San Joaquin River Restoration Program
Mendota Pool Bypass and Reach 2B Improvements Project

Land Acquisition Landowner Meeting
August 12, 2015 9 am – 12 noon
San Luis Canal Company
11704 Henry Miller Avenue
Dos Palos, CA

Preliminary draft – subject to change
Agenda

• Introductions
• Reach 2B Project Status
• Land Acquisition Process Overview
• Appraisals
• Reach 2B Project Land Acquisition Timelines
• Post-Acquisition
• Next Steps
SJRRP Status - Flows

• No flow releases in 2015 Restoration Year
  – Critical-Low Water Year

• Flow releases could start on February 1, 2016 at the earliest if next year is wetter

• Possible flows into the Eastside Bypass
  – Flowage easements on private lands complete
Upcoming Meetings

• Recapture and Recirculation scoping meetings
  – Tulare
    • August 11, 2015: 6 pm to 8 pm
    • Tulare International Agriculture Center
  – Fresno
    • August 12, 2015: 6 pm to 8 pm
    • Fresno Hotel and Conference Center, Salon A
  – Los Banos
    • August 13, 2015: 6 pm to 8 pm
    • Los Banos Community Center, Multi-Purpose Room
Planning Documents

• Revised Framework for Implementation
  – Public comments were accepted through June 15, 2015
  – Published on SJRRP website on July 30, 2015
SJRRP Schedule

SAN JOAQUIN RIVER RESTORATION PROGRAM OVERALL SCHEDULE

2015-2019
GOAL: 1,300 CFS CAPACITY IN ALL REACHES
- Friant-Kern Capacity Restoration
- Madera Canal Capacity Restoration
- Mendota Pool Bypass
- Temporary Sack Dam Passage
- Conservation Facility
- Seepage Projects to 1,300 cfs

2020-2024
GOAL: INCREASED CAPACITY
- Part III
- Reach 2B
- Arroyo Canal and Sack Dam
- Reach 4B Land Acquisition
- Seepage Projects to 2,500 cfs
- Levee Stability to 2,500 cfs

2025-2029
GOAL: PHASE I PROJECTS COMPLETE
- Reach 4B
- Mud and Salt Sloughs
- Seepage Projects to 4,500 cfs
- Levee Stability to 4,500 cfs

2030+
GOAL: ALL REMAINING PROJECTS
- Ongoing Operations and Maintenance

Note: cfs = cubic feet per second

Friant Dam and Millerton Lake
REACH 2B EIS/R STATUS
Reach 2B Project Area

- Reach 2B is a Phase 1 project of the San Joaquin River Restoration Program.
Reach 2B Project

• Expand Reach 2B channel capacity to convey at least 4,500 cubic feet per second (cfs)
  (11 miles of levee and floodplain habitat)
  – 4,500 cfs is required in the Settlement
  – 4,500 cfs is the design capacity of the river near Firebaugh
Reach 2B Project

• Bypass channel around the Mendota Pool (about ½ mile of new river channel)
• New structure for water deliveries to Mendota Pool up to 2,500 cfs
Project Alternatives

- **Alternative A** – Compact Bypass with Narrow Floodplain and South Canal
- **Alternative B** – Compact Bypass with Consensus-Based Floodplain and Bifurcation Structure
- **Alternative C** – Fresno Slough Dam with Narrow Floodplain and Short Canal
- **Alternative D** – Fresno Slough Dam with Wide Floodplain and North Canal
Alternative A
Alternative A

• Compact Bypass
  – New channel and structures capable to convey up to 4,500 cfs of Restoration Flows around Mendota Pool

• Narrow Floodplain
  – Floodplain habitat approx. 3,000 feet wide on average

• South Canal
  – South Canal and structures to convey up to 2,500 cfs from Reach 2B to Mendota Pool (includes fish passage facility)

• Other
  – Removal of the San Joaquin River control structure of the Chowchilla Bifurcation Structure
Alternative B

Alternative B - Compact Bypass with Consensus-Based Floodplain and Bifurcation Structure

- River Mile Post
- Construction Access Route
- Alternative B Boundary
- County Boundary
- Columbia Canal Improvement
- Compact Bypass Channel
- Concrete Batch Plant
- Construction Office
- Control Structure
- Fish Barrier
- Fish Passage Facility
- Fish Screen
- Floodplain
- Alternative B Levee
- Lone Willow Slough Fish Screen
- Potential Borrow Area
- Ramps
- Reach 3 Levee Improvement
- Road 10 1/2 Reroute
- San Mateo Reroute
- Staging Stockpile Area

Reach 3 Levee Improvement
Columbia Canal Improvement
Columbia Canal
San Mateo Avenue Crossing Removal
Levee
Floodplain
Mendota Pool Fish Screen
Mendota Pool Control Structure
Concrete Batch Plant
Staging Stockpile Area
Lone Willow Slough Fish Screen
Fish Passage Facility on San Joaquin River Control Structure

Preliminary draft – subject to change
Alternative B

- Compact Bypass
  - New channel and structures capable to convey up to 4,500 cfs of Restoration Flows around Mendota Pool

- Consensus-Based Floodplain
  - Floodplain habitat approx. 4,200 feet wide on average

- Bifurcation Structure
  - Mendota Pool control structure to convey up to 2,500 cfs from Reach 2B to Mendota Pool

- Other
  - Fish passage facility at Compact Bypass control structure
  - Fish passage facility at the San Joaquin River control structure of the Chowchilla Bifurcation Structure
Alternative C - Fresno Slough Dam with Narrow Floodplain and Short Canal

- Alternative C Boundary
- Construction Access Route
- Permanent and Seasonal Wetlands
- Fish Passage Facility
- Floodplain
- Levee
- Potential Borrow Area
- Ramps
- San Mateo Crossing
- Short Canal
- Staging Stockpile Area
- Columbia Canal Improvement
- Concrete Batch Plant
- County Boundary
- Main Canal and Helm Ditch Relocation
- Lone Willow Slough Fish Screen
- Mendota Dam Fish Passage Facility (Alternative Locations)
- Grade Control Structures
- Main Canal & Helm Ditch Relocation
- Fresno Slough Dam Fish Barrier
- Construction Office
- Short Canal with Control Structure and Fish Screen (West Independent and West Combined Options)
- Concrete Batch Plant
- Fish Passage Facility on San Joaquin River Control Structure
- San Mateo Crossing
- Lone Willow Slough Fish Screen
- Floodplain
- Levee
- Potential Borrow Area
- Ramps
- San Mateo Crossing
- Short Canal
- Staging Stockpile Area
Alternative C

- **Fresno Slough Dam**
  - New dam to restrict Mendota Pool to Fresno Slough so that up to 4,500 cfs of Restoration Flows can be conveyed around Mendota Pool
  - Mendota Dam fish passage facility
- **Narrow Floodplain**
  - Floodplain habitat approx. 3,000 feet wide on average
- **Short Canal**
  - Short Canal and structures to convey up to 2,500 cfs from Reach 2B to Mendota Pool
- **Other**
  - Fish passage facility at the San Joaquin River control structure of the Chowchilla Bifurcation Structure
Alternative D
Alternative D

- Fresno Slough Dam
  - New dam to restrict Mendota Pool to Fresno Slough so that up to 4,500 cfs of Restoration Flows can be conveyed around Mendota Pool
  - Mendota Dam fish passage facility

- Wide Floodplain
  - Floodplain habitat approx. 4,200 feet wide on average

- North Canal
  - North Canal and structures to convey up to 2,500 cfs from Reach 2B to Mendota Pool (with fish passage facility)

- Other
  - Removal of the San Joaquin River control structure of the Chowchilla Bifurcation Structure
REACH 2B PREFERRED ALTERNATIVE (ALTERNATIVE B)
Consensus-Based Process

• Compact Bypass
  – Landowner preferred
  – Larger floodplain
  – Same Delta Mendota Canal / Mendota Pool operations

• Fresno Slough Dam
  – Reduces Mendota Pool volume
  – Changes to Mendota Pool operations
  – Mendota Dam recently repaired

➢ Compact Bypass is Preferred
Consensus-Based Process

- Consensus-Based Levee Alignment
  - Based on landowner input
- Narrow Levee Alignment
  - Minimizes land out of production
- Wide Levee Alignment
  - Maximizes fish habitat

➢ Consensus-Based Alignment is Preferred
Bifurcation Structures
- Minimize land out of production

South or North Canal Options
- Create access issues to farms – would require bridges
- Take land out of production away from the river
- Moves the San Joaquin River control structure of the Chowchilla Bifurcation Structure downstream
  - Impacts flood operations

Bifurcation Structure is Preferred
Phased Approach

• Compact Bypass
  – Construction 2017-2020
  – Obtains fish passage

• Reach 2B setback levees and floodplain
  – Construction 2021-2025
  – Increases Capacity

• Keeps annual expenditures reasonable while accomplishing SJRRP goals
LAND ACQUISITION PROCESS
OVERVIEW
Purpose and Objective

• Acquire lands necessary to complete Mendota Pool Bypass and Reach 2B Project

• Acquisition options:
  – Fee-title
  – Complete surface and subsurface easement with landowner retaining groundwater rights
Lands to Acquire
Realty Process

Scott Springer, Branch Chief
Mid Pacific Region, Land Resources

Reclamation Land Acquisition (Uniform Act)

General Processes
Realty Objectives

• Provide property owners with an introductory explanation of their rights and the federal process and steps to acquire properties

• Generally describe the timing and steps

• Reclamation cannot at this time address specific questions regarding individual properties as these are subject to the private parties at this time
Basic Sequence of Actions

• Authorization (in this case, Public Law 111-11) has identified an action that requires compensation

• Reclamation would make a determination of properties that would be impacted and may be wholly or partially acquired

• Reclamation would notify the owner of said properties and initiate the acquisition process
Possible Realty Actions

• Acquisition of real property in fee

• Acquisition of an easement

• Residential relocation

• Business relocation
Overview of Governing Statute

Reclamation realty and relocation activities, must follow existing law and regulation, specifically:

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and;

Property Owner Rights

The Uniform Act requires that property owners be provided with:

- Appraisal to determine market value in accordance with UASFLA and USPAP
- Permanent housing that is decent, safe and sanitary
- Temporary housing
- Comparable housing for consideration
- Displaced renter assistance
- Reasonable moving expenses
The Acquisition Process (In Brief)

- Completion of NEPA and NHPA compliance
- Obtain a Right of Entry
- Perform cultural resource review
- Perform environmental site assessment (Phase 1)
- Perform surveys
- Secure proper title evidence
- Prepare draft land contract/warranty deed
- Order and conduct appraisals
- Solicitor review of contract package
- Prepare and issue Offer Letter
- Development of a Relocation Plan, if necessary
- Site Assessment and Possession
Realty Process

Land Acquisition Process

PLANNING PROCESS/NEPA
- Public Involvement
- EA/EIS
- Record of Decision

ACQ - RELOCATION PLAN
Begin Real Estate Acquisition Program

Preliminary Title Rights-of-Entry Legal Descriptions Tract Maps

Prepare & Review Appraisals

Environmental Site Surveys Pre-Acquisition

Written Offer to Purchase

Unsuccessful Negotiations With Owners

Successful

Final Offer With Notice to Condemn

Request Preliminary Title Opinion Execute Contract

Submit Condemnation Request to Solicitor - Dept. of Justice

Contract Closing Payment Obtain Title Insurance, Final Title Opinion, Possession

Declaration Taking Order for Possession

Crop/Property Damage Payments

Certification of Availability For Use

Complete Relocation Assistance

Amendment of Title Report

Salvage/Site Clearing of Improvements

Stipulation For Settlement/Trial Preparation - Judicial Decision

Certification of Availability for Use
Proposed Project Impact on Property Values

• The appraiser shall disregard any increase or decrease in the market value of the property caused by the project.

• In 49 CFR 24 Subpart B, Section 24.103(b), it states, “When the public is aware of the proposed project, project area property values may be affected. Therefore, property owners should not be penalized because of a decrease in value caused by the project nor reap a windfall at public expense because of increased value created by the proposed project.”
For More Information

- Federal Highway Administration Relocation and Acquisition pamphlets

- Technical Details:
  http://www.fhwa.dot.gov/real_estate/uniform_act/acquisition/real_property.cfm

- Frequently Asked Questions:
  http://www.fhwa.dot.gov/real_estate/publications/rights/
Contact Information

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Requests of Landowner

• Appraiser site visit access
• Answer appraiser questions
• HAZMAT site visit access
• Interview by Reclamation HAZMAT
• Negotiation
• Land ownership paperwork, if necessary
• If landowner is willing: paying for the appraisal, hiring the appraiser
Appraisal Process

• Around 2.5 years normally
• Can be 1.5 years if landowner pays for appraisal that is done with an OVS scope of work and an OVS approved appraiser
  – OVS is the client and the landowner doesn’t see the appraisal until OVS approves it
Valuation

- Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book)
Phased Approach

• Compact Bypass
  – Construction 2017-2020
  – Obtains fish passage

• Reach 2B setback levees and floodplain
  – Construction 2021-2025
  – Increases Capacity

• Keeps annual expenditures reasonable while accomplishing SJRRP goals
Land Acquisition

- Compact Bypass
  - Construction 2017-2020
  - Land Acquisition 2016-2017
- Reach 2B setback levees and floodplain
  - Construction 2020-2025
  - Land Acquisition 2017-2019
Land Acquisition Status

• Compact Bypass
  – Land Acquisition 2016 – 2017
  – Scopes of Work are complete
  – Reclamation is working to enter into an Interagency Agreement with the Office of Valuation Services
  – Appraiser should be on board by end of 2015
  – Offers and negotiation can start spring 2016
  – Need properties by summer 2017
Land Acquisition Status

• Reach 2B
  – Land Acquisition 2017-2019
  – Scopes of Work are in draft form
  – Aim to hire appraisers in 2016 for those landowners who want to move quickly
  – Can postpone a year for landowners that prefer to wait
Post Acquisition

- Land near the river will become habitat
- Land under setback levees will have levee construction
- Some lands will have structures or infrastructure
- Floodplain Grading
- Planting
Farming on Floodplain

• Is included in EIS/R
• Infrequently inundated floodplain
• Row crops or pasture on floodplain may be possible
• Can lease or rent land back to growers
Questions?
Next Steps

Review Assignments & Action Items
Thank You

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