



Spring 1990

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Recommended Citation

William Parsons & Douglas Mathews, *The Californization of Arizona Water Politics*, 30 Nat. Resources J. 341 (1990).

Available at: <https://digitalrepository.unm.edu/nrj/vol30/iss2/6>

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The Californization of Arizona Water Politics

ABSTRACT

The Californization of Arizona water politics is a comparison of policy decisionmakers in Western water politics. Patterns of water allocation suggest that Western water policy is best explained as cooperation among the few. These elites establish the values, determine the agenda, and control conditions under which water policy is made. Elite control of water policy is identified by strategies, tactics, and systems maintenance that work to limit challenges to elite water policy. To demonstrate the durability of elites, four stages of Western water development are examined: the foundation of elites (1880s-1920s), the rise of the elites (1920s-1930s), the golden age of concrete (1930s-1960s), and an era of maintaining elite controls (1970s-present). During each phase how water users in California and Arizona respond to the political conditions of the time is assessed. In the West, a small group of growth and development interests comes to dominate water policy. Furthermore, water policy making in Arizona resembles water policy making as practiced in Southern California, particularly in the continued control of the water agenda.

INTRODUCTION

When the Arizona Groundwater Management Act became law in 1980, many observers of Western water policy viewed the legislation as a progressive reform signaling a new era of participation in the water policy process. The Act is often touted as a reflection of increasing environmental sensitivity, fiscal responsibility, and awareness of water users ignored by traditional water allocation processes. However, closer examination reveals that groundwater "reforms" have instead institutionalized the values and allocation priorities of the traditional water resources development policy network. It is becoming increasingly apparent that the Groundwater Act enhances the growth and development plans of Phoenix. Other water users such as environmentalists, small farmers, and the native American (who hoped to benefit from a law which would bring the Central Arizona project) are still struggling to find institutions or structures through which

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to alter the Phoenix dominated water agenda. However, the dominance of a Western urban center in water policy is not unique to Phoenix. A similar water political structure has long been a key factor in the growth and development of Los Angeles. In this case, the Metropolitan Water District has fashioned a water policy that promotes the water needs of Los Angeles over all other water interests. In California, the defeat of the Peripheral Canal is also seen as an environmental victory. Nevertheless, the position of the Metropolitan Water District as the de facto water agency for Southern California remains unquestioned. These patterns of water allocation suggest that Western water policy is best explained as cooperation among the few.

These elites establish the values, determine the agenda, and control the conditions under which water policy is made. The importance of an elite influence in water policy is often overlooked in studies of Western water policy due to their emphasis on policy as a reflection of pluralism. Rather, Western water policy can be observed as elite cooperation and subtle coercion which limits participation in actual policy decisions. Regardless of the "openness" of the decisionmaking structures, elite control of Western water policy continues through strategies, tactics, and systems maintenance that work to thwart challenges to elite water policy. This is in stark contrast to the pluralist model which argues that creating institutions and altering decisionmaking patterns is the master key to policy reforms.

Furthermore, the presence of elite water policy is observed by examining their durability over time. Pluralist studies too often attempt to measure policy success and failure through single conflicts or isolated cases. In contrast, if Western water actors are evaluated by their continuous involvement in water decisions, then the field of key or long term participants is very small.

To display the durability of elites four stages of Western water policy are examined: the foundation of elites, the rise of elites, elites in their heyday (the Golden Age of Concrete), and elites maintaining the decision structures. The four phases are simply guidelines of historical eras of water resources development in the West. Within each, water users are examined as to how they respond to the political conditions of the time. Those interests who adapt over time are called the "core elite." Water interests who rise and fall are basically "semi-core" actors. Water interests who are unable to make inroads to the core elite policy network are identified as peripheral or non-elites. The framework is tested in Southern California and Arizona.

DEVELOPMENT OF THE PERSPECTIVE

Elite theory suggests that public policy reflects the preferences of a

small set of decisionmakers, not the general public. Classic elite theory emphasizes the predominant role of industrial and financial interests in determining public policy.¹ Writers in the field of Western water resources have implied an elite political environment, noting that water policy often suffers from a lack of participation.² The short coming of these works is their focus on institutional barriers to participation rather than identifying the key political actors, or "elites," that fashion and dominate these institutions. Part of the reason elites in water policy go relatively unnoticed is their use of "gatekeeping" and systems maintenance political structures. These control mechanisms relegate many water interests to symbolic participation in water policy.³ In analyzing Western water politics, we contend that elite theory offers an indispensable perspective for three main reasons. First, historically, it is a small group of men who establish the decision rules for water policy. Despite efforts to expand participation to include groups such as environmentalists, there has been little change in the pattern of water allocation that encourages urban growth and development. We contend that urban growth via water augmentation dominates the Western water policy. It is the influence of urban growth values in Western water policy that leads to an "elitist" political setting.⁴

Secondly, we argue that elite interests capture water policy agencies and effectively practice self-regulation. In contrast, more open institutions, such as state legislatures, exist to create the illusion of participation. Symbolic responses in state legislation and the screening of demands through "gatekeeping" are indicative of the politics of Western water elites. For example, we will demonstrate that laws such as the 1980 Arizona Groundwater Management Act directly serve elite urban growth and development values and only symbolically address interests in favor of conservation, environmentalism, and growth control.

Lastly, the elite perspective permits an examination of emerging elites in water politics. Newer economic interests, such as the hi-tech industry, are being integrated into the water elite camp. The influence of agriculture, a traditional partner among the elite, is diminishing relative to the other elites. The eclipse of one part of the elite is not necessarily a signal of the system's demise. Water elites engage in self-replacement as well as self-regulation. In fact, the decline of agriculture is further indication that there is a water elite limiting the number of values seriously considered in Western water policy.

1. C. Mills, *The Power Elite* (1956); T. Dye & H. Zeigler, *The Irony of Democracy* (1981).

2. See M. Reisner, *Cadillac Desert* (1986); D. Worster, *Rivers of Empire* (1985); W. Kahrl, *Water and Power* (1982); I. Cooper, *Aqueduct Empire* (1968); R. Nadeau, *The Water Seekers* (1950); A. Hoffman, *Vision or Villany* (1981); C. McWilliams, *Southern California* (1948).

3. H. Ingram, N. Laney, & J. McCain, *A Policy Approach to Political Representation: Lessons From the Four Corners States* (1980); C. Edelman, *Symbolic Uses of Politics* (1964).

In summary, an elite perspective reveals the primacy of the urban growth and development ethic in Western water policy. Observed from this vantage point, our study examines several implications of the elite control of water policy. (1) Water policy institutions, although regulatory in structure, are dominated by a few economic elites with bureaucracy serving to assist elites in the politics of self-regulation. (2) Members of the elite cooperate to keep their growth and development agenda hidden from direct public scrutiny. (3) Elites use subtle political coercion such as symbolic legislation to reduce the influence of alternative water policy proposals such as conservation and environmental protection. (4) Water elites are skillful at creating the illusion of participation by bringing into the fold the hi-tech community while phasing out agriculture, thus keeping a narrow policy focus and avoiding real cutbacks in water use. (5) In evaluating the urban growth and development ethic, participants in water resources policy need to be examined over time affording the opportunity to distinguish key political actors in urban growth from single event (short term) participants.

The more commonly used pluralist model fails to adequately address the implications of water policy guided by urban growth and development. Pluralism emphasizes expanding participation and assumes all who participate bargain away some of their values to produce a consensus or compromise.⁵ However, the emergence of Los Angeles as a metropolis and a population boom in Phoenix offer little evidence that water policy in the West reflects values other than urban growth and development. Most studies of Western water policy rely on a pluralist perspective and focus on current issues, formal institutions handling the issue, and the number of access points to encourage participation.⁶ The conclusion of these studies is generally the same. The pluralist answer argues that until participation is broadened, the structural/procedural reforms of the 1970s environmental movement are destined to be ineffective. In contrast, an elite perspective suggests that even if participation is expanded there is in the West an urban elite that adapts to periodic political pressures without giving up its "core" growth and development goals.

By identifying a water elite, it becomes clearer that participation alone cannot guarantee policy that speaks to a broader set of values. The open disputes over the Peripheral Canal in California points to environmental activism. The groundwater act in Arizona on the surface suggests con-

4. See P. Fradkin, *A River No More* (1984); J. Garreau, *Nine Nations of North America* (1982); and P. Wiley & R. Gottlieb, *Empires in the Sun* (1982) [hereinafter *Empires*].

5. R. Dahl, *Who Governs* (1961); G. McConnell, *Private Power and American Democracy* (1966).

6. D. Pisani, *From the Family Farm to Agribusiness* (1984); N. Hundley, *Water and the West* (1975); D. Mazmanian & P. Sabatier, *Can Regulation Work* (1983); M. Goodall, J. Sullivan & T. DeYoung, *California Water* (1978).

sideration of conservation values. However, the long term impact of these events diminish when water policy in Los Angeles and Phoenix continue to encourage urban growth. In short, urban growth continues unabated in a water scarce region, and Western water policy enhances this pattern. Conversely, conservation and environmental values have done little to alter the direction of water policy in the West.

A dominant water elite is best observed over time. Western water policy has a long tradition of reflecting the urban growth and development values of a few economic elites. From time-to-time political conditions such as the New Deal era, the post war boom, and the environmental movement of the seventies help define the parameters of Western water policy. Through it all, urban growth and development in the West remains unchallenged as the region's top priority. Furthermore, the history of Western water development reveals that the variety of values expected in pluralism have not been translated into policy.⁷ An indicator of the serious consideration of environmental and conservation values in Western water policy would be to link population controls to water use regulations. However, regardless of the general political climate, limiting growth to assure a future water supply has not been a viable option. Thus, a longitudinal approach to Western water policy reveals the staying power of elites and the ineffectiveness of all other water interests to move beyond stop gap measures and dent the elite core network. Consequently, our perspective concentrates on the formation, expansion, and maintenance of an elite dominated Western water policy.

FRAMEWORK FOR ANALYSIS

Elite dominance of Western water development can be divided into four broad eras—specifically: (1) the Foundations of the Elites (1880s-1920s, a period of private and small scale projects to enhance settlement); (2) the Emergence of Elites (1920s-1930s, a period where a water resources development ethic is adopted); (3) the Golden Age of Concrete (1930s-1960s, a period of large scale water projects financed by the federal government to enhance regional development); and (4) Maintaining Elite Controls (1970s to the present, a transition period where water elites focus on state water institutions in the absence of federal interest).⁸

Within each phase we identify core, semi-core, and peripheral partic-

7. N. Hundley, *New Courses for the Colorado River* 11-14 (G. Weatherford & F. Brown, 1st ed. 1986).

8. Four phases are derived from M. Reisner, *supra* note 2 *passim* (This historical narrative implies four eras of Western water development); D. Worster, *supra* note 2 *passim* (This book provided us with different conceptual stages of Western water development.); D. Pisani, *supra* note 6 *passim* (Pisani details the decline of a key or core actor over time, in this case agriculture).

ipants in Western water policy. The core participants are groups who participate in and benefit from water resources policy in all four phases. By and large, they are Los Angeles business groups who adapt water projects as a means to enhance urban growth and development. Semi-core actors are, in at least some of the phases, part of the elite decision-making network. The major semi-core actors in Western water policy are agriculture, San Diego, and Arizona. Third, peripheral water policy actors are identified in each of the phases. These actors fail to have the major tenets of their political philosophy translated into public policy. Peripheral actors including environmentalists and limited growth activists remain inconsequential even though Western water policy has undergone at least four marked phases during the past century.

Core, semi-core, and peripheral water policy actors are identifiable by their strategies, tactics, and operational modes of conduct. A strategy is selecting an objective where one wishes to be at a future time. Tactics are an immediate course of action to achieve objectives. There must also be institutions, or operations, to carry out strategies and tactics.⁹ The use of the term institutions should not be limited to formal government structures. Policy actors can also create informal bodies to generate goals and objectives, and to implement policy. Thus, a less confining definition of institutions might be to discuss operational modes of conduct. We define operational modes of conduct as formal or informal mechanisms for achieving policy goals and objectives. Used in tandem, strategies, tactics, and operational modes of conduct are useful tools in achieving policy success.

The dominant theme of the core elite is a strategy of cooperation and a tactic of coercion.¹⁰ Cooperation is sought among the core participants who share a growth and development ethic and who see water projects as a means of achieving development. Core water elites employ subtle coercive tactics, such as symbolic responses, to reassure semi-core and peripheral actors' policy concerns. Peripheral actors, in the effort to counter elite control of water policy, attempt to generate open conflict and hope to force mutual consensus. In the operational context, this means peripheral actors are relegated to open forums such as state legislatures, traditionally weak instruments of action in Western states. Semi-core water interests adapt the same strategies and tactics as the elite core. The difference is that semi-core actors are critical to building the coalitions commonly associated with the distributive nature of water politics in the West. The semi-core is less influential in both the agenda formation and

9. See F. Emery & E. Trist, *The Causal Texture of Organizational Environments* 219-21 (J. Shafrits & P. Whitbeck 2d ed. 1978).

10. Adapted from A. Wildavsky, *Speaking Truth to Power* (1979).

policy implementation stages. At times, semi-core interests such as agriculture receive symbolic assurance that water resources development is advantageous for rural as well as urban needs.

The major task of the framework is to identify the actions of elite water policy actors. Designating water interests as core elites, semi-core elites and peripheral actors exposes the "real" policy makers from the symbolic participants. The adaptable core water elites are at ease in any political setting. Core water elites adapt a primary strategy of determining the urban growth and development agenda.¹¹ Tactics employed by the water elite include in present politics the use of PAC's (in past times much crasser uses of money), securing large scale federal water projects, and symbolic legislative responses to non-elite (peripheral) policy objectives, such as the 1980 Arizona Groundwater Management Act. Elite operational modes of conduct are primarily gatekeeping structures designed to promote self regulation. Elites have sponsored institutions such as the Metropolitan Water District (MWD) in California and the Department of Water Resources (DWR) in Arizona.

The driving force behind water policy in the West is a few core growth and development interests, or elites. Utilizing gatekeeping and self-regulation tactics, the core water elite limit the capacity of non-elite interests to act as independent political forces.¹² It is the core water elite which dominates the politics of water by their ability to keep peripheral actors at bay. Urban elite cooperation combined with subtle coercion of the semi-core agricultural community has proven a successful technique in adapting to changing political settings which we divided into four phases.

The overriding elite strategy in pursuing water resources development remains constant over the four phases. First and foremost, elites seek urban growth and development. Federal water projects became a quick answer to enhance growth and development and effectively squelched consideration of means other than water projects which might better serve goals.¹³ However, changing political conditions generate new tactics and operational modes of conduct to protect the overall water resources development strategy. It is the changes in the tactics and operational modes that is the focus of our study of elite water politics across four phases. A detailed description of each phase and the core elite tactical and operational response in each era of Western water resources development follows.

Phase I, the Foundations of the Elites (1880s-1920s), is characterized by a few small scale water projects. These projects are undertaken by

11. See R. Cobb & C. Elder, *Participation in American Politics* (1972).

12. D. Easton, *A Systems Framework for Political Analysis* (1971).

13. M. Reisner, *supra* note 2, at 359.

individuals and privately held companies. Although limited in scale, many of these early irrigation projects failed. In Phase I, Western water users began to realize that alternative sources of funding projects would have to be found if water would be a key to growth. Specific characteristics of Phase I include:

(1) Strategy—Elites begin to form linkages between water and growth when federal interest in water projects develops.

(2) Elite tactics—Protect the “haves” over the “have-nots” through “first-in-time, first-in-right” water laws.

(3) Operational context—Western water institutions in an infant state. Day to day operations at the local level only.

Phase II, the Emergence of Elites (1920s-1930s), is a transition period in Western water policy. Water elites in Southern California begin to solidify into an urban and agriculture coalition. In these years, the federal government takes the lead in selecting the projects, or the tactics to produce regional development. The urban and rural core adapt accordingly deciding that growth is best served by reclamation. General characteristics of Phase II are:

(1) Strategy—Elite attempt to secure growth through water projects is assured by federal interests in reclamation.

(2) Tactics—The core elite in Los Angeles use the Colorado River Compact to secure first rights to Western water supplies available through water projects.

(3) Operational context—Los Angeles elites create MWD to counter-balance the power of agriculture and to serve as spokes-agency for Southern California in Washington.

(4) Non-elites emerge—These peripheral actors question elite tactics, that is water for urban growth first, farming second. This is an urban/rural conflict but non-elites are unable to bring about a consensus.

The New Deal era ushers in Phase III, the Golden Age of Concrete (1930s-1960s). The construction of Hoover Dam signals that reclamation projects will guide the development of the West. Within the region, MWD fosters the growth and development strategies of urban elites in Southern California. Together, MWD and the national water agencies become the primary authors of water policy in the Colorado River region. Some of the characteristics of Phase III include:

(1) Strategy—Los Angeles elites institutionalize the tie between water projects and regional growth and development, fueling the distributive politics of water.

(2) Tactics—L.A. water elites use MWD to eclipse federal authority in planning and prioritizing needed water projects.

(3) Operational context—MWD and the emergence of a federal “iron

triangle" effectively by-passes non-elite (peripheral actors) modes of accountability, such as state government.

(4) Semi-core—Emergence of Arizona as a water elite. Solidifies the distributive network.

(5) Non-elites—The core/semi-core distributive network prevents intrusion into water policy by peripheral actors.

Phase IV, Maintaining Elite Controls (1970s to the present), challenges Los Angeles elites to find alternatives to large federal water projects. In the struggle to hold down federal spending, the number of new reclamation projects is greatly reduced. In addition, states are asked to bear a greater share of the costs of projects. In the West, semi-core actors realize that the distributive coalition favors Los Angeles over other areas in need of water, most notably Arizona. This struggle within the core and semi-core is visible as early as *California v. Arizona (1963)* (dispute over shares of water from the Colorado River). Phase IV benefits Phoenix semi-core actors who desire a Los Angeles type of growth and development in Arizona. Semi-core actors in Phoenix must force their hand to get "real" benefits as opposed to Phase III where benefits "trickled-down" from Los Angeles. Peripheral actors such as environmentalists are still unable to make significant headway preventing (in their view) excessive and wasteful growth, this in spite of environmental laws passed in the late sixties and early seventies. Attributes of Phase IV include:

(1) Strategy—Elite continue to pursue growth and development although federal water projects are no longer a key component.

(2) Tactics—L.A. elites focus on MWD; Semi-core in Phoenix look for their own water projects.

(3) Operational Context—L.A. relies on MWD to preserve existing water empire. Phoenix creates DWR as a "mini-empire."

(4) Non-elites—Develop a clear "environmental" strategy, but few effective operational modes of conduct.

The framework for analysis is applied to two Western States, California and Arizona. In California, we focus on the emergence, consolidation, and maintenance of water elites in the Los Angeles area, along the broad eras or phases described above. In Arizona, we examine the politics of water as practiced by elites in Phoenix. However, in the case of Arizona, the emergence of an elite is delayed by the semi-core roles played by Phoenix and agriculture in promoting Southern California's water resources development. The Phoenix elite are observed emerging in the 1920s, consolidating in the early sixties, and maintaining roles really not occurring until the 1980s. In other words, as the elite emerge and consolidate in Los Angeles, they adapt strategies, tactics, and operational modes of conduct to take the lead in Western water policy. We then

demonstrate that Arizona is a follower in each phase and only emerges as a separate elite in the last twenty years. Thus, the Californization of Arizona water politics is an examination of how, over time, water elites in Phoenix have learned the political/behavioral patterns practiced by water elites in Los Angeles.

ELITE CONTROL OF FOUR PHASES OF WESTERN WATER POLICY

Phase I: Foundations of the Elite

Beginning in the 1880s, Western water users are primarily small farmers, large farms and ranches, mining interests, and emerging urban centers. Small farmers had few goals other than to obtain water for immediate survival and quickly become peripheral participants. For the more established farmer, water begins to be viewed as a tactic for achieving regional economic growth and development. For example, Southern California farmers start several small-scale private water districts but few are successful.¹⁴ Los Angeles also recognizes the importance of water to regional growth in creating the Los Angeles Water Department which became instrumental in building the L.A. Aqueduct. However, as with agriculture, this operational mode of conduct emphasized the physical aspects of water rather than the political aspects of water development. Nevertheless, these early water projects establish the practice of solving "local" water shortages by importing water. By the 1920s, the formation of irrigation districts to serve farmers and the L.A. Water Department establish the foundations for a select few water users to dominate Southwestern water politics.¹⁵

Phase I in Arizona is marked by the political dominance of agriculture. Landowners in the Phoenix area formed the Water Users Association and adopted a "one-acre/one-vote" policy to control water rights.¹⁶ This decision rule came to dominate valley water politics until the 1970s allowing agriculture to take the lead in calling for water projects to augment Arizona's water supply. Water law in Arizona provides the foundation for agriculture to be a key player in water policy for years to come. Unlike California, Arizona in Phase I gives little indication of being a major competitor for water. The Phoenix valley is mostly rural. Few could imagine Phoenix becoming a major urban center in competition for Arizona's groundwater, controlled by agriculture, or Colorado River water, controlled by Los Angeles and Southern California irrigators. Thus, the

14. M. Reisner, *supra* note 2, at 116.

15. *Id.*

16. Kyl, 1980 *Groundwater Management Act: From Inception to Constitutional Challenge*, U. Colo. L. Rev. 471-503 (1982).

underdeveloped state of Arizona is mostly a peripheral actor in Phase I. However, the political domination of agriculture in Arizona provides the opportunity for the Phoenix valley to become a semi-core participant in later years. Other than a legal arena which gives preference to agriculture, Arizona in Phase I has no strategy, let alone tactics or operations, to formulate a water policy. As a consequence, California elites take the lead in water policy in the region and Arizona follows along by default.

Phase II: The Emergence of Elites

In Phase II water elites employ tactics to secure a linkage between regional growth and water resources. Tactically, the L.A. urban elite and the agricultural elite discover that the Reclamation Service offers a cheap and quick way to get water and subsequently promote growth. The bright outlook on the water front had to be tempered somewhat, however, in that doubting Eastern (and still dominant) Congressional interests are willing to take a risk on only small projects. The first reclamation projects are built in Arizona (Salt River Project) and in Nevada (Newlands Project), not in California.¹⁷

As this era progresses, L.A. elite also discover the Reclamation Service has potential as an operational mode of conduct. In the effort to counter Eastern apprehension, Western elites develop close ties to the BOR and with Western Congressional leaders. This distributive network helps bring more attention California's way. The formation of the Metropolitan Water District (MWD) in 1926 provides yet another operational mechanism to enact strategies and tactics. MWD serves to further demonstrate (1) the right of Los Angeles to tap the Colorado River, (2) that Los Angeles is the center of control for the distribution of imported water, and (3) that California elites determine water policy even though the national government builds and pays for the water projects. Tactically, the 1922 Colorado River Compact reassures the California water elite that the river will be developed and will primarily benefit California interests. Finally, in 1928 the Boulder Canyon Act is passed by Congress, setting the stage for construction of Hoover Dam, the Colorado River Aquaduct, and the All-American Canal (projects which would turn Western water policy to a decidedly Los Angeles focus in Phase III).¹⁸

The events of Phase II also reinforce the core, semi-core, and peripheral nature of Western water interests. In a brief span of ten years, Los Angeles urban interests establish themselves as the primary beneficiaries of the Colorado River. The Compact, MWD, and the Boulder Canyon Act all

17. K. Smith, *The Magnificent Experiment* (1985); see also M. Reisner, *supra* note 2, at 116-18.

18. M. Reisner, *supra* note 2, at 130.

serve to bring Los Angeles politically close to a geographically distant Colorado River. Agriculture is an active part of the core elite in creating a distributive network. However, in the development and implementation of policy, the agenda clearly focuses on Los Angeles. L.A. elite are masterful in gaining cooperation from agriculture to promote distributive water policy. However, L.A. elite learn in Phase II that agriculture, as a semi-core member, can be subtly coerced to accept projects that benefit Los Angeles first, and other water interests second.

Other water users such as an Arizona mining industry and an emerging city in Phoenix are only symbolic participants in water resources development. This is especially clear in the Colorado River Compact which gave water to both California and Arizona but failed to clarify exact shares. Given Los Angeles' head start in developing water institutions, California took the upper hand in claiming the Colorado River. Arizona's only immediate means of protest could be seen in the state legislature's refusal to ratify the interstate compact. Arizona made a philosophically correct decision but the action had only symbolic meaning. California felt no obligation to alter its water strategy simply because Arizona did not approve.

Phase III: Golden Age of Concrete

When Los Angeles growth and development interests create MWD, these core elites institutionalized a strategy for growth linked to water policy. It is likely the New Deal era and post war boom offered several means to fuel regional growth. However, MWD and BOR institutionalized water resources development as the primary growth vehicle. In Phase III, the Los Angeles core elite found in MWD an agency able to consolidate control over the allocation of Western water supplies. In addition, MWD becomes the core elite's long term planning agency for a narrow water resources development agenda. The attractiveness of water projects is sweetened by federally financed projects. With few discernible costs, projects built between 1930 and the 1960s expanded bureaucratic growth as much as regional development. Building simply to build helps sustain the water elite. In Phase III there is no need to pick and choose projects, the West simply takes them all.

Los Angeles water elites also have a strategy of constructing projects in a pattern designed to keep the actual water supply one step ahead of population projections.¹⁹ In practice, excess water would be portioned out to irrigated agriculture until needed for urban use. Building for later urban use is evident in the completion schedule of Hoover Dam (1933), the All-American Canal (1938), Shasta Dam (1944), and the San Diego

19. I. Cooper, *supra* note 2, at 250-51.

Aqueducts (1944 and 1960).²⁰ In practice, agriculture receives short term benefits from the projects making use of surplus water until needed by urban users in Los Angeles. The trickle down elite arrangement is also apparent in the construction of San Diego's aqueducts only after Los Angeles has a pipeline to the Colorado River. Lacking political clout in the elite distributive network, San Diego must rely on MWD for water imports. San Diego becomes a semi-core partner to Los Angeles in Phase III further reinforcing MWD's role as the hub of Western water policy.

By emphasizing MWD as the primary water agency of Southern California, local water elites could bypass other operational modes or institutions such as the State Water Office and the state legislature. Irrigation districts and other agencies such as the San Diego Water Authority also operated through MWD rather than deal directly with Washington. By 1960, California water interests had created over 160 irrigation districts, 55 reclamation districts, and hundreds of municipal districts. Still, only MWD spoke with consistent authority in water conversations involving California and the national government.²¹

Water resources development in Arizona is, for the most part, in a holding pattern during Phase III. Arizona's desperate tactic to oppose the Colorado River Compact had failed miserably. The federal government shows little interest in Arizona as California and MWD dominate the federally funded agenda in the Golden Age of Concrete. Until federal water agencies would show interest in Arizona, water elites in growing urban centers like Phoenix have no incentive to form an institutional link with Washington. In fact, left to go it alone, Arizona's urban elites could have found the effort counterproductive, exposing development strategies prior to having the political clout to protect their interests from peripheral challenges. Furthermore, agriculture controlled the Arizona courts, the only existing operational mode to determine water policy. An expanding agribusiness found no reason to experiment with other operational modes of conduct when the system in place clearly protected rural uses of groundwater.²²

Arizona does not begin to directly benefit from the Golden Age of Concrete until the 1960s. In 1963 the dispute over Arizona's share of the Colorado River, so long left unsettled by the Compact, ends in Arizona's favor. Arizona's only Phase III water development would be the Central Arizona Project (CAP). However, the inattentiveness to Arizona's water needs for most of Phase III creates problems in distributing and managing a newly found water supply. Although Phoenix shows signs of becoming

20. *Id.* at 420-21.

21. W. Kahrl, *supra* note 2, at 421-22.

22. Kyl, *supra* note 16, at 471-503.

a major urban center in Phase III, agriculture controls the politics of water within the state and the city has no voice outside the state to counter the power of MWD. This failure to prepare for a much needed water project delays efforts to obtain the CAP for nearly twenty years. Thus, Arizona's urban interests are at best semi-core actors in Phase III, revealing only a few signs that Phoenix would push to replace agriculture as Arizona's core elite.

MAINTAINING ELITE CONTROLS (1970s TO THE PRESENT)

The fourth phase in California is marked by the onset of diminishing returns. The most crucial diminishing return for Los Angeles is the realization that water supply issues are no longer the only key political issue. In Phase III, water projects provide the foundation for economic growth. Now in Phase IV, new keys to growth emerge such as the hi-tech industry and Pacific Rim financing which build on the sturdy water foundation. In the effort to preserve the water foundation, the L.A. elite in Phase IV protect MWD as the primary water policy operational mode of conduct. The challenge to elites in Phase IV is to deflect non-elites from intruding on MWD policy making. Furthermore, as non-elites such as environmentalists become commonplace in the seventies and eighties, institutions created to serve their values such as the California EPA fail to penetrate the elite controlled MWD. Thus, through effective gate-keeping the L.A. elite are able to cope with increasing peripheral non-elite policy activity by defecting non-elite values to operational modes of conduct that rarely directly challenge the elite core water allocation network.

As water supply issues became less central to growth and development, a new element emerged in water policy which emphasized environmental quality, an issue heretofore ignored by policy makers. In 1969, the National Environmental Policy Act (NEPA) serves to formalize public opposition to water projects deemed harmful to the environment. In California, environmental values enjoyed their heyday in the Jerry Brown administration. The Peripheral Canal, Tulare Basin, and Mono Lake issues are often cited as examples of important non-elite (peripheral) victories in Western water policy.²³ However, in Brown's second term as Governor it became clearer that water elites adopt a "waiting 'em out" tactic, hoping for a more friendly administration in the eighties. Evidence of water elites buying time can be seen in Brown's signing of the second phase of the controversial State Water Project in 1980.²⁴ Thus, in spite of Jerry Brown's environmental allegiances, the former governor also

23. Empires, *supra* note 4, at 87-89.

24. *Id.* at 87, 91.

recognized Southern California's central and powerful role in Western growth and development by maintaining ties to Southern California water elites.

The current strategy for Southern California water elites is to wait for clear policy windows to implement growth strategies through water projects. It appears that the "waiting 'em out" tactic is continuing in the Deukmajian administration. The overall water elite view toward the governor's office reflects an effort to minimize further setbacks to core L.A. elite policy goals. The pace of water resources development has clearly slowed in Phase IV. However, the overall maturing of California's economy permits less dependence on water projects as the sole key to growth.

The L.A. core elite operational modes of conduct also reflect an emphasis to maintain the existing water policy network rather than a Phase III expansionist attitude. Budget problems at the national level, a shift toward state control of water policy, and environmental laws such as NEPA turn the focus of MWD toward preserving the core elite water agenda in mostly state political settings. Once relegated to state level politics the water elite formally confront values that never existed or surfaced in the first three phases. In Phase IV, MWD must deal directly with Northern California rather than via a federal water agency. Rather than waiting for the national government to develop the Northwest for Southern California's benefit, the L.A. water elite independently take on the task. Although MWD could control the agenda in Southern California, L.A. water elites are not willing to practice the politics of consensus to reach agreement with their Northern counterparts. Unwilling to compromise their core values of growth and development, the L.A. core elite choose to control what they can for the moment through MWD and wait for other opportunities to implement their strategies, finding tactics less likely to be challenged. In this effort, finding alternatives to water projects as the only key to growth becomes an essential part of the elite strategy.

The formation of the Los Angeles 25, a group of urban business leaders, is an important step in linking the plans of Los Angeles with MWD.²⁵ Absent national leadership to link water policy with development of the West, the L.A. 25 and MWD cooperate to preserve Los Angeles' water needs first, all other uses second. The desire to preserve the status of Los Angeles in water decisionmaking impacts traditional semi-core actors. San Diego, for example has shown indications of seeking its own water deals with the Imperial Irrigation District.²⁶ In searching for an independent water market, San Diego also reflects the politics of water in Phase

25. *Id.* at 114-15.

26. Hartshorn, *Door Open to Water Trades*, W. Water (Sep./Oct. 1985) at 1-3; and Hartshorn, *Water Trading in the Imperial Valley*, W. Water (July/Aug. 1985) at 1.

IV. No longer can Los Angeles guarantee water for its semi-core partners. Furthermore, semi-core members like San Diego become increasingly aware in Phase IV that the absence of federal funding means L.A. elites can only think about Los Angeles. Benefits to the semi-core in Phase III were limited to begin with. Now in Phase IV the semi-core would gain incentive to develop their own growth strategies or permit peripheral actors such as environmentalists and "no-growth" activists to dominate water policy.

Nowhere is this more evident than in Arizona. By the 1970s, urban elites in Phoenix are challenged by the federal government to define the benefits of the CAP, responding to the attitude toward curbing large scale water projects. Arizona found itself alone in conversations with Washington and desperately needing a unified voice to convey its desire for the CAP. A small set of elites acting alone would expose the CAP as an old style project that benefits only one party, in this case Phoenix. This possibility had to be squelched especially when we consider the original intent of the CAP was to assist agriculture.²⁷ Furthermore, the relationship between Phoenix and agriculture is already strained by an increasing number of court cases challenging rights to groundwater for irrigation when clearly the cities displayed a higher economic use of the state's groundwater.²⁸ With ninety percent of the state's groundwater bottled up in agricultural uses, any discussion of bringing the CAP to Arizona would have to include the impact of the CAP on agriculture and groundwater use.²⁹

Phoenix elites understand that their old style Charter Government Committee, designed to promote urban interests, would not help get the CAP. In Phase III, the Committee spoke for Phoenix while agriculture dominated politics statewide. The Committee formulated policy in public works, zoning, and screened potential political candidates. In fact, between 1947 and 1976 only two city council candidates gain election without Committee approval.³⁰ Clearly this open handed style of political influence is not very useful in expanding support for the CAP to other key actors such as Agriculture already skeptical of Phoenix's motives in wanting the CAP. Phoenix elites such as Frank Snell and Eugene Pulliam responded to the challenge by organizing the Phoenix 40, an entity not dissimilar to the Los Angeles 25. The organization is not a formal decisionmaking forum but rather an oversight board serving to review City policy questions and to intervene informally on occasion to get the

27. Empires, *supra* note 4, at 177.

28. Kyl, *supra* note 16, at 471-503.

29. Empires, *supra* note 4, at 178-79.

30. *Id.* at 172.

policy wheels in motion.³¹ Forming the Phoenix 40 is a critical development in continuing elite politics in Phoenix. For the first time, Arizona experiences the benefits of creating informal operational modes of conduct which in turn brought adroit manipulation of the agenda and of state institutions. The Phoenix elite employed cooperation and coercion as practiced among the L.A. elite. Learning to adjust to their political environment, Phoenix developers create a less crass policy making group called the Phoenix 40.

The Phoenix 40 became the only way to overcome the power vacuum that developed in Arizona during Phase III. Between 1960 and 1980 the state's population had doubled from 1.3 to 2.6 million.³² Phoenix now emerges as a major urban center that dwarfs agriculture (the Phase III core actor) in every way except in water policy. In this area, the Phoenix 40 answer the challenge by working behind the scenes with Governor Babbitt to fashion groundwater legislation which would secure water for Phoenix first and the rest of Arizona second.³³ The BOR insisted Arizona pass a water conservation law in order to get the CAP. In doing so, the Phoenix elites take the lead in drafting the bill and passing the law in a Phoenix dominated state legislature. The 1980 Arizona Groundwater Management Act created the Department of Water Resources (DWR) and several locally controlled Active Management Areas (AMAs). These agencies exist under the banner of conservation but in fact they currently show signs of fulfilling the strategies of the Phoenix elite to expand the growth of Arizona's major urban center. Close examination of the Act reveals there is no ceiling on overall water use in the cities but rather only limits per capita consumption. Further, agriculture is now metered for its use of groundwater and there is the possibility of losing groundwater rights in future years if irrigation limits are not met.³⁴ In essence, the DWR and its Phoenix AMA show signs of performing roles similar to those played by MWD on behalf of the L.A. 25.

Arizona's water elites have barely reaped the benefits of large-scale water projects and are now also challenged to maintain control of their new water institutions. Environmentalists have raised concerns over water quality and water conservation. However, Phoenix elites have so far kept these issues from directly influencing DWR, a signal that the core elite are learning the value of gatekeeping structures. In Tucson, citizen activist groups have expressed concern over growth with depleting groundwater supplies one of several related issues. (The Tucson Active Management

31. *Id.* at 174.

32. *Ariz. Stat. Rev.* (1986).

33. *Empires*, *supra* note 4, at 117-18.

34. W. Martin & H. Ingram, *Planning for Growth in the Southwest* 7-9 (1985).

Area's management plans are somewhat responsive to these views.)³⁵ However, the net effect seems to be a Tucson which will grow at a slower pace than Phoenix. The challenge to the Phoenix elite is avoiding a confrontation with Tucson over water conservation regulations which appear to have little impact in Phoenix yet force real cutbacks in Tucson. Finally, agriculture appears to be heading towards peripheral participation. Economic studies in Arizona as early as the 1960s suggested the CAP could not in and of itself prevent the decline of agriculture.³⁶ Those predictions now seem to be coming true. There are now indications that the CAP has served mostly to ease the impact of the shift from a rural to urban economy.³⁷

CONCLUSION

An elite perspective toward Western water policy reveals a select group of water policy makers identified as "core" elites. The core elite are primarily urban business leaders who guide water resources development as a means of promoting urban growth and development. Semi-core actors are also identifiable. They include agriculture, San Diego, and Arizona. It is important for the core elite to cooperate with the semi-core in order to form the coalitions necessary to limit the scope of the water agenda. The semi-core is less involved in policy implementation. The L.A. urban core and more recently the Phoenix urban core often provide symbolic benefits to semi-core participants. The framework also reveals non-elite or peripheral actors in California and Arizona. Peripheral actors are environmentalists and "limited growth" citizen activists. The Los Angeles and Phoenix examples provide indication that the net effect of peripheral actors is marginal. While there are examples of peripheral actors achieving policy outputs, the efforts of non-elites have done little to change the outcome of water politics dominated by urban elites.

It is also useful to examine Western water policy over time. The division of Western water policy across phases clarifies the dynamics of elite controlled water policy. By focusing on an elite perspective, the longevity of Western water elites is revealed and the inability of non-elites to alter elite decisions is also displayed. Political conditions change and water elites have adjusted accordingly. This can be observed through the strategies, tactics, and operational modes of conduct employed by elites to

35. *Id.*

36. M. Kelso, W. Martin & L. Mack, *Water Supplies and Economic Growth* (1986); *see also* D. Mann, *The Politics of Water in Arizona* (1963) and H. Ingram, *Patterns of Politics in Water Resources Development* (1969).

37. W. Parsons & D. Mathews, *The Californization of Arizona Water Politics* (March 27, 1987) (paper presented at the Annual Meeting of the Western Political Science Association).

(1) develop a foundation for control, (2) emerge as an elite, (3) expand their power in the golden age of concrete, and (4) maintain control in contemporary political settings, hence the four phases of Western water politics. It is especially important to convey the significance of elites maintaining control in Phase IV. The diversity of the periphery now expands into policy areas such as environmentalism. Nevertheless, non-elites have failed to penetrate core elite operational modes of conduct. Los Angeles elites still control MWD. Similarly, Phoenix elites have fashioned the 1980 Groundwater Act so that in creating DWR Arizona water policy will focus on urban water use. By regulating in favor of urban water use, DWR reflects the change in elite water strategy to favor urban centers over agriculture. The shake out of agriculture indicates the desire of the elites to maintain their control of water policy even at the expense of a traditional participant. Finally, an analysis of elites over time reveals that even though California and Arizona are two different states, water elites in both states practice a very similar style of politics including gatekeeping structures and symbolic responses to non-elites. Studying elites over four phases shows that policy choices available to elites can change but the overall goals of elites and the narrow membership of the core elite remains in spite of indications of increased participation in Western water policy.