

DWP's comeuppance

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An Owens Valley judge socked the Los Angeles Department of Water and Power right where it hurts the most — the agency's money and its water. Finally, someone may have found a way to get the mighty DWP to obey the law.

Inyo County Superior Court Judge Lee E. Cooper seemed to share valley residents' years of frustration at being Los Angeles' water colony, noting that the department had since 1973 been in violation of the California Environmental Quality Act in its overall treatment of the Owens Valley. "It's been more than 30 years," he exclaimed Monday. "That's incredible." It is. But it's also the long, sorry history of the department to drag its heels legally until it is absolutely forced to do the right thing.

This case stems from the DWP's failure to live up to a 1990s promise and legal order to restore water to a 62-mile stretch of the lower Owens River, from a point between Big Pine and Independence to south of Lone Pine. Cooper ordered the DWP to act now or face a \$5,000-a-day fine and, much more seriously, the loss of supply from part of Los Angeles' aqueduct system. The DWP said it would comply with the ruling, though it threatens a rate increase.

A century ago, agents for L.A. quietly bought up Owens Valley farms and ranches for their water rights along the Owens River, which drains much of the eastern Sierra. In 1913, the river itself was diverted more than 200 miles south via canal and pipeline. (See the 1974 movie "Chinatown" for juicy real and fictional details.)

The system provides about 70% of the city's water supply and makes considerable revenue by generating hydroelectric power along the way.

Under the agreement and court order, the city will return water to the 62-mile stretch, pumping it farther south to be sent to Los Angeles. The city will lose a small but uncertain amount of water to evaporation and seepage. The DWP, however, could use some of its hydroelectric profit to buy replacement water. Any demand for higher rates blamed on the Owens River restoration should get a hard look from the city.

Mayor Antonio Villaraigosa, about to appoint new members to the city commission that oversees the publicly owned DWP, should charge the commission with changing an old-boy culture of arrogance and disregard. Judge Cooper's outrage shows how big a job this will be.