

CALIFORNIA WATER COMMISSION

901 P STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 902-7328



Teresa Alvarado
Chair

February 18, 2022

Matthew Swanson
Vice-Chair

Samantha Arthur
Member

Dalhar Farms, LLC

Daniel Curtin
Member

Mr. Dalwinder K. Heer

**Kimberly
Gallagher**
Member

16626 County Road 117

West Sacramento, CA 95691

Alexandre Makler
Member

Subject: APN 057-160-009 (portion), DWR Parcel No. YBSH-123-
Informational Hearing

Jose Solorio
Member

Dear Mr. Dalwinder K. Heer:

Fern Steiner
Member

This letter serves as notice that the Department of Water Resources (DWR) has sent a notice to the California Water Commission (Commission) that DWR intends to request a Resolution of Necessity at a future meeting. Pursuant to the Commission's Procedures for Resolutions of Necessity and Eminent Domain, the Commission will hold an informational briefing at its March 16, 2022, Commission Meeting. No action will be taken by the Commission at this meeting on this matter.

You are being notified as the owner of this property, or holder of an interest therein, whose name and address appears on the last equalized county assessment roll, pursuant to the California Code of Civil Procedure (CCP) Section 1245.235. You and/or your representative are invited to attend the Commission meeting and comment to the Commission on this matter. Comments will be limited to three (3) minutes, consistent with the Commission's standard practices. The Commission will also consider any written comments you may wish to submit prior to the meeting, pursuant to this Notice. Please submit any written comments at least 3 three business days prior to the Meeting, to allow sufficient time to circulate to the Commissioners for their review.

Please send any written comments to:

Holly Geneva Stout, Esq.
California Water Commission
P.O. Box 942836
Sacramento, CA 94236-0001
Email: cwc@water.ca.gov

The CCP provides procedures for public agencies to acquire private property for public use. It requires that every agency, which intends to condemn property, notify the owners of its intention to condemn.

Section 1240.030 of the CCP provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following conditions are established:

1. The public interest and necessity require the proposed project; and
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury; and
3. This property is necessary for the project.

Section 1245.230 of the CCP further requires that the offer required by Government Code Section 7267.2 has been made to the owner of record. The written offer was sent to the address listed above that appears on the County's records on 12/23/2021. DWR will be presenting on the above listed conditions. The Commission Meeting is scheduled to take place as follows:

California Water Commission – March 16, 2022, Commission Meeting

Date: Wednesday, March 16, 2022
Time: 9:30 am
Location: Online

The meeting agenda will be published ten (10) days in advance of the meeting on the Commission's website, www.cwc.ca.gov, and will contain the necessary information related to participation.

A description of the required property that is the subject of this informational briefing is attached to this Notice. Also attached is a copy of the Commission's Procedures for Resolutions of Necessity and Eminent Domain, as of February 20, 2013.

DWR proposes to acquire an easement over Parcel No YBSH-123 portion of Yolo County Assessor's Parcel No 057-160-009. through the exercise of the power of eminent domain for the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project.

The property rights to be acquired are:

Easement: 7.67 ± acres
DWR Parcel No. YBSH-123

If DWR determines it is necessary to proceed with requesting a Resolution of Necessity, a separate notice will be sent to the address listed above at least 21 days prior to the hearing.

If you have any questions regarding this eminent domain proceeding, please contact Jesus Cedeño, Associate Right of Way Agent, Acquisition and Appraisal Section, Division of Engineering, DWR, at (916) 902-7198, or jesus.cedeno@water.ca.gov. If you have questions regarding the Commission meeting or its logistics, please contact Holly Stout, Attorney, California Water Commission, at (916) 902-7098, or holly.stout@water.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Yun", with a horizontal line extending to the right.

Joe Yun
Executive Officer, California Water Commission

Attachments: Property Description
CWC Procedures for Resolutions of Necessity and Eminent Domain