



# CONGRESSMAN'S REPORT

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## **Arizona's Water Fight: Which Path Leads To Victory?**

In my last report, discussing chances for passage by Congress of the Central Arizona Project, I said I would support any bill or get behind any strategy which will win. Since several key figures (including Chairman Wayne Aspinall of the House Interior Committee and Secretary of the Interior Udall) are known to prefer a Lower Colorado regional approach as offering the best and quickest chance of passage, we ought at least to understand and explore this strategy -- and weigh its potential advantages and drawbacks.

Arizonans must not expect too much too soon. Water projects are controversial at best. Long campaigns are the rule and not the exception. For example, it took Colorado 10 years of concerted effort, marked by many delays, to win passage last year of its Arkansas-Fryingpan project. Rich Johnson, president of the Central Arizona Project Association, said last month he expects it might take three years to get our project through the House of Representatives.

All of us who are working for passage of this legislation have one common goal: construction of the Central Arizona Project at the earliest possible moment. Surely no harm can come from frank and open discussion of the alternative lines of strategy which may be open to us. In this spirit I shall devote this report to the question: "Which approach will win for Arizona?"

### **PATH NO. 1: A SEPARATE CENTRAL ARIZONA PROJECT**

In my May 21 report I outlined the old Central Arizona Project which has twice passed the Senate, most recently in 1951, but never the House. If we pursue this path, we will seek to build the huge Bridge Canyon dam, key unit in the project, not for the benefit of a group of states, but solely for the benefit of Arizona. All of the electrical power produced will go to subsidize Arizona water consumers.\* (All prior Colorado River dams -- Hoover, Davis, Parker, Glen Canyon, etc. -- have been built for the benefit of several states in the region.) A separate C.A.P. would cost \$1.1 billion.

### **PATH NO. 2: C.A.P. AS PART OF A LOWER COLORADO REGIONAL PROJECT**

The exact nature of the proposed regional plan would depend to a large extent on agreement among the five states involved. Basically, however, it would involve a willingness on Arizona's part to work in partnership with Utah, Nevada, California and New Mexico to solve mutual water development problems. In effect, Arizona would say to these states, and especially to

## California:

"We have fought long enough. Now that the Court has spoken, let us begin to work together. Each of us has a definite share of a limited water supply. We need projects to make the best use of our share; so do each of you. Let us pool our available resources and "cash register" dam sites left in the basin and put all the proceeds of electric sales in a common 'basin fund.' From this fund we will pay the costs of all the high-priority projects required to meet the urgent needs of each of our states. Our combined Congressional delegations (10 Senators and 46 Representatives) will jointly go to work on immediate passage of an overall authorization bill."

What would this regional project look like? Would it be so vast and grandiose that it couldn't hope for majority support? Or would it be but a modest addition to the Arizona project? While the details of the plan are only now being drafted and negotiated, the Lower Colorado Project might look something like this:

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\* It is important to recognize that only the sale of electricity makes such a project feasible. The cities of Phoenix, Tucson, etc., and the various farm users would pay a reasonable amount for the water they receive. but they could not afford to buy water at a price which would repay the \$1.1 billion cost of this project. Anywhere from 60 to 90% of the repayment money must come from the sale of electrical power. If we want the water, we must support the power production features which will pay for it.

COST: Not \$1.1 billion, as in Path No. 1, but between \$1.3 and \$1.4 billion. Arizona's projects in this initial stage would be about 70% of the total.

'CASH REGISTERS': Bridge Canyon Dam would still be the major structure, but two Utah dams, Hooker Dam in New Mexico and others would also contribute power revenues to the "basin account." In addition, it might be possible to put Hoover Dam revenues to work for the Lower Colorado Project when Hoover's indebtedness is paid off in 1987. If this can be done, it would be incorporated now in the overall financing of the Lower Colorado Project.

## FIVE STATES WOULD BENEFIT

From the regional project all five Southwestern states would benefit. The following, urgently-needed projects might be included in the initial authorization:

For Arizona: The \$1.1 billion C.A.P., plus possible canals and related works for the Colorado River Indians near Parker.

For New Mexico: Hooker Dam on the Gila River above Duncan. (Cost included in the C.A.P. figure.)

For Nevada: The Las Vegas Aqueduct and related works. Presently the Las Vegas-Henderson area is in desperate need of new industrial and municipal water supplies, and the future growth of that valley is seriously threatened. A series of pumps would lift some of Nevada's 300,000 acre-feet of Colorado River water from Lake Mead and transmit it through an aqueduct into Las Vegas. Possible cost: \$60 million.

For Utah: The Dixie Project. While most of Utah is in the Upper Basin, the watershed in Southwestern Utah flows into the Colorado below Lees Ferry, the dividing point between upper and lower basins. This project involves two dams on the Virgin River, which flows into Lake Mead. They would provide needed water for municipal, industrial and irrigation purposes in St. George, Cedar City and nearby communities. Possible cost: \$45 million.

For California: A water salvage program. Hundreds of thousands of acre-feet of water are irretrievably lost each year because the Colorado River meanders and spreads through lowlands where salt cedar and other phreatophytes consume and waste water in huge quantities. Seepage and weeds waste more thousands of acre-feet. Cement linings of canals and channelization of the river might be financed out of "basin account" power revenues. Possible initial cost: \$200 million.

Note this important incentive for California to cooperate rather than obstruct: engineers estimate that canal linings and river channelization could recapture as much as 500,000 acre-feet each year -- nearly half as much as California lost in the recently-concluded Arizona -California water suit.

The Upper Basin states have pioneered the "basin account" method of interstate cooperation with striking success. Their act provides that Congress may add to the "basin account" such subsequent projects as are proven feasible and financially sound. If we take Path No. 2, and are successful, the lion's share of benefits in the initial phase will go to Arizona. However, the "basin account" approach may enable us to enlist the support of states whose total reclamation needs could not be satisfied in a single bill here and now. All will agree, I'm sure, that an overly large package would be most difficult to pass in this Congress.

In this connection, it would be well to remember that the projects I have listed above, totaling \$1.4 billion, would benefit 20 million people, whereas C.A.P. alone, totaling \$1.1 billion, would benefit but 1.3 million people.

### I WILL SUPPORT ANY WINNING STRATEGY

Let us remember that our goal is water for Arizona at the earliest possible date. Which path is most likely to achieve that goal; this should be our only question. In seeking an answer prudence

requires us at least to examine our alternatives and make certain the path we take is the one most likely to lead to victory. Let's look at the case for each alternative.

### THE CASE FOR A SEPARATE C.A.P.

Those who reject the basin approach and urge "full steam ahead" for the separate C. A. P. bills now before Congress make these major points:

1. This strategy is tried and true. Almost identical bills passed the Senate in 1950 and 1951, when many of today's senators were serving. The Senate will simply be asked to re-approve a project already accepted in that body.
2. A time-consuming step is saved. Under basic reclamation law a proposed plan must be circulated for 90 days to the affected states. C.A.P. was circulated in the 1940s and already meets this requirement.
3. A less costly plan is easier to sell. It is easier to pass a \$1.1 billion bill than a \$1.3 or \$1.4 billion bill.
4. No complicated interstate agreements are required. Under a separate C.A.P. bill Arizona can go its own way, need not consider the wishes or problems of other states nor negotiate adjustments in order to develop a common plan.
5. This strategy is only a point of departure. We'll start with this; if the going gets rough we can always switch to a regional plan.

### THE CASE FOR A REGIONAL PLAN

The principal arguments for proceeding with a "lower basin" plan are these:

1. A separate C.A.P. failed in the House. The main battleground will be in the House, where separate C.A.P. bills have received short shrift in years past. Thus there is nothing "tried and true" about that approach as far as the House is concerned.
2. Passage this year simply isn't in the cards. As I pointed out in my last report, there is virtually no possibility of congressional approval in 1963. Thus no time would be lost in circulating a new proposal. Granted that a regional plan might take until this fall to put together; since we can't get House hearings this year anyway, this might be a very fruitful use of our waiting period. Next January we might be in a position to go to Congress with a plan supported solidly by the delegations of all five affected states.
3. The regional plan represents only a modest increase in cost. If we were talking about a grandiose plan involving many billions of dollars, of course the support we gained from the Southwest might be lost in the East. However, the regional plan

envisaged represents only a modest increase over our original one-state plan, and the point can be made that nearly 20 times as many people will benefit.

4. We need allies; it is dangerous to try "going it alone" in the 435-member House of Representatives. All states are equal in the Senate, and with Senator Carl Hayden on the job, it might be said that Arizona is "more equal than most." However, Arizona has only three votes in the House while California has 38, New York 41, etc. A separate C.A.P. might pass the Senate in 1963, but this could prove a costly victory if it stirred up strong objections in the House.

5. A regional plan may gain substantial California support; a separate C.A.P. cannot. California has recently become the nation's biggest state. Against its organized, coordinated, unified opposition C.A.P.'s chances are slight. With substantial California support our chances are good. I have talked with Senator Engle and key House members from California. Based on their statements to me, and reported statements of Governor Brown and Senator Kuchel, I am optimistic that a regional plan might gain, not just passive acquiescence, but active, vigorous support for C.A.P. One cannot downgrade the direct, real, attractive incentive for California. By cooperation with us the Golden State can regain half the water it lost in the suit. This is, in effect, creating or finding new, usable water which, for all practical purposes, does not now exist. It would be as though we had discovered a new tributary which would miraculously pour into the Colorado.

6. California has too much at stake to merely stall Arizona; its leaders are genuinely interested in the regional approach. Fears have been expressed that California is merely stalling again. Years of fruitless bickering have led many Arizonans, understandably, to discount California promises and expressions. But can we afford to harbor

old grudges? Stalling may have been in California's interest 2 years ago, but it isn't today. Both Arizona and California have pressing water needs which cannot be long delayed. It's time we came out of the old trenches, shook hands and began working together to solve our common problems. To this end we should not decide in advance to reject any and all overtures, however constructive, which our neighbors to the west might make.

I cannot praise too highly the statesmanship displayed in recent days by Governor Brown of California. Harassed by water partisans who would rekindle the old bitterness, he had the courage to say in late June: "I emphasize that it is our hope to cooperate, not only with Arizona, but also with the other affected states, to the end that the limited resources of the Colorado be employed prudently and with due regard for the rights of each. California will not attempt to win by obstruction what it has not won by litigation."

7. New Mexico, Nevada and Utah will actively work for a regional bill. There is a vast difference between mere lip service (or voting for a bill) and enthusiastically working, planning and selling a bill. The congressional members from these three states hold key positions in this battle. If they are active, interested parties working for the welfare of their own states, this could make the difference between defeat and victory.

8. The upper basin has set a precedent. Until recent years water planning was state-wide only. In 1956, under the leadership of Senator Anderson of New Mexico and Representative Aspinall of Colorado a \$1.3 billion regional approach was developed for the Upper Basin states. Lower Basin congressmen fought for and aided passage of the Upper Basin plan; we can expect reciprocity on a similar plan for our basin. The unified Lower Basin states can present a sound and powerful argument to the House: "We ask not a gigantic, expensive bill for one state; we ask only that you do for the Lower Colorado what you did in 1956 for the Upper Colorado."

9. The Kennedy administration is more likely to support a basin plan. Support from the administration in power is always critical for major legislation, for undecided votes often follow its lead. In this connection, the New York Times wrote on June 13: "The administration is nearly committed to a broad-scale regional approach to the problems of the Southwest. It is unlikely that the administration would approve the Central Arizona Project in view of the 1964 elections. If it did, it could be courting trouble in California with its big bloc of 40 electoral votes." In addition, the Budget Bureau, approval of which is essential, is much more likely to approve a regional plan than C.A.P. as the fairest and most comprehensive plan for Southwestern water development.

10. Key congressional leaders are more likely to work for a regional plan. As indicated in my last report, perhaps the most important single member of Congress concerned with our bill -- since the major battle will be in the House -- is Chairman Aspinall, one of the fathers of the basin idea. Speaking of such a comprehensive and coordinated plan, he said, "Time has demonstrated that the burgeoning water requirements of the lower Basin can be effectively satisfied in no other way." I believe Rep. John Saylor, the ranking Republican on the House Interior Committee, and Senator Clinton Anderson, ranking Democrat and former chairman of the Senate Interior Committee, are of the same opinion.

In summary, the proponents of the regional plan say that a few months' delay and a slightly more expensive project are a small price to pay for the active support of 43 more representatives, two of whom are on the key Rules Committee, and eight more senators.

## CONCLUSION

Here then are the competing arguments. Proponents of each want water -- soon -- for Arizona. Let the arguments be carefully weighed and the best path chosen.

Above all, let Arizona's leaders consult, cooperate and work together in mutual respect and unity. This is our state's most critical hour; partisanship and politics have no place in these discussions.

Here and now I admonish the members of my party: Let no Democrat in this state strike a partisan note against any Republican on the water fight in Washington. We need all the unity and help we can get.

The water we're fighting for is not for the irrigation of political hay. I'm sure the responsible leaders of the Republican party agree.