



Owens River Restoration – Los Angeles Takes First Steps Towards Restoring Portions Of The Lower Owens River

By Daniel Kelly

On December 6, 2006, Los Angeles Mayor Antonio Villaraigosa opened a valve, letting water flow down a 62-mile stretch of the Owens River, previously left dry by nearly 100 years of water diversions to Los Angeles.

Background

The legal battle over the Owens River dates back to the early 1970's when the City of Los Angeles, through the Los Angeles Department of Water and Power (LADWP), constructed a second aqueduct (the first was constructed in the early 1900's) to export water from the Owens Valley without complying with the California Environmental Quality Act (CEQA) (Public Resources Code, § 21000, et seq.). Several appellate decisions resulted, beginning with a 1973 decision by the Third Appellate District regarding LADWP's increased pumping from the Owens Valley. With the threat of Court sanctions looming, LADWP finally took its first steps towards complying with the mandate to restore portions of the Lower Owens River.

Restoring The River

On the afternoon of December 6, 2006, Los Angeles Mayor Antonio Villaraigosa opened a gate at a diversion dam that, since 1913, has been otherwise directing Owens Valley water to Los Angeles. Opening the gate allowed the water to flow down a 62-mile stretch of the Lower Owens River. Mayor Villaraigosa's actions were markedly different than those that occurred in 1913, when William Mulholland, referring to Owens Valley water flowing through the aqueduct, exclaimed: "There it is! Take it!"

LADWP, as part of the operation of its second aqueduct, which opened in 1970, increased groundwater pumping between 1970 and 1990, destroying habitat in the Owens Valley. LADWP's diversions out of the Owens Valley resulted, among other things, in drying Owens Lake. Owens Lake eventually evaporated into vast salt flats, which caused significant dust storms. The resulting litigation came to a head in mid-2005, when Inyo County Superior Court, Judge Lee E. Cooper, Jr. found LADWP in violation of various stipulated orders regarding the Lower Owens River Project (LORP), eventually imposing fines of \$5,000 per day on LADWP until water flowed in the Lower Owens River. Judge Cooper also threatened that Los Angeles would be barred from using a second aqueduct from the Owens Valley unless water flowed in the river by January 2007. Judge Cooper stood next to Mayor Villaraigosa on December 6, 2006 when part of the River was restored.

The water returned to the river is expected to traverse what are now dry zones, over a roughly 16-day period, returning fresh water to areas choked by low water levels. The increased flows are expected to invigorate existing fish populations and enhance wildlife along the 62-mile stretch.

After the 62-mile trek, the water will enter storage ponds and be picked up by four 600-horsepower pumps, which will return the water into LADWP's aqueduct and transport it the remaining 250 miles to Los Angeles. Local residents and officials expect the return of river flows to provide new opportunities for tourism and recreational opportunities that disappeared with the river.

The restoration is part of LADWP's Lower Owens River Project, which cost the city approximately \$39 million to launch. While the 62-mile stretch of the river will regain a portion, approximately 1/20th, of its historic flows, and because LADWP will pick the water up and re-divert it into the aqueduct, the restoration should not significantly affect Los Angeles' water supply. Reports indicate that LADWP will need to find about 9,000 acre feet of water supplies from other sources, such as the Colorado River, or through reclamation, reuse, and conservation.

Conclusion And Implications

The recent action, permitting portions of the historic natural flow to return to the Lower Owens River, signifies the beginning of the end of the legal battles resulting from LADWP's water exports from the Owens River Valley. While it may take years for the river to reclaim its historic bed and channels, many onlookers see the return of some flows to the river, coupled with LADWP's ability to re-divert the water further downstream, as a win-win situation. More information on the Los Angeles Aqueduct, including information on the Lower Owens River can be found at LADWP's website at <http://ladwp.com/ladwp/cms/ladwp004409.jsp> and at the Owens Valley Committee's website at <http://www.ovcweb.org/index.asp>.