



Valley Water

Clean Water • Healthy Environment • Flood Protection



Public Hearing to Consider Adoption of Resolution of Necessity: Coyote Creek Flood Protection Project

Findings to be Made at RON Hearing

- Establish the public need for the project
- Establish that project is designed/located in a manner most compatible with greatest public good and least private injury
- Determine the property is necessary for the project
- Establish offer required by Section 7267.2 of the Government Code was made to record owner(s)

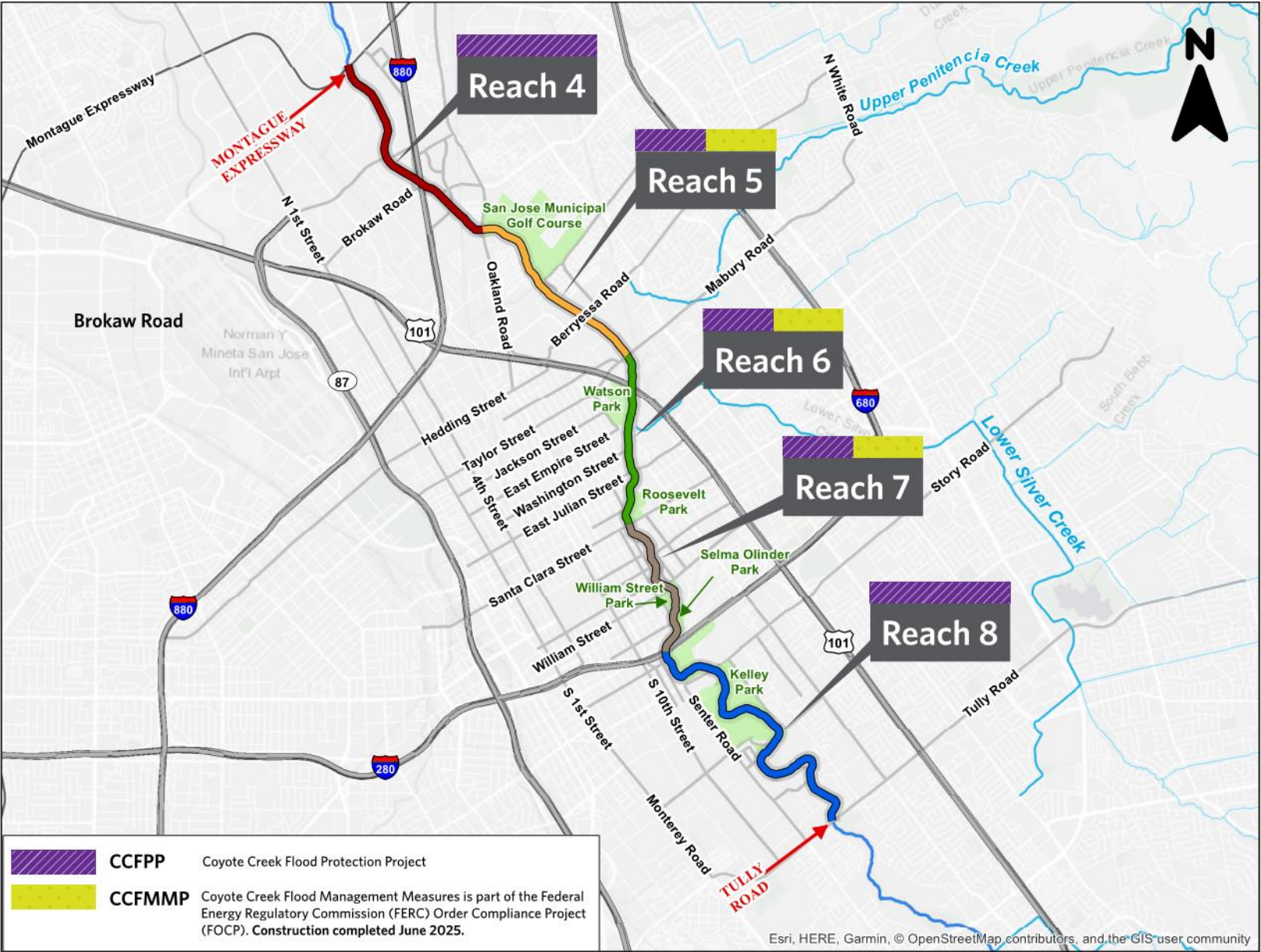
Public Necessity for the Proposed Project

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- **Finding:** The public interest and necessity require the proposed project
 - Provide flood protection from floods up to the level that occurred in February 2017 (approximately a 20-year flood event) along portions of Coyote Creek from Montague Expressway to Tully Road
 - Preserve creek's habitat
 - Reduce long-term maintenance



Coyote Creek Flood Protection Project



Existing Constraints on Project Design

- The geography and footprint of the creek determines which properties will be impacted
 - Private property and public parks are located on both sides of the creek
 - The creek flows through private property and public parks

Project Design Serves the Greatest Public Good with the Least Private Injury

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

- Holistic approach to project design
- Avoidance of private structures
 - Locating project features to minimize impacts to private structures
- Preserve habitat
 - Minimize disturbance to native vegetation
 - Preserve aquatic habitat
- Align project features with existing creek alignment

CEQA Compliance

- An Environmental Impact Report (EIR) was prepared by Valley Water as the lead agency.
- The final EIR was certified by the Valley Water board of directors on March 11, 2025.

Property Acquisitions Necessary for Project

- Project requires acquisition of 62 Properties in Reaches 4, 5, 6, 7, & 8
- A Resolution of Necessity is proposed to acquire property interests over portions of 13 properties in Reaches 6, 7, and 8 owned by the following owners of record:
 - City of San Jose

City of San Jose Property is Necessary for the Project

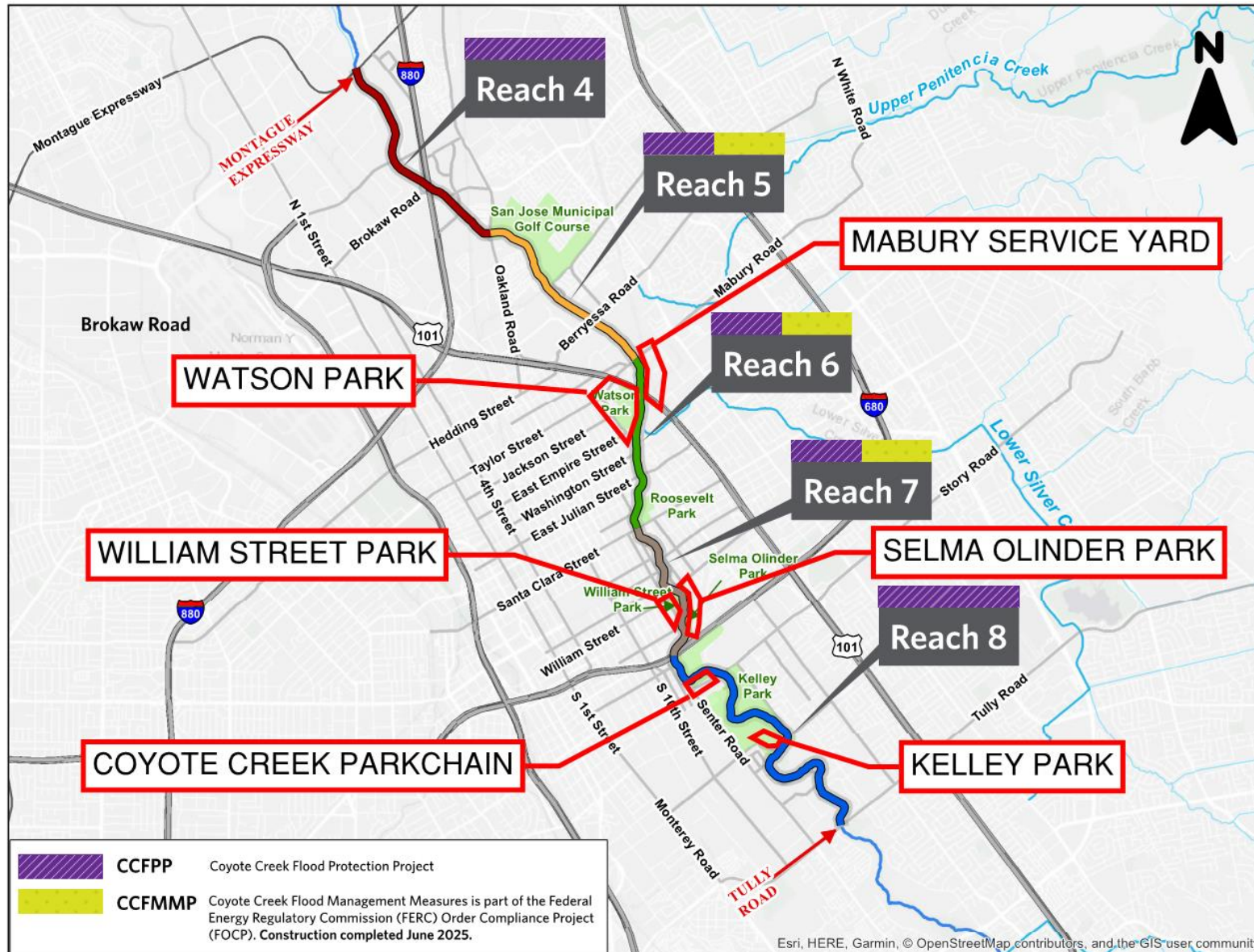
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Finding: The properties described in the resolution are necessary for the proposed project

- The properties are necessary for the project because berms, floodwalls, passive barriers and the access path to construct/maintain the project features are on a portion of these properties.
- Construction activities also require that a separate portion of the properties be temporarily accessible to construct the project features.

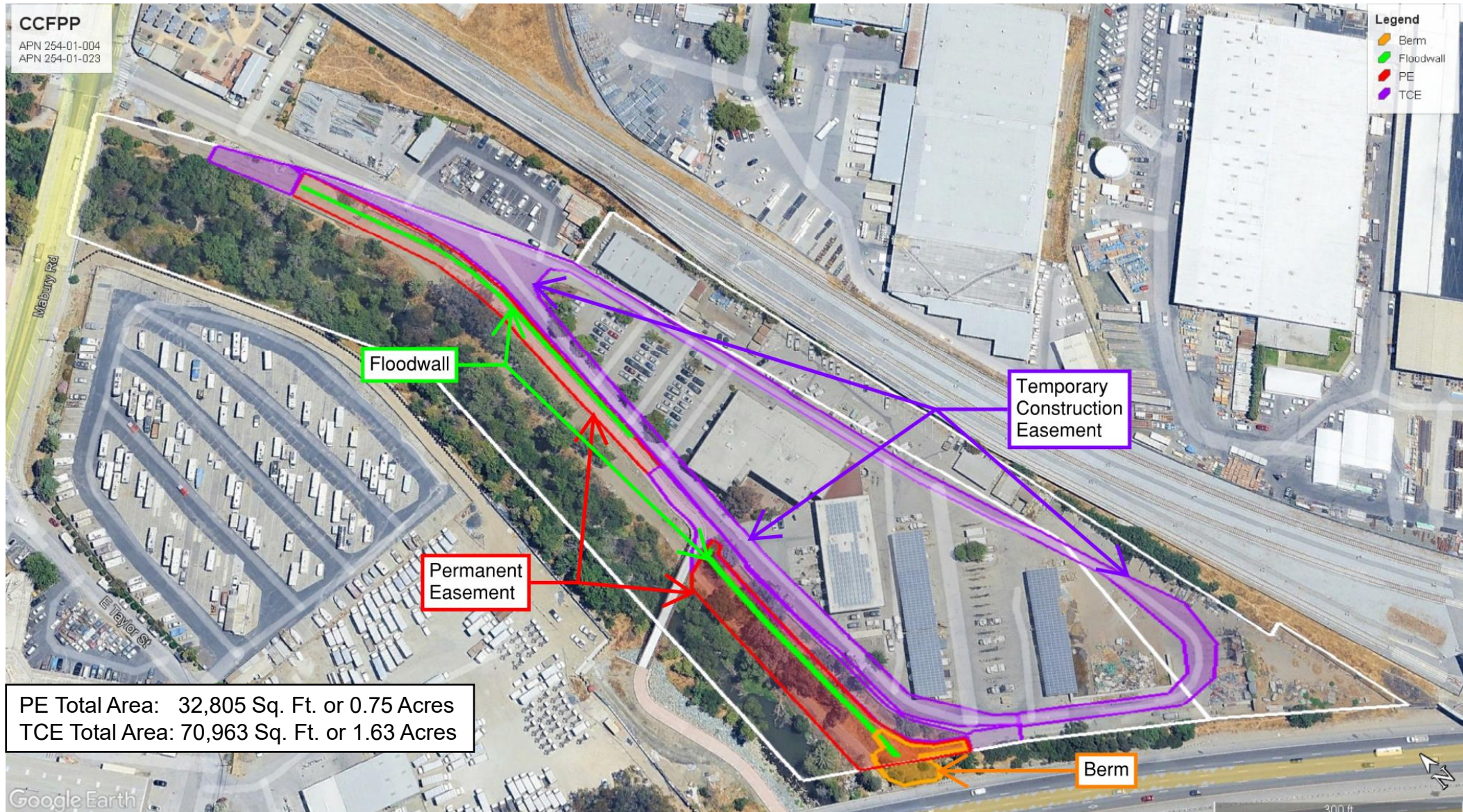
City of San Jose Property Location

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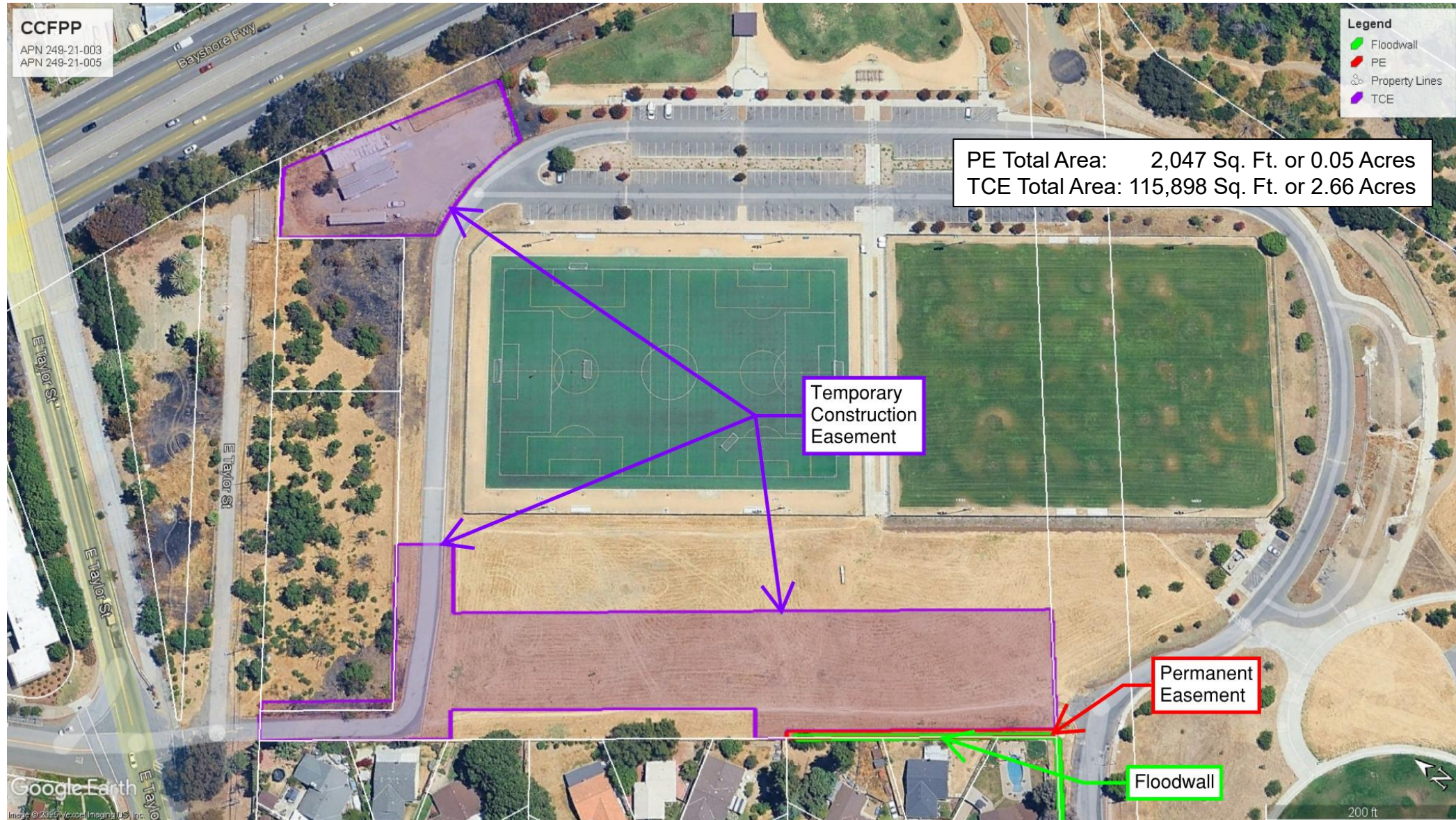
City of San Jose Property Exhibit

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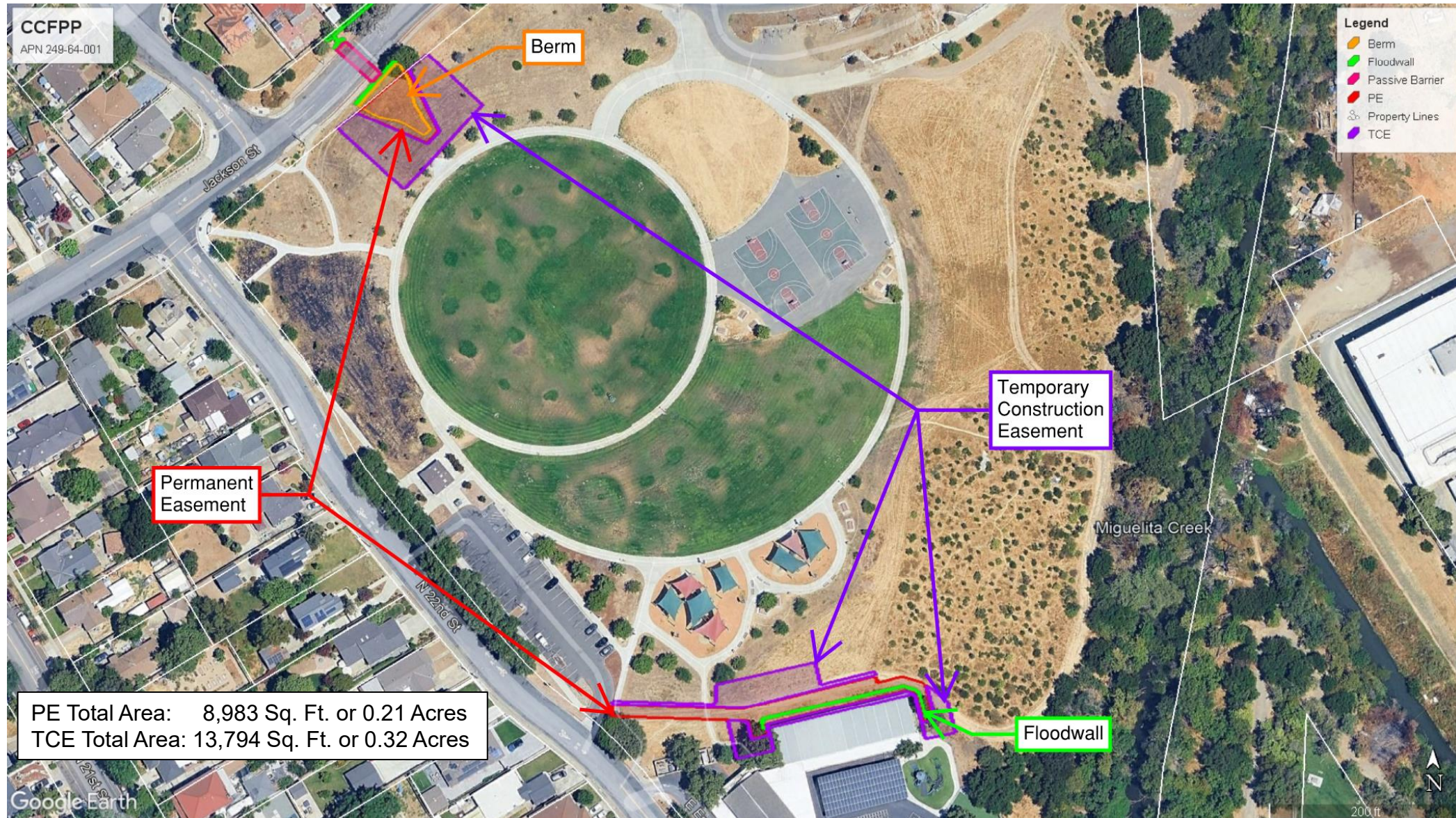
City of San Jose Property Exhibit

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City of San Jose Property Exhibit

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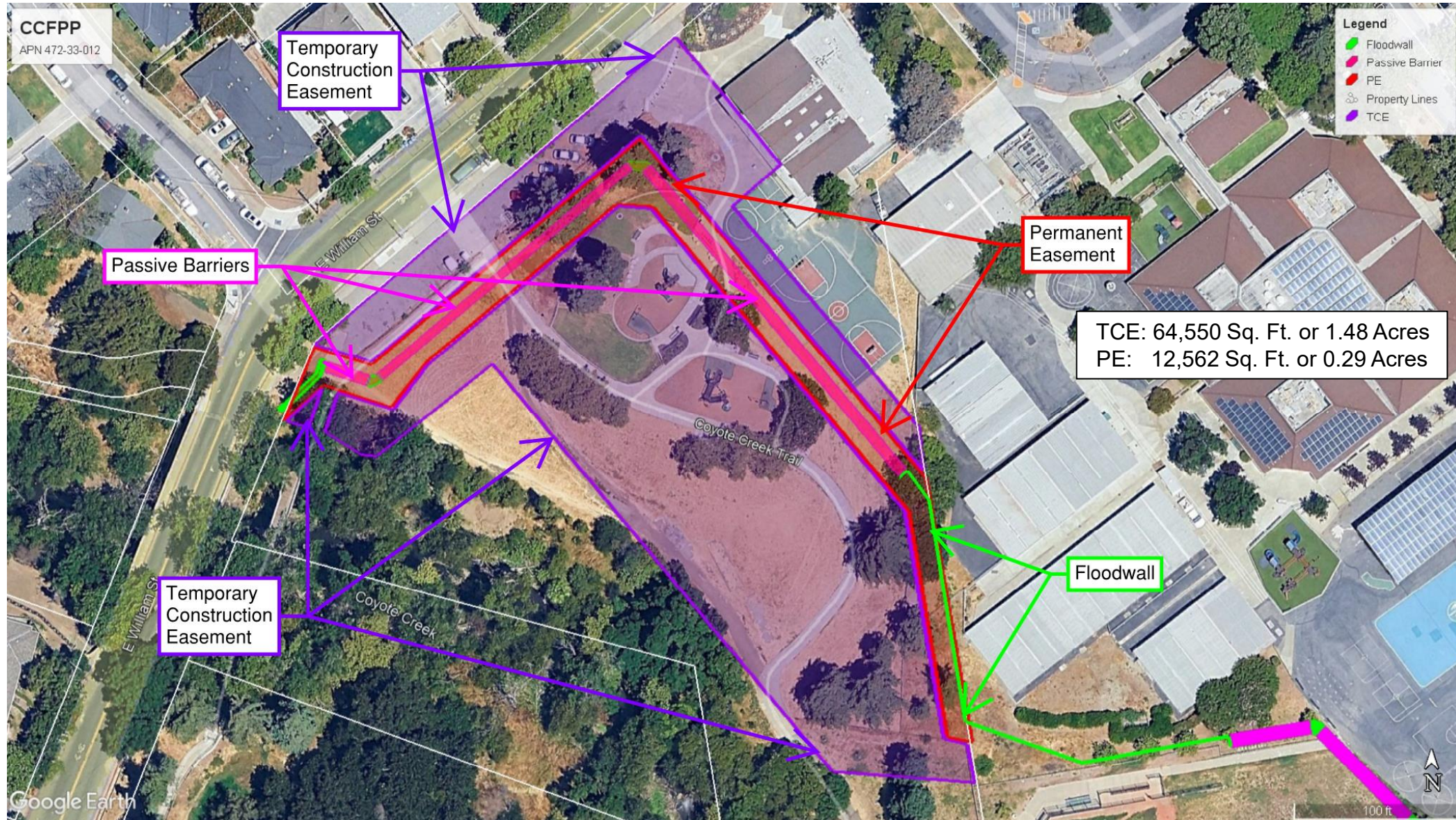
City of San Jose Property Exhibit

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City of San Jose Property Exhibit

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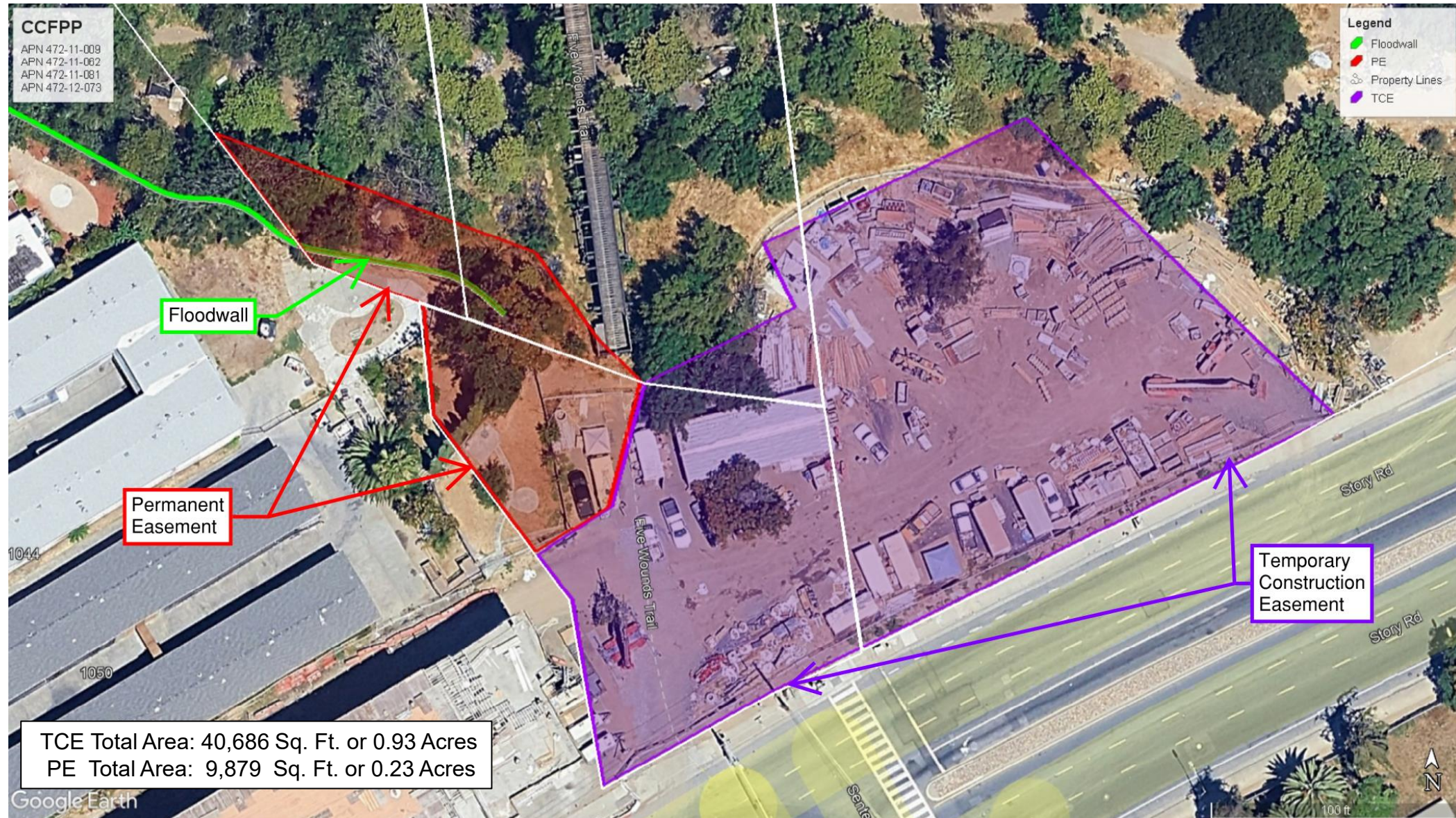
City of San Jose Property Exhibit

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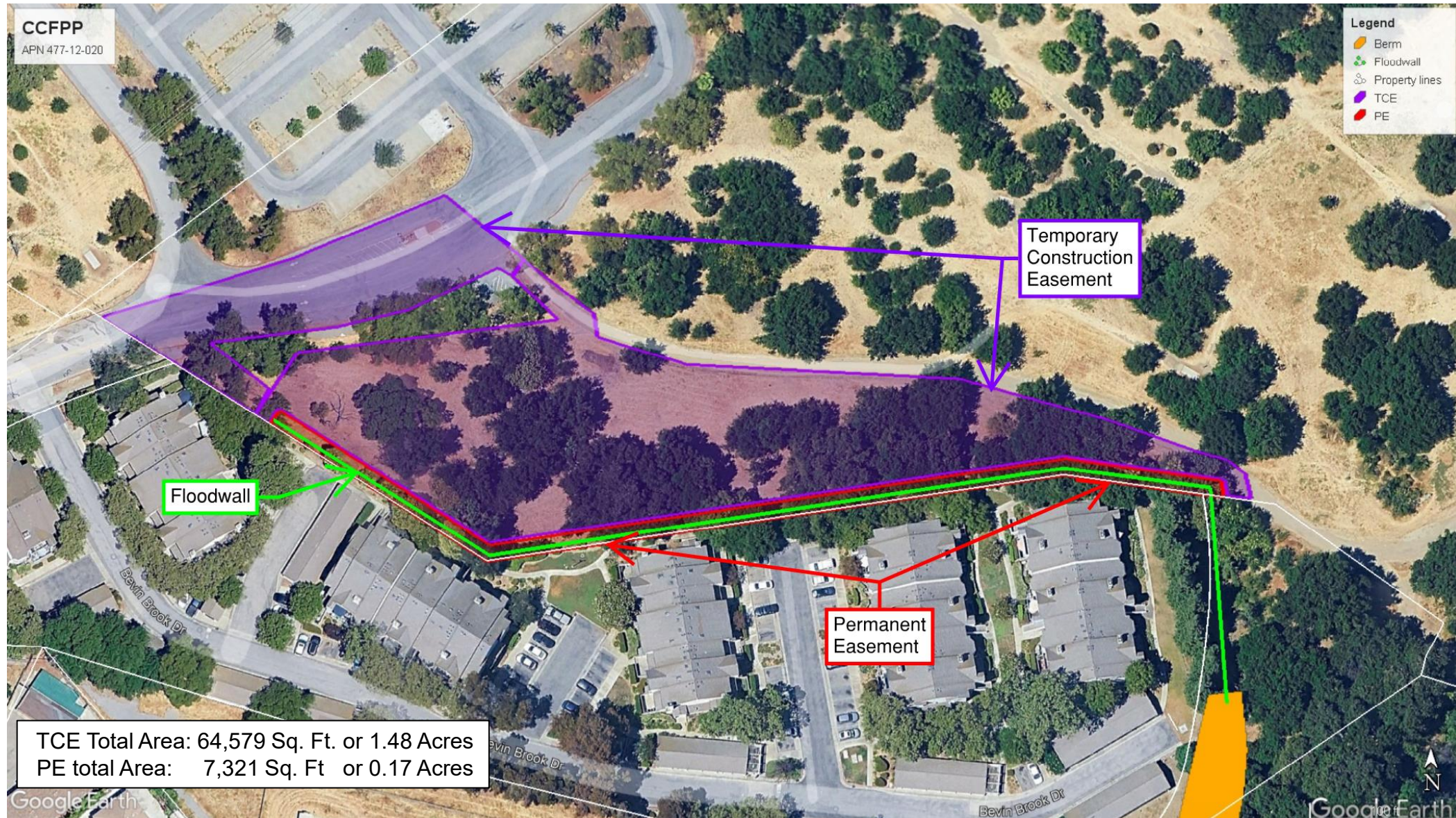
City of San Jose Property Exhibit

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City of San Jose Property Exhibit

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CCFPP on City of San Jose Property:

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- The passive barriers, floodwalls, and berms are located in City parkland.
- A portion of the area is to be acquired for access to and maintenance of the project features.
- The project features maintain access and minimize impacts to existing and planned recreation facilities.
- After project is constructed, the area will be returned to its existing use.

Gov. Code Section 7267.2(a) Offer

Finding: The Offer of Just Compensation as Required by Section 7267.2(a) of the Gov. Code in an amount not less than the appraised value of the interest to be acquired has been made to the owners of record

- On June 16, 2025, the District sent a final written offer to the Owner(s) via certified mail for the Full Amount established as Just Compensation.
- The amount of just compensation was not less than fair market value established by an approved appraisal

Discussion and Decision

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- This completes the Valley Water's presentation regarding acquisition of the City of San Jose Properties .
- After the Board receives comments from the property owner and public, staff is ready to answer questions.

Close the Public Hearing

- After receiving comments/questions from the Owner and/or public, the Public Hearing can be closed.



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