

Assembly

GOVERNMENT AFFAIRS COMMITTEE
MINUTES OF THE MEETING
APRIL 3, 1973

MEMBERS PRESENT: CHAIRMAN DINI
 VICE-CHAIRMAN ULLOM
 ASSEMBLYMAN BROOKMAN
 ASSEMBLYMAN MAY
 ASSEMBLYMAN SMITH
 ASSEMBLYMAN GETTO
 ASSEMBLYMAN GOJACK
 ASSEMBLYMAN YOUNG
 ASSEMBLYMAN FORD

ALSO PRESENT: SEE ATTACHED LIST

The meeting was called to order by the Vice-Chairman.

S.C.R. 12 * - Endorses Upper Humboldt River storage project.

Senator Monroe told the committee that this was introduced in order to obtain the release of federal money to do the study. He stated that the wording was necessary in order to make the point that the study was necessary.

Mr. Glaser, Mr. Porter, Mr. Stenovich, Mr. Meranda, Mr. Green, all of Elko County, spoke in favor of the resolution. Written support of the resolution was presented to the committee. Attached.

Assemblyman Dini moved "DO PASS" on SCR 12.
Assemblyman Young seconded the motion.
The motion carried.
Assemblyman Ford and Gojack did not vote.

SB 293 - Amends provisions for contractors' licenses.

Mr. Stoker of the State Contractors' Board told the committee that the Board needs this legislation. He stated he preferred the first version of the bill. He stated that the Board knew of many cases where a contractor is bidding on a job and does not have a license, but there is nothing the Board can do about the situation. He stated that in many cases jobs are so specialized that there is no one in the State who can do them. Assemblyman Brookman stated she was outraged that the Board would try to circumvent the law in such a manner. Assemblyman Smith stated that if there were a problem in this area there should be some other way to solve it. He suggested that a contractor should have a copy of his license or application for a license when he bids on a job and have the copy attached to the bid.

AB 861 - Requires filing of local government maps and certain annexation ordinances with tax commission.

Mr. Lien told the committee that the Tax Commission needed this bill because of revenue sharing. It will keep them informed of

* see Attachments T & TT

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AB 683 - Revises provision for annual, sick and disability leave of county officers and employees.

Mr. Meder told the committee he saw no reason for this bill as counties seemed to each have their own policy and the present law gave enough room for each county to decide their own policy. Assemblyman Young moved "INDEFINITE POSTPONEMENT" on AB 683. Assemblyman Getto seconded the motion. The motion carried unanimously.

✓ Assemblyman Gojack moved SB 446 be given "DO PASS". Assemblyman Getto seconded the motion. The motion carried unanimously.

Assemblyman Getto moved "INDEFINITE POSTPONEMENT" on AB 668. Assemblyman Ford seconded the motion. The motion carried.

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land which is annexed and allow them to keep in contact with the local governments. It will also help in the rebating of other taxes to the local governments.

Assemblyman May moved "DO PASS".
Assemblyman Young seconded the motion.
The motion carried unanimously.

AB 860 - Prohibits charging fee for use of public toilet.

Assemblyman Brookman told the committee that she feels that the worst possible image of our State is created when a person arrives by public carrier and goes into a public restroom and has to pay to use the facilities. This is an inconvenience to women with small children, the elderly or a person without the proper change. A very small amount of money is collected by the airport or bus station and the greater amount of profit goes to an eastern company.

Assemblyman Gojack moved that AB 860 be amended to delete Paragraph 2 and be given an "AMEND AND DO PASS".
Assemblyman Getto seconded the motion.
The motion carried unanimously.

AB 890 - Provides additional regulatory services for small water companies.

Assemblyman Jacobsen told the committee that the small water companies were exempted from the Public Service Commission last session, however, some of the companies have had trouble and have asked the commission for help.
Mr. Hall told the committee that the Public Service Commission does not want to regulate these companies, but will help if asked. This bill allows the county commissioners to ask for help. He presented amendments which the PSC thought should be included in the bill.

Assemblyman May moved "AMEND AND DO PASS".
Assemblyman Young seconded the motion.
The motion carried unanimously.

AB 894 - Provides additional member of Marlette Lake water system advisory committee.

Assemblyman Jacobsen told the committee that this was merely an advisory committee and that some member with knowledge of forestry should be on the board.
Assemblyman May moved "DO PASS".
Assemblyman Getto seconded the motion.
The motion carried unanimously.

ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Date 4/3 Time PM RECESS Room 214

Bills or Resolutions to be considered	Subject	Counsel requested*
SCR 12	Directs Legislative Commission to study financial conditions of housing authorities.	
AB 854	Provides abridged method of annexation if all property owners petition for annexation.	
AB 860	Prohibits charging fee for use of public toilet.	
AB 861	Requires filing of local government maps and certain annexation ordinances with tax commission.	
AB 683	Revises provisions for annual, sick and disability leave of county officers and employees.	
AB 890	Provides additional regulatory services for small water companies.	
AB 894	Provides additional member of Marlette Lake advisory committee appointed by State Fireprester Firewarden.	

*Please do not ask for counsel unless necessary.

GOVERNMENT AFFAIRS COMMITTEE

JOE DINI, CHAIRMAN

April 3, 1973

HEARING ON SCR 12

1. Introduction Elko delegation, Norman Glaser
former assemblyman
 - 1 A. Dale Porter - Chairman Elko Fair and
Recreation Board
 - 2 B. "Dutch" Stenovitch - Mayor, City of Elko
 - 3 C. Tom Meranda - City Councilman
 - D. Joe Green - Chamber of Commerce
 - E. Norman Glaser - Rancher
 - F. Roy Young - Rancher, Assemblyman
 - G. Bode Howard - Assemblyman
 - H. Warren Monroe - State Senator
 - I. Others

ELKO COUNTY COMMISSIONERS
OFFICE OF COUNTY MANAGER

Elko, Nevada 89801

April 2, 1973

COURT HOUSE
PHONE 702 - 738-5311

JAMES POLKINGHORNE
COUNTY MANAGER

Nevada State Assembly
Govt. Affairs Committee
Carson City, Nevada
89701

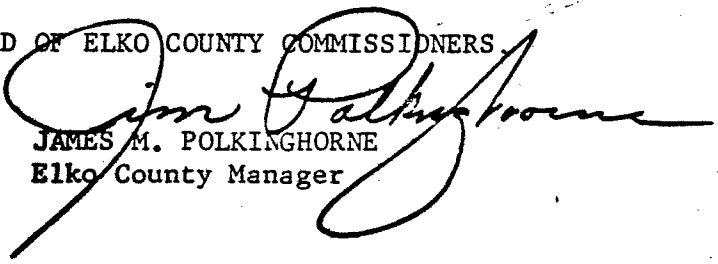
Dear Sirs:

The Elko County Board of County Commissioners lends its full support to all efforts aimed at accomplishing the construction of three upstream storage dams on the Humboldt River. These dams hold great promise for improving and enriching the lives of Nevada residents and the many tourists who visit this State each year.

Several years of dedicated effort by the Fair and Recreation Board plus that of other interested groups and citizens as been expended toward this goal.

We urge that you give all possible assistance to this worthwhile project.

FOR THE BOARD OF ELKO COUNTY COMMISSIONERS


JAMES M. POLKINGHORNE
Elko County Manager

JP/lm

Attachment I

THE ELKO CHAMBER OF COMMERCE

1601 IDAHO STREET—ELKO, NEVADA 89801—TEL 702/738-7135

2 April 1973

The Senate of the State of Nevada
Carson City, Nevada

Subject: Endorsement by the Elko Chamber of Commerce of the Upper
Humboldt River Project (Upstream Storage)

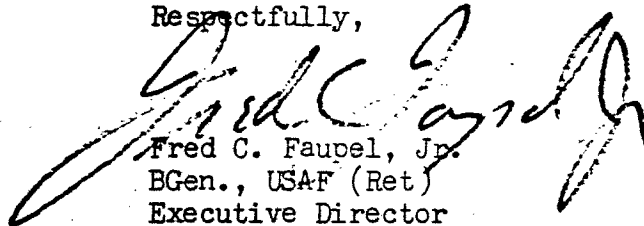
Gentlemen:

Be it known that the 256 regular members of the Elko Chamber of
Commerce completely support Senate Resolution #12 concerning the
Upper Humboldt River Project (Upstream Storage).

Our group represents the majority of business and professional
interests within the City of Elko. It is our opinion that the
completion of this project is necessary to the continued economic
growth of Northeast Nevada.

We respectfully solicit your support.

Respectfully,



Fred C. Faupel, Jr.
BGen., USAF (Ret)
Executive Director



catch a stage to **ELKO...FUN**tier town, nevada

MAYOR
DE LOS THORNE
Superintendent of
Finance and Revenue

JUNE CHAMBERS
City Clerk

COUNCILMEN
EDWARD McGARGILL
Supt. Public Safety

PIUS NOLZ
Supt. Streets and
Public Works

JOE QUILICI
Supt. Parks, Health and
Sanitation

ARCHIE SMILEY
Supt. Water and
Utilities

City of Wells

OFFICE OF CITY CLERK

279 Clover Avenue WELLS, NEVADA 89835 Phone 752-3355

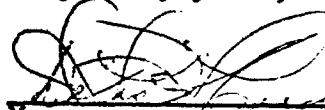
April 2, 1973

Assenly of Government Affiars Committee
Joe Dini, Chairman
Legislative Building
Carson City, Nevada

Gentlemen:

The Board of Councilmen of the City of Wells strongly endorse and encourage passage of the Humboldt River Upstream Storage bill S.B. 12 as was introduced by Senator Monroe of Elko.

Very truly yours,



Mayor

CITY OF CARLIN

P. O. BOX 737
CARLIN, NEVADA 89822

City Hall—8th & Main Streets

Telephone: (702) 754-6516

March 30, 1973

TO: Assembly Governmental Affairs Committee

SUBJECT: Humboldt River Project

Gentlemen:

Please be advised that the City of Carlin endorses the Humboldt River Project, and urges that your committee favorably report SCR 12.

Thank you for your consideration, I remain

Very truly yours,

Mayor Elmo N. Green

Wells

The Gateway to Northeastern Nevada

Chamber of Commerce

Beautiful Humboldt Range Adjacent to Wells

WELLS, NEVADA 89835

April 2, 1973

GOVERNMENT AFFAIRS COMMITTEE

LEGISLATIVE BUILDING

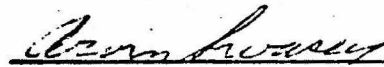
CARSON CITY, NEVADA

ATTN. CHAIRMAN JOE DINI

GENTLEMEN:

The Wells Chamber of Commerce wishes to go on record in support of the UPPER HUMBOLDT RIVER FLOOD CONTROL PROJECT. We further endorse SCR 12, now being considered in the Nevada State Assembly, Government Affairs Committee. The Chamber of Commerce of Wells urges this committee's support of SCR 12 and its passage in the Assembly in this session of the State Legislature.

Sincerely,



Arvin Swasey: President
Wells Chamber of Commerce

Economic Feasibility of the Humboldt
River Project, Nevada

Submitted to

The Public Works Subcommittee of the
Committee on Appropriations,
U.S. Senate

Upper Humboldt Water Users Association

Dr. Barry C. Field

May 16, 1972

Attachment II

Economic Feasibility of the Humboldt
River Project, Nevada

Dr. Barry C. Field

This report is submitted at the request of the Upper Humboldt Water Users Association of Nevada. This organization strongly opposes any further action on the Humboldt River Project proposed by the Army Corps of Engineers. They have asked me to review the currently available data and prepare this report dealing with the economic feasibility of the project. It is my conclusion that, on the basis of the Corps' own estimates of benefits and costs, further legislative action on the project is not justified. To allocate more money to the project would be wasteful in light of both the expected economic losses that the project would cause and the pressing needs for public funds elsewhere in the economy.

I. Project History

The Humboldt River project was originally authorized in the Flood Control Act of 1950. Work was suspended, however, due to lack of local support. In 1961 a restudy was authorized which was completed in 1963. Since that time, however, no funds have been appropriated for further planning of the project. No such funding request was included in the Corps' current budget now pending before this Committee.

The project as currently envisaged would include three large earth-fill dams on the upper tributaries of the Humboldt River. The three dams would have a combined capacity of 250,000 acre feet of water and would inundate 7,800 acres of land. The dams would be operated primarily to control snow-melt floods in the spring. Secondary purposes would be to provide water for irrigation and recreation.

II. Estimated Benefits and Costs of the Project

The Corps' most recent analysis of benefits and costs for the Humboldt project dates from the early 1960's.^{1/} As then envisaged, the project had an initial cost of \$15,270,000. Average annual costs were estimated at \$680,000. The project had four purposes: flood control, irrigation, general recreation, and fish and wildlife. The Corps estimates of annual costs and benefits are shown in the following tabulation:

<u>Costs</u>		<u>Benefits</u>	
Investment	\$517,000	Flood Control	\$288,000
Operation, maintenance, and replacement	163,000	Irrigation	294,000
		General Recreation	175,000
		Fish and Wildlife	43,600
Total	\$680,000	Total	\$801,000^{2/}

According to these figures the benefit-cost ratio is 1.2. But these cost data are based on an interest rate of 3 per cent. When corrected to comply with the 5-3/8 per cent discount rate now required by the Water Resources Council, annual costs increase to \$1,076,700. This new cost figure gives a recalculated benefit cost ratio of 0.71.³

In addition, prices have risen substantially since the Corps' last study a decade ago. Estimates of benefits and costs based on current prices are very different from those above. Without supplying detail, the Corps has recalculated benefits and costs by mechanically updating past values in accordance with historical rates of inflation.⁴ In so doing, it retains an outdated interest rate. Even so, it succeeds in showing a benefit-cost ratio of only 1.1, which is a decrease from the prior figure. This is because costs have risen faster than benefits, actually reducing the economic worth of the project over time. Using the current discount rate with the contemporary cost and benefit estimates gives a benefit-cost ratio of 0.70. Thus each dollar of resources used to construct and operate the project would return to society only 70 cents worth of benefits.² I emphasize that this result is derived wholly from the Corps' own data.

III. Specific Weaknesses of the Project

The fundamental problem with the proposed Humboldt project is the very strong probability that total benefits will be considerably less than total project costs, making it a wasteful expenditure of public funds. In addition there are a number of specific aspects of the project which strengthen this conclusion. We will deal with the most important of these below.

A. Distruption of Water Rights and Prevailing Irrigation Methods.

Water in the Humboldt is now being distributed to users in accordance with terms established in several decrees issued in the 1930's. With respect to irrigation rights, the decrees stipulate the length of the irrigation season, the classes of land which have water rights, and the rates of continuous flows per 100 acres of these water right lands. Over the years it has been necessary to adopt various water management techniques which would meet both the conditions of these decrees and the particular characteristics of irrigated agriculture in the Humboldt Basin. Most of the irrigation is carried out through free flooding of the acreage under cultivation. A procedure for doing this while meeting the conditions of the water rights decrees has been developed and has gained acceptance over the years.

There is great concern among ranchers in the Humboldt Valley that the proposed dams would materially change the flows in the river and seriously disturb current irrigation and cropping patterns. According to Corps' plans, flood control purposes would have first call on the operations of the dams and reservoirs, with irrigation requirements being treated as secondary interests. The basic question becomes then, whether the flood control conditions can be met and still allow irrigators to obtain the values from the river that they have historically been obtaining. Although allegations have been made that current water rights and irrigation practices would not have to be changed with the advent of the dams,⁶ the irrigators themselves believe they will have to make

substantial changes in operations. That they are right would seem to be supported by the Corps own analyses, which are based on the assumption that farm practices after the dams are constructed would differ from those before.^{7/} Furthermore, an independent economic analysis of ranch operations in the proposed project area shows that it is necessary to assume very substantial changes in operations if ranchers are to secure any irrigation benefits from the project.^{8/}

B. Unsupported Projections of Redevelopment Benefits.

The amount by which project costs exceed benefits is \$463,000 annually, using 1971 prices and discount rate. It seems highly unlikely that sufficient additional benefits could be found to make up this deficit. A technique for attempting this has come in favor in recent years; it is to estimate the impact a water resource project would have on the long-run economic development of the region in which it is located. The Corps has made such an estimate in its most recent study of the Humboldt project (although not in its earlier study). Its calculation of what are called "redevelopment" benefits consists of that portion of project wage costs which it asserts would go to people who could be expected to be unemployed in the absence of the project. While the economic rationale for this analytical procedure is sound, there is considerable question about the Corps' application of the concept in this case. The presumed benefits are apparently meant to accrue to Indians residing on reservations in northern Nevada. Most of these reservations lie great distances from the proposed dam sites, so that the supposed beneficiaries would have to bear considerable expense in traveling to work -- if, indeed, they were willing to do so. Judging from the nature of the dams proposed by the Corps, it is also doubtful that the unemployment effects, if any, would be very long lasting. Rather, they would seem to be largely the employment effects of dam construction only, which would cease once the dams were built. If this is true, then the redevelopment benefits, when spread over the planning life of 100 years, would be very small on an annual basis.

C. Questionable Projection of Recreation Benefits.

When this project was originally conceived, it contained no explicit reference to recreation opportunities. Since then increasing emphasis has been placed on the recreation potential of Federal water resource projects in general. This trend has found expression in the plans for the Humboldt project. In the 1963 restudy it was assumed that recreation, including both general reservoir recreation and more specialized fish and wildlife recreation, would be naturally produced by the project as designed; that is, without the need of any significant recreation development expenditures. Now, however, there is apparently a plan to make substantial recreation developments at one or more of the reservoir sites. The Corps states that the first cost of ". . . facilities for Recreation and Fish and Wildlife enhancement . . ." is now estimated at about \$1,000,000.^{9/} What these "enhancement" measures consist of is not clear.

Serious doubts must be expressed over the recreation potential of the Humboldt project. The Humboldt River Valley has recently been classified as a surplus area with respect to current fishing opportunities. According to the Pacific Southwest Inter-Agency Committee of the Water Resources Council, the prospective reservoirs would indeed provide some fishing opportunities, but ". . . even if (the dams are) not constructed, no major problems are anticipated

in meeting fishing needs based on OBE-ERS population projections to the year 2020 in the Humboldt Subregion."^{10/} Similar conclusions were arrived at for hunting opportunities.^{11/} This being the case, we must seriously question any project design that purports to yield significant fish and wildlife benefits.

There is also an important problem with respect to general recreation benefits; that is, the opportunities made available for general reservoir-type recreation pursuits such as swimming and boating. The proposed reservoirs would hold water by spreading it over wide areas with shallow depths, due to the topography of the inundated areas. This would mean that during the irrigation season, when considerable drawdown occurred, the reservoir shorelines would retreat and expose very large areas of mud flat and marsh. The occurrence of this phenomenon would coincide with peak summer recreation demands, and would reduce greatly the attractiveness of the reservoir for recreation purposes. It is highly doubtful, therefore, that general recreation benefits actually experienced would approach those predicted by the Corps.

D. Questionable Estimates of Cost Sharing.

Most Federal water resource projects are joint ventures in the sense that local interests are required to finance part of both construction costs and annual operating costs. Documents accompanying the authorization act for the Humboldt project specified that the local share would be \$2,762,000 in cash before construction could commence.^{12/} This number is based on a Corps formula which in effect would have made local interests liable for 30 per cent of construction costs but for none of the annual operating costs.^{13/} Since this first study was made, estimates of project costs have risen substantially, but the amount to be paid by local interests has not. In the Corps' 1963 restudy, total project construction costs were \$15,270,000, an increase of 62 per cent from the earlier estimate report.^{14/} If local costs had been calculated in accordance with the Corps' earlier formula, they would have amounted to approximately \$4,581,000. The most recent estimate of total project construction costs is \$22,000,000 which, using the Corps' 30 per cent rate, would require a local cost of \$6,600,000.

In addition, the 30 per cent figure itself is probably too low. It appears to reflect an ad hoc calculation based on considerations which are now outmoded. In recent years, there has been much thought given to cost sharing standards and additional legislation changing the rules actually in force. There is no question that these would imply a much larger local share of project costs in the case of the Humboldt project. Historically local groups have expressed misgivings over the project because of the share they would have to provide. The Corps' own data reveal that their fears are justified, by implying that local costs of the project as presently constituted would be several times the figure alleged by the Corps.

It seems clear that if additional steps are taken on the project they will even further increase the financing required from local groups. Current legislation, for example, states that local interests must pay a substantial portion of project costs traceable to the recreation function. Yet there has been no adjustment in local costs to reflect the inclusion of the recreation function. For this reason, the present proposal to proceed with advanced planning is based on an artificially low estimate of the financial obligation of local interests.

E. Overstatement of Flood Control Benefits.

The Humboldt River project is alleged to be mainly a flood control project and only secondarily an irrigation project. Yet there seems to be considerable confusion and controversy about the extent to which floods will actually be controlled and resultant flood control benefits produced. Two examples make the point. According to the Corps' report, the project will lead to a reduction in crop inundation and therefore to an increase in crop yields and incomes. As previously mentioned, however, the major type of irrigation in the region is a flooding process, and local crops grown are naturally quite resistant to rather long periods of inundation. In fact, available data tend to suggest that, while crops are quite susceptible to drought, yields are not adversely affected by flooding.¹⁵ The Corps' estimated crop damages are therefore probably overstated. Since total flood damages are composed to a very large extent of crop damages, this would imply further that total flood control benefits are probably overstated in the Corps' reports.

The Corps' estimate of flood control benefits includes an item for increases in net returns resulting from improvements in farm practices and land use made possible by reducing flooding. On the other hand, a portion of irrigation benefits is also based on improvements in land use consequent upon changing the flow of the river. Unless these two instances of improved land use are independent and therefore additive with respect to their combined effects, there will be a certain amount of double counting of benefits. The Corps does not discuss this problem, nor does it seem even to recognize it, thereby casting further doubt both on the conceptual basis used to estimate benefits and on the estimates themselves.

Conclusions

In this brief report, we have outlined the major characteristics of the Humboldt project and enumerated a number of its more serious specific deficiencies. Our basic conclusion is that the project is inefficient on national income grounds, meaning that for each dollar of expenditure substantially less than a dollar of benefits will be produced. There is little likelihood, moreover, that enough additional benefits could be found to make up the difference and give the project a positive figure for net benefits. From a social standpoint, therefore, our general findings suggest strongly that it would be economically irrational to continue with the project.

We have also discussed a number of specific weaknesses of the project, including the disruption of present agricultural practices, the exaggerated projection of redevelopment benefits, the incomplete treatment given to local cost sharing, the doubtful estimate of recreation benefits, and the apparent confusion about the flood control impact of the project. In each of these respects the Corps has failed to analyze fully the impact of the project and as a result has estimated benefits at unreasonably high levels. Were the benefits to be recalculated using more reasonable assumptions and procedures, the economic inadequacies of the project would undoubtedly be even greater.

Footnotes

1/ See: U.S. Army Engineer District, Sacramento, Restudy of the Humboldt River Project, Nevada, Sacramento, California, November 1969.

2/ Rounded value.

3/ Revision of the Corps' data to the 5-3/8 per cent basis have been made using the assumption of a two-year construction period. This conforms with Corps procedure. Recalculations were done without access to the detailed working papers of the Corps; therefore, they may differ slightly from results obtained if those papers were available. The differences would not be significant, however.

4/ Correspondence, Sacramento District, Corps of Engineers to Mr. Jack L. Boyd, Halleck, Nevada, dated 22 December 1971.

5/ It should be noted that in the future the discount rate will undoubtedly be increased, making the Humboldt River project even less attractive. According to the terms of current legislation the discount rate is linked to the yield rate on government bonds. As the rate of 5-3/8 per cent is below the present yield rates, it is probable that the Water Resource Council will increase the rate to 5-5/8 per cent as of July 1, 1972. Furthermore, the Water Resources Council has recently published a new set of proposed procedures for evaluating public water resource projects. If these are accepted the discount rate will be increased to 7 per cent or higher. See: Water Resources Council, Proposed Principles and Standards for Planning Water and Related Land Resources, Federal Register, Vol. 36, Number 209, Part 11, Washington, D.C., Dec. 21, 1971.

6/ For example see: U.S. Army Corps of Engineers, Restudy of the Humboldt River Project Nevada, Nov. 1969, pp. 36-37; and Humboldt Engineering Associates, Operation Plan for the Humboldt River Project, Elko, 1965, Enclosure No. 4, p. 17.

7/ See 1948 authorizing report, appendix, p. 43.

8/ Couston, John W., Economic Feasibility of Upper-Stream Storage on the Humboldt River Watershed, A Report to the Upper-Humboldt River Water Storage Committee, Department of Agricultural Economics, University of Nevada, Reno (no date).

9/ Communication, Sacramento District, Corps of Engineers, to Mr. Jack L. Boyd, Halleck, Nevada, 22 December 1971.

10/ Water Resources Council, Pacific Southwest Inter-Agency Committee, Great Basin Region Comprehensive Framework Study, Appendix 13, Fish and Wildlife, Washington, D.C., 1972, p. 43.

11/ Ibid., p. 34.

12/ U.S. Congress, Flood Control Act of 1950, Senate Report No. 1143, 81st Cong., 2nd Sess., 1950, pp. 2377-79.

13/ U.S. Congress, House Committee on Public Works, Humboldt River and Tributaries, Nevada, House Document No. 586, 81st Cong., 2nd Sess., Washington, D.C., 1950, p. 7.

14/ Restudy, p. 38. This calculation was made using an earlier construction cost of \$9,400,000. This excludes a downstream drainage project that was a part of the original project but was not included in the restudy because local groups had constructed it themselves in the interim.

15/ U.S. Department of Agriculture, Water and Related Land Resources, Humboldt River Basin, Nevada: Cooperative Surveys Nevada Department of Conservation and Natural Resources and Soil Conservation Service, Washington, D.C., twelve reports, 1952-1955.