

TRANSCRIPT

INTERVIEWEE: **Keith Ozmore** (KO)

INTERVIEWERS: David Todd (DT)

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Please note that videos include roughly 60 seconds of color bars and sound tone for technical settings at the outset of the recordings. Boldfaced numbers mark the time codes for the VHS tape copy of the interview. "Misc." refers to various off-camera conversation or background noise, unrelated to the interview.

DT: My name is David Todd. I'm here for the Conservation History Association of Texas. And, we're just west of Huntsville, Texas on October 7, 1999. And we have the good fortune to be talking with Mr. Keith Ozmore who has made many interesting contributions and roles in the environment including being a journalist, being an aide to Representative Eckhardt, working for the Federal Emergency Management Agency and undoubtedly other things as well. So I just wanted to thank you for taking this time today to talk to us.

0:01:58 – 2046

KO: I'm glad to do it.

DT: Well, thank you. I'd like to begin by asking you about any early experiences as a child, maybe experiences you had that might have gotten you interested in the environment and its protection.

0:02:18 – 2046

KO: Well, I was born and reared near the confluence of the Culawahe (?) Creek and the Florentisca (?) River, beautiful creek names. I spent much of my boyhood on the banks of Culawahe Creek, clear, spring-fed, flowing stream, extremely cold. That's where I was baptized. And it was cold. I hunted squirrels there. And I fished; we fished with trotlines for Catfish and did all the things that boys did in those days. I just learned to love nature.

DT: Did you enjoy being outside with other people, or was this a solitary thing?

0:03:10 – 2046

KO: No, we—we boys, my brother and I and our boyfriends. And my older brother.

DT: And were your parents interested in the environment as well?

0:03:25 – 2046

KO: My father was a big wild turkey hunter. But he left home when I was around twelve, so I—I really didn't have a father figure.

DT: And were there any teachers, in the early days in school?

0:03:41 – 2046

KO: About the only thing we had was Biology class. We didn't have anything in the way of environmental courses. Not in those days.

DT: Any other sort of, maybe, people that you read about that might have inspired some interest in the outdoors?

0:04:02 – 2046

KO: Well, I was already an adult when I began to write—read environmental books. I don't remember reading anything in—in my boyhood, in my high school—in my school days

relating to the environmental. Except Biology.

DT: You told me about one writer that you seem to have been influenced by, a fellow named Vogt, V - O - G - T?

0:04:31 - 2046

KO: (talking over David) William Vogt, V - O - G - T. And I believe he also wrote "This Plundered Planet." Now I've never read that one. I can't remember the name, the title of the book that I did read. But it was—it was on environmental damage that, even then, in the 1940s, was occurring to the planet Earth. There was more about the clear—clearcutting of the forest, than anything else, in those days, and leaving the hills bare where the soil would erode with the rain and wind.

DT: Did you witness some of these impacts yourself as a young person?

0:05:12 - 2046

KO: Oh we could find—we could find the erosion. We, every Spring, we would—we had a Creek village site just a mile or so from my house. And my father would take us up there and we would find arrowheads. In fact I have a frame of them on the back porch that we picked up there in—I probably picked up some of those arrowheads up myself, probably have—have my finger prints on them for that matter. But, we were taught—we were taught that we had part Cherokee in us. And I think that plays a lot, a big role in how I feel about the environment.

DT: What do you think is the Native American Indian perspective on the environment?

0:06:02 - 2046

KO: Well I think it's wonderful. Mother Earth, Mother Nature. Seattle said, "The Earth doesn't belong to us, we belong to the Earth". I quote Seattle every time I make a speech.

DT: I understood that you gave a speech when you were just in your twenties, to a civic group about the environment. Can you talk about that?

0:06:33 - 2046

KO: Yes, I addressed a luncheon club in Montgomery, Alabama. I was doing the outdoor column there on the Montgomery Advertiser at the time. It was basically just a solid, environmental speech.

DT: And what were the sort of things that you were pointing out as problems?

0:06:55 - 2046

KO: Mostly the cutting of trees and vegetation and the resulting erosion from the water, the rain and the wind. We didn't have things like air pollution, in those days, and toxic substances and all these new technologies that's come up. We dealt in basics.

DT: When you made a speech like that, because this is before Earth Day and all, what was the public response? Did you get two people turning out, two hundred people?

0:07:30 - 2046

KO: Well, it was a sort of a, you know, it's a kind of captive audience. It was—it was a luncheon club and they all came. And they really didn't know what to expect when they came. But I'm sure they looked at me as an "eco-freak" and an "odd ball". Now we got a lot of people, "freaks" and "odd balls."

DT: You said that you had an outdoor column for the Montgomery paper. What sort of things did you write about?

0:07:59 - 2046

KO: Mostly about the—the hunting and fishing. And people catching fish and shooting ducks and deer and things like that. I remember one time I went down to a reserve—or

preserve—or lodge down in South Alabama and I went with the President of the Alabama Wildlife Federation. And I—I bass fished, he was going out squirrel hunting. And I offered to lend him my shotgun. And he said, “Oh”, he says, “I use a rifle and I hit ‘em in the head every time.” I heard him out there shooting that rifle and I was bass fishing, you know. And I—we got back to the lodge. He hadn’t killed one squirrel. And I went back and I designated him as “Kill Mo Blake.” He was the head of the Wildlife Federation in Alabama.

DT: Could you tell a little bit about the game laws and regulations back then?

0:09:08 – 2046

KO: Yeah, we’re talking about the 50s. I went to Alabama in ‘40, yeah 40s and 50s. I went to Montgomery in ‘46. Well, I know we had a limit of ten on the bass ‘cause I caught nine bass in one place on that reservoir at the lodge. And I wanted to catch one more to have my limit. And we started back toward the lodge and we heard this bass strike in the woods, it was woods. And we—he pushed my boat—boat in there. There was an open space and that bass was in there feeding. And I caught that last bass to give me my limit. That’s few times I’ve ever caught my limit of bass. I’m a big bass fisherman. I love to bass fish.

DT: Can you tell about some of your other experiences bass fishing?

0:10:03 – 2046

KO: Well, tell about a good one I lost one morning. He looked like he weighed nine pounds. He struck at the edge of the bank—at the bank. And I cast top—top water plug in there and—and—and the bass nailed it. And he swam right toward the boat and I couldn’t take up my line fast enough. And I never did get to set the bait. And he came directly ... he came up and shook his head and he shook my bait out. And he was a big bass.

DT: And you also did some hunting as well?

0:10:34 – 2046

KO: I did—didn’t do much hunting until I came to Texas. In fact, I don’t think I ever hunted anything in Montgomery. I bass fish—I fished a lot. I’d had a nervous break-down and the psychiatrist said, “I’m—I’m going to give you a—a prescription. You are to work eight hours a day, rest eight hours a day and play eight hours a day.” And that’s all I needed. I fished eight hours a day.

DT: When you wrote your column, who were some of your readers out there?

0:11:10 – 2046

KO: Oh, it’s been so long. They called me Ozzie. I had a buddy, bass fishing buddy who worked down in the composing room in the paper, Charley Kline(?). He was descendant of the Creek, half-breed war eagle. He had Creek in him. And we still correspond. But, other than that, he was the only fishing buddy I had in Alabama.

DT: Would you ever go out on the lake without your fishing pole, or go out into the woods?

0:11:53 – 2046

KO: (talking over David) Oh, I just love to go out into the woods, whether I hunt or not. I just love to be in the woods. I go down to National Forest quite frequently.

DT: Did you ever write about those experiences?

0:12:08 – 2046

KO: Oh yes. I did a series on the—on the National Forest when I was Outdoor Editor of the Houston Press. And I took my grandsons and we visited all the National Forests in Texas. And I did a story on each one of those National Forests in—in—in the column. And right after, I hadn’t been in Houston long before I went off shore, went kingfishing. And we were out in the Gulf twelve or fifteen miles, I remember, and we looked back toward land. And

there was a pall in the sky. A yellowish cloud. And I wondered, where in the world is that coming from. And in a few minutes it was on top of us and it was soil. And when I got back in I called the Soil Conservation Service and told them about it. I said, "Where in the world is all that soil coming from?" He said, "It's coming from the Panhandle of Texas." The topsoil of the Panhandle was being blown away into the Gulf of Mexico. So I went back and did a column for that editorial page about soil erosion and what—what's happening.

DT: What year was this?

0:13:20 – 2046

KO: Beg your pardon?

DT: What year was this?

0:13:22 – 2046

KO: Let's see, it was, it may have been before we started—before I started the column. I started doing the column in '57. Probably '55 or '56.

DT: The column you're talking about is for the Houston Press?

0:13:40 – 2046

KO: (talking over David) Yes. Scripps Howard paper.

DT: Was it also an outdoor column like the other one?

0:13:45 – 2046

KO: No. It ran on the editorial page; on the op-ed of the editorial page.

DT: And what sort of things did you write about?

0:13:53 – 2046

KO: Beg your pardon.

DT: What sort of things did you write about?

0:13:55 – 2046

KO: Oh, well, that—that one column, though, about the dust. That ran on the op-ed of the editorial page. And my regular column I would—I would write about people catching. And then I'd have a chance, once in a while, to do something on the environment too. Now, in 1963, Governor Connally, was responsible for enacting a law in Austin, that united the Parks Department and the Game and Fish Department. So we had the Game and Wildlife. And actually, my boss, my friend Bob Eckhardt, who was in the Legislature, voted for it. Because it was a good concept. But we found out that Governor Connally wasn't interested in efficiency. He wanted to be able to name the new members of the Commission. And he did so. And the first thing they did was to turn the shell dredgers loose on our oyster reefs. We had had, for decades, real hard, firm regulations controlling the dredgers. They were not to dredge any exposed shell. They were not to dredge any shell except that covered with two feet of overburden, soil and mud or sand. They were not to dredge within two thousand feet of an oyster reef. They just threw those regulations out the window. And let the shell dredgers move up to three hundred feet from the edge of the reef. And, of course, they could put a—a dredge on this side on the outgoing tide, and silt that reef up. And then they could put a dredge on this side, on the incoming tide and silt that reef up. And pretty soon, the reef was covered over and they had the whole thing destroyed.

DT: And then they could dredge it?

0:15:46 – 2046

KO: And then they could dredge it.

DT: Well, how do you think that came about, politically?

0:15:54 – 2046

KO: If you want the truth, I think Connally got a pay-off. I will not say that about a dead man, but I think it happened. And in—on January 19, 1964, the Houston Press was purchased by the Chronicle and I lost my job. Right in the middle of our shell dredging campaign.

DT: What kind of campaign did it involve?

0:16:19 – 2046

KO: Oh, the Houston Press was—was—was all out in stopping the shell dredging. They just gave us free rein.

DT: And the Chronicle?

0:16:31 – 2046

KO: The Chronicle did damn little. Pardon my French. The Post was better coverage than the Chronicle was.

DT: What was it about the Chronicle that made them reluctant to cover?

0:16:48 – 2046

KO: They—they were in—in with the power structure at Houston. I'm sure the shell dredges made healthy payoffs. I don't think there's any other way. Maybe not with the newspapers, but...

DT: Can you tell me about some of the other journalists that were working at the time in related fields? Was Harold Scarlett there?

0:17:19 – 2046

KO: Not at that time. I don't believe Harold Scarlett was writing for the Post at that time.

DT: Was Hubert Mewhinney writing?

0:17:26 – 2046

KO: No he was not. I don't think Mewhinney was living either. Harold Scarlett did a fantastic job. But he was with the Post. Now the Post was always been a better—better public service paper than the Chronicle has been. In fact, Ralph O'Leary won the Heyward Brown [Newspaper Guild] Award for his exposé of the minutes woman. That doesn't have anything to do with the environment. But—but that was just an example of—of what the Post did.

DT: Can you tell other stories about environmental coverage while you were at the Press?

0:18:07 – 2046

KO: No, the shell-dredging thing was the big thing then. Now we also had water pollution. But my-my position on it was this. You can always clean up pollution, but you can't put those shell reefs back. It took thousands of years to create those shell reefs. And they're part of the ecosystem of Galveston Bay. And when they're gone, they're gone. 'Cause oysters live, reproduce at a site in the Bay that's friendly to them. The salinity has to be a certain level. The temperature has to be a certain level. And that's the reason that it was so important to me. We could always clean up pollution, but you couldn't put the reefs back. If we had to choose between one or the other, shell dredging, to me, was more important than pollution.

DT: Why were they dredging these shells?

0:19:05 – 2046

KO: For the calcium content. They used it on roads and chemicals. They—they got—they used it—in our public hearing on the shell dredging permits, just after Mr. Eckhardt went to Congress, we had—the Corps of Engineers had a public hearing. And they touched every base. They even had somebody there from a chicken feed manufacturer. Testified they had

to have that oyster shell to mix in with that chicken feed.

DT: Were there other sources of calcium that they could have used?

0:19:35 – 2046

KO: Travis County is full of limestone.

DT: Then why did they go after the oyster shells?

0:19:43 – 2046

KO: Because it was easier to get, more convenient, a lot of it. One of the shell dredgers actually published a document that he called the “Seven-year Plan.” And they planned to clean every yard of exposed shell out of the Galveston Bay complex in seven years. We didn’t let them stay there ‘till seven years.

DT: How long did the oyster dredging last?

0:20:15 – 2046

KO: Well, they’d been dredging for shell for decades. But, they had just about taken all the exposed shell they could find. I mean all the shell that they could find that wasn’t exposed. And they were ready to go to work on the reefs, like I said. They had silted up from one side and the other, and then eat it out every bit by bit. It’s been going on for decades. But, the—like I said, the state had some—some tough regulations. You couldn’t dredge within a thousand feet of the reef. You couldn’t dredge shell unless it was covered with two feet of over burden. And then, they moved right up to three hundred feet. Right after we went to Washington in 1967, they called Eckhardt’s office one day and he had been assigned to a Science and Aero—Astronautics Committee. And called and asked him if he’d like to see some of the photographs that’d been taken from highflying flights, airplane flights. And, he and I walked over; snow was on the ground, and walked over and saw them. And the operator of the carousel was going through these slides, you know, and Eckhardt says, “Hey, back up a couple.” And he backed up a couple and there was a shot of Galveston Bay. Beautiful. And right in the middle of Galveston Bay a plume of silt was rising and flowing down the bay, out through Bolivar Roads into the Gulf of Mexico. On the way back he says, “Keith”, he says, “Find out where the shell dredges were on that day.” And we did. And one was sitting right there. Photograph taken from space. And I cannot find that slide. I’d love to show that to the students.

DT: Were the oystermen very outspoken against this?

0:22:12 – 2046

KO: Oh yes. Yes, they—they, in fact, we brought suit against the shell dredgers seeking an injunction. As—the oystermen were, of course, one of our plaintiffs. And the—the judge granted an injunction in Houston. And after the hearing was over, the lawyer for the shell dredgers walked out of court and walked up to Lamar Gellum(?), who owned a marina down at San Leon. And he shook his finger in Lamar’s face and said, “You won this round, but if we win an appeal, we’re going to sue you for every blankety-blank dime you’ve got”. And, of course, that frightened the—that frightened our plaintiffs, you know, who had something to lose. It didn’t bother the Sportsman’s Club ‘cause they didn’t have a—money to start with. But it—it frightened the other plaintiffs off.

DT: Who were some of the other people who were concerned about the loss of?...

0:23:15 – 2046

KO: (talking over David) Well, we had the oystermen. And we had the—I don’t think the Shrimp Association was in on that suit. We had the Bay Shore Rod and Gun Club. Mr. Eckhardt had a—a good sportsman’s constituency. The Bay Shore Rod and Gun Club was in

Bay Town. That was in his district. And we had the Houston Sportsman's Club. They were the two largest organizations. They were in—they were in on this suit. And we had some other organizations too, some—some of the woman's groups were—were joined in. I know they—I know they was strong for—for our position.

DT: What were their concerns? What were the sportsmen's concerns about losing these reefs?

0:23:58 – 2046

KO: About losing the reefs? Well, they—they were intelligent enough to know that they were part of the ecosystem of the bay. I mean, they were as important to that bay as anything in that bay. Because, as Eckhardt has pointed out in a dozen instances, that reef is just a bunch of miniature crevices and cracks and gullies and that's where your marine life is, that's where your very small marine life are. And, of course, your small marine life is your very first link in the chain. From there, the biggest species feed there on it. And it also attracts sport fishes, like Speckled Trout and Red Fish and Flounder and Croaker. It—it draws those fish there because there are—there is fish on the reef. Shrimps hang out around the reef.

DT: I've heard that oysters are known to filter water, is that right?

0:25:09 – 2046

KO: Yes. Yes. They filter water.

DT: How does that work?

0:25:13 – 2046

KO: Well, all the oyster beds, which produce eatable oysters, are east of the Houston Ship Channel. Almost without exception, those west of the Ship Channel, between Ship Channel and shore, are all polluted. But they will permit an oysterman to go in to, say Dollar Reef, which is polluted, they can go in there and pick up oysters and move them across the Ship Channel onto one of these other reefs and leave them there for three weeks and they've purified themselves, through the process you're talking about. Then they can market them.

DT: Have you seen changes of the water quality of the Bay after the oysters were dredged? Did the water quality tend to go down?

0:26:04 – 2046

KO: When the oysters are dredged?

DT: Yeah.

0:26:06 – 2046

KO: That doesn't hurt anything. They don't destroy the reef when they're dredging the oysters. They just pick the oysters up off the surface of the reef. The dredging that hurts is the dredging of the shell itself, destruction of the reef. But, the quality of the water has improved. I talked to a representative from the Environmental Protection Agency just in the last ten days, and told them what I was doing on my lectures. And I asked them, I says, "Has the quality of the water in the Ship Channel and Galveston Bay improved?" He said, "Oh yes, considerably". But the problem is, you've got so many non-point sources of pollution along the Bay, along the edge of the Bay, that's going into the Bay, that you can't stop. I mean, it's non-point, it—it's just originates all—all over—all over the water Bay side. I'm pessimistic. I don't think the oyster reefs will ever be open, west of the Houston Ship Channel. There's just too much pollution going in there that's uncontrollable.

DT: Can you talk about the extent that those oyster reefs were before they started being dredged?

0:27:37 – 2046

KO: Well, I don't know how many square miles there were. But Eckhardt says the cattlemen on Smith's Point, instead of driving their cattle all the way around the perimeter of the Bay and back down to the markets in Houston, would drive their cattle across Galveston Bay. And the only place they had to swim was across Houston Ship Channel. So a lot of it has been moved—removed, but we've saved a lot of it too. I talked to an oysterman just—just two weeks ago and he's catching as many oysters as he ever has. So we know we saved a lot of reefs.

DT: Could you tell me how you first met Bob Eckhardt?

0:28:34 – 2046

KO: Yes. I was putting on a dinner to honor Ralph O'Leary of the Post for his expose' of the minute woman. And I sold Eckhardt tickets to the dinner. That was in 1954. We've been friends ever since.

DT: How did Mr. Eckhardt strike you that first time you...?

0:28:53 – 2046

KO: (talking over David) Well, of course, we had—we had similar philosophies. We were both integrationists. We were both conservationists. And we had a lot of things in common.

DT: Was that common that you would see people that were progressive about racial issues and about environmental issues?

0:29:19 – 2046

KO: Yes I did. There is a definite connection.

DT: How is that?

0:29:24 – 2046

KO: I don't know. I don't know why—a—I think if you're a conservationist environmentalist, you are—you are, in effect, looking out for those who don't have quite as much of you have. The blacks have long been affected more—more severely by pollution, than any other segment of the American population. University, Northwestern University in Chicago did a major study several years ago, on the instance of—of a—of a lung cancer. Found out it was much, much higher among male blacks than it was male whites. Now, we don't know how much of that was due to smoking, however. But I think that's true. The lower income people don't live in air-conditioned homes. A lot of them don't work in air-conditioned offices. And they have to be more profoundly impacted by that environment, by bad air and bad water.

DT: Did you ever feel, when you worked as a journalist that because you were what you called an environmental "kook", that somehow you were not objective in reporting?

0:30:02 – 2046

KO: Well, as a matter of fact, I was elected Secretary of Save Our Shell, on a Sunday when we organized to stop the shell dredgers. And I got back to the office in the morning and I was in the photograph. And the Editor says, "Ozmore, what are you doing in that photograph?" I said, "Well, I've been elected Secretary of Save our Shell." He says, "Ozmore, you're supposed to cover the news, not make it." But I could understand that. So I resigned. I resigned the job with Save our Shell, not with the newspaper.

DT: When you covered some of these controversial issues, did you ever get any heat or reaction that you should be careful about covering some of these issues?

0:31:57 – 2046

KO: From the newspaper? From my—from my boss?

DT: Or from the public?

0:32:01 – 2046

KO: No, not really. In fact, the Houston Press, Scripts Howard Newspaper, was very strong in favor of the Open Beaches Act that Eckhardt sponsored in Austin. It was very strong on the acquisition of Padre Island National Seashore. It was very strong on the shell dredging issue, even though there was a lot of money behind the shell dredgers. But I—I wouldn't have had the leeway if I'd been working for the Chronicle that I had working for the Houston Press. Because they were more independent. It was a chain newspaper. It wasn't under the thumb of the money interests of Houston.

DT: How could money interests put pressure on a newspaper?

0:33:00 – 2046

KO: With advertising, for one thing. They could withhold their advertising.

DT: Did you fear instances of people doing that?

(Misc.)

DT: As a journalist, how many environmental groups or sportsman groups approached you to carry their stories?

0:33:51 – 2046

KO: Well, they really didn't have to approach me. If I saw the need to do something I usually was able to do it. If I saw the need to support an organization, even in my coverage, I usually did. And the editor, like I say, I had a good editor.

DT: How did you learn that there were particular environmental problems?

0:34:23 – 2046

KO: Well, I had a lot of fishing friends. And they—they know where they caught the Speckled Trout and Red Fish; they caught them out on those shell reefs. And they knew if the shell reefs were gone, the Speckled Trout and Red Fish were going to be gone too. But I was a member of—of—of outdoor organizations. I was a member of both the Sportsman's Club and the Bay Shore Rod and Gun Club. I kept in touch with them. They were—they were out—they were my constituency.

DT: Were the sportsman groups the base of environmental protection back then, or were there other purely environmental groups?

0:35:14 – 2046

KO: Well, we had—we had the Sierra Club. We had the Audubon Society. In fact, I was responsible for bring the suit to stop the Wallisville Dam.

DT: Could you tell us a little bit about that?

0:35:29 – 2046

KO: Do you know Stuart Henry?

DT: I do.

0:35:32 – 2046

KO: Stuart was Executive Secretary of the Lung Association in Houston. And he had just come there shortly. And one day I stayed after lunch and got to talking to Stuart. And I—I said, "Why hasn't someone sued to stop the Wallisville Dam project"? And he said, "Why not"? I went back to the office and called John Mehos(?), who is a, who was a seafood dealer in Galveston, and active in the Texas Shrimp Association. I said, "John", I said, "Would the Shrimp Association be amenable to joining a suit to stop the Wallisville Dam?" He said, "You betcha".

DT: What year was this?

0:36:10 – 2046

KO: That was '73. And we stopped it cold. The Corps of Engineers, I was visiting the Corps of Engineers two weeks ago and even now they admit it was a bad thing to do.

DT: Why did they think it was a bad thing to do?

0:36:29 – 2046

KO: Well, we made 'em see it was a bad thing to do. We made them go back and do their study. They had not adequately considered the value of—to the—to the sport fishing industry, nor to the commercial fishing industry. They constructed a dam that was seven miles long, and it was cutting marine life off from their nursery area, twelve thousand acres of nursery ground where Shrimp grow up, Menhaden grow up, Blue Crab grow up, Speckled Trout grow up, Redfish grow up. They can't climb a ladder like a Salmon can. They were destroying twelve thousand acres of wetland, of coastal nursery lines. And that had to have had an adverse impact on commercial fishing and sports fishing. They Corps had never ever fully considered those two—two key features.

DT: And why do you think the Corps wanted to build the reservoir?

0:37:33 – 2046

KO: The Corps wanted to build it 'cause the Corps likes to build dams. No, they were building it at the behest of the—the City of Houston and the Trinity River Authority. They wanted to—to put in locks where they could navigate up to Trinity, to Dallas and Fort Worth. They wanted to supply water for the City of Houston. And they would build any dam now. All they've got is a little old weir about that high, a—a salt—water barrier, to keep the salt water from encroaching on the rice farmers. You see when they built Livingston Dam over here, and started withholding all that fresh water, that caused a salt water intrusion into the Bay and began to kill rice crops.

DT: Rice crops around Anahuac?

0:38:34 – 2046

KO: Around Anahuac and over at that area.

DT: Were the rice farmers supporters of your Wallisville Dam suit?

0:38:46 – 2046

KO: No, they really—they really wanted something there to prevent salt water from intruding in their rice fields. And they got it. It's just a very low, salt-water dam, is what it is. But there'll be no impoundment of water. They had—they had planned a ten to twenty-five thousand acre reservoir.

DT: And if they had built that, what sort of impact on Galveston Bay do you think it would have had?

0:39:19 – 2046

KO: If they had, well, they built the dam. But since they've abandoned it, it's been broken by the tides time and time again. It's—for all practical purposes it's open. Well, sure it would have impacted Galveston Bay. If your Shrimps spawn in the Gulf and early in the Spring, when they're no bigger than your fingernail, I don't know how they do it, I suppose the same kind of—same kind of thing that birds have when they migrate and hibernate. But anyway, they find their way into the Bay and into those coastal—into those wetlands. And there they grow up. It's a nursery ground, that's exactly what it is, for marine life, young marine life, until it gets old enough to escape its predators. It would have—it would have affected the Shrimp. It would have affected the sport fishing. It would have affected the whole thing. Just like the destruction of those reefs.

DT: Can you tell how you, not only met Bob Eckhardt, but later went on his staff as his aide?
0:40:55 – 2046

KO: Well, he ran—he ran for Congress. And I had already supported Bob as a—as a Legislator, when he was in the state Legislature. But in 1966, the incumbent Congressman was—was on his deathbed. And Bob filed in the Democratic primary with his statement that if the Congressman can—continues to live and can fill the job, I'll withdraw. Well, the Congressman died just few weeks before the primary day, and so Bob went ahead and ran and won—won the Democratic nomination. The shell dredgers spent a million dollars to try to beat Bob. We spent a hundred thousand.

DT: Who were Bob Eckhardt's supporters? Was it the unions or other groups?
0:41:47 – 2046

KO: Oh, he was the union boy. About the only client he had was Southwest—was the—the workers at CWS, Southwestern Bell. But he had friends in the steel workers, the oil workers. And, of course, there was some conflict there. The unions were not always pro-environment, although they have become that way now.

DT: Can you give us an example of where there was some tension between...?
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KO: (talking over David) I can tell you—give an good example, excellent example. In 1971, Armco Steel, EPA brought suit against Armco Steel, which was on the Houston Ship Channel. They were discharging a thousand pounds of cyanide a day, into the Houston Ship Channel. Enough to kill the entire population of Houston. And the EPA won and they were ordered to cease and desist...period. And, of course, Eckhardt has steel workers working for Armco Steel. But Bob still put the environment ahead of his steel workers. And one day, a—an Assistant U.S. Attorney, who was a friend of ours, came back by the office and said, "Keith says you should have been at the downtown Rotary Club today, you missed something". I said, "What did I miss, Carl?" He said, "Well, we had C. William Verity, the CEO of Armco Steel there for our luncheon speaker. And he was bemoaning the fact that Armco had problems in two fields. One was with their hiring and firing practices against minorities and women". And he said, "The other thing is this suit they brought to make us stop discharging cyanide into the Ship Channel." John Connally was Secretary of the Treasury at the moment. And he said, "Thanks to John Connally, something is being done about that latter situation." He says, "In fact, if I had another son I'd name him John Connally Verity." His name was Verity that was his name. And, Eckhardt wrote the President. He said, "I don't care if C. William Verity has fourteen sons and names 'em all after John Connally, he has no right to interv—intervene in a judicial decision." And the judge did amend his decision. But, I ran into him later, coming back from lunch one day, and he said, "Keith, if I had known that Connally had been meddling in that situation, I'd have never changed

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my decision." But as it was, it was a pragmatic decision. They—Armco was building an incinerator at the time, to incinerate the waste. And they were going to be about six months in putting in the incinerator. So they were given six months to complete that incinerator. But, it was a pragmatic decision. We'd of had people out of jobs, which is not good.

DT: For many years, people have—have worried about this tension between environmental protection on the one hand and creating jobs on the other. Did you see others instances of that kind of tension?

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KO: Actually, we go back further than that. Back in—back in the 30s, there was a plant in Pennsylvania that was emitting a lot of smoke—dark black smoke. And it was blowing across into a subdivision and soiling the clothing that woman were hanging on the clothesline. And they just raised so much Cain with—with the plant that the plant found a use for it, and started producing carbon black. Instead of discharging into the air, and—and—and make carbon black out of it and made money. And I think that’s true in a lot of cases. That if they really try, they can find a market for that—those substances that have been discharged.

DT: Let’s go on with adventures with Representative Bob Eckhardt. He was involved in many environmental issues. One of the ones he’s most noted for is authoring the Open Beaches Act. Can you talk a little bit about that experience?

0:46:56 – 2046

KO: Yes. In the summer of 1958, he was in the Legislature. And the public went down to West Galveston Beach that summer. And there where people, owners, property owners, both subdivisions and property owners, had put cross ties upright, in the sand, close enough to where you could not drive a vehicle through. And they put posted signs, Private Property – Keep Out. Well, you can imagine the furor that erupted in the summertime when people, who had been using their beaches for decades and decades, go down there and find out that they are being barred from the—from the beaches. So we had a couple of ladies who really were active in that field and they’re both gone now. But they went to Eckhardt and said, “Bob, isn’t there something you can do about this?” Well, he’s always been a student in English law. He’s always been a student of, what do you call them, public, easements. You know, in England, they have commons that are owned by the—by the King, by the royal family, but they are open to the public, they are common. And so, Bob got to thinking about it and came up with this idea of drawing legislation which established a finding that the public, through long and continued use of the beaches, had a acquired a prescriptive easement to use that property, even though it was own by the private, littoral land owner. It’s a new concept. Oregon also followed it, except Oregon, they passed a law to the effect that they are, the public own their beaches. But, in Texas, we just did enough to establish that we had an easement to use it. And that law has been upheld by the Appeals Court. The Supreme Court has never ruled in it. They’ve

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never even accepted it to rule against it. We had won on a rolling easement theory, that is, does the easement move with the line of vegetation? And that was—that was tested in the courts in ’83, after Alicia. The Appeals Court upheld the rolling easement concept too.

DT: Hurricane Alicia?

0:49:23 – 2046

KO: Yeah. Yeah.

DT: Why did Hurricane Alicia create a problem with the rolling easement?

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KO: Because, it moved the vegetation line. You see, the public could use the beach; the—the Open Beaches Act establishes a beach to the line of vegetation as being public beach. It moved the vegetation line back to 800 feet in places. And they—the—the—the State Attorney General would not let those people rebuild. And that’s what I was talking about earlier. Now, they’re kind of pandering to those people and they ought not to be down—

they ought not to be down there in the first place. It's a hazard area. They just ought to have to have a set-back line and you don't build any closer than this. A lot of states have set-backs now, down on beaches.

DT: How did Representative Eckhardt get this legislation through? It must have been terribly controversial.

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KO: Because those woman act like Paul Revere. They rode that coast from one end to the other. They made civic clubs and kinds of other organizations out there speaking on behalf of Bob's Open Beaches Bill.

DT: Not just on Galveston Island...

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KO: (talking over David) Oh, they plastered all of the Texas beaches. They went to trial and they brought in testimony from old timers that their parents had told them about a stagecoach, a public stagecoach had operated between Galveston and the Pass. I think that did more to establish the people's right than any other—than any other testimony we had. We're talking about a hundred years. In 1858 another court had ruled that the state owned the line of vegetation. But in 1958, they had another court decision. Actually, Exxon was responsible for it. Exxon entered the case as amicus curia, and asked the court to make a determination where the state ownership line came. Somehow or another they had—they had the idea that really the state ownership didn't go to the line of vegetation. And this court ruled that way. That the court—the state only owned to the line of mean high or high tide. Now how in the world can a family going down to enjoy the beaches know where the mean high or high tide is? Or how can the littoral landowner know where the mean high or high tide is? So you needed something. And the only thing you had was the vegetation line. So Bob drew his bill to say that we had an

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easement to use the beaches to the line of vegetation. Where there is no line of vegetation, you shoot a line from this point of vegetation to the next point of vegetation over there, and that's the line, that's the public line.

DT: Can you tell about some of the opponents to this legislation?

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KO: (talking over David) The developers. Oh, they didn't like that at all. Oh, they fought it tooth and nail, the developers down on West Galveston Beach.

DT: How did the developers oppose it?

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KO: Oh, I'm sure they lobbied; lobbied hard. But Bob was lucky and got it through.

DT: I understand that Bob Eckhardt was pretty involved in getting Padre Island National Seashore set up. Is that right?

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KO: Not really. He was a supporter of it, of course. But since that was national then, he wasn't in the Congress then, he was in the Legislature. There was no interest in the Legislature on Padre Island National Seashore. Ralph Yarborough was the one largely responsible for that bill, Senator.

DT: Can you tell your memory of how the Seashore got set up?

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KO: Of how what?

DT: Can you tell your memory of Yarborough's involvement then, in getting the Seashore set aside?

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KO: Oh, well he was active in it as a member of the U.S. Senate. He was also very active in Big Thicket, very supportive of Big Thicket. He was a good environmental Senator. He was a good Democrat.

DT: And, of course, Bob Eckhardt is a Democrat. Why do you think Democrats carry the environmental torch when, in many respects, it's a shared problem, whether we're Democrats or Republicans or Independent?

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KO: Well, again, I think the Democrats are just looking out for people. Period. Not every one of them, no. One of the better Republicans was Alan Steelman, of Dallas. He was a member of the House the same time Bob was there. And he supported Big Thicket. He was a good environmental House member. But there weren't many on the other side of the aisle.

DT: And why do you think Republicans are less sympathetic to people's concerns, or environmental concerns?

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KO: Well, I think, I'm not going to say everyone's that way, but I think a lot of Republicans are supported by money interests. That's—that's been my—my experience.

DT: Why would the money interest be consistently against environmental interests?

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KO: Well, for so long the conservatives have—have argued that point. That this is going to cost us money if we do this, that and the other, to clean up the environment, or to keep from dirtying up the environment. And, as I said a while ago, I think they're f—they're finding now that it actually saves them money. And I—I—I can't, you know, blackball all Republicans. I've had some—some good friends who were Republicans.

DT: Let's return to the Big Thicket. You mentioned that Bob Eckhardt was supportive of the Padre Island Seashore but he also was enthusiastic about the Big Thicket.

0:56:45 – 2046

KO: Well, at the time that Bob went to—to Congress, the Representative from that district was in deep trouble. He had been photographed taking payola at Atlanta Airport. And he had a pocket full of troubles. And Eckhardt took the position, well; the people of the 2nd District really don't have representation in Congress. So he saw it as an opportunity to move on Big Thicket, before the new member was elected.

DT: But this was not his district.

0:57:25 – 2046

KO: No, no, way out of our district. However, he had a constituency that was very strong on Big Thicket. A lot of the women in—in—in Houston. We had a Big Thicket Coordinating Committee. And Bob introduced a number of bills. But no bill ever, ever did anything but generally declare where the Big Thicket Preserve would be. It just set it out that it would be a certain area. And I worked with the Big Thicket Coordinating Committee. And I got the idea. Why don't we draw a bill that specifically denotes the—the units and the acreages, approximate acreage of each unit, and with the advice of the Coordinating Committee we drafted a bill that did just that. Yarborough never did do that. And that was the bill that was used as the vehicle that was enacted into law. They used that same language. And we were able to get it through. Charlie Wilson opposed it. He was a new member from Congress. He

was all—he was also in the employ of big timber when he went into Congress.

DT: And he worked for a timber company?

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KO: (talking over David) Oh yeah. Yeah. Oh yeah. He worked for a company in Lufkin that was involved in timber.

DT: I understand he was called “Timber Charlie”.

0:58:57 – 2046

KO: I’m glad you said that.

DT: How did he get that name?

0:59:05 – 2046

KO: Just that way. But, he—he’s come around. He’s—he’s—he, in later years, he voted for a—an expansion of the Big Thicket. And, actually, Big Thicket impacts the Galveston Bay. You’re taking land out of development which is beneficial to Galveston Bay, because you don’t have more pollution flowing in from that subdivision that would be in the Big Thicket area. So, in a way, the Big Thicket was—was a boon to Galveston Bay too as well. In fact I’m going to be talking about that some to the class.

End of reel 2046

(Misc.)

DT: Can you tell us a little bit about the effort to get the Big Thicket set aside?

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KO: Well, we had a lot of organizations. Wom—we had a lot of woman’s organizations that were in favor of—of the Big Thicket National Preserve. And we had the big sportsman’s clubs that were in favor of it as a preserve. There was no—there was no opposition to it in Bob’s district, that I know of. The opposition to it came from the big timber industry.

DT: What sort of opposition came from the timber industry?

0:02:07 – 2047

KO: Oh, oh, they lobbied. They lobbied Congress. Don’t think they didn’t.

DT: I have heard that there was some timber cutting within the areas that were proposed for the Preserve, as a way to sort of sabotage these plans. Is that true?

0:02:33 – 2047

KO: I never saw it, but I’d heard it. I never seen it. And we were over in the Big Thicket several times. Took Bob’s horses over and rode horseback in—in the area.

DT: Can you describe what people thought was so special about the Big Thicket?

0:02:53 – 2047

KO: It’s a biological crossroads of America.

DT: What do you mean by that?

0:02:58 – 2047

KO: You can find most any kind of species there that’s in the country. It’s a biological crossroads, of plants, animals and bird life.

DT: Can you give some examples of animals or plants that occur in the Big Thicket that also occur on the East or West Coast?

0:03:23 – 2047

KO: Well, I know they have they—they have some plants, the—it’s a plant that eats bugs—bug-eating plant. Pitcher Plant, yeah. And, the Pileated Woodpecker is not endangered now, but it’s rare. And I got a bunch of them around here. I counted seven of them down there in one pine tree one day. In East Texas they call that the Lord God. And I as—I asked a

taxidermist one day I said, “Bob”, I says, “How in the world do you suppose they got the name Lord God?” He said, “Well Oz”, he said, “I reckon the first time they saw and heard that bird flying through the forest, going squawking like a squawk, they said, Lord God, what’s that?” They’re—they’re a beautiful bird. I think they’re so pretty. I had one sitting right out here in the tree, in the back yard, and got up next to him as close as that tree there.

DT: Are there any other plants, animals that are characteristic in the Thicket?

0:04:40 – 2047

KO: You know, I can’t—I can’t think of any off the top of my head. Now, George Russell should have been able to give you those.

DT: You had an interesting mix of the constituency for the Thicket. There were sportsman’s groups who wanted to use the Thicket for hunting and fishing. And then there were more passive users, bird watchers and so on...

0:05:11 – 2047

KO: (talking over David) Bird watchers. The bird watchers. The birders, they were all for it. I think all the environmental groups were for it. And their memberships were for it. And there—there was no hard-core resistance to it in—in Houston, now. The hard-core resistance came from the timber people. They made those families believe that they were going to lose their jobs if we set aside 90,000 acres for the Big Thicket Preserve. And that’s a common thing they do. I mean that goes on all the time.

DT: Do you think it was a real threat that those jobs would have been lost?

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KO: I don’t think so.

DT: Were there compromises that were made between the birders and the hunters about the size, shape or the name of the park?

0:06:16 – 2047

KO: Well, the—the, we—we—we had the NRA in our organization. But the NRA made it very plain, “If you don’t allow hunting, count us out”.

DT: Was it a critical block of votes, the hunting group?

0:06:37 – 2047

KO: Well, a lot of the people in the sportsman’s group were NRA members. But they were always Bob’s strongest constituents. Even though he wanted Saturday Night Specials banned.

DT: What’s your view of hunting and wildlife management and wildlife protection? Do you see a conflict?

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KO: No. Let me give you a good example. I was fixing to say this. John Connally addressed the National Wildlife Federation in ’68. And he got up there boasting about the tremendous numbers of Whitetail Deer that we have in Texas. And what he didn’t tell the audience was this. It wasn’t good policies on the part of Connally and his administration that helped the deer population to boom. What happened was the biologists at A&M, and at University of Texas had developed a means of—of making the male Screw Worm Fly unable to fertilize the eggs. So there was a boom of baby fawns that lived, instead of being killed by the Screw Worm Fly. That’s what caused the boom in the deer population in Texas.

DT: Was this part of the Screw Worm eradication to protect cattle?

0:08:16 – 2047

KO: Well, it was to—to—to protect—protect the cows, but it also protected the deer at the

same time. You see, when a fawn or a calf is—is—is dropped, those Screw Worm Flies, if they're in the area, they're going to get there. And I mean, like, now. And blow that calf, that baby calf or baby deer, and it's going to die. That's what resulted in the deer population explosion.

DT: And this was in the early 60s, late 50s?

0:08:47 - 2047

KO: Well it was '68 that he made that speech. I'd say in the early sixties, probably, that they did that. That's my guess, but now they could tell you at A&M when they did it.

DT: Do you think that hunting is an important part of wildlife management?...

0:09:06 - 2047

KO: (talking over David) Oh, no—no doubt—no doubt about it. You know, you have to have intelligent laws. And you have to have them enforced. But there's nothing wrong with hunting.

DT: What's your view of groups that advocate against hunting or see ethical problems?

0:09:31 - 2047

KO: For a long time I felt that there was a—there was a clique there that—that did that, simply because they were anti-gun.

DT: What do you believe now?

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KO: Well, I still think the cliques there, probably. But, I think that clique just wanted to outlaw all hunting. I don't think they wanted anything hunted. And that's the way they were going about ensuring there'd would be no hunting, was to have guns banned. Now, that's the way the sportsmans feel about it too. Because we know how—how legislation comes about. You never get what you want the first time. You get your foot in the door and then you widen it every—every—every session later. That—'til you either get what you want, which is a good bill, or what you want is a bad bill. One of the two. But that's the way legislation comes about. You study legislation, you'll know that.

DT: Can you tell about some of your experiences in trying to get environmental legislation through the Congress with Eckhardt's office?

0:10:49 - 2047

KO: Well, Bob went in—all out to get the Big Thicket bill through. But he also was very much involved in—in legislation to clean up the Houston Ship Channel. 'Cause that's where most the pollution was coming from into Galveston Bay. And one day I drafted—I wondered just how in the world the Houston Ship Channel got to be in such a terrible state of affairs. And I sat down and started to research it. And I wrote this document and put it on his desk and he read it. And he came out and he said, "Keith", he says, "That's great", he says, "I believe we can get this printed". It was printed in the International Law Journal at the University of Texas, entitled, "How We Got The Dirtiest Stream In America."

DT: How did we?

0:11:41 - 2047

KO: Poor laws back in the '60s. We had a—a—a pollution fighter named Walter Quebedeaux. He worked for the county. He was Pollution Control Office—Office of Harris County. And he worked hard. He brought suits against polluters. And he didn't get to first base. In fact, back in those days they formed a—a partnership between Harris County and the City of Houston to fight both air pollution and water pollution. But it only lasted a couple of years. When these cities which were paying, you know, X number, dropped out

and wouldn't pay what they were supposed to be paying. In fact, they estimated it would be—it would be a per capita cost of one postage stamp per year to fund that pollution control effort. But it didn't last. Because the polluters weren't going to let it last. Oh, we had some good stories about pollution, other than Armco.

DT: Well, shoot.

0:12:51 – 2047

KO: Let me think. I told Armco, didn't I?

DT: Any instances with air pollution issues that you've worked on?

0:12:02 – 2047

KO: We worked on air pollution to, but I—I worked some on air pollution, but, water pollution was my forte. Walter Quebedeaux was trying to enforce the laws we had and trying to bring criminal charges against polluters. And he got—got some convictions. And it got to Appellate Court and...thrown out. Texas laws did not allow polluters to be dragged into criminal court. Of course, all that's been changed now. Rex Braun was another member of the House who was a strong pollution fighter too. He was a—a friend of Bob's. We didn't really get things turned around on the Houston Ship Channel until 1971. I had researched the Federal Water Quality Act and found out that it had allowed the head of the agency to call a Pollution Enforcement Conference on any body of water where seafood was impacted, seafood that moved in interstate commerce. So I called a lady who works for the Oyster Growers Association of American. And I said, "Liz", I said, she was in Maryland, I said, "Do you people import—ship many oysters from Texas?" "Oh yeah, we'll buy seventy five thousand barrels a year from Texas". I said, "That's all I needed to know. They're moving in interstate commerce". But what happened was, the law said that the agency couldn't call a Pollution Enforcement Conference without the approval of the Governor. Lyndon Johnson was President of the United States. John Connally was the Governor of Texas. And they were bosom buddies. We knew they would not call, they would not call a Pollution Enforcement Conference on a body of water that would embarrass John Connally. So I read back a little bit further, there was a caveat. Ah ha. The Shellfish Clause. Under the Shellfish Clause, if shellfish, which move in interstate commerce—impacted by pollution, you don't have to get the approval of the Governor. I said, ah ha, that's what we were

0:15:22 – 2047

looking for. So we fired off a letter on old Bob's signature, to Jim Quigley, who was the head of the FWQA, Federal Water Quality Administration, asking him to hold a Pollution Enforcement Conference on Galveston Bay. And cited the act, you know, the Shellfish Clause and all that. We got a letter back from Mr. Quigley and he says, "Well, the reason we haven't called a Pollution Enforcement Conference on Galveston Bay is twofold. One is the state's in the process of developing these ambient water quality standards. And number two, we're going to come to Houston this summer and see that situation on the Ship Channel in person". So he and his entourage came down, I haven't done this yet, but that's going to be the next part of my lecture I'll write, he came down with his entourage and all got on the 'Sam Houston' boat and boated down the Ship Channel, you know. And we went by U.S. Plywood Champ (?) and Quigley said, "Now there's the champion polluter of them all", pointed it out. Four months later Jim Quigley was on the corporate payroll of U.S. Plywood Champ in New York City. You have any questions about that. Guess who succeeded him? A friend of John Connally's. As head. You know Bob liked to refer to it as possum guarding the chicken coop. In my lecture, I'm saying that's the biggest possum of all

guarding the biggest chicken coop in America. We never got our Pollution Enforcement called under the Democrats. And that makes

0:16:58 – 2047

me mad, as a Democrat. We did get it called after Nixon went in there and formed the EPA. The was one of the first things EPA did was to hold a Pollution Enforcement Conference on Galveston Bay. And I don't know anything I've enjoyed doing like I enjoyed writing that document that Bob presented to that hearing that morning. And in the final remarks he said this, he said, "I understand that the Chairman of the Water Quality Board has made the statement that the—the—the Federal Government comes into the water pollution control picture in Texas, it will slow us down in our efforts to clean up the Houston Ship Channel". Then he asked a question, "Just how do you bring a snail to a screeching halt?" That was the turn-around, that—that Pollution Enforcement Conference. And Bob made it very plain that, to EPA, if the state doesn't impose adequate emissions standards on these ship channels, we want you to do it, talking to EPA. And that's exactly what he did threaten to do.

(Misc.)

DT: We've talked about industrial discharges. Can you talk about municipal discharges? What is your view about those?

0:18:22 – 2047

KO: Well, you have two kinds of pollution. One is industrial and one is municipal. Your municipal comes out of the water sewage treatment plants. What can we do about it? We can impose upon the taxpayer taxes to built tertiary treatment facilities that clean the water up to the point to where you can go swimming in it. But, the way the population grows, a plant is outmoded next week. And then they have to expand it. I don't—I don't see any solution for not having babies. And with the population growth, municipal pollution is going to always remain a problem. And we just have to pay for it. And the public has to pay for it.

DT: Can you tell about any instances you've been involved in, in trying to get the City of Houston to tax itself a little bit more?

0:19:32 – 2047

KO: Well yes, like I said, in the beginning, the City of Houston and Harris County formed an organization to fight both air pollution and water pollution. And it would have cost each person, per capita, the price of a s—the price of a postage stamp, annually. But the city wouldn't pay its share. Pasadena wouldn't pay its share. And it folded. And just imagine how much further advanced we could have been had that not folded. An ounce of prevention is worth a pound of cure. I don't care what. And that's—that's—that's the way it is. The—the—the taxpayers are just going to have to pay to clean up its own pollution.

DT: Can you talk about Trans Texas?

0:20:41 – 2047

KO: You're talking about the Texas Water Plan?

DT: Yes sir.

0:20:43 – 2047

KO: I just happened to get Water for Texas in the mail yesterday. And my concern with water—with the Water Plan was—is impact on the estuaries. Those estuaries have to have X number of acre-feet of water every year to remain productive. And this book, now, Water for Texas, in a number of places there, assures me that those estuaries are going to get that.

But they don't tell me how they're going to be sure that they're going get it. You see, your—your—your wetlands, your estuaries is where the salt water meets the fresh water and commingles. It brings down the nutrients from the uplands and this is one of the most productive places in the world. I had a friend that owned a farm in Southern Illinois. Catherine and I met him in New Orleans and a few years later they came to Houston, to their convention in Houston. And we took them down to the San Jacinto Inn, a famous seafood inn. And we were sitting there having shrimp and crab and fish and I said, "Tom, what do you think about the Gulf coast?" He said, "Well, I haven't see much—much of it. I saw the Astrodome." And he said, "Other than that, about all I've seen is a bunch of stinking old marshes." Oh my Lord. That was the wrong thing to say to me. I said, "Tom, if it weren't for those stinking old marshes, you wouldn't be sitting here tonight eating shrimp, fish and crabs." His jaw fell. "Is that right?" I said, "That's right." I said, "Acre for acre those stinking old marshes produce more protein than the richest acre of land on your Illinois farm." And that's true. 85% of the fish we eat grow up in the estuaries. And it has to get that fresh water. That's another

0:22:50 – 2047

thing—problem we have with Wallisville too. But worse than that they were physically destroying twelve thousand acres of nursery grounds. They were cutting it off from the ebb and flow of the tide.

DT: What about some of the reservoirs that are upstream of Wallisville. Do remember any fight, if there was one, over Livingston or any other area?

0:23:24 – 2047

KO: You know, Franklin Moon, the for—district engineer of the Corps over in Galveston made that very point. He said, "If your—you people are worried about fresh water in coming into this Bay, you ought to have been up there raising hell when they were fixing to build Lake Livingston." And that's true. When they built Lake Livingston, it caused a salt-water intrusion to come further up the Bay. But it wasn't enough to destroy the Bay. It was still getting enough fresh water each year to keep the Bays productive. Now—it was bad for the rice farmers. But now they've solved that. They've got a barrier there, salt water barrier, that—that protects the rice farmers. And that's what they should have had all the time. I just wonder how much money they squandered on the five-mile dam they had to abandon.

DT: Some dams are constructed for protection from floods. I understand that you spent some time in your career, after you worked in Bob Eckhardt's office, working for the Federal Emergency Management Agency that works a great deal in flood issues.

0:24:40 – 2047

KO: I worked two years for FEMA in the—in the division the administers the National Flood Insurance Policy. It needs some changes but also I think that the communities, at last, are beginning to wake or have begun to wake up. And I'll give you a good example. I—I—I was Chair of the first mitigation of a flood in Texas, or any—in the region. It was in one county down here. And the city had passed some good ordinances preventing development in the floodplain, but they didn't enforce them. This one man had a mobile home in there and they let him go back and put it right in the same place, at the same elevation. A man was rebuilding a convenience store across the river that didn't—he did fill in some, but he didn't fill in enough. He was still below the base hundred-year floodplain elevation. And we stopped his SBA loan. SBA would not make a loan to somebody that was in violation of a

community ordinance. And I—I told his secretary, I says, “I want you to get him a meeting with the Mayor. He’s not doing these people any favor by letting them violate their ordinance.” Well, she set up a public meeting. I didn’t care. It didn’t bother me. But the man who put his mobile home back in where he shouldn’t have, I said, “Now, Mr. Brown there put his on back exact where it was at the same elevation.” I says, “Under your ordinance, you could have and should have fined him \$200 for every day he’s out of compliance.” After that meeting that man came up and he said, “Mr. Ozmore, it will be elevated tomorrow”. But, communities simply were not biting the bullet to enforce the ordinance that the federal Act said they had to enact. Developers were lobbying them. We had a—we had a floodplain management conference in Washington and I went. And one of the speakers was a woman who was head of the Flood Insurance Administration. She said, “I don’t know of
0:26:54 – 2047

a single developer or builder who would knowingly build in a floodplain knowing that the homes were going to be flooded the next week.” I got up, I said, called by her name, I says, “I—You have a standing invitation to come to Houston and I’ll introduce you to any number of developers who’ll do just exactly that.” She was embarrassed like nobody’s business. She says, “Mr. Ozmore”, she says, “I know they’re out there.” I says, “Yeah, we know they’re out there too.” We’re overcoming that though. But they still need to put some kind of lid—cap on number—on the total dollar amount that a structure owner can collect in flood insurance payments. The NBC program was on here a while back, The Fleecing of America. They had a item, there’s a man over in Louisiana who has collected eight times the value of his structure in flood insurance payments. Now that’s wrong.

DT: From one flood, or from eight different floods?

0:27:58 – 2047

KO: Eight different floods.

DT: The Flood Insurance Act was not just developed to help people to rebuild from floods, but to protect some of these sensitive areas from being developed.

0:28:19 – 2047

KO: Well, that’s right.

DT: Is that true?

0:28:21 – 2047

KO: That’s right. It’s your floodplains. And this is were your wildlife prospers. More wildlife in the floodplains than any other one place in America. Now, Mr. Witt, who is now head of FEMA says he has taken action to stop some of these abuses. But my question is, if he could have done it through changing the regulations, why in the world hasn’t it been done years ago. And I think he is doing it. Changing—just changing the regulations, not even more—not even having to have it enacted into law. If I—if—if Eckhardt had stayed in Congress, I was going to try to get him to introduce a bill which would put a cap. It would be a 110% of the value of the building. After that, you don’t collect any more, or whatever Congress wanted to make. Once they collected that cap, you pay for your flood insurance full force or move out, or elevate. So I don’t know what Witt’s going to do. But I hope he stops it, because that’s—that’s just wrong on the tax—that’s just hard on the tax payers—it’s—it’s wrong to tax people to reimburse people for that—things like that.

DT: My understanding is that there were less people living in the floodplain before the flood plan was enacted than there is now. Why do you think the program didn’t have a more predictable impact?

0:30:05 – 2047

KO: One is, I think I just, like I told you, the—the cities and counties were not enforcing—they—they'd pass an ordinance but the develop and builders would pressure them not to enforce the ordinance. I think that was one problem.

DT: Did you see instances of that in Houston or in Texas in the region you were in?

0:30:27 – 2047

KO: No, I haven't, because I've—I—I've never worked a disaster in ... Yes, I did too. Oh well, I did. They sent me over here to look into the possibility of evacuating a subdivision and keeping it an open space. But that didn't work either. The people in there didn't want it—they wound—finally wound up floating a bond issue and building a levy around the subdivision. Of course, that was just moving the problem from point A to point B. It wasn't solving the problem, it was just moving the problem. And then I went across highway 45 and north of the creek and there was a little tributary in there to the Cypress Creek, that, I think, fourteen homes had up to four of five feet of water in them. And this workman in there repairing the damages on one house. And I went over there and I said, "Hey, do you know who owns this house." He says, "Yes, such and such construction company. They own this one and they're in the process of acquiring two more right down the street." Well, what was happening, this fly-by-night contractor would go in there and buy up those flooded homes at depressed prices. He'd use scab labor and cheap materials and repair them. And he was going to own three homes there.

0:31:42 – 2047

And, eventually, he'd own every one of them. He'd rent them out. He'd collect for damages on the building and the rent—the renters would collect for damages on the contents. But FEMA got wise to that and they bought him out. They moved him out, finally moved—closed him out. But it—it cost a lot of money. But not nearly as much as we're putting out on these flood losses.

DT: Were these renters or owners surprised when they got flooded? Did they have some maps that would show them where the flooding would occur?

0:32:16 – 2047

KO: (talking over David) They do now. They—they—they, yeah, well, they did then. Because the—the maps were completed, I think in, I went to work for FEMA in 1981 and they were in the process then of doing the—the Flood Insurance Rate Maps. In fact, that was part of my job. When—when—when FEMA, well, they had engineers doing the flood insurance studies. They'd give us maps showing the 100-year floodplain elevation in every community. And that was my job for FEMA. I'd present that flood insurance study to the community and I'd go over with them, line by line, and tell them, "You've got to pass an ordinance that does this, this, this, this." Well, they passed the ordinance. But a lot of them didn't enforce it.

DT: Can you talk a little bit about the maps? I've heard, over the years, that the consultants that drew the maps didn't always draw them as accurately as they might, or they fudged in trying to create a smaller floodplain than actually existed.

0:33:25 – 2047

KO: I—I—I never seen that. I never found that. Of course, I'm not an engineer either. But, I think by and large, well, they had federal agencies doing some of these studies. Soil Conservation Service did some. Corps of Engineers did some. Geological Survey did some. And then—that they had a lot of private contracts. I mean, there's so many. My Lord, just

thousands of them and thousands of them. But—but—but what happens it this. Every time you pour a slab, and you don't have to pour it in the floodplain, if you pour it in a—in a stream, what do you call it, an area that a stre—a stream drains, you pour slab anywhere in there and you're going to increase the floodplain elevation. Because it's going to make that flood higher. Every time we pour slab, you change the floodplain.

DT: So it's sort of a moving target?

0:34:28 – 2047

KO: (talking over David) Oh yeah. It's—it's not—it's not static.

DT: Something else I'm curious about. The Army Corps of Engineers and the numerous flood control districts in Texas have been active in trying to reduce the size of the floodplain by dredging, filling, channelizing. Did you have much interest or involvement in that?

0:34:56 – 2047

KO: Oh yeah. We were—they wanted to—they wanted to straighten and concrete Cypress Creek, down there where Bob's property is and I'm—my house was just a quarter of a mile from Cypress Creek. And, but the Corps doesn't do anything unless it has a local sponsor. They cannot take anything on, on their own. We had a situation down in Baytown where the ground had subsided because of water withdraw. Those people were flooded with a heavy dew almost. And we were able—Bob was able to get a—a bill through Congress where the Corps would go in and buy those people out and evacuate them. But, under a Corps project the local sponsor has to put up 20% matching share. The Federal Government puts up 80 and the local sponsor put up 20. The voters of Baytown, twice, turned down a bond issue to provide the local share of that project.

DT: I'm curious about the non-structural approach, which, I guess, involves buying out people in a floodplain rather than trying to change the floodplain through structural means. Why do you think that kind of alternative has not made much headway?

0:36:10 – 2047

KO: Oh it is an alternative. And it's very strong and it's suggested by the Federal Government. Now, wherever possible, you use a non-structural approach.

DT: It doesn't seem to have been widely adopted in Texas. Do you have any idea why?

0:36:28 – 2047

KO: Well, they're doing a lot of it in Harris County now. Well, we've got some intelligent people down there in government now.

DT: Do you think people are learning about not just flood issues, but environmental issues as well?

0:36:49 – 2047

KO: (talking over David) I—I think so—yeah, I think people are getting smart. I really do. There's a lot better than it used to be.

DT: Can you tell us a little bit about how people's understanding of environmental issues has changed over the years?

0:37:22 – 2047

KO: Well, we "kooks" now want to use floodplain management. But that's—I think that's an idea whose time has come, I really do. People flood and I think they're getting tired of being flooded. Now those poor people in Brownwood subdivision, that wasn't their fault. That was the fault of the Ship Channel industries and agriculture and municipalities for drawing all that ground water.

DT: Are you talking about subsidence?

0:37:55 – 2047

KO: Umhum.

DT: Can you talk a little bit about that? That's a big concern in the Houston area, I know.

0:38:00 – 2047

KO: Yeah, that subsidence in the Houston area reaches out all the way to poor Alief, down northwest of Houston, to a certain extent. Not enough that it cracked my slab or anything like that. But there is subsidence out there. And—and California was familiar with subsidence long before we were, because of oil withdraw.

DT: Did we know in Texas for a number of years before we did anything about it?

0:38:29 – 2047

KO: I think we knew it was going on, but we didn't do anything about it. And then they formed a Subsidence District and started capping the amount that they—that they could pump the well, restrict the amount they could pump. That was—but that was—oh, that was thirty years ago, I suppose, that that Subsidence District came in. But they had to. I mean, subsidence was—was wrecking buildings.

DT: I've heard that subsidence has contributed to a lot of the loss of the marsh grasses in Galveston Bay. Have you had any experience with that?

0:39:13 – 2047

KO: (talking over David) I—I—I haven't heard that. Most of that subsidence in—in that area came from water withdraw. You're talking about huge Ship Channel industry that withdraws huge amount of groundwater. You see, surface water is more expensive than groundwater. Much more. So they don't want to use surface water. They'd—they'd have to go up on the price of their product. They don't like to do that.

DT: Do you see that kind of situation very often where environmental protection has cost too much for private people to pay for so they put the burden on the public, sort of the commons?

0:40:04 – 2047

KO: Well, if—if you get right down to it, the public's going to pay for it no matter whether it's Shell Oil or the City of Houston. They're going to pay for it in increased prices for gas and oil with Shell, going to pay for it in taxes in the City of Houston.

DT: Well, do you think that the price is fair? That environmental protection is worth the price paid?

0:40:30 – 2047

KO: Well, I do.

DT: Well, I guess that goes to another question. Why do you care and how do we get others to care as much as you do?

0:40:44 – 2047

KO: Why do I care? Because I've got eleven grandchildren and about sixteen great grandchildren and more on the way. And I'm thinking about the quality of life for them.

DT: What do you think their quality of life is going to be?

0:41:04 – 2047

KO: I hate to think about it. No, I think we're getting a handle on environmental problems. We're making progress. Sometimes it's not fast enough to suit some of us. But we are making progress.

DT: Where do you think we're making the most progress and where do you think are the

biggest obstacles?

0:41:26 – 2047

KO: Well, I don't know. We see a lot of progress in water pollution control. I entitled my—my lectures, "Galveston Bay: Dead or Alive," on the screen. The last one on the show is "Galveston Bay: Alive and Still Kicking."

DT: You've made some headway there.

0:41:50 – 2047

KO: We've made some headway. That—that Pollution Enforcement Conference was where the worm turned.

DT: And where do you think we've still got some challenges?

0:42:01 – 2047

KO: I think the main problem is in—in—in municipal—municipal waste. Because, every time a baby is born it increases pollution.

DT: And, beyond water pollution, where do you think some of the successes have been and where some of the challenges...?

0:42:25 – 2047

KO: (talking over David) Well, I was fixing to tell you a while ago. Back in the 60s, I prepared a—a document for Bob one time. And he liked it and he had it published in some international journal. And we were painting a picture of the Gulf of Mexico. The Gulf of Mexico is almost a landlocked body of water. You've only got about sixty miles in there between Florida and Cuba, and about 80 between Cuba and—and the Yucatan. And it's a fairly shallow body of water. And a s—a spill of a million gallons of oil is going to do a hell of a lot more damage to Galveston Bay than it is to the open Atlantic or the open Pacific. We don't have the high tides or the cleansing action that they have in the—in the—in the other waters. And it is a fairly shallow body of water, you know, comparatively speaking. And, he went on to use it to bring up the point that our fishes are being harmed and he talked in the paper of toxic waste in the Gulf. Ad I've got some slides, it shows the shrimp, the shrimps spawn in the Gulf, they don't spawn in the—in the wetland or the Bay, they—it shows this—my slide shows the spawning bed of the White Shrimp and the Brown Shrimp, which are the two big species. And they were dumping—they—they—they got where they put so much pressure on the polluters, you know, to clean up there, they started putting it in steel drums and putting it on barges and taking it down and dumping it in the Mex—the Gulf of Mexico. And they were literally, were taking them out there and rolling those barrels off and they'd take a couple of 30-Aught-6s and—with three or four boxes of ammunition. And they'd back off and they'd shoot a drum full of holes where it'd sink, not very far from the shrimp spawning grounds. It looks to me like it was just about on the edge of the continental shelf, where they've—they would—they were dumping those cans—those cans of pollution.

Shell Oil, one day, had a blow-out, out in the Gulf. There was a law on the books that required all the—all different refineries to put storm chokes on their installations, where it cut the flow of oil off in case of a storm that, you know, damaged the facility. Well, they had a blow-out and not one refinery had storm chokes on their wells on the Gulf of Mexico.

0:45:01 – 2047

Not one. If there was a run of buying storm chokes I wish I could have cornered the market on them. I'd been sitting pretty.

DT: Speaking of oil, did you have any experience with oil spills?

0:45:17 – 2047

KO: (talking over David) We've had some along the coast, but we—we've never had one that I can recall in—in Galveston Bay. And it would really wreak havoc in Galveston Bay, because it's a—it's a shallow body of water too. And there—there, I wish—I've got a slide that shows oil and gas fields. I'm going to show that to the students too. We've got oil—oil and gas fields in Galveston Bay.

DT: Are there oil and gas, pipeline leaks in Galveston Bay?

0:45:42 – 2047

KO: (talking over David) Not that I—not that I know of. It's been, actually we had a pretty good—pretty good handle on—on it, oil and gas.

DT: Speaking of these students, what sort of message do you want to pass on to future generations about the things that you think are important.

0:46:07 – 2047

KO: The message I would pass on to them is to vote. Vote. Vote. And if you elect a person that won't do it this time, kick them out next time and elect somebody else.

DT: And, tell us something else...

0:46:27 – 2047

KO: (talking over David) ...Because the politicians run this country just like they run everything else.

DT: In what way it that?

0:46:36 – 2047

KO: And sometimes they do it in a good way and sometimes they do it in a bad way. And I've been talking about both of them here.

DT: You thought of Bob Eckhardt as a pragmatic person. How would you describe yourself?

0:47:11 – 2047

KO: Well, I'm not an elected politician, see?

DT: Well, how would you compare your perspective to a politician who's elected?

Misc.

0:47:24 – 2047

KO: Well, I think people who are not in politics ought—ought to have the courage to stand up for what they think is right. Well, politicians ought to too, but they don't always do it. Sometimes they have to be a little pragmatic to keep that job. I have often made the argument to—to—to the—to the gun guys, the day may come when you might wish you had Bob Eckhardt back in there to fight for your rights as a gun owner. And that time may be coming, I don't know.

DT: I guess the typical politician has to worry about their next election, whether it's Bob Eckhardt or someone else. But you seem to take a longer view of things. Is that fair?

0:48:13 – 2047

KO: I think I do. I think some politicians just put too much importance in getting reelected. And Bob didn't. He was defeated by a coalition of gun nuts and developers and builders and polluters.

DT: Do you think he lost because of his environmental platform?

0:48:43 – 2047

KO: Oh they—they—they fought him and they—they spent money on ads and they lobbied. They just fought him tooth and nail. They just finally put a coalition together that was able to defeat him. And, of course, they, you know, his opposition rode Reagan's coat tails. That

had a lot to do with it. Hadn't had Reagan, Bob might have been back in, might have been reelected.

DT: What were some of the environmental issues or opponents that pulled him down the most, pulled Bob out of office?

0:49:23 – 2047

KO: The developers and builders were powerful.

DT: What offended them so much about Bob?

0:49:32 – 2047

KO: Well, they put in money on—on Jack Field's campaign. I'm sure of that.

DT: Were there things that Mr. Eckhardt was doing that really annoyed them?

0:49:45 – 2047

KO: Well, yeah. He was supportive of—of the flood insurance program. Evacuating people and getting them out of those flood plains.

DT: And they saw this as taking out developers?

0:49:57 – 2047

KO: (talking over David) Yeah, because they like to build in those areas because it's beautiful. Never mind that somebody's going to have six feet of water in their living room tomorrow morning.

DT: Speaking of beautiful things and places, can you tell us about a place in the outdoors that you've enjoyed visiting that is a place of beauty for you?

0:50:25 – 2047

KO: The Tetons.

DT: Why does it appeal to you?

0:50:29 – 2047

KO: Beautiful. Gorgeous. I rode a horse back in there one year. I was ?. Beautiful. Beautiful. Beautiful. Just awe-inspiring. Just heart—I mean just really gorgeous. And I go to Colorado every year now.

DT: Are there places in Texas that move you in the same way?

0:50:53 – 2047

KO: Yeah. I love, what's the canyon up in the Panhandle, Palo Duro. I love Palo Duro.

DT: Can you tell us about it. Probably many people haven't seen it.

0:51:05 – 2047

KO: About Palo Duro?

DT: Yes.

0:51:07 – 2047

KO: Well, it's a beautiful canyon. And, there's not much—no fishing there. A little bitty old stream there. What is it? It's the beginning of one of the main rivers that comes down through Texas. I forget what...Canadian...I think it's the Canadian. I'm not sure. But it's—it's not as breathtaking as some, but it's different.

DT: Maybe we could close this out by returning to your early days and ask, why are you an environmentalist, why do you care about these things?

0:51:53 – 2047

KO: I think my genes, my Cherokee genes, has a lot to do with it. I was raised up around a beautiful creek, fished on it and hunted on it, enjoyed it. There were—there were mornings where we didn't have meat for breakfast if I hadn't killed a squirrel. Now I don't want to kill squirrels. But, I don't know, I just feel like that's what I was meant to be. I feel like that's

what the Lord meant for me to be, because everything's worked out that way. My ambition was to make my livelihood working for the environment. And I had that pleasure with Eckhardt.

DT: It was a pleasure talking to you today. Thank you very much.

0:52:53 – 2047

KO: Well, I'm glad. I hope I've been okay.

DT: You've been excellent.

0:52:59 – 2047

KO: Thank you.

End of reel 2047

End of interview with Keith Ozmore