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

RON #: 2011-26
Project: Geotechnical Activities in support of the Bay Delta Conservation Plan (BDCP)
APN: 132-0120-095-0000 (Sacramento County)
DWR #: DCAP-155
Owner: **Mahinder Singh and Tawnya M. Dhaliwal**

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	144 sq. ft.	Permanent Non-Exclusive Easement
Unit B	90,000 sq. ft.	Temporary Construction Easement
Unit C	38,840 sq. ft.	Temporary Access Easement

Parcel Information

Current Use: Agriculture – Irrigated Field Crops
Zoning: Agricultural Preserve Zone 1 (A-P)
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: Nine (9) CPTs and nine (9) drill holes

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, 9/10/10, 1/27/11, and 2/02/11).

TELEPHONE CALLS (2)

- Conversations with owner regarding TEP; owner to get back to DWR. (9/02/10 and 10/14/10)

SITE VISITS (1)

- Conducted site visit for general observation and verification of land use. (10/13/10)

Recent Contacts

First Written Offer (FWO) Phase

LETTERS (8)

- Notice to Appraise Letter, First Written Offer, follow-up letters, invitations to Commission meeting, Temporary Easement Alternative, and Notice of Intent to Adopt Resolution of Necessity (6/1/11, 8/02/11, 8/22/11, 8/30/11, 9/06/11, 9/09/11, 9/12/11 and 9/27/11).

TELEPHONE CALLS (4)

- DWR called left message requesting return call. (8/18/11)
- DWR called and spoke with owner and discussed the project and the FWO; owner agreed to meet with DWR. (8/04/11 and twice on 10/04/11).

SITE VISITS (2)

- DWR stopped by owner's residence and left door hanger and business card (9/28/11); DWR met with owner and discussed location of drill holes, access, and the Right of Way contract for Temporary Easements. (10/05/11)

Areas of Main Concern to Owner and DWR's Response

- Owner requested to move the proposed drill sites.

  DWR agreed to move the drill sites to the locations proposed by the owner.

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.