

Los Angeles

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On October 18, 1999, peace was announced. After 65 years of fighting, Southern California's users of the Colorado River had finally reached agreement on how to share the over-apportioned waterway. Though the settlement will not become legally binding until around the summer of 2000, it promises to keep the peace, for 20 years, anyway, maybe as long as 75 years.

Fighting over water in the western United States is nothing new to this region of the country. The West Coast of the United States—the so-called arid west—conjures up pictures of sparsely populated parched landscapes. Those living on Washington's Olympic Peninsula know the average rainfall can be as much as 120 inches. Moving south, rainfall totals in some areas of Oregon and Northern California can reach upwards of 80 inches.

Meanwhile, California's average yearly rainfall during the 100 years from 1898 to 1990 was about 23 inches. As one continues farther south toward Los Angeles and San Diego, however, the amount of precipitation steadily decreases to something more in the range of 15 inches in an average year. By the time one reaches the Colorado River desert in the southeastern part of the state, the average yearly rainfall is a mere 3 inches.

With the exception of the San Francisco Bay Area, the state's major metropolitan areas are located in arid coastal basins with an insufficient amount of rainfall, surface water and ground water to support the number of people and businesses located there. The cities of Los Angeles and San Diego have turned to importing water to meet their ever-increasing needs.

Of course, one hundred years ago, few would have thought the small town of Los Angeles would grow to be the megalopolis it is today. It was only 150 years ago that Los Angeles had 1,500 inhabitants. A real estate boom in the 1880s increased the population to 50,000, with it reaching more than a half-million by 1920.



Water for the growing city had been supplied primarily by a limited supply of groundwater, and to a lesser extent by the wildly unpredictable Los Angeles River. By the time the city had reached its 1920 population level, there was already a decreasing amount of water that could be had on a reliable basis. Enter Fred Eaton, William Mulholland and Joseph Lippincott. Eaton and Mulholland worked together at the former Los Angeles City Water Department, while Lippincott worked for the U.S. Bureau of Reclamation.

Together, they hatched a plan to bring water to the L.A. area from the Owens Valley, which lay 250 miles east and north of the city. The main supply of water in the Owens Valley was the Owens River, which emptied into Owens Lake. Not only did the Owens River have enough water to supply a population of one million — that is, a flow rate of about 250,000 acre-feet yearly—the lake lay at an elevation of 4,000 feet, while L.A. is essentially at sea level. The difference in elevation would make it relatively easy to move the water.

Under the guise of seeking land for grazing cattle—a ploy to be used later by wealthy Texans in seeking water from the Imperial Valley—Eaton and Mulholland began buying up land throughout the Owens Valley in 1904. Eventually, a bond issue was floated in Los Angeles, and the six-year, 223-mile, \$23 million Los

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Angeles Aqueduct was built. The water reached L.A.'s new development, the San Fernando Valley, in November of 1913.

Population along the coast would continue to grow, nevertheless. Though at first looking to the Colorado River as a source of electrical power, Mulholland soon realized the city would need additional waters if it were to continue to grow unabated. In 1924, and before Congress, Mulholland proposed delivering Colorado River water to the Los Angeles basin.

Separately, people also settled the lands of what is now the Imperial Valley. Farming had begun in the region in the 1880s, with water being taken from the Colorado River. Using gravity flow, the water traveled south into Mexico, then west in an old river channel, then north into the Imperial Valley. Because of the significant amount of silt in the Colorado, the bottoms of canals feeding Imperial would frequently rise, limiting the amount of water that could be carried.

Seeking to circumvent the sluggish waterways, a new cut redirected the water through a new heading. Expected spring runoff along Arizona's Gila River came early in 1904, and floodwaters broke through the heading, allowing the full flow of the Colorado to flow north into the so-called Salton Trough. For the next 18 months the Colorado drained into the trough, eventually creating today's Salton Sea. Eventually, with the help of the Southern Pacific Railroad, the breach was closed. Though such flooding of the Salton Trough had occurred for thousands of years prior to this, the ancient Lake Cahuilla had always evaporated. It was these historical floods that laid down the rich soil Imperial Valley farmers were to one day work.

Meanwhile, years of fighting over access to the waters of the Colorado—especially future access—had come to a head. In 1922 an agreement was reached among the seven states that border the river: Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. Under terms of the 1922 Colorado River Compact, upper and lower basins were entitled to 7.5 million acre-feet yearly, with the upper basin states of Colorado, New Mexico, Utah and Wyoming, required to release the needed amounts to ensure the lower basin states, Arizona, California and Nevada, receive 75 million acre-feet for any period of 10 consecutive years. The compact also gives the lower basin states the right to an additional million acre-feet for beneficial consumptive use: a term many consider poorly defined. At the same time it was erroneously estimated the Colorado River carried anywhere from 16 million to 18 million acre-feet annually. We now know the river flows an average of 15 million acre-feet yearly.

Later, under the 1928 Boulder Canyon Project Act, Arizona's share of the Colorado River was set at 2.8 million acre-feet, California at 4.4 million, and Nevada at 300,000.

In 1931, California divided its share of the water with the so-called Seven Party Priority Agreement. Under it, the first 3.85 million acre-feet of water would go toward agriculture, though the specific amount is based upon irrigable acreage in several ag districts. The order of priority is the Palo Verde Irrigation District, Reclamation's Yuma Project, the Imperial Irrigation District and the Coachella Valley Water District. Of these, the IID typically uses about 3.1 million acre-feet annually. California's 4.4 million acre-feet share is reached by adding 550,000 that goes to the Los Angeles-based Metropolitan Water District of Southern California. Additional California priorities are allotted water, above and beyond the lower basin entitlement of 7.5 million acre-feet, but only if there is sufficient flow. Additionally, Mexico is entitled to 1.5 million acre-feet yearly.

Formed in 1928, MWD built the Colorado River Aqueduct, as foreseen by Mulholland. Completed in 1941, the CRA is 242 miles long and can deliver up to 1.3 million acre-feet yearly to the 16 million customers in six counties of the giant water wholesaler. The additional 550,000 MWD has been taking in recent years came from unused apportionment from Arizona. In 1996, the groundwater-replenishing Central Arizona Project came on-line, leaving MWD to fill its aqueduct from river surplus declarations made by the Department of the Interior.

With California taking as much as 5.2 million acre-feet of water, instead of its legal apportionment of 4.4 million, the other six basin states began to put more pressure on the state and the federal government to limit California's draw in order to ensure the other states would get their share as they continued to grow.

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In spite of continued growth in the L.A. basin, however, its water consumption has actually decreased by a million acre-feet a year in the past 10 years as the population has grown by five-fold. With the area's rights to additional waters from the State Water Project stymied by environmental concerns, future water supplies will come from a combination of surface and underground storage during wet years with dry-year withdrawals, transfers of water from agricultural regions to urban areas and liberal operations of the Colorado River's reservoirs. The latter has run into fierce opposition by the other six basin states, and no agreement has yet been reached.

The most logical place for the coastal basin cities thus to turn for more water is the Imperial Valley.

In 1993, the Ft. Worth-based billionaire Bass family began buying 42,000 acres of land in the Imperial Valley. Their representatives, Western Farms, bought the land to purportedly graze cattle. What they were really after were the water rights they mistakenly thought came with the land. Western Farms offered to sell up to 500,000 acre-feet yearly on demand to the San Diego County Water Authority for as much as \$100 million dollars. Confidential, attorney-client privileged correspondence lays out the whole plan. Western Farms eventually found that the Imperial Valley's water rights are held in trust by the Imperial Irrigation District Board of Directors.

The secret negotiations between Western Farms and the SDCWA failed, and the San Diego water wholesaler—a member agency of Metropolitan—entered into talks with the IID. On April 29 1998, the two agreed to transfer as much as 200,000 acre-feet of on-farm conserved water from the Imperial Valley to San Diego.

Enter the Coachella Valley Water District. Though it had subordinated its 1931 rights to the IID via the so-called 1934 Compromise Agreement, Coachella, and to a lesser degree MWD, successfully argued that IID could not transfer any water to San Diego; that any water not used by IID had to be made available to the next highest priority user under the 1931 Seven Party Agreement.

After months of fighting, the parties—Coachella, Imperial, Metropolitan and the Department of the Interior—reached agreement on October 18, 1999.

Details of the October agreement and the IID/San Diego agreement are still being worked on. No water is expected to move out of the Imperial Valley for several years.