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Wednesday, Aug. 18, 2004

Group says district delays dam demolition

Environmentalists challenge Casitas' rights to Matilija water

By Charles Levin
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An environmental group has accused the Casitas Municipal Water District of stalling a longtime plan to tear down Matilija Dam by falsely saying demolition will reduce its water supplies.

Jim Edmondson, the Southern California manager of California Trout, asked the state Water Resources Control Board in an Aug. 12 letter to investigate the matter and de-

termine whether Casitas has a legal right to water behind the 56-year-old dam.

Casitas General Manager John Johnson said Tuesday the district supports the dam's removal as long as its water-supply concerns are addressed. About 200 of the district's 3,000 customers rely on water from Matilija reservoir. Johnson questioned whether the state water board had any jurisdiction over the matter but did not elaborate.

Edmondson's request is

under consideration, said Liz Kanter, a spokeswoman with the state agency. She said Casitas' license to store and carry water from Matilija reservoir is in good standing. But the district has failed to report how much water it diverts from Matilija reservoir in its annual reports, she said. "So that is something we're going to have to take a look at," Kanter said.

Johnson was unavailable later to comment on the annual state reports.

Demolishing the 168-foot dam would hasten the return of endangered steelhead trout to spawning grounds and replenish eroding beaches with sand,

proponents say.

About 6 million cubic yards of sediment behind the dam have rendered it obsolete. The \$130 million demolition plan is detailed in an environmental study, released last month by the county's Watershed Protection District and U.S. Army Corps of Engineers. Demolition still requires U.S. Senate approval and President Bush's signature.

At issue is a license granted by the state water board to Casitas in 1973 that allows the district to store 2,470 acre-feet of water behind the dam and withdraw up to 4,750 acre-feet of water a year, Edmondson said.

An acre-foot is 325,851 gallons, enough to supply two average households for a year.

But with sediment choking the reservoir's capacity to about 500 acre-feet, "the license may be subject to revocation," Edmondson said in his letter. Moreover, he said, the district may have no legal right to a five-mile pipeline because it hasn't used it for at least five years or longer. The pipeline carries water from the dam to the eastern end of Ojai Valley.

"If you don't use water for five consecutive years, then you've given up your right to



See MATILIJA on B2

Objections to dam removal don't hold water

Demolishing flawed Matilija Dam in Ventura County will restore ecosystem

By John Krist

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In America's dam-building heyday, it was easy to slap a whopping big pile of concrete across a river.

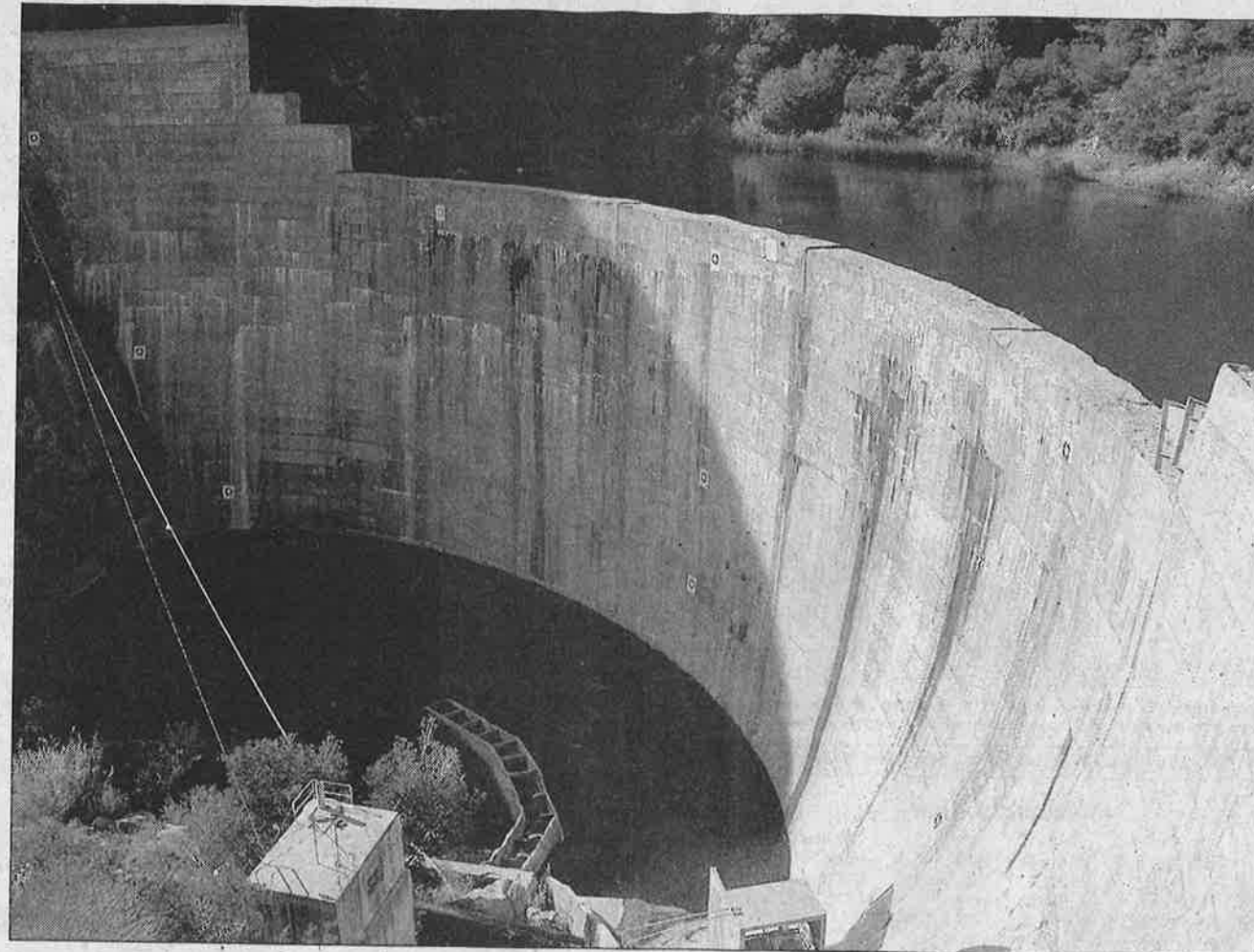
Between 1935 and 1965, when America was completing big dams almost too fast to count them, such concerns as Native American treaty rights, the needs of fish and the recreational value of running water were considered subordinate to other imperatives: the pursuit of private wealth, the defense of national security, the quest for power. In the absence of any significant regulatory impediments, tremendous construction projects could be carried out with a speed that seems incomprehensible today.

Hoover Dam, the most breathtaking engineering achievement of its time, rose above the Colorado River in less than four years. Bonneville Dam on the Columbia, another Depression-era project, also was completed in a mere four years.

Dams wear out, silt up, cease to make economic sense. But removing them when they become dangerous or obsolete is much more difficult today than building them was 40 or 50 years ago. Ventura County residents are being offered a lesson in just how difficult this process can be as they watch the slow progress of one of the most elaborate dam-removal projects in American history: the demolition of Matilija Dam, which after more than five years of work and study has entered its most delicate stage.

Although a remarkable coalition of interests has united behind the effort, a small but insistent chorus of dissenters has in recent weeks raised objections that could, if pursued in the courts, bring the project to a halt before a single chunk of crumbling concrete has been removed.

Analysis of the documentary record suggests most of the objections are without merit. But the dissenters don't have to win a courtroom battle or even present a particularly compelling case to block the Matilija project. All they have to do is delay it long enough for the fragile funding arrangements to unravel. In light of that, it's important for the discussion of project impacts to be as careful and accurate as possible, and for everyone involved to keep their eyes on the overarching goal:

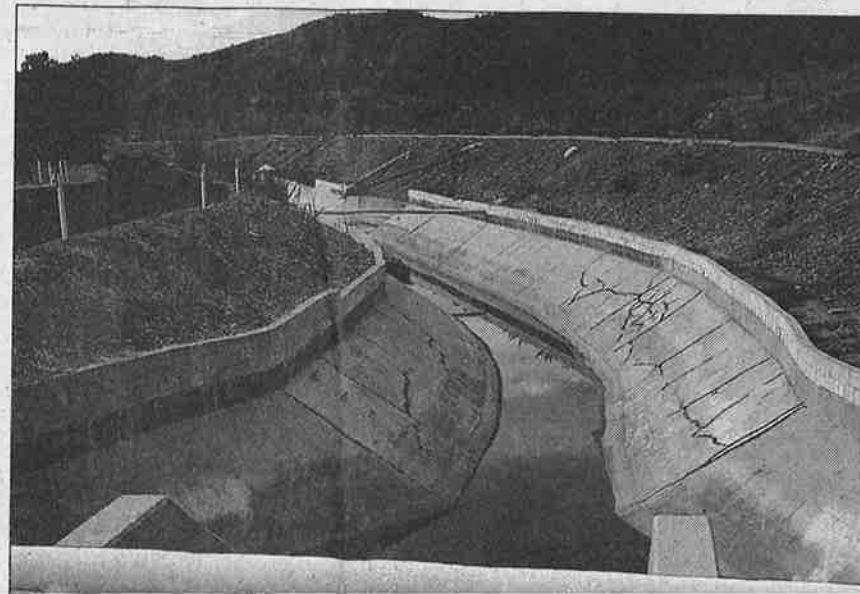


Photos by John Krist / Star staff

Matilija Dam was completed in 1948 in a narrow canyon 16 miles north of Ventura. A coalition has been working to remove the dam and restore the area's ecosystem. Opponents' objections threaten to delay the demolition and, thus, endanger its funding.

The district has had half a century to devise a long-term solution to this water-supply problem. It hardly seems fair now to lay it at the feet of the dam-removal project

way since 1998, when local advocates secured federal support for a feasibility study. (The study process has taken longer to complete than Hoover Dam took to build.) Strategies for taking out the dam and dealing with the sediment behind it are detailed in a draft environmental



Public comments

The draft environmental review and supporting documents for the Matilija Dam removal project are available at <http://www.matilijadam.org/>. Public comments regarding the report must be postmarked or e-mailed by midnight Monday, and can be submitted to Jon Vivanti, U.S. Army Corps of Engineers, 915 Wilshire Blvd., Los Angeles, 90017-3401 (jonathan.d.vivanti@usace.army.mil).

limited. What's more, the reservoir could vanish even sooner than projected.

One big storm

Continuing sediment deposition will reduce Matilija Reservoir's capacity to 150 acre-feet by 2010 and less than 50 acre-feet by 2020, according to the draft EIR. Those estimates, however, are based on the average deposition rate. According to the sedimentation study conducted by the U.S. Army Corps of Engineers, the great majority of the 6 million cubic yards of debris trapped behind the dam was deposited there in a remarkably brief period, in a series of huge pulses.

The 1969 floods alone deposited 1.6 million cubic yards of sediment, the report estimates. Of the 1.4 million cubic yards deposited in the reservoir since then, almost all was transported during big storms in 1978, 1992, 1995 and 1998, according to the report.

What this means is the Matilija Reservoir, which has only about 807,000 cubic yards of water storage left in it, is really just one exceptionally wet winter — one really big storm — from disappearing.

Presumably, Casitas management has known for years that it faced the likely loss of water supplied by Matilija Dam, either through expiration of the lease, continued deterioration of the

dispute is an illustration that, particularly in fast-growing California, there is no such thing as a trivial amount of this precious resource.

Fatal flaws

Matilija Dam, completed in 1948 in a narrow canyon 16 miles north of Ventura, was envisioned as a means of providing flood control to small downstream communities and recharging groundwater used by a handful of farmers in the Ojai Valley. With so few potential beneficiaries, the dam had such a dismal cost-benefit ratio that no federal agency could be persuaded to build it. Undaunted, the backers of Matilija Dam persuaded local voters to pass a bond measure to provide funding, and the county flood control district tackled the project.

Problems were apparent nearly from the start. Cracks began appearing on the downstream face of the dam almost immediately after completion, and they worsened over time. A 1959 survey revealed that the dam's crest was shifting upstream, probably because a chemical reaction between alkali in the cement and silica in the aggregate used in the concrete was causing it to expand and deteriorate. Concerned about the dam's integrity, the state Division of Dam Safety ordered the county to notch the dam's spillway crest to reduce stress on the structure before the 1965-66 storm season. The dam originally was 198 feet tall; subsequent modifications lowered it 30 feet.

Bad concrete was not Matilija Dam's only flaw. Although this was not appreciated at the time, the mountains surrounding the dam site are rising rapidly — they are, in fact, the fastest-rising mountains in the United States — and they are eroding nearly as rapidly, producing huge amounts of debris. Matilija's 7,000-acre-foot reservoir first filled with water in 1952. (An acre-foot is 325,900 gallons, or the amount consumed by two average Southern California households in a year.) But it also had begun filling with erosional sediment: about 127,000 cubic yards of it a year, according to a 1954 report by the U.S. Bureau of Reclamation.

According to the bureau, the dam now traps 6 million cubic yards of sediment, the equivalent of 14 Rose Bowl stadiums full of sand, silt, gravel and cobbles, and the reservoir has a storage capacity of about 500 acre-feet. The dam contributes to beach erosion by trapping sand that would otherwise reach the coast, and blocks access to critical spawning grounds for endangered southern steelhead in the Ventura River watershed.

Efforts to demolish the dam and restore the ecosystem have been under-

managed to get \$79 million in federal funding for the \$110 million project into this year's Water Resources Development Act.

Congressional support for project funding reflects the extremely broad coalition of interests united behind the removal proposal, including virtually every federal, state and local agency with an interest in the dam or in steelhead, as well as a lengthy roster of environmental groups.

At a July 28 public hearing on the draft EIR, however, representatives of several small water agencies and the Ojai area's main water provider, the Casitas Municipal Water District, complained that the document fails to address the effect of the dam removal on their water supply. And at least one of those representatives, a Santa Barbara attorney, argued that this failure left the document open to challenge under the National Environmental Policy Act and the California Environmental Quality Act — a hint of litigation to come.

Conflicting numbers

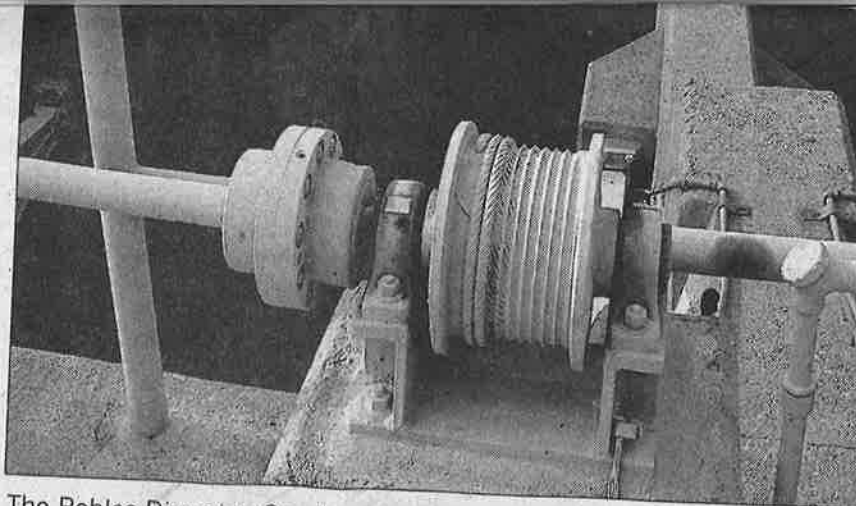
In a state where individual farms and desert golf courses may each consume hundreds of acre-feet a year, the amount of water at stake seems trivial.

The Casitas district has a lease with the dam's owner, the Ventura County Watershed Protection District (formerly the Flood Control District), to store water behind the dam. That water is dribbled through the dam's outlet works into the stream channel after winter's peak flows have subsided, allowing it to be captured by Casitas at the Robles Diversion, which shunts it into a canal that leads from the Ventura River to Lake Casitas.

According to the U.S. Bureau of Reclamation, Matilija Dam adds an average of 590 acre-feet a year to the local water supply.

Casitas has provided its own conflicting estimates. In a July 20 letter to the editor of *The Star*, the Casitas board president asserted that Matilija reservoir provides "about 600 acre-feet of water." A July 21 press release from the district asserts that removal of the dam could cause the district's customers to "face a loss of 2,400 acre-feet of water." In a more recent press release, the district claims Matilija yields 790 acre-feet of water a year, a figure repeated in a recent interview by Casitas General Manager John Johnson.

Johnson also asserted during that interview that the issue of how much water is lost is secondary to the fate of some 200 water users that Casitas identifies as customers of the Matilija system, which when originally built included the dam and a supply line, the Matilija conduit, to the Ojai Valley.



The Robles Diversion Canal carries water from the Ventura River to Lake Casitas.

He said that when the district's lease for the dam expires, responsibility for serving those customers will revert to the county along with responsibility for the dam.

Johnson said those customers use between 2,400 and 2,600 acre-feet a year, which may explain the origin of the figure in the district's July 21 press release. The county, he said, has an obligation to identify during the EIR process how it will serve those customers.

The question at the heart of the disagreement thus boils down to this: How much water will actually be lost as a direct consequence of the dam's removal? And who should be responsible for replacing it?

A review of the relevant documents, including the EIR, its supporting hydrological and sedimentation studies, lease agreements and water licenses, suggests Casitas is on shaky ground no matter which figure it uses.

Vanishing storage

First of all, Matilija Dam does not provide enough water each year to serve 200 customers, although Johnson has suggested during interviews with local reporters over the past few months that it does. It may have done so in the past, before the reservoir became so clogged with silt. But no longer, not even according to a June draft of the district's most recent water supply and demand study, which Johnson and the district's press release cite as the source of the 790-acre-foot figure.

As a practical matter, the water that is stored behind Matilija Dam is not directly delivered to anyone; it is commingled in the water of Lake Casitas, a 250,000-acre-foot reservoir built by the Bureau of Reclamation, which is the immediate source of water for all of the district's 75,000 customers. The old direct pipeline from Matilija Dam, which was

intended to dump water on spreading grounds in the Ojai Valley to recharge aquifers tapped by farm irrigation wells, is no longer functional. So, in a technical sense, there are no customers on the "Matilija system."

As the EIR notes, the district does obtain some water benefits from Matilija Dam, even with its tiny remnant reservoir. But Casitas loses legal access to the dam Jan. 1, 2009, when its lease with the county expires. At that point, according to the 1958 agreement between the district and the county, "the possession, control and responsibility for operation" of Matilija Dam "shall be returned to VCFCD (Ventura County Flood Control District)." And when that happens, according to a 1969 agreement between the county and the water district, the right to store and divert Matilija Creek water under a license issued by the State Water Quality Control Board also will revert to the county.

In about four-and-a-half years, in other words, Casitas will lose the water, lose the storage, lose the diversion right — lose everything but the customers it claims rely on that water. For nowhere in the lease agreement or its various amendments is there an explicit stipulation that the legal obligation to serve water customers be transferred to the county when the Matilija lease expires.

From a practical standpoint, the county would probably offer to extend the lease and thereby the water rights as long as there's a dam in place to store that water. So, if the Matilija project were delayed — or if the dam were allowed to remain in place until sedimentation finally eliminates the reservoir — Casitas would stand to reap some additional water-supply benefits. Those are largely speculative, however. The county may wish to make up for that potential loss in order to expedite the project, but its obligation to do so is extremely

or continuing sedimentation was, in fact, recognized in the original 1954 lease agreement with the county, a document preceding the current lease. That earlier agreement, in a clause that was incorporated into all subsequent agreements, gave the water district legal responsibility for operating and maintaining the Matilija Project — but with "ordinary depreciation, obsolescence and siltation excepted."

Casitas, in other words, sought and received legal assurances 50 years ago that it would not have to bear the cost of continual dredging to maintain the reservoir storage space for which it was paying. The district has had half a century to devise a long-term solution to this water-supply problem. It hardly seems fair now to lay it at the feet of the dam-removal project, particularly when the district's greater challenge is continuing growth in demand and its tardiness in adopting the kind of conservation measures that have become commonplace among Southern California water districts.

Real issues

Although most criticism of the dam removal project EIR is overblown or without merit, there are a few potential effects that ought to be more fully addressed. Some rural water agencies, for example, have valid concerns that recharge of their Ventura River wells could be blocked if enormous heaps of silt from behind the dam are piled nearby. That issue needs to be analyzed further and the deposition sites moved, if warranted, to protect those water sources.

But it's important that directors of Casitas and other local water districts — as well as those in the environmental community who might reflexively object to any increased water diversions, no matter how ecologically benign — avoid the temptation to use the \$110 million project as a bargaining chip to achieve unrelated aims. In the long history of dam construction in America, and the much shorter history of dam demolition, there has never been anything like the Matilija restoration project. It represents a historic opportunity to reverse a profound ecological and geotechnical mistake.

Such undertakings are much easier to derail than to carry out, and this one will collapse if asked to bear too great a burden. Efforts must be undertaken to solve the future water challenges facing western Ventura County, where the margin between supply and demand is growing uncomfortably thin. But there is no legitimate reason to hold the removal of Matilija Dam hostage to those discussions.

— John Krist is a senior reporter and opinion page columnist for *The Star*.