

DEPARTMENT OF WATER RESOURCES
CALIFORNIA WATER COMMISSION
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



August 30, 2011

Waters, Inc.
2014 State Highway 94
Walnut Grove, California 95690

Subject: California Water Commission Notification of Consideration
Resolution of Necessity No.: 2011-05

On September 21, 2011, the California Water Commission (Commission) will consider a request by the Department of Water Resources (DWR) to adopt a Resolution of Necessity that would authorize the State to acquire property owned by you, identified as DWR Parcel No. DCAS-506. The purpose of the geotechnical explorations is to gather necessary geotechnical information to support the preparation of a draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Bay Delta Conservation Plan and/or for preliminary engineering studies for the Delta Habitat Conservation and Conveyance Program with an emphasis on environmental and feasibility studies, and preliminary engineering.

The meeting will begin at 9:00 a.m. on Wednesday, September 21 at the following location:

State of California, Resources Building
1416 Ninth Street, 1st Floor Auditorium
Sacramento, California 95814

At this meeting, the Commission will consider evidence in support of the specific findings required by State law for a Resolution of Necessity pursuant to California Code of Civil Procedure, Section 1245.230. However, the Commission will not take any final action on the proposed Resolution of Necessity at this meeting. The Commission's policy for eminent domain actions requires that all proposed Resolutions of Necessity items be considered at a minimum of two publicly-noticed Water Commission meetings. Therefore, the soonest that the Commission could take action on the Resolution of Necessity would be at its October 19, 2011 meeting. Enclosed for your review is a copy of the "Procedures for Eminent Domain" recently adopted by the Commission which describes the Commission's policy on considering Resolutions of Necessity, and outlines your opportunities for providing input during this process.

The Commission will hear evidence relating to the following issues:

1. Whether the public interest and necessity require the proposed project;
2. Whether 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;
3. Whether the property sought to be acquired is necessary for the proposed project;
4. Whether the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

The amount of compensation to be paid for the acquisition of the property is not a matter to be determined by the Commission.

You are invited to appear before the Commission at the meeting and to have the Commission give fair consideration to your testimony or other evidence. You may also submit written or email comments for consideration to California Water Commission, P.O. Box 942836, Sacramento, CA 94236-0001 or cwc@water.ca.gov. You are not required to make an appearance at this meeting and you will also have an opportunity to appear at future Commission meetings when this matter will be heard and the Commission may act on the Resolution of Necessity.

If you have any questions about this notice please contact Allan Davis, Supervising Land Agent with the Department of Water Resources at (916) 952-2779 or Rachel Ballanti (916) 653-8517, Policy Analyst with the California Water Commission.

Dated and mailed on August 30, 2011.

California Water Commission

By:


Susan Sims, Interim Executive Officer

Enclosures: Procedures for Eminent Domain