COLORADO RIVER STORAGE PROJECT


MARCH 9, 1955, AND SUCCEEDING DAYS

My name is John B. Barnard of Granby, Grand County, Colorado. I have practiced law since 1920 to the present time, and in addition thereto have owned and operated an irrigated ranch in Grand County, since 1921. I am attorney for the Middle Park Water Conservancy District, comprising the area embraced within the geographical limits of Grand and Summit Counties, Colorado, at the headwaters of the Colorado River and one of its principal tributaries, the Blue River.

As has been or will be explained by other witnesses, the holdover storage reservoirs, which form a part of the Colorado River Storage Project, will make available to the four Upper Basin States a portion of the water of the River which is apportioned to these States by the 1922 Compact, and divided among them by the 1948 Compact, which could not, otherwise, be put to use by them. The headwater diversion, storage and distribution systems, which are the participating projects, will enable these four States to put to use the Colorado River water which will be made available to them by the operation of the large reservoirs. Both the large dams and the smaller units are necessary if the end result is to be accomplished - the development of the immense area of the West which is the Upper Colorado River Basin. Neither will be sufficient to that end without the other. Together they comprehend and represent a program of progress and development which has been the very essence of American History, from Colonial days to now. Ultimate defeat of the Project would mark the end of that program, so far as the Upper Colorado Basin is concerned.

Is there economic and historical justification for this project? First let us consider the economic phase, which inevitably prompts the question: What will be the cost to the United States -- to the taxpayers who will foot the bill? I do not mean the total investment by the Government in the project; I mean the amount which we taxpayers will pay for it, which will not be repaid to the Treasury.
Detailed figures are not available to us at this time, relating to the Storage Project as comprehended in H.R. 3384 or any of the bills presently before the House or Senate; but we do have at hand the figures which are applicable to the bill introduced in the House of Representatives of the Eighty-Third Congress, Second Session, which included four storage project units and sixteen participating projects. For the purposes of this discussion, which properly should be termed a consideration of policies and principles, those figures will suffice. Already they have been presented to and considered by you; and I wish merely to reanalyze and to reappraise them.

The total estimated cost of construction was $1,518,096,000. Of this total, the sum of $712,762,000 was allocated to power purposes, all reimbursable with interest, $100,674,000 to municipal water purposes, all reimbursable with interest, $691,245,600 to irrigation, all reimbursable without interest, and $7,714,700 to flood control, recreational development, Forest Service resource development, etc., all non-reimbursable. From these figures emerges the conclusion that the actual cost to the taxpayers would be $7,714,700 plus interest on the unpaid balance of the sum of $691,245,600 allocated to irrigation, as that amount is expended and during the period of its repayment.

A moment ago I said that authorization of this project will carry forward the historical program of progress and development which has become an accepted part of the policies and traditions which have made America great. Are there other similar programs, involving the expenditure of substantial amounts of the taxpayers' money, with which to make pertinent comparison? Yes. I refer, specifically, to the Civil Works activities of the U. S. Corps of Engineers. The progress of our Nation has always demanded and still demands that flood control works be constructed, for the protection of human lives as well as property, and that commercial intercourse be facilitated, between and among states and with foreign nations, by dredging otherwise non-navigable streams and by harbor improvements. Congress has long recognized the necessity for those works, has repeatedly authorized projects directed to that end, and has consistently appropriated taxpayers' money for their construction. But
when we propose national progress by means of the storage, distribution and beneficial use of water for irrigation and other purposes, we are met with the contention that the cost to the taxpayers is too great to be considered.

The justification for the expenditure of Federal funds in the planning and construction of Civil Works by the Army Engineers is found in the fact that the cost of such works is beyond the ability of private capital to meet, plus the fact that the National economy requires that the projects be constructed. Without them, the affected areas and communities find themselves unable to carry on their agricultural and industrial activities with efficiency. Quite possibly we can say that the underlying theory of these works is that what is good for the economy and way of life of the people of New Jersey, for example, is good for America. We simply ask that that same theory be applied to the project we here propose.

The Colorado River Storage Project will primarily benefit four states, Colorado, Wyoming, Utah and New Mexico. To appraise and measure the economic justification for the expenditure of the amount of Federal funds required to produce that benefit, let us compare the cost thereof with the cost of Civil Works Projects in four Eastern States, chosen at random, Pennsylvania, New Jersey, Maryland and Massachusetts.

These are the figures showing the expenditure of Federal funds made in the construction of works involved in flood prevention and river and harbor improvement in those states, made available to us by the Corps of Engineers, each amount representing the cost to the United States and not including contributions from local interests:

<table>
<thead>
<tr>
<th>State</th>
<th>Expenditure</th>
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<tbody>
<tr>
<td>Pennsylvania, 1948 to 1954 inclusive</td>
<td>$354,749,000</td>
</tr>
<tr>
<td>New Jersey, 1824 to 1954 inclusive</td>
<td>$31,544,000</td>
</tr>
<tr>
<td>Maryland, 1824 to 1954 inclusive</td>
<td>$68,111,000</td>
</tr>
<tr>
<td>Massachusetts, 1824 to 1954 inclusive</td>
<td>$109,365,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$661,769,000</td>
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It will, of course, be noted that, in the case of Pennsylvania, expenditures for the years 1824 through 1947 were not supplied us and are omitted from the above tabulation. We are informed that no part of the total has been or will be repaid to the Federal Government.

The above total is, then, to be compared with the sum of $7,714,000, that being the non-reimbursable investment of the United States.
States in the 1954 version of the Colorado River Storage Project. I did not calculate the interest on the money allocated to irrigation, in the Storage Project, as the same is advanced, nor upon the expenditures made by the United States for the above civil works activities. The two amounts are closely comparable, $691,245,600 for irrigation, and $661,769,000 for civil works. The interest charge to be added to the latter would be far greater than that involved in the former, the obvious reason being that, upon the portion of the investment of Federal funds allocated to irrigation in connection with the Storage Project, interest charges would end with repayment, whereas computation of interest on civil works investment must be a continuing process forever.

What, I ask you in all sincerity, is the fundamental distinction to be drawn between the construction of dams, levees and other works to prevent water from spreading over land, thus rendering the affected lands unproductive, and building dams and canals to cause water to spread over lands, thus rendering them productive? Is there any reason why the one endeavor should be approached from the standpoint of an indulgent and generous father, and the other should be viewed through the cold, unsympathetic eyes of a money lender?

There is opposition to this project. It was expected. We do not disregard it nor do we minimize it. We do not question, much less impugn the integrity or sincerity of those whose views do not coincide with ours. We respect their opinions, even though we disagree with them. They and the whole people of the United States are entitled to know why we say, as we do with appropriate emphasis, that they are wrong.

Withholding approval of the Colorado River Storage Project would be tantamount to characterizing the vast area of the West which it would serve as economically or otherwise unfit for agricultural or industrial development. That portion of our Nation would forever be inhabited by the fortunate few whose hardy pioneer ancestors foresaw the necessity for early appropriation of water for various human uses, and made such appropriations; by the little towns which serve that few; by tourists who want to take a fleeting look at the grandeur of nature; by the people who gain a meager and precarious livelihood
from catering to the unpredictable needs and demands of the tourists; and by coyotes and jackrabbits.

Many reasons are advanced for withholding such approval. Many more undoubtedly will be conceived and voiced. Time obviously will not permit us to answer them all. The fact that we do not attempt to do so is not to be taken as an admission that there are no adequate answers, merely that time will not permit us to voice them.

Among others it is the freely expressed opinion that America now produces a surplus of everything that will be produced in this area. This contention is based upon the premise that three-fourths of the world's population is forever doomed to semi or complete starvation, while the other one-fourth produces more than it needs. We cannot accept that premise as a postulate. We believe that our leaders, working as they are now laboring, with the leaders of other free nations, will, without recourse to armed conflict, and in the not too far distant future, rid the body of the world of the cancer of communist dictatorship which places a higher value on sustenance for the dogs of war than food for human beings. We have such faith in our Nation's present and future leaders that we look forward to the day when our food products will find their way to foreign markets now closed to them, with utmost confidence that that day will come.

On the same subject, it occurs to us that those who oppose the authorization of this project for the reason that we now have enough of everything anyway, subscribe to the proposition that America's production capacity should remain static while her population and consequent demands on that production are increasing by leaps and bounds. Should we follow the policy of restricting our production of food stuffs, for example, to present demands, the time will inevitably come, and that soon, when the expanding demands of an increasing population will face America with the emergency problem of increasing that production. Our proposal is that production be permitted to keep pace with the demands made upon it. What is sufficient for our needs today may be only half enough 25 years from now. We cannot close our eyes to the welfare of our children and our children's children, with safety to them or the future generations of our country.
Let us then re-examine our Nation's history and seek therein our answer to the question now before your committee and our Congress, and to the objections now made to this proposal of ours. History is written and learned in order that, in the future, we may avoid mistakes made in the past, however honest those mistakes were, and that we may follow through such plans, programs and policies as have pointed to ultimate success, happiness, welfare. Neither the mistakes nor the successes which our history reveals to us can, with safety, be ignored.

Our Nation was young when President Thomas Jefferson proposed and insisted upon the Louisiana Purchase. This brought into early being America's program of progress and development. There was violent opposition to the Louisiana Purchase, voiced by sincere, well-meaning men of substance and stature. They said, as is now said,

"We have no need for this area. We already produce more than our people can consume. Why add territory to that we already have, at the cost of overburdened taxpayers?"

So intense was the opposition that the Massachusetts legislative assembly, seeing its young people leaving the commonwealth to seek new horizons in the West, adopted a resolution denouncing the President's proposal, and proclaiming that, if Jefferson succeeded in his mad plan, Massachusetts would no longer be bound to adhere to the Union. Today, the people of Louisiana, Arkansas, Missouri, Kansas, Texas, Colorado live and prosper, and, if they have reason to think about it, bless the President who conceived and fought for, and the Congress which authorized the Louisiana Purchase.

After the Mexican conflict in 1848 came the Treaty of Guadalupe Hidalgo and the Mexican Cession. With acquisition of the area encompassed within the boundaries of that cession, the problem of developing the water resources of the Colorado River became important. That development has progressed until today, by means of Lake Meade, the All-American Canal and other works, the Southern part of California is now putting to commendable and beneficial use practically all of the water apportioned to that State by the 1922 Compact. We want to develop the rest of it; and we confess to an utter inability to understand why California should now say that, although she has been the
beneficiary of the expenditure of tremendous amounts of Federal funds in developing her economy by means of Colorado River water, we in the Upper Basin, which is a part of the same acquisition by the United States which brought California into the Union, should be forever barred from developing our country.

The acquisition and development of the territory included in the Cession were opposed in the halls of Congress and elsewhere. The opposition found typical vocal expression in the words of a great American, which words I desire to quote as I found them in a work on America's possessions by Murat Halstead, published in 1899:

"I say, Sir, that, according to conscientious conviction, we are now fixing on the Constitution of the United States and its frame of government a monstrosity, a disfiguration, an enormity."

Again this same statesman said:

"On other occasions in debate here I have expressed my determination to vote for no acquisition or cession or annexation North or South, East or West. My opinion has been that we have territory enough, and that we should follow the spartan maxim, "Improve, adorn what you have"; Seek no further***** There may be in California, and no doubt there are, some tracts of valuable land, but it is not so in New Mexico***** There are some strips of tillable land on the borders of the rivers, but the rivers themselves dry up before midsummer is gone. All that the people can do in that region is to raise some little articles, some little wheat for their tortillas, and that by irrigation;"

The Great American who made those statements was Daniel Webster, than whom no more able, honest and conscientious man ever served in the United States Senate.

Of this policy of Webster, the Hon. James R. Mann, later a member of Congress from the State of Illinois, wrote:

"The Senator from Massachusetts has been reversed by history. He did not see aright the signs of the times as to expansion. If Daniel Webster were now alive, he would be the last man in the Republic to admit that this country could afford to lose a single foot of the territory embraced in the Cession from Mexico in 1848. He would be quick to admit that the acquisition of that territory has done much to cement the Union into closer unity; has done much to knit more tightly the bonds which hold our country together; that the sunny land on the other side of the Rocky Mountains, which was so far away in 1848, and which, through the genius of our citizenship, has been brought into close and quick touch with the rest of the Union, has made our whole country feel that distance no longer separates the utmost parts from quick communication with the Central Government, which responds constantly to every feeling of danger or joy, of poverty or prosperity, in every part of our domain." (underlining mine)
Webster, despite the honesty of his motives and the sincerity of his purpose, was proved wrong by history. Had he prevailed and accomplished the withholding of Congressional approval from the acquisition of the Mexican Cession, Southern California, which now opposes the development of our portion of the territory included therein by the construction of this project, would no doubt have flourished; but it would have been under a different flag than ours, and at the cost of a government other than ours.

Southern California now objects to the Colorado River Project, saying that its construction and operation would infringe upon her use of Colorado River water. At the time the Legislature of California approved the 1922 Compact, the legislators knew, and the Representatives of Southern California knew, that the apportionment to the Upper Basin States of a theoretical one-half of the Colorado River water would inevitably be followed by the beneficial use of that water in those States. The time for Southern California to have objected to any development except her own, as she does now, was when the Compact was signed, and not now when we in the Upper Basin States are attempting to do exactly what Southern California has already done, by exactly the same means and in exactly the same manner she accomplished hers. Southern California's position on this project is comparable to that of a senior appropriator on a stream who perfects his own rights, and then seeks to prevent another from making an appropriation from the same source, saying,

"I do not know how or when or in what manner you may do it, but some day you may infringe upon my rights. I may some day want to use the whole stream, and if I do, that should be my right and privilege. Your rights to use water which some day I may want to use myself, although I do not know when or why or by what means, and although the law which I helped frame specifically denies me that right, should be denied you forever."

Again, following the War Between the States, Secretary of State William H. Seward proposed to purchase Alaska Territory from Russia. This proposal was bitterly opposed. Men termed the plan "Seward's Folly". Congressmen who considered the land barren and worthless argued that the cost of Alaska and its consequent development should not be imposed upon the already overburdened taxpayers. Today, when our lookouts scan the Northern skies alert for air attack from over
the top of the world, they and we realize the importance of Alaska to our very existence. They and we shudder when we contemplate our strategic position if Alaska were still in unfriendly hands. Are there those among us now who would term Alaska "Seward's Folly"?

Is there not a lesson to be learned from Alaska, when we know that within the boundaries of the Upper Colorado River Basin lie one of the world's greatest known stores of uranium, and one of the world's largest deposits and reserves of oil, both vital to our defense and fully available only if the water of the Colorado River be developed?

Again I say, the lessons of history are not to be read and then ignored or disregarded. America's history is one of forward-looking progress. Such progress has been resisted; but those who advocated a policy of development of the resources of our great land have always prevailed. Because that has been true, we now may enjoy our way of life, and look forward to a fuller life for those who will follow us.

If the time shall ever come when new horizons do not beckon us, when we see no need for further progress or development, when we, as we are, and not as we could be, consider ourselves entirely self-sufficient, then will America stagnate and wither and die as a great Nation.