SUPPLEMENT TO STAFF REPORT: NEGOTIATION FACT SHEET
PROPOSED ACTION IN EMINENT DOMAIN
CALIFORNIA WATER COMMISSION
October 19, 2011

RON #: 2011-25
Project: Geotechnical Activities in support of the Bay Delta Conservation Plan (BDCP)
APN: 132-0120-081-0000 (Sacramento County)
DWR #: DCAP-154
Owner: **Donna L. Reed**

Statistics

AS OF OCTOBER 12, 2011					
# of Parcels to be Acquired	# of Parcels Acquired	Remaining Parcels to Acquire	# of Owners to Appear	# of Owners to Settle	Remaining Number of Owners to Appear
59	1	58	46	1	45

Property Rights to be Acquired

DWR Parcel No.	Area	Rights
Unit A	16 sq. ft.	Permanent Non-Exclusive Easement
Unit B	10,000 sq. ft.	Temporary Construction Easement
Unit C	33,292 sq. ft.	Temporary Access Easement

Parcel Information

Current Use: Irrigated Field Crops
Zoning: AG 40 (Agriculture, 40-acre minimum)
Date of First Written Offer: August 2, 2011
Amount of Agency's Latest Written Offer: Offer made pursuant to approved staff appraisal.
Amount of Owner's Latest Counteroffer: N/A
Type of Geotechnical Activity: One (1) CPT and one (1) drill hole

Previous Contacts

Temporary Entry Permit (TEP) Phase

LETTERS (6)

- Initial mailing of TEP; follow-up letters, referral to AG letter (7/12/10, 8/12/10, 9/03/10, 9/10/11, 1/26/11, and 2/02/11).

TELEPHONE CALLS (1)

- Conversation with owner. (8/17/10)

EMAIL (1)

- Owner sent email denying DWR access. (8/17/10)

SITE VISITS (1)

- Conducted site visit for general observation and verification of land use. (10/07/10)

Recent Contacts

First Written Offer (FWO) Phase

LETTERS (9)

- Notice to Appraise Letter, First Written Offer, follow-up letters, invitations to Commission meeting, Appraisal Reimbursement Agreement, Temporary Easement Alternative, and Notice of Intent to Adopt Resolution of Necessity (6/03/11, 8/02/11, 8/22/11, 8/30/11 (twice), 9/06/11, 9/09/11, 9/12/11 and 9/27/11).

TELEPHONE CALLS (3)

- DWR called and left messages. (8/04/11 and 8/18/11)
- Owner called and left message expressing opposition to the project; will not authorize entry. (8/18/11)

EMAILS (4)

- Owner sent email in response to reminder letter. (8/23/11)
- DWR sent emails as follow-up to express interest in negotiating and to offer the temporary easement contract; DWR has not received any response from owner. (8/23/11, 8/3011 and 10/07/11)

Areas of Main Concern to Owner and DWR's Response

Owner opposed to project and has not provided any design modifications for DWR to consider.

Why Necessary to Initiate Eminent Domain Action

DWR has been unable to reach an agreement to acquire the necessary property rights through either negotiation or attempted negotiation. DWR desires to initiate eminent domain action to ensure that DWR meets its geotechnical schedule.