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EXPANSION OF BOULDER CANYON PROJECT AND FACILITATION OF INCORPORATION OF PAGE, ARIZ.

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HEARING

BEFORE THE

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SUBCOMMITTEE ON

WATER AND POWER RESOURCES

OF THE

COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

NINETY-THIRD CONGRESS

SECOND SESSION

ON

S. 325

A BILL TO EXPAND THE BOULDER CANYON PROJECT TO
PROVIDE FOR THE CONSTRUCTION OF A HIGHWAY CROSS-
ING OF THE COLORADO RIVER IMMEDIATELY DOWN-
STREAM FROM HOOVER DAM

S. 767

A BILL TO FACILITATE THE INCORPORATION OF THE
RECLAMATION TOWNSITE OF PAGE, ARIZONA, GLEN
CANYON UNIT, COLORADO RIVER STORAGE PROJECT, AS
A MUNICIPALITY UNDER THE LAWS OF THE STATE OF
ARIZONA, AND FOR OTHER PURPOSES

S. 1261

A BILL TO FACILITATE THE INCORPORATION OF THE
RECLAMATION TOWNSITE OF PAGE, ARIZONA, GLEN
CANYON UNIT, COLORADO RIVER STORAGE PROJECT, AS
A MUNICIPALITY UNDER THE LAWS OF THE STATE OF
ARIZONA, AND FOR OTHER PURPOSES

JUNE 12, 1974

Printed for the use of the
Committee on Interior and Insular Affairs

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INFORMATION



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THE HISTORY OF THE UNITED STATES
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BY

JOHN F. JOHNSON, M.D., LL.D.,
OF THE UNIVERSITY OF CHICAGO

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EXPANSION OF BOULDER CANYON PROJECT AND FACILITATION OF INCORPORATION OF PAGE, ARIZ.

WEDNESDAY, JUNE 12, 1974

U.S. SENATE,
SUBCOMMITTEE ON WATER AND POWER RESOURCES,
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to notice, in room 3110, Dirksen Office Building, Hon. Frank Church, presiding.

Present: Senators Church, Bible, and Fannin.

Also present: Jerry T. Verkler, staff director; Dan Dreyfus and Russ Brown, professional staff members.

Senator CHURCH. The hearing will come to order.

OPENING STATEMENT OF HON. FRANK CHURCH, A U.S. SENATOR FROM THE STATE OF IDAHO

Senator CHURCH. The purpose of this hearing before the Water and Power Resources Subcommittee this morning is to take testimony on three measures. S. 325, introduced by Senators Bible and Cannon, is a bill to expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River downstream from Hoover Dam.

The other measures, S. 767, introduced by Senators Fannin and Goldwater, and S. 1261, introduced by Senator Moss and several co-sponsors, are bills to facilitate the incorporation of the reclamation townsite of Page, Ariz., as a municipality under the laws of the State of Arizona.

There is a companion measure to S. 325, H.R. 14187, which is presently pending before the House Interior Committee's Subcommittee on Water and Power.

The House subcommittee also has before it a marked up version of H.R. 1194 which is a companion measure to S. 767.

The texts of S. 325, S. 767, and S. 1261 and the Executive communications relating to these measures will be included in the record at this point.

[The information referred to above follows:]

93D CONGRESS
1ST SESSION

S. 325

IN THE SENATE OF THE UNITED STATES

JANUARY 11, 1973

Mr. BIBLE (for himself and Mr. CANNON) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, in order to relieve excessive traffic congestion on
4 Hoover Dam; to provide a safe crossing for interstate traffic;
5 and to provide for the safety of Hoover Dam, appurtenant
6 structures, and the visiting public, the Secretary of the
7 Interior is authorized to construct, as an integral part of the
8 Boulder Canyon project, a highway crossing of the Colorado
9 River immediately downstream from Hoover Dam including
10 access roads and related facilities: *Provided, That* the cost
11 of the crossing, with interest, shall be recovered from revenues

1 from the Boulder Canyon project, after completion of current
2 repayment requirements of said Boulder Canyon project.

3 SEC. 2. The interest rate used for computing interest
4 during construction and interest on the unpaid balance of
5 the costs of the highway crossing shall be determined by
6 the Secretary of the Treasury, as of the beginning of the
7 fiscal year in which construction is commenced, on the basis
8 of the computed average interest rate payable by the Treas-
9 ury upon its outstanding marketable public obligations which
10 are neither due nor callable for redemption for fifteen years
11 from date of issue, and by adjusting such interest rate to
12 the nearest multiple of one-eighth of 1 per centum if the
13 computed average interest rate is not a multiple of one-
14 eighth of 1 per centum.

15 SEC. 3. There is hereby authorized to be appropriated
16 for the construction of the highway crossing the sum of
17 \$15,000,000 (July 1971 prices) plus or minus such
18 amounts, if any, as may be justified by reason of ordinary
19 fluctuations in construction costs as indicated by engineer-
20 ing cost indexes applicable to the types of construction in-
21 volved therein, and, in addition thereto, such sums as may
22 be required to operate and maintain such highway cross-
23 ing.

93D CONGRESS
1ST SESSION

S. 767

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 1973

Mr. FANNIN (for himself and Mr. GOLDWATER) introduced the following bill;
which was read twice and referred to the Committee on Interior and
Insular Affairs

A BILL

To facilitate the incorporation of the reclamation townsite of Page,
Arizona, Glen Canyon unit, Colorado River storage project,
as a municipality under the laws of the State of Arizona,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That it is the purpose of this Act to separate that unincor-
4 porated area in Coconino County in the State of Arizona
5 commonly known as the town of Page, Arizona, from the
6 Colorado River storage project in order that the United
7 States may withdraw from the ownership and operation of
8 the town and the people of that area may enjoy self-
9 government, and to facilitate the establishment by the people
10 of a municipal corporation under the laws of the State of

1 Arizona by the transfer of certain Federal property described
2 in section 3 of this Act.

3 SEC. 2. The following definitions shall apply to terms
4 used in this Act:

5 (a) The area referred to herein as Page, Arizona.
6 includes the following described land:

PAGE TOWNSITE, ARIZONA	
Gila and Salt River Meridian, Arizona	
Township 40 north, range 8 east:	Acres
Section 1. All-----	638.94
Section 2. East half southwest quarter, southeast quarter--	240.00
Section 11. East half-----	320.00
Section 12. All-----	639.68
Township 41 north, range 8 east:	
Section 25. South half southwest quarter southeast quar-	
ter, southeast quarter southeast quarter-----	60.00
Section 36. East half, south half northeast quarter north-	
west quarter, east half southwest quarter	
northwest quarter, southeast quarter north-	
west quarter, northeast quarter southwest	
quarter, east half northwest quarter south-	
west quarter, south half southwest quarter--	540.00
Township 40 north, range 9 east:	
Section 4. All-----	639.48
Section 5. All-----	639.84
Section 6. All-----	622.74
Section 7. All-----	623.68
Section 8. All-----	640.00
Section 9. All-----	640.00
Township 41 north, range 9 east:	
Section 19. East half southwest quarter, southeast quarter--	240.00
Section 20. South half-----	320.00
Section 21. West half southwest quarter, west half southeast	
quarter southwest quarter, southeast quarter	
southeast quarter, southwest quarter south-	
west quarter southwest quarter southeast	
quarter-----	120.00
Section 28. West half northeast quarter, northwest quarter	
southeast quarter northeast quarter, south	
half southeast quarter northeast quarter,	
west half, southeast quarter-----	590.00
Section 29. All-----	640.00
Section 30. All-----	641.20
Section 31. All-----	642.00
Section 32. All-----	640.00
Section 33. All-----	640.00
Total -----	10,717.56

1 (b) The term "municipality" shall mean Page, Arizona,
2 after its incorporation as a municipality under the laws of
3 the State of Arizona.

4 (c) The term "Secretary" shall mean the Secretary of
5 the Interior.

6 (d) The term "municipal facilities" shall mean certain
7 land, and the improvements thereon, in Page, Arizona, such
8 as hospital, police and fire protection systems, sewage and
9 refuse disposal plants, water treatment and distribution facil-
10 ities, streets and roads, parks, playgrounds, airport, cemetery,
11 municipal government buildings, and other properties suit-
12 able or usable for local municipal purposes, including any
13 fixtures, equipment, or other property appropriate to the
14 operation, maintenance, replacement, or repairs of the fore-
15 going, which are owned by the United States and under the
16 jurisdiction of the Department of the Interior, Bureau of
17 Reclamation, on the date of incorporation of Page, Arizona.

18 SEC. 3. Upon incorporation of Page, Arizona, as a
19 municipality under the statutes of the State of Arizona, the
20 Secretary shall:

21 (a) Transfer to the municipality without cost, subject
22 to any existing leases granted by the United States, all im-
23 proved or unimproved lands within Page, Arizona, owned by
24 the United States, which the Secretary determines are not
25 required in the administration, operation, and maintenance

1 of Federal activities within or near Page, Arizona, and can
2 properly be included within the municipality under the laws
3 of the State of Arizona, except the land to be transferred
4 pursuant to subsection (c) hereof, and to assign to the
5 municipality without cost any leases granted by the United
6 States on such land.

7 (b) Transfer to the municipality without cost all
8 rights, title, and interest of the United States in and to
9 any real and personal property within the municipal bound-
10 aries when the property becomes no longer needed by the
11 United States.

12 (c) Transfer to the municipality without cost all
13 rights, title, and interest of the United States in and to
14 any land, and the improvements thereon, which may be
15 contained in any reversionary clause of any dedication deed
16 for land in Page, Arizona, issued by the United States.

17 (d) Transfer all activities and functions of a municipal
18 character being performed by the United States to the
19 municipality subject to the provisions of sections 4 and
20 7 of this Act.

21 (e) Transfer to the municipality without cost the munic-
22 ipal facilities, as defined in subsection 2(d) of this Act,
23 except as provided under subsection 4(a).

24 (f) Assign to the municipality without cost those con-
25 tracts to which the United States is a party, and which per-

1 tain to activities or functions to be transferred under subsec-
2 tion (c) of this section and are properly assignable. This
3 shall include contracts for furnishing water outside the boun-
4 daries of Page, Arizona, utilizing the municipal system:
5 *Provided*, That the contract which the United States has ex-
6 ecuted with a private utility for furnishing and distributing
7 electrical energy to the municipality shall be assigned to the
8 municipality upon its request: *And provided further*, That
9 in the assignment of the contract for the operation of the
10 Page Hospital the \$50,000 operating fund under said contract
11 shall be transferred to the municipality for the same purpose
12 as a part of the assignment of said contract.

13 SEC. 4. There is hereby reserved for the Glen Canyon
14 mit, Colorado River storage project, the consumptive use of
15 not to exceed six thousand acre-feet of water per year from
16 Lake Powell, of which not to exceed five thousand seven hun-
17 dred and forty acre-feet of consumptive use of water are hereby
18 assigned to the municipality, consistent with the Navajo Tri-
19 bal Council resolution numbered CJN-50-69, dated June 3,
20 1969: *Provided*, That upon incorporation the municipality
21 shall enter into a contract satisfactory to the Secretary cover-
22 ing payment for and delivery of such water pursuant to the
23 Colorado River Storage Project Act of June 11, 1956 (70
24 Stat. 105), which contract shall among other things provide
25 that:

1 (a) The reservation and assignment of the consumptive
2 use of water from Lake Powell under this section shall be
3 subject to the apportionments of consumptive use of water
4 to the State of Arizona in article III of the Colorado River
5 Compact and article III (a) (1) of the Upper Colorado
6 River Basin Compact.

7 (b) Title to the water pumping and conveyance sys-
8 tems within the Glen Canyon Dam and powerplant neces-
9 sary to supply water to the municipality for culinary, indus-
10 trial, and municipal purposes shall be retained by the United
11 States until the Congress provides otherwise.

12 (c) Such retained facilities shall be operated and main-
13 tained by the Secretary at the expense of the United States
14 until termination of the fifth fiscal year following the year
15 of incorporation. Not to exceed five thousand seven hundred
16 and forty acre-feet of water per annum, will be pumped by
17 the United States from Lake Powell to the water treatment
18 plant, or to such intermediate points of delivery as shall be
19 mutually agreed upon by the municipality and the United
20 States for use by the municipality.

21 (d) Beginning with the sixth year following incorpora-
22 tion and continuing through the tenth year, the municipality
23 shall in each year pay to the United States proportionately
24 increasing increments of the annual costs, including deprecia-
25 tion of the pumping equipment, involved in paragraph (c)

- 1 above with the objective that following the close of said
 2 tenth year the municipality shall thereafter bear such costs
 3 in total, according to the following schedule:

Year following incorporation:	Portion of cost in paragraph (c) of section 4 to be paid to United States each year by the municipality
Sixth -----	20 per centum.
Seventh -----	40 per centum.
Eighth -----	60 per centum.
Ninth -----	80 per centum.
Tenth -----	80 per centum.
Thereafter -----	100 per centum.

- 4 (e) Upon incorporation and at all times thereafter, the
 5 municipality shall bear all costs for operation, maintenance,
 6 and replacement of the municipal water system beyond
 7 Glen Canyon Dam and powerplant, including but not limited
 8 to filtration, treatment, and distribution of water supplied
 9 pursuant to the water service contract with the United States.

10 SEC. 5. As soon as reasonably practicable after incor-
 11 poration of the community, the Secretary is hereby author-
 12 ized to complete all or any part of the following work:

- 13 (a) Take census of population of the municipality
 14 within one year following incorporation.

- 15 (b) Repair existing twelve-inch water-supply line, if
 16 inspection determines this is necessary.

- 17 (c) Paint interior of water storage reservoir.

- 18 (d) Seal coat paved streets in municipality.

- 19 (e) Install water sprinkler system in Page cemetery.

- 20 (f) Improve streets, install curbs, gutters, and sidewalks

21 as follows:

1 (1) North Navajo Drive:

2 (i) Pave streets to seventy-foot width from
3 Ninth Avenue to relocated intersection of Aero
4 Avenue and sixty-one-foot width from Aero Avenue
5 to Tenth Avenue.

6 (ii) Place curb, gutter, and sidewalk on east
7 side of North Navajo Drive from Aero Avenue to
8 Tenth Avenue.

9 (2) Aero Avenue from North Navajo Drive to
10 Future Street:

11 (i) Widen existing thirty-foot paved width to
12 seventy-foot paved width.

13 (ii) Place curb, gutter, and sidewalk on both
14 sides of street.

15 (3) Tenth Avenue from Future Street to Sandstone
16 Street:

17 (i) Construct new pavement on north half of
18 street and overlay south half of street.

19 (ii) Place curb and gutter only on north side
20 of street.

21 (4) Future Street—Approximately two thousand
22 one hundred fifty feet beginning at Tenth Avenue and
23 bordering east side of block 101 as shown on Page
24 townsite and block plats:

25 (i) Pave street to fifty-two-foot width.

1 (ii) Place curb, gutter, and sidewalk on west
2 side of street and curb and gutter only on east side
3 of street.

4 *Provided*, That in the performance of the work authorized
5 in this section, the Secretary may either cause the work
6 to be done or transfer funds to the municipality for this
7 purpose after ascertaining that each segment of work will
8 be accomplished by a date certain and to standards satis-
9 factory to the Secretary.

10 SEC. 6. (a) Upon incorporation the Secretary is author-
11 ized to make a lump-sum payment of \$500,000 to the
12 municipality as assistance to the municipality in meeting
13 the expenses of police and fire protection facilities and serv-
14 ices, sewerage system, refuse disposal, electrical distribution
15 system, water treatment and distribution, streets and roads,
16 library, park, playgrounds and other recreational facilities,
17 municipal government buildings, and other properties and
18 services required for municipal purposes.

19 (b) To make a lump-sum payment of \$50,000 to the
20 municipality for improvements to the Page Hospital.

21 SEC. 7. Upon incorporation, the United States will pro-
22 vide to the municipality, upon its request, the services of
23 Federal personnel to assist in the transition from a federally
24 administered community to a self-governing municipal cor-
25 poration: *Provided*, That such assistance shall be for a

1 maximum of six months following the date of incorporation:

2 *And provided further*, That the total number of such em-
3 ployees shall be limited to ten at any time.

4 SEC. 8. (a) Beginning with the fiscal year of incorpo-
5 ration of the municipality, the Secretary is authorized to
6 pay annually to the municipality from revenues accrued in
7 the Upper Colorado River Basin Fund a sum equal to 150
8 per centum of the taxes that would have been paid on
9 property retained by the United States within the munic-
10 ipality that is required in the administration, operation, and
11 maintenance of the Glen Canyon unit of the Colorado River
12 storage project were said property in private ownership.

13 (b) Except as herein specifically provided, no assets of
14 the Colorado River storage projects or moneys of the Upper
15 Colorado River Basin Fund shall be utilized after incorpora-
16 tion of the municipality for carrying out the provisions of
17 this Act.

18 (c) There is hereby authorized to be appropriated from
19 the Upper Colorado River Basin Fund and thereupon trans-
20 ferred to the municipality the amount necessary for the munic-
21 ipality to acquire the electric distribution facilities in Page,
22 Arizona, in accordance with the terms and conditions of the
23 contract with the utility supplying the electricity, in the
24 event the municipality exercises the option in said contract
25 to acquire said electric distribution facilities: *Provided*, That

1 the municipality agrees to repay the amount of the funds so
2 transferred in twenty equal annual installments, plus interest
3 at the lowest available simple interest rate.

4 (d) There are hereby authorized to be appropriated, out
5 of any moneys in the Treasury not otherwise appropriated,
6 not to exceed \$2,000,000 to carry out the purposes of this
7 Act.

8 SEC. 9. The Secretary is hereby authorized, subject only
9 to the provisions of this Act, to perform such acts, to dele-
10 gate such authority, and to prescribe such rules and regula-
11 tions, and establish such terms and conditions as he may
12 deem necessary and appropriate for the purpose of carrying
13 out the provisions of this Act.

14 SEC. 10. All authority of the Secretary under sections
15 1 through 9 of this Act shall terminate five years following
16 date of enactment unless incorporation of Page, Arizona, shall
17 previously have been achieved.

18 SEC. 11. In the event the community of Page, Arizona,
19 has not been incorporated under the laws of the State of
20 Arizona on or before December 31, 1974, the Secretary is
21 hereby directed, commencing January 1, 1975, to increase
22 rates for services and other applicable charges for the com-
23 munity of Page, Arizona, to amounts sufficient that the sum
24 thereof will cover all costs of administration, operation, of
25 municipal facilities or functions in Page, Arizona, except for

1 those directly necessary for the administration, operation,
2 and maintenance of the Glen Canyon unit of the Colorado
3 River storage project.

4 SEC. 12. This Act may cited as the "Page, Arizona,
5 Community Act of 1973".

93^d CONGRESS
1st SESSION

S. 1261

IN THE SENATE OF THE UNITED STATES

MARCH 15, 1973

Mr. MOSS (for himself, Mr. BENNETT, Mr. HANSEN, and Mr. McGEE) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To facilitate the incorporation of the reclamation townsite of Page, Arizona, Glen Canyon unit, Colorado River storage project, as a municipality under the laws of the State of Arizona, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That it is the purpose of this Act to separate that unincorpor-
- 4 rated area in Coconino County in the State of Arizona com-
- 5 monly known as the town of Page, Arizona, from the Colo-
- 6 rado River storage project in order that the United States
- 7 may withdraw from the ownership and operation of the town
- 8 and the people of that area may enjoy self-government, and
- 9 to facilitate the establishment by the people of a municipal

1 corporation under the laws of the State of Arizona by the
 2 transfer of certain Federal property described in section 3 of
 3 this Act.

4 SEC. 2. The following definitions shall apply to terms
 5 used in this Act:

6 (a) The area referred to herein as Page, Arizona, in-
 7 cludes the following described land:

PAGE TOWNSITE, ARIZONA

Gila and Salt River Meridian, Arizona

Township 40 north, range 8 east:	Acres
Section 1. All -----	638.94
Section 2. East half southwest quarter, southeast quarter-----	240.00
Section 11. East half-----	320.00
Section 12. All -----	639.68
Township 44 north, range 8 east:	
Section 25. South half, southwest quarter, southeast quarter, southeast quarter southeast quarter-----	60.00
Section 36. East half, south half northeast quarter northwest quarter, east half southwest quarter northwest quarter, southeast quarter northwest quarter, northeast quarter southwest quarter, east half northwest quarter southwest quarter, south half southwest quarter-----	540.00
Township 41 north, range 9 east:	
Section 4. All -----	639.48
Section 5. All -----	639.84
Section 6. All -----	622.74
Section 7. All -----	623.68
Section 8. All -----	640.00
Section 9. All -----	640.00
Township 41 north, range 9 east:	
Section 19. East half southwest quarter, southeast quarter-----	240.00
Section 20. South half-----	320.00
Section 21. West half southwest quarter, west half southeast quarter southwest quarter, southeast quarter southeast quarter southwest quarter, southwest quarter southwest quarter southeast quarter-----	120.00
Section 28. West half northeast quarter, northwest quarter southeast quarter northeast quarter, south half southeast quarter northeast quarter, west half, southeast quarter-----	590.00

	Acres
Section 29. All -----	640.00
Section 30. All -----	641.20
Section 31. All -----	642.00
Section 32. All -----	640.00
Section 33. All -----	640.00
Total -----	10,717.56

1 (b) The term "municipality" shall mean Page, Ari-
2 zona, after its incorporation as a municipality under the laws
3 of the State of Arizona.

4 (c) The term "Secretary" shall mean the Secretary of
5 the Interior.

6 (d) The term "municipal facilities" shall mean certain
7 land, and the improvements thereon, in Page, Arizona, such
8 as hospital, police and fire protection systems, sewage and
9 refuse disposal plants, water treatment and distribution facil-
10 ities, streets and roads, parks, playgrounds, airport, cemetery,
11 municipal government buildings, and other properties suit-
12 able or usable for local municipal purposes, including any
13 fixtures, equipment, or other property appropriate to the op-
14 eration, maintenance, replacement, or repairs of the fore-
15 going, which are owned by the United States and under the
16 jurisdiction of the Department of the Interior, Bureau of
17 Reclamation, on the date of the incorporation of Page,
18 Arizona.

19 SEC. 3. Upon incorporation of Page, Arizona, as a
20 municipality under the statutes of the State of Arizona, the
21 Secretary shall:

1 (a) Transfer to the municipality without cost, subject to
2 any existing leases granted by the United States, all improved
3 or unimproved lands within Page, Arizona, owned by the
4 United States, which the Secretary determines are not re-
5 quired in the administration, operation, and maintenance of
6 Federal activities within or near Page, Arizona, and can
7 properly be included within the municipality under the laws
8 of the State of Arizona, except the land to be transferred pur-
9 suant to subsection (b) hereof, and to assign to the munici-
10 pality without cost any leases granted by the United States
11 on such land.

12 (b) Transfer to the municipality without cost all rights,
13 title, and interest of the United States in and to any land,
14 and the improvements thereon, which may be contained in
15 any reversionary clause of any dedication deed for land in
16 Page, Arizona, issued by the United States.

17 (c) Transfer all activities and functions of a municipal
18 character being performed by the United States to the munic-
19 ipality subject to the provisions of sections 4 and 7 of this
20 Act.

21 (d) Transfer to the appropriate school district without
22 cost all right, title, and interest of the United States to the
23 land in block 14-A and lot 1, block 16, as shown on United
24 States Department of the Interior, Bureau of Reclamation
25 drawing numbered 557-431-87, April 29, 1971, together

1 with improvements thereon owned by the United States
2 at the date of such transfer.

3 (e) Transfer to the municipality without cost the munic-
4 ipality facilities, as defined in subsection 2 (d) of this Act,
5 except as provided under subsection 4 (a) .

6 (f) Assign to the municipality without cost those con-
7 tracts to which the United States is a party, and which
8 pertain to activities or functions to be transferred under sub-
9 section (c) of this section and are properly assignable. This
10 shall include contracts for furnishing water outside the
11 boundaries of Page, Arizona, utilizing the municipal system:
12 *Provided*, That the contract which the United States has
13 executed with a private utility for furnishing and distribut-
14 ing electrical energy to the municipality shall be assigned
15 to the municipality upon its request: *And provided further*,
16 That in the assignment of the contract for the operation of
17 the Page Hospital the \$50,000 operating fund under said
18 contract shall be transferred to the municipality for the same
19 purpose as a part of the assignment of said contract.

20 SEC. 4. There is hereby reserved for the Glen Canyon
21 unit, Colorado River Storage Project, the consumptive use
22 of not to exceed three thousand acre-feet of water per year
23 from Lake Powell, of which not to exceed two thousand
24 seven hundred and forty acre-feet of consumptive use of water
25 are hereby assigned to the municipality, consistent with the

1 Navajo Tribal Council resolution numbered CJNI-50-69,
2 dated June 3, 1969: *Provided*, That upon incorporation the
3 municipality shall enter into a contract satisfactory to the
4 Secretary covering payment for and delivery of such water
5 pursuant to the Colorado River Storage Project Act of
6 June 11, 1956 (70 Stat. 105), which contract shall among
7 other things provide that:

8 (a) The reservation and assignment of the consumptive
9 use of water from Lake Powell under this section shall be
10 subject to the apportionments of consumptive use of water to
11 the State of Arizona in article III of the Colorado River
12 Compact and article III (a) (1) of the Upper Colorado
13 River Basin Compact.

14 (b) Title to the water pumping and conveyance sys-
15 tems within the Glen Canyon Dam and powerplant neces-
16 sary to supply water to the municipality for culinary, indus-
17 trial, and municipal purposes shall be retained by the United
18 States until the Congress provides otherwise.

19 (c) Such retained facilities shall be operated and main-
20 tained by the Secretary at the expense of the United States
21 until termination of the third fiscal year following the year of
22 incorporation. Not to exceed two thousand seven hundred and
23 forty acre-feet of water per annum, or three million gallons
24 of water in any twenty-four-hour period, will be pumped by
25 the United States from Lake Powell to the water treatment
26 plant, or to such intermediate points of delivery as shall be

1 mutually agreed upon by the municipality and the United
2 States for use by the municipality.

3 (d) Beginning with the fourth fiscal year following the
4 year of incorporation the municipality shall in each year pay
5 to the United States the annual costs, including depreciation
6 of the pumping equipment, involved in paragraph (c) above.

7 (e) Upon incorporation and at all times thereafter, the
8 municipality shall bear all costs for operation, maintenance,
9 and replacement of the municipal water system beyond Glen
10 Canyon Dam and powerplant, including but not limited to
11 filtration, treatment, and distribution of water supplied pur-
12 suant to the water service contract with the United States.

13 SEC. 5. As soon as reasonably practicable after incorpo-
14 ration of the community, the Secretary is hereby authorized
15 to complete all or any part of the following work:

16 (a) Take census of population of the municipality
17 within one year following incorporation.

18 (b) Repair existing twelve-inch water-supply line, if
19 inspection determines this is necessary.

20 (c) Paint interior of water storage reservoir.

21 (d) Seal coat paved streets in municipality.

22 (e) Install water sprinkler system in Page cemetery.

23 (f) Improve streets, install curbs, gutters, and side-
24 walks as follows:

25 (1) North Navajo Drive:

26 (i) Pave streets to seventy-foot width from

1 Ninth Avenue to relocated intersection of Aero
2 Avenue and sixty-one-foot width from Aero Ave-
3 nue to Tenth Avenue.

4 (ii) Place curb, gutter, and sidewalk on east
5 side of North Navajo Drive from Aero Avenue to
6 Tenth Avenue.

7 (2) Aero Avenue from North Navajo Drive to
8 Future Street:

9 (i) Widen existing thirty-foot paved width
10 to seventy-foot paved width.

11 (ii) Place curb, gutter, and sidewalk on both
12 sides of street.

13 (3) Tenth Avenue from Future Street to Sand-
14 stone Street:

15 (i) Construct new pavement on north half of
16 street and overlay south half of street.

17 (ii) Place curb and gutter only on north side
18 of street.

19 (4) Future Street—Approximately two thousand
20 one hundred fifty feet beginning at Tenth Avenue and
21 bordering east side of block 101 as shown on Page
22 townsite and block plats:

23 (i) Pave street to fifty-two-foot width.

24 (ii) Place curb, gutter, and sidewalk on west

1 side of street and curb and gutter only on east side
2 of street.

3 *Provided*, That in the performance of the work authorized
4 in this section, the Secretary may either cause the work to
5 be done or transfer funds to the municipality for this purpose
6 after ascertaining that each segment of work will be accom-
7 plished by a date certain and to standards satisfactory to
8 the Secretary.

9 SEC. 6. (a) Upon incorporation the Secretary is author-
10 ized to make a lump-sum payment of \$330,000 to the
11 municipality as assistance to the municipality in meeting the
12 expenses of police and fire protection facilities and services,
13 sewerage system, refuse disposal, electrical distribution sys-
14 tem, water treatment and distribution, streets and roads,
15 library, parks, playgrounds and other recreational facilities,
16 municipal government buildings, and other properties and
17 services required for municipal purposes.

18 (b) To make a lump-sum payment of \$50,000 to the
19 municipality for improvements to the Page Hospital.

20 SEC. 7. Upon incorporation, the United States will pro-
21 vide to the municipality, upon its request, the services of
22 Federal personnel to assist in the transition from a federally
23 administered community to a self-governing municipal cor-
24 poration: *Provided*, That such assistance shall be for a maxi-

1 mum of six months following the date of incorporation: *And*
2 *provided further*, That the total number of such employees
3 shall be limited to ten at any time.

4 SEC. 8. (a) Beginning with the fiscal year of incorpora-
5 tion of the municipality, the Secretary is authorized to pay
6 annually to the municipality from revenues accrued in the
7 Upper Colorado River Basin Fund a sum equal to 150 per
8 centum of the taxes that would have been paid on property
9 retained by the United States within the municipality that
10 is required in the administration, operation, and maintenance
11 of the Glen Canyon unit of the Colorado River Storage Proj-
12 ect were said property in private ownership.

13 (b) Except as herein specifically provided, no assets
14 of the Colorado River Storage Projects or moneys of the
15 Upper Colorado River Basin Fund shall be utilized after
16 incorporation of the municipality for carrying out the pro-
17 visions of this Act.

18 (c) There are hereby authorized to be appropriated,
19 out of any moneys in the Treasury not otherwise appro-
20 priated, not to exceed \$1,000,000 to carry out the purposes
21 of this Act.

22 SEC. 9. The Secretary is hereby authorized, subject
23 only to the provisions of this Act, to perform such acts, to
24 delegate such authority, and to prescribe such rules and reg-
25 ulations, and establish such terms and conditions as he may

1 deem necessary and appropriate for the purpose of carrying
2 out the provisions of this Act.

3 SEC. 10. All authority of the Secretary under sections
4 1 through 9 of this Act shall terminate five years following
5 date of enactment unless incorporation of Page, Arizona,
6 shall previously have been achieved.

7 SEC. 11. In the event the community of Page, Arizona,
8 has not been incorporated under the laws of the State of
9 Arizona on or before December 31, 1974, the Secretary is
10 hereby directed, commencing January 1, 1975, to increase
11 rates for services and other applicable charges for the com-
12 munity of Page, Arizona, to amounts sufficient that the sum
13 thereof will cover all costs of administration, operation, and
14 maintenance of municipal facilities or functions in Page,
15 Arizona, except for those directly necessary for the admin-
16 istration, operation, and maintenance of the Glen Canyon
17 unit of the Colorado River Storage Project.

18 SEC. 12. This Act may be cited as the "Page, Arizona,
19 Community Act of 1973".



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 6 - 1974

Dear Mr. Chairman:

This responds to your request for the views of this Department on S. 767 and S. 1261, both bills "To facilitate the incorporation of the reclamation townsite of Page, Arizona, Glen Canyon unit, Colorado River storage project, as a municipality under the laws of the State of Arizona, and for other purposes."

We recommend that the attached substitute bill be enacted in lieu of either S. 767 or S. 1261.

I. BACKGROUND

The Reclamation Townsite of Page, Arizona, was established in late 1958 as a facility of the Glen Canyon Unit of the Colorado River Storage Project. Its basic purpose was to provide essential accommodations and community facilities for workers engaged in the construction, operation, and maintenance of Glen Canyon Dam and Powerplant.

From the very outset, it has been anticipated that the Federal Government would withdraw from the administration of that community as soon as it had attained adequate growth and stability to support status as an incorporated municipality under Arizona law. Page has now reached the point in its development where it can properly assume and maintain the administrative and financial self-sufficiency of a viable independent community. All of the bills under consideration in this report have been designed to effect an orderly transition from Federal administration to self-governed municipal status.

II. S. 767 and S. 1261

Because the two bills are lengthy, complex, and rather similar, we shall concentrate on the provisions of S. 767 in this section of the report, noting major differences between it and S. 1261 where they occur. S. 767 would direct the Secretary of the Interior, upon the incorporation of Page, Arizona, to transfer without cost to that municipality all Federal lands within its boundaries which are not needed for Federal purposes. As other Federal lands and real and personal property in Page were no longer needed they, too, would



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be transferred to the municipality. (S. 1261 lacks a section which would transfer Federal property when no longer needed.) All municipal functions and facilities currently under control of the United States would likewise be transferred. (S. 1261 would specifically transfer certain lands to the appropriate school district; S. 767 has no such provision.) The bill would reserve for the Glen Canyon unit, Colorado River Storage Project, the consumptive use of 6,000 acre-feet of water per year from Lake Powell, of which 5,740 acre-feet would be assigned to Page. The bill states that this reservation is consistent with Navajo Tribal Council resolution CJN-50-69, dated June 3, 1969. (S. 1261 would reserve 3,000 acre-feet per year to the Glen Canyon Unit from Lake Powell and would assign 2,740 acre-feet to Page itself.)

The 2,740 acre-feet assignment of water would be subject to the municipality's entering into a contract satisfactory to the Secretary covering payment for and delivery of such water pursuant to the Colorado River Storage Project Act of June 11, 1956 (70 Stat. 105). Among other things, such a contract would provide that the assignment of water to the municipality would be subject to apportionments of water to the State of Arizona in article III of the Colorado River Compact and article III (a)(1) of the Upper Colorado River Basin Compact. After incorporation of the community, the Secretary would be authorized to complete several tasks, including taking a census of its population and paving certain of its streets. Upon incorporation the Secretary would be authorized to make one lump-sum payment of \$500,000 to the municipality for various purposes and another payment of \$50,000 for improvements to the Page Hospital. (S. 1261 would make a lump-sum payment of \$330,000 to Page; and \$50,000 would go to the hospital.)

Upon the incorporation of Page, the United States would provide no more than 10 Federal employees at any time to assist the municipality in the transition to a self-governing body. The Secretary would be authorized to pay annually to the municipality a sum equal to 150 percent of the taxes that would have been paid on property retained by the United States for administrative purposes had this property been transferred to private ownership. The bill would loan the municipality, from the Upper Colorado River Basin Fund, the amount necessary to purchase the electric distribution facilities in Page. (S. 1261 has no comparable section providing for the transfer of such facilities.) The bill would authorize to be appropriated \$2,000,000 to carry out its purposes. (S. 1261 would authorize \$1,000,000.)

III. The Substitute Bill-Navajo Land Transfer

In this section of the report, we shall highlight the approach to the incorporation of Page which we prefer, as embodied in the attached draft bill. One important feature of this bill is a provision which is not found in either S. 767 or S. 1261. For some time the

Navajo Tribe of Indians has sought restoration to its reservation of an 808-acre tract of land near Page, which was withdrawn for reclamation purposes but is now no longer needed by the United States. In addition, the tribe claims certain water rights which pertain to the 50,000 acre-feet of water per year allocated to the State of Arizona under the Upper Colorado River Basin Compact. In consideration of the Navajos' agreement not to contest the use of 3,000 acre-feet per year, 2,740 of which the substitute bill (and S. 1261) would allocate to Page (see Navajo Tribal Council resolutions CD-108-68 and CJN-50-69, copies of which are enclosed), section 8 of the substitute bill would transfer the tract in question in trust to the tribe.

Section 9 of the substitute bill would direct the Secretary of the Interior to facilitate the Navajo Tribal Council Resolutions mentioned above. (This is in response to the request of the tribe, as set out in resolution CD-108-68.) This Department is in accord with these resolutions, which concern such matters as preferential hiring of Navajos for the Navajo power plant, acquisition of coal used by the plant exclusively from Indian lands, and an annual contribution of \$25,000 to the Navajo Community College in each of five years beginning July 1, 1969. It should be noted, however, that the agency primarily involved in their implementation is the Salt River Project Agricultural Improvement and Power District. It is our understanding that the district has taken actions to comply with those resolutions.

As to one of the terms, however, we must point out that we have no authority. Resolution CD-108-68 provides, inter alia:

"The Secretary of the Interior shall take the necessary action to assure the Navajo Tribe of Indians that if any water is imported into the Upper Colorado River Basin that the Navajo Tribe shall share proportionately in that water, and that the first 34,100 acre-feet of water imported yearly shall be assigned to the Navajo Tribe for its exclusive use and benefit."

Title II, Section 202 of the Colorado River Basin Project Act of September 30, 1968, (82 Stat. 885), provides that ".....satisfaction of the requirements of the Mexican Water Treaty.....shall be the first obligation of any water augmentation project" planned in the Western United States pursuant to that Act. This provision would apply to the importation of water into the Upper Colorado River Basin. Moreover, section 201 of the Act establishes a statutory prohibition on any study of water import into the Colorado River Basin for a period of ten years. Accordingly, the Secretary of the Interior can neither make any guarantees nor take any "necessary action" with respect to possible water import into the Basin or its allocation. For this reason, section 9 of the substitute bill subjects the Secretary's obligation to carry out the Navajo tribal resolutions to the terms of that Act.

We also note with regard to these resolutions that they are unclear as to the precise amount of water use which the Navajos are agreeing not to contest. (See particularly the first "in consideration" paragraph on p. 2 of Resolution CD-108-68.) We believe that the resolutions should be interpreted as committing the Navajos to refraining from contesting the use of 37,100 acre-feet of water allocated to Arizona under the Upper Colorado River Basin Compact.

IV. The Substitute Bill--Other Provisions

In addition to the new sections dealing with the Navajo land transfer, the attached substitute bill differs from S. 767 and S. 1261 in several other ways.

S. 767 (but not S. 1261) contains a provision which would transfer Federal real and personal property to the municipality of Page as such property was no longer needed. We object to this provision, both because "personal property" lacks a precise definition and because we believe that, with few exceptions, after it is incorporated, Page, Arizona, should be dealt with by the Federal Government the same as any other local government entity. Accordingly, we would recommend that the normal surplus property procedures administered by the General Services Administration apply to Page after it is incorporated.

S. 767 lacks a provision which both S. 1261 and the substitute bill contain: this provision (section 3(d) of the substitute bill) would transfer all Federal interest in certain lands to "the appropriate school district." We believe that such a provision is necessary to eliminate certain reversionary clauses applicable to lands which have already been transferred to the local school district. The net result will be to give the school district unencumbered title to these lands.

One of the most important differences between S. 767 and the substitute bill is that the former would reserve 6,000 acre-feet of water per year from Lake Powell to the Glen Canyon unit and 5,740 acre-feet of that amount to Page itself, whereas the substitute bill (as well as S. 1261) would reserve 3,000 and 2,740 acre-feet, respectively. The figure of 2,740 acre-feet is believed to be sufficient to provide water for a total population of 10,000 people (at present the population of Page appears to have peaked at about 9,000). It also constitutes the maximum amount of water which, in light of existing and projected uses, can be allocated to Page from the 50,000 acre-feet Arizona entitlement of Upper Basin water. Any increase would cause water tentatively allocated for Indian community or irrigation use to be reduced proportionately. Finally, the Navajo Tribe has accepted this 2,740 acre-feet figure.

Both S. 1261 and the substitute bill fix the lump-sum payment to the incorporated town of Page at \$330,000. S. 767 fixes this payment at \$500,000. We believe that the lower amount is adequate for the purpose of enabling Page to meet initial costs of municipal services.

In addition to the several items of work which both S. 767 and S. 1261 authorize to be done at Federal expense, we believe that certain work on Hopi Avenue should also be done. Section 5, item 5, of the substitute bill describes this work.

Both S. 767 and S. 1261 contain a provision which requires payments out of the Upper Colorado River Basin Fund in lieu of taxes on property retained for Federal purposes within the municipality in an amount equal to 150 percent of the comparable tax rate on private property. We note that in addition to Federal property under the jurisdiction of the Bureau of Reclamation, the municipality includes Federal property of the National Park Service and the Bureau of Indian Affairs. We see no justification for such payment for any of these properties. A grant of the "in lieu" tax payments is inconsistent with the generally prevailing practice in other areas where Federal installations are situated and could establish an undesirable precedent. Furthermore, Bureau of Reclamation activities will for all practical purposes be removed from the municipal area and conducted from the Glen Canyon Dam headquarters. In addition to requiring such "in lieu" payments, both bills prohibit use of the Fund subsequent to incorporation for purposes other than those specifically identified. We believe, however, that it is appropriate to use monies in the Fund for all of the purposes of the Act. (This would be consistent with treatment accorded in the Coulee Dam Community Act of August 30, 1957 (71 Stat. 524) and the Boulder City Act of September 2, 1958 (72 Stat. 1716)). Section 10 of the substitute bill would permit the fund to "be utilized as appropriate for carrying out the provisions of this Act." Moreover, that section authorizes total expenditures of \$1,500,000 to be made from the Fund, rather than the \$2,000,000 which S. 767 would make available from the Treasury. We consider the lower figure to be adequate.

Unlike both S. 767 and S. 1261, the substitute bill contains no section which would direct the Secretary to increase charges for municipal services furnished to Page in the event that incorporation does not occur by December 31, 1974. We believe that such a requirement is impractical and unwise because of the possibility of delays in incorporation which may result from any number of unforeseen causes. Plans for gradual increases in such charges without imposing an unrealistic burden on the community have been developed by the Bureau of Reclamation and will be implemented to encourage reasonable progress toward local self-sufficiency.

Finally, the substitute bill does not contain a provision found in S. 767 (but not S. 1261) which would appropriate from the Fund the amount necessary to enable the municipality to acquire the electric distribution facilities in Page, Arizona, with the municipality repaying this amount in 20 annual installments at the lowest available

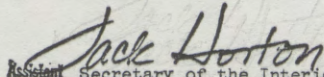
simple interest rate. On the contrary, section 3(f) of the substitute bill establishes a basis for the municipality's acquiring such facilities by providing, inter alia, for assignment of the contract between the United States and the electric utility to Page upon its request. The municipality could then exercise an option in this contract to purchase the facilities. Should this option prove desirable to the municipality, issuance of municipal bonds would be one possible method of financing the acquisition of the facilities.

V. Conclusion

The proposal embodied in the attached substitute bill has been the subject of numerous developmental discussions among the Page Advisory Council and other residents of the community, representatives of the Bureau of Reclamation, and members of my staff. Those discussions have indicated that the community's residents and leaders favor incorporation of Page. We enclose the report of the Bureau of Reclamation which discusses the proposal in detail. We believe it offers the most practical, equitable, and mutually beneficial means of providing Page with autonomy and self-sufficiency. Therefore, we recommend its enactment in lieu of either S. 767 or S. 1261.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program nor to the enactment of the proposed substitute bill.

Sincerely yours,


Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
Washington, D. C. 20510

Enclosures

A B I L L

To facilitate the incorporation of the Reclamation Townsite of Page, Arizona, Glen Canyon Unit, Colorado River Storage Project, as a municipality under the laws of the State of Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to facilitate the orderly transition of that unincorporated area in Conconino County, in the State of Arizona, commonly known as Page, Arizona, now a part of the Glen Canyon Unit of the Colorado River Storage Project, from the status of a federally operated facility to that of a self-governing municipal corporation under the laws of the State of Arizona, and to otherwise facilitate the establishment and operation of said municipal corporation consistent with the Government's continuing responsibility for the Glen Canyon Unit.

SEC. 2. The following definitions shall apply to terms used in this Act:

(a) The area referred to herein as Page, Arizona, includes the following described land:

Page Townsite, ArizonaGila and Salt River Meridian, ArizonaT. 40 N., R. 8 E.,Acres

Sec. 1 - All	638.94
Sec. 2 - E1/2SW1/4, SE1/4	240.00
Sec. 11 - E1/2	320.00
Sec. 12 - All	639.68

T. 41 N., R. 8 E.,

Sec. 25 - S1/2SW1/4SE1/4, SE1/4SE1/4	60.00
Sec. 36 - E1/2, S1/2NE1/4NW1/4, E1/2SW1/4NW1/4, NE1/4SW1/4, E1/2NW1/4SW1/4, S1/2SW1/4, SE1/4/NW1/4	540.00

T. 40 N., R. 9 E.,

Sec. 4 - All	639.48
Sec. 5 - All	639.84
Sec. 6 - All	622.74
Sec. 7 - All	623.68
Sec. 8 - All	640.00
Sec. 9 - All	640.00

T. 41 N., R. 9 E.,

Sec. 19 - E1/2SW1/4, SE1/4	240.00
Sec. 20 - S1/2	320.00
Sec. 21 - W1/2SW1/4, W1/2SE1/4SW1/4, SE1/4SE1/4SW1/4, SW1/4SW1/4SE1/4	120.00
Sec. 28 - W1/2NE1/4, NW1/4SE1/4NE1/4, S1/2SE1/4NE1/4, W1/2, SE1/4	590.00
Sec. 29 - All	640.00
Sec. 30 - All	641.20
Sec. 31 - All	642.00
Sec. 32 - All	640.00
Sec. 33 - All	640.00

TOTAL 10,717.56

The boundary of Page, Arizona, is shown on the attached drawing No. 557-431-83, "Page, Arizona, Townsite Boundary".

(b) The term "municipality" shall mean Page, Arizona, after its incorporation as a municipality under the laws of the State of Arizona.

(c) The term "Secretary" shall mean the Secretary of the Interior.

(d) The term "municipal facilities" shall mean certain land, and the improvements thereon in Page, Arizona, such as hospital, police and fire protection systems, sewage and refuse disposal plants, water treatment and distribution facilities, streets and roads, parks, playgrounds, airport, cemetery, municipal government buildings, and other properties suitable or usable for local municipal purposes, including any fixtures, equipment, or other property appropriate to the operation, maintenance, replacement, or repairs of the foregoing, which are owned by the United States and under the jurisdiction of the Department of the Interior, Bureau of Reclamation, on the date of incorporation of Page, Arizona.

SEC. 3. Upon incorporation of Page, Arizona, as a municipality under the statutes of the State of Arizona, the Secretary shall:

(a) Transfer to the municipality without cost, subject to any existing leases granted by the United States, all right, title, and interest of the United States to such improved or unimproved lands within Page, Arizona, as the Secretary determines are not required in the administration,

operation, and maintenance of Federal activities within or near Page, Arizona, and can properly be included within the municipality under the laws of the State of Arizona, except the land to be transferred pursuant to subsection (d) hereof, and to assign to the municipality without cost any leases granted by the United States on such land.

(b) Transfer to the municipality without cost all rights, title, and interest of the United States in and to any land, and the improvements thereon, which may be contained in any reversionary clause of any dedication deed for land in Page, Arizona, issued by the United States.

(c) Transfer all activities and functions of a municipal character being performed by the United States to the municipality subject to the provisions of sections 4 and 7 of this Act.

(d) Transfer to the appropriate school district without cost all right, title, and interest of the United States to the land in Block 14-A and Lot 1, Block 16, as shown on United States Department of the Interior, Bureau of Reclamation drawing No. 557-431-87, April 29, 1971, together with improvements thereon owned by the United States at the date of such transfer.

(e) Transfer to the municipality without cost the municipal facilities, as defined in subsection 2(d) of this Act, except as provided under subsection 4(b).

(f) Assign to the municipality without cost those contracts to which the United States is a party, and which pertain to activities

or functions to be transferred under subsection (c) of this section and are properly assignable. This shall include contracts for furnishing water outside the boundaries of Page, Arizona, utilizing the municipal system: Provided, That the contract which the United States has executed with a private utility for furnishing and distributing electrical energy to the municipality shall be assigned to the municipality upon its request: And Provided further, That in the assignment of the contract for the operation of the Page Hospital the \$50,000 operating fund under said contract shall be transferred to the municipality for the same purpose as a part of the assignment of said contract.

SEC. 4. There is hereby reserved for the Glen Canyon Unit, Colorado River Storage Project, the perpetual consumptive use of up to 3,000 acre-feet of water per year from Lake Powell, of which 2,740 acre-feet are for the city of Page, Arizona, consistent with the Navajo Council Resolution No. CJN-50-69, dated June 3, 1969: Provided, That upon incorporation the municipality shall enter into a contract satisfactory to the Secretary covering payment for and delivery of such water pursuant to the Act of April 11, 1956 (70 Stat. 105), which contract shall, among other things, provide that:

(a) The reservation and assignment of the consumptive use of water from Lake Powell under this section is an apportionment of consumptive use of water to the State of Arizona in Article III of the Colorado River Compact and Article III(a)(1) of the Upper Colorado River Basin Compact.

(b) Title to the water supply pumping and conveyance system within Glen Canyon Dam and Powerplant, as necessary to supply water to the municipality for culinary, industrial, and municipal purposes, shall be retained by the United States until the Congress otherwise provides.

(c) Such retained facilities shall be operated and maintained by the Secretary at the expense of the United States during the first five years immediately following the date of incorporation. Not to exceed 2,740 acre-feet of water per annum, or 3,000,000 gallons of water in any 24-hour period, will be pumped by the United States from Lake Powell to the water treatment plant, or to such intermediate points of delivery as shall be mutually agreed upon by the municipality and the United States for use by the municipality.

(d) Beginning with the sixth year following the date of incorporation and continuing through the tenth year, the municipality shall in each year pay to the United States proportionately increasing increments of the annual costs, including depreciation of the pumping equipment, involved in item (b) above, with the objective that following the close of said tenth year the municipality shall thereafter bear such costs in total according to the following schedule:

<u>Year Following Incorporation</u>	<u>Percentage of Cost to Paid to the United States Each Year by the Municipality</u>
6th	20%
7th	40%
8th	60%
9th	80%
10th	80%
Thereafter	100%

(c) Upon incorporation and at all times thereafter, the municipality shall bear all costs for operation, maintenance, and replacement of the municipal water system beyond Glen Canyon Dam and Powerplant, including but not limited to filtration, treatment, and distribution of water supplied pursuant to the water service contract with the United States.

SEC. 5. Upon incorporation of the community, there is hereby authorized for expenditure from the Upper Colorado River Basin Fund an amount necessary to complete all or any part of the following work which has not been completed at the date of incorporation:

Repair existing 12-inch water supply line, if inspection determines this is necessary.

Paint interior of water storage reservoir.

Seal coat paved streets in municipality.

Install water sprinkler system in Page cemetery.

Improve streets, install curbs, gutters, and sidewalks as follows:

1. North Navajo Drive

(a) Pave streets to 70-foot width from 9th Avenue to relocated intersection of Aero Avenue and 61-foot width from Aero Avenue to 10th Avenue.

- (b) Place curb, gutter, and sidewalk on east side of North Navajo Drive from Aero Avenue to 10th Avenue.

2. Aero Avenue from North Navajo Drive to Future Street

- (a) Widen existing 30-foot paved width to 70-foot paved width.
- (b) Place curb, gutter, and sidewalk on both sides of street.

3. Tenth Avenue from Future Street to Sandstone Street

- (a) Construct new pavement on north half of street and overlay south half of street.
- (b) Place curb and gutter only on north side of street.

4. Future Street--Approximately 2,150 feet beginning at 10th Avenue and bordering east side of Block 101 as shown on Page townsite and Block plats.

- (a) Pave street to 52-foot width.
- (b) Place curb, gutter, and sidewalk on west side of street and curb and gutter only on east side of street.

5. Hopi Avenue from Oak Avenue to west boundary of Block 101

- (a) Pave street to 42-foot width.
- (b) Place curb, gutter, and sidewalk on north side but curb and gutter only on south side.

Take census of population of Page, Arizona, within one year following incorporation: Provided, funds for this purpose may be expended by the Secretary in the performance of this work, or may be transferred to the municipality for this purpose.

SEC. 6. Upon incorporation, the Secretary is authorized:

- (a) To make a lump-sum payment in the amount of \$330,000 from

(b) Place out, gutter, and sidewalk on the part of the Upper Colorado River Basin Fund to the municipality as assistance to the municipality in meeting the expenses of police and fire protection facilities and services, sewerage system, refuse disposal, electrical distribution system, water treatment and distribution, street and roads, library, parks, playgrounds and other recreational facilities, municipal government buildings, and other properties and services required for municipal purposes.

(b) To make a lump-sum payment in the amount of \$50,000 from the Upper Colorado River Basin Fund to the municipality for use in performing improvements to the Page Hospital.

SEC. 7. Upon incorporation, the United States will provide to the municipality, upon its request, the services of available Federal personnel while they are employed by the United States in the operation and maintenance of the Glen Canyon Unit of the Colorado River Storage Project to assist in the transition from a federally administered community to a self-governing municipal corporation: Provided, That such assistance shall be for a maximum of six months following the date of incorporation: And Provided further, That the total number of such employees shall be limited to ten at any time.

SEC. 8. The Secretary of the Interior is authorized to transfer to the United States to be held in trust for the Navajo Tribe all right, title, and interest to a tract of land situated within the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 8, the Southwest Quarter (SW $\frac{1}{4}$), Section 9, Section 16, the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$), Section 17, Section 21, and the Northeast Quarter of the Northeast

Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 28, all in Township 41 North, Range 9 East, Gila and Salt River Meridian, Coconino County, Arizona, and containing 808 acres, more or less, of which the particular description and drawing (No. 557-431-38 "Navajo Tribe -- Antelope Creek Recreation Development Area Survey Traverse" dated May 22, 1969) are on file and available for public inspection in the office of the Bureau of Reclamation, Department of the Interior. The transfer of title to such land is made in consideration of Navajo Council Resolution No. CJN-50-69 dated June 3, 1969, and with the understanding that the land so transferred shall thereafter constitute a part of the Navajo Reservation and shall be subject to all laws and regulations applicable to that reservation.

SEC. 9. The Congress hereby directs the Secretary of the Interior to facilitate the effectuation of Navajo Tribal Council Resolutions CD-108-68 and CJN-50-69, subject to the provisions of P.L. 90-537.

SEC. 10. The Upper Colorado River Basin Fund established pursuant to section 5 of the Act of April 11, 1956 (70 Stat. 105), shall be utilized as appropriate for carrying out the provisions of this Act: Provided, That the total expenditures from the Fund shall not exceed \$1,500,000. Payments made under the provisions of section 5 and section 6 will be made from revenues accruing to the Storage Project under the Basin Fund. The total expenditures for carrying out the purposes of this Act shall not be in excess of \$1,500,000 or such additional amount as may be justified by reason of ordinary fluctuations in costs associated therewith as indicated by cost indexes applicable to the work or operation involved.

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Approving the Allocation of 34,100 Acre-Feet of Water From
the Upper Colorado River Basin and Promising to Limit the
Navajo Tribe's Claim for Water from the Upper Colorado
River Basin to 50,000 Acre-Feet Per Year

WHEREAS:

1. The Navajo Tribe, by Resolution CJY-95-66, supported the construction of a large coal-fuel power plant on the Navajo Reservation near Page, Arizona, and
2. By Resolution CJY-95-66, the Navajo Tribe requested that the Secretary of the Interior take all necessary steps, advisable and incidental, to affirm the right of the Navajo Tribe to 50,000 acre-feet of water allocated to the State of Arizona under the Upper Colorado River Basin Compact, and
3. Resolution CJY-95-66 supported the proposal that a portion of the 50,000 acre-feet of water, allocated by the Upper Colorado River Basin Compact, be used for a power plant located on the Navajo Reservation near Page, Arizona, and
4. The Salt River Project Agricultural Improvement and Power District has proposed to locate a coal-fuel power plant on the Navajo Reservation near Page, Arizona, and to operate said power plant for at least 35 years, and
5. Because the establishment of such a coal-fuel power plant requires the investment of many million dollars, the Salt River Project Agricultural Improvement and Power District needs to be assured of sufficient water to operate said power plant in the amount of 34,100 acre-feet of water per year before making such an investment, and
6. Because the 34,100 acre-feet of water per year must come from the 50,000 acre-feet of water allocated to the State of Arizona by the terms of the Upper Colorado River Basin Compact, the Salt River Project Agricultural Improvement and Power District must be assured that the Navajo Tribe will not assert, for the lifetime of the proposed coal-fuel power plant, or for the next 50 years, or whichever occurs first, claims for water in excess of 50,000 acre-feet per year, and
7. The present water used in the Western Navajo Reservation is estimated to be 13,300 acre-feet per year, and

8. The best estimates of the Bureau of Reclamation and the Resources Division of the Navajo Tribe is that during the foreseeable future the yearly usage of water on the Navajo Reservation will never exceed 17,000 acre-feet per year, and

9. The establishment of the coal-fuel power plant on the Navajo Reservation near Page, Arizona, will provide a market for large amounts of Navajo coal from Black Mesa; and will provide a market for construction material available from the Reservation; and will provide employment opportunities for Navajos; and will provide additional source of electrical power needs for municipal, industrial and domestic developments on the Navajo Reservation, and

10. Because this proposed coal-fuel power plant on the Navajo Reservation near Page, Arizona, at the present time, appears to be the best use of the water of the Upper Colorado River Basin, it appears that approval of this resolution is in the best interest of the Navajo people.

NOW THEREFORE BE IT RESOLVED THAT:

1. In consideration of the Secretary of the Interior executing a contract between the United States and Salt River Project Agricultural Improvement and Power District, operator of the coal-fuel power plant, committing the use of approximately 34,100 acre-feet of water per year for the power plant to be located on the Navajo Reservation near Page, Arizona, the Navajo Tribe of Indians agrees that they will not make demands upon the 50,000 acre-feet of water per year allocated to the State of Arizona, pursuant to the Upper Colorado River Basin Compact, in excess of 50,000 acre-feet of water per year, of which 34,100 acre-feet of water per year shall be used by the coal-fuel power plant to be located on the Navajo Reservation near Page, Arizona.

2. In consideration of the foregoing promise, as stated in Resolved Clause 1 of this resolution, the Secretary of the Interior, his agents and officers and the Salt River Project Agricultural Improvement and Power District, and its agents, officers and assignees, make the following promises to the Navajo Tribe:

- A. The Salt River Project Agricultural Improvement and Power District promises to give job preference to all resident Navajos for any position within the power plant or the mine from which the coal is brought for use in the coal-fuel power plant and in any and all facilities related to the production of power by the proposed coal-fuel power plant.
- B. The Salt River Project Agricultural Improvement and Power District promises, except during interruptions and curtailment of delivery, that all coal used in the coal-fuel power plant located on the Navajo Reservation

near Page, Arizona, shall be purchased from the Black Mesa mines or mines located on Indian lands.

- C. The Salt River Project Agricultural Improvement and Power District promises that it shall lease lands from the Navajo Tribe and locate the coal-fuel power plant on said lands. The terms and conditions of the lease to be determined at a later date, and approved by the Advisory Committee of the Navajo Tribal Council. If such a lease is not executed within the next 12 months, this resolution may be rescinded at the election of the Navajo Tribe of Indians.
- D. The Salt River Project Agricultural Improvement and Power District shall enter into an agreement with the Navajo Tribe of Indians to provide electrical power to Navajo Tribal Utility Authority to be used on or near the Navajo Reservation. The terms and conditions of this agreement shall be approved by the Advisory Committee of the Navajo Tribal Council. If such an agreement is not reached by the time water is to be used to operate the proposed power plant, this resolution may be rescinded at the election of the Navajo Tribe of Indians.
- E. The Secretary of the Interior shall take the necessary action to assure the Navajo Tribe of Indians that if any water is imported into the Upper Colorado River Basin that the Navajo Tribe shall share proportionately in that water, and that the first 34,100 acre-feet of water imported yearly shall be assigned to the Navajo Tribe for its exclusive use and benefit.
- F. The Salt River Project Agricultural Improvement and Power District and others shall contribute to the Navajo Tribe of Indians, on or before July 1st of each year, for the purpose of developing and assisting the Navaho Community College, \$25,000.00 in money for five years, beginning July 1, 1969, for the purpose of establishing a professorial chair at the Navaho Community College.

3. It shall be understood that the Navajo Tribe's promise to limit its claim to 50,000 acre-feet of water per year shall only be for the term of the lifetime of the proposed power plant, or for 50 years, whichever shall occur first, commencing with the date of enactment of this resolution and that this promise shall not be binding on the Navajo Tribe if the first unit of the proposed coal-fuel power plant is not in operation by December 31, 1976.

4. It shall be further understood that the promise made by the Navajo Tribe, pursuant to this resolution, shall only be binding if the promises made by the Secretary of the Interior and the Salt River Project Agricultural Improvement

and Power District, pursuant to this resolution, shall be kept by them.

5. The Navajo Tribe shall have the exclusive right to waive or enforce all conditions of this resolution. A waiver by the Navajo Tribe of any condition or promise made to the Navajo Tribe, pursuant to this resolution, shall not be deemed to be waiver of any future or past forfeitures.

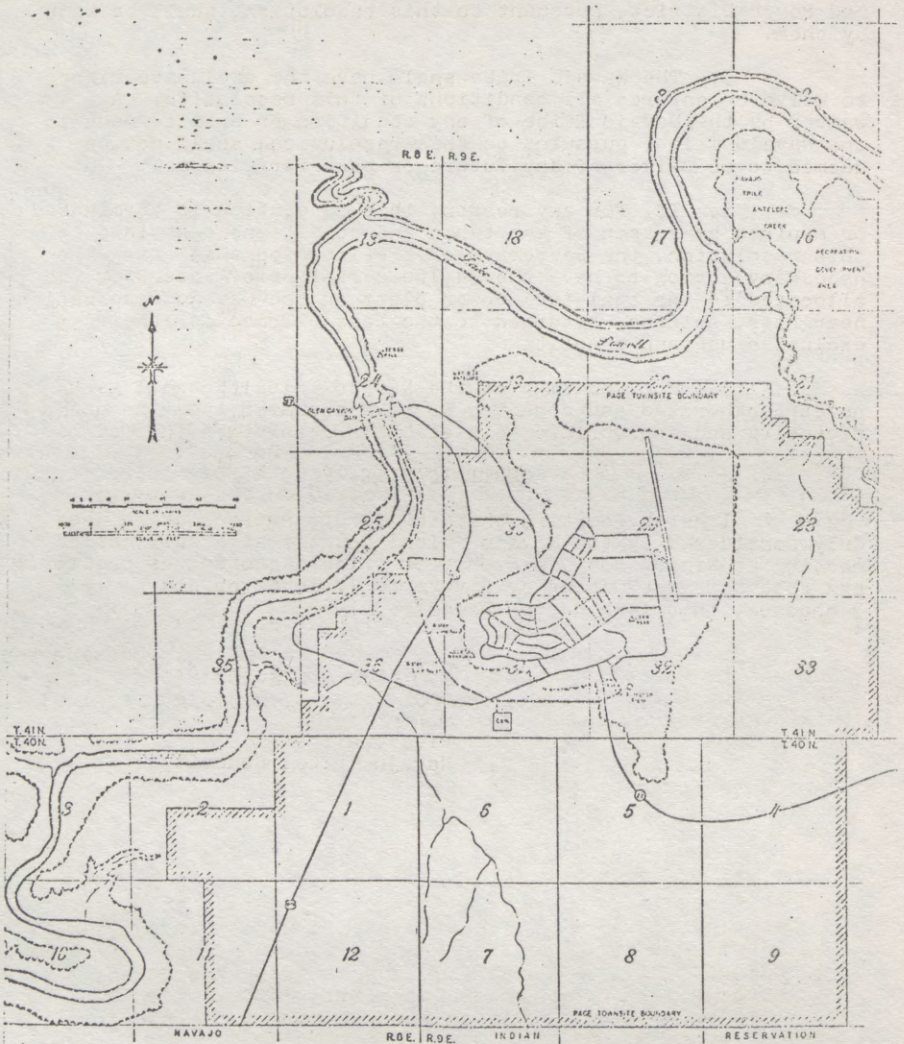
6. If, for any reason, this resolution is terminated or expires by reason of the terms and conditions contained in this resolution, the Secretary of the Interior shall take the necessary action to have the 34,100 acre-feet of water per year, allocated to the coal-fuel power plant on the Navajo Reservation near Page, Arizona, returned to the Navajo Tribe for their exclusive use and benefit.

7. The Chairman of the Navajo Tribal Council is hereby authorized and directed to take whatever steps he deems necessary and appropriate to place this resolution into effect.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 57 in favor and 3 opposed, this 11th day of December, 1968.

Nelson Ramon
Nelson Ramon
Vice-Chairman
Navajo Tribal Council



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COLORADO
PAGE, ARIZONA
TOWNSITE BOUNDARY
MONTROSE, COLORADO
- REV 8/2/71 557-431-83

CJN-50-69

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Approving the Use of 3,000 Acre-Feet of Water from
the 50,000 Acre-Feet of Water Per Year Allocated to
the State of Arizona Under Article III(a) of the
Upper Colorado River Basin Compact to be Used for
Recreation and by the City of Page, Arizona

WHEREAS:

1. The Navajo Tribe, by Resolution CD-108-68, approved the use of 34,100 acre-feet of water from the 50,000 acre-feet of water per year allocated to the State of Arizona under Article III(a) of the Upper Colorado River Basin Compact in a coal fuel power plant to be located on the Reservation, and

2. It was the intent and understanding of CD-108-68 to preserve all present or prospective water rights of the Navajo Tribe, and

3. Said action was taken by the Tribe in consideration of the Secretary of the Interior executing a contract between the United States and the Salt River Project Agricultural Improvement and Power District, and

4. A bill has been submitted to the United States Congress, providing for the transfer to the Navajo Tribe of the following lands:

"That portion of Sections 8, 9, 16, 17, and 21, T. 41 N., R. 9 E., Gila and Salt River Meridian, Arizona, located above elevation 3,720 feet above mean sea level (U.S. Coast Geodetic Coast Survey Datum) and lying southerly and easterly of the Colorado River, containing approximately 750 acres, more or less, and more particularly described on maps and plats on file in the Department of Interior," and

5. The bill referred to stipulates that the transfer of title of the lands described in Paragraph 3 above shall not be made until the Navajo Tribe makes a commitment by a formal resolution of its governing body, and

6. The Navajo Tribe is desirous of receiving said transfer and is willing to make the commitment herein contained, provided, the conditions specified in the Tribe's Resolution CD-108-68 are met.

NOW THEREFORE BE IT RESOLVED THAT:

1. In consideration for the transfer of title to the lands described in Whereas Paragraph 3 above, the Tribe agrees that of the 50,000 acre-feet per year allocated to the State of Arizona, pursuant to Article III(a) of the Upper Colorado River Basin Compact, 34,100 acre-feet shall be used for a coal-fired power plant to be located on the Navajo Reservation for the life time of the proposed power plant or for 50 years, whichever occurs first, and an estimated 3,000 acre-feet per year that may be used for the Glen Canyon Unit of the Colorado River Storage Project along with its associated community and recreation developments in Arizona.

2. The terms of Resolved Paragraph 1 and the terms of Resolution CD-108-68 constitute an agreement of the Navajo Tribe with regard to the 50,000 acre-feet of water per year and does not constitute a waiver or relinquishment of the present or prospective water rights of the Navajo Tribe and that resolution is hereby amended by adding this paragraph to the same as a part thereof.

3. The terms of this resolution shall not become effective until such time as the terms and conditions of Resolution CD-108-68 has been fully complied with, and the bill referred to has been duly enacted by the House and the Senate of the United States Congress, and signed into law by the President of the United States.

4. The active support of the Salt River Project for the development of the south shore of Lake Powell is hereby requested and enlisted.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 46 in favor and 0 opposed, this 3rd day of June, 1969.

Nelson Amon
Nelson Amon
Vice Chairman
Navajo Tribal Council

Bureau of Reclamation Report on
Legislative Proposal to Facilitate
the Incorporation of Page, Arizona

The legislative proposal will facilitate the orderly transition of the Reclamation townsite of Page, Arizona, from Federal administration to self-government through incorporation under Arizona law and eliminate, as soon as practicable, obligations against the Upper Colorado River Basin Fund of the Colorado River Storage Project for Federal administration of this community area. It is generally consistent with precedents established by the Coulee Dam Community Act of August 30, 1957 (71 Stat. 574), and the Boulder City Act of September 2, 1958 (72 Stat. 1723). Those acts enabled the Reclamation townsites of Coulee Dam, Washington, and Boulder City, Nevada, to become incorporated municipalities under applicable State laws.

Sectional Synopsis of the Proposal

Section 1 of the proposal sets forth the purpose of the bill which is to facilitate the orderly transition of Page from the status of a federally operated facility to that of a self-governing municipal corporation under the laws of the State of Arizona.

Section 2 gives the definitions of terms used in the proposal.

Section 3 provides for the Secretary of the Interior to transfer without cost to Page, Arizona, upon incorporation, all improved and unimproved lands within Page owned by the United States, which are not required in the administration of Federal activities; the transfer of municipal facilities; and the assignment without cost of any leases granted by the United States on such land.

It also provides that the Secretary of the Interior shall transfer to the appropriate school district the land in Block 14-A and Lot 1, Block 16.

It provides for the assignment without cost of contracts to which the United States is a party, including contracts for furnishing water outside the boundaries of Page through the municipal system; and, at the option of the municipality, the contract for furnishing and distributing electrical energy to the municipality.

Section 3(f) establishes the basis for possible acquisition of the electric distribution facilities in Page by the municipality. The present contract between the United States and the Arizona Public Service Company contains an option to purchase clause. It is intended that the contract would be assigned if the incorporated municipality so desires. The municipality could then, in its discretion, exercise the option to purchase when it becomes effective at the termination of

the contract term. The earliest date on which the option could be exercised is August 1, 1974, or at intervals of one year thereafter for not to exceed two years under provisions for contract extension. Should the option be thus exercised, the municipality could probably finance the purchase through municipal bonding. Recent discussions among our field personnel, members of the Page Advisory Council, and representatives of the Arizona Public Service Company have indicated that the estimated present depreciated value of the facilities that would be involved in such a purchase is approximately \$1,500,000 - \$2,000,000.

Section 4 reserves 3,000 acre-feet of water per year from Lake Powell for the Glen Canyon Unit, Colorado River Storage Project and allocates 2,740 acre-feet thereof for the municipality's consumptive use. It also provides that the United States will pump the water from the point of withdrawal from Lake Powell to the point of connection with city facilities at no cost for the first 5 years after incorporation. After the first 5 years, the city would be required to pay to the United States proportionately increasing increments of the annual costs of such pumping with the objective that following the 10th year the city would bear the costs in total.

Section 5 authorizes the Secretary of the Interior to complete certain specified streets in the platted area of the city. Other improvements are also provided in this section, such as repair of 12-inch waterline if required, a sprinkler system to the cemetery.

Section 6 authorizes a lump-sum payment to the municipality to assure availability of funds for essential municipal expenses during the initial years following incorporation.

It also provides for a lump-sum payment to the municipality for necessary improvements to the local hospital.

Section 7 authorizes the utilization by the municipality of a minimum number of experienced Federal employees to assist in the initial transition.

Section 8 authorizes the Secretary to transfer to the United States to be held in trust for the Navajo Tribe title to a tract of undeveloped land containing about 808 acres which was transferred to the United States under P.L. 85-868 as a part of the land required for the Glen Canyon Unit of the Colorado River Storage Project, which is no longer needed for that purpose. The Tribe, in turn, agrees to subordinate its uses to 3,000 acre-feet of water per year for the Glen Canyon Unit of the Colorado River Storage Project along with its associated community and recreational development in Arizona.

Section 9 directs the Secretary to facilitate the effectuation of Navajo Tribal Resolutions CD-108-68 and CJN-50-69, subject to the provisions of P.L. 90-537. These two resolutions deal with the use of the 50,000 acre-feet of water allocated to Arizona under the Upper Colorado River Basin Compact for the Navajo generating station and the Glen Canyon Unit and the terms under which the Tribe subordinates its uses of such water.

Section 10 authorizes utilization of the Upper Colorado River Basin Fund to carry out the provisions of the Act.

Section 11 authorizes the Secretary of the Interior to delegate authority to carry out the proposed act and to perform such acts as are necessary to carry out its provisions.

Section 12 terminates all authority of the Secretary of the Interior under the proposed Act 5 years following its enactment unless incorporation of Page shall have previously been achieved.

Section 13 establishes the short title of the Act.

Background

Construction of the Reclamation townsite of Page, Arizona, began in late 1958 under authority of section 2(a) of the Act of September 2, 1958 (72 Stat. 1686). It was established to provide accommodations and community facilities of Government and contractors' employees engaged in the construction, operation, and maintenance of Glen Canyon Dam and Powerplant. Population reached 6,100 in November 1962. With the completion of construction, the population declined to 1,230 in December 1967. However, since that time, accelerated development of the recreational potential, as well as the power and fuel resources of the area, has stimulated a resurgence in the population to where it now stands at 9,000.

With the continuing impetus of construction activities associated with the Navajo Powerplant and related facilities, it is quite likely that the population will continue at seven to eight thousand during the next few years. Thereafter, it will probably decline somewhat. However, it will probably stabilize at around 5,000. Changes thereafter will, in all likelihood, be those resulting from recreation and retirement oriented interest in the community and normal growth.

Looking to such community development, section 4 of the proposed legislation provides an allocation of 2,740 acre-feet of water annually for Page. This amount, based on estimated consumption, is expected to be sufficient for the needs of a population of 10,000-15,000 people. Accordingly, the availability of an adequate municipal water supply should pose no problem for some time to come. Extensive investigations have been made to determine if a higher allocation is possible. It became apparent, however, that under present compacts and other allocations of Colorado River water, no increase is feasible. This finding, of course, does not preclude the possibility of expedients such as recycling waste water and returning it to the river for credit which in turn could be applied against some increase in the basic allocation.

It should also be noted, with regard to the water supply, that the legislative proposal would provide for the United States to pump water from the point of withdrawal from Lake Powell to the point of connection with city facilities at no cost to the municipality for the first 5 years following incorporation. Thereafter, the municipality would assume an increasingly greater amount of such costs during the next 5 years, with the objective of completely eliminating all Federal financing for such purposes after the 10th year. The estimated costs to the Government of such assistance, are shown on the following tabulation;

ESTIMATED COST OF PUMPING WATER
UNDER SECTIONS 4(b) & 4(c)
PAGE INCORPORATION LEGISLATION

<u>Assuming Incorp. Early in 1973</u>	<u>Est. Cost</u>	<u>Est. Population</u>
1st. Year from date of Incorp.	\$32,000	7,000 - 8,000
2nd Year	32,000	7,000 - 8,000
3rd Year	27,000	6,000 - 7,000
4th Year	22,000	5,000 - 6,000
5th Year	20,000	4,000 - 5,000
6th Year	16,000 80% of Est. Cost	" "
7th Year	12,000 60% of Est. Cost	" "
8th Year	8,000 40% of Est. Cost	" "
9th Year	4,000 20% of Est. Cost	" "
10th Year	4,000 20% of Est. Cost	" "
Thereafter	-0-	4,000 - 5,000
TOTAL	\$177,000	

Section 5(a) of the proposed legislation enumerates certain street and water system improvements and some miscellaneous work items that are to be completed at the expense of the United States. Looking especially to the street improvements work, completion of this work at United States expense is believed justified inasmuch as in some cases the adjoining land has been sold at appraised values established with the expectation that such streets, sidewalks, curbs, gutters, etc., would be installed by the Government, and the completion of this work is essential to a practical and workable street system in the community. The total estimated cost of the various work items enumerated under section 5 is approximately \$618,000. It is entirely possible, however, that this total figure may be significantly reduced by the time the municipality achieves incorporated status. This anticipated reduction will result from the fact that the work contemplated is being budgeted for completion as rapidly as possible during the current fiscal year. Uncompleted work will be carried forward in our budgeted work as funds permit.

Section 6 of the proposed bill is designed to insure that Page has the financial ability to effectively carry out essential municipal functions during the initial years of its independent existence. Under this section, two lump-sum payments are contemplated. The first, in the amount of \$330,000, is for general municipal functions. The second, in the amount of \$50,000 is an improvement fund for the local hospital.

Studies of the proposed incorporation justify such early years financial assistance. A study completed in December of 1967, under contract between the United States and the Arizona State University by Mr. Samuel E. Vickers, Director of the University Center for Urban Studies, demonstrated that the community could and should become incorporated under Arizona law at the earliest opportunity. Mr. Vickers reviewed his estimates of revenues, expenditures, and other findings and recommendations, and updated them in March 1972 on a basis of 4,500-5,000 populations. The economic analysis of anticipated revenues and expenditures of the resultant incorporated municipality demonstrated that, except during the early years of incorporation, adequate sources of revenues would probably be available to provide for continuing municipal solvency.

The problem associated with early years financing arises from the probable impracticability of the actual implementation of incorporation at a time when the new community could receive an initial year's apportionment of State and county funds. Additionally, the municipality would likely desire to implement certain schedules of charges, taxes, permit fees, and so forth essential to raising additional revenues under incorporated municipal financing processes, but this would not be possible under the Federal administrative procedures now applicable. Such actions could not be initiated immediately on incorporation, but would probably be taken in stages over several years.

Looking specifically to the \$330,000 segment of the section 6 assistance payments, it would be noted that, during the period of fiscal years 1960 through 1971, the annual total funded Operation and Maintenance Expense of the United States, in connection with Page and closely related project facilities, ranged from a low of about \$383,200 to a high of \$803,800, averaging slightly over \$573,000 annually throughout the period. During the same period, income from municipal service charges, etc., averaged about \$253,200 with an average annual deficit of approximately \$319,800. These expenditures cannot be attributed exclusively to the municipality inasmuch as General Operations costs are not separately specified for project and municipal facilities nor is utility income credited with the value of water and sewer service utilized by project facilities. Since the project facility component of such costs is negligible, however, such data is reasonably indicative of the magnitude of the municipal administration costs and corollary obligations being incurred against the Upper Colorado River Basin Fund. In the absence of incorporation and with no ensuing adjustment in municipal service charges, it is assumed that there would be no significant reduction in those costs in future years.

The updated Vickers study estimates base initial year General Fund Revenues on the Bureau's estimates of current receipts. This yields a total of \$337,700 without revenues from State, county, or other special fund sources. It should be noted that Mr. Vickers anticipated a significant income to the General Fund in the amount of \$99,000 from sale of real estate. It is quite likely that funds in this latter amount would not be realized until at least the second year following incorporation at the earliest. This could result from an understandable desire on the part of the municipality to review zoning and related ordinances with the view of modifying some aspects of community developmental trends resulting

from property sales. Should this prove to be the case, total available revenues could well drop below the estimate, while administrative and municipal function costs remained at the \$393,600 figure projected in the same estimates. Any appreciable reduction in the revenues from land sales and so forth in the initial year, could be detrimental to the financial stability of the new municipality. Additionally, possible revenues from the electrical distribution facilities if acquired by the municipality could not be expected prior to 1975 inasmuch as the option to purchase cannot be exercised before August 1, 1974, at the earliest, even though the contract was assigned to the city at an early date. The availability of the \$330,000 fund authorized by section 6 of the proposal would insure against such deficits as might thus develop.

Mr. Vickers estimated, after the initial year, an average of about \$351,700 per year in the basic General Fund together with the possibility that as much as \$169,000 per year, in addition, could accumulate to the General Fund from other revenue sources not available to the Federal Government. Whether or not the full \$169,000 could be realized in the second year is problematical because of the possibility of stage implementation. If it could be accomplished, the Vickers study estimates an average total revenue availability in the neighborhood of \$520,700 per year thereafter with annual expenditures approximating \$394,000 per year. Such a financial situation would, of course, yield an average annual surplus of revenues over expenditures in the amount of about \$126,700. Here again, any delay in reaching all or part of the \$169,000 in additional revenues, could be offset by the availability of monies available from the unexpended balance of the \$330,000 fund.

The additional \$50,000 fund contemplated under section 3 represents a perpetuation of the fund in the same amount that has been maintained under Federal administration as a reserve for hospital operations since the operation of that facility was transferred by agreement to the Hospital Sisters of the Third Order of St. Francis. It is generally conceded that the hospital has been effectively operated under that arrangement, and it is the consensus view that it should continue. Accordingly, with the United States withdrawing from administration of the hospital, that specific fund should be formally transferred to the new municipality and earmarked for continued availability for hospital operational reserve and improvement purposes.

Section 7 of the proposal recognizes that during initial period of transition from Federal administration assistance of experienced personnel may be needed to continue municipal functions without disruption. Accordingly under the authority of this section, the services of a maximum of 10 experienced employees of the Federal Government may be made available to the new municipality for not to exceed a 6-month period immediately following the date of incorporation. It is presently anticipated that the personnel involved will

include a General Clerk, Chief Ranger and Ranger Sergeant, and a City Engineer, together with appropriate operation and maintenance personnel. Estimates of the costs associated with this phase of assistance suggest a total expenditure of approximately \$90,000.

In summary, if the proposal were to be enacted into law, the ensuing financial obligations of the United States under the separate sections as above discussed would be significantly less than the cost of continued Federal administration.

Estimated Costs under the Legislative Proposal

First Year

Section 4(b)	Pumping water	\$ 32,000
Section 5(a)	Street, curb, sidewalk completion and improvement, plus miscellaneous completion and preventative maintenance	618,000
Section 6(a)	Initial years municipal functions assistance fund	330,000
Section 6(b)	Hospital improvement fund	50,000
Section 7	Transition period employee assistance	<u>90,000</u>
First Year Subtotal		<u>\$1,120,000</u>

<u>Second Year</u>	Section 4(b)	Pumping water	\$ 32,000
<u>Third Year</u>	" "	" "	27,000
<u>Fourth Year</u>	" "	" "	22,000
<u>Fifth Year</u>	" "	" "	20,000
<u>Sixth Year</u>	" "	" "	16,000
<u>Seventh Year</u>	" "	" "	12,000
<u>Eighth Year</u>	" "	" "	8,000
<u>Ninth Year & Tenth Year</u>	" "	" "(\$4,000/yr.)	<u>8,000</u>
Ten Year Total			<u>\$1,265,000</u>

The table shows that, while the first year figure would run approximately \$1,120,000, ensuing years costs would be almost negligible by comparison. For the past 12 fiscal years the average annual deficit of income over obligations under Federal administration has been approximately \$319,800. At that rate, even if Federal administrative costs remained stable, by the 4th year of continued Federal administration the deficit would be in excess of the estimated total cost under the legislative proposal.

In light of the foregoing discussion, early enactment of this legislative proposal would be beneficial both to the United States and to the community of Page, Arizona. The United States would realize significant savings. The municipality would, under the conditions of self-government created by incorporation, operate more economically while developing and maintaining a state of economic solvency. Accordingly, it is urged that this legislative proposal be enacted into law at the earliest possible opportunity.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 12 1974

Dear Mr. Chairman:

This responds to your request for the views of this Department on S. 325, a bill "To expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam."

We recommend that the bill not be enacted.

S. 325 would authorize the Secretary of the Interior to construct, as an integral part of the Boulder Canyon project, a highway crossing of the Colorado River immediately downstream from Hoover Dam including access roads and related facilities. The bill authorizes appropriation of \$15 million for the construction work, based on July 1971 prices and with customary costs adjustments. This amount would be repayable as part of the Boulder Canyon project upon completion of the project's current repayment requirements. Interest would be payable based on the long term rate for U.S. Treasury obligations.

The current estimated cost of a bridge downstream of Hoover Dam is \$23.3 million for a four-lane bridge or \$18 million for a two-lane bridge, based on May 1974 prices. Federal expenditure of these amounts either on a reimbursable or non-reimbursable basis is unwarranted.

While traffic across Hoover Dam has increased from about 2.8 million cars in 1962 to 3.9 million in 1972, the existing road across the Dam appears to have ample capacity for the foreseeable future. Studies of traffic show that during the peak hour of the peak months (June, July and August) some 450 vehicles were crossing the Dam in 1971 and the acceptable capacity of the roadway is 780 vehicles per hour. Although traffic projections indicate an increasing number of crossings in the future, the extent and direction of the trend is by no means certain in view of such variables as gasoline shortages and changing highway patterns. Based on these and other considerations, we therefore conclude that traffic congestion or safety problems do not justify a decision to proceed with construction of the proposed downstream bridge at this time.



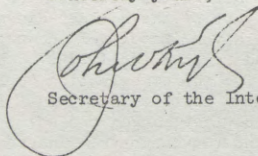
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Moreover, whatever traffic problems exist at Hoover Dam should be dealt with under generally applicable highway construction and management criteria. Even though Hoover Dam is Federally-owned, existing circumstances do not justify the special Federal financing of the proposed bridge contemplated by S. 325.

In addition, other alternatives are available to deal with Hoover Dam traffic problems. Much of the traffic at the Dam is attributable to tourists and visitors and traffic at the Dam could be reduced by providing visitor parking in fringe lots and busing to the Dam. Preliminary estimates are that this alternative could cost less than the bridge contemplated by S. 325. This and other alternatives are being considered to solve traffic problems at the Dam.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,



Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D.C. 20510

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 13 1974

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
3106 New Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

This is in reply to your request of March 16, 1973 for the views of the Office of Management and Budget on S. 325, a bill "To expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam."

For the reasons set forth in its letter to your Committee, the Department of the Interior recommends that the bill not be enacted. The Office of Management and Budget concurs with the views of that Department and, accordingly, recommends against enactment of S. 325.

Sincerely,

Wilfred H. Rommel

Wilfred H. Rommel
Assistant Director for
Legislative Reference

Senator CHURCH. I would like to call Senator Bible for any statement he would like to make.

**STATEMENT OF HON. ALAN BIBLE, A U.S. SENATOR FROM THE
STATE OF NEVADA**

Mr. Chairman and members of the subcommittee, I appear this morning in support of S. 325 the bill now before your subcommittee to authorize expansion of the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam. As you know, I introduced this legislation early in the present Congress with the co-sponsorship and strong support of my distinguished colleague Senator Cannon. An identical bill, S. 3702, was introduced in the 92d Congress by Senator Cannon and myself.

I want to say first that I appreciate the subcommittee's attention to this legislation and hope you will be able to move the bill ahead promptly.

Since at least 1967, a serious traffic situation has existed at the crossing of the Colorado River at and in the vicinity of Hoover Dam on U.S. Highway 93-466 in both Nevada and Arizona. The present highway from Boulder City, Nev., to and across the dam and for a few miles into Arizona is a narrow stretch of steep winding road marked by hairpin turns and other traffic hazards. It is frequently the scene of serious traffic congestion and is entirely inadequate for handling the often heavy volume of both through and tourist traffic now forced to use the route.

In December 1970, the Bureau of Reclamation awarded a contract for an independent study of improvements needed to accommodate visitors at Hoover Dam. The report on that study was submitted in April 1971, and included consideration of the impact construction of the proposed bridge might have on visitor attendance, traffic congestion, parking, and other facilities at the dam. The recommendation was that plans for the design and execution of a bypass bridge crossing below Hoover Dam be started as soon as possible. The report concluded that by 1975, without such a bypass, through traffic will have to be diverted or else traffic in, around, and through the project area will be unmanageable and will restrict visitation at the dam.

Mr. Chairman, I feel that this proposed bridge is very seriously needed, not only to relieve congestion at Hoover Dam but to provide a safer crossing for interstate traffic. I think the safety factor alone justifies construction of an alternate crossing downstream from the dam.

As I have said, the study conducted by the Bureau of Reclamation favors the project. I have also received correspondence from the Bureau evidencing their agreement that the bridge should be built. I ask that an exchange of letters on that point between myself and former Commissioner of the Bureau, Mr. Ellis L. Armstrong, dated April 19, 1972 and May 30, 1972, be included in the hearing record following my remarks.

The bill before the subcommittee calls for construction of the bypass bridge, as an integral part of the Boulder Canyon project, immediately downstream from Hoover Dam including access roads and related facilities. It does not—and naturally could not reasonably attempt to fix the precise location. That is a job for the engineers. However, on that point I would like to note certain concerns that must receive special consideration in the design and location of the bridge and its approaches. Not only Hoover Dam itself but the Lake Mead National Recreation Area, Boulder City, Nev., and other southern Nevada communities are major tourist attractions and depend heavily on tourism for their economic well-being. The bill anticipates that the new river crossing will be designed so as not to impair access to these recreation facilities and communities. I ask that letters on this point that I have received from the mayor of Boulder City dated July 17, 1972, and March 1, 1974, be included in the hearing record following my remarks.

S. 325 also provides that the cost of the project, with interest, shall be recovered from revenues from the Boulder Canyon project after completion of the project's current repayment requirements. In view of the need for a new river crossing to relieve the excessive traffic congestion on Hoover Dam, to protect the dam itself and the safety not only of the visiting public but of interstate travelers as well, I think this method of financing is entirely appropriate.

Finally, Mr. Chairman, the present bill would authorize \$15 million for the bridge and its approaches and access roads. That figure is based on 1968 design criteria and will have to be adjusted upward. I understand that the Department's representatives will be addressing this point in their statement. Regretablely, it is a sign of the times that almost any cost estimate these days is out of date very soon after it is developed.

Again, Mr. Chairman, I am strongly convinced that this project is urgently needed. Traffic conditions at Hoover Dam are severe now. They will become much worse before this bridge can be built.

I urge prompt and favorable action by the subcommittee.

Senator CHURCH. Thank you Senator Bible, I will now call Senator Fannin for an opening statement.

STATEMENT OF HON. PAUL J. FANNIN, A U.S. SENATOR FROM THE STATE OF ARIZONA

Senator FANNIN. In February of 1973 I introduced S. 767 to facilitate the incorporation of the townsite of Page, Ariz., I am convinced that the citizens of Page have a right to become self-governing under the laws of Arizona and to be separated from the Colorado River storage project. This bill enjoys widespread support throughout Arizona.

The townsite of Page was developed on Federal land in conjunction with the construction of Glenn Canyon Dam and the associated recreational area of Lake Powell. Page now has become a full-fledged community of permanent residents. Self-government is greatly needed to meet the needs of the nearly 10,000 people in the area as well as those many thousands who come from all parts of the United States

to enjoy the fine recreation associated with Lake Powell. It is high time that we create the municipal government structure that meets these current needs as well as those of the future. True self-government can be fulfilled by the assumption of those authorities spelled out in S. 767.

I want to pay tribute to Congressman Sam Steiger for his untiring efforts to move this bill in the House. His efforts have gone a long way in making this a reality.

As we sever this Federal umbilical cord we have followed the tradition established by the Congress in acting on other communities which have sprung from Federal reclamation projects such as Boulder City and Cooley Dam.

Let me say that the residents of this community and their active participation have greatly assisted us in bringing this proposal along; these leaders are to be commended for their dedication and hard work.

Senator CHURCH. Our first witness this morning is Senator Goldwater, who will be followed by Senator Moss.

STATEMENT OF HON. BARRY M. GOLDWATER, A U.S. SENATOR FROM THE STATE OF ARIZONA

Mr. Chairman, I am very pleased that you have scheduled a hearing today on legislation which would make it possible for the town of Page, Ariz., to incorporate as a separate municipality and that you would give me this time to testify on the proposal.

The bill, S. 767, which Senator Fannin and myself have introduced on behalf of the residents of Page, would not itself have the effect of incorporating the city, but would provide for the essential conditions that will allow the citizens of Page to do it themselves. Our bill will do the following:

1. Transfer to Page, upon incorporation, without cost, almost all existing municipal improvements, which includes turning over good streets, good water and sewage lines, a good filter system, a police and fire protection system, a garage, certain municipal buildings, a hospital, and about 17 square miles of land estimated to have a value of over \$2 million. In other words, Page would be starting out with all the facilities needed to run the city, without having any bonded indebtedness.

2. Provide for a lump-sum payment to Page of \$500,000, upon incorporation, in order to assist the city in meeting its first year of operational expenses.

3. Provide for the allocation to Page of a supply of water sufficient for its maximum projected population.

4. Provide options to Page, upon incorporation, whereby its citizens can choose to acquire for the city the electric distribution system or to buy electric power which shall be reserved for the city as a preference customer.

5. After incorporation, provide for the completion by the United States of several municipal improvements, such as the installation of curbs, gutters, and sidewalks at specified locations.

These are the necessary steps, Mr. Chairman, which would make it possible for the citizens of Page to vote for incorporation. From what I have heard from the residents, the great majority wish to govern themselves as soon as possible. Last October, the local newspaper, the Lake Powell Chronicle, and the local Jaycees obtained petitions signed by over 500 people in the community who support incorporation.

What Page residents see as the result of incorporation is the right to elect their own leaders, control their own zoning, make and enforce their own laws, and share a community pride in the knowledge that they can govern themselves, free of the apron strings of "Uncle Sam."

As you will hear many times, Mr. Chairman, Page was established in late 1958 as a facility of the Glen Canyon unit of the Colorado River storage project. It was originally constructed by the Bureau of Reclamation to provide a place to live for Government and contractor employees and their families engaged in the construction and operation of the Glen Canyon Dam and Power Plant. Since then, the town has been administered by the Bureau, with the assistance of a local body called the Page Advisory Council.

Page has now reached the stage in its development where its residents are capable and want to govern themselves and this is the reason for the legislation before you. I know there are three proposals at the desk, S. 767, S 1261 by Senator Moss and others, and a new substitute bill recommended by the Department of the Interior, but I believe the objective of each of these bills is identical.

Mr. Chairman, I have reviewed the differences between these three bills and I do not think you will have any trouble in marking up an amended version that will satisfy everyone concerned. For example, I understand my colleague from Arizona, Senator Fannin, has an amendment ready relative to the electric distribution facilities that would meet the suggestions of the Department of the Interior and yet provide for the widest range of options to the community of Page. Another important feature that must be resolved is the request by the Navajo Tribe which is seeking restoration to the Navajo Reservation of an 808-acre tract of land near Page, which was withdrawn for reclamation purposes but is now not needed by the United States. I see no reason why this land cannot be returned to the Navajos, particularly in consideration of the agreement they have offered to make in a tribal resolution to refrain from contesting the use of some 37,100 acre-feet of water allocated to Arizona under the Upper Colorado River Basin Compact.

Mr. Chairman, I hope that after you conclude these hearings you will wish to report out a bill that will allow the citizens of Page to be in a position to vote for incorporation before the end of this year.

Senator CHURCH. Thank you very much for your statement, Senator. Are there any questions?

Senator FANNIN. Mr. Chairman, I just want to commend my colleague, Senator Goldwater, for an excellent statement. I agree with him. I think we can, with the cooperation that I know will be forthcoming, have a bill that will be satisfactory to all.

Senator BIBLE. The only observation I would offer to both of my good and dear friends from Arizona is that we went through the throes of childbirth at Boulder City and we produced a rather healthy baby and it is working out very well.

There were some pains in the early days and the usual childhood problems, but Boulder City has matured. The people are very happy about it. It is almost a parallel to the Page situation. I know the people in Reclamation worked very closely with the people in the Boulder City area and there may be problems that we encountered there that will apply in this situation.

I commend the Senators from Arizona for moving in this direction, for their participation in getting a city to govern itself.

Senator GOLDWATER. Thank you, Senator Bible, for mentioning Boulder City. I was here when that was made a city and it has turned out to be one of the most delightful cities in the whole State of Nevada. I enjoy visiting there and have many friends who live there. It has turned into a very beautiful spot.

Frankly, if you had asked me 25 years ago if you could grow a tree in Boulder City, I would have said no. But Page is in the same position. They have built their own golf course, they have planted trees. The place is turning green, which of course, is the history of water and the West.

Senator BIBLE. It certainly is. Mr. Chairman, if I might observe, there is a great deal of pride by the citizens of Boulder City in what they have accomplished. They are to be commended. I am sure that the same thing has happened up in Page.

Senator FANNIN. I thank the senior Senator from Nevada.

Senator CHURCH. Senator Moss, we are delighted to have you.

STATEMENT OF HON. FRANK E. MOSS, A U.S. SENATOR FROM THE STATE OF UTAH

Senator Moss. Mr. Chairman, first, may I thank you for scheduling these hearings on my bill to facilitate the incorporating and eventual self-government of the city of Page, Ariz. The removal of Page from the administration of the Bureau of Reclamation, and its incorporation as a self-governing unit, is an objective sought not only by the Upper Colorado River Basin States, but I understand, by the citizens of Page itself.

Page, as the subcommittee knows, was established in 1958 to provide facilities and accommodations for the workers and the Federal personnel who were engaged in the construction, operation, and maintenance of the Glen Canyon Dam, powerplant, and transmission lines. The Bureau intended at that time to transfer responsibilities to the citizens of Page as soon as possible, but now, 16 years later, Page still remains under Bureau administration.

There is general consensus that the city has increased enough in population, and has established a firm enough tax base to assume local self-government, provided that the Federal Government give some assistance during the transition period.

Enactment of this bill would establish the machinery and provide for the funding, under which the changeover would take place. Mr.

Ival Goslin, Executive Director of the Upper Colorado River Commission, is here to discuss these aspects in detail, so I will not take the time to do so here. There are many problems which must be worked out, including a satisfactory water services contract, and ample provisions for a continuation of community services, before there can be a smooth transition from Government two to incorporated municipality. The pattern followed in general is that followed at Grand Coules, Wash., and Boulder City, Nev., both of which are now self-governing units, with the difference, of course, that there was no basin fund available for the Grand Coulee or Hoover Dam projects.

My principal interest, and that of the State of Utah, in the passage of this bill—aside, of course, from our interest in seeing the people of Page being given the privilege of full self-government—is that at the present time the money for the administration of Page is being drawn by the Bureau of Reclamation from the Upper Colorado River Basin fund. It was the intention of the Congress, in the enactment of the Colorado River Storage Act in 1956, that the basin fund built from the proceeds of power sales from Colorado River storage projects be used to help finance an upper basin water project. For this reason, the proposal advanced by the Bureau of Reclamation that the basin fund continue to be used to finance the transition of Page from Government town to independent municipality, is not satisfactory to upper basin States. We feel that general revenues should be used to effect the transition, and that the fund revert immediately, as it was intended, to the financing of the UCRS water projects. We favor only payment of those functions directly necessary to the operation of Glen Canyon Dam powerplant and appurtenant facilities from the Basin Fund.

That is the only basic difference I have with the administration's recommendation and the bill my colleague from Arizona testified on before is that the Basin Fund is being tapped for unauthorized type of expenditures to support the city and finance the transition which will have some expensive features. I think that ought to be done from general funds and we ought to preserve our Basin Fund for its purpose of building projects, water projects, in the Upper Basin.

We have many yet to go.

Senator CHURCH. Can you give us any estimate as to how much will be involved in Federal funding for the city of Page during this transitional period or how long the transitional period will last.

Senator MOSS. I do not have the data here before me, Mr. Chairman. Mr. Ival Goslin, who will be a witness here, has that data and will be able to supply it to the committee.

I agree to its importance and my recollection is it is a sizable amount of money we are talking about.

Senator CHURCH. I will ask the question later then.

Senator FANNIN, do you have any questions?

Senator FANNIN. Mr. Chairman, in the bill Senator Goldwater and I proposed, the funds are to be appropriated out of any moneys in the Treasury not otherwise appropriated, not to exceed \$2 million.

I know there are certainly problems in the Lower Basin States as to what is to be done in the Upper Basin States, and I am sure the chairman and the Senator from Utah both realize these problems.

Senator MOSS. May I add, Page is a delightful city and I love to go there, and certainly we ought to facilitate its transition to an independent city as soon as possible.

Senator CHURCH. Our next witness is Congressman Sam Steiger, from the State of Arizona.

**STATEMENT OF HON. SAM STEIGER, A U.S. REPRESENTATIVE
FROM THE STATE OF ARIZONA**

Representative STEIGER. I will not delay the proceedings very long. I would like to advise the committee that the House, as you are aware, held hearings both in Page and in Washington. This effort is unique only perhaps by the fact that unlike a lot of these that I know you have had experience with, that there is no conflict in regards to the desire, there is no conflict with the County, and with whatever problems that were in the original bill, we think have been worked out in a package of some 21 amendments which your staff has available, and again, which has met with the approval of virtually everyone involved.

I would only advise the committee had a concern about the fact the bill had not passed the House, although it had already passed the committee—we have a practice in the House which you may or may not be familiar with, on our Reclamation bills, we make up an Omnibus bill. This will be a part of that bill, and we attempt to do, just as a housekeeping procedure, we put as many noncontroversial Reclamation projects as possible in the package in order to expedite passage. It will be in that package.

We anticipate passage along about July, unless there is some unforeseen event that should divert our legislative interests.

I would be happy to respond to any questions, Mr. Chairman.

Senator CHURCH. Are you suggesting that since this measure will be included in the Omnibus bill, that the Senate defer action until the Omnibus bill comes to the Senate?

Representative STEIGER. Oh, no, Mr. Chairman, quite the contrary. Thank you. If I clouded the issue, if I mentioned it that way, that is not my intention or the intention of anyone on the committee.

It would be very helpful, as I am sure the Chairman is aware, if the Senate should act favorably on this, it would simply expedite the passage of the Omnibus bill, or that particular portion of the Omnibus bill.

There is no desire to delay. There is, in fact, a practical problem in which delay would be very unfortunate. Under Arizona law there would be requirement of an election this fall. Hopefully, that election will be—the election of new officials under this new approved community—as a practical matter, if this thing could be completed in time for that and it would avoid a good many housekeeping problems there with regard to the elective process.

So on the contrary, our interest is in expediting it rather than in delaying it.

Senator CHURCH. Very well.

Senator FANNIN.

Senator FANNIN. I commend Congressman Steiger for the work he did in unifying the people of Page, and in supporting this program, and too, for the work he has done in the committee to bring about the amendments that are essential to reach the goals and objectives they have for this legislation.

I don't have any questions, Mr. Chairman. I do feel the benefit of the amendments that have passed the House and unity of support will aid us greatly to pass the legislation through the Senate.

Senator CHURCH. I just have one question, Congressman. Do you favor the proposal of Senator Moss to fund the transition out of general revenues?

Representative STEIGER. I certainly understand the Senator's concern. I appreciate the desire to defend the Upper Basin funds. I personally feel this is a function of the River, if you will.

So in my view, the Upper Basin responsibility is appropriate.

I will also hasten to add, I don't think it is irreconcilable if the Senate makes a different judgment from the House committee, and I will tell the Chair we addressed ourselves to this at some length and we received all the persuasiveness of the Upper Basin and we came to the opposite conclusion of Senator Moss.

Senator CHURCH. Thank you very much.

Senator Bible, do you have any questions?

Senator BIBLE. I did not hear his testimony, but it is good to see my old friend back. I hope that you have a better day than you had yesterday.

Representative STEIGER. Thank you, Senator.

Senator CHURCH. Our next witness is Gilbert G. Stamm, the Commissioner of the Bureau of Reclamation.

Commissioner Stamm, I wonder if you would take up the Page Measure first in your testimony this morning. I understand Senator Bible wants to make a statement about the other bill before us.

Commissioner STAMM. Yes, sir; we will be happy to take up the Page situation first.

STATEMENT OF GILBERT G. STAMM, COMMISSIONER OF RECLAMATION, WITNESS FOR THE DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee: The city of Page, Ariz., was established, beginning in 1958, to provide facilities and accommodations for construction workers and government personnel engaged in the construction, operation and maintenance of the Glen Canyon Dam and powerplant and the transmission lines. Page is administered by the Bureau of Reclamation, but it has always been our intent to transfer this responsibility to the residents of Page as soon as possible. Efforts to accomplish this have been underway for several years. We think Page now has sufficient population and tax base that the residents can assume and want

to assume local self-government, if assistance is provided by the Federal Government during the transition period. Similar action was taken at Grand Coulee, Wash., and Boulder City, Nev., both of which became self-governing communities.

You have before you two bills, S. 767 and S. 1261, intended to facilitate the incorporation and subsequent self-government of Page. However, based on our long study of the needs and resources of the community, there are certain provisions and omissions in the two bills that have prompted us to urge enactment of the departmental legislative proposal that is now before you as a substitute for these bills.

The Department's legislative report sets forth the salient differences between its proposed legislation and the two bills. I would like to call your attention to the more important differences.

First is the matter of a continuing water supply for the community. S. 767 would reserve 6,000 acre-feet annually to the Glen Canyon Unit of the Colorado River storage project of which 5,740 acre-feet would be the allocation to the city of Page, subject to a properly executed water service contract. S. 1261 and the departmental proposal would establish 3,000 acre-feet annually as the Glen Canyon Unit allocation, of which 2,740 acre-feet would go to the city of Page.

The figures of 3,000 and 2,740 acre-feet of water are in accord with the Navajo Tribal Council Resolution CJN-50-69, as referenced in section 4 of our proposed bill. Under that resolution, the Navajo Tribal Council agreed that it would subordinate its uses of 3,000 acre-feet of water per year for Glen Canyon Unit, for Page, Ariz., and recreational developments in Arizona in exchange for the transfer to the Navajo Reservation of an 808-acre tract of undeveloped land, known as Antelope Point, which, prior to its withdrawal for purposes of the Glen Canyon Unit of the Colorado River storage project, was a part of that reservation. This land is not needed for Page municipal purposes, nor is it now needed for the Glen Canyon Unit.

Any increase in the 3,000 acre-foot figure could only result from a corresponding reduction of water for Indian community use and for Indian irrigation out of the 50,000 acre-foot total designated by the Upper Colorado River Basin compact as the apportionment of upper basin water for the State of Arizona.

An analysis of present and projected community water requirements shows that 2,740 acre-feet of water annually should prove adequate for a population of 12,000-15,000 people.

All indications point to population stabilization of about 5,000, following completion of construction of the Navajo Generating Station in 1977 or 1978.

Thereafter, increases will probably be about 5 percent annually, depending essentially on the extent to which Page emerges as a retirement and/or recreation oriented community. In such circumstances, the 2,740 acre-feet allocation is reasonable.

A second point of variance is in the provision of S. 767 and S. 1261 for payments in lieu of taxes on Federal property retained for use within the municipality.

"Payments in lieu of taxes" is a controversial issue that has not been resolved by the Congress. It does not appear appropriate to insert such a provision in the Page legislation at this time.

The cost to the Upper Colorado River Basin Fund under the in-lieu tax provision would be about \$5,000 annually.

If this provision is retained, clarification of the status of National Park Service property in the town is needed.

S. 767 provides a \$500,000 lump sum payment to the municipality upon incorporation, while S. 1261 and the departmental proposal provide \$330,000 for this purpose.

Some payment to the municipality is undoubtedly necessary to assist in the transition from a government-administered community to an incorporated municipality.

It will take the municipal government sometime to pass ordinances to establish local revenue sources and to make arrangements with State and county authorities to receive its share of revenues from them.

The latter revenues are allocated and distributed at predetermined intervals following incorporation. In addition, there will be initial expenses involved in continuing essential community services, establishing an organization, legal costs, printing, publication costs, equipment costs, et cetera, for which funds must be immediately available.

During fiscal year 1960 through 1971 under Bureau of Reclamation administration, the expenses exceeded revenues by about \$320,000 annually.

The Department therefore considers that a \$330,000 lump sum payment would be a reasonable amount to enable the municipality to make the transition to self-government.

S. 767 and S. 1261 provide funding from money in the Treasury. The departmental bill would utilize revenue from the Upper Colorado River Basin Fund. The use of the basin fund is consistent with similar procedures followed in the Coulee Dam and Boulder City legislative measures.

Furthermore, it should be emphasized that should this legislative measure fail to be enacted, Page will probably not incorporate. There would be continuing drain on the basin fund in amounts ranging from over \$200,000 to \$350,000 or more per year depending on variations in the operation, maintenance, and replacement needs of the community.

To offset these deficiencies, rate increases would be necessary for municipal services and utilities far beyond those being assessed in comparable northern Arizona communities, and beyond the ability of the people of Page to pay.

A recent reanalysis of the cost components indicates that, in consideration of rising construction costs, salary increases, and similar trends affecting costs in general, the first year fund requirements under the Department's proposal and S. 1261 will approximate \$1.2 million.

Under S. 767, this would be about \$3,345,000 because of the \$500,000 proposed as a lump sum payment rather than \$330,000 under S. 1261 and the Department's proposal, and about \$2 million as a loan for acquisition of the electric distribution system.

Subsequent requirements for funds under the departmental proposal for pumping water total approximately \$145,000 for the succeeding 9 years at a constantly diminishing rate.

After 10 years the United States would have no continuing financial obligations under the Department's measure. S. 1261 provides for pumping water for only 3 years at the expense of the United States.

In summary, we believe that the provisions of the departmental legislative proposal are fair and equitable, and offer the most practicable pattern of assistance to accomplish a smooth transition of Page from a government town to an incorporated municipality.

We, therefore, recommend that the legislative proposal of the Department be adopted in its entirety.

Senator BIBLE [presiding]. Thank you very much. I will defer to the Senator from Arizona, since it involves his state.

Senator Fannin.

Senator FANNIN. Thank you very much, Mr. Commissioner. We appreciate your being here today and expressing interest in this legislation, and in the needs of the Page community. I know you are desirous of helping to bring about an arrangement that would facilitate the proper handling of the operational departments of the city.

It is something that requires a great deal of study and that has had a great deal of study concerning what would be best to satisfy both the needs of the community in their desire to govern themselves and to build what they think is possible for the area.

Now, suppose this legislation is not approved. Then what would be the decision of the department if there is no legislation? What would be the cost involved and how would this be handled?

Commissioner STAMM. We have been operating the city at a deficit. If this legislation is not enacted, I assume there would be no incentive on the part of Page to incorporate. We would have no choice but to continue to operate it as a government town. In so doing we would not have access to the funds the city would have such as a portion of the gasoline tax, and sales tax, and a portion of other fees, licenses, and so on.

The continuing cost to the Federal Government would probably be in the range of several hundred thousand dollars per year.

Senator FANNIN. Then you are anxious that legislation be adopted, but there is a difference of opinion as to what stipulation should be in that legislation?

Commissioner STAMM. Yes, sir.

Senator FANNIN. Do you really have any serious objections to the legislation proposed and the combination of the House amendment or the way the legislation would come out of the House, or at least the way it came out of the committee. Would you really have any serious opposition to this proposition?

Commissioner STAMM. No, sir. We are acquainted with the modifications that have been proposed in the House.

I believe the bill, as marked up in the House, is quite an acceptable bill.

Senator FANNIN. I agree. But we do have some work to do as far as getting the legislation in satisfactory order to several members that have introduced legislation. But I don't think there is any great difference of opinion as to what should be done.

I just feel we are obligated to try to get this settled at the earliest time possible, and I very much appreciate your cooperation. Although we may differ in some respects, I think we are all trying to achieve the same goal.

Mr. Chairman, I feel that at the markup session we can incorporate into one bill the necessary stipulations that will carry out the objectives of the legislation.

Senator BIBLE. I think this can be worked out, the same as we worked it out for Boulder City. As I said earlier, I would only have one question of the Commissioner.

What is the status of this legislation on the House side? I am interested in timetables. As you know nobody can forecast the timetable.

Do you have any timetable on the House action on this particular legislation?

Commissioner STAMM. Congressman Steiger made some comment on that.

Senator BIBLE. I missed his testimony.

Commissioner STAMM. I understand that this bill has been marked up by the committee on the House side and it is being held for inclusion in an Omnibus bill for introduction early in July.

Senator BIBLE. Introduction on reporting of the House? Are they going to reintroduce a clean bill?

Commissioner STAMM. No, sir.

Senator BIBLE. They have reported it out of the Interior Committee of the House as part and parcel of an Omnibus bill?

Commissioner STAMM. Yes, sir.

Senator BIBLE. What else do they put in an Omnibus bill giving self-government to Page; are they going to give self-government to other areas?

Commissioner STAMM. No, sir. This is the only one that involves this type of issue. It will be sort of a heterogeneous Omnibus bill.

Senator BIBLE. I am not supposed to say a word about our brethren on the other side; it violates rule 13-B of something, but I say with good humor and all respect, I don't know that we solve many problems by putting a lot of particular bills, as you described it, heterogeneous bills, in one parcel.

They have done this in the park bills, lifting the ceilings on the park acquisition bills that have already been authorized and enacted into law, and they do it when we put a number of historic sites together.

I can understand that. But when they put self-government for Page—well, we will see. It will make it much easier to work on as independent parcels. If we don't like the way they do it, we can break out the Page bill from the heterogeneous package and pass the Page bill once we get it worked out, and I feel certain we can get it worked out.

I wish you would provide for the record a full discussion of the current availability of allocations of Arizona's 50,000 feet of water under the Upper Colorado River Basin compact, and I wish you would likewise include in that discussion the history of the agreements that are made and are presently in existence with the Navajo Indian Tribe. That can be furnished for the record.

Commissioner STAMM. We will be glad to do that.

[Subsequent to the hearing the following information was received:]

The probable disposition of the 50,000 acre-foot allocation of upper basin water to the State of Arizona was estimated in 1968 and has subsequently been adjusted to reflect water use in recent years. The following tabulation summarizes those estimates.

SUMMARY
Present and Projected Consumptive Use of Water
Navajo Indian Reservation in Arizona
Upper Colorado River Basin

	Consumptive use (acre-feet)		Total
	Present	Estimated Future increase	
Irrigation	*6,200 (Peak yr. 1965)	-	6,200
Reservoir evaporation	5,370	-	5,370
Indian communities	1,200	1,014	2,214
City of Page	1,558	1,182	2,740
Genn Canyon Unit, CRSP (Recreation, Tourism, etc.)	<u>200</u>	<u>60</u>	<u>260</u>
Total	14,528	2,256	16,784
Navajo Powerplant		<u>34,100</u>	<u>34,100</u>
			50,885*

*The herein projected total exceeds the State of Arizona allocation by 885 acre-feet. In this regard it should be noted that "Irrigation" has been shown at a total of 6,200 acre-feet based on a peak year of use in 1965. The general pattern of use however, is significantly less than the "peak year" figure. Accordingly, with adjustments in operation and with consideration to the normally lesser irrigation use figure the average annual use should be capable of adjustment to remain within the 50,000 acre total.

Navajo/U.S. Agreements

With reference to the request for "agreements that are made and presently in existence with the Navajo Indian Tribe," we enclose copies of three tribal resolutions as follows:

CJY-95-66 dated July 28, 1966
CD-108-68 dated December 11, 1968
CJN-50-69 dated June 3, 1969

It should be noted that these resolutions are not agreements between the tribe and the United States but rather are unilateral requests on the part of the tribe that certain actions be taken by the United States. The general substance of these resolutions, especially CD-108-68 and CJN-50-69 were discussed in the Department report on the bills under consideration and in testimony of the Department's witness before the sub-committee. It was therein noted that with but one exception, the requests embodied in CD-108-68 have been met. The exception involves the matter of water-import into the upper basin and its ultimate disposition. Because of both treaty obligations between the United States and Mexico and statutory constraints against water-import studies, it is beyond the scope of the Secretary's authority to take action as requested by the tribe.

As for the request in CJN-50-69, the Department's legislative proposal would establish the basis for transfer of the Antelope Point lands to the tribe.

In the foregoing circumstances, and notwithstanding the unilateral nature of the tribal resolutions, it appears that proper consideration has been given to the requests therein in all instances where it has been possible to do so.

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Peabody Coal Company's Proposal for a Coal-Fired Steam
Generating Plant on the Navajo Reservation

WHEREAS:

1. The Navajo Tribe has recently executed satisfactory and beneficial agreements with Peabody Coal Company under the terms of which coal will be mined by Peabody Coal Company from the Black Mesa coal reserves and transported by coal slurry to a steam plant of Southern California Edison Company at Fort Mohave, Nevada, to generate power to meet the growing power demands of the Southwest, and
2. There remain large additional quantities of coal on the Navajo Reservation which constitute a valuable resource of the Navajo Tribe, of such quality that its best use is for coal-fired steam generating of electric power, and it is in the best interests of the Tribe to consummate arrangements whereby said coal can be used for said purpose before the growing competition with nuclear generation of power might displace or greatly retard coal production, and
3. The minutes of the Upper Colorado River Basin Compact Commission show that the allocation of 50,000 acre-feet of water for the State of Arizona under the Upper Colorado River Basin Compact of October 11, 1948 failed to consider adequately or perhaps at all the Indian rights to said water along the Colorado River, and especially the entitlement of the Navajo Tribe, and
4. It is imperative that the rights of the Indians in waters of this Nation necessary for the present and future development of Indian land, whether those waters be local or imported from other watersheds, be expressed constantly and forcefully before the Congress of the United States and all administrative agencies and courts concerned with the water development program for this country, and
5. 10,000 acre-feet of the aforementioned 50,000 acre-feet allocated to Arizona have apparently been put to beneficial use, leaving a possible balance of 40,000 acre-feet, and

6. The consideration of H.R. 4671 in the current session of the Congress of the United States, in respect to the possible importation into the Colorado River Basin of 8,500,000 acre-feet of water, fails to make clear that Indian rights to the use of a fair and reasonable portion of said imported water would be recognized and assured, and

7. The development of the entire western portion of the Navajo Reservation is threatened unless additional water is secured in sufficient amounts for domestic, industrial and agricultural purposes, and

8. Peabody Coal Company would propose to the Tribe that a power plant be constructed on the Navajo Reservation side of Lake Powell in the vicinity of Antelope Creek to be based upon the production of Navajo coal if 40,000 acre-feet of water may be allocated to such use, and

9. If the Secretary of the Interior will insist openly and publicly that the rights and needs of the Navajo Tribe in and to the waters of any river system affecting its land, including a right to participate fully in waters imported under any proposed importation plan or project such as is contemplated in H.R. 4671 be recognized and protected, then in that event it would be in the best interests of the Tribe to recommend and approve allocating 40,000 acre-feet of water for the new power plant hereinabove mentioned at Lake Powell on the Navajo Reservation, a portion of which water can be utilized by Peabody Coal Company to insure or backup the transportation of Black Mesa coal by slurry pipeline to the generating units being constructed by Southern California Edison Company at Fort Mohave, Nevada, in the event that underground water heretofore authorized and supplied from the Navajo Reservation from deep wells in the Black Mesa portion of the Reservation drilled by the Peabody Coal Company should in any way prove inadequate or should the usage thereof in any way hinder the full use of available ground water supplies for the municipal, industrial and domestic needs of the Navajo Tribe, and

10. The Secretary of the Interior has heretofore publicly announced and so also has the Governor of the State of Arizona, that the allocation of 50,000 acre-feet to the State of Arizona by the aforementioned Upper Colorado River Basin Compact, can and should be best used for the purposes of the Navajo Reservation.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribe hereby requests, authorizes and empowers its officers, and petitions the Secretary of the Interior to take all steps necessary, advisable or incidental to affirm the right of the Navajo Tribe to said 50,000 acre-feet of water from the Upper Colorado River Basin pursuant to the aforementioned Upper Colorado River Basin Compact and authorize the use of 40,000 acre-feet thereof for the purposes of (1) cooling two generators of approximately 750 to 1000 kw. each of a power plant to be located on the Navajo Reservation as aforesaid to be fueled by coal from deposits on the Navajo Reservation, and (2) for the purpose of transporting Black Mesa coal by slurry pipeline to the Southern California Edison plant located at Fort Mohave in the State of Nevada in the event that underground water from the Navajo Reservation, the use of which has been heretofore authorized by this Council for said slurry pipeline for any reason proves inadequate for that purpose.

2. The Navajo Tribal Council hereby authorizes the officers of the Tribe and the Legal Department to negotiate an agreement or agreements with Peabody Coal Company and whatever power company or companies are secured by Peabody Coal Company as purchasers of said coal for the building of a power plant on the Reservation in the vicinity of Antelope Creek and use of said 40,000 acre-feet of water as aforesaid, subject to selection and approval of sites and rights-of-way by the Division of Land Investigation in negotiation with said company and said power company or companies, and subject to the approval thereof by the Advisory Committee of the Navajo Tribe.

3. Copies of this resolution be made available to the Bureau of Indian Affairs and the Secretary of the Interior and to all other interested parties, and that the officials of this Tribe and its Legal Counsel continue to make known to the President of the United States, members of the United States Congress, and all other interested parties, the needs and rights of the Navajo Tribe to participate in any and all waters to be imported into the Colorado River system pursuant to investigation which may be instituted pursuant to H.R. 4671 and all other similar legislation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 50 in favor and 1 opposed, this 28th day of July, 1966.

/s/ _____
Chairman
Navajo Tribal Council

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Approving the Allocation of 34,100 Acre-Feet of Water From
The Upper Colorado River Basin and Promising to Limit the
Navajo Tribe's Claim for Water from the Upper Colorado
River Basin to 50,000 Acre-Feet Per Year

WHEREAS:

1. The Navajo Tribe, by Resolution CJY-95-66, supported the construction of a large coal-fuel power plant on the Navajo Reservation near Page, Arizona, and
2. By Resolution CJY-95-66, the Navajo Tribe requested that the Secretary of the Interior take all necessary steps, advisable and incidental, to affirm the right of the Navajo Tribe to 50,000 acre-feet of water allocated to the State of Arizona under the Upper Colorado River Basin Compact, and
3. Resolution CJY-95-66 supported the proposal that a portion of the 50,000 acre-feet of water, allocated by the Upper Colorado River Basin Compact, be used for a power plant located on the Navajo Reservation near Page, Arizona, and
4. The Salt River Project Agricultural Improvement and Power District has proposed to locate a coal-fuel power plant on the Navajo Reservation near Page, Arizona, and to operate said power plant for at least 35 years, and
5. Because the establishment of such a coal-fuel power plant requires the investment of many million dollars, the Salt River Project Agricultural Improvement and Power District needs to be assured of sufficient water to operate said power plant in the amount of 34,100 acre-feet of water per year before making such an investment, and
6. Because the 34,100 acre-feet of water per year must come from the 50,000 acre-feet of water allocated to the State of Arizona by the terms of the Upper Colorado River Basin Compact, the Salt River Project Agricultural Improvement and Power District must be assured that the Navajo Tribe will not assert, for the lifetime of the proposed coal-fuel power plant, or for the next 50 years, or whichever occurs first, claims for water in excess of 50,000 acre-feet per year, and

7. The present water used in the Western Navajo Reservation is estimated to be 13,300 acre-feet per year, and

8. The best estimates of the Bureau of Reclamation and the Resources Division of the Navajo Tribe is that during the foreseeable future the yearly usage of water on the Navajo Reservation will never exceed 17,000 acre-feet per year, and

9. The establishment of the coal-fuel power plant on the Navajo Reservation near Page, Arizona, will provide a market for large amounts of Navajo coal from Black Mesa; and will provide a market for construction material available from the Reservation; and will provide employment opportunities for Navajos; and will provide additional source of electrical power needs for municipal, industrial and domestic developments on the Navajo Reservation, and

10. Because this proposed coal-fuel power plant on the Navajo Reservation near Page, Arizona, at the present time, appears to be the best use of the water of the Upper Colorado River Basin, it appears that approval of this resolution is in the best interest of the Navajo people.

NOW THEREFORE BE IT RESOLVED THAT:

1. In consideration of the Secretary of the Interior executing a contract between the United States and Salt River Project Agricultural Improvement and Power District, operator of the coal-fuel power plant, committing the use of approximately 34,100 acre-feet of water per year for the power plant to be located on the Navajo Reservation near Page, Arizona, the Navajo Tribe of Indians agrees that they will not make demands upon the 50,000 acre-feet of water per year allocated to the State of Arizona, pursuant to the Upper Colorado River Basin Compact, in excess of 50,000 acre-feet of water per year, of which 34,100 acre-feet of water per year shall be used by the coal-fuel power plant to be located on the Navajo Reservation near Page, Arizona.

2. In consideration of the foregoing promise, as stated in Resolved Clause 1 of this resolution, the Secretary of the Interior, his agents and officers and the Salt River Project Agricultural Improvement and Power District, and its agents, officers and assignees, make the following promises to the Navajo Tribe:

- A. The Salt River Project Agricultural Improvement and Power District promises to give job preference to all resident Navajos for any position within the

power plant or the mine from which the coal is brought for use in the coal-fuel power plant and in any and all facilities related to the production of power by the proposed coal-fuel power plant.

- B. The Salt River Project Agricultural Improvement and Power District promises, except during interruptions and curtailment of delivery, that all coal used in the coal-fuel power plant located on the Navajo Reservation near Page, Arizona, shall be purchased from the Black Mesa mines or mines located on Indian lands.
- C. The Salt River Project Agricultural Improvement and Power District promises that it shall lease lands from the Navajo Tribe and locate the coal-fuel power plant on said lands. The terms and conditions of the lease to be determined at a later date, and approved by the Advisory Committee of the Navajo Tribal Council. If such a lease is not executed within the next 12 months, this resolution may be rescinded at the election of the Navajo Tribe of Indians.
- D. The Salt River Project Agricultural Improvement and Power District shall enter into an agreement with the Navajo Tribe of Indians to provide electrical power to Navajo Tribal Utility Authority to be used on or near the Navajo Reservation. The terms and conditions of this agreement shall be approved by the Advisory Committee of the Navajo Tribal Council. If such an agreement is not reached by the time water is to be used to operate the proposed power plant, this resolution may be rescinded at the election of the Navajo Tribe of Indians.
- E. The Secretary of the Interior shall take the necessary action to assure the Navajo Tribe of Indians that if any water is imported into the Upper Colorado River Basin that the Navajo Tribe shall share proportionately in that water, and that the first 34,100 acre-feet of water imported yearly shall be assigned to the Navajo Tribe for its exclusive use and benefit.
- F. The Salt River Project Agricultural Improvement and Power District and others shall contribute to the Navajo Tribe of Indians, on or before July 1st of each year, for the purpose of developing and assisting the Navaho Community College, \$25,000.00 in money for five years, beginning July 1, 1969, for the purpose of establishing a professorial chair at the Navaho Community College.

3. It shall be understood that the Navajo Tribe's promise to limit its claim to 50,000 acre-feet of water per year shall only be for the term of the lifetime of the proposed power plant, or for 50 years, whichever shall occur first, commencing with the date of enactment of this resolution and that this promise shall not be binding on the Navajo Tribe if the first unit of the proposed coal-fuel power plant is not in operation by December 31, 1976.

4. It shall be further understood that the promise made by the Navajo Tribe, pursuant to this resolution, shall only be binding if the promises made by the Secretary of the Interior and the Salt River Project Agricultural Improvement and Power District, pursuant to this resolution, shall be kept by them.

5. The Navajo Tribe shall have the exclusive right to waive or enforce all conditions of this resolution. A waiver by the Navajo Tribe of any condition or promise made to the Navajo Tribe, pursuant to this resolution, shall not be deemed to be waiver of any future or past forfeitures.

6. If, for any reason, this resolution is terminated or expires by reason of the terms and conditions contained in this resolution, the Secretary of the Interior shall take the necessary action to have the 34,100 acre-feet of water per year, allocated to the coal-fuel power plant on the Navajo Reservation near Page, Arizona, returned to the Navajo Tribe for their exclusive use and benefit.

7. The Chairman of the Navajo Tribal Council is hereby authorized and directed to take whatever steps he deems necessary and appropriate to place this resolution into effect.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 57 in favor and 3 opposed, this 11th day of December, 1968.

/s/ Nelsom Damon
Vice Chairman
Navajo Tribal Council

RESOLUTION OF THE
NAVAJO TRIBAL COUNCIL

Approving the Use of 3,000 Acre-Feet of Water from
the 50,000 Acre-Feet of Water Per Year Allocated to
the State of Arizona Under Article III(a) of the
Upper Colorado River Basin Compact to be Used for
Recreation and by the City of Page, Arizona

WHEREAS:

1. The Navajo Tribe, by Resolution CO-108-68, approved the use of 34,100 acre-feet of water from the 50,000 acre-feet of water per year allocated to the State of Arizona under Article III(a) of the Upper Colorado River Basin Compact in a coal fuel power plant to be located on the Reservation, and

2. It was the intent and understanding of CO-108-68 to preserve all present or prospective water rights of the Navajo Tribe, and

3. Said action was taken by the Tribe in consideration of the Secretary of the Interior executing a contract between the United States and the Salt River Project Agricultural Improvement and Power District, and

4. A bill has been submitted to the United States Congress, providing for the transfer to the Navajo Tribe of the following lands:

"That portion of Sections 8, 9, 16, 17 and 21,
T. 41 N., R. 9 E., Gila and Salt River Meridian,
Arizona, located above elevation 3,720 feet above
mean sea level (U.S. Coast Geodetic Coast Survey
Datum) and lying southerly and easterly of the
Colorado River, containing approximately 750 acres,
more or less, and more particularly described on
maps and plats on file in the Department of Interior,"
and

5. The bill referred to stipulates that the transfer of title of the lands described in Paragraph 3 above shall not be made until the Navajo Tribe makes a commitment by a formal resolution of its governing body, and

6. The Navajo Tribe is desirous of receiving said transfer and is willing to make the commitment herein contained, provided, the conditions specified in the Tribe's Resolution CO-108-68 are met.

NOW THEREFORE BE IT RESOLVED THAT:

1. In consideration for the transfer of title to the lands described in Whereas Paragraph 3 above, the Tribe agrees that of the 50,000 acre-feet per year allocated to the State of Arizona, pursuant to Article III(a) of the Upper Colorado River Basin Compact, 34,100 acre-feet shall be used for a coal-fired power plant to be located on the Navajo Reservation for the life time of the proposed power plant or for 50 years, whichever occurs first, and an estimated 3,000 acre-feet per year that may be used for the Glen Canyon Unit of the Colorado River Storage Project along with its associated community and recreation developments in Arizona.

2. The terms of Resolved Paragraph 1 and the terms of Resolution CO-108-68 constitute an agreement of the Navajo Tribe with regard to the 50,000 acre-feet of water per year and does not constitute a waiver or relinquishment of the present or prospective water rights of the Navajo Tribe and that resolution is hereby amended by adding this paragraph to the same as a part thereof.

3. The terms of this resolution shall not become effective until such time as the terms and conditions of Resolution CO-108-68 has been fully complied with, and the bill referred to has been duly enacted by the House and the Senate of the United States Congress, and signed into law by the President of the United States.

4. The active support of the Salt River Project for the development of the south shore of Lake Powell is hereby requested and enlisted.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 46 in favor and 0 opposed, this 3rd day of June, 1969.

/s/ Nelson Damon
Vice Chairman
Navajo Tribal Council

Senator BIBLE. The improvement to be made to municipal facilities, sewer, water systems, and so forth, how many would be made regardless of the incorporation of Page and how would they be paid for?

Commissioner STAMM. I think a substantial number of them would be made regardless of the incorporation of Page. We are making many of these types of improvements now and they are paid for out of the basin fund.

Senator BIBLE. Is that the upper basin account?

Commissioner STAMM. Yes, sir.

Senator BIBLE. What level of expenditures are we talking about?

Commissioner STAMM. We are making water line repairs that are now necessary. That work carries a price of about \$90,000 in our proposal.

We are seal coating the streets, and painting the interior lining of the water reservoirs, at a cost of about \$50,000. Seal coating the streets will cost about \$150,000. We are also proposing that we improve streets and install curbs, gutters, and sidewalks in certain areas. That work comes to a figure of about \$325,000. All of the proposed work items together with the transfer of the operating hospital fund, comes to about \$1,070,000 in total.

We have been doing this at the rate of about \$300,000 a year.

Senator BIBLE. Thank you, Mr. Commissioner. I have no further questions.

Senator Fannin.

Senator FANNIN. Thank you, Mr. Chairman. I did have a question which I did want to ask.

If we can get a bill through here that meets the requirements the Commissioner has stated, do you feel they will go forward with it over in the House?

Senator BIBLE. Independent of the heterogeneous omnibus bill?

Senator FANNIN. Right. I don't think they need a Christmas tree to get it through.

Senator BIBLE. Thank you.

Our next witness is Ival Goslin, executive director of the Upper Colorado River Commission, Salt Lake City.

STATEMENT OF IVAL GOSLIN, EXECUTIVE DIRECTOR, UPPER COLORADO RIVER COMMISSION, SALT LAKE CITY, UTAH

Mr. GOSLIN. Mr. Chairman, may I have Mr. Berthelson, from the Upper Colorado River Commission, with me? He also has a short statement.

Senator BIBLE. Very well. We are very happy to have you with us, Mr. Berthelson.

Mr. GOSLIN. My name is Ival Goslin. I am executive director of the Upper Colorado River Commission which has its principal office in Salt Lake City, Utah.

The Commission was created by the Upper Colorado River Basin Compact of 1948. It has as its five members, one appointed by the President of the United States, and one appointed by the Governor of each of the four Upper Division States of the Colorado River Basin, Colorado, New Mexico, Utah, and Wyoming.

I would like to make a couple of comments in addition to my statement. We in the Upper Basin concur wholeheartedly with Senator Moss and Senator Fannin that Page is a very delightful community, and although it is not in one of our member states, I am very proud of it.

We feel we have had something to do with its creation and we want to see this turned over to the citizens there in as good shape as possible.

The second comment I would like to make, we are highly in favor of having this legislation passed as soon as possible. We would like to see the Senate go ahead and pass its bill and not pay too much to attention to the heterogeneous arrangement they have over in the House.

Senator BIBLE. We will make the judgment on that.

Mr. GOSLIN. I know you will.

On behalf of these four member States, the Upper Colorado River Commission has a justifiable interest in the bills before this subcommittee today to facilitate the incorporation of the reclamation townsite of Page, Ariz., Glen Canyon unit, Colorado River storage project, as a municipality under the laws of the State of Arizona, and for other purposes.

This interest is centered primarily upon two paramount and basic facets of the proposed legislation.

These are: (a) the amount of water to be assigned to the community of Page upon it becoming a municipality; and (b) the continued use of the Upper Colorado River Basin Fund for defraying operation, maintenance, replacement and administration expenses of the community after it has become incorporated as a municipality.

Attached to this statement are two resolutions pertaining to the incorporation of Page, Ariz., approved by the Upper Colorado River Commission on March 20, 1972, and September 17, 1973.

These resolutions express the views of the four Upper Division States on this problem. You will note that our Commission has urged the Secretary of the Interior to continue to aid and encourage the citizens of Page to incorporate their community in order that they may assume responsibility for its administration and operation independent of the Upper Colorado River Basin Fund.

According to the testimony of J. R. H. Gnau, chief, Glen Canyon Field Division, USBR, at field hearing on this legislation held at Page, Ariz., on October 20, 1973, the population of Page exceeds 9,000 people, which will drop to 4,000 to 5,000 in 1976, after the Navaho power plant construction is completed.

Mr. Gnau also stated that, after that time, growth will be gradual, although there is a possibility that the development of the resources in the area surrounding Page could cause the population to increase more rapidly.

At even the minimum figure quoted, and especially after the Federal Government has extracted from the Upper Colorado River Basin Fund the millions of dollars it has invested in Page since the Glen Canyon Dam was completed for operation, maintenance, replacement, expansion of municipal facilities, and administration, the community should long ago have become self-supporting.

Other communities with populations of only a fraction of that of Page, and without subsidy of the type given Page, have had the will and ingenuity to successfully stand upon their own two feet.

I am appearing here today in support of S. 1261 by Senator Moss. This statement also covers a couple of items in S. 767 by Senator Fannin.

First, let us look at the two items that are of primary concern to the Upper Colorado River Commission and its member Upper Division States.

These are the amount of water to be earmarked for use by Page, and the continued use of the Upper Colorado River Basin Fund to finance capital improvements, operations, and administration of a town in another State not entitled to participate in the use of the Upper Colorado River Basin fund under the law.

Section five of the Colorado River Storage Project Act [70 Stat. 108] apportions to specific purposes all revenues accruing to the upper basin fund.

Operation, maintenance, replacements, expansions, and additions of capital facilities and administration of a city of 9,000 people in not one of those purposes under the law.

S. 1261 would reserve from Arizona's Upper Colorado Basin Compact allotment for the Glen Canyon storage unit, the consumptive use of not to exceed 3,000 acre-feet of water per year from Lake Powell.

Not to exceed 2,740 acre-feet of the 3,000 would be assigned to the municipality of Page. This figure is based upon consumptive use studies performed by the Bureau of Reclamation. It is also "consistent with Navajo Tribal Council Resolution numbered CJN-50-69, dated June 30, 1969," in which the Tribe agreed that, of the 50,000 acre-feet of consumptive use of water per year allocated to the State of Arizona pursuant to article III (a) of the Upper Colorado River Basin Compact, an estimated 3,000 acre-feet per year may be used for the Glen Canyon unit of the Colorado River storage project, along with its associated community and recreation developments in Arizona.

In the light of these studies and this agreement, 2,740 acre-feet is the maximum amount of water available for consumptive use by Page.

The Upper Colorado River Commission is unalterably opposed to the inclusion in the legislation of any greater amount.

Except as provided in S. 1261, the diversion of revenues from the Upper Colorado River Basin fund to defray costs of administration and operation of Page, Ariz., must be terminated as soon as possible.

The upper basin fund was created by the Colorado River Storage Project Act of 1956 [70 Stat. 108], for the specific purpose of establishing procedures for financing the construction, operation, maintenance and replacement of facilities of the Colorado River storage project and participating projects for the benefit of the four Upper Division States. All revenue in the basin fund in excess of amounts needed to defray costs under requirements of the law are apportioned on a percentage basis to the States of Colorado, 46 per-

cent; New Mexico, 17 percent; Utah, 21½ percent, and Wyoming 15½ percent for the purpose of returning to the Federal Government within 50 years the costs of participating water use projects within those States that are beyond the capability of repayment by the water users.

Therefore, all funds are apportioned by existing law for specific purposes of meeting legal repayment requirements.

Subsections (a), (b), (c), (d), and (e) of section 5 of the Colorado River Storage Project Act [70 Stat. 108] states:

(a) There is hereby authorized a separate fund in the Treasury of the United States to be known as the Upper Colorado River Basin Fund (hereinafter referred to as the Basin Fund), which shall remain available until expended, as hereinafter provided, for carrying out provisions of this Act other than Section Eight.

(b) All appropriations made for the purpose of carrying out the provisions of this Act, other than Section eight, shall be credited to the Basin Fund as advances from the General Fund of the Treasury.

(c) All revenues collected in connection with the operation of the Colorado River Storage Project and participating projects shall be credited to the Basin Fund, and shall be available, without further appropriation, for (1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the Colorado River storage project and participating projects, within such separate limitations as may be included in annual appropriation acts: Provided, that with respect to each participating project, such costs shall be paid from revenues received from each such project; (2) payment as required by subsection (d) of this section; and (3) payment as required by subsection (e) of this section. Revenues credited to the Basin Fund shall not be available for appropriation for construction of the units and participating projects authorized by or pursuant to this Act.

(d) Revenues in the Basin Fund in excess of operating needs shall be paid annually to the General Fund of the Treasury to return—

(1) the costs of each unit, participating project, or any separable feature thereof which are allocated to power pursuant to section six of this Act, within a period not exceeding fifty years from the date of completion of such unit, participating project, or separable feature thereof;

(2) the cost of each unit, participating project, or any separable feature thereof which are allocated to municipal water supply pursuant to section six of this Act, within a period not exceeding fifty years from the date of completion of such unit, participating project, or separable feature thereof;

(3) interest on the unamortized balance of the investment (including interest during construction) in the power and municipal water supply features of each unit, participating project, or any separable feature thereof, at a rate determined by the Secretary of the Treasury as provided in subsection (f) and interest due shall be a first charge; and

(4) the costs of each storage unit which are allocated to irrigation pursuant to section six of this Act within a period not exceeding 50 years.

(e) Revenues in the Basin Fund in excess of the amounts needed to meet the requirements of clause (1) of subsection (c) of this section and to return to the general fund of the Treasury the costs set out in subsection (d) of this section, shall be apportioned among the states of the Upper Division in the following percentages: Colorado, 46 per centum; Utah, 21.5 per centum; Wyoming, 15.5 per centum; and New Mexico, 17 per centum: Provided, that prior to the application of such percentages, all revenues remaining in the Basin Fund from each participating project (or part thereof), herein or hereinafter authorized, after payments, where applicable with respect to such projects, to the general fund of the Treasury under subparagraphs (1), (2), and (3) of subsection (d) of this section shall be apportioned to the State in which such participating project, or part thereof is located.

Revenues so apportioned to each State shall be used only for the repayment of construction costs of participating projects or parts of such projects in the state to which such revenues are apportioned and shall not be used for such purpose in any other state without the consent, as expressed through its legally constituted authority, of the State to which such revenues are apportioned.

Subject to such requirement, there shall be paid annually into the general fund of the Treasury from the revenues apportioned to each State (1) the costs of each participating project herein authorized (except Paonia) or any separable feature thereof, which are allocated to irrigation pursuant to section 6 of this act, within a period not exceeding 50 years, in addition to any development period authorized by law, from the date of completion of such participating project or separable feature thereof, or, in the case of the Indian lands, payment in accordance with section four of this Act; (2) costs of the Paonia project, which are beyond the ability of the water users to repay, within a period prescribed in the Act of June 25, 1947 [61 Stat. 181]; and (3) costs in connection with the irrigation features of the Eden project as specified in the act of June 28, 1949 [63 Stat. 277].

Section 5 of the CRSP Act should not be indirectly amended by the legislation before the subcommittee today to include any further financing of a community in another State, except as provided in S. 1261 relating to legitimate costs directly related to operation of the Glen Canyon Storage Unit.

Glen Canyon Dam was completed in 1963. Construction of appurtenant facilities could probably be construed as completed about 3 or 4 years later, although I am not sure of the date the dam entered its official operation and maintenance phase.

Prior to fiscal year 1960, costs involved in operating the municipal-type facilities were treated as construction camp costs and charged to the overall costs of the dam. It was proper to continue to charge this type of cost to the basin fund until the dam and major appurtenant facilities were completed.

Some time in the 1960's the Bureau of Reclamation started charging the costs of operating and administering Page to its operation and maintenance account for the Glen Canyon Storage Unit. The Bureau has continued this procedure in spite of the fact that the population of Page dropped to 1,280 upon completion of Glen Canyon Dam, and then increased to over 9,000 people due to the construction of the unrelated Navajo Powerplant and the influx of retirees.

The Bureau of Reclamation in its report on the pending legislation points out that it is generally consistent with precedents established by the Coulee Dam Community Act—71 Stat. 574—and the Boulder City Act—72 Stat. 1728—which enabled Coulee Dam, Washington and Boulder City, Nev., to become incorporated. This may be generally true, but there is one fundamental difference. The laws authorized Grand Coulee Dam and Hoover Dam did not incorporate the creation and use of a basin fund, all the revenues of which are earmarked for specific purposes described in the law itself.

For several years since the construction of Glen Canyon Dam, the Secretary of the Interior has continued financing municipal operations and capital improvements of Page, Ariz., by using money from the upper basin fund.

Almost every type of activity is still being subsidized—city administration, police force, municipal buildings, streets, parks, playgrounds, water system, sewer system, garbage disposal, et cetera.

For fiscal year 1971, the operation and maintenance expense for the town of Page was \$682,000. The income, including payments of service fees by citizens, amounted to \$173,000, leaving \$509,000 subsidized by the upper basin fund.

For fiscal 1972 the cost of operation and maintenance and capital improvements and expansion for the increasing population of Page was \$1,005,024, not counting depreciation.

The income, including payment of service fees by citizens, amounted to \$197,839, leaving \$807,185 subsidized by the upper basin fund. Net costs of operating the community to the basin fund on June 30, 1972, amounted to \$4.5 million in rounded figures.

Depreciation brought the figure to \$6.9 million. Of the net cost of \$4.5 million, \$4.1 million have been incurred since 1960. Net annual operating costs to the fund have ranged from \$150,000 in 1960 to \$509,000 in 1971.

For fiscal years 1964 through 1972, since the completion of Glen Canyon Dam, \$898,000 have been spent on capital improvements for expansion and new additions. Of this sum, \$460,000 were spent in fiscal 1972, showing the effects of population growth due to the construction of the Page powerplant, the influx of retirees, and perhaps the inclination to charge the cost of as many new additions as possible to the upper basin fund before the community is incorporated.

Page, Ariz., is no longer one of the "facilities of the Colorado River storage project" but is instead predominately a community devoted to commercial businesses and other enterprises independent of the storage project.

The use of revenues of the Upper Colorado River Basin Fund for subsidizing Page could effectively be used for participating water use projects and other programs in the upper division States as intended.

For instance, this money under legislative authority could be spent in planning and executing a salinity program, perhaps a part of a cost-sharing concept between the States and the Federal Government. This concept has already been included in S. 2940—which perhaps will come to a vote on the Senate Floor today, the Colorado River Basin Salinity Control bill pending before the Congress, and in which a provision had to be included for increasing power rates in order to provide sufficient and timely funding for that program.

Section 3(b) of S. 767 would transfer to Page without cost all right, title, and interest of the United States in and to any real and personal property within the municipal boundaries when the property becomes no longer needed by the United States. We do not believe that this type of an open-end operation for the transfer of U.S. property should be included in the legislation.

Section 8(c) of S. 767 would authorize an appropriation from the Upper Colorado River Basin Fund to be transferred to the municipality for the acquisition of electric distribution facilities in Page, Ariz., should the city elect to exercise the contract option of purchase.

This subsection also provides that the municipality would repay the upper basin fund in 20-equal-annual installments, plus interest "at the lowest available simple interest rate".

We strongly protect the use of the Upper Colorado River Basin Fund for this purpose. If money is available elsewhere at the lowest simple interest rate, the money should be borrowed from that source.

To remove money from the upper basin fund for purposes for which it was not intended jeopardizes repayment of the costs of facilities of the Colorado River storage project and participating projects and increases the amount of interest paid from the upper basin fund on interest-bearing obligations of the Colorado River storage project as a result of deferring payment of capital costs.

This is not good business.

It also places an obligation on the upper basin fund that was never intended. Section 8(c) of S. 767 should be omitted from the legislation or rewritten to preclude the use of the Upper Colorado River Basin Fund.

Certainly the entire community of Page is no longer necessary for the operation of Glen Canyon Dam. If the town were not there, operational activities would be carried out from some other base, as they are at many other dams, and at costs that would not include the operation of the city.

In fact, the Secretary of the Interior in his letter of March 15, 1974, on the pending House bills said :

Furthermore, Bureau of Reclamation activities will for all practical purposes be removed from the municipal area and conducted from the Glen Canyon Dam Headquarters.

A study by specialists in municipal affairs shows that the population of Page is well above the level where prospective revenues to an incorporated community are sufficient to meet projected expenses.

It is fortunate that the Page community has had the advantage in the past of subsidy from the Upper Colorado River Basin Fund. We now feel that it is time that the expense of operating the city be assumed by the citizens of that community and that such expenses be divorced completely from the Upper Colorado River Basin Fund, except as provided in S. 1261.

Mr. Chairman, thanks to you and your committee for providing the opportunity to present this statement.

Senator BIBLE. We are happy to have you here and the resolutions attached to your statement will be incorporated in full in the record.

[The resolutions referred to above follow:]

Resolution
by
Upper Colorado River Commission
re:

Subsidy of Page, Arizona by Upper Colorado River Basin Fund

WHEREAS, for several years since the construction of Glen Canyon Dam the Secretary of the Interior has continued financing municipal operations of the town of Page, Arizona by using money from the Upper Colorado River Basin Fund; and

WHEREAS, the use of revenues of the Upper Colorado River Basin Fund for subsidizing municipal operations after construction of the storage unit was never intended under section 5 of the Colorado River Storage Project Act of 1956; and

WHEREAS, thorough study by qualified specialists in municipal affairs shows that the population of Page has grown to the level where prospective revenues to an incorporated community are sufficient to meet projected expenses; and

WHEREAS, the town of Page, Arizona is no longer one of the "facilities of the Colorado River Storage Project," but is, instead, predominantly a community of citizens devoted to commercial businesses and other enterprises independent of the Storage Project; and

WHEREAS, the Upper Colorado River Basin Fund has already provided several million dollars since the completion of Glen Canyon Dam for administration, operation, maintenance, replacement and expansion of municipal facilities and for capital improvements of Page, Arizona and is continuing to provide several hundred thousand dollars per year for these purposes; and

WHEREAS, it is the desire of the Secretary of the Interior to avoid such use of basin fund revenues by transferring the Page townsite and other federally-owned municipal facilities, together with the responsibilities for self-government and operation of the community, to the citizens of an incorporated city, or, as alternative, by further increases in service and other charges sufficient to cover expenditures; and

WHEREAS, the diversion of revenues from the Upper Colorado River Basin Fund for the purpose of defraying costs of administration and operation of Page, Arizona must be terminated as soon as possible:

NOW, THEREFORE, BE IT RESOLVED by the Upper Colorado River Commission convened in regular session at Cheyenne, Wyoming on March 20, 1972 that the Secretary of the Interior is hereby urged to continue to aid and encourage the citizens of Page, Arizona to incorporate their community in order that they may assume responsibility for its administration and operation independent of the Upper Colorado River Basin Fund;

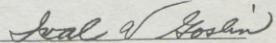
BE IT FURTHER RESOLVED that in the event legislation authorizing the transfer of the townsite and other federally-owned assets to the citizens of Page has not been enacted by the Congress and the city has not been incorporated by December 31, 1972, the Secretary of the Interior, commencing January 1, 1973, shall immediately institute further increases in service and other charges so that the use of revenues from the Upper Colorado River Basin Fund for the administration and operation of municipal facilities or functions in Page, Arizona, except for those directly necessary for the operation of Glen Canyon Dam, power-plant and appurtenant facilities, will cease as soon as possible;

BE IT FURTHER RESOLVED that the staff of the Upper Colorado River Commission is hereby authorized and directed to cooperate with officials of the Department of the Interior and Members of the Congress in seeking the enactment of appropriate legislation to authorize the transfer of land and other municipal assets to the citizens of the community or to take other steps necessary to attain the objectives of this resolution, to keep the members of the Commission informed of events related hereto, and to transmit a copy of this resolution to the Secretary of the Interior and other interested parties.

CERTIFICATE

I, IVAL V. GOSLIN, Executive Director of the Upper Colorado River Commission, do hereby certify that the above Resolution was adopted by the Upper Colorado River Commission at a Regular Meeting held in Cheyenne, Wyoming on March 20, 1972.

WITNESS my hand this 21st day of March, 1972.



Ival V. Goslin
Executive Director

Resolution
by
Upper Colorado River Commission
re:

Proposed Legislation to Facilitate the
Incorporation of Page, Arizona

WHEREAS, since the construction of Glen Canyon Dam the Secretary of the Interior has continued financing municipal operations of the community of Page, Arizona by using money from the Upper Colorado River Basin Fund; and

WHEREAS, the use of revenues of the Upper Colorado River Basin Fund for subsidizing municipal operations after construction of the Glen Canyon Storage unit was never intended under the Colorado River Storage Project Act of 1956; and

WHEREAS, since 1960 the net cost to the Upper Colorado River Basin Fund, excluding depreciation, of subsidizing municipal operations of Page has amounted to about \$4.4 million for administration, operation, maintenance, replacement and expansion of municipal facilities and for capital improvements, with about \$308,000 being diverted from the Basin Fund in fiscal year 1973; and

WHEREAS, the town of Page, Arizona has now attained a population of about 8300 persons and is no longer one of the "facilities of the Colorado River Storage Project," but is, instead, predominately a community of commercial businesses and other enterprises independent of the Storage Project; and

WHEREAS, the Arizona legislature in 1973 enacted a law making it possible for elections on petitions for incorporation of municipalities to be held at any time instead of restricting voting to a period following general elections; and

WHEREAS, the diversion of revenues from the Upper Colorado River Basin Fund to defray costs of administration and operation of Page, Arizona must be terminated as soon as possible; and

WHEREAS, H. R. 1194, H. R. 9936, S. 767, and S. 1261, Bills to facilitate the incorporation of the reclamation townsite of Page, Arizona, Glen Canyon Unit, Colorado River storage project, as a municipality under the laws of the State of Arizona are pending in the U.S. Congress without reports thereon by the Department of the Interior;

NOW, THEREFORE, BE IT RESOLVED by the Upper Colorado River Commission convened in annual session at Denver, Colorado on September 17, 1973 that the Secretary of the Interior and Director of the Office of Management and Budget are hereby urged to transmit draft legislation and reports on the above Bills to the chairmen of the House and Senate Committees on Interior and Insular Affairs as expeditiously as possible;

BE IT FURTHER RESOLVED that the chairmen of the House and Senate Committees on Interior and Insular Affairs are hereby urged to schedule hearings as soon as possible on said pending Bills whether or not reports on them are received from the Director of the Office of Management and Budget and the Secretary of the Interior;

BE IT FURTHER RESOLVED that in the event the community of Page, Arizona has not become self-supporting either under the terms of legislation enacted by the Congress or by its own initiative by July 1, 1974, the Secretary as of that date shall institute increases in service and other charges so that the use of revenues from the Upper Colorado River Basin Fund for the administration and operation of municipal facilities or functions in Page, Arizona, except for those directly necessary for the operation of Glen Canyon Dam, powerplant and appurtenant facilities, shall cease;

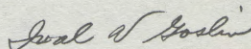
BE IT FURTHER RESOLVED that if by July 1, 1974 subsidizing by the Upper Colorado River Basin Fund of the costs of administration and operation of municipal facilities or functions in Page, Arizona, except for those directly necessary for the operation of Glen Canyon Dam, powerplant, and appurtenant facilities has not ceased, the staff and Legal Committee of the Upper Colorado River Commission are hereby directed to explore possibilities of placing the matter before the courts and to recommend a course of action at the earliest practicable time;

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the Director of the Office of Management and Budget, Secretary of the Interior, Chairmen of the House and Senate Committees on Interior and Insular Affairs, members of the Congressional delegations of the four Upper Division States, and to other interested entities.

CERTIFICATE

I, IVAL V. GOSLIN, Executive Director of the Upper Colorado River Commission, do hereby certify that the above Resolution was adopted by the Upper Colorado River Commission at an Annual Meeting held in Denver, Colorado on September 17, 1973.

Witness my hand this 19th day of September, 1973.



Ival V. Goslin
Executive Director

Senator BIBLE. Mr. Berthelson.

**STATEMENT OF H. G. BERTHELSON, COMMISSIONER, UPPER
COLORADO RIVER COMMISSION**

Commissioner BERTHELSON. I am H. G. Berthelson, commissioner for the Upper Colorado River Commission representing the State of Colorado. The two bills being considered by this committee would permit the incorporation of the reclamation townsite of Page, Ariz., as a municipality under the laws of the State of Arizona. While the two bills would accomplish the same purpose, they differ materially in the manner through which this incorporation would be accomplished. The State of Colorado supports the enactment of legislation which would permit the incorporation of Page. While we support the general objective of S. 767, we are opposed to both the water allocation and the financial procedures provided for in that bill.

At the outset, the construction and operation of the community of Page was a proper charge against the Upper Colorado River Basin fund created by the Colorado River Storage Project Act of 1956. However, major construction activity on the Glen Canyon Dam was terminated some years ago. The only construction activity now being carried on in the area is for the benefit of the State of Arizona as a result of the authorization of the central Arizona project. It most certainly was never contemplated that the Upper Colorado River Basin fund would subsidize either the construction of the central Arizona project or the continued operation of the community of Page as a normal community. There is nothing, even by implication, in the provisions of the Colorado River Storage Project Act which authorizes the continued subsidy of a private community.

Section 4 of S. 767 provides for the assignment of not to exceed 5,740 acre-feet of water annually to the community of Page. This provision constitutes a serious breach of faith with both the upper basin States and the Navajo Indian tribe. Both the upper basin States and the Navajo tribe have previously acquiesced in the annual consumptive use of 2,740 acre-feet of water by the Page community under certain conditions. While it is of no concern to the upper basin States as to how Arizona allocates its 50,000 acre-feet of water apportioned by the Upper Colorado River Basin Compact, it is of specific and direct concern to our States to see that this allocation is not exceeded.

In its report to the Congress on the pending legislation, the Department of Interior has indicated that 2,740 acre-feet of water annually be sufficient to provide water for a total population of 10,000 people. It is believed that the population of Page, Ariz., will level off at substantially something less than that figure after construction activities at the Navajo powerplant are terminated. The Department report also indicates that the Navajo tribe has agreed to an allocation of 2,740 acre-feet annually to the Page community. I cannot speak for that tribe, but I can certainly state that the State of Colorado will oppose a figure higher than 2,740 acre-feet.

We also strongly object to the provisions of section 8 of S. 767. Section 8(a) provides that after incorporation the Secretary is authorized to pay annually to the municipality a sum equal to 150 percent of the taxes that otherwise would be paid on property retained by the United States if said property were in private ownership. This payment is to be made from the Upper Colorado River Basin fund. This is an attempt to avoid the constitutional prohibition of State taxation of Federal property. If such a special provision is to be made for Page, Ariz., then we see no reason why similar payments in lieu of taxes should not be made to the State of Colorado or any other State for Federal property located within their boundaries.

Of particular concern to us is the fact that these payments would be made from the Upper Colorado River Basin fund. Such payments would be in direct violation of the intent and purposes of the Colorado River Storage Project Act. This identical provision is found in section 8(a) of S. 1261. To the extent of its inclusion in that bill, the State of Colorado objects to that bill also.

Section 8(c) of S. 767 proposes to make the Upper Colorado River Basin fund a private loan fund for the Page municipality. We are shocked by this proposal. Again, we believe it clearly violates the expressed purpose and intent of the act creating the Upper Colorado River Basin fund. This provision is not contained in S. 1261. If the Upper Colorado River Basin fund is available for use by municipalities, it would seem more appropriate that it be made available for the use for those municipalities in the upper basin States.

The State of Colorado and the other upper basin States have been most patient in subsidizing the community of Page at the expense of water resource development in our own States. We are willing to make every reasonable concession to effect an orderly transition of a Government-owned community to a community incorporated under the laws of the State of Arizona. However, Page is no longer an infant and we believe that the weaning process should be completed as rapidly as possible. S. 767 would only prolong this weaning indefinitely.

We are specifically opposed to those provisions of the bill already enumerated. With the exception of section 8(a) of S. 1261, we urge the adoption of that bill so that Page, Ariz., can be placed on an equal footing with other Western communities. On behalf of the people of the State of Colorado. I wish to express my appreciation for the opportunity to present our views on this important legislation before this Committee today.

Senator BIBLE. We are happy to have you here, as we are for you, Mr. Goslin. I will defer to Senator Fannin for the reasons I have indicated before.

Senator FANNIN. Thank you, Mr. Chairman. I appreciate the leadership you have been giving with the upper basin States. I don't think we are in too much disagreement. I think we can agree that we do have some areas of dispute.

I would think, Mr. Goslin, when you say Page, Ariz., it is no longer one of the facilities of the Colorado River storage project

but instead is predominantly a community devoted to commercial businesses and other enterprises independent of the storage project.

This has been a very unusual circumstance as far as the operation at Page, Ariz., and I think both of these gentlemen will agree. We have had a drop in population to a very low figure. We have had an increase in population. So the unusual circumstances surrounding Page does merit special consideration. Do you agree with that?

Mr. GOSLIN. Yes, sir, we do agree. The slight disagreement we may have is in the manner in which it is done. We would like to get the community out of the upper basin fund as a matter of principle.

I might suggest the Lower Colorado River basin, of Public Law 95-37, authorizing the central Arizona project, might be an appropriate vehicle.

Arizona is actually a lower division State as you know, Senator, rather than an upper division State.

Senator FANNIN. Predominantly so, yes.

Mr. GOSLIN. The part of Arizona, in which Page is located, of course, is in the upper basin. But Arizona is not a member of the upper river association or an Upper Colorado River State.

Senator FANNIN. I realize that. But Page is still tied in with the upper basin States, anyway you look at it. The dam is there. The power development is there. And when we talk about the new development of power at Page, and the powerplant there, it is all tied together, regardless of whether we are an interchange or exchange or whatever.

So I think we must take into consideration some circumstances surrounding decisions that are very different than normally under consideration. So I do understand your arguments.

As I say, I am not in agreement with some of the stipulations you have expressed, but I am sure we can come up with a bill that will be fair and equitable. It may not meet all of your desires, perhaps it won't meet all of ours either. But I do think we are stretching it to say that Page does not have a definite position in relationship to the other basin States in the Colorado River storage project.

But I appreciate the testimony you have given this morning.

Mr. GOSLIN. Thank you very much, Senator.

Senator BIBLE. I agree with you, Senator Fannin. It just so happens I have lived a lifetime on that Colorado River, ever since Nellie Bush took a ferryboat out there and told the Government to get the hell out of there. She almost succeeded. She might have been right. It is very interesting historically that the first application for the building of Boulder Dam, at Boulder Canyon, not Black Canyon, was filed by Henry C. Smith, later the comptroller of our State.

He had a private permit to build a dam and he could not interest U.S. capital in financing it. So he had to go to France to get capital, and this is historically sound and well-documented, he had to go to France to get it. Then World War I broke around us, and but for World War I it may have been the Henry C. Smith Dam. It would

have been a private dam and it would have been a pretty good investment as it turned out. He would have made himself some dollars. He had proposed a low dam, not a high dam.

Those are historical facts that take me back memory lane on the Colorado River. I have always marveled at this great river and the progress we have made, slow though it was. I have sat in on many conferences with confrontation in every sense of the word, between the great State of Arizona and the equally powerful State of California. Little old Nevada didn't have much stake in it. We were in the middle then, but we came out in a reasonably good position.

We have come a long ways, and I hope we can get this worked out. I am impressed with the fact though, Mr. Goslin, if I am correctly advised, that approximately 75 percent of the Glen Canyon power is used in the upper basin.

Isn't that true?

Mr. GOSLIN. I am not sure of the figure.

Senator BIBLE. Dan Dreyfus of the staff, who is second only to Gil Stamm, is one of the experts in power, and tells me that is correct, approximately, give or take.

So the upper basin states take some power up there and use it in their great cities in Utah. I don't know how far it is carried.

But we are people of good will and I am sure by sitting down and reasoning together, we can get this worked out.

Do we have other witnesses?

Mr. GOSLIN. I am sure that is correct. I would like to say one thing for the benefit of Senator Fannin, Mr. Chairman. We think so much of Page, Ariz., we are having a meeting of the Upper Colorado River Commission in Page this coming Friday, and of course, you are both invited.

Senator BIBLE. I think one thing else can be said of you, you said you think so much of Arizona, that you named that fine recreation area there, the visitors center, the Carl Hayden Visitors Center. Carl Hayden wasn't from Utah, he came from Arizona.

Senator FANNIN. I understand that.

[Laughter.]

Mr. GOSLIN. I think Carl Hayden came from the whole United States.

Senator BIBLE. I stand corrected. I can't fault that. With that fine sentiment of cordiality and togetherness, the hearing on this bill will recess.

[Subsequent to the hearing the following information was received:]

STATE OF NEW MEXICO,
OFFICE OF THE GOVERNOR,
Santa Fe, June 7, 1974.

HON. FRANK CHURCH,

Chairman, Subcommittee on Water and Power Resources, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR CHURCH: I am advised that two bills, S. 1261 (Moss, Bennett, Hansen and McGee) and S. 767 (Fannin and Goldwater), to facilitate the orderly transfer of the community of Page, Arizona from a federal facility during the construction of Glen Canyon Dam to a self-sustained, self-governed municipality, are currently before your Subcommittee on Water & Power Resources. This letter is written to set forth the position of New Mexico regard-

ing this legislation. The State is concerned with two important provisions which are at variance in the two bills. The legislation adopted should make it completely clear that any water supply allocated to Page for municipal purposes shall be within the 50,000 acre-feet allotted to Arizona under the Upper Colorado River Compact. It also should be consistent with Navajo Tribal Council Resolution numbered CJN-50-69, dated June 30, 1969.

Second, the legislation should provide that payment from the Upper Colorado River Basin Fund for capital improvements, operation and maintenance at Page shall be terminated at the earliest opportunity. A third provision, which is not included in either bill, should be included in the legislation to provide for the transfer of title of some 750 acres of land near Lake Powell now held by the federal government to the Navajo Tribe for their use and benefit. This transfer was one of the considerations of the June 30th tribal resolution in agreeing to the right of the federal government to consumptively use annually 34,100 acre-feet of water for the Navajo power plant and an estimated 3,000 acre-feet for associated community and recreational development. Of the 3,000 acre-feet, not to exceed 2,740 acre-feet were allocated to the community of Page.

The community of Page is not now and has not been for some years "a facility of the Colorado River Storage Project". Except for certain facilities retained by the government, therefore, payments to the town should be halted at the earliest practicable time. It is recognized that the orderly change over will involve certain financial obligations by the federal government until Page becomes fully self-supporting.

S. 1261 would provide for an appropriation of not to exceed \$1,000,000 from the federal treasury for this purpose, including a lump sum payment of \$330,000 to the municipality and \$50,000 for improvements of the Page hospital.

S. 767 would appropriate up to \$4,000,000 from the Upper Basin Fund for the above purposes, including a loan from the Fund to purchase the municipal electric distribution system if the town elects to make such purchase.

The Colorado River Storage Project Act of 1956 established the Upper Colorado River Basin Fund for the specific purpose of aiding participating projects in repaying those portions of irrigation project costs beyond the ability of the water users to repay. To use it for any other purpose such as that contemplated by S. 767 would place an obligation against the Fund which was never intended and would be detrimental to water projects in the Upper Basin States.

New Mexico strongly urges the adoption of the basic features of the proposed legislation set forth in S. 1261, with the addition of a provision transferring to the Navajo Tribe title to the 750 acre near Lake Powell.

Sincerely,

BRUCE KING, *Governor.*

Senator BIBLE. We will now turn to the next bill.

Senate bill S. 325, is a bill introduced by my colleague, Senator Cannon and myself, and it is why I am sure the Senator from Arizona has almost equal interest in it, it is a bill to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam.

Without objection, the statement from my colleague, Senator Cannon, will be made a part of this record, and without objection, the statement of the Governor of our State, Michael Callahan, together with other communications will be made a part of the record.

STATEMENT OF SENATOR HOWARD CANNON

BEFORE THE SUBCOMMITTEE ON WATER AND POWER RESOURCES

JUNE 11, 1974

ROOM 3110, DIRKSEN OFFICE BUILDING, 10 A.M.

I am pleased today to join my colleague and close friend, Senator Alan Bible, in testifying in support of S.325, a bill to expand the Boulder Canyon Project to provide for construction of a bridge over the Colorado River near Hoover Dam. I would also like to extend my thanks to the Chairman of the Subcommittee on Water and Power Resources, Senator Frank Church, for scheduling hearings on this important bill.

Anyone who has driven over the present Hoover Dam crossing via U.S. Highway 93 fully realizes the dangerous situation existing for the motorists and the need for this bill. The 33-foot wide, curvy crossing is simply not adequate for the present level and type of vehicles using the Nevada to Arizona link. The many accidents, particularly those involving large trucks, at this site have been well documented. In a detailed study conducted in 1968 and again in 1971 by the Bureau of Reclamation, it was recommended that in order to relieve the hazardous and congested conditions at the

Hoover Dam crossing, a 1,200 foot steel-arch bridge should be constructed one mile south of Hoover Dam. Senator Bible and I fully concurred with that recommendation and have attempted since then to pass proper legislation and to locate the proper funding for this major project.

When the Hoover Dam Project was completed in the early 1930's, the road from Kingman, Arizona to Boulder City, Nevada was quite primitive. Only light traffic crossed the dam, and did not create a problem. But since the road was improved, and coupled with the tremendous population growth of Southern Nevada and the increased tourist influx into the Las Vegas area, the tourist visitation at Hoover Dam has multiplied accordingly. Concurrently, improvement of connecting roads has resulted in many trucking firms taking advantage of the short-hauling distance between Las Vegas and points in Arizona.

An initial search for a solution to the increasingly aggravating traffic situation at Hoover Dam was started in 1962. Representatives of the Highway Departments of Arizona and Nevada, the Bureau of Public Roads, the Bureau of Reclamation and the Boulder Canyon Project met to discuss common problems about vehicle travel at the Dam, and to initiate a study of traffic patterns of

Hoover Dam visitors. It was found that 70 per cent of the passenger vehicles traveling on U.S. Highway 93 in Nevada between State Highway 41 (road to Lake Mead National Recreation Area) and Hoover Dam are making through trips. About thirty per cent were stopping for sightseeing trips at Hoover Dam. Some of the figures, even ten years ago, were almost alarming---there were more than 6,000 vehicles a day (2.1 million annually) crossing the Hoover Dam site in the summer of 1965. In 1972, there were 4 million crossings at the Dam. This figure will increase quite dramatically, according to the Nevada Highway Department, in the next decade. The reasons for the increase are; 1) Completion of the National Interstate Highway System within the next few years will shorten the travel time from many parts of the country to the Western States. Many travelers will undoubtedly use the saved time to visit more places along the route. Hoover Dam is one of the country's principal tourist attractions, and will be on the itinerary of many motorists. 2) With the advent of the shorter work week and the increasing amounts of leisure time available to the public, and with the energy crisis abating, we can expect more people to travel.

Sometimes I think we have a tendency to overlook or downplay the adverse impact of a serious accident occurring at the present Hoover Dam crossing. For example, what would happen if a large truck carrying gasoline, chemicals or explosives overturned or was involved in a major accident? Between 1964-68 there were four such accidents involving trucks at the Hoover Dam passage, but fortunately there was no major damage, although one life was lost. But the result could be devastating when you think of the not-so-remote possibility of severe damage to the Hoover Dam installation, causing a shutdown of the generating facilities. If such an accident happened at peak tourist time, or at rush hour, many people--motorists and pedestrians visiting the Hoover Dam site--would be endangered.

The State of Nevada agrees that a downstream crossing could help to alleviate this seriously restricted area. The Nevada Department of Highways, in cooperation with the Federal Highway Administration, report in its March, 1974 "Priority Primary Route Study" that the present alignment for Control Gate to Hoover Dam, a distance of 1.5 miles, is rated 21 points out of a possible 100 in its Sufficiency Rating Study. A rating of 64 and below is considered intolerable. This is the lowest rating section for the rural Primary System in Nevada.

There is another advantage to this proposed bridge which should be emphasized. The proven tourist drawing power of the massive and fascinating Hoover Dam is a major offering of the Nevada scene. The present alignment down to Hoover Dam along U.S. 93 is of high scenic quality and is rated Number Two on the Statewide Priority Listing of the 1974 National Scenic Highway Study. With the construction of a new route just south of the dam, the scenic value of the present alignment would be greatly enhanced by rerouting the traffic, while the congestion of the present crossing caused by the winding road and adjacent parking areas would be greatly alleviated.

In this way, the through traffic and the visitor traffic can be separated for a most efficient and safe operation. Residents of nearby Boulder City are deeply interested in this bridge proposal because of its economic effects upon their city. At this point, I would ask to include in the record a March 1, 1974, letter from the Mayor of Boulder City to me concerning S.325, at the conclusion of my remarks.

Mr. Chairman, there has been considerable study conducted on the need and feasibility of this project. I would ask that segments of a December 1968 study by the Bureau of Reclamation also be inserted in the record

for further background information and for more specific details on the design of the proposed structure.

The construction of the bridge to span the Colorado River one mile downstream from the Hoover Dam site would be recovered from revenues from the Boulder Canyon project, after completion of the current repayment obligations. S.325 would authorize \$15 million, plus or minus such amounts justified by changes in construction costs, and such sums as may be necessary for the operation and maintenance of the bridge. A companion bill is before the House Interior and Insular Affairs Committee.

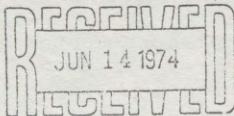
I appreciate this opportunity to appear before you today and invite questions on any part of my testimony.

THE STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, NEVADA 89701

June 11, 1974

MIKE O'CALLAGHAN
GOVERNOR

ALAN BIBLE



UNITED STATES SENATE

The Honorable Alan Bible
United States Senate
145 Senate Office Building
Washington, D.C. 20510

Dear Senator Bible:

You have made inquiries to the Colorado River Commission of Nevada staff and State Highway Engineer relative to your proposed Colorado River bridge legislation, S. 325. My letter to Mr. E. A. Lundberg dated October 1, 1971 expressed our support and cooperation for this worthy project stipulating the problems in funding of not only the bridge structure itself, but of the approach road construction necessary to complete the connection between Arizona and Nevada.

I have been advised that the State Highway Department has given high priority to construction of the Nevada side road that would be necessary to the new crossing of the Colorado River. This, I believe, clearly affirms our support of the new bridge. I am also advised that the status of the projected revenues from the Boulder Canyon Project after completion of current repayment obligations is unknown. As you are aware, there have been commitments from the fund for water developments in the Lower Colorado River Basin and a proposal to use some of those revenues to meet the states' obligation in the Colorado River Salinity Control Act now pending action in Congress.

We enthusiastically support your proposed legislation, assuming that suitable financial arrangements can be made from the Boulder Canyon Project revenues and/or from Highway Trust Funds for both the bridge and the approach roads, without interference to other priority activities in water or highway developments.

Sincerely,

Mike O'Callaghan
Mike O'Callaghan
Governor of Nevada

FY 73 APPROPRIATIONS -
PUBLIC WORKS~~Reclamation~~
~~Reclamation~~ Reclamation
(Hoover Dam)

b/dd/o

April 19, 1972

Mr. Ellis L. Armstrong, Commissioner
Bureau of Reclamation
Department of the Interior
Washington, D. C. 20240

Dear Commissioner Armstrong:

As you know, I have been keenly interested in construction of a Colorado River bridge crossing below Hoover Dam ever since I supported a \$50,000 appropriation in fiscal 1968 to finance a feasibility study and preliminary engineering for the project.

I continue to believe quite strongly that this bridge is necessary, not only to relieve traffic congestion on Hoover Dam but to provide a safer crossing for interstate traffic. The current route, as you are aware, involves treacherous curves on the steep access on the Nevada side, and the increasing traffic flow across the dam is hazardous to the operation of the dam as well as to the traveling public. In my mind, the safety factor alone justifies construction of an alternate crossing downstream from the dam.

The project unfortunately has been dogged by funding problems, but I feel we must press forward with it nonetheless. Speaking for myself and for Senator Cannon, I wish to request a full status report on the project together with your recommendations on how we might proceed. Quite frankly, I do not think we can afford to delay this any longer.

Naturally, I stand ready to help in any way that I can as a member of the Appropriations Committee. Please let me hear from you at an early date.

Cordially,

ALAN BIBLE



United States Department of the Interior

BUREAU OF RECLAMATION
WASHINGTON, D.C. 20240

IN REPLY 700
REFER TO:
560,

MAY 30 1972

Hon. Alan Bible
United States Senate
Washington, D. C.

Dear Senator Bible:

We agree with your letter of April 19, 1972, stating your conviction that construction of a Colorado River bridge crossing below Hoover Dam is necessary to relieve traffic congestion on Hoover Dam and to provide a safer crossing for interstate traffic.

We have completed a feasibility-grade investigation of a potential bridge crossing and find that it would cost about \$15 million. Our analysis indicates that benefits from costs savings to users of the crossing, savings from prevention of delays in peak-hour traffic, and savings from accident prevention would more than offset the cost.

We have explored the possibilities of obtaining financial assistance in constructing the crossing from the States of Arizona and Nevada and the Federal Highway Administration. Any material financial contributions from these sources appear extremely remote.

A potential that is open would be to construct the crossing as a part of the Boulder Canyon Project. This, we believe, would require legislation which could provide that the costs involved be nonreimbursable, be repaid from Hoover power revenues, or be covered by some combination thereof.

We would be pleased to have your views as to this approach.

Sincerely,

ELLIS L. ARMSTRONG

Ellis L. Armstrong
Commissioner

CITY OF

Boulder City
Nevada

P.O. BOX 367

900 ARIZONA STREET

March 1, 1974

Honorable Howard W. Cannon
Room 259, Russell Office Building
Washington, D.C. 20510

Dear Senator Cannon:

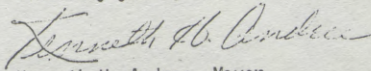
Reference is made to our letter of July 17, 1972 and your reply of July 26, 1972 regarding the legislation to expand the Boulder Canyon Project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam.

It is our understanding that this legislation was re-introduced at this session of Congress. We realize that the current gasoline crisis may preclude any further consideration of such legislation. However, in the event it is still under consideration, we would request that you make every effort to have the crossing point connected to U.S. Highway 93 on the Nevada side rather than extending it across to U.S. Highway 95.

We have just completed a comprehensive community survey to determine the type of growth and economic base the residents desire in Boulder City. The majority were in favor of continuing to orient the economic base toward outdoor tourism. Connecting the crossing point to U.S. Highway 93 will allow the visiting public to enjoy the beauty and facilities of the Lake Mead National Recreation Area as well as those available in Boulder City. If this interstate traffic is routed around Boulder City the economy of our community will be severely affected.

On behalf of the people of Boulder City we will appreciate your efforts to maintain and increase our economy.

Sincerely yours,



Kenneth H. Andree, Mayor

KHA:LHK:sf

CITY OF

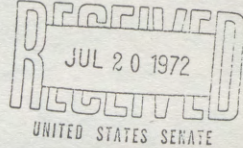
Boulder City
Nevada

P.O. BOX 367

1001 ARIZONA STREET

July 17, 1972

ALAN BIBLE



Honorable Alan Bible
United States Senate
Washington, D.C. 20510

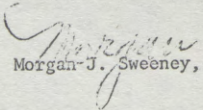
Dear Senator Bible:

It has come to the attention of the City Council that you and Senator Cannon have introduced Senate Bill 3702 to expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam.

It is noted that the Bill does not specify where the particular crossing point will be. However, it is hoped that it will be connected to the Nevada side at U.S. Highway 93 rather than extending across to U.S. Highway 95, which would be more costly. Such action would enable the visiting public to enjoy the beauty and facilities of the Lake Mead National Recreation Area as well as those available in Boulder City.

As you know, tourism is a major industry in Southern Nevada, and if the interstate traffic is routed around Boulder City the economy of this community will be severely affected. On behalf of the people of Boulder City we would request that such crossing point be specified so that the intent and purpose of your Bill can not subsequently be circumvented.

Sincerely yours,


Morgan J. Sweeney, Mayor

MJS:LHK:sf

Consideration of Alternate Locations

Alternate bridge locations considered were:

1. At a crossing immediately upstream from Hoover Dam and
2. At a crossing at Willow Beach some 14 miles below Hoover Dam.

The crossing upstream from Hoover Dam was eliminated because of excessive costs and possible hazards to the safety and security of the dam. The crossing at Willow Beach was eliminated because of Arizona's objections to any crossing relocation that would make its large program for improvement of the Kingman-Hoover Dam Highway partially wasted. The Willow Beach crossing would have this effect and would also require long access roads on the Arizona side from the existing Kingman-Hoover Dam Highway. Construction upgrading and improving this stretch of highway between Hoover Dam and intersection with the Willow Beach road has been completed. It was also expected that Boulder City interests would object to the Willow Beach crossing, since traffic would probably be diverted south of the town if this route was selected. Further, as there is already a crossing at Davis Dam downstream from Willow Beach it is questionable whether a new structure at Willow Beach could be justified.

Development of Plan

Further meetings were held among representatives of the Arizona and Nevada Highway Departments, Bureau of Public Roads, Boulder Canyon Project, and the Bureau of Reclamation Region 3 office. At a December 1966 meeting various methods of easing the hazardous conditions existent at the dam were discussed and some suggestions were adopted as outlined hereinbefore. The Arizona Highway Department, as its part in the cooperative studies, was willing to make aerial surveys of alternate crossing locations in the Hoover Dam area.

A meeting of all interested parties was held in August 1967 to discuss the location possibilities and to select corridors for aerial mapping by Arizona. At this meeting, representatives of the State of Arizona and Nevada jointly concluded that a crossing about one mile downstream from the dam appeared to be the most favorable location but a location upstream should be mapped and studied. The Bureau cooperated with Arizona during the mapping by establishing and marking necessary control points. Communications between the Arizona Highway Department and the Bureau of Reclamation resulted in obtaining additional mapping of areas needed for the studies. Another meeting was held in December 1967 to review progress to date, examine preliminary locations for the bridge and approaches, and establish the design standards for roads and structures. Further refinements of locations and design standards were developed at a meeting held in January 1968.

Maps and design standards were transmitted to the Chief Engineer who had reconnaissance estimates made. On the basis of these estimates, the Chief Engineer advised this office by letter dated April 5, 1968, that the downstream crossing was preferred because of lesser cost, security, avoidance of project feature interference, and because it was favorable to both the Arizona and Nevada Highway Departments.

As a result of the above determination, the gathering of design data, geologic investigations, surveys, and preparation of necessary maps proceeded and feasibility grade estimates for the one-mile crossing below Hoover Dam were prepared.

Design Criteria

A. The design standards used in the estimates for the approach roads are as follows:

1. Design speed -- 60 mph
2. Maximum grade -- $6\frac{1}{2}$ percent
3. Curve requirement, minimum radius -- 1,000 feet
4. Maximum superelevation -- 0.125-foot per foot of width
of roadway
5. Roadway width -- 40 feet
6. Paved section consisting of two 12-foot main traffic
lanes with 8-foot paved shoulders
7. Uphill grades to have a passing lane on the right side of
centerline

A 24-inch roadway thickness for estimating purposes was assumed consisting of a 21-inch subbase and a 3-inch asphaltic-concrete plant mix paving with a stone-chip wearing surface. In final design, the subbase and wearing surfaces will be designed for thicknesses required to meet load requirements according to foundation conditions. These standards are represented in Exhibit 4.

As both the Arizona and Nevada approach roads to the existing highway have a continuous uphill grade from the river, ranging from 4-percent to $6\frac{1}{2}$ -percent grade, it will be necessary to provide a passing lane for uphill traffic for the entire length of both approach roads.

B. Bridge design requirements are as follows:

1. Loading -- HS 20-44
2. Deck width -- 40 feet
3. Bridge will not have walkways or provide for pedestrian traffic
4. No special loadings or utility crossing provisions required on bridge
5. Traffic on bridge will not have a view of the dam and will not be allowed to stop. A viewpoint shall be provided on the Nevada abutment.

C. Interchanges or junctions with existing highway to dam: Present traffic density does not warrant construction of grade separation structures with the existing road at the proposed new route connections.

Off-traffic making right-hand turns will be provided with a widening for an off-lane and ramp, which will require slowdown only. Main traffic making left-hand turns will be provided with a reduced-speed lane protected by a divider island. Vehicular traffic making left-hand turns shall utilize a T-stop before crossing oncoming traffic lanes and shall have a widened merging lane when turning into lanes on their side of the road. On-traffic, when making a right-hand turn, will have on-ramp with merging lane.

A four-lane bridge could not be justified based on the average daily traffic estimates and forecasts. It is estimated that a 90- to 100-percent increase in the cost of the bridge will result if the bridge is increased in width from 2 lanes to 4 lanes.

The traffic forecast of average daily traffic indicates the traffic will be well below the number required to justify a four-lane highway. The maximum practical capacity as listed in the "Highway Capacity Manual" of a two-lane highway is 1,500 vehicles per hour on both lanes.

The Arizona Highway Department's analysis of traffic for U.S. 93/466 indicates a 1988 projection of average daily traffic to be 3,400 vehicles and by its standards a four-lane highway is not necessary until the average daily traffic reaches 5,000 vehicles.

The design standards for the proposed construction are equal to those of the newly completed portions of the Kingman, Arizona-Hoover Dam Highway and equal or superior to the Nevada Highway connection.

Proposed Construction

The proposed steel-arch bridge, ~~illustrated on Exhibit 5~~, is similar to that constructed at Glen Canyon Dam but is modified to fit the Black Canyon topography. The length of the arch would be approximately 860 feet between skewback pins and the total length of the bridge would be 1,200 feet. The deck width would be 40 feet. Geologic investigations indicate both abutments to be primarily, of andesite mineralogy, which although jointed and fractured, will afford adequate bearing for skewbacks competent to support the bridge load.

The highway approaches, three miles on the Nevada side and one mile on the Arizona side, will be in rough, difficult, hard, dense rock terrain. Heavy cuts will be required to achieve the recommended standards and grades.

The bridge will not afford a view of the dam so, in order to provide a suitable vista of the dam, it is proposed to construct a viewing point and a connecting road between the bridge and the view point on the Nevada side.

It must be recognized that, while the proposed construction will afford relief of the problem for many years, the growth of tourism and attendant traffic in the future may some day create an impossible traffic situation at Hoover Dam. At such time, it may be necessary to prohibit all traffic across the dam, require all traffic to use the

proposed new crossing and, if it is considered desirous to provide access to the dam for all who wish to see and tour it, provide adequate parking near the proposed viewing point and some sort of tourist transportation from the point to the dam. Because of the many unforeseen changes that will occur in the future, it is not considered practicable to design the approach roads and bridge to meet the above-described possibility.

Senator BIBLE. Let me say that this is legislation I have been interested in for some time. I have a full and rather lengthy statement on this. I will not burden the record with it.

I think this is something that must be done and should be done, and will be done I hope this session.

Our witness on this bill is Gil Stamm, and whatever supporting witnesses you have, please introduce them for the record.

Commissioner STAMM. I do have with me Mr. Harry F. Avery, who is Acting Assistant Commissioner, Resource Development, Bureau of Reclamation, and Mr. Dess L. Chappelle, Chief, Division of General Engineering, of the Bureau of Reclamation.

STATEMENT OF GILBERT G. STAMM, COMMISSIONER OF RECLAMATION, DEPARTMENT OF THE INTERIOR

Commissioner STAMM. Mr. Chairman and members of the subcommittee, I am appearing before you today to provide Departmental views and comments regarding S. 325, a bill to expand the Boulder Canyon project to provide for the construction of a highway crossing of the Colorado River immediately downstream from Hoover Dam.

The bill provides that the cost of the crossing, with interest, shall be recovered from revenues from the Boulder Canyon project after completion of current Boulder Canyon project repayment requirements.

The Department does not support the enactment of S. 325. It finds that the roadway capacity at Hoover Dam can be extended by implementing plans under consideration within existing authority.

Modifications to the existing roadway and provisions for either additional parking or possibly fringe parking are seen as possible short-term solutions.

The Department recognizes that in time a serious traffic problem will develop and provides the following information related to the proposed crossing.

The bill would authorize the construction of a highway crossing which would permit through traffic to bypass Hoover Dam and thereby relieve congested traffic conditions that occur during the peak summer months.

The bridge would relieve the safety hazard to Hoover Dam which results from its use as a highway crossing for interstate vehicular traffic between Las Vegas, Nevada, and Kingman, Arizona. This highway, U.S. 93, is also a connecting link between Interstate routes 15 and 40.

Since 1960, the traffic count over U.S. Highway 93 has increased from about 2 million vehicles to over 4 million vehicles per year with the peak traffic occurring during the months of June, July, and August.

Out of that total of 4 million vehicles, over 2.8 million vehicles stop at the dam.

The number of visitors taking the guided tour now totals about 650,000 yearly. The trend in visitors to the dam taking the guided

tour has increased from a daily average of about 1,200 in 1960 to 1,700 in the 1970's.

The two-lane road approaches to the dam are steep and include dangerous curves down to the top of the dam. This road now must handle visitors and through traffic alike, including many trucks carrying potentially dangerous cargoes.

The combination of these factors contributes to the cause of accidents which endanger the safety of the public, the Government's employees, and the power generation facilities.

The proposed bridge would provide an alternate route for about one-third of the through-trip vehicles including the truck traffic whose operators are not interested in sight-seeing at the dam.

In 1971, the Bureau of Reclamation initiated an engineering study of the traffic problem by the Perkins Will Corp., independent consulting engineers. That study recommended an alternate crossing to accommodate through traffic at Hoover Dam.

In consultation with other interested parties, a selection was made of a bridge site about 1 mile below the dam. Construction would include a 1,200 foot long steel-arch bridge with 3 miles of approach road on the Nevada side and 1 mile on the Arizona side.

Based upon May 1974 prices, two-lane approach roads with a two-lane bridge are estimated to cost \$18 million or with a four-lane bridge, \$23.3 million.

A draft environmental statement was prepared for the bridge by Reclamation's Lower Colorado regional office in January 1972, but not submitted to the Council on Environmental Quality. The primary impact of the road and bridge construction would be the esthetic impact from scars on the landscape.

It is noted S. 325 provides that the cost of the facilities with interest, will be repaid from revenues of the Boulder Canyon project upon completion of current project repayment requirements.

As about 6 years have elapsed since the initial engineering analysis and report were made and as observed changes have continued to take place in both the Las Vegas area and in the volume and vehicular traffic patterns, we recommend prior to any construction of a highway crossing that the Federal Highway Administration study the traffic trends to determine the need for either two or four lanes and the standards required to adequately accommodate the projected traffic volume.

Senator BIBLE. Thank you very much. I wish for the record you would furnish us a map of that study that you referred to which says the bridge, whether it is a two-lane bridge or a four-lane bridge, would be constructed downstream from Hoover Dam, at about how many miles?

Commissioner STAMM. One mile below the dam.

Senator BIBLE. Looking forward to the continued growth of the West, and we are going to have it whether people like it or not, it is inevitable, the State of Nevada, the State of Arizona, are probably the two fastest growing States in the Union. I may be Florida edges us out here and there, but we are certainly well up there in the big three. Nevada is growing by leaps and bounds, and I think

it will continue to do so. You cannot compare the climate anywhere else in the world with our great Southwestern climate.

What I am getting at is the question that was posed to me when I first introduced the bill. Will the new route bypass Boulder City? Will it or will it not?

Commissioner STAMM. It will not. There is a possibility of bypassing it and crossing it much further south of the dam; but we have made no such plans or study.

Senator BIBLE. That was the concern that was expressed to me by some people had been given to understand that if this bridge was constructed it would bypass Boulder City completely and traffic would come back onto the highway at approximately Railroad Pass. You know where Railroad Pass is. It goes on down into Bullhead City and crosses over to Lake Havasu.

I think in checking that out we have been repeatedly assured it would not bypass Boulder City. Is that a correct statement?

Commissioner STAMM. You are correct. We have no such plans and our studies did not consider any crossing except the one that is about a mile below the dam.

Senator BIBLE. You will furnish for the record, at least for the use of the staff, the approximate place on the River where the bridge would cross then?

Commissioner STAMM. Yes, sir. We will do that.

Senator BIBLE. You say the price tag for a four-lane bridge is approximately \$24 million?

Commissioner STAMM. Yes, sir.

Senator BIBLE. That is 1974 prices?

Commissioner STAMM. Yes, sir.

Senator BIBLE. Let me ask a few more questions of you.

You have a record of the accidents which may have occurred as a result of congestion in the area?

Commissioner STAMM. Yes, sir. We have a record of accidents in the area, we have pictures of some of them that have occurred.

Senator BIBLE. Without objection, the pictures will be adopted by reference for use of the committee and you can provide a tabulation for the record.

Commissioner STAMM. These are a couple of truck accidents that occurred on one of the bad curves, one turned over and burned. I understand it was carrying petroleum. It could have occurred in a different location and caused considerable damage.

Senator BIBLE. I am sure it is a potential danger, and I am sure anyone who has made that winding road across the dam and up on the other side will certainly agree.

You don't have to be an engineer to make that determination. But that can be supplied for the record, a breakdown.

In the report which recommended the construction of the bridge, was there a figure for the annual maintenance and operation of the bridge and the approach roads?

Commissioner STAMM. About \$20,000 a year.

Senator BIBLE. You believe the Bureau should retain the operation and maintenance of the bridge as part of the Boulder Canyon

project? Or can the bridge when it is completed be turned over to the appropriate state agency for their operation and maintenance?

Commissioner STAMM. I personally think it ought to be transferred to the appropriate state agencies for maintenance under the respective State highway programs.

Senator BIBLE. That is a correct answer. It seems to me you have enough problems to keep you occupied.

Now, tell me this. Do you have any feeling about the position of the affected allottees, because to whatever extent would be required you would be taking money out of the lower basin fund. Are you opposed to this or not?

Commissioner STAMM. We really have not been approached. The way the bill is worded, the repayment for the cost of the bridge would come after the present obligations of the Boulder Canyon project are met.

Senator BIBLE. Does that mean after 1987?

Commissioner STAMM. Yes, sir.

And it may be 1988 or 1989 before they are fully met. Therefore, repayment would cover a 3- or 4-year period. This would have an effect not so much on the present allottees of power from Hoover but on the Colorado River Basin Fund which was established in 1968, by the act which authorized the central Arizona project along with several other projects.

That fund would be divided several ways, pursuant to the 1968 act.

Senator BIBLE. I think as you project it out, over the millions of kilowatt hours generated by Hoover, it is pretty hard to find it in a power charge, isn't it? Isn't it a very small fraction?

Commissioner STAMM. Yes. In the long run. We are talking about \$23 million which would be a fairly small percentage of the total obligation on the fund.

This account will be quite substantial, as you realize, because it will include money not only from Hoover Dam power revenues but also from Parker-Davis when Parker-Davis is paid out.

Senator BIBLE. In other words, it would be a substantial fund. That wasn't quite my question.

When you compute the total output of the river and the total output of the lower basin and divide that into this cost, any increase in the kilowatt hour cost to the ultimate consumer must be rather small?

Commissioner STAMM. I don't think this item of itself would precipitate any increase in the power rates involved.

It would merely postpone by about four years the beginning of accumulation of money in the Colorado River Basin Fund. Among other things, that fund was intended to provide financial assistance to the Dixie project which it now appears will not be built.

Senator BIBLE. That is in Utah?

Commissioner STAMM. That is correct. Part of the fund would go toward augmentation of the flows of the Colorado River. Also, about 17 percent of the fund goes to assist in repayment of the central Arizona project, and there is a fourth category which would be to

offset the deficiencies in Hoover generation which result from the filling criteria of the upper basin reservoirs.

Senator BIBLE. It seems to me the State of Arizona has just about as many benefits to derive from the building of a safe bridge across the river as the State of Nevada does.

I have no further questions of you, Mr. Commissioner. It is good to see you. You are always forthright and helpful. We will do our best to try to work out something that is reasonable, we have repeatedly tried to get the highway departments of the respective States to do it and they are like every other agency, some of their money has been frozen, some of it has been impounded.

Everybody agrees it should be done but nobody wants to pay for it. That is life. I have the same problem at home.

[Laughter.]

Senator BIBLE. We will keep working on it using the suggestions you have made. It was not a hard no, it was kind of a soft no, and a no that I think can be overcome.

In any event, we will keep working on it.

I appreciate your testimony.

Commissioner STAMM. In the meantime, Mr. Chairman, we probably will need to expand the facilities for taking care of visitors. I think we have some short run needs for improvement.

Senator BIBLE. Let me ask you, what are the short-run needs?

Commissioner STAMM. Parking areas, and added facilities to take care of the visiting public in a manner that will reduce the burden on the crossing of the dam itself.

It may be that the needed short-term facilities that could be set forth specifically in future appropriation requests and thus be done under existing authority.

Senator BIBLE. Have you done that for the current fiscal year 1975?

Commissioner STAMM. No, sir.

Senator BIBLE. We are going to mark that up next week.

Commissioner STAMM. We are a little late for that, but it would be possible to bring it into a supplemental, or propose it in 1976.

I have no assurance this proposal would be accepted fully by the administration.

Senator BIBLE. We can always add it whether it is accepted by the administration or not. We have done that before. I am not adverse to doing it again.

How much would it cost total?

Commissioner STAMM. We have a plan to provide a visitors center, parking facilities, and road improvements at Hoover Dam which could be partially implemented to provide the road improvements and limited parking facilities for about \$6 million.

Senator BIBLE. \$6 million. Maybe we better start building the bridge first. But it is going to take time to build that bridge. Let's be practical. If you had that \$24 million in your hands today, it would take you how long to complete it? Five years?

Commissioner STAMM. 4 to 5 years, yes.

Senator BIBLE. So we are projecting this in the future, but I think if we keep young and vigorous, as you men in reclamation have

done very well, vim and trim, joggers—I am thinking of others, not myself—we have to look toward the future. We are going to grow in the Southwest. We have to plan for the future.

Senator FANNIN.

Senator FANNIN. Thank you, Mr. Chairman. One problem as I see it, Mr. Commissioner, is the commercial traffic that is involved, and the growth of that traffic in the development of our trade with Mexico, especially now with the influx of vegetables and so many fruit products from Mexico.

We have so few areas in which we can travel, and that is a very advantageous route.

What are your thoughts as far as projecting the traffic?

Of course, I realize the tremendous growth of traffic from tourism. One of the great problems we have is handling the commercial traffic along with the private vehicle traffic.

Commissioner STAMM. Currently the truck traffic is about 10 percent of the total, but actually it utilizes about 20 percent of the roadway capacity presently.

Also we have an acceptable road capacity of about 780 vehicles per hour. In 1971, the peak was 450 vehicles per hour and it is increasing at the rate of about 35 vehicles per hour per year.

So we can see, it will not be long until the traffic itself will exceed the capacity of the crossing of the dam.

A 10-year period at that same rate of increase is 350, which on top of the prevailing 450, will result in traffic which exceeds the load capacity. We need to anticipate this long enough in advance to provide alternative means of handling the traffic.

Senator FANNIN. The problem we have, of course, in financing. Is this payment provision typical of the way surplus funds coming from Colorado River funds are committed?

Commissioner STAMM. No, I don't think it is. There is a great deal of traffic that is through traffic. Typically it is more appropriate for the highway capacities to be expanded to handle the increased traffic through the Highway Trust Fund route. When dealing with roads specifically to serve a Federal facility such as a national recreation area or reclamation reservoir or national park, it has been customary to finance needed expansions through appropriations for operation and maintenance, or construction.

This actually is a combination of two types of traffic. We have many people there because of Hoover Dam itself, which is the granddaddy of the high dams and is internationally famous.

We have many others who use the road as a convenient crossing. The nearest alternate crossing is upstream near Page, Ariz., or downstream about 80 miles.

So the interest in the crossing is partly Federal—Interior—and partly State highway.

Senator FANNIN. Does this abrogate any current agreements that have been used on surplus monies coming from this Boulder Canyon project?

Commissioner STAMM. I don't think so. Unless the central Arizona project or the lower basin States would feel that a 4-year delay in

beginning to accumulate money in that fund in some way abrogated a commitment of the 1968 act.

There has been no expression to that effect, however, that I am aware of.

Senator FANNIN. One other thought you expressed about the highway funds coming from the general highway fund.

There is great competition, as you know, with those funds. It is very difficult to get the allocation for this type of a project. I am just wondering whether or not it would be feasible to expect money to come from that particular fund?

Commissioner STAMM. Except for the competitive prospect, I certainly think it would be appropriate for the bridge to be financed with Highway Trust Funds. But because of the competition the States have to establish their own priorities. Evidently, as of now at least, they have not given this crossing a high priority.

Senator FANNIN. Of course, as you know, the cutback that has been in existence in the past few years has vitally affected those funds.

Thank you very much.

Senator BIBLE. A very, very fine statement, Mr. Commissioner, and I appreciate your cooperation. Thank you very much.

[Subsequent to the hearing the following information was received:]

VISITORS VEHICLE ACCIDENT EXPERIENCE
Hoover Dam

January 4, 1964 through May 18, 1974

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
5-18-74	9:20 P	Hairpin curve, 0.5 mile north of State line	#1 Left front & rear doors & fenders #2 Left front fender & left rear door & fenders	No
4-17-74	4:35 A	0.5 mile north of State line	Right front fender bumper	No
3-29-74	9:00 P	$\frac{1}{4}$ mile east of whse. #2, off road in parking area	Total, car over embankment	No
3-24-74	9:20 A	200 yds. east of Arizona concession stand	Right rear wheel tire & axle	No
1-25-74	1:00 P	Bus parking lot	Left rear fender	No
11-26-73	4:40 A	0.8 mile west of Nevada spillway	Left & right front fenders, grill, bumper, wheels, left & right rear fenders	No
11-23-73	4:00 P	Arizona spillway	Right front corner of trailer	No
11-23-73	1:10 A	0.4 mile west of Nevada spillway	None	No.
10-12-73	12:45 A	200' west of A&N Switchyard	Right front axle-fender-bumper Left side of auto scratched & dented	No
10-7-73	4:00 P	Cableway parking lot	#1 Dent & scratches right side #2 Right front fender	No
9-22-73	9:30 A	Pull-off area above Arizona concession stand	Right front fender-axle-bumper	No
8-7-73	2:15 P	Nevada concession stand	Right rear panel & chrome	No
8-3-73	2:18 P	Parking lot, Snackateria	#1 Dent approx. 8' long, left side mobile home #2 Right front corner	No
8-3-73	11:15 A	East end of dam	Left side of dam	No
7-31-73	10:50 A	Parking area, Arizona side (canyon wall)	Right hand turn signal rod	No
7-26-73	2:45 P	Cableway parking lot	Left front fender	No
7-21-73	1:00 A	2.4 mile east of dam	Unknown	1
7-18-73	5:45 P	Cableway parking area	Left front hood & fender	No

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
7-14-73	4:00 P	Snackateria parking area	#1 grill, #2 Rear panel	No
7-14-73	Unknown	Arizona spillway	Left side	No
7-3-73	5:00 P	East gate entrance 1-mile marker	Jackknifed truck	No
7-2-73	Unknown	East gate entrance 1-mile marker	Left front fender, wheel, left door	No
6-23-73	2:55 P	Cableway parking area	Right rear	No
5-26-73	12:30 P	Between Arizona elevator & utility tower	Left rear tail light	No
5-20-73	2:40 P	Between Arizona utility & employees parking lot	#1 Right front fender #2 Left rear $\frac{1}{4}$ panel	No
5-10-73	10:10 A	1/10 mile east of Arizona 1-mile marker	Total, car over embankment	1 killed
5-7-73	1:10 P	Nevada spillway	Left front fender	No
4-24-73	8:20 A	Employee parking	#1 Left door, #2 Right front	No
4-21-73	3:05 P	Cableway parking area	Left rear bumper	No
6-16-73	12:00 M	Front of employees parking	#1 Right side, #2 Right rear fender, #3 Left front fender	No
2-5-73	5:30 P	West of A/N switchyard	Unknown	1
1-28-73	9:30 A	$\frac{1}{2}$ mile west of Hoover Dam	Left front fender	No
1-6-73	12:40 P	A/N switchyard	Right rear tire	No
12-21-72	9:20 A	Front of #2 warehouse	Front fenders	No
12-4-72	4:00 P	Nevada hairpin turn	A-frame	No
9-23-72	9:25 P	West end of dam	#1 Left front fender #2 Left rear door	No
11-1-72	4:15 P	Arizona concession stand	Right side of vehicle	No
10-8-72	12:10 P	Arizona spillway, Hwy.	Left rear fender	No
9-20-72	7:15 P	Arizona spillway, Hwy.	Overtured truck	No
9-1-72	10:30 P	A/N switchyard	Handle bars & instrument panel	2
7-7-72	10:30 A	110' south of flag pole	Front fender, handle bar, head-lights	2

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
8-21-72	2:00 P	East gate parking	Rear left $\frac{1}{4}$ panel	No
7-24-72	4:30 P	A/N switchyard	Bent rear seat, front fender, right handle bar	2
7-16-72	5:00 P	Below Kingman switchyard gate	Right rear fender	No
7-15-72	5:30 P	West end of dam parking	Left rear fender	No
7-7-72	11:45 A	Nevada spillway parking	#1 Right door, #2 Left front fender	No
6-18-72	11:05 P	West end of dam	Unknown	No
6-12-72	5:55 P	Front of Sanckateria on Hwy.	Right front fender	1
4-2-72	2:00 P	Opposite cabelway head tower	None	1
3-30-72	5:35 P	Nevada spillway	#1 Left rear fender #2 Left rear fender	No
3-26-72	3:00 A	East end of dam employee parking	Front fenders & bumper	1
3-9-72	4:00 A	1/10 mile south of west gate	#1 Left rear fender #2 Left front fender	No
2-9-72	11:30 P	Nevada hairpin curve	Right front fender	No
12-29-71	9:45 P	Horseshoe curve Nevada	Right side under carriage	1
12-23-71	3:45 P	Front of Edison Switchyard	Right front tire	No
11-29-71	11:30 A	3/10 mile west of Nevada concession stand	Total, truck tip over	
10-29-71	3:40 P	Nevada spillway parking	Left front fender	No
10-8-71	3:35 P	Hairpin curve, Nevada	Right front fender	No
9-25-71	8:40 P	West of Nevada hairpin curve #16 light	Right front fender	No
9-22-71	7:05 A	Gate into DWP Switchyard	None	No
8-16-71	12:00 N	2/10 mile east of Arizona concession stand	Right side	No
4-20-71	2:15 P	Cableway parking lot	#1 Left rear fender #2 Right front fender	No
4-8-71	10:45 P	East end of dam, 30 ft. from plaque	Right bumper bent	No

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
4-3-71	1:10 P	West end dam, Nevada utility tower	Bumper	No
1-27-71	7:15 P	East side of dam	Front end, left front fender	No
1-21-71	2:40 P	Driveway Nevada spillway	Left door, side, rear fender	No
5-8-70	3:30 A	West of A/N Switchyard	Unknown, truck over embankment	1
6-4-70	9:15 A	One mile west of dam	Unknown, rolled over edge	No
6-17-70	7:10 A	East end of dam	Left front end	2
7-10-70	7:15 A	Below MWD Switchyard	Minor damage mcyl.	1
7-29-70	10:45 A	East en. of dam	Left door	No
8-8-70	8:20 P	4/10 mile from center of dam above Arizona spillway	Mcy. light windshield	1
8-12-70	3:50 P	Road on top Arizona spillway	#1 Rear door, #2 Front grill	No
8-18-70	11:30 A	Cableway parking	#1 Right front door #2 Left rear bumper	No
8-21-70	10:35 A	Bus parking area - flag pole	#1 Right side, #2 Left rear taillight	No
9-7-70	3:00 P	A/N Switchyard	Bent front fork	1
9-7-70	11:30 A	East end of #2 warehouse	Right wheel	No
9-16-70	3:30 A	100 ft. west of hairpin curve, Nevada	Right side	No
9-17-70	3:45 A	300 ft. west of A/N Relay House	Total, over embankment	1
10-3-70	3:15 A	On curve east end of dam	Side & top of trailer	No
10-4-70	8:30 P	Approx. 1 1/2 miles east of Warehouse #2	Left front	No
10-6-70	6:30 P	Snackateria parking area	Minor	No
11-23-70	4:30 P	Nevada abutment parking area	#1 Right side, #2 Left rear fender, #3 Bumper	No
11-17-70	3:45 P	Nevada side of dam	#1 Rear bumper, #2 Right side	No
12-27-70	2:25 P	1/4 mile east of #2 whse.	#1 vehicle total, #2 vehicle minor	2

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
6-18-69	3:00 P	Nevada intake tower	Minor damage	No
7-23-69	10:50 A	Cableway parking lot	Minor damage	No
10-7-69	3:50 P	Arizona abutment	Minor damage	No
4-10-68	8:09 P	90 degree turn across the Arizona spillway bridge	Extensive damage	1
5-9-68	8:50 A	Hairpin curve, Nevada side	Minor	1
3-1-68	8:10 P	Brake check area	Extensive damage, one car roll over	1
8-13-68	5:45 A	No. 2 Warehouse	Extensive damage, one car roll over	2
8-24-68	12:10 A	First curve east of east gate	Pick-up w/camper, extensive damage to camper	1
9-29-68	1:10 P	Arizona spillway parking lot	Car & trailer, minor damage	No
5-20-68	8:30 A	Hairpin curve, Nevada side	#1 Minor damage to trunk, #2 damaged when it hit wall	No
6-26-68	10:30 A	Parking lot near Exhibit Bldg.	Minor damage	No
7-20-68	3:30 A	Hairpin curve, Arizona side	Motorcycle, no damage	2
1-21-67	5:50 P	Arizona concession stand	Slight damage	No
9-2-67	12:30 P	East gate	Hit & run accident, minor	No
8-21-67	Unknown	Nev. spillway parking area	Left rear fender damaged by persons unknown	No
7-9-67	3:30 P	Arizona spillway parking lot	Damaged camper-trailer on pet shelter	No
7-3-67	1:15 P	East end of dam	Scooter skidded on gravel	1
6-5-67	11:30 A	Near DWP Switchyard	Minor damage	No
11-14-66	1:30 P	Horseshoe curve above Nevada concession stand	Car damaged on right rear fender	2
10-15-66	11:40 P	Arizona spillway	Headon into canyon wall	1
9-22-66	1:30 P	Parking lot west end of dam	Slight damage to left front fender	No
9-17-66	12:01 P	Bus parking lot west end of dam	Minor damage	No
6-30-66	10:45 P	In front of Exhibit Building	Child ran in front of car	1

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
6-28-66	6:35 P	Horseshoe turn, Nevada side	Truck turned over and burned	1
6-23-66	11:50 A	West end of dam near flag pole	Pedestrian stepped into path of vehicle	1
6-13-66	7:35 P	Near Arizona/Nevada Switch-yard	#1 - Dented right front fender #2 - No damage	No
6-10-66	7:15 P	Horseshoe curve west of dam	Sign post damaged	No
4-7-66	8:00 P	Horseshoe curve above Nevada concession stand	#1 - Major damage #2 - Tire damaged, left side	1
3-29-66	4:30 P	Nevada utility tower	Truck hit parked car, extent of damage not indicated	No
3-6-66	12:10 P	100 ft. from Arizona elevator tower	Door opened into traffic, door badly damaged	No
2-6-65	3:10 P	Arizona end of dam	Minor damage, 2 cars	No
2-3-65	7:20 A	Nevada hairpin curve	Minor damage, 2 cars	No
2-13-65	12:55 P	Arizona utility tower	Minor damage, 2 cars	No
2-14-65	9:45 A	Nevada end of dam	Minor damage, 2 cars	No
2-18-65	4:45 :	Nevada elevator tower	Minor damage, 1 car	No
2-19-65	9:00 A	Arizona viewpoint	Minor damage, 1 car	No
4-13-65	1:15 P	Nevada elevator tower	Minor damage, 2 cars	No
4-25-65	10:05 A	Center of dam	Minor damage, 2 cars	No
5-5-65	3:00 P	Arizona utility tower	Minor damage, 2 cars	No
5-25-65	12:30 P	Arizona elevator tower	Minor damage, 2 cars	No
5-31-65	4:45 P	Nevada utility tower	Damage minor, 2 cars	No
6-15-65	9:30 A	Nevada utility tower	Minor damage, car-bus	No
7-10-65	10:05 A	Nevada elevator tower	Minor damage, car-bus	No
7-16-65	4:20 P	Center of dam	Minor damage, 2 cars	No
7-17-65	7:00 P	Arizona view point	Minor damage, 1 car	No
7-25-65	1:45 P	Nevada utility tower	Minor damage, 2 cars	No
8-2-65	11:30 A	Nevada view point	Minor damage, 2 cars	No

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
8-7-65	4:25 P	Arizona utility tower	Major damage, car-truck	No
8-22-65	4:00 P	Nevada elevator tower	Minor damage, 3 cars	No
8-22-65	6:00 P	DWP Switchyard	Minor damage, 2 cars	No
8-23-65	7:45 A	Nevada parking lot	Minor damage, 2 cars	No
9-3-65	2:15 P	Arizona elevator tower	Minor damage, 2 cars	No
9-12-65	11:15 A	Arizona utility tower	Minor damage, 2 cars	No
10-16-65	11:15 A	Arizona utility tower	Minor damage, car-truck	No
10-28-65	3:05 P	Center of Dam	Minor damage, 2 cars	No
10-25-65	5:40 A	East gate	Minor damage, 1 car	No
11-27-65	10:55 A	Snackateria	Major damage, 2 cars	No
12-7-65	8:25 A	Arizona end of dam	Minor damage, 1 car	No
1-4-64	12:10 P	Nevada elevator tower	Minor damage, 2 cars	No
1-18-64	2:30 P	DWP Switchyard	Minor damage, 1 car	No
1-24-64	10:45 A	West gate	Major damage, 2 cars	4
3-4-64	6:55 :	Arizona lookout	Minor damage, 1 car	No
4-14-64	4:10 P	Arizona spillway	Major damage, 1 car	No
5-29-64	1:45 A	East gate	Major damage, 1 car	No
6-3-64	1:00 A	Arizona vending stand	Minor damage, 1 car	No
6-9-64	7:45 A	Arizona spillway	Major damage, 1 car	No
6-15-64	2:30 P	Arizona elevator tower	Minor damage, 2 cars	No
6-21-64	3:10 P	Arizona elevator tower	Minor damage, 2 cars	No
7-6-64	1:05 P	Nevada hairpin curve	Major damage, tank truck over-turned	No
7-30-64	12:05 P	Arizona elevator tower	Major damage, 2 cars	No
8-11-64	2:30 P	Center of dam	Major damage, 2 cars	No
8-12-64	6:00 P	Nevada end of dam	Major damage, 2 cars-1 truck	No
8-14-64	5:15 P	Nevada elevator tower	Minor damage, 2 cars	No

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Part of Vehicle Damaged</u>	<u>Injuries</u>
8-27-64	5:20 P	Arizona elevator tower	Minor damage, 2 cars	No
9-9-64	10:40 A	Arizona elevator tower	Minor damage, 2 cars	No
9-12-64	9:30 P	Nevada end of dam	Minor damage, 2 cars	No
10-6-64	10:35 A	Arizona utility tower	Major damage, car-truck	No
10-21-64	7:30 A	West gate	Minor damage, car-truck	No
11-5-64	3:20 P	Arizona elevator tower	Major damage, 2 cars	No
12-12-64	3:20 P	Nevada hairpin curve	Minor damage, 2 cars	No
12-23-64	12:25 P	Nevada hairpin curve	Minor damage, 1 truck	No

ACCIDENT PHOTOGRAPH CAPTIONS
BOULDER CANYON PROJECT
HOOVER DAM

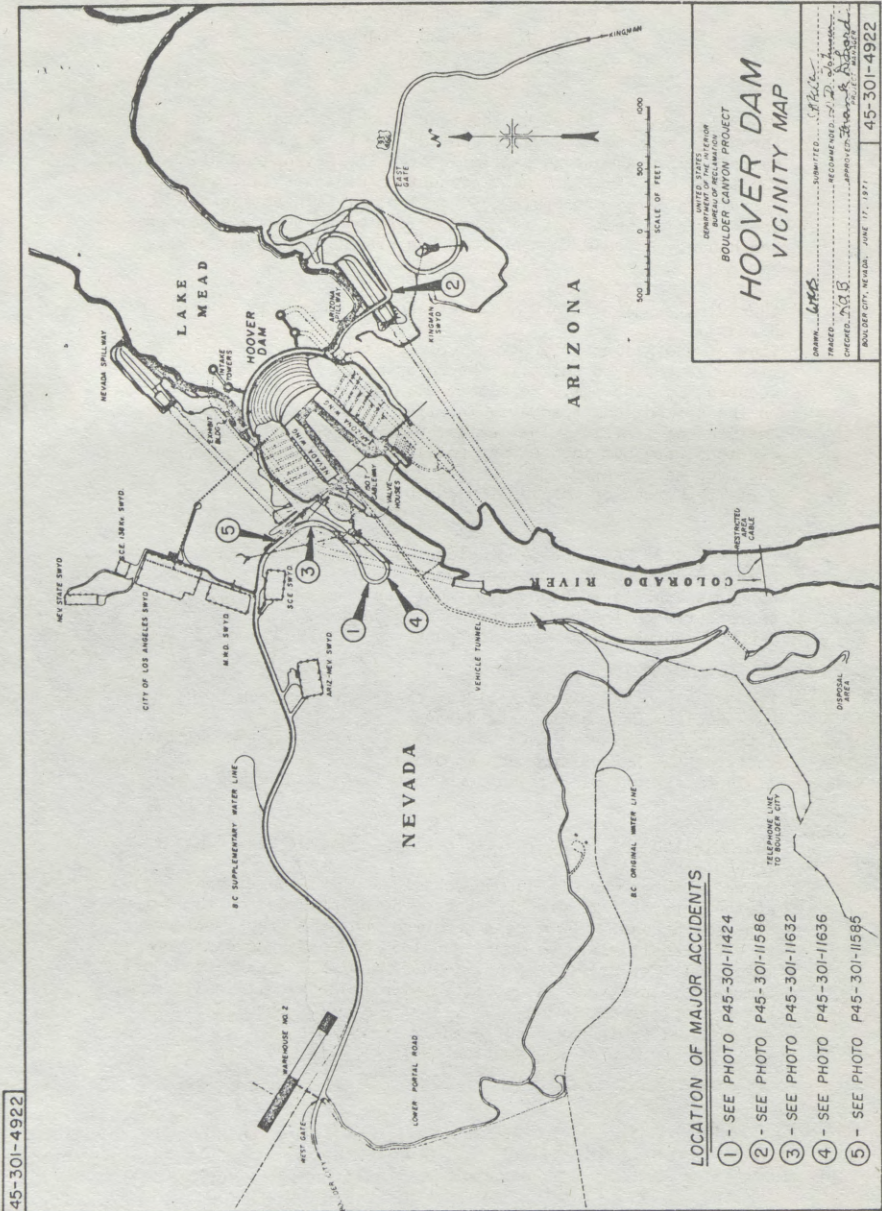
P45-301-11424 NA View of the tank truck and trailer that crashed through a rock masonry wall, June 28, 1966, and burned, at the hairpin curve about one-half mile from the Nevada end of the dam. The truck bore the firm name of Western Gillette Inc. and was carrying a cargo of about 9,700 gallons of high-octane gasoline. The driver escaped, but received severe burns on his face, arms, and hands. He said that he lost his brakes as he came down the hill.

P45-301-11586 NA Truck Accident--Hoover Dam--Boulder Canyon Project--Nevada
View of the Allison Steel Mfg. Co. truck the day following its mishap caused by a shift in the scrap metal load. The accident occurred at 7:55 p.m., September 20, 1972, near the pet shelters on the Arizona dam roadway. The trailer overturned, blocking one lane of traffic. The trailer was righted and traffic precautions were put into effect until 6 p.m., September 22, when the area was cleared.
9-21-72 Bureau of Reclamation photo by J. Miles

P45-301-11632 NA One-Car Accident on Nevada Approach to Hoover Dam--Boulder Canyon Project--Nevada
Shown is vehicle on Highway 93 that went out of control on a sharp curve on the Nevada approach to Hoover Dam.
5-20-68 Bureau of Reclamation photo by E. E. Hertzog

P45-301-11636 NA Truck Accident on Nevada Approach to Hoover Dam--Boulder Canyon Project--Nevada
A truck on Highway 93 that went out of control on the hairpin curve on the Nevada approach to Hoover Dam.
11-14-66 Bureau of Reclamation photo by E. E. Hertzog

P45-301-11585 NA One-Vehicle Accident--Hoover Dam--Boulder Canyon Project--Nevada
Shown is the scene of the one-vehicle accident on Highway 93/466 at the parapet wall directly above the hoist house on the Nevada side of the dam. The mishap occurred when the truck, belonging to WMK Transit Mix, was dumping a load of waste aggregate base material. The driver was not injured and wall damage was minor. Removal of the truck was effected with no major difficulty. WMK was a supplier for Ducon, Inc., contractor for Specifications No. 300C-313 (highway resurfacing).
11-29-71 Bureau of Reclamation photo by E. E. Hertzog





P45-301-11424 NA High-Octane Gasoline Tank Truck and Trailer Accident at Hairpin Curve Approaching Hoover Dam - Boulder Canyon Project - Nevada

View of the tank truck and trailer that crashed through a rock masonry wall, June 28, 1966, and burned, at the hairpin curve about one-half mile from the Nevada end of the dam. The truck bore the firm name of Western Gillette, Inc., and was carrying a cargo of about 9,700 gallons of high-octane gasoline. The driver escaped, but received severe burns on his face, arms, and hands. He said that he lost his brakes as he came down the hill.

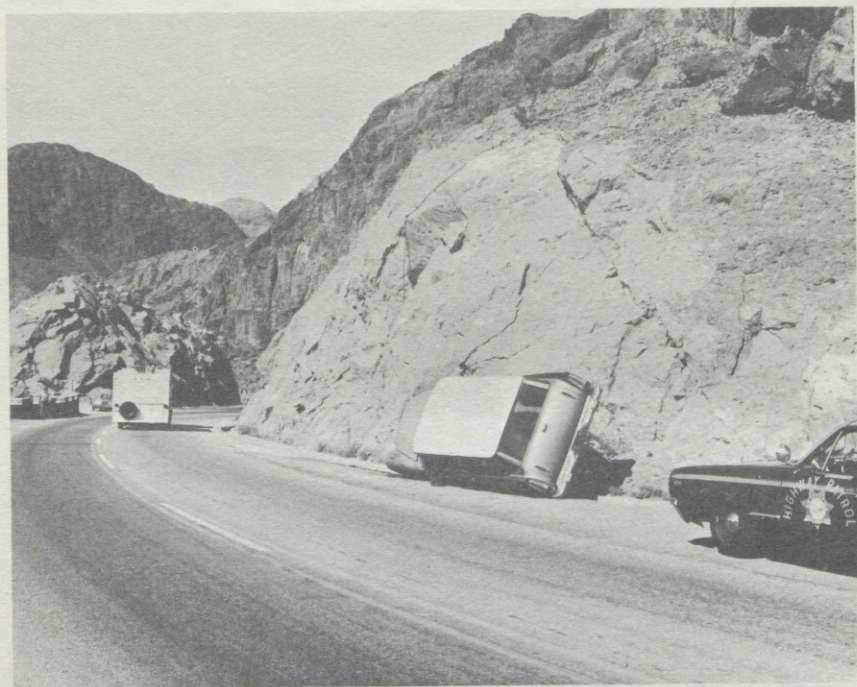
6-28-66 Bureau of Reclamation photo by E. E. Hertzog



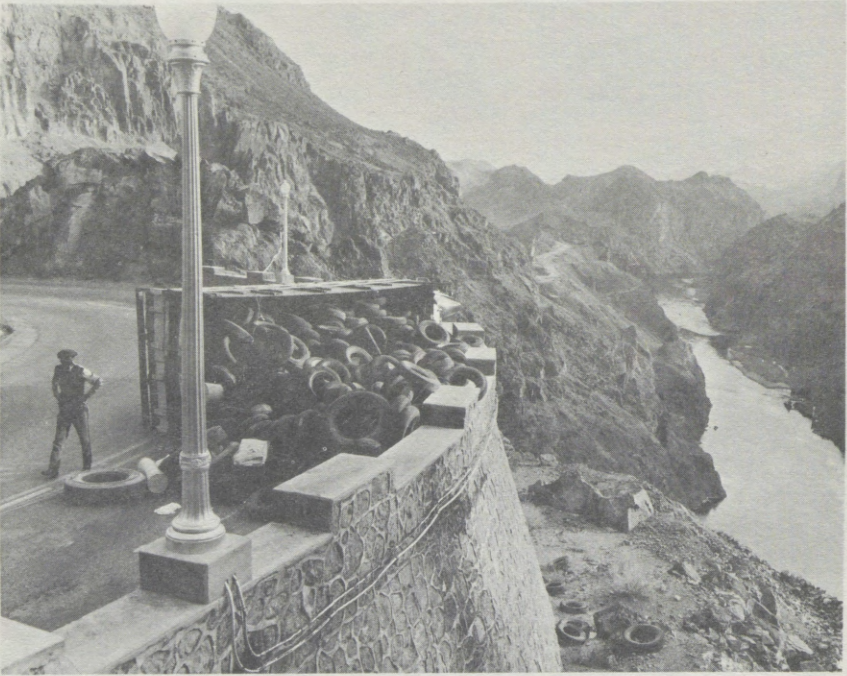
P45-301-11586 NA Truck Accident on Arizona Dam Roadway—Boulder Canyon Project—Arizona

View of the Allison Steel Mfg. Co. truck the day following its mishap caused by a shift in the scrap metal load. The accident occurred at 7:55 p.m., September 20, 1972, near the pet shelters on the Arizona dam roadway. The trailer overturned, blocking one lane of traffic. The trailer was righted and traffic precautions were put into effect until 6:00 p.m., September 22, when the area was cleared.

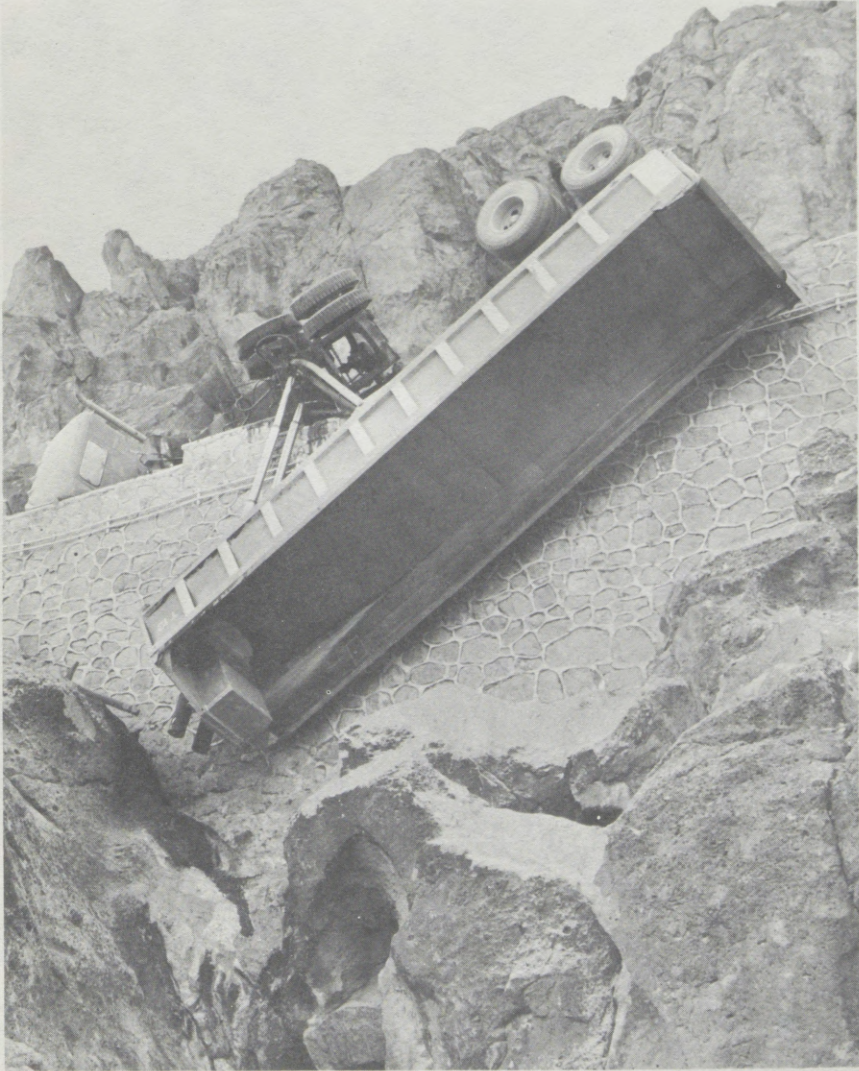
9-21-72 Bureau of Reclamation photo by John L. Miles



P45-301-11632 NA One-Car Accident on Nevada Approach to Hoover Dam—
Boulder Canyon Project—Nevada
Shown is vehicle on Highway 93 that went out of control on a sharp curve on
the Nevada approach to Hoover Dam.
5-20-68 Bureau of Reclamation photo by E. E. Hertzog



P45-301-11636 NA Truck Accident on Nevada Approach to Hoover Dam—
 Boulder Canyon Project—Nevada
 A truck on Highway 93 that went out of control on the hairpin curve on the
 Nevada approach to Hoover Dam.
 11-14-66 Bureau of Reclamation photo by E. E. Hertzog

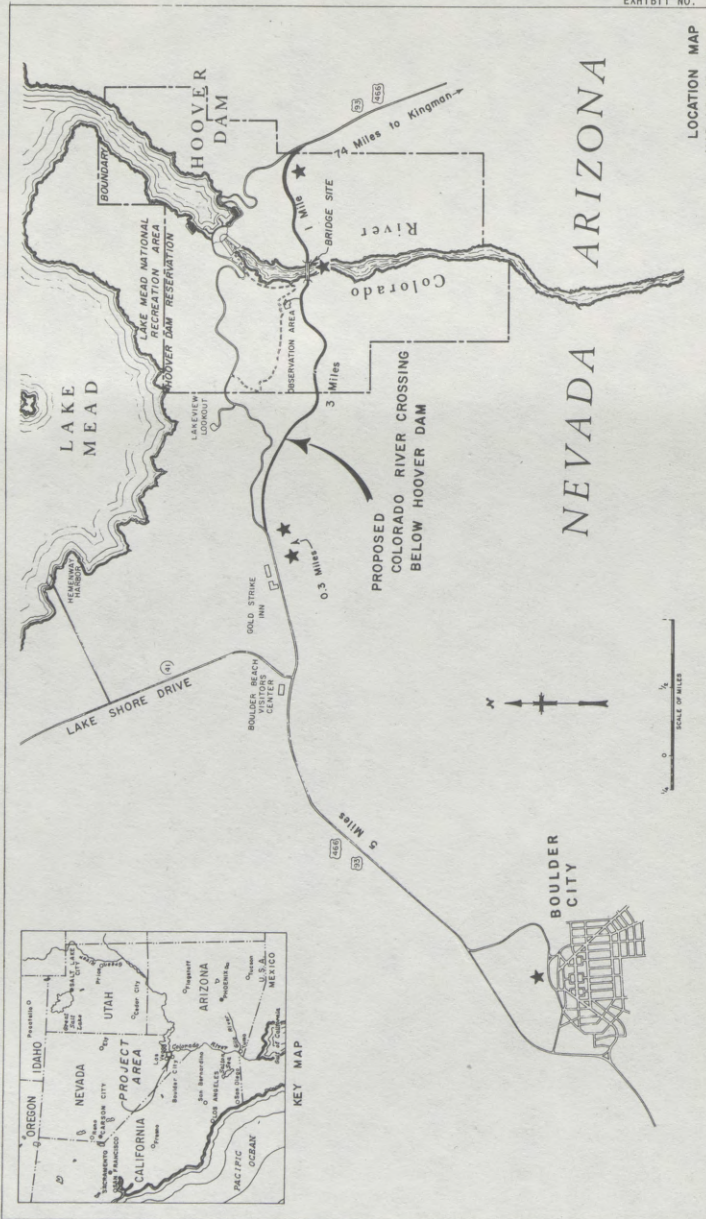


P45-301-11585 NA One-Vehicle Accident—Hoover Dam—Boulder Canyon Project—Nevada

Shown is the scene of the one-vehicle accident on Highway 93/466 at the parapet wall directly above the hoist house on the Nevada side of the dam. The mishap occurred when the truck, belonging to WMK Transit Mix, was dumping a load of waste aggregate base material. The driver was not injured and wall damage was minor. Removal of the truck was effected with no major difficulty. WMK was a supplier for Ducon, Inc., Contractor for Specifications No. 300C-313 (highway resurfacing).

11-29-71 Bureau of Reclamation photo by E. E. Hertzog

EXHIBIT NO. 1

LOCATION MAP
MAP NO. 45-300-143



Senator BIBLE. We stand in recess on this bill. We will do our best to get this out. We might have need for further testimony, but we have explored this means of getting it done, and just because of the slowdown, instead of completing the interstate in 1972, I don't know when they will complete it now. And they have got deferrals, they have got problems. So this is so low on the totem pole it is going to be difficult to get it done.

Maybe there can be a blend of the two funds, maybe partly highway and maybe partly Colorado River. We will work out something. [Whereupon, at 11:35 a.m., the hearing was adjourned.]



