

Central Valley Flood Protection Board

Lower Elkhorn Basin Levee Setback Project

Resolution of Necessity

Agenda Item 9B (Buzz Oates, LLC)

September 27th, 2019



Presented by: Corey Lasso and Matt DeGroot
California Department of Water Resources



Presentation Overview

1. Introductions
2. Purpose
3. Project Overview
4. Resolution of Necessity Requirements
5. Authority of the Board
6. Resolution of Necessity Findings
7. Project Inception (Public Interest)
8. Project Need
9. Subject Property

Introductions

Corey Lasso

Senior Engineer

Systemwide Multi-Benefit Initiatives Office, DWR

Matt DeGroot

Senior Right of Way Agent

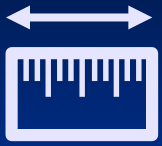
**Division of Engineering, Real Estate Branch,
DWR**

Purpose

Request of the Board

Consider the adoption of the attached Resolution No. 2019-20, authorizing eminent domain to acquire the fee simple interest of land and associated residential and agricultural improvements in the following property on Yolo County's Assessor Parcel Number (APN) 042-290-001; 057-210-001, -010; 057-220-006, -007; 057-230-001, -002, -003; 057-240-005, and -007 (Property), for the Lower Elkhorn Basin Levee Setback (LEBLS) Project.

Project Overview



7 Miles of Setback Levees



Flood System Capacity Improvement



Ecosystem Improvements



Support Agricultural Use in Yolo Bypass



CEQA Notice of Determination filed
March 19, 2019



Construction anticipated Summer 2020



Resolution of Necessity Requirements

- **Notice of Intent to Adopt a Resolution of Necessity**
Mailed on August 30th, 2019 to the owners of record (Buzz Oates, LLC)
- **Hearing**
Today, September 27, 2019 in the Sacramento City Hall Building
- **Finding and Determination**
Public Use for the property
Property Description
Resolution of Necessity Findings
- **Adoption of the Resolution of Necessity**

Authority of the Board

Board Authority for: Resolution of Necessity and Eminent Domain

- CALIFORNIA WATER CODE SECTION 8590
- CALIFORNIA WATER CODE SECTION 8593
- CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1245.210(b)

Resolution of Necessity Findings

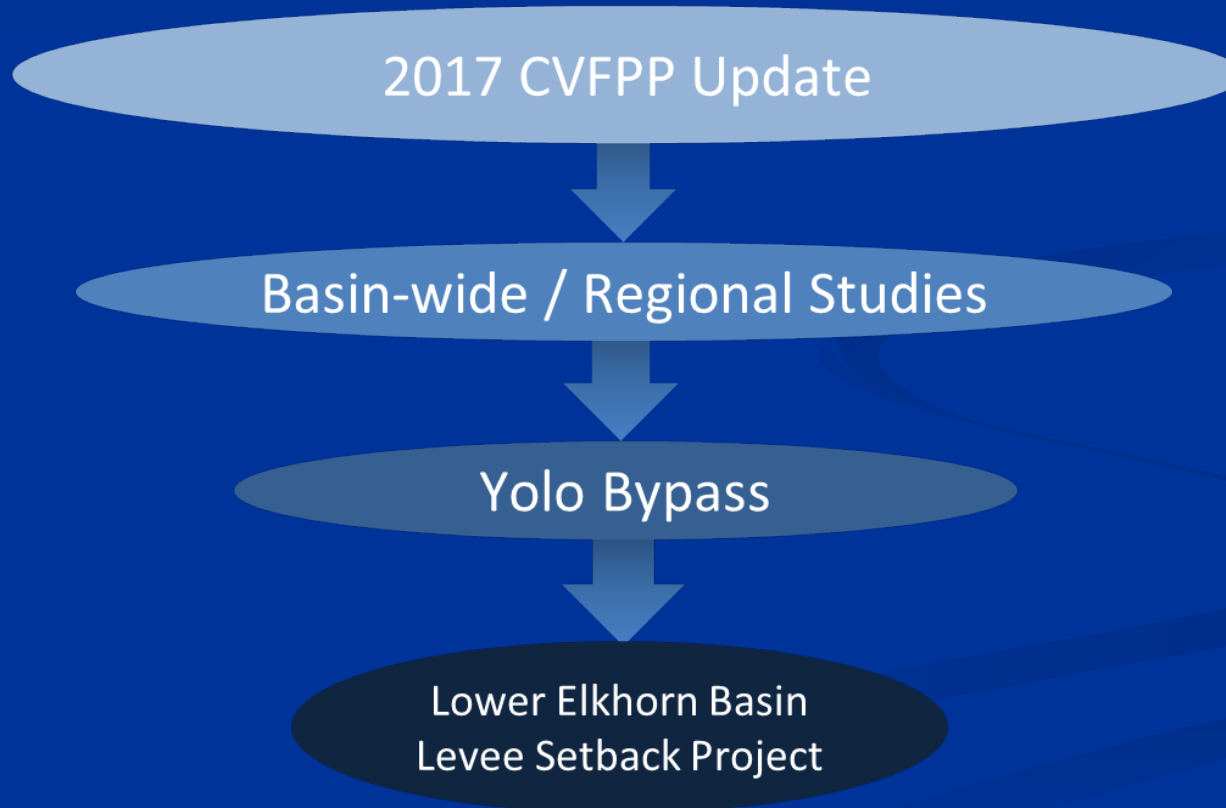
The Board is being asked to find and determine that:

1. The public interest and necessity are required by the proposed project.
2. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property described in the Resolution of Necessity is necessary for the proposed project.
4. The offer required by Govt. Code section 7267.2 has been made to the owner(s) of record.

Project Inception

(Public Interest)

Central Valley Flood Protection Plan

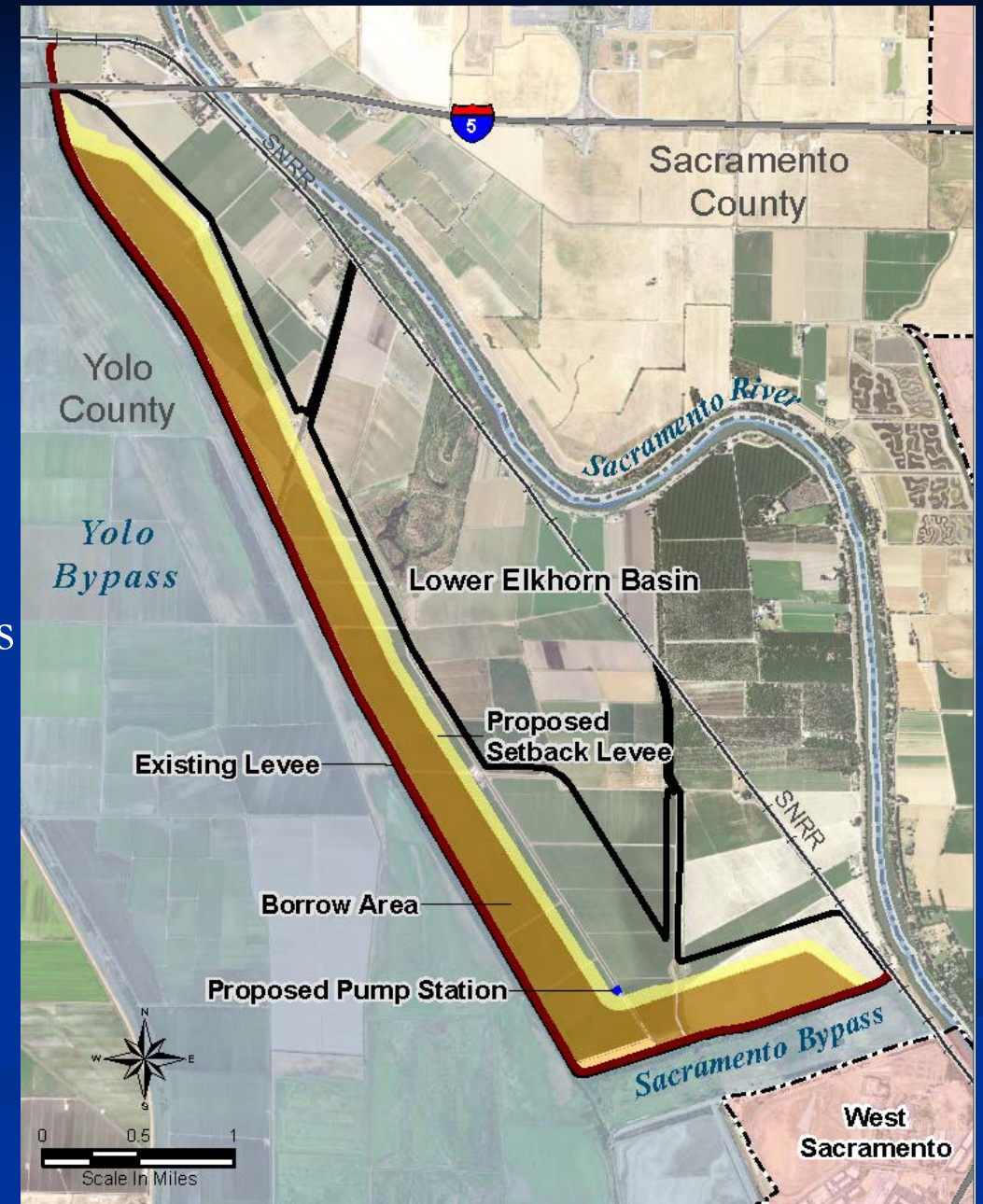


Project Need

- Flooding threatens life and public safety, property, critical infrastructure, and the environment

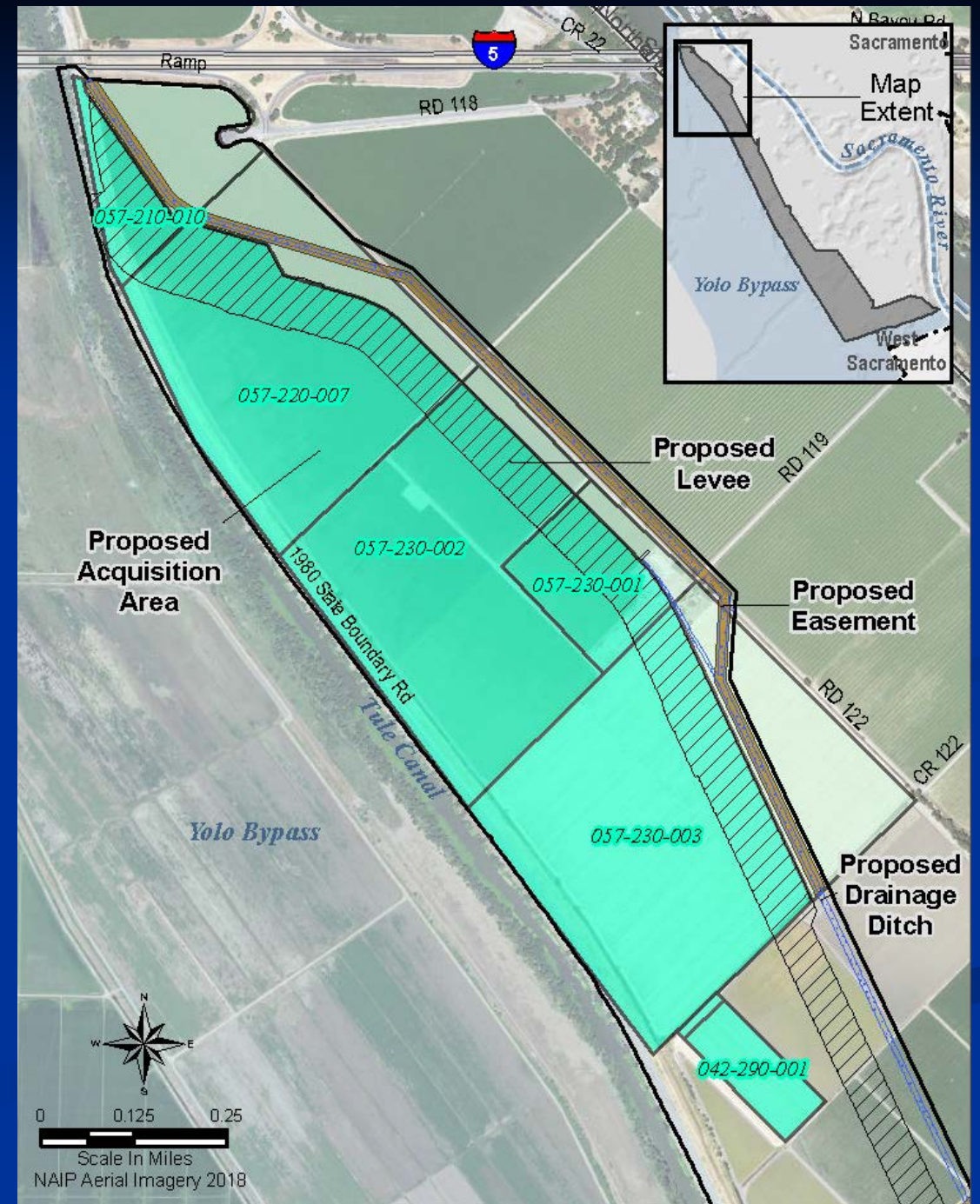
Project will:

- Improve public safety for over 700,000 people
- Increase protection of more than \$50 billion in assets
- Provide increased system resiliency
- Replace deficient existing levees
- Provide increased inundated floodplains for diversity of native aquatic and terrestrial species in the Yolo Bypass



Subject Property

- APNs 042-290-001; 057-210-001, -010; 057-220-006, -007; 057-230-001, -002, -003; 057-240-005, and -007
- 276+/- acres property currently used for irrigated row crops
- Acquisition would be 251.503 acres of fee simple and 15.16 acres of easement
- The property is needed for the new setback levee, the roadway, the borrow area, drainage ditch, utility relocations, and mitigation required for the project
- Written offer mailed to the owner of record on August 8, 2019



Request of the Board

Request Board to adopt Resolution No. 2019-20, authorizing an eminent domain action to acquire the fee simple interest of land and associated residential and agricultural improvements in the following property on Yolo County's Assessor Parcel Number (APN) 042-290-001; 057-210-001, -010; 057-220-006, -007; 057-230-001, -002, -003; 057-240-005, and -007 (Property), for the Lower Elkhorn Basin Levee Setback (LEBLS) Project.

Thank You

Matthew.DeGroot@water.ca.gov 916-653-9906

Corey.Lasso@water.ca.gov 916-574-1041