

BOB WILL

2002 - 2003

Jay Malinowski

We're talking to Bob Will. Okay, as I explained on the phone, or in my e-mails, I'm going to talk absolutely as little as possible because we're looking for you not me. After we have the tape transcribed, you'll have an opportunity to review the transcription and edit it and what not.

If there are things in there that you said that don't seem to make sense, or when we go through the editing process, if I have changed a meaning or something that's unintentional you need to correct that. The transcription comes out sort of James Joycean. It's just stream of consciousness. So I have to go through and put in punctuations and make real sentences, paragraphs and that kind of stuff.

In doing that it's possible that I'm going to change your meaning. So you'll have an opportunity to correct anything. Now the tape itself is part of the of the archive. We can't change that so the tape is there for anyone 20, 30, 40, or 50 years from now. Incidentally, the tape and the transcript will both be converted to a CD for permanence, because a video tape has a shelf life of ten

or 15 years, maybe, depending on how it's cared for.

A CD can last for much longer than that. If there's some new medium, a more permanent medium, that comes on the scene in 10 or 15 years why the Colorado River Board may well want to convert the CD to that.

But because it's digitized, it's there. Then we'll give you a copy after we're all done. That will have the video tape on it, like a DVD, and it will also have the transcript on it that we eventually agree on. So your heirs, 30 years from now, if they wanted to, they can print it out or they can watch the video.

Bob Will

See what the old man looked like.

JM

See what he looked like, what kind of a guy he was and all that kind of stuff. The whole process will probably take a couple of months. It's just a matter of time.

BW

There's no great rush on it.

JM

So given that, I guess I want to tell you that we'll more or less start chronologically but I don't think we're going to stay there. We're not going to stay chronological. It's just the way things go. You'll remember things and go, oh gee by the way, that reminds me. That's fine. I'll prompt you from time to time to give us a year. You might say something like I remember when I was talking with Bruce and I'll stop you and say when was that.

You also need to treat me like I'm an idiot. Don't presume that (I know anything) because you're not talking to me you're talking to the camera, you're talking to someone who isn't even born yet. So if you can . . .

BW

Start from scratch.

JM

Yeah, start from scratch. If you get into initials and stuff like that I may stop you, and go . . .

BW

What's that mean?

JM

What does that mean now. I may know what it means, but I'm going to stop you to get in on tape. So given that, why don't we give people a sense of why we're interviewing you, and the reason is your background in water and water issues that goes back to

the early 1960's as I recall. So let's talk about that a little bit.

BW

All right. Well, I went to work for the Metropolitan Water District immediately after I passed the California Bar, and was a freshman attorney on that staff. During the three years I worked in the office in Los Angeles. In 1963, we had the Arizona vs California decision, and because we'd lost it we knew that the next level that we were going to have to work on was in Congress.

So the district decided to open its first Washington D.C. office. I was one of the candidates and got selected by Al Williams, who was then the PR Director, and was approved by the board. I'll never forget the date, November 22, 1963, when I was told that I had the job, because about an hour later, of course, we heard that JFK had been shot in Dallas.

We opened the office on January 1st of 1964, located in the National Press Building in Washington, D.C., and immediately started working on proposals to build The Central Arizona Project. Arizona, of course, has been working on (it) for years and years. The Central Arizona Project dates before World War II, the concepts of it. But Arizona never really got around to doing anything concrete on it until about 1947. They had a couple of different ideas as to how to build it.

One was to build a dam in the Grand Canyon, called Bridge Canyon Dam, and build a gravity aqueduct all the way to Phoenix, which involved well over 100

miles of tunnels. So it was very costly. The alternative, of course, was to build a pumping plant at Lake Havasu, and mostly open canal all the way to Phoenix and all the way on to Tucson.

Because we lost the most important part of The Arizona vs California litigation, whether Arizona had to account for its Gila River flows into the Colorado as a part of the lower basin's seven and a half million acre feet. We knew that we were going to be short of water in the lower basin. Metropolitan was already pumping in excess of its 550,000 acre feet of entitlement, within the 4.4 allocation to California.

JM

And what year are we talking? '64?

BW

We're talking about 1964, yes. Senator Carl Hayden, who was from Arizona, was pretty aged by 1964. He had started representing Arizona when it became a state in 1912. Had moved over to the Senate from the House sometime during those years, and was the senior member of the Senate Appropriations Committee and was a real power, although he was getting kind of old.

But he immediately introduced the Central Arizona Project Construction Bill in the Senate in 1963, right after the decision came down. I believe it was in June of 1963. There was no particular action taken on the bill during 1963. I showed up just about the time that Congress was starting its second session in 1964. When I say second session, I mean Congress goes in two

year cycles. Has a first and a second session.

I immediately started going around, acquainting myself with the members of the California Delegation, and with our two Senators. I should say one Senator, because Clair Engle was our senator at that time, but had a stroke and was out of commission. But primarily Tom Kuchel started to lay the base for my lobbying effort.

I was not one of the policy gurus. That was primarily Northcutt Ely with advice from The Colorado River Board and from Joe Jensen, who was Chairman of the Metropolitan Water District Board. At that time Jensen was in complete control of MWD policy with regard to the Colorado River and the Central Arizona Project. Ely was special counsel to the Colorado River Board and the California Attorney General on this issue and located in D.C.

JM

Now you said that you were starting your lobbying effort, to achieve what? Was it with respect to the CAP?

BW

We had it pretty well decided, when I say we I mean the Colorado River Board and its people. We wanted priority over deliveries of Central Arizona Project water to the extent that we (might) be cut back below 4.4 on the river, which is our allocation based on the Boulder Canyon Project Act as determined by The Supreme Court. There was always a risk that there would be a deficiency in water supplies in the lower basin.

In times of real drought or something like that, we wanted priority over Arizona's Central Arizona Project — not the balance of the Arizona projects because there are some in Yuma and the Colorado River Indian Reservation and places like that. We would come first and continue to get our entitlement to the extent that there was water that could be diverted from the Central Arizona Project.

So our objective in all of this was California and Nevada get a priority over the Central Arizona Project, which was the (new) kid on the block, so to speak. We felt that we had a prior right to their waters. The issue had come before the Supreme Court and the court had not decided the shortage issue, it was up to the Secretary of the Interior and up to Congress to make that determination, and not the court.

So it was an open issue, as far as the legal issues were concerned. Starting to lobby meant first of all, I just started off getting myself acquainted with our Congressional delegation, which I believe at that time was probably about 38 members.

At that time, our whole state delegation was fairly cohesive on California issues. There were not a lot of the divisions that we see today, and they were very sympathetic to trying to protect Southern California, as far as its water supply was concerned.

What their motives were, who knows? To keep our greedy hands out of the northern part of California, or because they loved us, or their grandmother lived down here or

what. So that was my initial job. But in early 1964, the Senate Interior and Insular Affairs Committee, which is now called the Senate Energy and Natural Resources Committee, held its first hearing on The Central Arizona Project.

This was on a bill that had been introduced by Carl Hayden. California came in and opposed, of course, unless they gave us some kind of a priority. That was our first important statement in Congress, on what our position would be. At that time, also, Stuart Udall, who was a Secretary of Interior, had come up with what he calls the Pacific Southwest Water Plan because he felt that a regional approach to resolving the problems on the Colorado was better than just a contest between California and Arizona. He was trying to come up with a concept that would provide additional water for the Colorado River so we could satisfy everybody's needs and avoid a big fight. That did muddy up the water, no question about it.

There were lots of complaints about that. The original plan, as I recall, Pacific Southwest Water Plan, was going to divert water from Northern California to the Colorado River. Well, you can guess that that didn't sit very well with anybody, neither southern nor northern Californians. Our team in Washington was led by Mike Ely, a lawyer for the Colorado River Board. He was, I believe, an Assistant Attorney General, so he could speak officially for the state, even though he was in private law practice in Washington.

Governor Brown at that time also wanted

to try and avoid a war if we could. We had some fairly important issues in Congress at that time, completely apart from the Colorado River. Senator Hayden was Chairman of the Appropriations Committee. He could mangle those programs if he wanted to. Although I will say for Carl Hayden, he never took out after anybody on this. He never retaliated to my knowledge. Threatened a few times, but never did it.

JM

Just for the record, we're talking about Governor Edmund G. Pat Brown?

BW

Correct, yes.

JM

The father of the later Governor Brown.

BW

The Californians asked Senator Kuchel to also introduce the California Bill, which included the priority over the Central Arizona Project. Also included some of the Pacific Southwest Water Plan concept looking for additional supplies of water for the Colorado River. In the House, Bizz Johnson of Roseville, California, was chairman of the Subcommittee on Irrigation and Reclamation (of) the House Interior and Insular Affairs Committee, now called the Resources Committee. At the request of the Arizona House members, Mo Udall and John Rhodes, minority leader of the house, held hearings in Phoenix in early 1964.

JM

Before you get too far on that, you mentioned, one name Bizz Johnson. Could you spell that first name, again, for the record, this is kind of like a trial transcript here.

BW

His name was Harold T. Johnson. Roseville, California. Bizz apparently was an old family nickname, B-I-Z-Z.

JM

Good, thanks.

BW

A wonderful guy. Things were a little bit more casual in those days, and Bizz Johnson's subcommittee took me along to Phoenix for the hearings. We flew into Sky Harbor in Phoenix. As we were coming down, we saw a massive lake. And it seems that all of the lawns around the Sky Harbor Airport were irrigated by flood irrigation. As we got closer to the airport we couldn't see anything but water.

Which, of course, made some of the Californians really kind of take out after their Arizona comrades. But the hearings were kind of classic Arizona-California Congressional hearings. Dozens of witnesses coming in and talking about how desperate Arizona is, and they're losing their ground water, and they need this water from the Colorado.

Not much else happened in 1964, which was the last year of that Congress, and also an election year. So moving on to 1965, the members of both the Senate and the House from Arizona reintroduced the Central

Arizona Project Bill. They included Bridge and Marble Canyon dams, which were two long-proposed dams kind of straddling the Grand Canyon. The intent of that was to provide a cash register for the sale of power revenues to try and help pay for the Central Arizona Project.

They also included their own version of the Pacific Southwest Water Plan. That's detailed, you can find that in any book. But it was not the proposal to take water out of Northern California, it was going to look farther to find that water. Senator Kuchel, and our new Senator Murphy, introduced a bill in the Senate which included our California 4.4 priority — as we call our priority over The Central Arizona Project.

JM

Is that George Murphy?

BW

Yes, George Murphy. One time an actor I believe.

JM

A tap dancer, actually.

BW

They also included their own regional plan, which was more far reaching and included searching the whole west for other water supplies, which is an important factor in later negotiations. On the Central Arizona Project bill in 1965, they had hearings in the House Committee again, their first Washington based hearings.

At that time, environmental groups started to come into those hearings to oppose the

construction of Bridge and Marble Canyon dams, which they were vigorously opposed to as destroying the Grand Canyon, and were pretty adamant in their opposition. Probably the most dynamic testimony was provided by Dave Brower, who was the president or executive director of the Sierra Club.

Tall, slender, dramatic looking guy, with white hair, but quite young looking. The attendance at that committee was just 100 percent. Everybody came in to see Dave Brower speak. He made one of his typical, very dramatic statements before the Committee in opposition to it. Everybody else testified, Department of Interior, Californians and of course, the Arizonians, again. That kind of set the stage for some serious negotiations to look at a possible compromise between Arizona and California.

JM

This is probably obvious, but California's support for the CAP funding legislation was critical?

BW

Yes. Because Arizona at that time had three house members I believe. California had 38. We also had some fairly senior people in Congress. Although John Rhodes was very senior himself, and there was, I think, a strong feeling among the Arizonans that they could not pass a bill over California's serious objection.

JM

Nevada was pretty much a non factor because they had such a small delegation?

BW

That's right. I think they had one House member at that time. They did not play a really large role, other than to say we want to protect our interests in this. They had an allocation of 300,000 acre feet of water out of the Colorado River, the main stem of the lower basin. So they did participate in the negotiations but were never a real important factor in those negotiations.

The upper basin states at that time also came in to raise their objections and talk about the possible impact on the upper basin. They wanted to make sure that their interests were protected under the Colorado River Compact. Probably the two principal people, Felix Sparks from Colorado and Ival Goslin, the Executive Director of the Upper Basin Commission, which had been established when they did the Colorado River Storage Project back in the '50s, joined the negotiations and took a fairly strong approach in support of a regional plan that was going to bring additional water to the Colorado. All while still making sure that their interests were protected, as far as maintaining their water supply in the upper basin.

JM

Okay. And the upper basin consists of four states?

BW

Correct. It's New Mexico, Wyoming, Colorado and Utah. There is a tiny chunk of Arizona that's above, gets its water above Lee's Ferry, but I mean not enough to matter.

JM

Well it's 50,000 acre feet.

BW

Yes. That's becoming more and more valuable nowadays, you're right. Also at that time, because of this much grander Pacific Southwest Water Plan, representatives from the Columbia River Basin came in and started belly aching about our having our eyes on the Columbia River. That just added more complications to the whole process,

JM

When you say our eyes, are you talking about California, Metropolitan, the lower basin or the region? Who is the pronoun, our eyes?

BW

I think probably all seven states of the Colorado River Basin. We knew that the Columbia was flowing in the neighborhood of 100 million acre feet of water per year. All we wanted to start with was five. I think we boosted that up to eight somewhere down the line, and what's happened since then in the Columbia Basin is probably proof that the Columbia Basin guys were right. We thought it was just a drop in the bucket, that they wouldn't even miss it.

So Oregon and the state of Washington came in and did some very serious objecting to the plan. They didn't really care, as long as we got the Columbia River off the table. Well, at the end of those hearings in the House in 1965, the first coalition started to develop between Arizona, California

and the state of Colorado. The other upper basin states were still nervous about the whole thing.

New Mexico was doing some of its own negotiating over the portion of the Gila River that rises in the state of New Mexico. But Felix Sparks, who we call Larry, was the spokesman for the state of Colorado, and the Arizonans and the Californians started to try and do some negotiating and come up with an acceptable plan that could be passed.

I think probably one of our biggest problems was the Arizonans' still deep distrust of California. Mike Ely was a lightning rod. He started to work on these projects when he was still representing the Salt River Project. They felt that he had betrayed them. There were some serious credibility issues. But on the other hand, it just had to go forward.

Joe Jensen at MWD had started to make some personal contacts in the state of Arizona. A guy by the name of Rich Johnson, at that time, was executive secretary of the Arizona Interstate Stream Commission, which was basically their Colorado River Board in Arizona. They held discussions and some meetings. Jensen, as long as the priority for California was in there, was willing to negotiate and support their project. I obviously did not sit in on any of those meetings.

Those were all held out here in California, or in Arizona. I usually got pretty good reports, and I basically reported directly to Jensen, even though I was working for the

General Manager. But Jensen ran the show.

JM

Again we're restating, Joe Jensen was Chairman of Metropolitan's Board of Directors.

BW

Correct, yes. We started to get some accommodation, but in 1965 we were unable to put together a complete deal. In 1966, when Congress reconvened, I forget when they adjourned, but Congress used to adjourn in late September, or early October, and everything kind of went off the shelf for awhile, at least as far as dealings in Washington, D.C. were concerned.

So because of the fight over the Columbia River with Washington and Oregon, they decided to drop the big ditch out. They were going to continue to explore to find other water resources. But the burden shifted to telling the Feds that the Mexican Water Treaty obligation, which is a million and a half acre feet, a treaty that was adopted in 1944 — that obligation was going to become a national obligation.

The United States had the responsibility of finding the water to meet those treaty needs. With that, the seven basin states of the Colorado River Basin finally reached an agreement on a common bill, which they felt they would be in a position to move forward with. The House conducted hearings again. The environmentalists again came in and attacked Bridge and Marble Canyon dams, which were still in the draft legislation. At that time, the Arizonans were still fighting for that because they

needed the power subsidy to build their project, finance it.

JM

Do you recall off hand, geographically, where those two dams were to be built?

BW

One just above, and one just below the Grand Canyon, above Hoover Dam and above Lake Mead. I don't even recall which was which now. I think Bridge Canyon Dam was the one closest to Lake Mead and Marble Canyon Dam was the one that was farther up the river.

JM

Okay, so one would have been in between Lake Powell and Lake Mead somewhere.

BW

Both would have been.

JM

Both would have been?

BW

Yes.

JM

Okay.

BW

They were power dams. There was no idea that they were going to maintain a large enough pool to be significant for water storage. All they were going to do was just run the river through them and grind out the kilowatts and sell them. After those hearings, the House Committee actually reported a bill, which means they took

action on a bill, and put it in a position where they can take it to the House floor for a vote. But there were some more squabbles and so we got the Rules Committee to refuse to grant a rule, which is necessary for a major House bill to go the floor of the House. A rule is basically establishing the procedure for the debate on the house floor.

California had two members of the House Rules Committee, which was a very conservative committee. Chaired by an old goat from Virginia by the name of Howard Smith. When he did not like a bill he would go out to his chicken ranch in Virginia and disappear. If the chairman wasn't there, the committee couldn't call a hearing.

So at any rate, in 1966, which was the end of the next Congress, I believe that would be the 89th Congress, (they) decided to just shut down and wait until the next Congress started in 1967 — Which would be the 90th Congress. I think, yes, if I can add right.

Following the shut down of the legislation, the Arizonans got really angry. There was a really strong swell within the state of Arizona to build their own project. There was money appropriated by the Arizona Legislature to start the studies to build their own project.

JM

Without Federal funding?

BW

Without Federal funding, but still relying

on Marble and Bridge Canyon dams to be the cash registers to help support the project. So negotiations fell apart pretty badly in the latter part of '66. In 1967, with the new Congress, a really key person that I failed to mention so far is the Chairman of the Full House Interior and Insular Affairs Committee. Wayne Aspinall was from the west slope in Colorado—a powerful person.

In those days there was not the democracy in the committees that there is today. The Chairman ran it lock, stock and barrel. Hired all the staff, set the agenda, told people what they could do and what they couldn't do. About the only thing that he would let the subcommittees do was hold hearings on legislation before the committee. And that was basically it

Aspinall introduced his own version of the bill. He joined with the Arizonans. They had dropped the concept of Marble Canyon Dam and had just left Bridge Canyon Dam in as a cash register. He had renamed it Hualapi Dam to apparently try and hide it, basically, from the environmentalists. Which wasn't really very successful.

Because of the problem with the dams and the fear of the strength of the environmentalists, even back in the '60s, they held new hearings in the spring of '67. At that time, Stuart Udall, Secretary of Interior, came up with the concept of doing away with both dams in the bill and buying into a non-federally owned power plant that was proposed for Page, Arizona.

It is in operation today. The Fed's have a

piece of it and it is used for the Central Arizona Project. On the Senate side, a Senate bill was passed, basically an Arizona project bill. The Californians, Arizonans and the upper basin representatives started to get into additional squabbles.

JM

Well . . .

BW

Pat Brown had continued during all of this time to send representatives from Sacramento to try and see if he could solve the fight. They were from the Department of Water Resources, Wes Steiner, who later became Director of Water Resources for the state of Arizona and Abbott Goldberg, who was a lawyer for the state of California, actually a brilliant guy, knew the water business inside out and backwards.

JM

Now this is an aside, Bob. But since you're at the right time frame, just to mention Pat Brown, I don't mean to get you into any depth on this but Pat Brown was also struggling with the state water project at about this same time, was he not?

BW

On the construction of it. Because the state water project was approved by the voters in 1960, and construction was starting on the state water project, there were plenty of problems. So water was on his mind almost all of the time, I guess. Pat Brown had two major issues, higher education and water, when he came into office and he carried out both of them. I think he was a quite successful governor of California.

Wes Steiner and Abbott Goldberg were doing a lot of personal work with Senator Hayden and trying to help reach a compromise on all of these issues between California and Arizona.

Senator Kuchel finally decided that these guys were really interfering with his ability to work with both southern and all of California.

He called up Pat Brown and asked him to yank them out of Washington, which Brown did. Mike Ely was still a lightning rod. There was still a lot of antagonism over him. Finally the Colorado River Board started to put other people into Washington to try and help with the negotiations. But of course Ely still represented the Colorado River Board people. So he continued to play a role.

JM

We were talking about Arizona-California issues and the upper basin getting involved. Things like that.

BW

Yeah. I think I had gotten to the start of 1968, and that was our final agreement with Arizona and we had a joint bill with Arizona and with the state of Colorado. It included the permanent 4.4 priority for California, which had never wavered in our negotiating position on the whole thing. We did make the Mexican Water Treaty a national obligation, which we discussed a few minutes ago.

The bill went to the Rules Committee and was approved for floor action and the bill

passed on the House floor in May of '68. Senator Hayden had earlier passed his bill. The agreement was that when the differing bills went to conference, Hayden would accept the bill that the Californians had negotiated with the House members from Arizona. So that kind of ends the saga of the Central Arizona Project Legislation, which became known as The Lower Colorado River Basin Project Act.

It included lots of compromises with the upper basin with regard to the operation of the dams on the river. By the way, this did not include either Bridge or Marble Canyon dams. It included federal purchase of some capacity in the Page, Arizona, power plant. It went to the White House and the President signed it, I believe in September of 1968.

Yeah. One of LBJ's typical massive signing ceremonies, where everybody got a pen and got to shake the President's hand, including riff raff like me.

JM

So the resolution of the Gila River water with respect to Arizona's claim that it should not be accountable?

BW

The resolution was that we get a 4.4 priority in California over diversions for the Central Arizona Project itself. So if the river supply is below seven and a half million acre feet per year, before any shortages are taken from California or Nevada, the Central Arizona Project is reduced until it's all gone. That project is about a million point two acre feet a year, in its capacity.

We had a whale of a party as you might expect. We were all madly in love with each other and hugging, it was quite a celebration. The Arizonans got their project, which is up and running today. Interestingly, in jumping ahead a little bit, I continued to work for Metropolitan until 1980 when I resigned and took on Metropolitan as one of my clients in Washington, D.C.

The Central Arizona Water Conservation District, which runs the Central Arizona Project, hired me as their lobbyist in Washington. So they may not have liked some of the other Californians but they got along pretty well with me.

JM

So you were working for Central Arizona Water Conservation District and Metropolitan Water District simultaneously, as a consultant?

BW

Yes for a few years, yes. We finally got back into some scraps with Arizona and so I had to get rid of the Arizonans conflict of interest problem. So the players in that whole thing remained pretty stable throughout the entire period. From the Federal Government we had Stuart Udall and Floyd Dominy who was Commissioner of Reclamation.

Floyd Dominy was beholden to Carl Hayden and worked very hard on this project. He was probably the most dynamic, hardest working commissioner that I've known in almost 40 years that I've worked in Washington D.C. A very able guy that

could make people pretty mad but he was tough and ornery and nobody messed with him.

I kind of indicated some of the Californians on the House side, in addition to Bizz Johnson- a Northern Californian, we had two Southern Californians, Craig Hosmer from Long Beach and Chet Holifield from Norwalk who kind of led the California House group and were very good. For the upper basin guys they had Wayne Aspinall and they didn't need much more . . . a very powerful guy.

Then among the Arizonans, I just jotted down a couple of names. I've mentioned Rich Johnson before, who was Executive Director of the Arizona Interstate Stream Commission. They borrowed people from all over the state. One of the most important was Ted Riggins, who was a lawyer in practice in Phoenix and did a lot of work for the Salt River Project. He was one of their chief negotiators.

There was an engineer for the Arizona Interstate Stream Commission by the name of Bill Gookin, who worked primarily with Carl Hayden was very good. You mentioned the Gila River. The state engineer for the state of New Mexico was a guy by the name of Steve Reynolds, who was as ornery and as tough as anybody in this whole crowd. He held up the Central Arizona Project for awhile, arguing over water supply on the Gila, which starts in New Mexico.

As a part of the compromise, there's a provision for the construction of Hooker

Dam, which is in New Mexico and presumably would store some water. Hooker has never been built.

So talking about a couple of other issues. In the late '60s, the Wellton Mohawk Irrigation District, together with the Bureau Of Reclamation, started to run into some serious ground water salinity problems in the Wellton Mohawk ground water field.

The only way to resolve it was to pump out these saline waters and just dump them into the Colorado. They originally took their diversions primarily from the Gila but also were a part of the project down in the Yuma area, in the Gila project. The effluent that they were dumping from their pumping of the ground water, which they put back in the Colorado above the border, was really foul stuff.

The salinity in Mexico water deliveries rose from probably around 800 parts, maybe a little bit less, up to 1400 and 1500. The farmers in the Mexicali Valley started to have serious crop problems with this highly saline water.

JM

When you say parts, you're talking parts per million?

BW

Yes, and so this turned into a continuing fight and finally ended up in 1972, with a meeting between President Nixon and President Echevarria of Mexico on this issue. It was a major issue for the Mexican Government. Nixon committed to

Echevarria that they would find a solution to that problem. He appointed Herbert Brownell as his special representative to try and come up with some solutions.

JM

So the 1944 treaty between the United States and Mexico addressed quantity but it did not address quality, is that correct?

BW

That's correct. We continued to maintain that. When I say we, I mean the seven states of the Colorado River Basin and Mexico said that's stupid. You can't deliver us stuff that we can't use. So that was kind of the bone of contention. Also at the time that the Mexican Water Treaty was negotiated back in the early '40s, the State Department had created something called the Committee of Fourteen, which was two reps from each of the seven basin states, appointed by that state's governor. That had kind of vanished into obscurity. But at this time, the Committee of Fourteen was reconstituted to work with Brownell. Kind of paralleling those negotiations, Myron Holburt, who was then at the Colorado River Board as executive secretary or whatever the title was at the time, did a study on the impact of salinity within Southern California- both urban impacts and agricultural impacts.

He managed to demonstrate that salinity in the Colorado, for the area above the border, was also becoming a problem basically in the lower basin. The State Department and Brownell felt that their charge was just to resolve the problem with Mexico. But the seven basin states came up with a pro-

gram to help reduce the salinity above the border.

At the time, the State Department was getting ready to put together an authorization bill for the Mexican problem. The seven basin states came in and said we're going to take our own bill on creating the Colorado River Salinity Control Program for areas within the United States.

JM

For the record, water that is about 300 parts per million in total dissolved solids is characterized as pretty good water. Water that is say, 700 parts per million total dissolved solids, and we say TDS, is getting to the edge of not being very good water. And so the delivery of water to Mexico that exceeded 1100 parts per million, uh, was a problem.

BW

Yes, it was for them. And actually it was up to 1400 parts for awhile. And the resolution of it was an agreement that we would deliver water to Mexico at the International Boundary, below Imperial Dam, not to exceed 130 parts per million TDS, over what was delivered to Imperial Irrigation District at the All American Canal.

The waste flows from The Wellton Mohawk Irrigation District were going to be channeled through a separate drain that ran to the Santa Clara Slough on the Colorado a number of miles down into Mexico. Then the United States was going to build the Yuma Desalting Plant to clean up the Wellton Mohawk flows, so they could go back into the main stream deliv-

ery. Because the drainage ditch to Santa Clara Slough did not go into the main stem of the Colorado, those drainage flows could not be counted as a part of Mexico's entitlement to water, under their million and a half acre feet entitlement that they had under the treaty.

So the Yuma Desalting Plant was to clean up that water and then dump it back into the main stem of the river so that we could be credited for those flows. The seven basin states added a Title Two to the State Department's legislation which established a program through the Bureau Of Reclamation to build facilities primarily in the upper basin of the Colorado to reduce inflow of saline waters into the Colorado.

The upper basin, primarily in Colorado and Utah, are in geologic-time sea beds. They have what they call mancos shale, which is essentially just mud and salt mixed together. It is now on the top of the mountains from whatever cataclysmic event happened, you know, a long time ago. Every time water flows through that area, it picks up the salts off of this old mancos shale.

So they figured that they probably wanted to do a number of things. First of all, there's some salt springs, just good old fashioned springs, that popped up in Colorado and were dumping absolutely terrible salty water into the Colorado River. There were a lot of open irrigation ditches through both Utah and Colorado that the farmers used to get the irrigation water.

This caused seepage to go into this mancos

shale and then eventually drain into the Colorado. There were also some industrial uses and urban uses. There was not much industry in the Colorado River Basin up in the upper basin. So it was kind of a three pronged approach. One, let's get rid of these salt springs. Two, let's resolve the irrigation ditch problem and three, let's work with the communities up there, you know, whether it's Glenwood Springs or some of those other communities and reduce their discharge of salt flows into the Colorado.

That became the so called Title Two part of the Colorado River Salinity bill. It's a program that is still going today. There were big negotiations on how to finance it. We agreed to cost share with the federal government. I think we started out at paying for 25 percent of the cost of these facilities.

JM

We as the basin states?

BW

Yes, and the Bureau of Reclamation was to go up and build projects. They were to line the irrigation ditches with concrete or put in pipe. The same thing with the small communities and try and either cap the salt springs or in some cases take the discharge from the spring and pump it back deep under ground. That program, the lower basin states put up 85 percent of the money through their cost sharing program. And the upper basin states put up 15 percent.

It was one of those typical negotiations. I mean, you know, neither one makes much sense, I mean the numbers don't. But that's where we came out. So that program

was undertaken in the early '80s. It also became apparent that we needed a program to work directly with farmers because the amount of water they were putting on their land was causing the same seepage problem as the canals were. So we included the Department of Agriculture, which has an extensive farm improvement program, to include what we call the On Farm Program, which is substantial improvement of irrigation practices. You know farmers up there had old water rights. They didn't care how much water they put on the land. They just wanted the crop to grow.

These programs would help the farmers put in sprinkler irrigation, do better irrigation management and things of that character. That program is still going today. But that was by amendment, I guess, to a farm bill back in the early '80s. It has been a quite successful program and it's been a very popular program with farmers. There is nothing they like better than somebody coming in and paying 60, 70 percent of installing a whole new irrigation system on their property. So it was well liked.

That has been primarily in the state of Utah. Some work also in the state of Wyoming, where the Colorado gets its start. We've continued to have problems with that program. When they did a farm bill six years ago, they changed how the money was appropriated for the USDA Salinity Control Program and made it an administrative determination rather than one that Congress approved as a line item in its appropriation bill.

We've not resolved that problem yet. During this past farm bill, we tried to change it back so that it became a part of the Congressional appropriation process. It now comes out of a major program called EQIP, Environmental Quality Incentives Program, which is a massive program for all kinds of environmental issues for farmers and we got stuck in there.

The problem was that the state sections of the Department of Agriculture had to give the money to farmers for improvements on their lands and they didn't think much of our salinity control programs. So our money was cut in the first year after the last farm bill by about 75 percent. We were getting in the neighborhood of 13, 14 million dollars a year, which was sufficient to keep the program going.

We went down to about four million a year, which is not very much. We've been struggling with that. We've been trying to do it administratively. They've just passed a new farm bill this year. We were unable to take that piece out of the farm bill and put it back into the appropriation process. So I'm not quite sure where we go from here. It's going to be a continuing battle.

But the salinity program has operated reasonably well. The threat that Arizona and California had against the upper basin states where most of the salt comes from that is under The Federal Water Pollution Control Act — the EPA could have directed the upper basin states to set what they call State Line Standards, which means that water discharged from the state of

Colorado and water discharged from the state of Utah had to meet a certain standard where it fell into the Colorado River.

In the absence of this Colorado River Salinity Control Program, there was a likelihood that those would have been enforced. The Salinity Control Program established standards at three major points on the main stem of the Colorado. I believe they are Hoover Dam, and then two below Hoover Dam and the program has to meet the standards at those three major places and not at the state line.

We were actually sued by the Environmental Defense Fund office in Denver because they wanted to impose the State Line Standards — I think as a part of their usual effort to limit the development of water, and had nothing to do with salinity issues.

JM

You said we were sued. Who is "we"?

BW

I should say Department Of Interior and probably EPA, also. I forget, but I mean, it was quite a while ago.

JM

But they were suing Federal agencies, as opposed to?

BW

Yes, for the administration of the program. Probably EPA now, when I think back on it, because they're the responsible party for standard setting. The Feds won that law suit. We all jumped into it, intervening or

as amicus, I forget which. So the program has survived a court test and it doesn't establish standards on a state by state basis. The court said this sounds eminently reasonable to us. EPA is not absolutely required to set standards state by state, as long as we accomplish the objective.

But the program is still hungry for money and is languishing a little bit. We've also been working with the Bureau of Land Management for many years, because today about half of the salinity in the river comes from irrigated agriculture and about half of it is public lands. Just through erosion and national forest lands and BLM lands and park lands.

So we've been pushing primarily BLM to do a better job of range management in those areas so that there's not this deep erosion that occurs and more salts go into the river. That's kind of the current status of the Salinity Control Program. It's administered in part through a Colorado River Salinity Control Forum, which the seven states support financially. We have an executive director and they meet quarterly and go over reports. A good program.

The next major issue that I was involved in, I guess I have to give you a little personal history. In 1971 the Peripheral Canal issue was heating up in California and we had very little going on in Washington, D.C. So I was transferred to Sacramento —not to work on legislation, but to work with public interests groups on the Peripheral Canal.

I also continued to maintain the

Washington D.C. office, which I visited twice a month. I had a young staff person there who kept track of what was going on and that lasted until 1973 when I was appointed Assistant General Counsel in Los Angeles.

JM

This is for Metropolitan?

BW

For Metropolitan Water District. And then in 1974 I became General Counsel when John Lauten moved over to become General Manager of MWD. To kind of complete that sequence, I stayed in that job until 1980, when I resigned to come back to Washington and become a contract lobbyist. I enjoyed being General Counsel. In fact, while I was General Counsel, I hired two future general managers of MWD as my lawyers. One was Carl Boronkay and the other was Ron Gastelum.

So, they both out paced me in their careers, but I moved and I really didn't enjoy it at the end — the General Counsel job — that much. I had an opportunity to go back and start this lobbying job again in Washington, D.C.

MWD had maintained an office in Washington. It was Ron Gastelum who took it over in the mid '70s, and finally quit to go to Sacramento and work for a law firm. So I went back and took it over on a contract basis. That's kind of the history of my personal involvement.

I will talk a little bit about the Hoover Power Act. In the late '70s, while Lauten

was General Manager, very preliminary negotiations started on renewing of the Hoover Power Contracts. The Hoover Power Contracts, which MWD had executed back in the '30s.

The Hoover Power Contracts were due to expire in 1987 and we figured probably about a ten year lead time to get them renegotiated and be ready to renew them in 1987. We knew that Arizona and Nevada, who collectively only had a very small percentage of the Hoover Power output — I think each of them had about 15 percent — were going to come in and demand a third each, so there would be 1/3, 1/3, 1/3, for the three states, of the total generation at Hoover.

We retained an electrical engineer from Sacramento by the name of Lloyd Harvego, who worked for an outfit called RMI. Because we didn't want to lose any of our power out of Hoover Dam, Lloyd, I believe, was the one who came up with the idea of increasing the output of Hoover. As I recall, the output of Hoover was about 1300 megawatts. Lloyd says we can rewind those units, there's enough water. We can get it up to 1900 megawatts.

That way we can split it and keep everybody happy. We also had a lot of other people who were really interested in sticking their hands into the power generation there. One of the most serious was San Diego Gas and Electric. They were using their Congressional delegation from San Diego County to try and push their way in. We finally managed to convince them that it was not going to work because we felt

that we had the votes to block them from doing it.

However, Southern California Edison, who was one of the original power companies at Hoover Dam from the '30s, retained its role. It was basically the idea that the original contracts permitted renewal and so Edison should have enough right to renew. They are the only investor owned utility that has a power right at Hoover Dam.

JM

The logic behind that is, that they helped pay for the dam in the first place.

BW

Correct. When the project was first put together the only way that they would get started on the dam was that MWD, L.A. Water And Power and Edison guaranteed to buy all of the power from Hoover Dam and in effect repay it. Hoover Dam is not repaid through water revenues. It's repaid through power revenues.

MWD got into some serious fights with L.A. Water And Power. MWD's contract provided that its power was available for pumping into and through the Colorado River Aqueduct. So L.A. Water and Power said okay, that's all you can use your power for, any that's left over we're going to get. Well, that was quite a fight and eventually got put to bed. So after these long negotiations Arizona, Nevada and California kind of kissed the book in order to put the legislation together to renew it.

It took authorization, of course, to upgrade the plant and provide for the payment

schedules. That was to be done and we were ready to take the bill to the floor in the House. Tom Graff from the Environmental Defense Fund has a typical approach to Southern California water problems that is to make the urban areas pay more for their water because that will increase conservation.

George Miller and Barbara Boxer who was then a member of the House and George Miller was a Representative from the Bay Area, I guess you could say helped to sponsor a bill to put the power, all of the power of Hoover Dam, up for auction and disregard our contracts completely. That created quite a dust up, but they got a lot of sympathy. We beat back that amendment in the House by only 40 votes. So it was a tough fight in the House, but we won.

The bill went over to the Senate. In the Senate, there was a senator from Ohio, a strong environmentalist by the name of Howard Metzenbaum. Howard Metzenbaum filibustered the Hoover Power Plant bill in the Senate and under Senate rules it takes 60 votes to cut off a filibuster. The so called cloture vote sets up a schedule for debate of only 30 more hours after it is approved.

That was a pretty exciting time, because we just barely made it. We got 60 votes on the Senate floor, which was just enough to shut Metzenbaum up. After we got cloture, he gave up but he was carrying the Miller Boxer Amendment in the Senate. So the bill was finally passed and sent on to The President.

In the negotiations on the Hoover Power Plant bill two interesting issues were brought up. Bob Broadbent, who had been a county commissioner from Clark County, Nevada, was appointed Commissioner of Reclamation when Reagan came in 1981. Broadbent was a tough, savvy, able commissioner and he said there are two things that Nevada wants out of this, in addition to the 1/3 of the power. One is he wanted a visitors center at Hoover Dam. The second is we want the power revenues to pay for a bridge from Nevada to Arizona, at the dam site.

JM

These are replacements? Those things did exist at the time. There was a visitors center — not much of one but there was one.

BW

Yeah.

JM

And of course there is a bridge that directly goes over Hoover Dam.

BW

Yeah. It's hardly a bridge, just the top of the dam. A two lane road built for cars back in 1932 or '33, something like that. So we got into some heavy negotiations. Broadbent was a protégé of Paul Laxalt, who was a Senator from Nevada and probably the Senator closest to Ronald Reagan. So there was lots of power there. We decided we would negotiate with Broadbent, and we said okay, we'll build a visitors center but no bridge.

Hindsight has changed that somewhat. We probably could have built the bridge cheaper than the visitors center, but who knew at the time that you could spend 140 million dollars on a visitors center. Regardless, they're still trying to get that bridge built, but they're looking for other money for it nowadays. The visitors center was quite a project and we've finally worked out something with the Bureau of Reclamation where they charge high enough fees for people to go into the dam. So they were actually being protected pretty well on the cost of the visitors center, although I don't know what's happened since 9-11, the visitor crowd has slowed down some what.

JM

Yeah, but the issue again, just for the record Bob, the issue was that the visitors center was subjected to serious cost overruns and the repayment of the funds used to build the visitors center were laid at the door of the power users. Correct? Fair?

BW

Absolutely. Yeah. It was, if I recall, the estimated cost of the visitors center at the time we were in these negotiations was about 40 million dollars and the cost of the bridge was very close to 100 million dollars. So we thought, well, okay, we'll take the cheapest one because we knew we had to take something. Who knows.

I guess one other issue that I wanted to talk about was the All American Canal Lining bill.

It's continuing to be a big issue. But in the early '80s, we started to do some negotia-

tions with the Imperial Irrigation District where MWD would pay for the canal lining and get the conserved water, which was just under 100,000 acre feet of water at that time. We dealt with Mel Levine who was a Congressman from West Los Angeles and Alan Cranston, who was our Senator, and got them to introduce bills which would authorize us to do the canal lining.

Mel Levine, who was my principal author, was very concerned that MWD was bullying Imperial Irrigation District in this legislation. Number one, he wanted complete assurance that this was something that IID would agree to. Secondly, he wanted to make sure that it was a program that was strongly supported within urban Southern California, within MWD's boundaries.

So there were long negotiations with Imperial on how to put this project together. In the meantime, I got our local government affairs unit at MWD to get statements of support from all kinds of people including Chambers of Commerce, boards of supervisors, city councils, member agencies and probably the most prolific in that was Brad Hiltcher, who was working in the local Government Affairs Unit at the time and handling San Diego and Orange County.

We finally got so many resolutions of support that the staffer I was working with in Levine's office said finally said no more, I got all I need, don't send me one more. Then she handed me all of them and said they're yours. Now I know who they're from and I don't want them in my office. We had a stack about two inches thick.

Brad and others had really done their homework.

Concurrently with that the Vista Irrigation District and the City Of Escondido were in a fight with the five local Indian tribes in this area over water rights on the San Luis Rey River. So as a part of the whole canal lining process at MWD, they negotiated a deal on behalf of Vista and Escondido where a portion of the water for the All American Canal Lining would go to make up the water that the Indians felt that they had lost to Escondido and Vista.

It got to be a fairly complex issue after awhile because Coachella Valley Water District, whenever they saw a drop of water that IID wasn't going to use, would come in and say well, we get a piece of that because we're ahead of MWD in the priority scheme in California for use of Colorado River water.

JM

That's a component of The Seven Party Agreement?

BW

Yes. They are considered a part of the agricultural allocation of 3.85 million acre feet, which has priority over any MWD water in the Colorado River. The negotiations got fairly complex and at that time, George Miller of Martinez, California, was chairman of the House Interior and Insular Affairs Committee. His staff director was Dan Beard, who later became Commissioner of Reclamation. I kept

talking to him.

He had no sympathy for IID. Dan never particularly cared for irrigation districts. But he said we've got to solve this, otherwise, we're not going to get this bill passed. So he said let's get a meeting of the players. So we got IID and Coachella, somebody representing the Indians and there were odds and ends of other people around, Congressional staff from different offices.

We sat down in my office in downtown Washington, D.C. and spent a day arguing out and compromising the bill and finally came up with a workable version. That's the bill that passed Congress. It was a good negotiation. I appreciated Beard doing it, and so we finally resolved that problem. When it passed Congress, it had the Indian settlement in it and the All American Canal lining project authorized. It still has not been lined. The farmers in the Mexicali Valley pump seepage from the All American Canal at the present time. A fairly significant amount, apparently and they are still protesting the lining of the canal.

JM

The Mexicali Valley is in Mexico, south of the border.

BW

Right, yes and it's a fairly large irrigation area. As I recall, it's 400,000 to 500,000 acres of irrigated land.

JM

And as I recall, Bob, one of the issues is that

the water that is pumped by the farmers in Mexicali Valley, that seeps from the All American Canal, is not counted as part of the 1944 treaty.

BW

Correct, yes, and when we initially started discussing this and we met with the International Boundary and Water Commission people, their lawyers looked at the issue and said the Mexicans have no entitlement to this water. We are entitled to conserve waters in our projects. We took that position during the debate on this legislation.

As you well know, that issue is still kind of a burning issue, as a part of this whole settlement effort that we're undertaking today on the Quantification Settlement Agreement for the San Diego/Imperial Irrigation District water transfer, which is going on as we speak.

JM

Or not.

BW

Or not, yes. So those are kind of the most significant issues I think I've worked on with respect to the Colorado River. You know, obviously I had lots of other issues going on. I had to deal with the California State Water Project and others not related to the Colorado River.

JM

Okay. In your note to me, before we set this appointment up, you also indicated water for desert power plants. What was the issue there?

BW

Oh, yes. In the '70s, San Diego Gas and Electric wanted to build a nuclear power plant called Sun Desert out near Palo Verde, (Blythe) California. They had no particular water supply and they wanted to develop water for the power plant cooling, of course, which is necessary. Their argument to Metropolitan Water District was we need this Colorado River water. The power will be sold within the boundaries of the Metropolitan Water District. They've got all of the urban area in San Diego County so it seems legitimate that MWD should supply the water for this power plant.

Well, when those discussions first began, and San Diego Gas and Electric was still in the very early planning stages (for) the Sun Desert Plant, Edison and Los Angeles Department of Water and Power came in and said well why not us, too?

We may want to build some power plants out in the desert at some location. Nothing identified particularly. So the MWD Board agreed to set aside 100,000 acre feet of water for the three projects. They did this by board resolution or something like that. I forget exactly the form that it took. That happened during my watch as General Counsel at MWD and also as assistant.

As San Diego Gas and Electric moved forward with its planning, they wanted to start to put this into a form that would give them some assurance that the water would be there. So there were contract negotia-

tions. I think we allocated 30,000 acre feet of water to San Diego Gas and Electric, which would probably have been developed through some kind of a water exchange with the Palo Verde Irrigation District.

Edison and L.A. Water and Power's proposals for desert power plants did not mature. They didn't move forward on their plants. But the San Diego Gas and Electric one did mature. They also worked out an arrangement with Palo Verde Irrigation District, itself, to buy some water from them. I think that they needed about 50,000 acre feet of water.

As you know of course, the Sun Desert Nuclear Power Plant was never built. In fact, I think Metropolitan Water District not only acquired the property that they had for the plant site, but also acquired the water right that they had developed with Palo Verde Irrigation District. The land for the desert power plant was acquired by MWD as mitigation lands for other projects.

JM

And that just happened recently.

BW

That just happened recently. Yeah. So that was kind of the end of the desert power plant program. But it was a fairly vigorous proposal. We had the head of the lands division for San Diego Gas and Electric, Frank DeVore and Bob McGinnis who was their lawyer at Luce Forward here in San Diego practically live at MWD for awhile working on those water contracts. So it was

a fairly vigorous program. So if you have any questions or anything?

JM

You've mentioned a number of people that you have run across or worked with over time. Are there any others without regard to specific projects, like CAP and Colorado River Salinity and all that, are there other people that you have run across, elected officials or otherwise, that leap to your mind as being influential on the development of Colorado River policy and practices over time?

BW

Well I didn't really talk much about Myron Holburt. I think I referred to him just in connection with the Salinity Control Program. But Myron was the director, or whatever he was, of the Colorado River Board for a number of years before he went over to Metropolitan in the early '80s. Myron, I think, had a very substantial reputation.

Myron's honesty was beyond reproach. While nobody in the other states in the Colorado River Basin liked California, in some cases it was even worse than not just not liking us, but they trusted Myron and he could deal with them. He did. He was very important in the latter days of the Central Arizona Project issues. Of course, during the salinity control program, he was influential on resolving this Indian water rights issue with Escondido and Vista. His name really stands out to me.

I suppose I could name a number. I'm trying to think, in Washington itself, Bruce

Babbitt was a very active Secretary of Interior and tried to resolve a number of issues that California had. I think he was quite effective. He started off on the wrong foot with Congress, trying to do some things which it didn't take Congress long to kill. But later on, when he got involved in the Colorado River issues and got involved in the Cal Fed issues in California, he did a pretty good job I think.

JM

There were some concerns when Babbitt was named Secretary of Interior that he might owe too great an allegiance to the state of Arizona where he was governor and had a long family history.

BW

Oh, yes.

JM

Did he overcome that?

BW

I think he did pretty well. I think the Californians came to trust him. I think that a lot of the Arizonans never really liked Babbitt. He was governor for a long time, but the water guys in Arizona didn't like him. As part of the authorization of the Central Arizona Project, or not as a part, well, I guess it was a part of the authorization, afterwards the Arizonans were required to implement a groundwater law in the state of Arizona — something which California has never done and the water guys hated him for it. It was a Communist plot. It was a deprivation of basic American rights. But he rammed it through. I think there's still some anger over it. But they do

have now a groundwater law which they've implemented to try and protect overdrawn groundwater basins. I think he was probably a pretty good secretary.

JM

When President Reagan was governor of California, was water on his radar screen? Or was it a non issue for him?

BW

Yeah, it was on his radar screen because the Peripheral Canal was a major issue. Bill Gianelli was his Director of Water Resources- a California engineer from Stockton, California. Bill told me that his dealings with the governor were "here is my home number, you call me whenever you need me. You know, don't just call up and have a conversation, but I am available to help you at any time." I think he was pretty well aware of that.

So, I think there was some effort, when he was governor. The California Governor's Office in Washington, D.C. was a one-man operation and I had about two or three during that period of time. But I know that when I would go over there and ask for some help on an issue, the individual at first was a guy by the name of Ed Gillenwaters from San Diego, who used to work for Bob Wilson who was a Congressman. I think it next was Jim Jenkins. They'd say look, you go ahead and do whatever you need. He says we'll back you up, you know. Just kind of keep me posted. But he said, you know, I got a one-man operation. I'm trying to do the lobbying for the entire state government. As far as we're concerned, water is in good hands.

Not necessarily mine, but, the water community. So, I think he would have been helpful if we had asked, but unfortunately we never got to the point where we had to ask him for help.

The governors have generally been okay. Jerry Brown was interesting. He actually permitted his Department of Water Resources to put together a Peripheral Canal Project, which of course died. But they've generally been supportive and Jerry Brown is the first governor that developed a larger staff in the Washington D.C. office, so we had somebody that we could bring along to meetings and wave the California Bear flag and help us out.

JM

How about governors from other states? Any of them come to mind as being particularly active on Colorado River issues?

BW

Yeah. During the final days of the Central Arizona Project stuff, they had a one eyed governor by the name of Jack Williams who lost an eye somewhere down the line.

JM

They, Arizona?

BW

They Arizonans. Yes, and he was very good. Very active in promotion of the Central Arizona Project. In fact, it was Morris Udall, who was probably one of the finest people I ever met in my life, he was a Congressman from Arizona, and also had one eye and he had a tremendous sense of humor. He made some crack to the

Californians about well, between the governor and me, we've only got two eyes, but they're both pointed at you in California. He was very clever. He was excellent. Even at our worst fighting times during the Central Arizona Project, John Rhodes and Mo Udall were always accessible to me. Paul Fannen, who was the governor at that time, later became a U.S. Senator, was the same way, very helpful.

We had an interesting little period right at the end of 1964 when Clair Engle died. In the early summer, Pat Brown appointed Pierre Salinger, who had been one of the great John F. Kennedy supporters and spokesperson, (as Engle's replacement). He made life pretty exciting for awhile, but didn't really accomplish much. Because George Murphy whipped him in the November elections of that year. He was only Senator for six months at the most. We've had an interesting bunch of senators from California.

JM

I'm trying to remember, there's a fairly new book out called The Money And The Power. Yeah, The Money And The Power, The Story of Las Vegas and (Paul) Laxalt is prominent in one of the chapters in there. I won't get into it here, but you ought to pick it up. It's, really a fun book.

BW

We've got a good library here in town, I'm sure they have it.

JM

Yeah, I'm sure they do. Okay, anything else come to mind, Colorado River stuff.

BW

No, not right off hand. You'd mentioned something about what was the view of the Colorado River Compact during our days in fighting over the Colorado River. It was always an issue. First of all, it was the bible for the guys from the upper basin.

JM

Now, the Compact was signed in?

BW

1922, yes, and Arizona was the only state that did not sign the Compact. It did not even agree to the Compact until the '40s sometime, which leads me on another little digression for a minute. There was a guy in Arizona, and of course, I've just read this, back in the '20s by the name of Culter, who promoted the idea that the Colorado River in the lower basin belonged to Arizona.

It flowed through Arizona until it gets down to where it meets California, and he said it's all ours. We should put together a program to fully develop it for the state of Arizona. Well, he managed to gain so much ascendancy in Arizona apparently, that it's the reason that they did not sign the compact. These people were not willing to agree that there was anybody else in the lower basin under the Compact. It was Arizona. But of course, the Compact was finally implemented and the upper basin stuck by it. But during a lot of the Central Arizona Project fight, the upper basin guys took the position that the Mexican Water Treaty is a lower basin burden and not the upper basin — that our requirement under the Compact to deliver 75 million acre feet of water every ten years includes Mexico's

entitlement of a million and a half acre feet a year, or whatever that turns out to be in ten years.

We never agreed with that, obviously. It's a burden to be shared by the entire Colorado River Basin. I think the upper basin people have pretty well, kind of ignored that whole position that they had. But it was an issue that kept floating in and out during the Compact days. But the upper basin people wore that Compact like a shield.

JM

They still do.

BW

Still do, yes. That's the extent of their obligation. But other than that, there wasn't a lot on the Compact. In the final stages of negotiation on the Central Arizona Project, in trying to put it together, there's quite a bit of language in there about the upper basin and the lower basin balancing their reservoirs, basically Glenn (Lake Powell) against Lake Mead.

So it was to protect the upper basin's rights, to its flow allocation of Colorado River water. So the upper basin, lower basin fights have completely gone away.

JM

Had you ever gotten involved directly or peripherally, with respect to the total Mexican-U.S. water issue, which really incorporates the Rio Grand, Texas and the Little Colorado and a number of other issues? I'm wondering if the Colorado River that we're talking about here, the major Colorado River, was it ever offered

up as a pawn in those negotiations or discussions? As you know, Mexico gets water out of other U.S.- based rivers as well.

In this year a major concern is over Mexico repaying some water that they had borrowed over many years. President Fox, I think, has indicated that he's committed to paying back a fraction of that. So the United States isn't happy because he's only paying back a fraction and the Mexican farmers aren't happy because he's sending water to the north

But I guess what my question is, does at the Federal level, does our Colorado River (I use "our" just to distinguish it from others) get balled up in those discussions? Or are we separate?

BW

Well the State Department wants to keep them separate. We have tried to ball them up together because we currently have an argument initiated by environmental groups, both in Mexico and in the lower basin states, over additional flows into the Colorado River Delta and in Mexico. The fisheries, bird and the environmental groups have come up with a number of ploys to try and force the seven basin states to give up some additional water to Mexico so it will flush out the delta and rebuild some of the environmental needs down there. Of course, we've taken a fairly adamant view that the treaty is on quantity and it does say how much we have to release to Mexico. If Mexico needs more water in their Delta, then they can take it out of their 1.5.

But, we've actually talked with some of the Texas border Congressmen, like Hinohosa, Bonilla and Ortiz, to try and deal with them and understand their issues and what they're going through. They've actually reached the crisis stage now. Apparently they're at a point where a lot of their farmers are just plain going to go out of business.

But it's been our view that because these are a part of the Mexican Water Treaty, the Rio Grande, not just the Colorado, that we should look at this as a total package. As long as Mexico is violating the treaty on the Rio Grande, there is no way we can come to an accommodation with them on supplying additional water on the Colorado.

This hasn't really escalated very far. The whole issue on the Colorado River Delta, of course, is now in court and we're kind of waiting to see what the results there are going to be. We've taken the view because we're always scared to death of the State Department. Their big border issues are immigration and drugs. And it is our personal feelings that they would sell us out in a second on the Colorado if they could make some headway on immigration and drugs. I think that's probably also true on the Rio Grande. Even though they're having a lot of trouble with the Mexicans on the Rio Grande, they would sell us out in a second on the Colorado River.

So, we're probably the ones that kind of tried to make some effort to put the two issues together. At this stage of the game it's not going to matter a great deal.

JM

Okay. Well I think we've trolled well here. Anything that you would like to say to end this oral history?

BW

Say, hi, mama. No, I've got to tell you a story.

JM

All right.

BW

When I started at MWD in 1961 we were in the Third Street building in Los Angeles.

JM

Right above the.....

BW

Right above the Million Dollar Theater and Grand Central Market and Joe Louis' wife was a practicing criminal lawyer in Los Angeles. She had her office on the fourth floor of that, or the third floor of the building.

JM

Joe Louis the boxer?

BW

Yes, Joe Louis the boxer, his wife. So that's what made me think of "say, hello mama", because that's what he always used to say at the end of beating the tar out of some other fighter. I met him a few times, he'd come in the building to see her. Yeah. You know, a massive guy. This was much past his prime, of course. He'd finished prize fighting.

JM

Yeah. I've only seen pictures of him. I've never seen him in person. So, I'm sorry, you said his wife or his mother?

BW

His wife.

JM

His wife was a criminal lawyer?

BW

His wife was a criminal lawyer and apparently pretty good. You know, walking distance to the court buildings, up on First Street there. So we were at Third.

JM

So when you moved, with MWD, you moved from the Third Street building over to Sunset, right?

BW

Correct.

JM

And then you left the MWD before they relocated to either Cal Plaza (or Union Station).

BW

Yeah, yeah.

JM

Okay, well, thank you Bob. That marks the end of this tape. I appreciate it.

BW

All right.

JM

For the record, we are having a re-interviewing, or a second interview with Bob Will. This interview is taking place, over the 18th or 19th (of October, 2002). We wanted to come back to talk to Bob specifically about some of the people that he had run across during his years dealing with Colorado River water issues and this will make up for the back end of the oral history.

So Bob, I think I'm going to turn this over to you. I'll jump in every once in a while if you use acronyms or say something that some future audience might not understand and ask you to explain that. But other than that, I know that you have been thinking, since you and I talked, about which people you might want to talk about.

Which people you might want to include. Why don't you simply go ahead with those people you've come up with. I know that the first one is going to be Mike Ely.

BW

You're correct.

JM

So why don't we talk about Mr. Ely and go from there?

BW

Sure. I did want to talk a little bit more about the personalities that were involved in a lot of the Colorado River problems that we've had over the years. Particularly to go back to the fight over the Central Arizona Project and the final passage of what we call the Lower Colorado River

Basin Project Act, which was finally passed in 1968.

After we lost the lawsuit in Arizona versus California, Mike Ely, who was a special Assistant Attorney General for the state of California in that lawsuit and was the lead counsel in that lawsuit, immediately moved over to kind of take over the legislative program because the Arizonans had already introduced their first Central Arizona Project bill in 1963, right after the decision was handed down.

I'm sure that there's plenty of histories around Mike. Mike had a huge history with western water issues. I think he was originally from Phoenix, Arizona; gone to Stanford University and had caught the eye of Ray Lyman Wilbur, Dean of Stanford Law, who became Secretary Of Interior under Herbert Hoover.

Mike was the person who wrote and negotiated most of the original water contracts and power contracts after the Boulder Canyon Project Act was passed. So he had always been a key figure in California's interest, as far as the Colorado River was concerned.

JM

When you say he, we're not talking about Mike Ely ?

BW

Mike Ely.

JM

Because you'd mentioned two people.

BW

Okay. Yes, Mike was a brilliant attorney. I mean, there is no question about it. I watched him testify a number of times before House and Senate committees on the Central Arizona Project, as well as other times. Of course, there was a lot of bad blood at that time between Arizona and California and as well as between other basin states.

The members weren't very kind to him when he got up and testified. But first of all, he knew his subject so thoroughly, it was just remarkable. If he didn't know it, he always had somebody sitting at his side that could actually slip him a little sheet of paper and because he was so well organized he never missed a beat.

They could jump on him and he never changed his tone of voice, he just moved right, straight forward. They could not get under his skin. But the interesting thing about his role in developing California's position on the legislation is that Mike was not a compromiser. Mike would fight to the death for an issue and he had fairly strong backing in California at that time, particularly from Joseph Jensen, who was the Chairman of the Metropolitan Water District board.

He also had strong support in the Colorado River board and he was actually retained as California's counsel during this period by the Six Agency Committee, the alter ego of the Colorado River Board. So he took his direction from the Colorado River Board and principally Joe Jensen who was his

major supporter. He worked for all of the six agencies in southern California.

JM

And those six agencies were?

BW

Well, they're City of Los Angeles, Metropolitan Water District, San Diego County Water Authority, Imperial Irrigation District, Coachella Valley Water District and Palo Verde Irrigation District.

JM

Joe Jensen represented the City of Los Angeles on the Metropolitan Water District board as a director there.

BW

Yes, that's correct. Although they had an independent seat on the Colorado River Board, the City of Los Angeles and Metropolitan had a seat on the board. Jensen sat on the board as Metropolitan's representative. To a certain extent they were birds of a feather, Jensen and Ely. They were both tough fighters, neither one of them liked to compromise.

They actually created a number of problems for us in our California delegation because they were so tough. When we introduced our first bills in the house in 1964, I don't remember the dates, we had the entire Congressional delegation from California behind us. I believe there were 38 members of the California delegation at that time.

Harry Shepherd from San Bernardino was the Dean of the California delegation. In

those days, the Dean beat up on the members and they fell in line and did what he told them to do. It's a long ways from that nowadays. But we got every member of the delegation, starting at the Oregon border and coming all the way south, in support of our position on this. I mean it was a California position.

JM

Now, when you say we, Bob, you need to define that pronoun. Who was we?

BW

I'm speaking on behalf of California and the Metropolitan Water District at that time.

JM

But you were an employee of Metropolitan Water District at that time?

BW

Yes. Yes.

JM

Okay.

BW

I was.

JM

Thank you.

BW

They were unequivocal in their support. We had no problems with any of them, even those from far in the north of California. Our two leaders among the Congressional delegation were Tom Kuchel on the Senate side and then two leaders in

the House. Chet Hollifield was from Norwalk and Craig Hosmer was from Long Beach.

They worked very well and worked very well with Ely. So we took a fairly aggressive stance on the Arizona legislation that we wanted protection of our four points in the Central Arizona Project. In the event that there were shortages below seven and a half million (acre-feet) in the Colorado and in the lower Colorado, California's 4.4 would have prior rights over diversions for the Central Arizona Project.

That was our principal position and we held onto it through the entire legislative program, up until passage of the bill in 1968.

JM

Again, for the sake of clarity, the lower basin states of Nevada, Arizona and California have an entitlement to seven and a half million acre feet of water a year. What you're talking about is that in the event of a shortage, if the Bureau could not deliver seven and a half million acre feet of water in any particular year, for those three states, California would get its four point four million while Arizona took shortages. Is that, that's, uh, a simplification perhaps.

BW

That is a simplification, but only to the extent that within Arizona on diversions for the Central Arizona Project. The other Arizona projects could not be affected. They've been pretty well (protected) in litigation.

JM

Okay. That's, that's an important point.

BW

Yeah. This went on for a couple of years starting in '64-'65, when we went through extensive negotiations. The Chairman of the House Interior Committee is what it was called in those days. It's now called House Resources Committee. Wayne Aspinall from the state of Colorado was a domineering figure.

That was in the days when the committee chairman ran the committee, lock-stock and barrel and hired all the employees, set the agenda not only for the full committee but for every subcommittee and nobody did anything without asking his permission. None of the subcommittees had separate staff in those days. That was born when the Watergate babies came along in '73 and '74.

The revolution started, but before that time, committee chairmen were gods and we had a lot of struggles with Aspinall. Aspinall was basically sympathetic to Arizona. But he also wanted some additional protections and small projects up in the state of Colorado for his people. He wanted to get something out of it also.

To give you an idea of some of the members of our delegation, Chet Hollifield and Craig Hosmer worked constantly. Craig was a Republican and was a fairly senior member of the House Interior Committee. Chet Hollifield was an even more senior Democrat, having come to the House, I

believe, before World War II and Chairman of the Government Affairs Committee. He and Craig were also the chairmen and the ranking members of the Joint Committee on Atomic Energy, which was a joint committee of both House and Senate. So they had quite a bit of seniority and a lot of punch and were able to help us a great deal.

To go back to Ely a little bit, Ely continued to take an extremely hard line into '65 and '66 on a number of issues.

At that time we had the proposals to build two dams straddling the Grand Canyon, Marble Canyon Dam and Bridge Canyon Dam and there was a Congressman from Pennsylvania by the name of John Saylor who was the ranking member of the Interior Committee, as a Republican. In those days the Democrats had such an overwhelming majority in the House that Republicans weren't paid too much attention.

But Saylor was a dominating guy and was taking the position of the environmental groups, although he was a reasonably conservative Republican. There is a story that he made an offer to Mike Ely of a very small Bridge Canyon Dam and no Marble Canyon Dam so that the waters would not back up into the Grand Canyon.

Mike refused to compromise and he turned it down. Saylor had enough influence that he probably could have put that together if California had agreed. Finally, starting in 1966 and 1967, they started to get a lot of rumbling from some of the northern California Congressmen. They were pret-

ty unhappy with Mike Ely because he just would not sit down and work out a deal.

They started to complain to me as the lobbyist for MWD. I was the only lobbyist then for any of the six agencies on the Six Agency Committee, so the rumbling started to get a little bit bigger. The Congressional delegation from the central valley of California were always pushing appropriations for their own projects.

They built a lot of projects up there in those days and were trying to finish them up. They were scared that Senator Carl Hayden from Arizona who was chairman of the Senate Appropriations Committee, would start cutting their money out. Apparently some of Hayden's staff people suggested to a few of the Californians that they were going to start losing some money if they weren't a little bit more forgiving to the Arizona position.

They complained to me and I complained to Jensen. Jensen just kind of pushed me aside. You know Bob, don't worry about that. They're not going to give us any trouble. So it went on for a couple more years until the end of '67 and part of '68, when there started to be more participation by other people from southern California to try and work out a compromise.

I don't recall whether, in our first interview, I had mentioned that Pat Brown, who was governor of California at the time, had sent two representative back to Washington to try and help work out a compromise.

JM

I don't recall that in the first interview.

BW

One was Wes Steiner who was a senior manager in the state Department of Water Resources.

JM

For California?

BW

For California. Yes. At the time.

JM

Because he later worked for . . .

BW

Yeah, for Arizona's DWR and Abbott Goldberg, who was one of the lawyers for the state. They were both from Sacramento. They actually came back and started working directly with the Arizonans rather than directly with Mike Ely or the other Californians and Senator Hayden gave them office space in the Capital.

One of my jobs right after they came back was to find them and I don't know how much you know about the U.S. Capital but there are little warrens, dens and cubbyholes all over that place. I had to wander up and down halls and I finally found them. If you're familiar with the Capital, out in some rooms out in the west front of the Capital.

So I spotted them. I did that for Senator Tom Kuchel who wanted to try and find those guys, as well as for Mike Ely. Finally Kuchel called Pat Brown and asked him to

get those people out of town. They were creating trouble for us because they were basically working for the Arizonans. So it was a very touchy situation for a while.

I don't remember the exact dates of that, but it happened probably in '65, that they were booted out. We also had a couple of other really loyal Congressmen in, probably about '66. The House Interior Committee had drafted a bill and was ready to take it to the House floor over California's objection.

At that time, California had two members of the House Rules Committee. The Democrat was Bernie Sisk, who represented Fresno, and the other one was Al Smith, a Republican who represented Glendale. His nickname was Snuffy Smith. And . . .

JM

That's from the comic strip I would think...

BW

I guess so, I don't know how he got the name. Little short, wiry, sourpuss who had a really funny sense of humor. I mean, if you met him you'd think good God, who is this guy? But he was very good. They went to the Chairman of the Rules Committee and said they were not going to issue a rule for this bill and take it to the House floor. Under House procedures, if you're going to take a bill to the floor of the House for action, you have to go to the Rules Committee and they craft a rule which sets up the terms of the debate.

How much time the proponents get, how much time the opponents gets, various and depends on other procedural and technical

things. A bill does not go to the floor without a rule, except under some rather limited circumstances.

So those two guys and even Bernie Sisk from Fresno, who was a part of the gang from the central valley, helped us out and blocked that bill. Congress died and adjourned and they were never able to bring the bill to the floor. Jensen continued to take a very strong position, backing up Mike Ely the whole way, and was not interested in any compromises until the very end when they finally worked out the protection for what is the Colorado River Aqueduct of Metropolitan Water District. Because we have the poorest priority for taking water among the California agencies. So the compromise was to protect Metropolitan Water District.

The story continued on, as I pretty much mentioned before. We finally worked out a deal, Myron Holbert, who was at the Colorado River Board at that time on the staff was the principal negotiator right at the end and kind of did the finishing touches on the 1968 act.

JM

Just for the sake of continuity, Myron Holbert who later worked for the Metropolitan Water District of Southern California before he retired, is the subject of a separate oral history. Anyone wishing more information with respect to Myron's recollections should know that that one is available as well.

BW

Good.

JM

... just complete and full circle.

BW

Yeah. Sure, yeah. On the Senate side, Tom Kuchel was up against an absolute wall in trying to represent California. The other California senator was George Murphy. In the first year, in 1964, we had Clair Engle who died in the summer and then Pierre Salinger who was appointed by Pat Brown.

But Kuchel was the ranking Republican on the Senate Interior and Insular Affairs Committee, which was a line-up at that time of almost solely western senators, most of whom also disliked California. Senator Jackson from Washington was the Chairman. Alan Bible was from Nevada and Clinton Anderson from New Mexico.

Carl Hayden got himself appointed to that Committee solely for this project and they rolled poor old Kuchel every time. I mean they treated him well, and they liked him. He was active on all the other Committee business, but with Hayden there wanting this, it went through that Committee without a great deal of anguish. It, of course, was the principal Arizona position, where California got nothing. It authorized the project and gave no priority to California diversions in the event of a shortage or anything like that. So Kuchel was good. Kuchel was a hard worker, but being a Republican in a highly Democratic Senate, and going up against the Chairman of the Appropriations Committee was not a lot of fun for him.

I admired Kuchel and liked him personally

a great deal. I thought he was a real solid citizen. But those are just some of the recollections that I have of the personalities who were involved in this. I think that the interplay between a lot of these individuals was really fascinating.

It was very embarrassing for me to have members of the California delegation come up and tell me, you've got to get rid of Ely. I mean, my reaction was come on, you know? I'm just a local lobbyist, but I would also loyally call Jensen and say I'm getting more complaints about Ely from these guys. They are just starting to get threats against their own projects in northern California, and we've got to moderate him somehow, or replace him.

JM

Just to make sure that we didn't get lost here, who was Mike employed by at that time? Who was his employer?

BW

He continued to be employed by the Six Agency Committee. They paid his fees and of course the six agencies all contributed to that pot.

JM

Are you aware of the Six Agency Committee itself, which as you indicated is the alter ego of the Colorado River board? What that means is that the membership was identical. The representation was identical. Were there discussions at that table with the Six Agency Association, with regards to Mike? Or was the Association solidly behind him?

BW

The Association was generally solidly behind Mike. I mean the Six Agency Committee was solidly behind Mike. First of all, I would have to go back and kind of review who some of the members were at that time, other than Mike. They were a pretty tough bunch themselves.

So they generally supported him. Until it finally looked like we just weren't going to be able to keep our California Congressional delegation together. So then they started sending Myron back to help in the negotiations.

JM

As executive of the Colorado River board.

BW

Yes.

JM

Actually you might want to talk just a little bit, not to belabor the point. It's interesting to think of the many venues where individuals had an opportunity to take action or exhort people to do something. I'll give you an example, and then if you can think of others that would be interesting.

Joe Jensen was Chairman of Metropolitan, Metropolitan's Board of Directors. So he had that venue overlooking Metropolitan's board, which covered 27 member agencies, you know, lots of people. He then had the venue of the Colorado River Board, which he sat on, representing Metropolitan.

BW

Then he had the venue of the Six Agency

Committee, which was the same people but they met sort of separately. So he for one, anyway, had three or four or maybe even more different places to espouse his views and to cajole people. Sometimes they were the same people, but sometimes they were not. That did go on with other people, or in other states.

JM

I'm asking this question in way too complex a fashion and I apologize for that. Let me see if I can boil it down. What venues of the ones that I indicated, the Six Agency Association, the Colorado River Board, MWD, the LA City Council, the California Assembly and Senate, which of those venues really got involved in Colorado River issues and were really important places to be seen and to be heard?

BW

I think that the Colorado River Board dominated the position of California. I had mentioned Wesley Steiner and Abbott Goldberg being sent by the governor. The governor backed down and the Colorado River Board continued to dominate the California position. I suppose that each one of the members of that board at that time from LA, San Diego, Imperial and so on probably had their own base within their water district to continue to support the Colorado River board's position.

I don't recall Jensen ever having any problem with the Board of Directors of the Metropolitan Water District over California's position on the Colorado. I think that Imperial Irrigation District was exactly the same. They were a strong sup-

porter, they had a long history with the Colorado River Board because a member from Imperial by the name of Evan Hughes was probably the strongest member of the Colorado River Board, up until the '60s sometime.

So Imperial was very strong. The agencies were all together and there really was no other group that played a significant role. We had the complete support of the LA Times at that time. We were almost on a basis where we could get on the telephone and get an editorial out of the LA Times.

Things that would not happen today. The whole Southern California community, as well as the rest of the state, were quite unified. But the board took the lead. My recollection is that Jensen was probably the dominant voice on the Colorado River Board at that time, although I didn't go to all of the Colorado River board meetings.

Maybe somebody like Myron Holbert's recollections would be a little bit better than mine as far as that's concerned. It was the same in Arizona, but it was a more loosely knit group. Arizona, at that time, did not have a department of water resources. They had a state engineer, something called the Interstate Stream Commission, I think it was called.

All of the water agencies in the state of Arizona came together. Of course, they didn't have a Central Arizona Water Conservation District either. But the Salt River Project sent back a couple of people. Ted Riggins was their lawyer and Les Alexander from the Salt River Project.

There was Clyde Gould from the Wellton Mohawk Project and Rich Johnson for the Central Arizona Project Association, which was more a fund-raising operation than it was a position-developing association. So the groups were somewhat different in the state of Arizona.

Of course, they had strong support out of their Congressional delegation. The leader at that time in the House Of Representative was John Rhodes, who was the Republican leader of the House of Representatives. He was backed up by Morris Udall who had just been elected because his brother Stuart had been made Secretary Of Interior. It was, it was quite a group.

JM

Well was there anyone in Nevada that was active at that time? I don't imagine that in the early to late '60s that Nevada was too excited about water at that time because I don't think they really saw what was coming with regard to Las Vegas.

BW

Yeah.

JM

In the growth that they been experiencing. But was there anybody in Nevada who . . .

BW

Well I'm trying to think of the name and I'm not sure. There was a guy by the name of Don Pfaff. Nevada has something called the Colorado River Commission of Nevada and they're kind of their Colorado River Board, but a little bit broader because they're also responsible for whatever power

allocation Nevada got out of Hoover Dam power.

But their position was, we're going to stay out of the line of fire. We want to be treated as if there weren't this fight going on. We want our 300,000 acre feet protected. Don't stick in any amendments that are going to affect us in the state of Nevada. They had, of course, Senator Bible in the Senate who was becoming one of the old dogs over there and was fully capable of protecting them.

He sat on the Senate Interior and Insular Affairs Committee. Have to think who the other senator from Nevada was at that time. But they were adequately protected. At that time, Nevada had one Congressman.

So he was also on the Interior and Insular Affairs Committee in the House and was reasonably senior. So he was able to protect Nevada's interests and nobody was in a fight with Nevada. I mean, it's a drop in the bucket over what we were fighting about; their 300,000 acre feet. So we didn't pay much attention.

Well, those are the coalitions that I can think of as far as our days on the Central Arizona Project. I wanted to kind of move forward to the Hoover Power Act in 1984 and talk again about some of the personalities that we dealt with.

The Act was, of course, extremely important to us. In trying to maintain, among the Californians, the amount of power and the compromises that were put together to

actually uprate the power output at Hoover Dam by rewinding the units and increasing their capability, or capacity, or whatever it's called. California's senators at that time were Pete Wilson and Alan Cranston and they both played a very strong role. But probably the leader for all three lower basin states (and we were all together), Arizona, California and Nevada was Paul Laxalt from Nevada. We relied a great deal on his leadership to move us forward.

The Arizona senators were Goldwater who, of course, was one of the seniors and one of the old dogs of the Senate. Then DeConcini was the other Arizona senator and he was also very helpful to us. But I probably had mentioned that earlier, in the first part of this interview that the environmentalists were fighting us on this project. Principally led by Tom Graff from Environmental Defense up at Berkeley. Tom had taken the position for a long time that he can enforce water conservation by raising the price of water and if MWD lost the cheap power at Hoover Dam, then the water would become much more costly and thereby increase the efficient use of water.

Of course, that didn't apply to the City of Los Angeles or to Southern California Edison, who also had big chunks of Hoover power.

JM

For the record, Metropolitan used power from Hoover Dam to pump water into its Colorado River aqueduct and therein . .

BW

Correct. Yes.

JM

... lies the cost.

BW

Yeah and Metropolitan got the largest amount of energy from Hoover Dam and it was and still is a very important part of our resource mix at Metropolitan Water District. In the House, Tom Graff had gotten to the Congressmen, Congresswoman Barbara Boxer and to Congressman George Miller. Barbara Boxer was from the Bay area, a Congresswoman there, primarily Marin County.

George Miller always represented Contra Costa County and also a strong environmentalist. They introduced a proposal in the House when the bill was being debated on the House floor, which came before the Senate action. That was to put all of the power at Hoover Dam up for auction to whoever wanted to buy it.

That, of course, would have torn all of our stuff to shreds. But it engendered a lot of interest and we only won in the House by about 40 votes. Boxer was not a good floor speaker at that time. George Miller was, so he led the fight in the House. George has always been good on his feet. No love lost as far as southern California is concerned.

Also they were both, and continue to be, strong environmental supporters. On the Senate side, we ran into the same kind of a problem. There was a Senator from Ohio by the name of Howard Metzenbaum who was a very strong environmental supporter and he'd started to filibuster the bill. When it got to the Senate floor the only way that

we could escape from that was, of course, was to get cloture, which is a limitation on the amount of time you can speak in the Senate. Otherwise in the Senate, there is no limit on the amount of time that you can speak. Much different than the House of Representatives.

The gang from the states were Pete Wilson, Alan Cranston, Laxalt and the other senator was Chick Hecht from Nevada. Goldwater and DeConcini moved around the floor. You needed 60 votes to invoke cloture and limit the debate and we just made it. We got 60 votes. There's a little vignette that Pete Wilson went to one of his Republican friends on the floor and told him (accidentally) to vote the wrong way on cloture.

So the guy did go and vote and there was a vote against our interests. Wilson was a brand new Senator at the time; he hadn't ever gone through a cloture vote before and in order to invoke cloture you have to vote for the motion to invoke cloture. He told this guy vote no.

JM

Accidentally.

BW

Accidentally, yes and there was quite a scramble going on. We were all sitting up in the balcony watching the debate and everybody was agonizing over it. They did manage to get this particular Senator, I don't even recall who it was now, to change his vote before the vote ended. They finally got the 60 votes that they needed to invoke cloture.

But the Environmental Defense Fund, as they called it in those days, was very effective in trying to block our Hoover Power stuff. Tom Graff, as you know, was appointed by Jerry Brown at one time to serve on the Colorado River Board of California. He knew our issues, was thoroughly familiar with and knew all the players and was effective. I don't recall whether he was still on the Colorado River Board at the time that this took place. He was a so-called public member.

JM

Right.

BW

I'd have to go back and look, if I could find a list of the board members.

JM

I don't remember whether he was on, at that moment either.

BW

Yeah. I'm, not sure.

JM

It was an interesting appointment though because Tom Graff, of course, has his base in Berkeley, northern California. The Colorado River Board historically has included (only) members from southern California because that's the immediate impact area of Colorado River issues.

BW

Yes.

JM

So it was a little unusual for any governor

to appoint someone who lived and operated well outside of geographic impact area of the river.

BW

There's a story and I don't have all the facts on it, that when Jerry Brown appointed Tom Graff to the board it was kind of a SOP because Tom Graff had wanted to become the Director of Water Resources of the state of California. No, I'm sorry, I take that back. He wanted to be appointed to the Public Utilities Commission of California.

I remember saying Jerry Brown would not appoint him and I remember seeing a letter that Tom wrote to the governor, that was really a scorcher. I never had a copy of it. For a while, things were pretty tough between Jerry Brown and Tom Graff.

The fight over the Hoover stuff worked out and we managed to make it. So we seemed to be coming along all right. I don't really have much else in the way of personalities to talk about. Maybe one thing to say about the Colorado River board is that MWD hired two executive directors for their own staff, which I think is a pretty good indication of the quality of both Myron Holbert and Dennis Underwood.

When they were executive directors of the Colorado River Board, a small agency, very small agency and very small staff. But very able people and effective people, I think.

JM

Oh, okay. One of the things that my cohort on this project has been asking people, and so I'm going to ask it of you assuming that

someone is taking a look at this record say 40 years from now, which would be roughly 20, 40 or, in that time frame . . .

BW

They won't be able to reach me.

JM

That's why we're doing this.

BW

Oh.

JM

And they're doing a book, a treatise, or doing some sort of legal exploration with regard to Colorado River issues. How the various states got to where they get in 2040 and of course we can't know that. But where would you recommend that they look for research. In addition to these kinds of oral histories, where would you guide them? What would you tell them to read?

BW

Oh boy. Well if they were coming into it cold, I guess there are a few books around. One of them, it's hard to come across names, in my brain that is. There is a two volume book that was written about our fight on the Upper Basin Project. The Colorado River Storage project, which we fought back in the 50s and the author of that was John U. Terrell, who actually worked for the Colorado River Association back in those days. I know that UCLA and now Berkeley has been doing some oral histories. I'm almost positive they did one of Joe Jensen, out at UCLA and I'm not sure who else they did at that time. But my guess is that you would go to the files of the

Colorado River Board and go to the files of the Metropolitan Water District for your principal basic data.

Metropolitan used to put out a monthly newsletter called Aqueduct News. It comes out kind of sporadically now, as far as I've been able to tell. But, it was a monthly letter and would give you an acquaintance with what the issues were from month to month with the Metropolitan Water District, which, of course, always had a real stake in the Colorado.

I'm not sure what other sources I could recommend. They used to have a Water Resources Research Institute at UCLA. I think that's now been moved to Berkeley.

JM

I think so.

BW

Whether they would still have any of the files out there or not, I don't know. Mike Ely was writing a history of the Colorado River, before he died. I don't know the status of that. It's my understanding that he was doing that for Southern California Edison and LA Water and Power, that they may have those documents — the work that he had done up until he died.

That probably has some really good information. Another source now that I think of, of course, would be the complete hearing record before the House Interior and Insular Affairs Committee and the Senate Interior and Insular Affairs Committee — during those years in the middle 60s when we were working on this project.

The hearing record would be just that. I mean, we had days and days and days of hearings and the information in there would certainly reflect at least the views of all the people that testified before those committees. They're in soft-bound volumes and my guess is that the Colorado River Board has those. MWD has them. If not, I mean, they can always go to Washington and find them or maybe in some major library depository that the government printing office has.

JM

Of course, while you were at Metropolitan, when their headquarters was located on Sunset Boulevard, you sort of created what came to be known as the Colorado River room, as I recall.

BW

Yes.

JM

The size of a decent sized home library, maybe even a little bigger than that.

BW

Was bigger.

JM

And it was covered with three walls, with just Colorado River stuff, as I recall.

BW

Yes, you're right. Had the complete transcript of all of the hearings before the Supreme Court on Arizona Versus California. Then accumulated the various Senate reports and House reports and there was when Carly Porter was in the state leg-

islature, he held a series of hearings and developed a report on Arizona Versus California and the negotiations for the legislation, as I recall.

Whether the state legislature would have the hearings, I don't believe they've ever printed their hearings. But there's a major committee report and they've probably got a backup somewhere in Sacramento, of what happened in the Assembly Water Committee. That's kind of all that comes to mind. The Arizonans may well have extensive materials also, from the hearings. I'm sure that they've been saved somewhere in some archive over there. It would be an interesting book.

JM

Probably huge.

BW

Yeah.

JM

I mean, the . . .

BW

Yeah.

JM

. . . there's no short way of telling this story.

BW

No, no, no. There isn't. It just, too many players, too many positions, too many interests. I don't think that little Colorado River room at Sunset Boulevard would hold anything like what we have today.

JM

No, not unless they transfer it all to compact discs and make it . . .

BW

Yeah, yeah.

JM

I, hope 40 years from now, it will be just that. That a lot of this data will be filed and stored electronically, so at least it's manageable. I mean, geez, you walk into that room, Colorado River room, over on Sunset there and I mean, you're just ready to throw up your hands as soon as you walk in the door. It's just overwhelming, the amount of material.

BW

Oh yeah, yeah. It is. It is overwhelming. The Bureau of Reclamation may well have a huge store of stuff somewhere. I mean, they're the ones that produced the feasibility studies on the Central Arizona Project and came up with some of the water diversion plans for the project. I'm not sure that anybody at the Bureau of Reclamation has ever thrown away a piece of paper since 1902.

JM

Well and they're also the managers of the river. I mean, in terms of how the river is operated on a year to.....

BW

Yes.

JM

. . . year basis, it's their call.

BW

Yeah.

JM

So you're probably right, they would have historical and statistical data that might be interesting to look at.

BW

Yeah. The only story that I recall is the book that Mike Ely was trying to put together for DWP and Edison and I don't know where that is.

JM

I'll follow up on that.

BW

Yeah. I think I heard someplace that somebody at Edison had the draft to the extent that he had finished it.

JM

I'll follow up.

End of Interview

INTERVIEWEE: Bob Will

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