't know what they call turkeys these days. I mean, the whole industry is just radically different than -. We used to range turkeys over large areas with dogs and herd them around from field to field, and the whole industry is under cover in brooder houses, and I don't think a turkey ever sets foot on the earth anymore, so -.

M.O'R.: Right.

J.S.: And different - the breeds have all changed. During the Second World War the principal turkey was the broad-breasted bronze - and its main - they were bred to be huge. I mean, turkeys that weighed 50, 60 pounds because the major market was the military, and they just grew for bulk. But these turkeys were very much too huge for ...

J.S.: For an average ...

M.O'R.: ... for families, yeah. And so he had - so then he developed a breed of white turkey that I think was called a Belleville White or - but anyway, they were much smaller and very square, big breasts and so forth. But it just - after the end of the Second World War the whole design objective of turkeys, if you will, radically changed from these giant clumsy animals to smaller, fatter - the kind of turkeys you see and that you buy in stores these days.

M.O'R.: Right. I guess you have to go a natural food store or something ...

J.S.: Yeah. And I think his particular breed was called Imperial Broad White, but that got sold and he sold - he and a fellow he was partners with, Harold Davis, who still lives in McMinnville, they sold the business to somebody, and I don't know whether that breed is still in existence or that's got cross-bred and created something else, or - it's a sort of continually changing industry.

M.O'R.: Well, if you were hanging out at Roamer's Rest around 1950, by that time the Tualatin was already in pretty rough shape, wasn't it?

J.S.: I don't think so. I don't recall it that way at all.

M.O'R.: Oh, really?

J.S.: I mean, there were - gee, it seemed like there were about a dozen county, city parks in that whole lower part of the river that were really heavily utilized. Roamer's Rest was on one side of the 99W bridge, and Johnny Fredericks' Avalon Park - Johnny Fredericks was an old Portland Beaver who had a big amusement park, and there were canoes. You could - I've seen collections of pictures of people - of those areas where - and Roamer's Rest in particular, as I recall, where you couldn't see the water for the people. I mean, people in inner tubes and canoes and jumping off ropes that were - I mean, we used to do that. There was a rope that swung out over the river that we would jump in. I think it was about - sometime in that following decade that the river began to be - well, it would have coincided with the population growth in Washington County.

M.O'R.: Right. That was ...

J.S.: Whenever that stimulus came.

M.O'R.: And that was in the 50's, I think.

J.S.: But I recall it being the latter part of the 50's.

M.O'R.: Yeah.

J.S.: Not the early part.

M.O'R.: But in the 40's and early 50's, I think you're right, there wasn't the same pressure on it anyway at that point.

J.S.: Yeah, and so there were - every little town had a sewage treatment plant, and there were a dozen or 18 or some-odd number of little treatment plants that weren't doing all that much by way of treatment since we didn't have the same performance requirements that came into being with the Clean Water Act in the early 70's. These were pretty minimal treatment facilities, and the objective was simply to get the sewage out of the communities and dumped into the nearest river.

The effects of that on water quality really didn't get noticeably felt until the population pressures got large enough, and that happened probably starting toward the end of the 50's.

M.O'R.: Well, you know, one question; I've heard about Avalon and Roamer's Rest and - what was the other one? Eddie's? Or there was a - weren't there three there right at the same ...

J.S.: Well, there was Johnny Fredericks' Avalon Park I think was the name of the one place on the south or the east side of the 99W bridge, across 99W and on the other side of the river from Roamer's Rest, where Roamer's Rest is now and was then.

M.O'R.: Right. One question I have about those places - and it sounds like they were quite popular, but it would seem like that they would be perhaps most potentially popular during the summertime, but that was also before the flow was managed like it is today in the Tualatin and ...

J.S.: True. True.

M.O'R.: ... there would probably be no water by the time midsummer rolled around, or at least very little water?

J.S.: Oh, there was water. It just wasn't flowing all that much, but the water level in that whole area was then, as it is now, regulated by the dam downstream that diverts water to Lake Oswego. It's the Oregon Iron and Steel Dam or something, and that was built - oh, geez, I don't know, sometime early in the century, or in the last century. I can't recall when that was first built, but it's a very, very old dam, and the river level has since the existence of that dam been determined, been regulated by that dam.

The flow through that stretch is regulated by the water use. I mean, it used to be - withdrawals then and now have been primarily agriculture, mainly irrigation water, and the diversion to Lake Oswego. But the fluctuations in flow between winter and summer were probably greater then. I simply don't know. Just the fluctuation in the flow had as much to do with urbanization, increased runoff instead of seepage into the ground to replenish groundwater than much of anything else. I don't know that there's more or less irrigated crop land in Washington County now than there was then.

M.O'R.: Well, I've heard stories - of course, today the flow is also controlled up at the Hagg Lake ...

J.S.: Sure.

M.O'R.: ... Reservoir.

J.S.: Scoggins, sure. Well, it's largely - and it's a major influence. If you look at the distribution of flows over the century, prior to the Scoggins Creek Dam and Hagg Lake, there was a wide fluctuation in flows. There were very, very high spring flood flows.

M.O'R.: Right.

J.S.: [There are] still pretty high spring flood flows. And very, very low summer flows, but the flows are not quite so low. They seldom get below a hundred cubic feet per second in the summer now, and they were frequently well below, maybe down as low as 10 cubic feet per second.

M.O'R.: Right. I've heard stories of people being able to straddle the river at some points in the summertime.

J.S.: Well, some places clearly were, and at some places, you know, the river would - in that impounded area, because of the withdrawals the river would flow backwards during some periods of the year.

And now those high flows are dampened out and the low flows are increased, so it's quite a lot more stable now than it used to be. The total annual average flow isn't - doesn't appear to be all that different, but the peaks and valleys are - the variation is greatly reduced.

M.O'R.: Well, anyway, you were about to tell me about the founding of your environmental firm.

J.S.: Oh, I started this firm that was comprised of - I was still at Harvard. I was actually on the faculty of Harvard as an instructor in water chemistry and unit treatment processes for water and wastewater, and a number of us that were at Harvard and MIT formed this organization, and it was in existence for about 15 years, I think, 10 or 15 years, before we sold it to a very much larger firm. But in the process we ended up doing quite a lot of water policy analysis for national policy. We used specific problems in the metropolitan Boston area kind of as case studies.

We basically were analyzing the implications of the Clean

Water Act that had been enacted in 1972 that created a number of national standards and national planning requirements for water quality as well as providing very, very large amounts of money for construction of wastewater treatment plants.

There always was a conflict; one of the results of these different sorts of policy analyses - we were doing them for some fairly high-level organizations, President's Council on Environmental Quality and Office of Management and Budget, National Science Foundation, EPA, Water Programs Office, among others, National Commission on Water Quality. There was a clear conflict between the large amounts of construction grant money and the requirements for water management, analysis and planning, figuring out what the problem is, that it took too much - it took time to analyze problems and develop remedial plans. It took more time to do that than it did to design and get constructed sewage treatment plants. You also couldn't use up the money fast enough doing analysis and planning, and since EPA had to every year go back to Congress and explain - or in the early couple of years had to go back and explain how come they couldn't get rid of this money that was appropriated fast enough, the emphasis became very, very focused on construction of plants and getting treatment facilities built regardless of whether those facilities were the appropriate ones or not.

M.O'R.: Let me just ask you this: The Clean Water Act dates from what? 1972?

J.S.: 1972.

M.O'R.: So that was during the Nixon Administration?

J.S.: Yes.

M.O'R.: Maybe watershed isn't quite the word to use, but it seems like it was really landmark legislation.

J.S.: Oh, it was. It clearly was. It established for the first time, you know, clear national guidelines. All wastewaters coming out of the ends of pipes into waters - into the nation's waters would receive a minimum of secondary treatment, and that was translated into 85 percent removal of biological oxygen demand, 85 percent removal of suspended solids. For a while it had a bacterial removal component until the recognition that the means of achieving the bacteria standard create another kind of problem that had to do with the way we achieve bacteria standards is by chlorination, and the chlorination of wastewaters adds a number of offensive and awkward components that - there later became a Safe Drinking Water Act whose sole purpose was to remove the byproducts of chlorination.

Chlorine all by itself is toxic to aquatic life, and the whole number of - and dozens and dozens of organo-chlorine byproducts of the chlorination process are mutigens, carcinogens, just nasty substances at very, very low concentrations. So that bacteria removal requirement was simply - was deleted from the federal requirement, although there still needed to be bacteria standards met in streams.

But at any rate, all discharges had to meet at least a minimal level of treatment.

M.O'R.: And there was a fair amount of federal money, then, behind this, too, it sounds like, if there was all this construction money available?

J.S.: Oh, yeah. Well, at that time $38 billion was real money. Evidently not much these days, but during those years it was a lot of money.

M.O'R.: And was there a need, then, for - I assume there was a need for this building up of the infrastructure to handle the wastewater?

J.S.: Well, there clearly was a need. It also needs to be said that there was a need for appropriate infrastructure, and very, very much of what was constructed simply wasn't appropriate from - if the objective was to solve water quality problems. If the objective was to create an infrastructure for industrial and residential development, then that objective was clearly being met.

But I mean, you can go look up and down the Oregon coast and there are little tiny towns where on-site septic tanks would environmentally be completely acceptable, in fact, probably are the most desirable environmental control system. But these little tiny towns will have sewers going over hill and dale, and there will be a little advanced waste treatment facility stuck out in a field dumping into a little creek.

So a lot of what happened - also the concept of regionalization, regional treatment facilities came into being during those years, and the argument was that economies of scale would make - would reduce the cost because you could build, you know, treat 100 million gallons a day of wastewater, it's cheaper - the unit cost is cheaper because of economies of scale to do this at one facility rather than five or six.

Well, it turned out that - anyway, that was an argument. And so people were collecting sewage from far and wide, building -

extending sewers out across farm land every place and bringing sewage to some regional treatment facility where they would treat it to various more extensive degrees than would otherwise have been required to dump it into the nearest little creek. Turns out that the economies of scale are actually dis-economies of scale, that after a certain point that's a fairly small treatment facility the economies are not all that great and then because you're putting a much greater load into a single place rather than having the effluent from the treatment plant distributed over a length of river in a series of smaller treatment plants, the level of treatment required to achieve ...

M.O'R.: Uh-huh. The standard for that outflow is higher?

J.S.: ... is way - you know, just the cost of the additional level of treatment for the same level of water quality protection just dwarfs any economies of scale and, you know, construction costs.

M.O'R.: And was that apparent to you at the time?

J.S.: Sure. Well, I don't know what you mean by at the time. These were the kinds of things that were coming out of analyzing the implementation policies of the Clean Water Act, or this idea of regionalization was a long way from a panacea. It was - its logic appeared to be way more in the nature of minimizing regulatory effort, and the idea was it much easier from a regulatory point of view to regulate one facility than 15.

That also turned out to be untrue because by the time you - this one facility will end up having far more anti-regulatory, if you will, political clout than 15 smaller ones, and I so watched EPA, for example, in the Boston metropolitan area spend - geez, by the time I finally got weary of the East Coast and came back here they had been trying for 10 or 12 years to get the major treatment facilities in Boston Harbor upgraded from primary treatment to secondary treatment to comply with the requirements of the federal Act, and they were never successful because these - there were basically two large treatment facilities that were operated by the Commonwealth of Massachusetts, and so as long as the Commonwealth of Massachusetts had a Speaker of the House by the name of Tip O'Neill and a Senator named Kennedy, among other political influences, they were always unsuccessful. Far as I know, they're unsuccessful to this day with getting those treatment plants upgraded. They had absolutely no difficulty in getting all of the smaller ones every place else in the State upgraded.

The Tualatin River is not noticeably different in that regard. The ability of the State of Oregon to influence what goes on in small treatment facilities is very, very much greater than it is for, say, the large facilities of Washington County plants.

M.O'R.: Now, are you saying that it's because the larger facilities are better connected to the political establishment and therefore have - I mean, I'm not sure I understand this connection.

J.S.: Sure. The answer is yes.

M.O'R.: Okay. So they're ...

J.S.: Well, I don't know about better connected. They're certainly able to much more easily create their assistance or attract their interest and assistance. It's that way everywhere. I'm just saying this whole - as a concept regional treatment facilities, or a single large regional facility being an improvement over a number of smaller ones is demonstrably not true in terms of either economics or regulatory capability, or as it turns out in way too many cases, water quality.

M.O'R.: Simply because it's easier to regulate a smaller, less politically powerful entity?

J.S.: Oh, yeah. I mean, DEQ goes around and beats up on - you know, they treat small communities way different than larger ones.

M.O'R.: Did you engage at all in the political process at that time, in the 70's when these decisions were coming down? Were you attempting to influence the way things went at all?

J.S.: Well, I was serving as a water quality advisor to the agencies, to the portions of the federal government, including the portions of EPA that were trying to and were changing policies, and so I had something to do with the - there were a number of modifications. I think it was the 1977 or '78 ...

[end of side one]

JACK SMITH

TAPE 1, Side 2

January 16, 1996

J.S.: I mean, the objective was clean water. The objective - I mean, the implementing mechanism was in part improving wastewater treatment, reducing pollution. But the objective of the Act - well, the very first section of the Act spells out what the objectives are, and the objectives are to improve the physical, chemical - or restore, enhance, improve the physical, chemical and biological integrity of the nation's waters. I mean, the Act, that's what its purpose was.

And it had been diverted into basically a sewage treatment plant construction program, and the other parts, all the other parts of the Act that had to do with figuring out what the problems were and devising answers appropriate to those problems were to a great - to a large extent were ignored, and they were ignored to the detriment of water quality in a great number of areas, and that was a conclusion of a whole series of studies by quite a number of people, or at least more people than just me and my merry group.

M.O'R.: What do you think the political impetus was for the Clean Water Act? Was it growth, development? Was it really a problem that you think was obvious to the electorate at that point?

J.S.: Oh, sure. Yeah. No question about that. I mean, the impetus was clean water. It's the implementation has always been very heavily influenced by - or been far, far more heavily influenced by the engineering fraternity and the construction industry and the wastewater equipment manufacturers than it has by any environmental organization or interest.

I mean, what has been supported, required, abetted, encouraged by the federal and state implementers of the Act have been since its inception construction-oriented. To actually solve problems, to get other portions of the Act at least lip service given to has always required litigation by environmental organizations: the National Resources Defense Council, Environmental Defense Fund, Sierra Club, here Northwest Environmental Defense Center. It's - there's not been a lot of suing to get sewage treatment plants built. I mean, EPA and the states have been able to do that without any encouragement by anybody ...

M.O'R.: Except developers, eh?

J.S.: Sure. And there hasn't been any great resistance on the part of communities to do that. Getting the appropriate one built has been ...

M.O'R.: ... a little tougher?

J.S.: ... a little harder, yeah.

M.O'R.: Now, you mentioned that you'd served on several of these - well, on the Presidential Commission and some of these other advisory bodies. You rubbed shoulders with Nelson Rockefeller and Ed Muskie and a few people like that?

J.S.: Well, I didn't rub shoulders with either one of them. I think I met Nelson Rockefeller once. But the National Commission on Water Quality was chaired by Nelson Rockefeller and Senator Muskie, and Bob Jones, I think, was the - it was the Senate Environment and Public Works Committee and the House equivalent; Bob Jones was the House person, and then Muskie from the Senate, and Nelson Rockefeller was the Vice President at that time. And that was the commission that also was created by the - it was created as a part of the Clean Water Act to examine the implementation or the results of the Act in its first early years with the purpose of suggesting mid-course corrections.

M.O'R.: Well, before we move on to your move back to the Northwest and what happened after that, when you were doing this work in the 70's, did you have any involvements with environmental organizations such as NRDC or some of the others?

J.S.: No, I didn't. I don't recall in Massachusetts environmental - well, maybe there just weren't - maybe environmental organizations weren't as strong anywhere, or at least where I was, during the 70's.

I remember being - we did a major environmental assessment of a regional wastewater management system for the Potomac River during the latter part of the 70's, and I recall being fairly impressed at the public that was involved since they - all of the major environmental organizations that were headquartered in D.C. all participated, and it was a sizeable project. So that was really the only - and they were successful in pretty significantly changing that project, but the participation and the attention that local governments paid to them compared to elsewhere that I had been was - the contrast was quite striking.

M.O'R.: What was the name of your firm?

J.S.: Process Research.

M.O'R.: And you said you finally got fed up with the East Coast and decided to move back. What specifically prompted that move?

J.S.: I had been - you know, I would come back here about every other year; I'd be able to spring three or four weeks of vacation time and come back here and lie on the Oregon Coast and get terribly sunburned, and I had - the first ten years that I was on the East Coast was very interesting, and particularly in Boston, historical aspects and so forth. I lived in a house that was about 200, 250 years old, and geez, you could see places where Paul Revere and John Adams - I lived behind the State House, which was sort of the classic Bullfinch architectural design that state houses all over the country were modeled after, including the national capital.

And the second ten years I spent trying to find a way to move back here, and I would try to find enough work here to justify opening an office so that I could sort of gradually shift stuff here, and I was never - I could get to Arizona; I spent a lot of time in Arizona. I could get to California; I spent a lot of time on projects in California. But I could never stimulate anything in Oregon, and I finally found out the answer was to sell the firm to this other place and get in my little car and drive until I got to the ocean, drive west till I got to the ocean, which is what I eventually did - in 1979, I think.

M.O'R.: Did you have a wife and family to consider in making that move?

J.S.: No.

M.O'R.: So you just came West by yourself?

J.S.: Yeah. I had a couple of kids that were then finishing high school and starting college and an ex-wife there.

M.O'R.: So some ties, but at least you didn't have to move the whole family out here?

J.S.: Well, actually my daughter had moved out here before I did.

M.O'R.: You had mentioned also - I think it was back in the days when you were in Boston that you did some work for the BPA, and I assume that would have been out here?

J.S.: No, I don't think so.

M.O'R.: Maybe I misunderstood, then. Well, anyway, so you moved West in '79, and didn't start up a new firm right away, did you?

J.S.: No, I bought this old shack on the Coast and I spent two years - my purpose by that time was not to start another firm. My purpose was to learn how to do stained glass, and so I bought this little house and spent a couple of years learning how to do that.

M.O'R.: So you were a stained glass artist on the Coast, then, during that period?

J.S.: Yeah, I made things actually to sell that I would - I made a series of stained glass desk sets that sold at Zell Bros. here in town, sold for many, many hundreds dollars, of which I got some small portion. It's not an occupation that one makes a living at.

And I just - I did not anticipate environmental problems here. I came back here, among other things to - well, my family, brothers, sisters, parents were here, but I did not anticipate that there were significant environmental problems here, and so I just didn't pay any attention for a couple of years, and then when I started looking around it was fairly - got suddenly - or gradually increasingly clear that there were very significant environmental problems here, and they were the same environmental problems that there were on the East Coast plus a whole bunch more since we have - I guess all the watersheds are maybe already destroyed in the East, and so you don't know it, and here they were in the process - you could watch them being destroyed before your eyes, and salmon streams being silted in.

Anyway, there's a class of problem here that was very apparent that wasn't so apparent on the East Coast, plus there were all of the same kinds of problems, at least in terms of management policies, here that there were on the East Coast, just that the results of those policies were not yet so apparent because the population pressures were not so great here.

M.O'R.: So you became more and more aware of this situation? What did you do after you decided to quit making stained glass on the Coast, then?

J.S.: Well, I started doing some more environmental consulting things on a strictly - well, first of all I brought some fair amount of work with me for the federal agencies that I had been consulting with ...

M.O'R.: So you never really ...

J.S.: ... on the East Coast. So I was still doing some of that, and then I started doing some work for some communities on the Coast and elsewhere in the state, fairly small-level of effort.

M.O'R.: Where were you on the Oregon Coast?

J.S.: Lincoln City, which tells you something about what the East Coast was like, since Lincoln City looked beautiful to me for the first six months.

M.O'R.: Right. So we've got you down in Lincoln City, and then did you move back into town here?

J.S.: Oh, after - it must have been about 1980 or '81 I sold the old - sold this old house and moved into Portland.

M.O'R.: And was it at that point that you actually started getting involved in some environmental activities apart from your consulting work, then, or when did you first come across the - or you were involved first in Oregon Shores, right?

J.S.: Yeah. I had - oh, there's an organization that was run by some very nice people on the Oregon Coast called Oregon Shores Conservation Coalition, and it had a - it was created by some people that - this is the genesis of the Oregon Beach Bill, and Tom McCall's involvement was - and the formation of Oregon Shores all came about at the same legal challenge of - there was a motel owner, property owner in Seaside or Canon Beach, the litigation - well, anyway, the people that founded Oregon Shores were sort of the plaintiffs and the motivators of that lawsuit that dragged in Tom McCall and resulted in the Oregon Beach Bill and Oregon beaches being formally finally declared to be property of the State and not property - or property of the people of the state of Oregon, and not private property, and owned and managed by the State Highway Department. That all started, and there were some issues that they were interested in that I'd met some folks and they were interested and I was interested in.

And so I joined Oregon Shores and promptly ended up on their board, and so I spent - well, actually probably quite a few years affiliated with Oregon Shores, Oregon coastal issues.

M.O'R.: And who were some of the other nice people, as you described them, that were working on it?

J.S.: Oh, let's see. Jack Broome was on the board during - before; I think Jack was one of the early members of Oregon Shores, early board members. He was a board member and sometime president during all the years that I was involved. Jack is the founder and head of the Wetlands Conservancy. Lives in Tualatin.

Marguerite Watkins, who is a past president of the League of Women Voters, lives in Coos Bay, was also one of the early people, if not founders. Ann Squire, who has been a member of LCDC, Environmental Quality Commission. She was - which governor's? - Barbara Roberts' natural resource advisor.

Let's see. Bob Bacon, who's a doctor here who is one of the founders. Just a lot of interesting people.

M.O'R.: And during that period what sorts of issues was Oregon Shores focused on?

J.S.: Oh, there seemed to be always somebody creating a development on the top of an active slide, building houses on active fore dunes. There's just a continual resistance to recognize the forces of nature on the Oregon Coast. People who go there appear to be - they go there because they're very independent and they don't want to be - don't want to have their actions influenced by anybody, including evidently God and Nature. They just insist on building things at the edge of cliffs when cliffs sort of fall into the sea sort of consistently year after year at the rate of five feet a year, and they want to build houses ten feet away.

So it's a lot of continual development pressures. Water quality things got to be an issue. Wetlands, filling and removing wetlands. Geez, we fought a - it was called Trails End, I think, wetlands in - there was a big mobile home development in Seaside that, geez, we went through the courts for about five years before finally winning that case and establishing a precedent that somebody who had filled in a wetland and built a trailer park on top of it had not only to stop doing it, they had to remove the trailer park and dig it up and recreate the wetland, build it back the way that it was before they came along.

M.O'R.: Was this a - this was a lawsuit brought by Oregon Shores, then?

J.S.: Yes. Actually it was - yes, Oregon Shores was the - it was brought by Oregon Shores as the defendant, and then Northwest Environmental Defense Center was the attorney.

M.O'R.: Okay.

J.S.: And so I started - let's see - seems like there was another -. There were a number of legal actions that were brought by Oregon Shores that were - where Northwest Environmental Defense Center provided the legal representation, and so there got to be a sort of relationship.

M.O'R.: Now, you said earlier that the Northwest Environmental Defense Center was hibernating, I guess, until that point?

J.S.: Well, there was a time when - Northwest Environmental Defense Center I believe is the oldest - I'm trying to recall - the oldest environmental litigation - maybe even the oldest environmental organization in the Northwest or something like that. Had been around for a long time, and it had been operated by - or people on the board of the organization that kind of went through as they progressed - it was strictly - it was an organization of lawyers, lawyers that were interested in environmental issues, kind of back before there was a thing called environmental law. It was just sort of lawyers that were interested in environmental things. And there are a whole list of people that are much more prominent now than they were that were part of that organization, and someplace along the way - probably in the very, very early 1980's it just - for whatever reason just became much more moribund than it had been.

And since they had been doing some things for Oregon Shores, we had a sort of longstanding interest in the organization, and so we made a conscious effort to reinvigorate it, and so a number of us that were on the board of Oregon Shores sort of became the board of Northwest Environmental Defense Center and relocated it at the law school, Northwestern School of Law at Lewis & Clark College. Before it used to be sort of floated around from law office to law office downtown.

M.O'R.: Did you have a contact at the law school who was involved in this?

J.S.: Well, the Dean of the law school was - let's see; Art LaFrance, I think was the Dean at that time, and he was interested, gave us some office space, kind of reinvigorated - found a number of students that were interested. It provided clinical experience for law students. It served a useful function sort of all the way around. And so it was located at the law school, but it was not formally a part of the law school, although you can see it in their catalogues and so forth and students could get credit for working on cases and so forth, so it was a semi-formal arrangement that worked out for everybody so long as we were careful not to create any bad legal precedents along the way.

M.O'R.: And you were the president of ...

J.S.: I at one point was elected president. I was - as far as I know I'm the only person - the only non-lawyer that's ever been president of that organization, but I was for three, four, five years, something like that, and that was during the time of the - the litigation over the Tualatin River occurred during those years.

M.O'R.: I want to talk about that in just a minute, but some of these things you mentioned in terms of developing a relationship with the law school and recruiting students or providing something for the students to express their interest through, and the college credit, et cetera, were these innovations or changes that you were personally involved in?

J.S.: Oh, I think I was personally involved, but I did not instigate those changes. No, all of that was put together before - I think I was on the board, but those were before I became president of the organization, so again there were - presidents were always lawyers before, so that the *quid pro quo* was that students would - people who were in law school would get to work with lawyers - I mean, the students weren't the lawyers. The lawyers would be from outside from other firms; there would be other firms sometimes that would be people from the - I'm trying to recall -

the guy who was the president before me was a District Attorney for I think Marion County.

Students would get to work on real cases for a real lawyer, and the real lawyer would get some free help on *pro bono* cases. And the student would get some credit hours for that clinical experience is what I mean by the mutually-useful relationship. So without - it was a vehicle through which - why the law school was interested, it was a vehicle through which students could get exposure to real cases, real, you know, real proceedings, administrative or judicial.

[end of tape]