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M. Stapleton: Are you ready?

R. Sudman: Okay. I think we'll start with when you came to the Water District you're experience was water and what walked into as relating to the Colorado River?

M. Stapleton: Right. My background is in Municipal Government and so when I came to the Water Authority I had not run any Water Districts or Water Departments prior my knowledge with water --Uh-- was really through economic development element and trying to attract businesses into the San Diego region. I had just come through the drought and our businesses not only were not expanding in San Diego but were being wooed by North Carolina and Nevada at the time Colorado --Uh-- Arizona --Uh-- Utah --Uh-- Florida they were trying so hard and the punch line to their wooing during the drought was we've got water.

R. Sudman: So you came at this from the angle of there's a resource but it's hurting my area and now I'm in charge of doing something about it.

M. Stapleton: Right it really was the -- the realization without water you don't have anything and how important water was to our

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community and our economy and it --you know--it began --  
Uh-- my journey down this long road of fascination with  
water.

R. Sudman: Now when you took your job was there a road map for you  
to follow.

M. Stapleton: John are you hearing me okay?

J. Davis (Videographer): Yeah.

M. Stapleton: Yeah.

J. Davis: So that transcribers.

R. Sudman: When you took your job was there road map for you to  
follow on California and Colorado River issues? Where the  
position of the San Diego County Authority would be?  
Did you hiring committee say Maureen charge out in that  
direction?

M. Stapleton: Well, I think that --Uh-- our Board really had some --Uh-- I  
guess insight into what was going to be needed to insure  
that San Diego never went through what they did in 1991-  
92 extreme --Uh-- time period of the drought. San Diego  
took a real and lasting 31 percent cut in water --Uh-- of  
their imported supplies during that one year and that our

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community really came --Uh-- out and set two Water Authorities never again -- never put us in this position of being so reliant on a single supply. So that really had the Board prior to my arrival begin to look at a multi-pronged approach of how to increase water reliability for a region and their first move was really local supply development. It was the conservation -- the recycling --Uh-- mining our groundwater even though it's highly limited. --Uh-- and really maximizing our local yields out of our reservoir systems. But by the time I arrived they had that well underway and were now turning their attention to diversifying the imported supply invest the water transfer.

R. Sudman: Now how did the Colorado River come into that as a water transfer vehicle? How did that transpire?

M. Stapleton: If you will recall, the huge drought that occurred in the late eighteen -- I'm sorry -- sorry about that--

R. Sudman: Pardoned.

M. Stapleton: Yeah. If you will recall that the drought that occurred was on the Sierra Nevada and State Water Project and at that time the Colorado River was awash in water and also had

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far and away the largest storage reservoirs of any river in the United States. --Uh-- There was some look to the North for water transfers to see what was out there and available but coming off of those severe droughts and that lack of water supply really raised two wishes. Number one is -- was there any other water to be had and if so what was the price and I think the second one -- was the realization that the Sierra Nevada snowpack in the supply from the State Project was much more erratic than that coming from the Colorado River. I think also we were focused on increasing our priority so that the water that we want to obtain was more certain -- more secure -- more reliable in the long run.

R. Sudman:

When you realized as a neophyte in water that those agricultural districts sitting on the Colorado River were entitled to huge amounts of water were you shocked?

M. Stapleton:

Probably not as shocked as I was later on once I fully understood the allocations. Coming in brand new to water and --Uh-- and basically engaging right from the beginning in this dance of the Colorado River among the agencies in the States --Uh-- I think that to some extent I just had to

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except it for what is was --Uh-- I think that was a blessing and a curse. I think the blessing was I had no baggage I did not know these agencies. I really didn't know their reputations and I didn't know the fights and struggles that had come before and certainly had influence in the negotiations and the relationships between and among all of these parties. Obviously the limitation was that I didn't have the knowledge that I wish I would have had right from the get go. I had to learn as I went.

R. Sudman:

Did you think that you had to meet these people in the Agricultural Districts because obviously San Diego wanted to get a voluntary deal going and get some supply of water. Did you feel like you had to make relationships with them or did you want to do this in an abstract way where you didn't have to get personally involved? How did this unfold?

M. Stapleton:

--Uh-- a couple of things. Imperial Irrigation District had already --Uh-- contacted the Water Authority by the time that I had gotten here. So that it had already -- there had been preliminary discussions between our Board of

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Director Representatives and Imperial Irrigation District  
Representatives --Uh-- about --and very early-- just that the  
idea of we want to begin those negotiations --those  
discussions about trying to find a win-win for water transfer  
between IID and San Diego.

R. Sudman:

Now that -- At that time I remember people were very  
specific in -- in not wanting journalist like me to use the  
word like water transfer. They wanted it to be conserved  
water --you know-- transfers -- etcetera.

M. Stapleton:

Right.

R. Sudman:

--Uh-- because of the sensitivity.

M. Stapleton:

Well I think there's two sensitivities --one is that you have  
a viable agricultural economy that it was very important  
that in order for that to be a win on their side they had to  
make sure that they didn't harm their economy. From our  
side remember that conserved water is treated differently on  
the Colorado River than unused apportionment and we  
knew that you had to take extraordinary measures to show  
that you had conserved the water in order to have the right  
to move that water to another agency.

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R. Sudman: Now key to this moving ahead was the whole realization and fight about the California over use of this entitlement? --Uh--4.4 were always using more.

M. Stapleton: Right.

R. Sudman: And the states at that time were clamoring for California to use less -- How did the 4.4 fight fit in with what you were trying to do with the water transfer?

M. Stapleton: I think it was fundamental and actually one of the motivators that brought the parties together and the reason I say that California had been using 5.2 million acre feet for years and years and years even though our apportionment is 4.4. Apparently in 1994 Arizona had contacted California and had let the parties know particularly Metropolitan Water District that they had in fact plans to begin to use their then unused portion -- so it was almost putting California on notice. Oh, by the way -- we're going to start ramping up our use of that unused apportionment and as a result that surplus water you have been counting on will ultimately no longer be there. That and engagement of --

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Uh--well -- California -- what are you going to do to get on the water diet.

R. Sudman:

Now at that time the Federal Government got into the picture? Being that the Secretary of Interior is the Water Master for Colorado River and usually before this time things were pretty quiet on the Colorado River and fairly routine. But this time the Secretary got involved at the urging of the other states? But at some point he got involved and that changed the picture.

M. Stapleton:

I never knew that quiet time on the Colorado River. --Uh-- It was before my time. So by the time I arrived the Secretary was already involved the Bureau of Reclamation was an active participant and that the beginning of the discussions among the seven basin states and certainly among the California Agencies. --Uh-- had already --Uh-- started and was beginning to ramp up.

R. Sudman:

Would you talk a little bit then when you joined those negotiations and they were private negotiations to get the California on its water diet. What that atmosphere was like and what was the stumbling blocks to an agreement?

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M. Stapleton:

I'll give you a story without any names and that was the second day that I was here --Uh-- I was to go to San Francisco with my team. My staff team that we were having discussions --Uh-- among the California Agencies and --Uh-- before the meeting began --you know-- everyone was introducing themselves to me and it was a very large room of folks. So I was trying to keep not initials straight of the agencies but the people as well. We sat down and tried to begin --you know-- just start off and I can recall a fight broke out within over three minutes of the discussions where one agency was accusing the other agency of bad faith and I had no idea what it was about but it was quite animated and what realized in turning to my staff to look and see what their reaction was is -- they were non-plexed (Phonetic) it was apparently the typical --Uh-- activities for these meetings --Uh-- there were ups and downs in these negotiations and these discussions and they went on for years and years. But it's for every step backwards we did make two steps forward and I think as -- it is tenacity that led us to the ultimate goal.

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R. Sudman:

And the ultimate goal at this point being California get on the 4.4 plan? What? I mean did the Federal Government push to make the parties stay together -- There had to be something -- the carrot and the stick to-- that made an agreement happen.

M. Stapleton:

It was both a carrot and a stick. The carrot being that the -- Uh-- interim surplus criteria to allow California soft landing was critically important at that time. The reservoirs were full and that there was an opportunity in which California and Nevada and Arizona could share in surplus supplies and having much softer landing --Uh-- to move us from 5.2 to 4.4 million acre feet. That was a huge carrot. I think the other carrot were that there were a number of unsettled issues in the original compact in the California Seven Party Agreement in all of those documents our forefathers left us several puzzles to solve. And I think that the other carrot was that we had the potential to solve some of these and the stick was as you said the Secretary is the Water Master of the lower basin and there was always that overlaying threat of if you cannot solve it -- I will solve it for you. And I

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think that always kept us coming back to the table is that it's better to basically write our own destiny as agencies and states than to have the Secretary of the Interior impose upon us a single decision.

R. Sudman: Now who were the key parties of the agencies that -- that stuck through these negotiations. How many of them were there -- give us feeling were there seven or whatever?

M. Stapleton: Well the seven basins states were always there. --Uh--and then the predominantly was the five agencies which is Palos Verdes -- Imperial -- Coachella -- MWD and San Diego.

R. Sudman: And what period of time did you meet?

M. Stapleton: --Uh-- We -- I began discussions in early 1996 and we concluded the QSA in 2003.

R. Sudman: Okay. Now the QSA is we need to explain how that related to the 4.4.

M. Stapleton: Right. The Quantification Settlement Agreement was the comprehensive set of agreements and contracts between and among the various agencies that allowed the water transfer to occur and allowed the movement of water from

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one agency to another. It set terms and transportation -- it set priorities among the agricultural users in California and it really basically laid out for the next many decades how water will be moved around in California.

R. Sudman: Now this Quantification Settlement was needed because even though the states had divided up the Colorado River and even though we knew that California had 4.4 actually that water had never been quantified among the Agricultural Districts so it never said -- Imperial you don't get any more than 3.1 it was fairly vague it was just --

M. Stapleton: Right.

R. Sudman: All were divided up to together.

M. Stapleton: Right. For example--

R. Sudman: I think that's something that I think people don't really understand.

M. Stapleton: The first three priorities are the Agricultural Agencies and so like for example the first priority is Palos Verdes Irrigation District and basically they don't have an allocation numbers -- the allocation is they use what they need. Then you get down into Priority Three there's

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Priority Three A and Three B and that's between Imperial  
Three A and Coachella Three B. Okay. Stop there. I'm  
not sure it's A B. It may be to A to C.

R. Sudman: I think that we don't need to -- I think what we need to -- to  
explain to people is --

M. Stapleton: My nose itches. (Cough)

R. Sudman: (Overlapping conversation) (Unintelligible) Their really  
(Unintelligible)

M. Stapleton: Yeah.

R. Sudman: Their really old Water Rights and that's -- That's -- that's

M. Stapleton: Oh. Okay.

R. Sudman: That's why they have -- they are entitled to those and  
people go --

M. Stapleton: Right.

R. Sudman: What --

M. Stapleton: Oh -- Okay. I can -- I can talk about that.

R. Sudman: So let me ask -- let me ask you Maureen about the  
Water Rights in California as related to the Colorado River  
Entitlements --Why Metropolitan was junior and of course

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that meant San Diego too -- to these Agricultural that were sitting over on the river.

M. Stapleton:

There is a first in time and first in rights on the Colorado River Palos Verdes was first there and as a result they are Priority One. There's also things that are called Present Perfected Rights on the River -- which if --Uh-- there were rights granted to agencies or communities prior to a certain year they have a higher priority than the other ones. But your first three priorities as a result again going to First in Time and First in Right are to agricultural communities. Palos Verdes -- Coachella -- and Imperial. It was not until --Uh--the MWD Metropolitan --Los Angeles and San Diego who the urban's that were late to the game ended up in four and five positions.

R. Sudman:

So that put you San Diego within the Metropolitan umbrella in the low position to be negotiating.

M. Stapleton:

Right. Is -- and that is in fact why we were focusing on agricultural water because in fact it did have a higher priority status than other water we were presently getting off the Colorado River. So if we were able to achieve a

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transfer with any of the agricultural water we would actually have more reliable -- more secure water as a result.

R. Sudman: Okayed to getting this big chunk of transfer of water from Imperial was quantifying the rights of the Agricultural Agency. So that they could make a deal with you?

M. Stapleton: Correct. It was basically to be able to have a number allocated to the -- to the agency -- the Ag Agency from which you deduct your conversation. If you don't know how much water you're entitled to it's difficult then to deduct a certain amount of water from your allocation.

R. Sudman: Now while this was going on --Uh-- of course you had someone at the table from those Districts --several people-- so did you have a feeling of -- that there might be some work in the Agricultural Community? Or were there Hell to pay.

M. Stapleton: There's was -- There really was no -- is --Uh-- it wasn't difficult --Uh-- negotiations for a variety of reasons. --Uh-- The Agricultural Communities talk about their Water Rights as birth rights and that it is fundamental to their way

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of life -- their economy -- their community as a whole and so it was very difficult for them to have to talk about how they were going to deal with less water. Yet they were the ones who came and said we think we would like to engage in a water transfer discussion with you. Because they knew ultimately you could not have the urban populations sitting here on the coast that was short of water and they with a very large allocation s of water continuing as is -- I think they really realized what the future looked like and wanted to do it -- wanted to make some changes on a voluntary basis while than a mandatory basis.

R. Sudman:

So, percentage wise how much less water they and how much more would you have in San Diego? What would that water mean to you?

M. Stapleton:

Well the water transfer with IID is ultimately 200,000 acre-feet and that's coming off of 3.1 million acre-feet. In addition then there is about 68,000 acre-feet that is conserved from the All American Canal Lining Project but that water is seemed in as not --Uh--as providing benefits to the --Uh-- IID currently. So, it's even though it comes off

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of their allocation it is not water that they utilize on the farms.

R. Sudman: So, how -- How did you view they way they sold it to their folks? Was it -- Was that easy for you to see or did you have to go through some of that with them or were you at hand -- like --

M. Stapleton: What was interesting -- it was -- I think depending on the period of time in the negotiations we were both partnering with them in the valley and also --Uh-- at different times we were --Uh-- we took a step back or by their request or by us feeling like it wasn't our place to go into the valley at that point to have any further discussions or conversations. It was a very difficult --I think-- process internally and I think over the years it showed. They got pushed back from their community and farmers at times other times they were clamoring that without moving into the transfer they realized they were in jeopardy of having the water taken from them.

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R. Sudman: So --Uh-- their Board they were elected being for and against the transfer this went on for a period for about how long?

M. Stapleton: It was in all total it was eight years.

R. Sudman: Now what finally made the transfer happen for San Diego?

M. Stapleton: Tenacity. We never left the table. And other parties would leave from time to time. But we knew in the long run this had to happen and we knew in the long run that California had to address this issue.

R. Sudman: What did you have to -- to give up or do to sweeten the deal to make it work for them?

M. Stapleton: I think a lot of it was on the financial side. A lot of it was the guarantees that were put into place. Also the contributions to their community for social-economic impacts was critically important to them as well. There are a variety of --actually-- many --Uh-- which were done to assist --Uh-- Imperial in dealing with some of the issues they had -- example are -- prepayments for water because we knew they struggling financially. --Uh-- As I said contributions to social-economic impact. Our contributions

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to the --Uh-- environmental fund for Salton Sea --Uh-- Coachella and San Diego make far and away the bulk of the contributions early on with IID making contributions very late in the term of the agreements. Those were examples of where we were trying to accommodate specific needs of an agency.

R. Sudman: Now when does the transfer actually start for San Diego? When do they start getting the money?

M. Stapleton: --Uh-- the transfers started in 2003 and this year in 2007 we are moving 50,000 acre-feet of water from Imperial to San Diego.

R. Sudman: This the first year?

M. Stapleton: No. No. It started in 2003.

R. Sudman: (Overlapping conversation) (Unintelligible)

M. Stapleton: Water moved in 2003. Yes. We are very pleased. So we are actually beginning our fifth year of the Water Transfer Agreement.

R. Sudman: Now how reliable do you see that water --you know-- there's always the argument that if San Diego grows on

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transferred water --Uh-- what? What happens in 35 years or even 75 years?

M. Stapleton: Right.

R. Sudman: Which we haven't talked about the length of the agreement but --you know-- that not forever.

M. Stapleton: No. And nothing is forever I just came back from a Climate Change Forum and --Uh-- you know-- with our weather patterns changing and potentially warming occurring things in water will change and the challenges will be different for our successors than they are us and nothing is guaranteed. It's as simple as that -- we continue to diversify our portfolio -- we're looking at an increased outdoor conservation. Increased reclamation -- I think at some point we will come to arrest our augmentation with our recycled water. Sea water desalination -- all of these will play a role in our water reliability for San Diego.

R. Sudman: That's a very different management style than people before you managing the agency and others in the State of California in the West had do you see other Water Managers getting on Board with this idea?

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M. Stapleton:

I think one of them that certainly is Pat Umroy (Phonetic) in Las Vegas and to some extent Pat --Uh-- has to deal with the same issues that San Diego does hers is --Uh-- to some degree more time sensitive and that is having these "Finite" (Phonetic) amount of supply --Uh--not being one that awash in water but yet having a growing urban community and trying to determine how to diversify her supply. How to maximize her conservation and how to insure she has water reliability in the future. --Uh-- again I think maybe it's because I don't have history in water I don't have the baggage or the preconceived ideas --Uh-- that are --Uh-- influencing me as I look to the future.

R. Sudman:

So you see it as it inevitable in the West that agriculture will --Uh-- change its production or produce less so that the cities will be able to grow because people obviously want to live in these cities in West.

M. Stapleton:

Well, I think a couple things are occurring certainly if you go out to Imperial Valley and compare today to what it was when we began these transfers now near, believed 10 years ago. -- Uh -- You see a much different community. It is

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more diverse in its economic base, it has a significant in the increase of population and, as a matter of fact, people are buying homes out there and actually -- Uh -- driving to portions in San Diego County for employment. -- Uh -- I think you will continue to see that as the global pressures regarding agriculture in the United States roll in it -- Uh -- continue to come to here.

R. Sudman:

You mentioned global pressure and I think that leads us to quickly, at least, mesh with -- Uh -- border water issues and how or if San Diego your -- Uh -- water authority is involved in the -- Uh -- border issues. For example, right now --Uh -- fight about lining the all American Canal because of the effects on Mexico, -- Uh -- might be keeping the U.S. interest --Uh-- from conserving water. --Uh-- Are you involved in that fight or are there other border issues that affect your water agency?

M. Stapleton:

--Uh-- We are definitely involved with Mexico, our neighbors on water issues. There's numerous areas in which we have a lack of commonality, or lap over. --Uh-- whether it be in our waste water issues or in our water

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supply issues. Examples are, we have installed emergency connections directly with Tijuana. --Uh-- There have been times where they have been unable to move adequate amounts of water through their aqueduct due to conveyance limitations in any one period of time. --Uh-- we have set up a process where we actually move the water through the Colorado River aqueduct down through our system and cross it over the border in those periods --Uh-- as Mexico finds that need. We did a bi-national desalination study that was completed just a year or two ago, to look at opportunities for both states, the State of California and the State of Baja (Unitelligible). --Uh-- certainly the issue regarding the lining of the all American Canal, looking at areas where we can participate with Mexico and Mexicali in cooperative efforts for agricultural conservation, --Uh-- ecosystem restoration, --Uh-- ground water recharge, possibly increasing their water quality through delivery of their water from different --Uh-- areas, whether it be all American Canal turn outs or other areas. Those are all

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potentials that we've talked to Mexico about and continue to talk to.

R. Sudman: Now are those projects that your rate payers would basically foot the bill for because Mexico can't afford to participate as a paying partner?

M. Stapleton: I think there's a number of funding sources that are available and looked at. Certainly areas like Nadbank, United States Federal Government certainly is a piece of this as well California has shown are willingness to cooperate with them. An example is, I'll go back to the desalination study; they were able to provide some (unintelligible) services for us and we able to provide some funding to accomplish that study. And again, it was a cooperative agreement and a cooperative effort to really look at some of these opportunities.

R. Sudman: Now, you mentioned the surplus criteria --

M. Stapleton: Uh huh (affirmative).

R. Sudman: Being something that the --Uh-- states negotiated it, was difficult to divide the surplus. You talked about that period.

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Now comes the period where we're talking about dividing the shortage. How much harder is that?

M. Stapleton:

--Uh-- by leaps and bounds. It's --Uh-- it was difficult to divide the surplus and get through the interim surplus criteria. But, when your talking about shortages and you're talking about areas of haves and have-nots --Uh-- I think it's been even more difficult. I will tell you though that the seven states are making progress and I think by the end of this year we will have an agreement in place.

R. Sudman:

Why is it important to have surplus and shortage agreements on the Colorado River? We never had these before. Why do we need the states to get together and make a deal with government on these things?

M. Stapleton:

We I think that with the Colorado River, as you know Rita, --Uh-- it was over allocated. --Uh-- that it was allocated during very high water periods and they thought there was more annual --Uh-- water, than there actually turned out to be. So, there weren't, I think a need to do a lot of this work when we were awash in water. And our biggest concern on the Colorado River was flood control. But that has changed

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dramatically over these past couple of decades and as the allocations are being fully utilized by the various states, I think it creates a demand -- Excuse me -- let me have a drink.

R. Sudman: What have we not touched on that you would like to talk about? We kind of jumped around.

M. Stapleton: I know we jumped around. No it's fine. I think we're kind of covering a lot of stuff.

R. Sudman: Okay. I, I know, I know one thing I wrote down here why involve the (unintelligible) -- I think somebody would ask that question in history. Because usually people will go "what does that have to do" (unitellige) and then (unitellige) what and then, its either like (unitelligible)

M. Stapleton: It's like how did that connect, -- you know --

R. Sudman: And then either like Oh well -- save it or who the hell cares about it. So the log of the rivers the log of the sea --Uh-- maybe we'll start with the (unintelligible) because we've been on the QSA. --Uh-- and then you know, these questions about -- you know -- how you -- you feel about--

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M. Stapleton: I know - no. I mean it's remarkable. It's when you think about it-- it is that it was a technical problem to be solved flood control. It had nothing to do with --Uh--

R. Sudman: And everybody would just say --well that's the way it is, Rita the log of the river -- shut up."

M. Stapleton: I was so surprised when I first came --I thought the log of the river was actually a log you could go to a book and read.

R. Sudman: Good, well we need, that's true because that's the first thing -- where is this log.

M. Stapleton: Exactly.

R. Sudman: And then they said, "well it's all these little things and now it has some more on it maybe" and it was like Okay. What's the log? It was like Moses handed it down.

M. Stapleton: Right. Exactly-- That's it?

R. Sudman: Well, let's start again, --Uh-- where we were talking about the QSA, again, this, this settlement that was necessary to quantify this districts water amount, the agricultural one so that you, San Diego, could make a deal with them --

M. Stapleton: Right.

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R. Sudman: To transfer the water because we needed to have their amounts quantified and I know that again, the Bureau of Reclamation was saying at the time to Imperial, “Oh look your using more than you should”.

M. Stapleton: Right.

R. Sudman: So pressure was being put on these districts. It was money offered from you but there was pressure from the Federal Government too.

M. Stapleton: Yeah. It is part of the Caraden Stick approach again which is, there were questions being raised about reasonable and beneficial use by the agricultural districts and so there was the pressure being placed be the Bureau of Reclamation to see if in fact, all of that water was being used reasonably and beneficially. I think that’s why I (unintelligible) number one first went into the water transfer agreement with Metropolitan in 1986, ’88 and why they came back then again in ’94-- ’95 saying “we’re looking for either Metropolitan to buy more water or we’re looking for another buyer.

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R. Sudman: Right. There were early transfer or what was called, the conserve water agreement --

M. Stapleton: Yes.

R. Sudman: In with Metropolitan, paved the way for San Diego to ask for this.

M. Stapleton: Well actually the Metropolitan water transfer did not quantify the agricultural water rights. And the reason that did not have to be done is because MWD was the fourth priority. So what they did is actually their agreement was with the priority that was between IID and MET which was Coachella and they struck an agreement that Coachella would only take a portion of the water they conserved and then the remainder would flow according to priorities to Metropolitan. San Diego did have that luxury. When we entered into the water transfer negotiations, we knew we must get the parties to quantify.

R. Sudman: Now when you did decide to do this transfer, we talked about Metropolitan, you being a member agency at that time, there was not a lot of happiness with Metropolitan

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that one of their little children was going her own way and not working through them.

M. Stapleton: Right.

R. Sudman: Did that, how did your agency cope with that and how did you get to be a happy family as you so you are today?

M. Stapleton: --Uh-- it was very difficult for Metropolitan and --Uh-- we bore the wrath of their disappointment and --Uh-- frustration and we had many years of difficult times with Metropolitan as result. I think a couple of things happened during that time. I think number one is, I think Metropolitan's hope was that a challenge to IID's reasonable and beneficial use would be realized and that the water would flow to them for free. And that they, through just the priority system, would be able to obtain some of the supply. I think they honestly believed also that they did not need to enter into another large water transfer agreement with IID, separate and apart from this, the other issue of reasonable and beneficial use. I think too, Metropolitan was not, at that point in time, looking at new and innovative ways to move water around in California or among it's

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water agencies. I think we were a little ahead of our time and as a result, it was seen as --you know-- treason as opposed as seen as an opportunity to bring more water into the region which would benefit everyone. And that was really used to the traditional --Uh-- those agencies that had other supplies such as, Los Angeles from Nuones Valley (Phonetic) or Orange County who have large ground water aquifers. They were used to that approach, but this newfangled idea of using MWD pipes to move non-MWD water -- I think was just something that was on the bleeding edge instead of the leading edge in their minds.

R. Sudman:

Do you think that management at MET and even San Diego took a lot of advice from water lawyers who led them into conflict or to find solutions? What role do you think water lawyers played during this fight?

M. Stapleton:

--Uh-- I think they played a major role, but I don't think, I think it was to a great extent also, just the organization felt that they were not comfortable with having non MET water being imported through their system and number two is, you have to remember that San Diego, as the largest

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customer of MET, it basically meant that we were going to have to lessen our contributions to MWD for water sales and that really made other member agencies nervous.

R. Sudman: Well how --Uh-- you now have a better relationship with them.

M. Stapleton: Yes.

R. Sudman: Was it just because you won?

M. Stapleton: I don't, I don't its San Diego won and MET lost, I really don't think that's what happened. MWD got quite a bit out of this 10 years of negotiations and discussion. --Uh-- we do have quantification of the Imperial Irrigation District, Coachella and PVID – Palos Verde. --Uh-- we also Met, has the rights to go out and do other transfers without challenges and that was a huge issue for them. There are, they ad interim surplus criteria which they utilized for a number of years and it was a benefit, again, to them. And remember, what's a benefit to them is a benefit to us because we are their largest customer and do benefit from what they're able to negotiate.

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R. Sudman: So in the last few years has your water deliveries increased from Metropolitan or been reduced because of the transfer?

M. Stapleton: The --Uh-- we buy about 650,000 acre feet of water and so a 50,000 acre foot contribution is really not that significant at all and we have a continuing increase in our population. Actually we're hoping that our conservation efforts will be the one that reduces our take on the MWD as well as the IID water as it is ramped up over a total of 20 years. It's a very slow ramp up and I don't think either MWD nor the Water Authority are concerned.

R. Sudman: Now, are you looking at other transfers now that you have this one under your belt?

M. Stapleton: Right now that isn't our focus, --Uh-- we have our 20/30 water diversification strategy --Uh-- is very clear and we are seeking other pieces of our portfolio. --Uh-- we are looking at desalination, we have both member agencies as well as the Water Authority pursuing that. As I told you earlier, we have a significant effort going on in outdoor conservation and the enhancement of the use of our recycled water in San Diego County.

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R. Sudman: On recycled water quickly --Uh-- do you think we need quite an education effort for people to understand the value of recycled water. This seems to be a fear of using this water?

M. Stapleton: Right, I think that's an education program and I think that people don't understand how water moves around currently within the United States. We use recycled water. It does come through the Colorado River and moved through our treatment plants --

R. Sudman: It's also called the Hydrologic Cycle.

M. Stapleton: Yes. Exactly. Exactly.

R. Sudman: I guess that's why we need school education programs to teach the Hydrologic Cycle.

M. Stapleton: And that's why San Diego County Water Authority is probably one of the leaders in school education programs in the, --Uh-- in California.

R. Sudman: We're proud to be a partner with you. So, --Uh-- back to the lawyers and the water here --Uh--

M. Stapleton: Uh huh (affirmative).

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R. Sudman: I wanted to ask you about this thing called the Law of the River. When you came to the district, --Uh-- did someone hand you a bible called the Law of the River so that you could understand the Colorado River?

M. Stapleton: Well, when I first heard the phrase "Law of the River" I thought it was a John Wayne movie. And then they said "no, no, it's the Law of the Colorado River" and then I said "Well, where can I find it?" heading off to our General Council's office to go get the book on the Law of the River and then I got taught that it is not a single law. It is not a single set of regulations; it is a compilation of decades of fighting on the Colorado River. And that, as you know, has started many, many decades ago, late 1800's, early 1900's - -Uh-- set some priorities on the river and then the law, the various laws of the river were added by both the Federal Government, and the states and the Court.

R. Sudman: And some of those things have been added during your time that you've been working on these issues?

M. Stapleton: Yes, absolutely.

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R. Sudman: So do you feel that, do you believe that the --Uh-- compact to the Colorado River compact, under which is one of the points of the law of the river in which the states have divided the water between upper and lower basins, do you feel that, do you believe this is a workable document for the 21<sup>st</sup> century?

M. Stapleton: --Uh-- I do think it still provides the framework for the operation and the allocation on the river. But I also think that the various efforts that the seven basin states are making, whether it be in surpluses or shortages, whether it be in -- intra-transfers or interstate transfers. I think all of those are doable within the framework of the law of the river. --Uh-- our forefathers never anticipated the challenges we have today on the river, but I think there is enough flexibility in that law to allow, as long as the seven states agree, and the Secretary of the Interior says "yes" allows a lot of changes in how we operate and how we cooperate as the seven basin states.

R. Sudman: So are the states and the Interior Secretary really kind of winking at each other and saying --Let's just say this goes

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along with the Law of the River so we don't have to open up that can of worms?

M. Stapleton: No, there are too many attorneys in these meetings to ever let us violate the Law of the River, but we can find (Inaudible) I think which allow a whole lot of flexibility that we're presently pursuing on the river.

R. Sudman: So, how important is it to have a --Uh-- head of the Bureau of Reclamation and Interior Secretary that are fully engaged in the issues?

M. Stapleton: It would not be possible without them.

R. Sudman: But we have had periods where we didn't have people in these positions that were too active or knew too much about it.

M. Stapleton: Right --Uh--

R. Sudman: Has it been fortunate that during the Clinton and Bush Administrations, --Uh--we've had actively engaged folks?

M. Stapleton: It's been critically important and, to be honest, that is the only experience that I have, is that in the past 11 years, is dealing with Colorado River issues with an extremely active Bureau of Reclamation and Secretary of Interior.

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R. Sudman: Is a Democratic vs. Republican issue at times?

M. Stapleton: I think that's something I love about water, is it is neither. It is bipartisan and I love working in something that everybody can get around. Everybody can equally fight about --Uh-- but to be honest, I have never seen that partisan head being raised on water issues.

R. Sudman: I have to bring up the salt and sea which is a bit of jumping around to something that comes up and people all would say "well I don't understand how that fits in as part of this puzzle of dividing up the Colorado River transferring water to San Diego. Why is this place important and how does it fit?"

M. Stapleton: I think a lot of people have that question Rita, it seems to me that a lot of folks don't understand how the water flows within the valley and what role the Salton Sea has related to the agriculture in the Imperial Valley. --Uh-- presently, the Salton Sea is basically where the Ag drainage water flows into and you would think --Oh that is horrible-- but in reality it is that Ag drainage water that actually sustains the Salton Sea. So if you have a million acre feet

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of agricultural drain water moving into the Salton Sea on an annual basis, and you come in and say --I'm going to teach you agriculture, how to conserve water and ultimately have less drainage, you are going to reduce the water flowing into the Salton Sea and ultimately it will dry up.

R. Sudman: Well now the transfer to San Diego is going to reduce water to the Salton Sea.

M. Stapleton: Correct.

R. Sudman: So, how do you feel about that? Do you feel like you're killing the sea?

M. Stapleton: Well, and that's one of the compromises that had to be made in the latter part of the negotiation effort. When the Salton Sea issues raised their head and it was realized that work was not going to be done independently --Uh-- from a timing stand point as well as a money standpoint, --Uh-- that there wasn't a Salton Sea effort that was sitting out there ready to pop. That --Uh-- Salton Sea became enjoined with the water transfer and truly connected at the hop. As a result, rather than starting with conservation on farm and in system, which would have reduced the Salton

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Sea's flow, we're doing following which will maintain the flow to the Salton Sea for the first 15 years. In addition, the three agencies Imperial, Coachella and San Diego, are contributing 10's of millions of dollars to a fund to really begin the restoration of the Salton Sea. The State of California is responsible for evaluating the alternatives available restoring the Salton Sea as well as implementing those steps that are necessary --Uh-- once all that analysis is complete.

R. Sudman: Now the state became involved because during the negotiations, people pushed to get state money to solve this problem.

M. Stapleton: Not the Salton Sea problem as much as it really was the states stepped in because the Colorado River is one of the critical supplies of the State of California. They stepped in because they realized how significant a failure of these negotiations would be for the state.

R. Sudman: But legislation was past to put money in to look at alternatives?

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M. Stapleton: Oh, yes. Is that the state felt that there was no one water agency that was the appropriate party to be analyzing the various alternatives for the Salton Sea. So the state did take on that responsibility to do the analysis and ultimately they will select a preferred alternative and implement it, --Uh-- begin the implementation with the money that's currently been set aside for it.

R. Sudman: Do you have any thoughts about the alternatives on the table now?

M. Stapleton: No. I think that what is important is that the process be inclusive, it be comprehensive, that everyone has their input into it and that ultimately, a decision on the preferred alternative is made and that it begins implementation. That's what's important to us.

R. Sudman: For you right now, the Salton Sea is out of your hands.

M. Stapleton: The Salton Sea is in the hands of the State, that is correct. They are the decision makers on that project.

R. Sudman: So, looking over this period of time, --Uh-- what are you most proud of in the Colorado River issues, because you, it's been a tremendous amount of work in your position

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which your predecessors didn't have to accomplish this movement of Colorado River to San Diego? What are you most proud of?

M. Stapleton:

I'm most proud that I could contribute to water reliability for our region. That's what makes me proud.

R. Sudman:

And, what continues to be your sticking points or obstacles as you look to the future of working in this area. I assume now you have the bug and you're going to be with us for awhile longer in water. So what's, what's --

M. Stapleton:

--Uh-- for a variety of reasons we traditionally, have been, we built a pipe and the water is at the end of the pipe for us to move. And we really --Uh-- in -- you know -- in the 50's and 60's, we're not focusing on supply, we were focusing on infrastructure. And then we began, I think in the 80's and 90's, to begin to focus on supply and realized that it really was, without supply, infrastructure doesn't help and visa versa. --Uh--I think the next move for us is really the integration of so many different components related to water which does include recycling water shed from (inaudible) management, waste water --Uh--conservation.

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**[END TAPE]**