

MATILIJA DAM
Ecosystem Restoration Feasibility Study

Appendix G
REAL ESTATE PLAN

September 2004

PURPOSE

This Appendix, the Real Estate Plan (REP), is a feasibility level study of the lands, easements, rights-of-way, relocations, and disposal sites (LERRDs) associated with the final array of ecosystem restoration alternatives for the Matilija Dam study. The REP discusses the general real estate requirements for Alternative 4b, identified as the National Ecosystem Restoration (NER) plan and the Recommended Plan. The Locally Preferred Plan (LPP) is similar to the NER plan, but includes a desilting basin that may be considered a betterment to federally owned property, with costs fully-borne by the Ventura County Watershed Protection District (VCWPD), the Sponsor for the study. VCWPD would also be the Sponsor for a project.

The primary objectives of the study are to improve aquatic and terrestrial habitat and access along Matilija Creek and the Ventura River, restore the hydrologic and sediment transport regime, and enhance recreational opportunities. More details of the study area are presented in the main report. This report identifies the real estate requirements for a recreational hiking/riding trail that will start near the slurry disposal sites near Highway 150 and extend to the dam site.

GENERAL DESCRIPTION OF PROJECT AREA

The study area is located in Ventura County, California approximately 70 miles northwest of Los Angeles. Matilija Dam is located approximately 16 miles north of the ocean on Matilija Creek, a tributary to the Ventura River. The dam has impounded about 6 million cubic yards of sediment since construction in the late 1940's. The footprint of the deposition extends over a mile upstream of the damsite, about 6,000 feet. Areas upstream of the deposition area are relatively undeveloped and mostly within the Los Padres National Forest. There are some rural residences along the Matilija Canyon Road above the deposition area to the national forest boundary.

The downstream area along Matilija Creek and the Ventura River includes open space, agricultural lands, and sparse to concentrated development. There are three bridge crossings: Camino Cielo, Santa Ana Blvd, and Pacific Coast Highway. There are existing levees at Live Oaks, Casitas Springs and the Canada Larga areas.

The Bureau of Reclamation owns a water diversion dam about 2 miles downstream of Matilija Dam on the Ventura River. Surface water diversions are used for water supply to Lake Casitas. The City of Ventura has a subsurface water diversion and supply facility at Foster Park about six miles upstream from the ocean. The Ojai Valley Wastewater Treatment Plant is located about six miles downstream of Foster Park and releases treated effluent into the Ventura River.

SUMMARY DESCRIPTION

The alternatives all included similar measures to remove Matilija Dam. More detailed descriptions are located in the main report. Similarities include dam removal, downstream levee/floodwall construction, bridge modifications/removal, utility relocations, structural removals, and natural and/or mechanical transport of all or a portion of the deposited sediments behind the dam.

The preferred alternative (Recommended Plan) is as follows; the dam's concrete above the original streambed elevation will be removed by controlled blasting in 15-foot increments. The concrete will be crushed by a contractor at the site, and recycled and sold as aggregate from the site. Metal debris will be hauled from the site and non-salvageable items will be trucked 41 miles to the Toland Road landfill.

Additional downstream levees/floodwalls are required. These include a floodwall by the Camino Cielo Bridge along Highway 33, a combination of levee/floodwall at the Meiners Oaks and Robles area, a levee/floodwall at the Live Oaks area, and a levee/floodwall at Casitas Springs.

Bridge modifications include the raising and replacement of the Camino Cielo Bridge and the addition of a span to the Santa Ana Bridge. There are no utility relocations required at either site.

Structures that are impacted by the preferred alternative are all residential dwellings and include the Matilija Hot Springs facility located on the north bank of Matilija Creek, immediately below the dam. Access to this facility was not available however from current listing information on the property it is believed that the facility contains at least five structures that would be removed. There are 11 cabins in the Camino Cielo area that would be acquired and removed for all action alternatives based on the sediment and flood inundation risks. In addition there is at least one semi-permanent camp trailer/mobile home located on this site. There are two additional single-family home sites that will be acquired due to high water and sediment flows. One of those home sites is improved with two detached single-family structures. The other site has a stick built single family home and a mobile home, both of which appear occupied.

Modifications are being considered to the Robles Dam facility to allow a portion of sediments to bypass the site and to trap and settle out fine sediments before the diversion waters empty into Lake Casitas.

The preferred alternative includes slurring 2.1 million cubic yards of fine sediment from behind the dam (reservoir area) to a disposal sites located near Baldwin Road. This measure requires a pipeline for the source water for the slurry from Lake Casitas to Matilija Dam, and a slurry pipeline from Matilija Dam to the disposal sites.

The preferred alternative (Recommended Plan) includes the acquisition in fee of 163.01 acres of privately owned property for the project and approximately 2,000.58 acres in permanent and temporary easements from private property owners.

DESCRIPTION OF LANDS, EASEMENTS AND RIGHTS OF WAY

Land or interests in land required for the preferred alternative will generally be used for ecosystem restoration and for temporary and permanent sediment disposal. Additional land rights for the slurry line will be acquired in fee and converted to recreational trail use, along with some of the slurry disposal sites upon completion of the dam removal. Additionally, temporary easements are required for work areas and access required during the construction of the project. Where practicable, standard estates will be used.

At this time, it is assumed that fee estate is required for the ecosystem restoration activities around the Matilija damsite and upstream deposition area, the disposal areas for fine sediments, the Matilija Hot Springs facility and the properties in the Camino Cielo area impacted by the new high water flows and sediment flows resulting from the project. Fee estate will also be required for recreation trails and access areas. Permanent easements are required for the downstream levees/floodwalls just south of the dam along Maricopa Highway in the Camino Cielo area and west of Oso Road near the Robles Dam upstream debris basin.

Camino Cielo: (Exhibit 2A,B & C)

There are six residential tracts with four ownerships located below the dam that will need to be acquired in fee due to flooding and sediment inundation in areas currently improved with single family dwelling units. Some of these properties may also be utilized for construction staging subsequent to acquisition.

- Total Acreage 45.86
- Estate Acquired Fee
- Total Tracts Six
- Total Ownerships Four
- Estimated Value \$4,790,000

There is one additional vacant parcel in this area where an interest will need to be acquired.

- Total Acreage .56 acres
- Estate Acquired Inundation Easement
- Total Tracts One
- Total Ownerships One
- Estimated Value \$25,000

Slurry Pipeline: (Exhibits 1-11)

Land rights to be acquired for the slurry pipe will run from the dam site to the disposal sites near Santa Ana Road. The first description below is land from the dam site to a point where the slurry pipe alignment will enter the riverbed and includes all land that was not previously described as being acquired for another purpose or land that is owned by the Bureau of Reclamation. This take includes a twenty-five foot wide strip of land that will be used to locate the slurry pipe and the maintenance access road. Upon completion of the project, in those areas where it is deemed feasible, this area will be utilized for recreational riding and hiking trails. Because individual property owners are generally not willing to accept the liability associated with recreation easements these areas will be acquired in fee. All of this land is located outside of the river bottom and most of this property is currently cultivated for agricultural purposes.

- Total Acreage 3.31 acres
- Estate Acquired Fee
- Total Tracts six
- Total Ownerships six
- Estimated Value \$116,000

Additional land will be required for the slurry pipe. The land described below is privately owned land located within the river bottom.

- Total Acreage 10.10 acres
- Estate Acquired Fee
- Total Tracts Seven
- Total Ownerships Seven
- Estimated Value \$25,500

Hwy 150 Slurry Disposal Sites: (Exhibit 4 & 11)

Land rights to be acquired from private ownerships located within the river bottom to be used as stockpile areas for materials.

- Total Acreage 97 acres
- Estate Acquired Fee
- Total Tracts Eight
- Total Ownerships Eight
- Estimated Value \$242,500

The above estimate includes 4 acres to be acquired for access to the stockpile areas. The specific locations of the access points which will be specifically identified during the design phase.

Levees: (Exhibits 5,6, 7A&B & 11)

Land rights to be acquired for a levee east of the Los Robles diversion and east of Oso Road. This take will also serve as the area for the location of the slurry pipe as it runs through this area of the project.

- Total Acreage 1.03 acres
- Estate Acquired Fee
- Total Tracts Two
- Total Ownerships Two
- Estimated Value \$2,600

Land Rights to be acquired for a levee at Live Oaks north of the Santa Ana Bridge.

- Total Acreage 2.11 acres
- Estate Acquired Fee
- Total Tracts One
- Total Ownerships One
- Estimated Value \$5,300

Land rights will need to be acquired for a levee down stream in the Casitas Springs area.

- Total Acreage 2.60 acres
- Estates Acquired Fee
- Total Tracts Four
- Total Ownerships Three
- Estimated Value \$390,000

Bridge Modifications: (Exhibit 6)

Land rights to be acquired for the improvements to the Santa Ana Bridge including temporary traffic realignment during bridge construction.

- Total Acreage 1.06
- Estates Acquired
- Fee 1.00
- Temp Easement 0.06
- Total Tracts Four
- Total Ownerships Three
- Estimated Value \$2,650

The Casitas Municipal Water District has an existing lease with the County of Ventura to store water at the Matilija Dam. The lease expires in 2009. If construction on the project starts prior to 2009, Casitas will be compensated for the value of the storage rights for the remainder of the lease term.

Arundo Removal

The project includes removal of the non-native plant Arundo as part of the overall ecosystem restoration within the river bottom. Land rights will need to be acquired to perform this part of the project. There are 111 separate private ownerships located within the study area. Because fee acquisition would impact the riparian rights of the property owners and because of the location of privately owned and municipally owned well sites within the river bottom, fee acquisition of the property would be a difficult and cost prohibitive as well as creating the potential for significant opposition to the project. Therefore, it is determined that a permanent easement for access and arundo removal is the most feasible and cost effective way to approach this part of the project. The easement to remove this plant does not impact the owner's use or enjoyment of the property because this land is located within the river bottom and is generally unsuitable for any use other than open space. Additionally, the plant is dug up and then processed and disposed of offsite. Because entry is on an extremely limited basis and all debris are taken offsite for processing the impact on the property owners is minimal and the value of this easement therefore is considered nominal.

$$111 \text{ ownerships} \times \$500 \text{ per owner} = \$55,500$$

Foster Park Wells

There are two water wells proposed for installation at Foster Park as part of this project. Foster Park is owned by the City of Ventura. The wells are being installed as mitigation for water currently taken from the river by the City of Ventura that will not be available subsequent to this project. The wells will be installed by the District within the City owned property under a temporary construction easement. This will be covered under contingency for LERRD credit.

LANDS, EASEMENTS AND RIGHTS-OF-WAY THAT ARE ALREADY OWNED BY THE NON-FEDERAL SPONSOR

VCWPD already owns some of the real estate required to support a plan. VCWPD is currently investigating those sites it does not own and will acquire the necessary land or interests in land prior to project construction.

The Ventura County Watershed Protection District owns a total of 349 acres in fee within the project area including land around the Matilija Dam. All of the land required behind

the dam for storage area, sediment removal, channel clearing and staging are owned in fee by the VCWPD. In addition some of the down stream project areas including most of the land for the work on the Santa Ana Bridge, slurry lines and some of the new levees are also owned in fee.

All of the District property is either located within the river bottom or is hillside property leading down to the river bottom. This property all of similar type and is valued at \$2,500 per acre or 349 acres x \$2,500 = \$872,500.

NON-STANDARD ESTATES

There are no non-standard estates being acquired for the project at this time.

EXISTING FEDERAL PROJECTS

The U.S. Bureau of Reclamation built the Robles Diversion Dam in 1958. The Casitas Municipal Water District currently leases and operates the dam. The 24-foot high dam is used for water supply, diverting water from Ventura River via the 4.5-mile long Robles-Casitas Canal to Lake Casitas. There is also an existing Federal levee at the mouth of the Ventura River where it enters the Pacific Ocean.

FEDERALLY OWNED LAND (Exhibits 5, 8 and 10A,B&C)

There are Federally owned lands within the project area. The Bureau of Reclamation owns these parcels in fee. The Real Property Department for the Bureau of Reclamation has been contacted and has indicated that the five areas listed below are available for the project.

The first area is approximately 1.10 acres located within the river bottom that will be required for the slurry line and access between the Matilija dam site and the Robles Diversion dam. The project plan is to have this area be a part of a permanent recreational trail system upon completion of the project. It is unclear at this time which agency would take over management of the trail system.

The second area covers 2.75 acres near the Los Robles Diversion for the slurry line and floodwall in the Miners Oaks area.

A third area covering 4.60 acres to be used for a fresh water pipeline that will run from lake Casitas to a point intersecting with the slurry line and access road. This use will be temporary and will be discontinued and all temporary facilities removed upon completion of the project.

The fourth area includes an additional 0.25 acres in temporary easement near lake Casitas for a staging area during construction.

The fifth area covers 16.90 acres that will be used as a desilting basin and a permanent disposal site approximately 4,000 feet from lake Casitas.

NAVIGATION SERVITUDE

There is no land or interests in land required that are subject to the navigation servitude. Because this is an ecosystem restoration project that has no nexus with navigation, the land and interests in land required for this project are not available by virtue of the navigation servitude.

MAP OF THE PROJECT AREA

Is included in the attachments.

PROJECT INDUCED FLOODING

The potential for induced flooding downstream of the damsite is offset by the construction of the levees/floodwalls and the bridge modifications. Preliminary designs for levees/floodwalls will offer a 100-year level of protection.

A gross appraisal has been prepared by the Ventura County Public Works Real Estate Services Department. This appraisal was used in determining the real estate costs indicated below.

BASELINE COST ESTIMATE.

The following shows the components of the baseline cost estimate, which is at April 9, 2004 price levels. All lands needed for this project (excluding any lands that were previously cost shared, or Federally owned lands), regardless of ownership, have been estimated at fair market value. Contingencies take into account severance damage, unknown property splits, undetected improvements, minor project design changes, and any additional costs involved in the application of PL 91-646. A gross appraisal was done by Keith B. Filegar, Public Works Real Estate Services Division, County of Ventura on April 9, 2004.

REAL ESTATE BASELINE COST ESTIMATE FOR RECOMMENDED PLAN		
Non-Federal Sponsor owned Land, Easements & Right-of-Way		
Fee	349 Acres	\$ 872,500.00
Permanent Easement	_____ Acres	\$
Temporary Work Easement	_____ Acres	\$
Subtotal		\$ 872,500.00
Land, Easements & Right-of-Way to be acquired by Non-Federal Sponsor, # APN's, # Owner's	222 APN's 146 Ownerships	
Fee	163.01 Acres	\$ 5,574,400.00
Permanent Easement (including Arundo removal)	2,000.52 Acres	\$ 80,500.00
Temporary Easement	0.06 Acres	\$ 150.00
Subtotal		\$
PL 91-646 Relocation Assistance #		\$ 750,000.00
Facility/Utility Relocation		\$ 4,565,205.00
Non-Federal Sponsor Administration Acquisition Cost for LERRD's		\$ 500,000.00
Contingencies (20%)		\$ 2,468,551.00
Total LERRD cost		\$14,811,306.00
Federal Owned Land for Non-Federal Preferred Features	25.60 Acres	\$ 0
Federal Administration cost		\$ 35,000.00
Contingency (15%)		\$ 7,000.00
Total Estimated Real Estate Cost (rounded)		\$14,853,306.00

RELOCATION ASSISTANCE BENEFITS

Because the project is not yet funded and an environmental impact report has not been completed, we are not able to interview anyone living in the area potentially impacted by the project. However, based on several field inspections of the project area it appears that seventeen households will be displaced by the project. All of the displaced households are single-family residences. The estimated cost of relocation benefits has been made without interviewing any of the impacted parties. The cost is estimated at \$750,000. A

qualified Relocation Consultant was hired to review the market and indicated that an adequate supply of replacement housing exists in the Ojai Valley.

MINERAL ACTIVITY IN THE VICINITY OF THE PROPOSED PROJECT

There is no known mineral activity, nor have any deposits of oil, gas or minerals been identified within the project area.

ASSESSMENT OF THE NON-FEDERAL SPONSOR'S CAPABILITY

VCWPD, the non-Federal sponsor, has the legal authority, the human resource capabilities, and the financial resources to sponsor this project, as more fully described in Exhibit B.

ENACTMENT OF ZONING ORDINANCES

It does not appear that any special zoning ordinances will be required for the project.

SCHEDULE OF LAND ACQUISITION MILESTONES

Based on a project start date of 2007, the following are target dates for completion of various land acquisition milestones:

PLA signed - April 2005

Appraisals completed and negotiations started – July 2005

All offers made – August 2005

Eminent Domain proceeds initiated when necessary – November 2005

Right-of-way Certification – August 2006

FACILITY OR UTILITY RELOCATIONS

There are two facility relocations that are required by this project. The first involves removing and replacing the current bridge at Camino Cielo owned by the County of Ventura. This replacement is required because the removal of the dam will increase the water flow to the extent that the bridge will be impassable during winter storms and could be washed out. There are several property owners that rely on this bridge as the only means of access for their properties. The estimated cost to remove and replace this bridge is \$4,315,205.62.

The second facility relocation is the extension of the Santa Ana Bridge. This extension is a project cost required to mitigate the increased water flows and prevent flooding to the community. The only portion of the costs involved in this aspect of the project that are

not part of the project costs are the traffic detour costs required for this work. The estimated costs associated with the traffic relocation have been estimated at \$250,000.

The Los Angeles District has prepared an attorney's opinion of compensability regarding the Road Bridge at Camino Cielo, the Santa Ana Bridge and the 10" water line located on the Santa Ana Bridge.

ANY CONCLUSION OR CATEGORIZATION CONTAINED IN THIS REPORT THAT AN ITEM IS A UTILITY OR FACILITY RELOCATION TO BE PERFORMED BY THE NON-FEDERAL SPONSOR AS PART OF ITS LERRD RESPONSIBILITIES IS PRELIMINARY ONLY. THE GOVERNMENT WILL MAKE A FINAL DETERMINATION OF THE RELOCATIONS NECESSARY FOR THE CONSTRUCTION, OPERATION, OR MAINTENANCE OF THE PROJECT AFTER FURTHER ANALYSIS AND COMPLETION AND APPROVAL OF THE ATTORNEY'S OPINIONS OF COMPENSABILITY FOR EACH OF THE IMPACTED UTILITIES AND FACILITIES.

PRESENCE OF KNOWN OR SUSPECTED PRESENCE OF CONTAMINANTS

A project area review and preliminary assessment of the study areas was conducted and no evidence of HTRW was found.

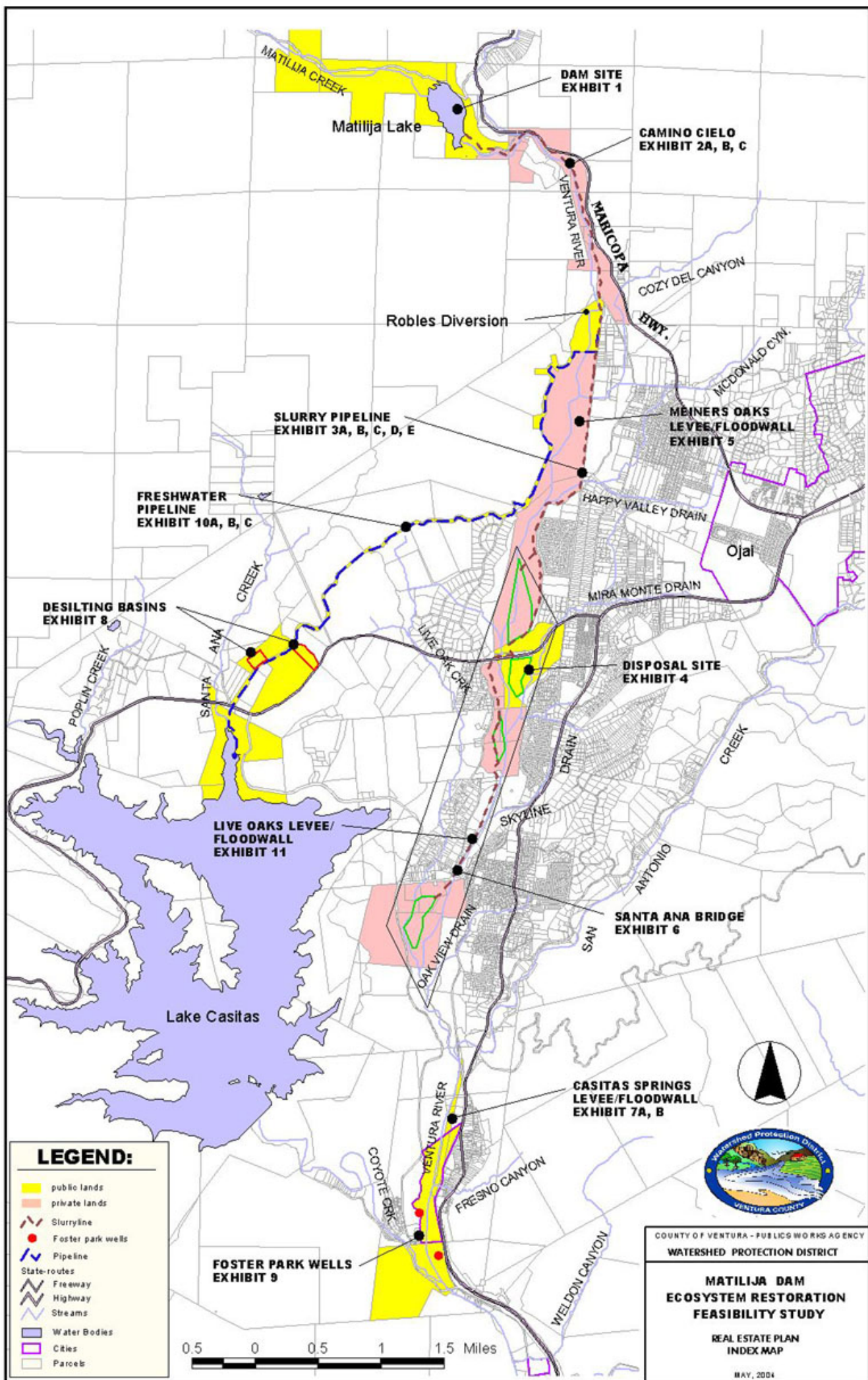
SUPPORT/OPPOSITION FOR THE PROJECT

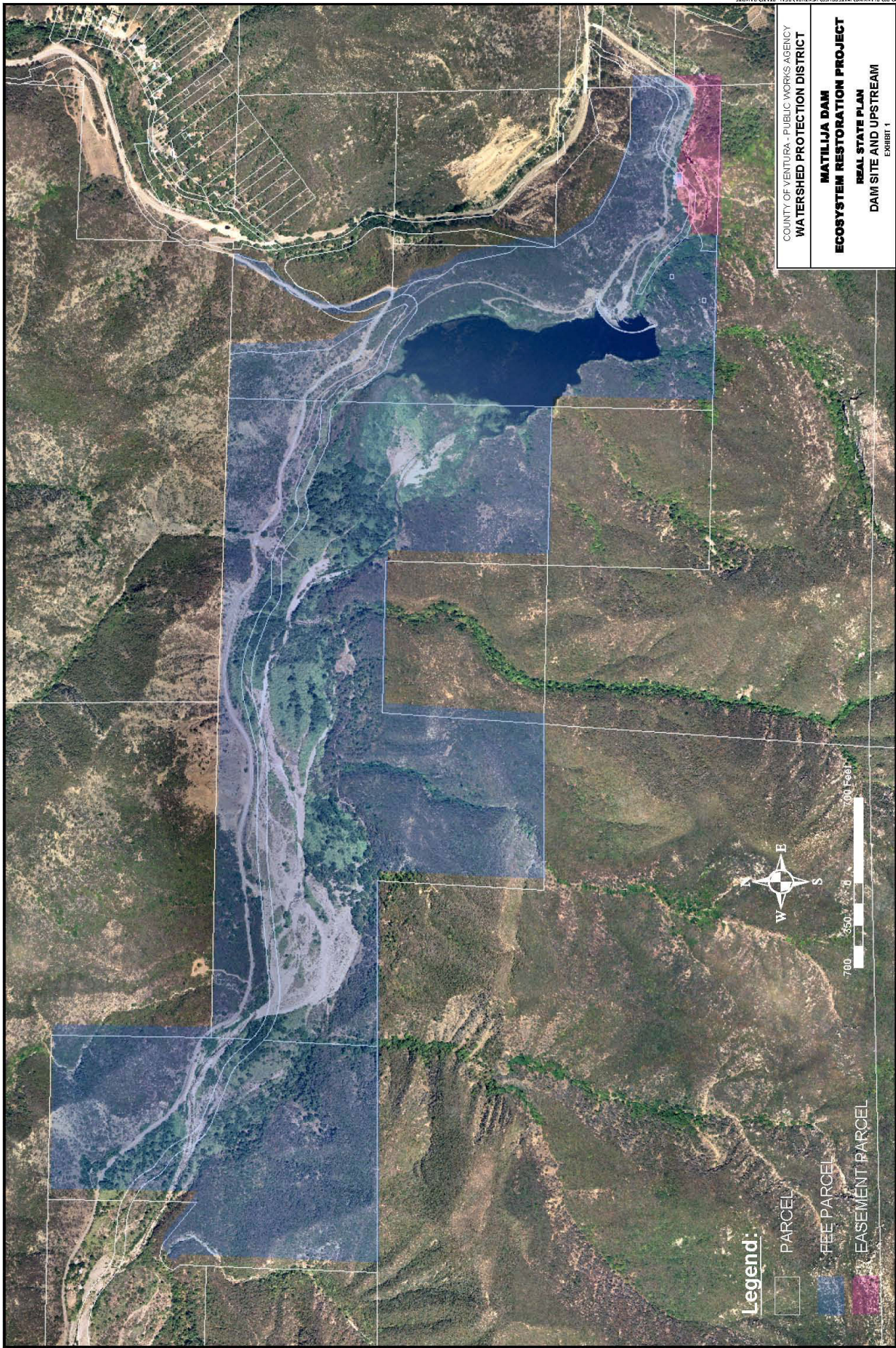
There is local political and general community support for the project. It is unknown if there will be opposition from the specific property owners impacted by the project until such time as the project impacts have been described.

LAND ACQUISITION BEFORE PCA

The Ventura County Watershed Protection District has been informed of the risks involved with acquisition of parcels prior to approval of the project.

OTHER RELEVANT ESTATE ISSUES





COUNTY OF VENTURA - PUBLIC WORKS AGENCY
WATERSHED PROTECTION DISTRICT

**MATILAJA DAM
ECOSYSTEM RESTORATION PROJECT
REAL STATE PLAN
DAM SITE AND UPSTREAM**
EXHIBIT 1



VENTURA COUNTY
WATERSHED PROTECTION DISTRICT

**MATILIJIA DAM
ECOSYSTEM RESTORATION PROJECT**
REAL ESTATE PLAN
MATILIJIA HOTSPRING
EXHIBIT 2A



VENTURA COUNTY

WATERSHED PROTECTION DISTRICT

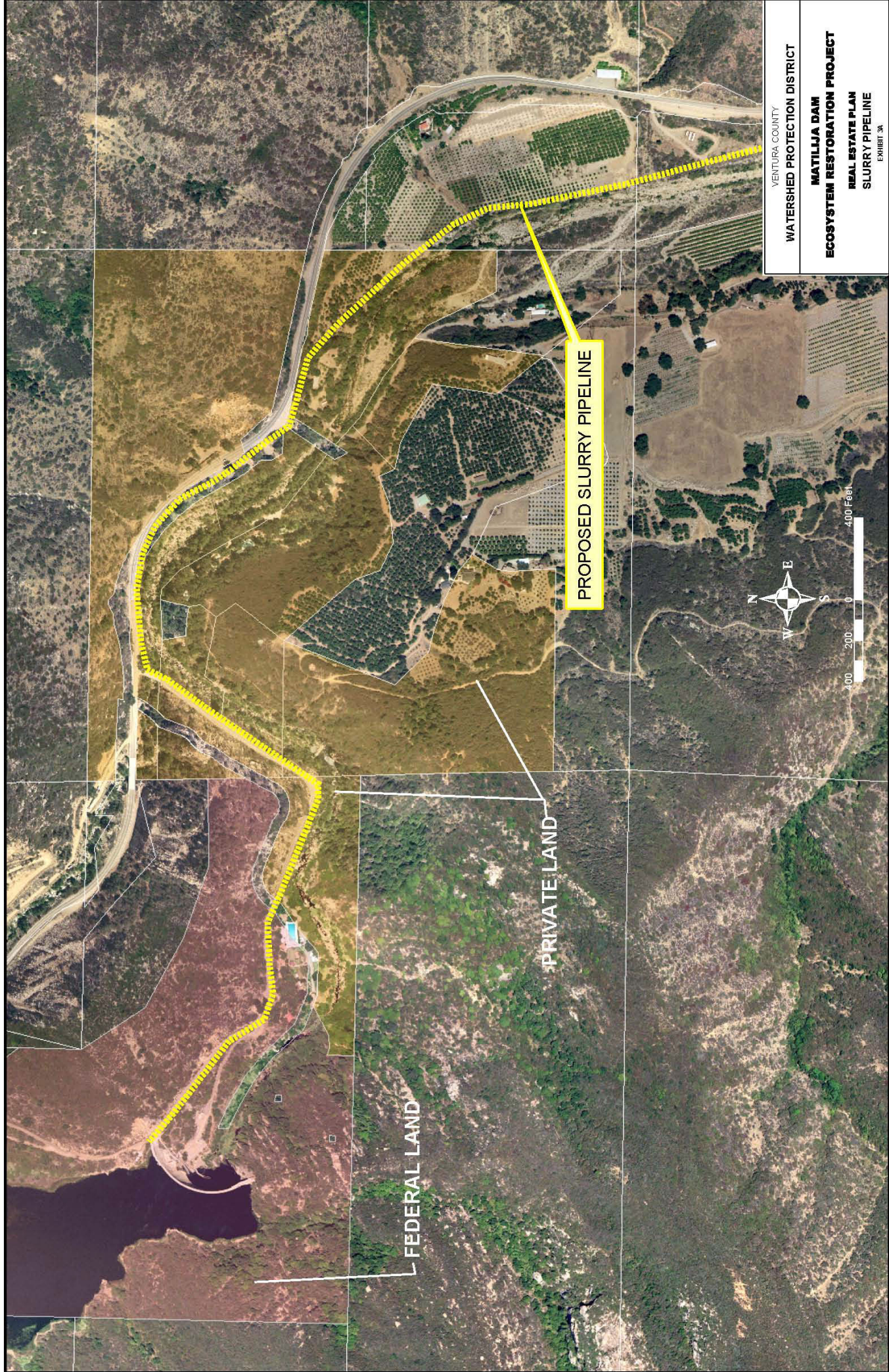
MATILAJA DAM

ECOSYSTEM RESTORATION PROJECT

REAL ESTATE PLAN

CAMINO CIELO PROPERTY ACQUISITION

EXHIBIT 2B



VENTURA COUNTY

WATERSHED PROTECTION DISTRICT

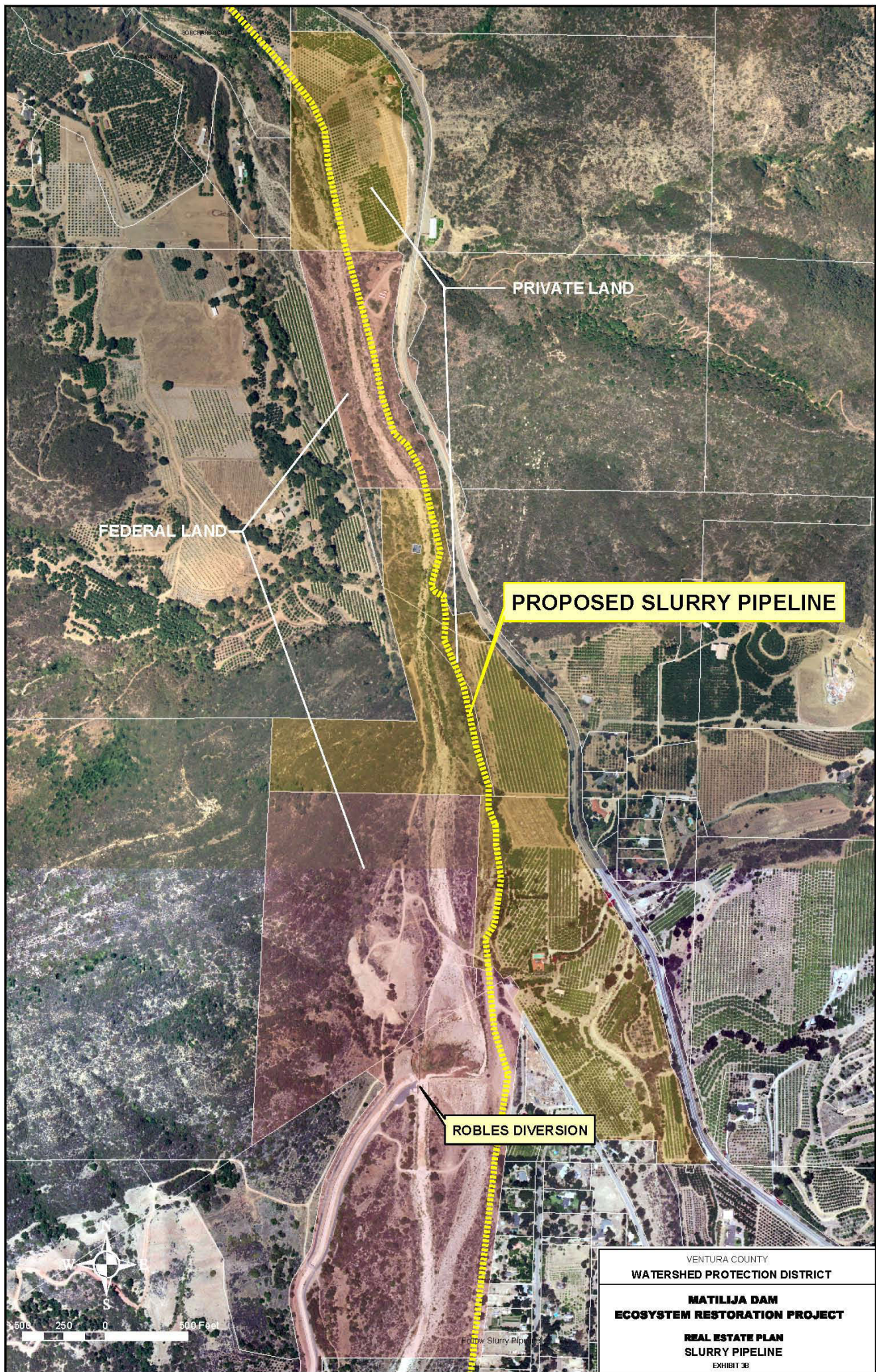
MATILAJA DAM

ECOSYSTEM RESTORATION PROJECT

REAL ESTATE PLAN

SLURRY PIPELINE

EXHIBIT 3A

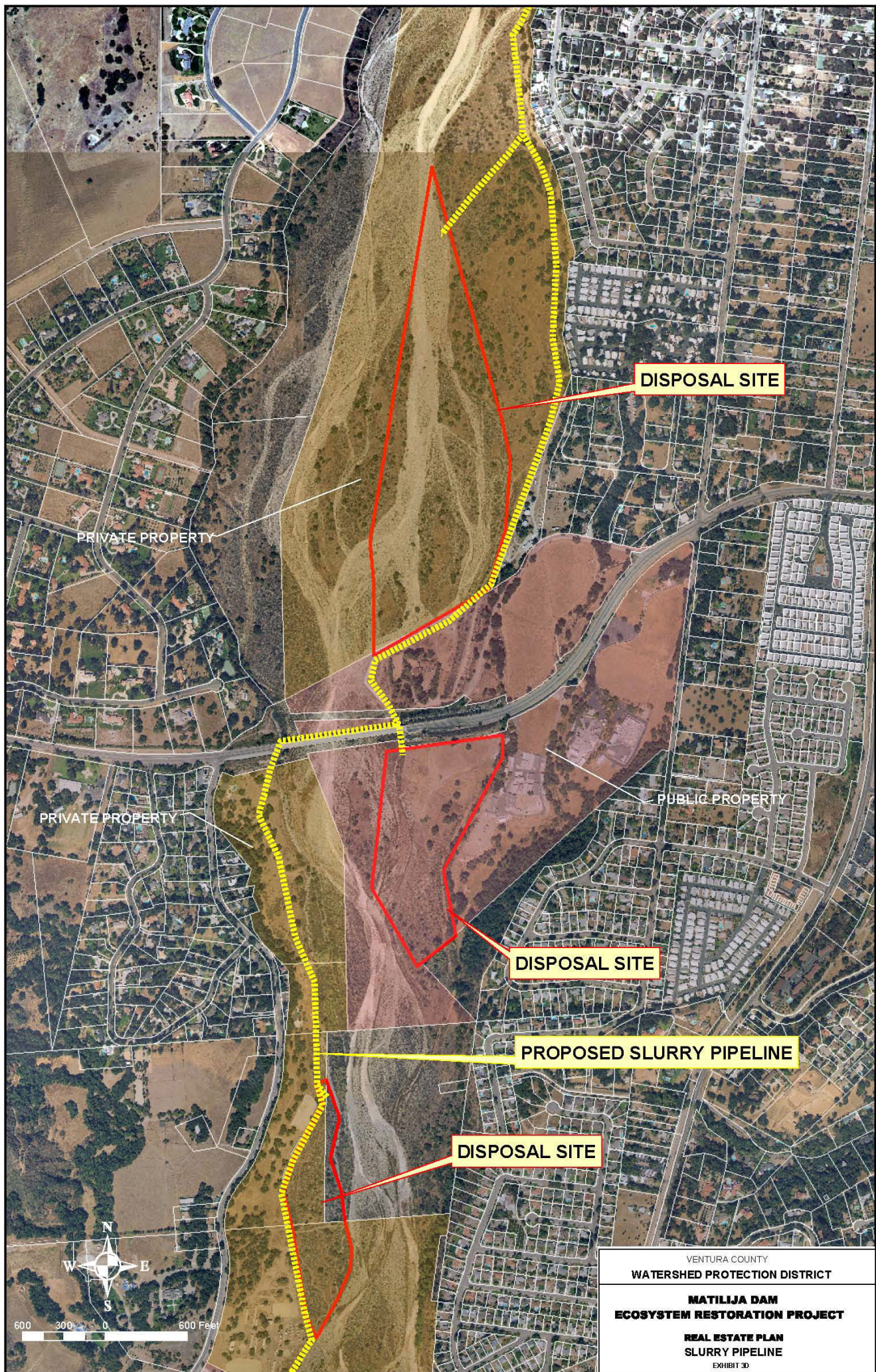


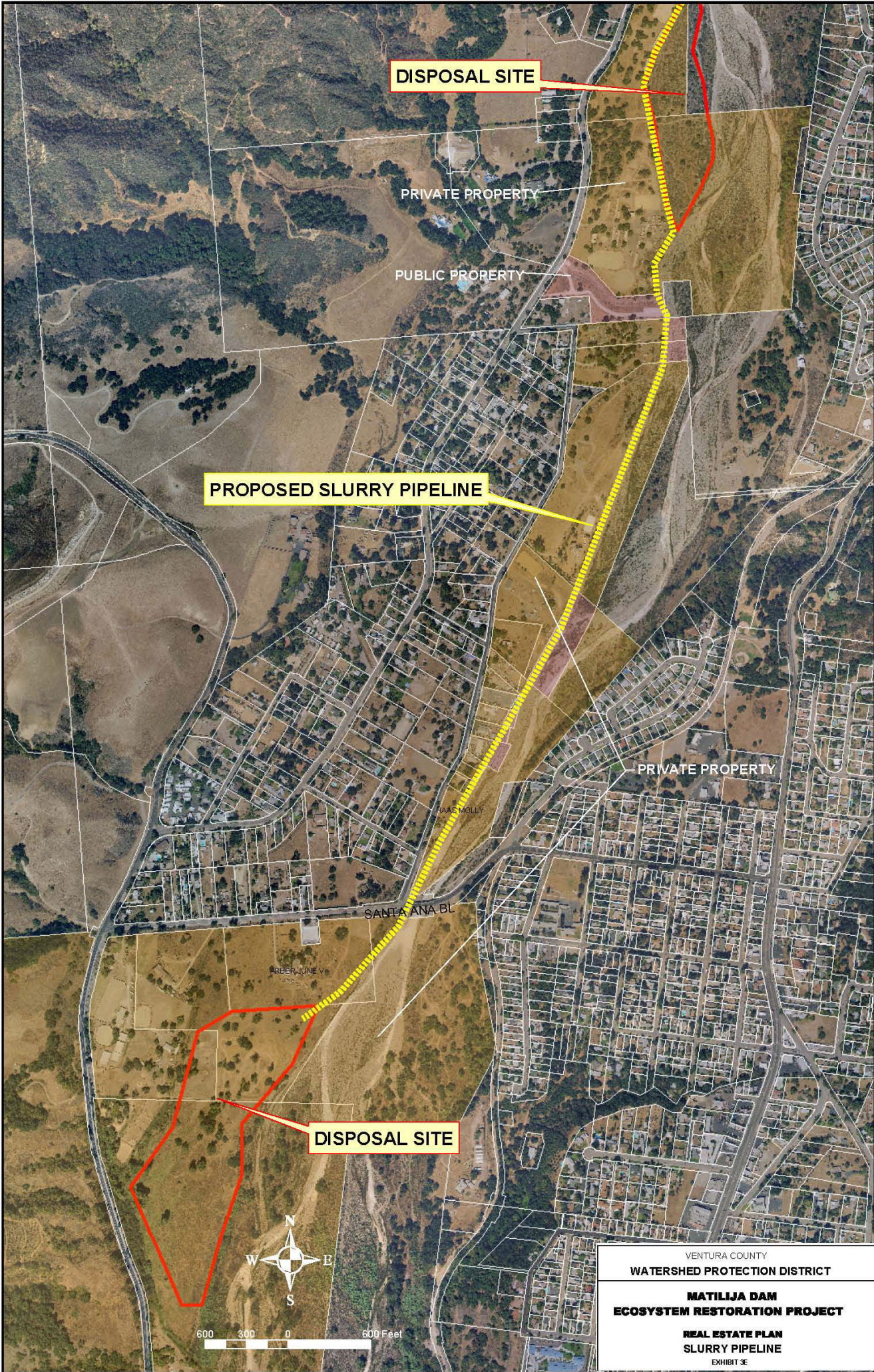
VENTURA COUNTY
WATERSHED PROTECTION DISTRICT

**MATILAJA DAM
ECOSYSTEM RESTORATION PROJECT**

**REAL ESTATE PLAN
SLURRY PIPELINE**

EXHIBIT 3B





DISPOSAL SITE

PRIVATE PROPERTY

PUBLIC PROPERTY

PROPOSED SLURRY PIPELINE

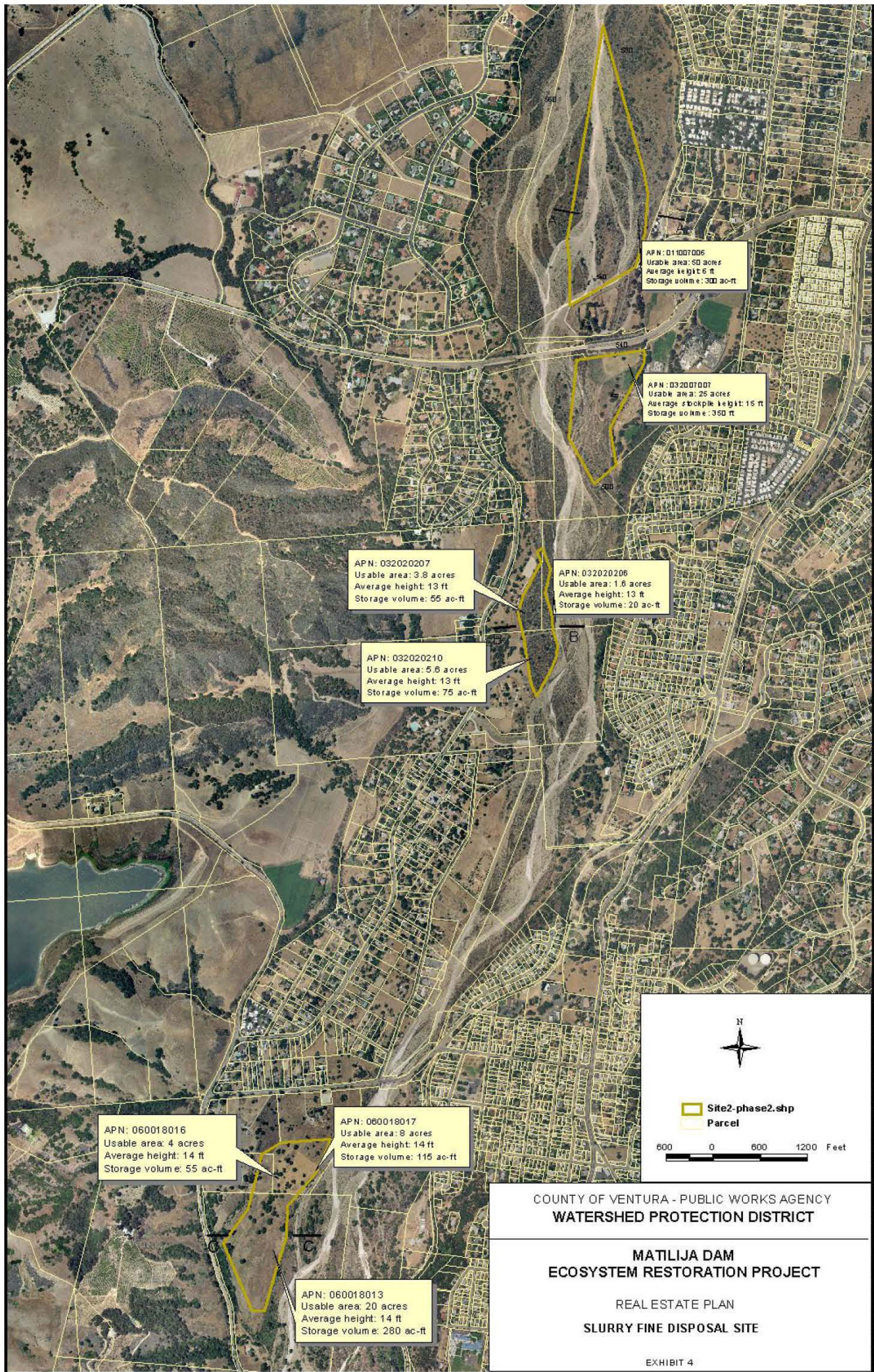
PRIVATE PROPERTY

SANTA ANA BL

ABERJONE V

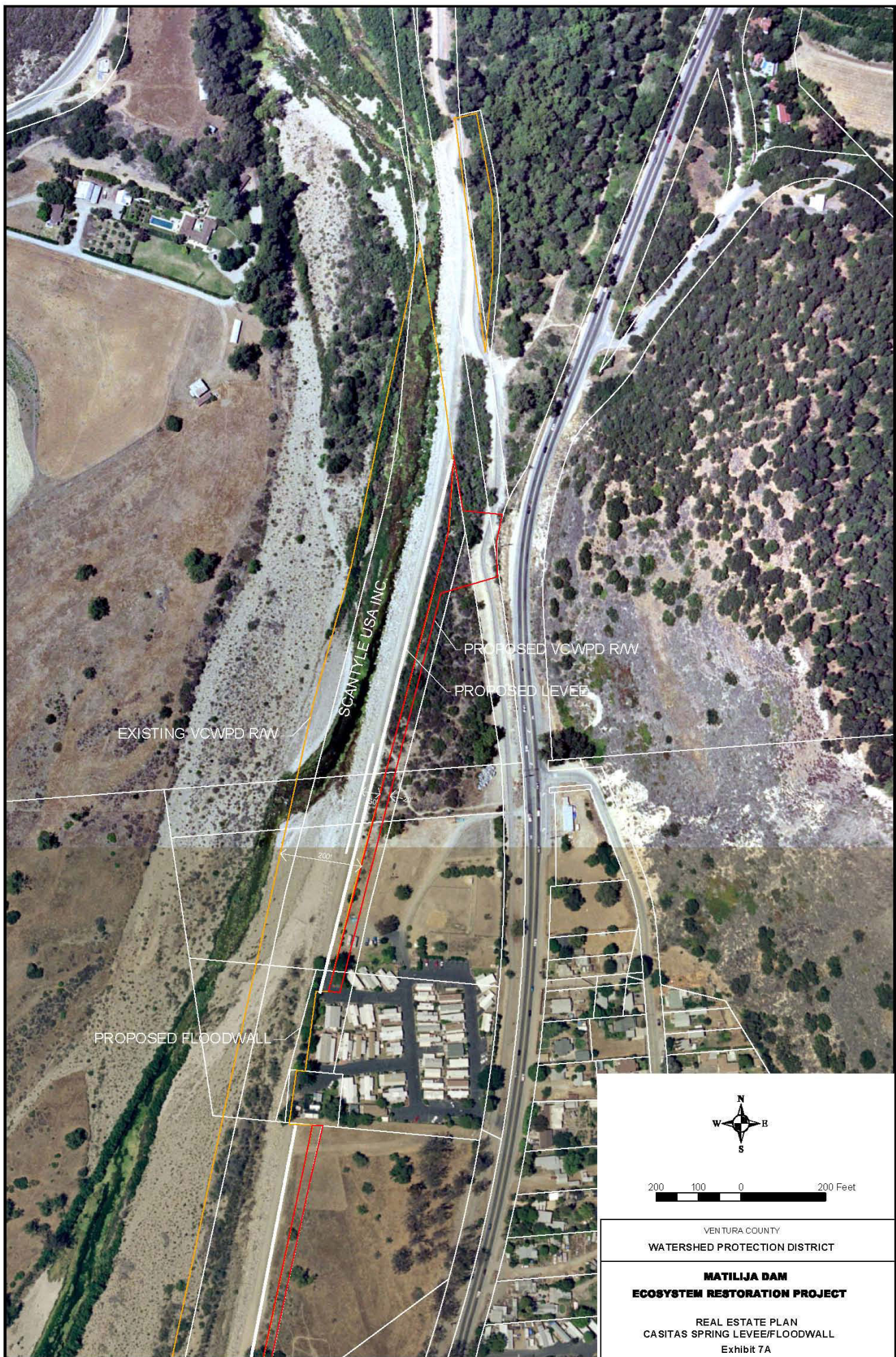
DISPOSAL SITE

VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
**MATILIJDA DAM
ECOSYSTEM RESTORATION PROJECT**
**REAL ESTATE PLAN
SLURRY PIPELINE**
EXHIBIT 3E

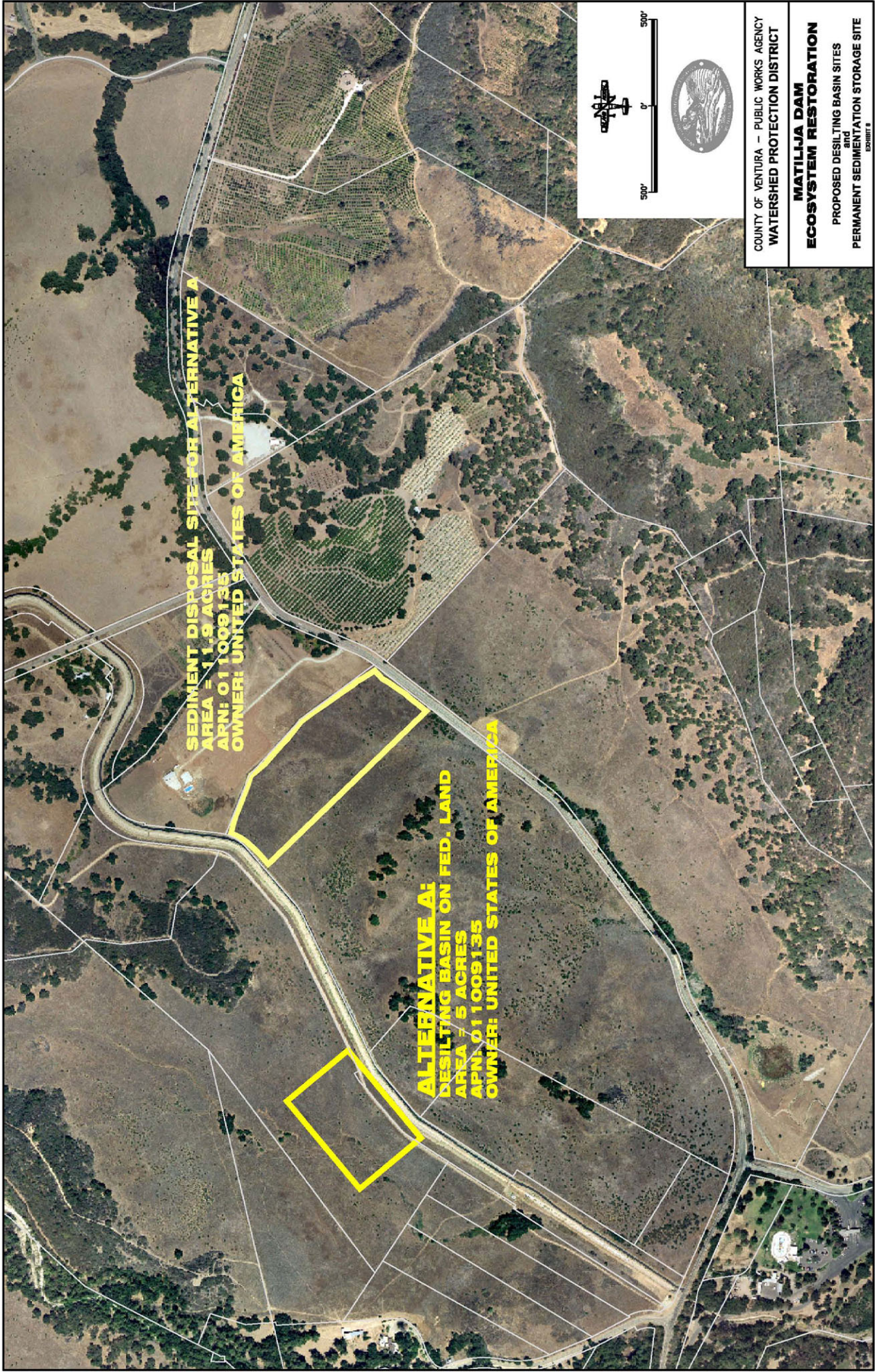












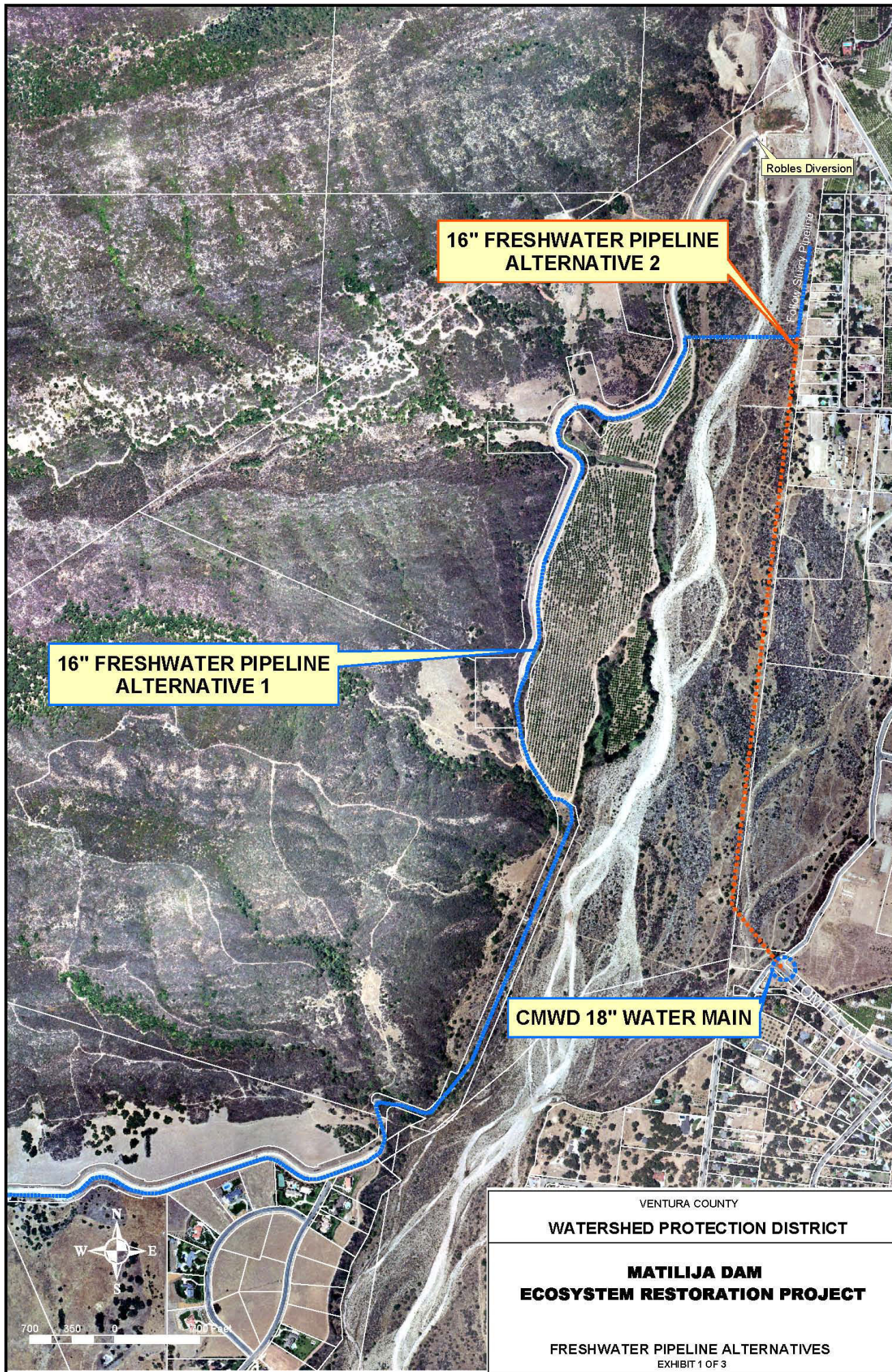
SEDIMENT DISPOSAL SITE FOR ALTERNATIVE A
AREA = 11.9 ACRES
APN: 011009135
OWNER: UNITED STATES OF AMERICA

ALTERNATIVE A:
DESILTING BASIN ON FED. LAND
AREA = 5 ACRES
APN: 011009135
OWNER: UNITED STATES OF AMERICA



COUNTY OF VENTURA - PUBLIC WORKS AGENCY
WATERSHED PROTECTION DISTRICT
MATILAJA DAM
ECOSYSTEM RESTORATION
PROPOSED DESILTING BASIN SITES
and
PERMANENT SEDIMENTATION STORAGE SITE
EXHIBIT B





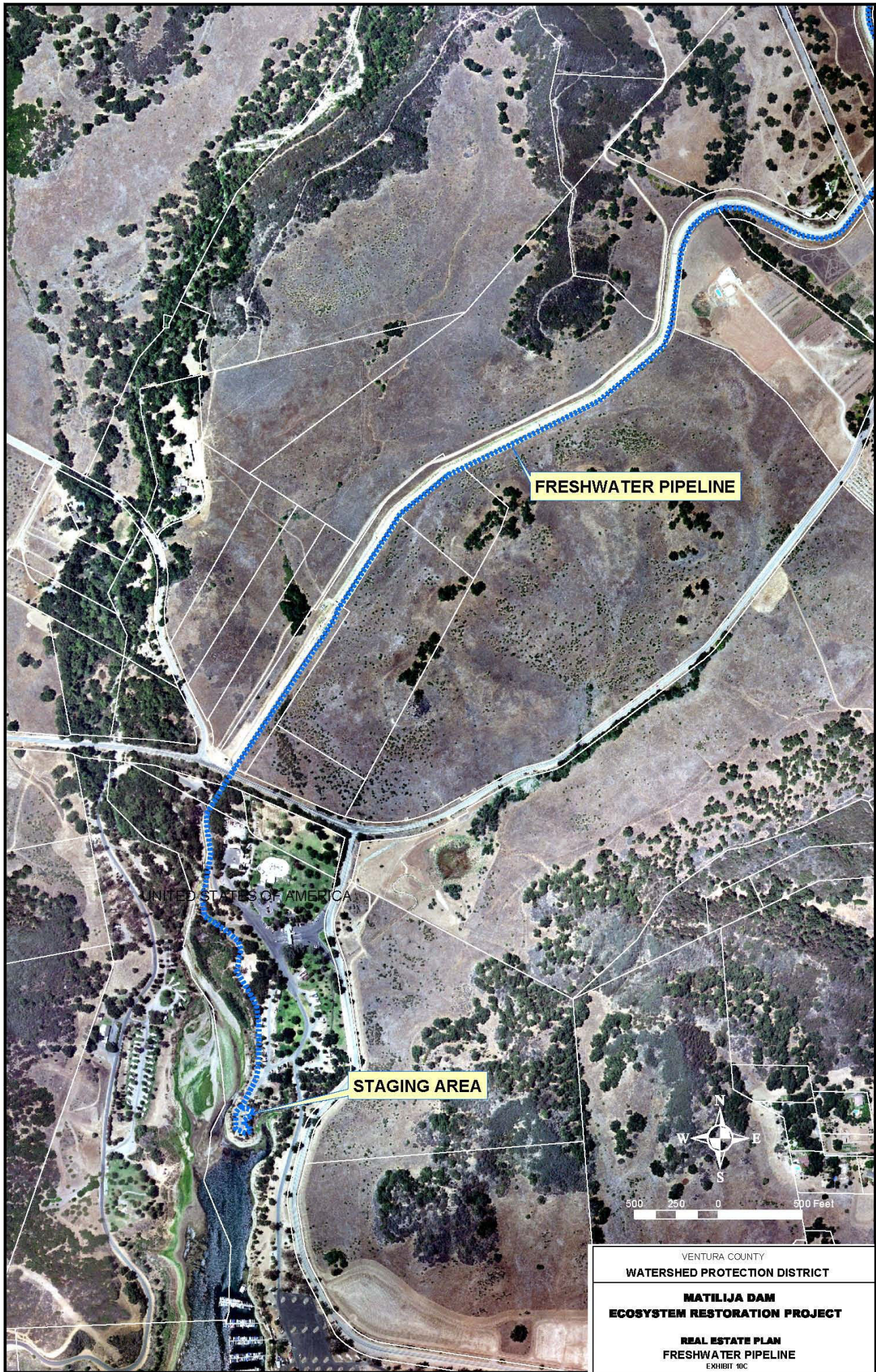


FRESHWATER PIPELINE



600 300 0 600 Feet

VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
MATILAJA DAM
ECOSYSTEM RESTORATION PROJECT
REAL ESTATE PLAN
FRESHWATER PIPELINE
EXHIBIT 103



VENTURA COUNTY
WATERSHED PROTECTION DISTRICT

**MATILIJA DAM
ECOSYSTEM RESTORATION PROJECT**

**REAL ESTATE PLAN
FRESHWATER PIPELINE**
EXHIBIT 10C

