

DWP: A reluctant landlord

DWP Commission worries about water first, but open to ideas about local land policies

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William Mullholland, head of the Los Angeles Water Company, and Fred Eaton came to the Owens Valley in 1905 to buy water rights, first and foremost, and that they ended up buying huge chunks of land in order to secure the water rights that ran with the land was simply a means to an end.

Now, 101 years after those initial

land and water purchases in Inyo and Mono counties, the Los Angeles Department of Water has become a reluctant landlord, overseeing about 310,000 acres of land in the Owens Valley.

The agency's primary focus remains delivering water to Los Angeles and protecting the Eastern Sierra watersheds that provide that water.

"We're not chartered to be a land management agency," said DWP Commission Chair Mary Nichols during a recent visit to the Owens Valley. "The only excuse we have to be here is water."

But the LADWP is "a major landlord" and its land policies have "a major impact" on the Owens Valley she said.

When it comes to land issues "that

don't affect our basic interests," which are protecting water and watersheds, the DWP Commission's attitude should be, "let's fix them up," Nichols said.

Land maneuvers that might threaten LADWP water rights, its ability to move that water through the valley or limit its future options are going to be a tough sell. But there are land issues and conflicts that are far removed from the water operation, and the current LADWP Board of Commissioners made clear that it would consider a variety of ideas to ease some of the conflicts and address local concerns about some of LADWP's land holdings.

The sort of land questions that are not directly linked to water issues include a long-term lease for the

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Bishop airport, land releases in Inyo County and selling land in Bishop and other communities.

However, any quick action regarding major changes in direction, such as putting land in conservation easements, changing access or lease policies, or selling large parcels for development, won't happen quickly. Any big changes also won't come without LADWP hearing from the citizens such moves would impact.

"It would be completely inappropriate for Los Angeles to do anything unilateral in this area," Nichols said. Before making major changes, LADWP, the affected communities, lessees, local governments and the valley's citizens would have to be involved in a public process, she said, with the result being reaching "as much consensus as possible."

Being open to new ideas, but going slow before implementing them, first popped up regarding a request from Mono County officials and residents that the board consider placing a conservation easement on as much of the 60,000 acres of LADWP land in Mono County as feasible.

The plan, as presented by Julie Bear, executive director of the Eastern Sierra Land Trust, and Mono County Supervisor Byng Hunt, would be to place an easement on LADWP land

that would "erase the development rights" from the land. But LADWP would still manage and maintain the land, and still pick up the costs for doing so.

While the commissioners were sympathetic to the idea, they were leery of moving too fast.

"It's not my land," said commissioner Nick Patsouras, it belongs to the citizens of Los Angeles. If the LADWP decides to give up the value of development rights on the land, "what do we get in return," he asked, noting that in any sort of deal the board will need to show "there's a benefit for taxpayers" in Los Angeles.

Figuring out any sort of payment for development rights on LADWP land could be tough, or at least complex, said Nichols. "We don't manage our land for maximum revenue," she said, and the biggest asset LADWP holds is, once again, the water, not the land.

Because the agency's primary purpose is protecting its Eastern Sierra water and making sure it ships as much water to L.A. as possible, "it's just not in the makeup of the department" to even think about becoming a developer and building subdivisions or other projects, said DWP General Manager Ron Deaton. "Stewardship is more important than financial gain," he said of the agency's land-holdings.

"There are no developments" even being considered for LADWP's lands, said Commissioner David Nahai, and "no intention to develop" any of the agency's Eastern Sierra lands.

The idea of "land swaps" to both conserve open space and provide some room to grow got

a warmer greeting. "Swaps appear to be easier than the other" options as a first step, said Deaton. The commissioners also said they might be interested in a "pilot program" that would put some LADWP land in the Mono Basin in a conservation easement.

Patsouras and Nichols said any move toward land swaps or easements would require significant work by all involved, and careful scrutiny of all the details.

It remains to be seen whether the board's directions to its staff concerning getting past theory and into the details will speed up the ongoing process to create a "land tenure" map showing LADWP, county and federal land in both counties. That map could be used to craft land swaps between governments and the private sector.

Nahai noted that Inyo County represented a "different situation" than Mono County, because communities in Inyo County are essentially "landlocked" by LADWP land. However, he added that the commission didn't want to contribute to "sprawl and inappropriate growth" by simply putting its lands up for sale. The LADWP owns about 250,000 acres of land in Inyo County.

On the other hand, the commissioners said they would not slow down or delay the ongoing effort by Inyo County and LADWP to release for public auction about 75 acres of LADWP land in communities throughout the Owens Valley.

When it came to a long-term lease for the LADWP land that holds the Eastern Sierra Airport in Bishop, "I don't see any obstacle to us working on this together," said Nichols. Past DWP Commissions had linked a

new airport lease to water issues, she noted, but the new board wanted to "move the discussion to a higher level."

A long-term lease would allow the county to potentially obtain millions in federal grants to improve the airport, and eventually the county plans to lease additional LADWP land at the airport for a business park.

Bishop City Administrator was thinking beyond the 75-acre land release program. He told the commissioners that Bishop would be willing to buy the multiple LADWP parcels in the city limits that now hold parking lots and the city park, to cite to significant examples.

Pucci said Bishop was willing to pay "fair market value" for the LADWP lands, but would need some help to package the deal "to make it feasible" for Bishop to obtain financing and otherwise complete such a large transaction.

If the commissioners could "think out of the box" and consider such alternatives as a 99-year lease-purchase agreement or other innovative techniques, Bishop would be more than willing to listen, he said.

Again, the key for Bishop is "we have to have control over the property" to obtain grants or make long-term plans, which could include anything from park improvements to parking structures, he noted.

While not taking concrete action on any of the land proposals, Nichols said the new commissioners want to "play the role (of landlord) responsibly and appropriately," and although it might be rare that there will be complete agreement on land issues, "anything is possible if people keep talking."