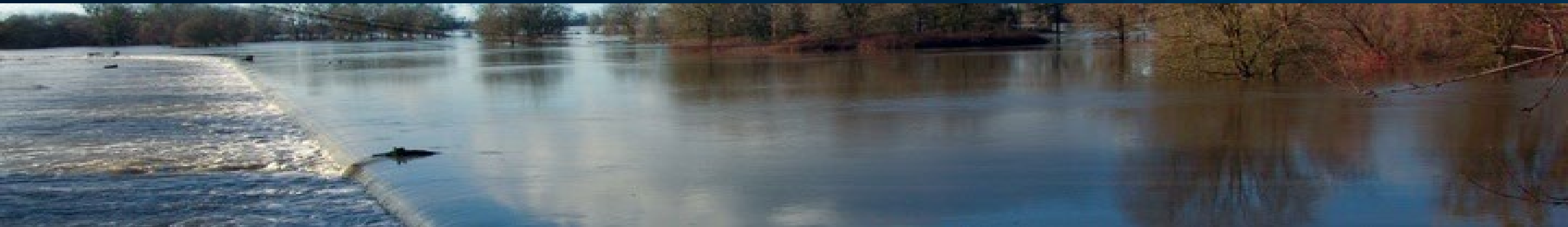


# YOLO BYPASS SALMONID HABITAT RESTORATION & FISH PASSAGE (BIG NOTCH) PROJECT INFORMATIONAL BRIEFING

Sept 21, 2022



CALIFORNIA DEPARTMENT OF  
**WATER RESOURCES**

Liz Vasquez, PM  
Rachel Taylor, Attorney

# Public Use (CCP § 1245.230(a))

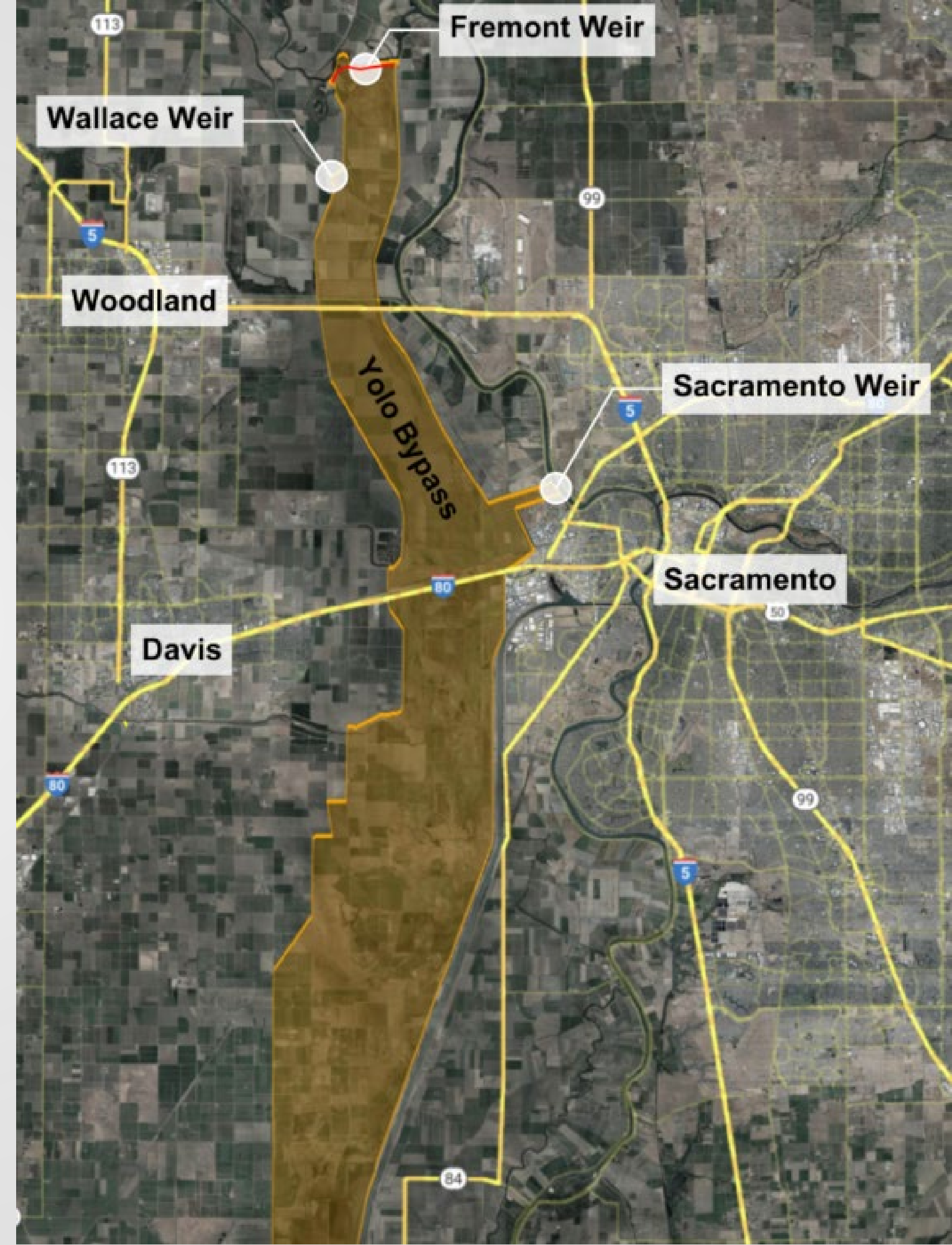
A general statement of the public use for which the property is to be taken.

The Project will enhance floodplain rearing habitat and fish passage in the Yolo Bypass and is required for the long-term coordinated operations of the State Water Project and Central Valley Project.

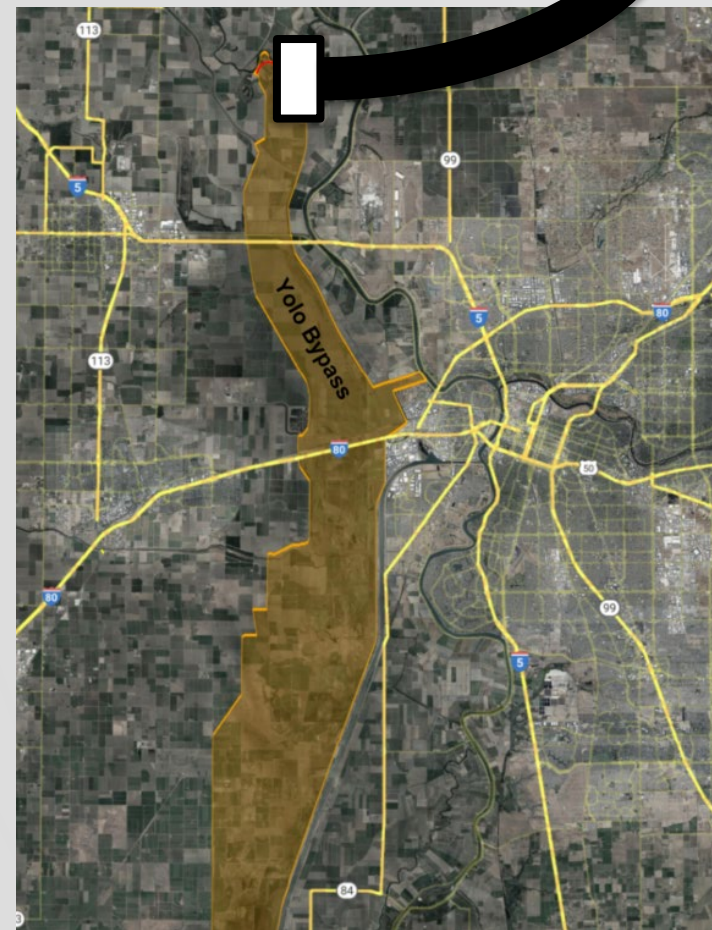


# Project Description (CCP § 1245.230(a))

- Fremont Weir
  - Originally constructed 1924
  - 1.8-mile-long concrete passive weir and apron
  - State Plan of Flood Control facility
  - Diverts flood water into the Yolo Bypass
  - Disconnects the Sacramento River and the floodplain during fish migration periods
- Proposed BNP includes excavated channels and a gated headworks that reintroduce the connection for fisheries purposes.



# Project Location

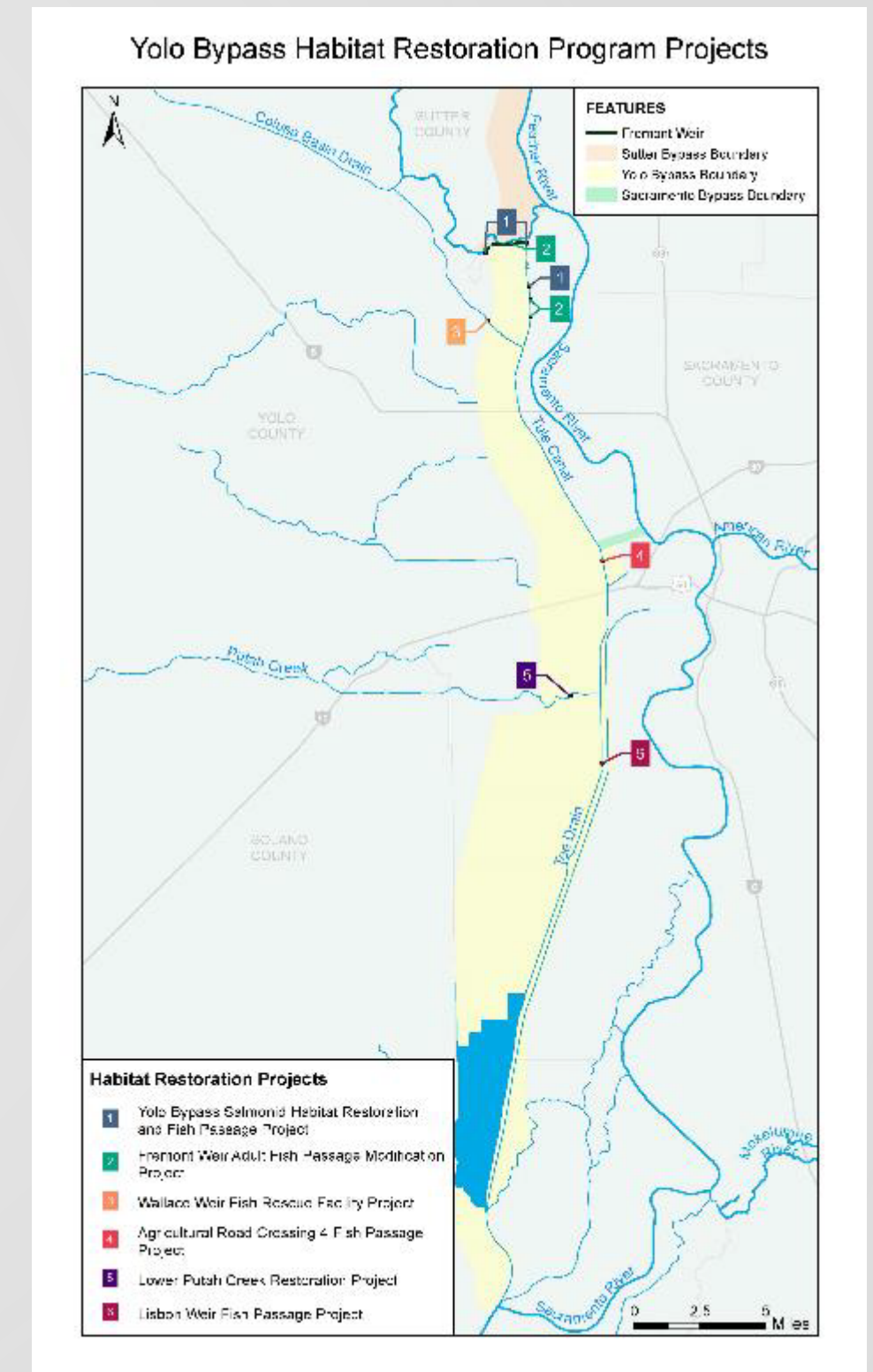


# Project Necessity (CCP § 1245.230(c)(1))

The public interest and necessity require the proposed project.

The Big Notch Project was designed by the Department of Water Resources and the United States Bureau of Reclamation to achieve compliance with Reasonable and Prudent action I.6.1 and partial compliance with RPA action I.7 of the National Marine Fisheries Service's 2009 Biological Opinion and Conference Opinion on the Long-term Operations of the Central Valley Project and the State Water Project. RPA actions I.6.1 and I.7 were subsequently included in the baseline conditions for the superseding NMFS's 2019 LTO BO, issued on October 21, 2019, and is necessary for the continued long-term operations of the State Water Project;

The Project is also required under Section 9.2.2 of the Incidental Take Permit for Long-Term Operation of the State Water Project in the Sacramento-San Joaquin Delta (2081-2019-066-00), issued March 31, 2020, by the California Department of Fish and Wildlife.



# Project Design (CCP § 1245.230(c)(2))

The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Alternative 1 - East Side Gated Notch

Operation Period: November 1 – March 15

Three of the six alternatives studied, incl. Alternative 1, were developed through coordination with various partners, including but not limited to:

U.S. Bureau of Reclamation

U.S. Fish and Wildlife Service

NOAA - Fisheries

NMFS

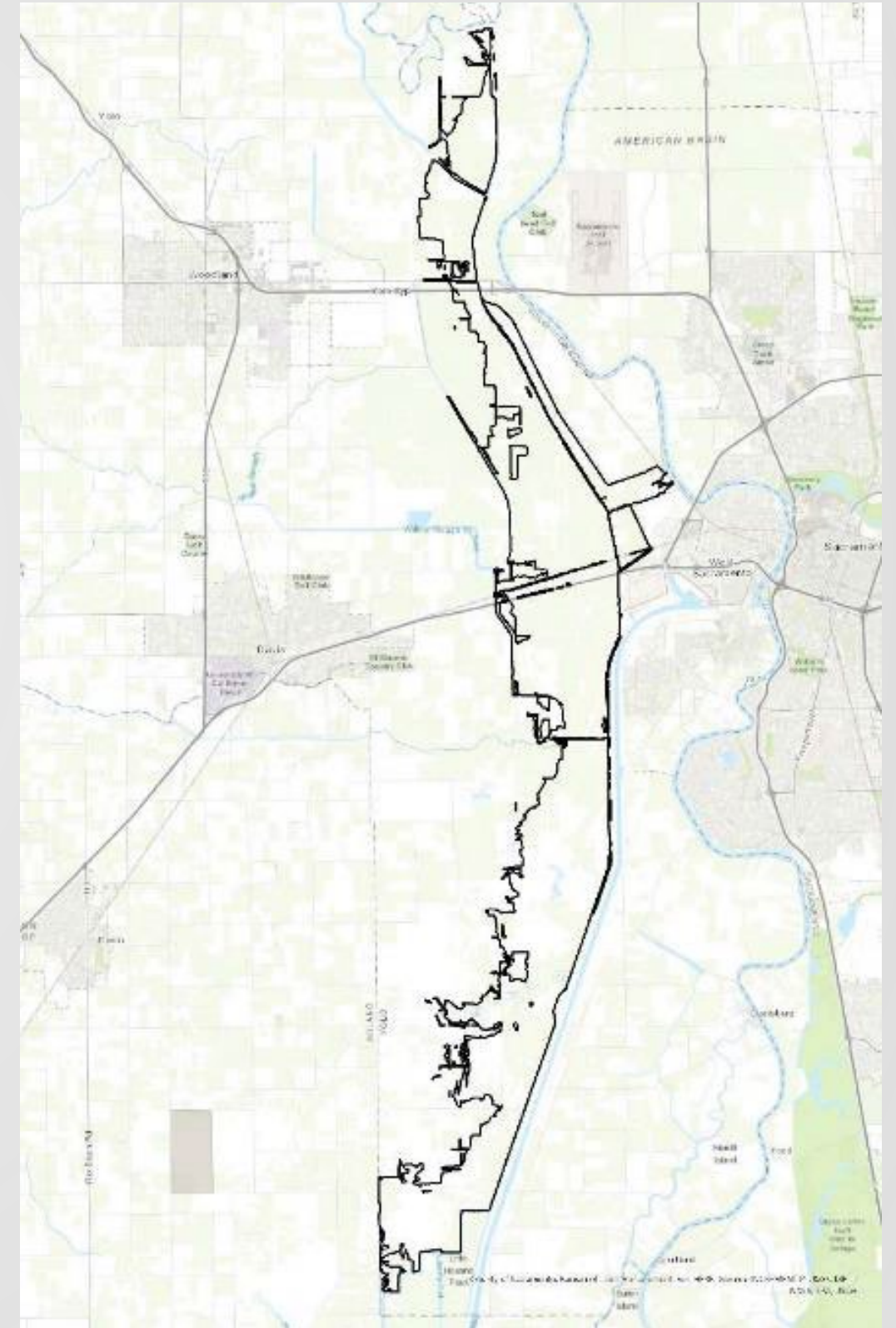
Army Corps of Engineers

California Department of Fish & Wildlife

Yolo County

Landowners

Non-Governmental Organizations



CALIFORNIA DEPARTMENT OF  
WATER RESOURCES

# Environmental Compliance

- **July 19, 2019** - Department certified the Project Environmental Impact Statement/Environmental Impact Report and filed a Notice of Determination (SCH# 2013032004) in compliance with the California Environmental Quality Act.
- **September 19, 2019** - Reclamation issued the Record of Decision in compliance with the National Environmental Policy Act.
- **March 11, 2022** – Department filed the Notice of Exemption with the County of Yolo, in compliance with Public Resources Code § 21080.28, which provides a CEQA exemption to allow acquisition of properties for restoration purposes.



# DWR Eminent Domain Authority

Reference to the statute that authorizes the public entity to acquire the property by eminent domain. CCP § 1245.230(a).

DWR is seeking flowage easements for the purpose of fish passage as required mitigation for the long-term operations of the State Water Project.

DWR has authority under Water Code §§ 250, 253, 258, 11575 and 11580 to acquire property rights required and necessary for the operation of the State Water Project. California Code of Civil Procedure § 1240.510 allows for condemnation of property already dedicated to a public use, for a compatible public use. California Code of Civil Procedure § 1240.220 allows for taking for future use within a period of time as is reasonable.

California Code of Civil Procedure §§ 1245.210 and 1245.220 requires DWR to obtain a Resolution of Necessity from the Commission, as the appropriate governing body.

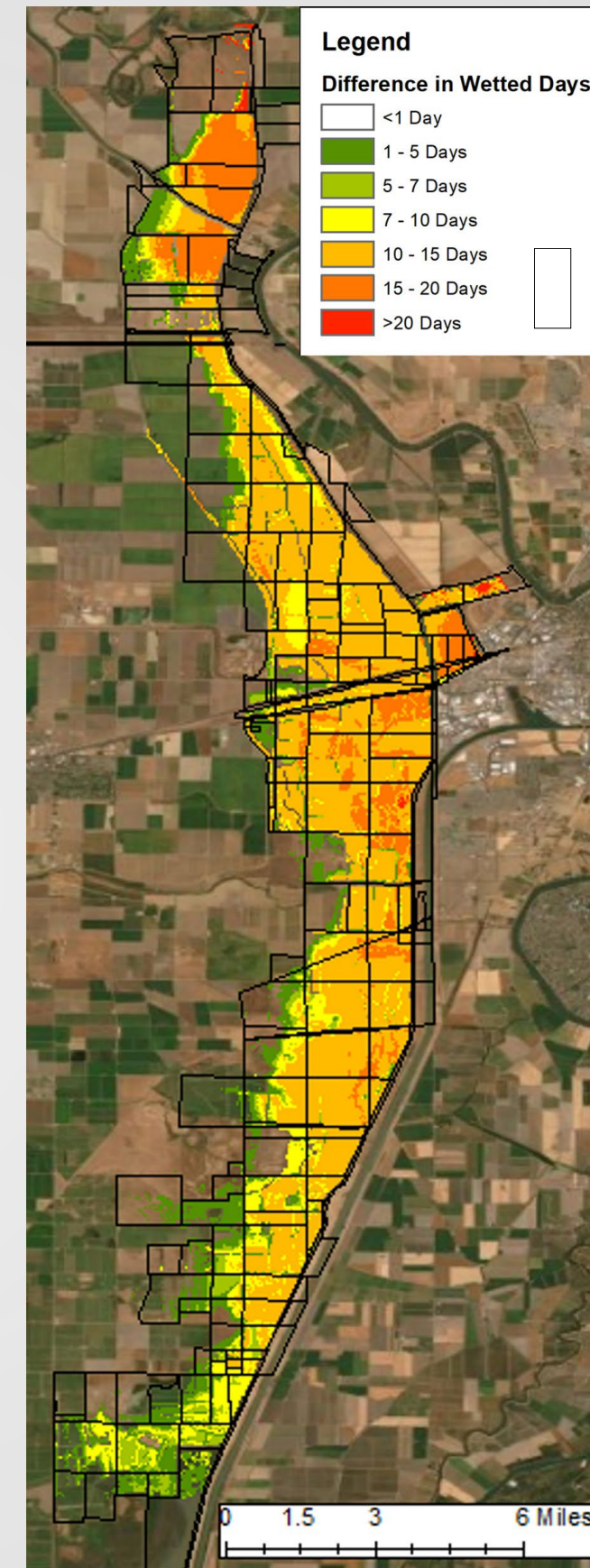




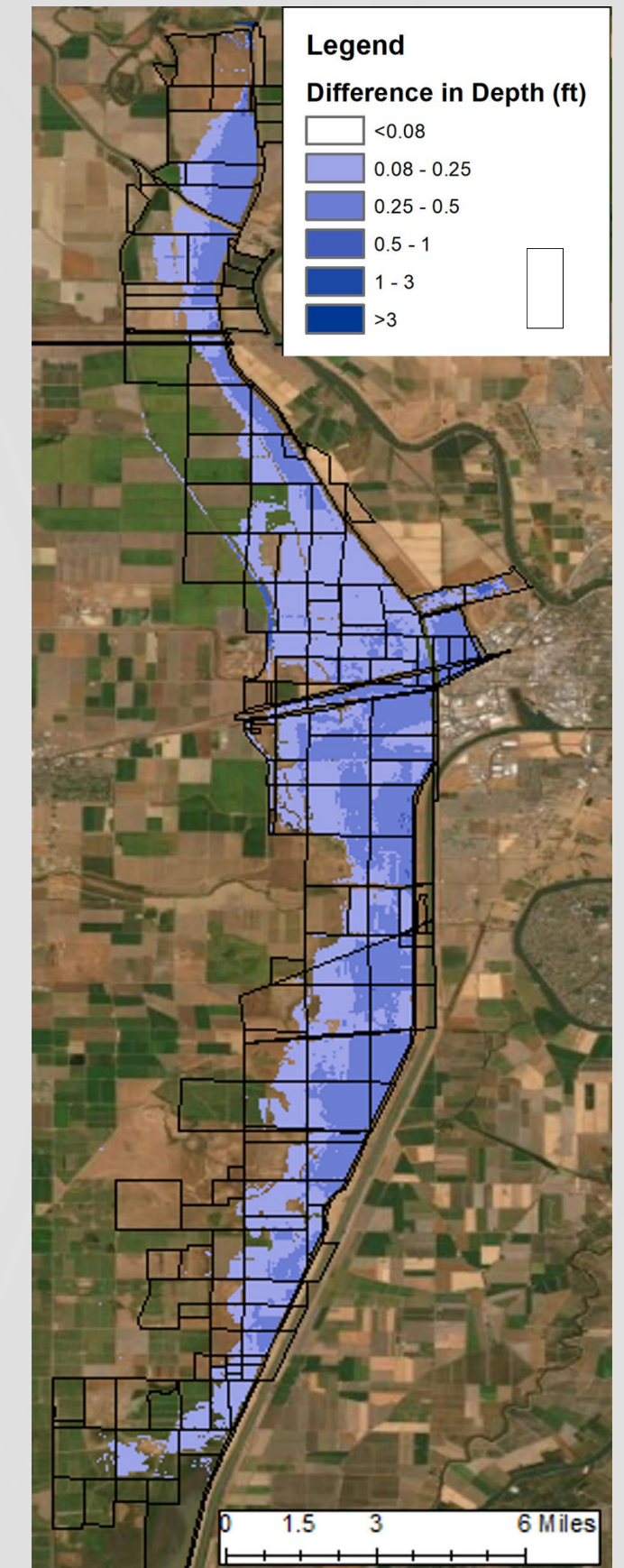
# Properties Impacted (CCP § 1245.230(c)(3))

The property described in the resolution is necessary for the proposed project.

- Impacts modeled using TUFLOW (inundation model):
  - 16 water years from 1997 to 2012
  - Figures averaged over those years
  - Analysis based on difference in wetted days and depth of water



Average Difference in Wetted Days



Average Difference in Depth (ft)



# Example

## Yolo Bypass Big Notch Project

APN: 008-010-013

Owner: PATRICK REALTY CORP.

Parcel area: 3.0 acres

Area within YB: 1.8 acres

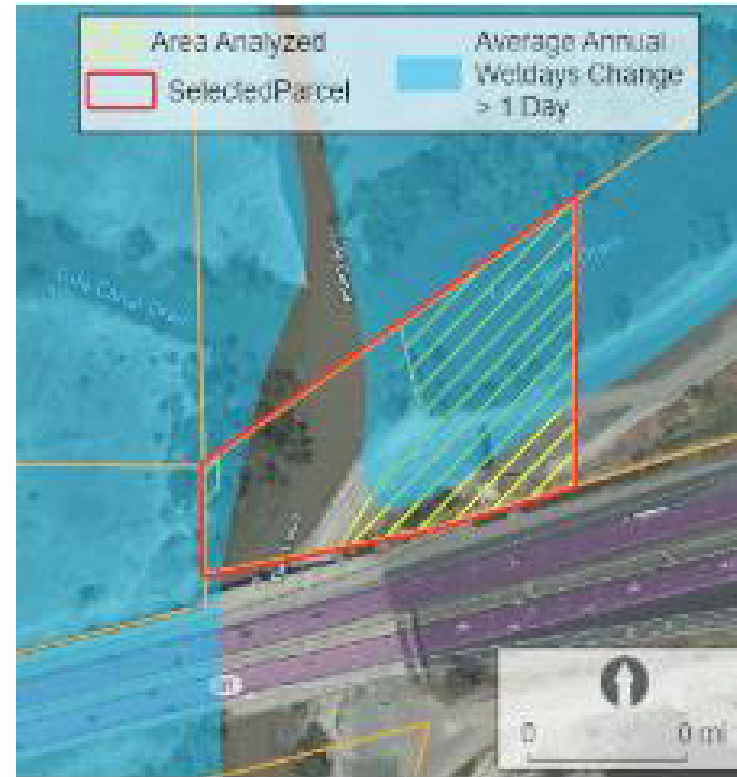
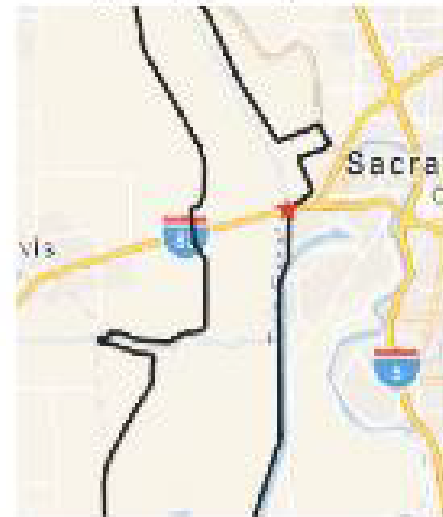
Annual wetted-days

Current: 158.2

Project: 162.2

Change: 4.1

Average depth change: 0.6



Water Year	Last Day Wet <sup>1</sup>		Wetdays <sup>1</sup>		Average Depth (ft)		
	Current	Project	Current	Project	Daily Change <sup>2</sup>	Current	Project
1997	06-30	06-30	178	180	0.3	4.7	4.8
1998	06-30	06-30	211	212	0.3	5.3	5.5
1999	06-26	06-28	178	188	1.2	3.4	4.2
2000	06-30	06-30	153	153	0.6	3.8	4.2
2001	06-29	06-30	133	136	0.4	1.5	1.8
2002	06-30	06-30	164	168	0.5	1.9	2.2
2003	06-30	06-30	188	180	0.8	3.0	3.8
2004	06-30	06-30	178	178	0.6	3.4	3.8
2005	06-30	06-30	242	242	0.2	3.0	3.2
2006	06-30	06-30	198	200	0.3	5.5	5.7
2007	04-21	05-08	139	147	0.6	0.8	1.2
2008	05-01	05-01	110	111	0.4	2.3	2.6
2009	04-17	06-07	63	71	1.0	1.6	2.4
2010	06-01	06-02	127	129	0.6	2.7	3.1
2011	06-30	06-30	204	205	0.7	3.4	3.9
2012	05-18	05-18	63	86	0.9	1.0	1.5

<sup>1</sup> Parcels are classified wet if 35% or more of a parcel area is wet to ignore shallow standing water

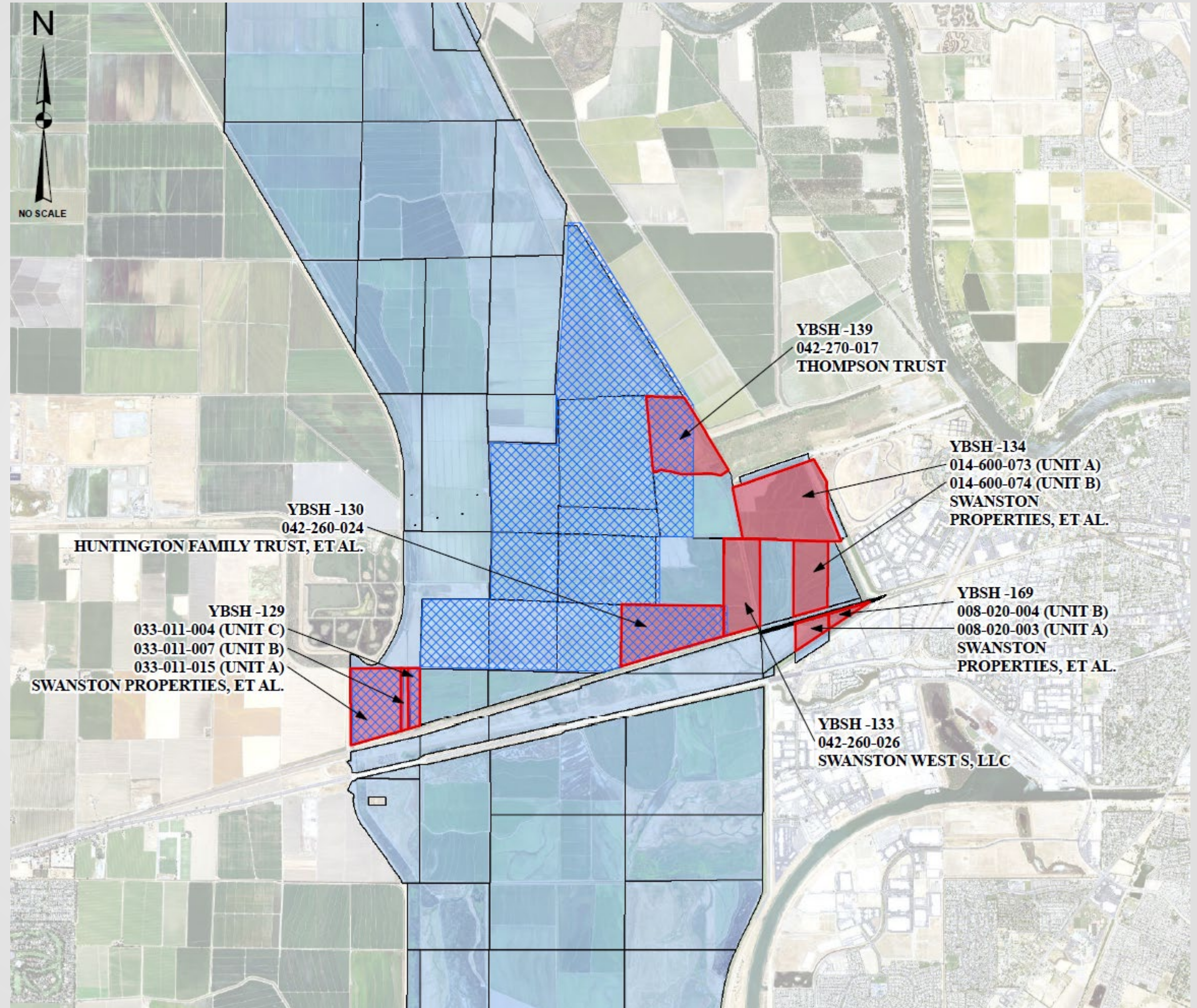
<sup>2</sup> Daily change is calculated for pixels and then averaged and may not be equal to project - current

	Monthly Average				Monthly Average Percent Area (%)													
	Depth (ft)		Wetdays		Dry		< 6 in		6-12 in		12-18 in		18-24 in		24-36 in		>36 in	
	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project
November	1.2	1.2	4.9	4.9	92.4	92.2	2.5	2.2	1.0	0.8	0.5	1.2	2.2	2.2	1.6	0.9	0.0	0.4
December	2.6	3.3	16.2	16.8	73.5	71.6	2.7	1.9	3.0	2.2	2.9	2.1	3.5	3.5	5.4	5.1	8.9	13.6
January	4.5	4.9	22.8	23.2	59.0	57.5	3.2	2.4	4.2	3.3	3.8	1.5	2.2	2.4	2.5	4.4	25.0	28.4
February	4.1	4.5	25.4	26.3	50.9	48.0	2.8	3.0	5.0	3.5	4.7	4.0	2.5	2.2	7.4	5.9	26.7	33.5
March	3.8	4.1	30.1	30.4	48.1	46.5	5.6	3.5	6.6	5.4	4.3	4.8	3.9	3.7	5.6	5.6	25.8	30.6
April	3.1	3.3	25.4	26.0	56.4	54.9	8.5	8.3	4.3	3.8	4.3	3.4	4.4	3.1	5.1	5.5	17.2	20.9
May	2.2	2.6	17.2	15.2	72.5	70.2	6.0	6.0	3.5	3.5	2.3	1.3	2.7	2.1	4.0	3.8	9.1	13.1
June	1.7	1.7	16.1	16.3	74.2	73.8	6.5	6.6	4.9	5.0	4.5	4.2	2.5	2.6	3.2	3.3	4.2	4.4

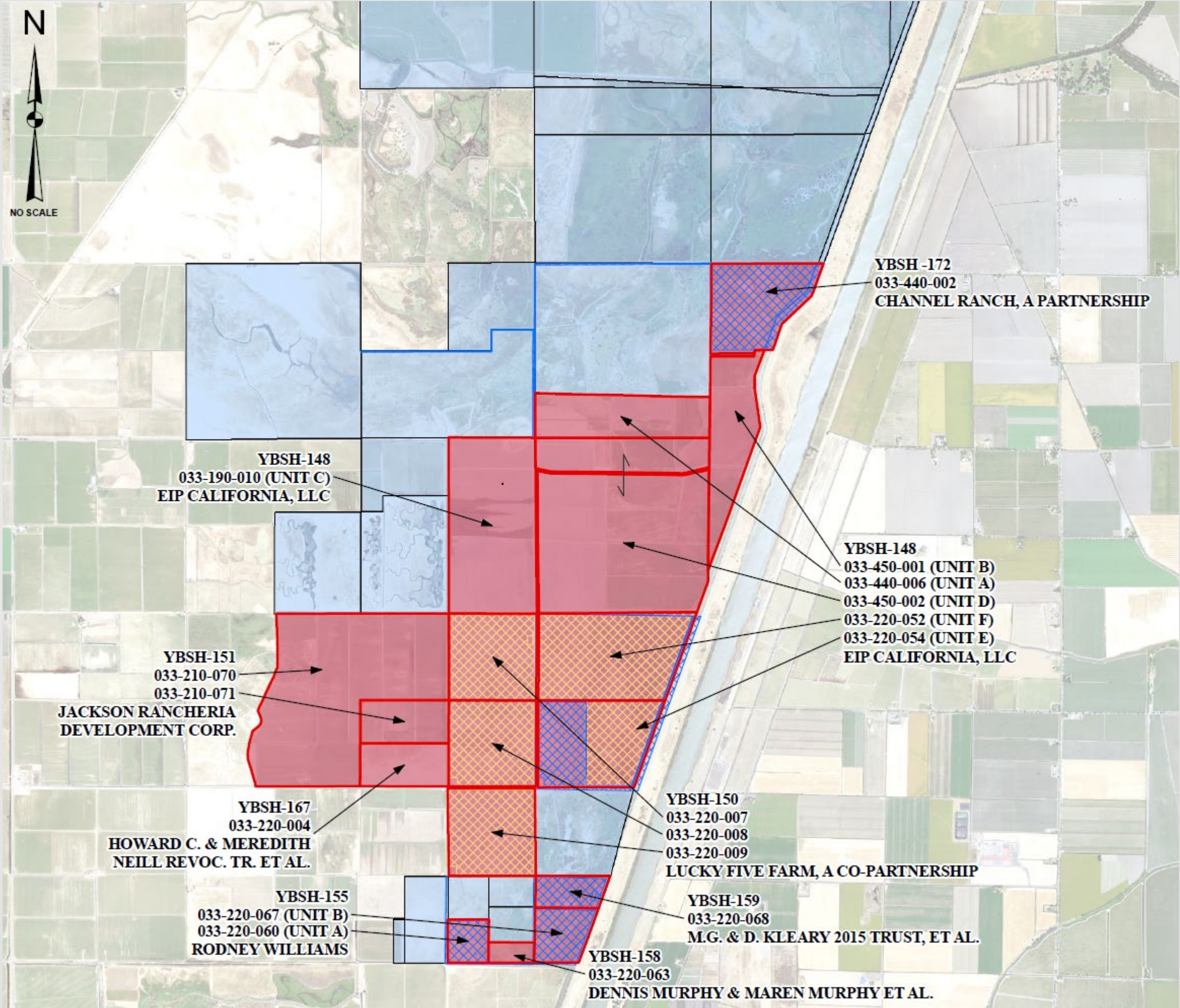
All information provided by the Department of Water Resources made available to provide immediate access for those with need of immediate parcels. While the Department believes the information to be reliable, human or mechanical error is a possibility. Therefore, the Department does not guarantee the accuracy, completeness, timeliness, or correct sequencing of the information. Neither the Department of Water Resources nor any of the sources of the information shall be responsible for any errors or omissions, or for the use or results obtained from the use of this information.



# Properties in Relation to the Project



# Properties in Relation to the Project



# 8A. Ray and Della Thompson Trust, et al.

**Owner of Record:** Ray and Della Thompson Trust, et al.

APN(s): 042-270- 017

DWR Parcel Number: YBSH-139

Approximate Acres: 142.09

**First Written Offer (Govt. Code § 7267.2):** January 24, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**

**Conservation Easement Holder:** US Fish and Wildlife Service

**Notice of Intent to Acquire (CCP § 1240.055(c)):** January 24, 2022

**Notice of RON Hearing (CCP § 1240.055(c)):**



# 8B. Huntington Family Trust, et al.

**Owner of Record:** Huntington Family Trust, et al.

APN(s): 042-260-024

DWR Parcel Number: YBSH-130

Approximate Acres: 158.10

**First Written Offer (Govt. Code § 7267.2):** June 15, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**

**Conservation Easement Holder:** US Fish and Wildlife Service

**Notice of Intent to Acquire (CCP § 1240.055(c)):** June 15, 2022

**Notice of RON Hearing (CCP § 1240.055(c)):**



# 8C. Howard C. Neill and Meredith Neill Revocable Trust, et al.

**Owner of Record:** Howard C. Neill and Meredith Neill Revocable Trust, et al.

APN(s): 033-220-004

DWR Parcel Number: YBSH-167

Approximate Acres: 80.0

**First Written Offer (Govt. Code § 7267.2):** June 22, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**



# 8D. Jackson Rancheria Development Corporation

**Owner of Record:** Jackson Rancheria Development Corporation

APN(s): 033-210-070 and 033-210-071

DWR Parcel Number: YBSH-151

Approximate Acres: 596.36

**First Written Offer (Govt. Code § 7267.2):** June 16, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**





# 8E. EIP California, LLC

**Owner of Record:** EIP California, LLC

APN(s): 033-440-006, 033-450-001, 033-450-002, 033-220-052, 033-220-054, and  
033-190-010

DWR Parcel Number: YBSH-148

Approximate Acres: 1,728.17

**First Written Offer (Govt. Code § 7267.2):** April 21, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**

**Conservation Easement Holders:** National Resources Conservation Service and United States Fish and Wildlife Service

**Notice of Intent to Acquire (CCP § 1240.055(c)):** April 11, 2022

**Notice of RON Hearing (CCP § 1240.055(c)):**



# 8G. Swanston Properties, et al.

**Owner of Record:** Swanston Properties, et al.

APN(s): 033-011-007, 033-011-015, 033-011-004, 014-600-073, 014-600-074, 008-010-003, 008-020-004

DWR Parcel Number: YBSH-129, YBSH-134, YBSH-169

Approximate Acres:490.94

**First Written Offer (Govt. Code § 7267.2):** May 26, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**

**Conservation Easement Holders:** US Fish and Wildlife Service

**Notice of Intent to Acquire (CCP § 1240.055(c)):** May 26, 2022

**Notice of RON Hearing (CCP § 1240.055(c)):**



# 8H. Swanston West S, LLC

**Owner of Record:** Swanston West S, LLC

APN(s): 042-260-026

DWR Parcel Number: YBSH-133

Approximate Acres: 106.00

**First Written Offer (Govt. Code § 7267.2):** December 23, 2021

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**



# 81. Rodney Williams

**Owner of Record:** Rodney Williams

APN(s): 033-220-060 and 033-220-067

DWR Parcel Number: YBSH-155

Approximate Acres: 100.13

**First Written Offer (Govt. Code § 7267.2):** June 6, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**

**Conservation Easement Holders:** US Fish and Wildlife Service

**Notice of Intent to Acquire (CCP § 1240.055(c)):** June 6, 2022

**Notice of RON Hearing (CCP § 1240.055(c)):**



# 8J. Lucky Five Farm, a co-partnership

**Owner of Record:** Lucky Five Farm, a co-partnership

**APN(s):** 033-220-007, 033-220-008, and 033-220-009

**DWR Parcel Number:** YBSH-150

**Approximate Acres:** 481.09

**First Written Offer (Govt. Code § 7267.2):** June 16, 2022

**Notice of Informational Hearing (CWC Procedures):** August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**

**Conservation Easement Holders:** National Resources Conservation Service

**Notice of Intent to Acquire (CCP § 1240.055(c)):** June 16, 2022

**Notice of RON Hearing (CCP § 1240.055(c)):**



# 8K. Dennis Murphy and Maren Murphy, et al.

**Owner of Record:** Dennis Murphy and Maren Murphy, et al.;

APN(s): 033-220-063

DWR Parcel Number: YBSH-158

Approximate Acres: 20.0

**First Written Offer (Govt. Code § 7267.2):** June 23, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**



# 8L. Channel Ranch, a Partnership

**Owner of Record:** Channel Ranch, a Partnership

APN(s): 033-440-002

DWR Parcel Number: YBSH-172

Approximate Acres: 191.16

**First Written Offer (Govt. Code § 7267.2):** June 15, 2022

Notice of Informational Hearing (CWC Procedures): August 26, 2022

**Notice of RON Hearing (CCP § 1245.235):**

**Conservation Easement Holders:** US Fish and Wildlife Service

**Notice of Intent to Acquire (CCP § 1240.055(c)):** June 15, 2022

**Notice of RON Hearing (CCP § 1240.055(c)):**

