

Hearing to Consider Adoption of Resolution of  
Necessity Relating to:  
South San Francisco Bay Shoreline Phase 1  
(Project No. 26444001)

December 11, 2018



# Property Acquisitions Necessary for the Project

- District is proceeding with the acquisitions of rights of way for the Project. The Project requires easement rights on a portion of the parcel owned by the Santos Alviso Partnership LP located at New Chicago Marsh (Alviso), San Jose, CA (APN: 015-25-012), the required easement rights are as follows;
  - ▶ A 178- square foot permanent easement is required to construct a flood risk management levee.
  - ▶ A 3,841- square foot temporary work area easement (TWAE) required for construction staging.
- Project cannot be executed without these rights of way as shown on the Project Site Plan on slide#10.



# FINDINGS REQUIRED TO BE MADE AT HEARING

## ► Findings:

- 1. The public interest and necessity require the Project.
  - 2. The project is planned and located in manner most compatible with greatest public good and least private injury.
  - 3. Property is necessary for the Project
  - 4. Government Code offer was made
- Just compensation is not discussed at RON Hearing



# Public Necessity for the Proposed Project

South San Francisco Bay Shoreline Phase 1 Economic Impact Area 11

- **Finding:** The public interest and necessity require the proposed project to:
  - ▶ Provide coastal flood protection from a one-percent chance event to the community of Alviso and the San Jose-Santa Clara Regional Wastewater Facility
    - ▶ Improvements include construction of 4 miles of coastal levees commencing with Reach 1 in the Fall of 2019.
  - ▶ Restore and enhance tidal marsh and related habitat in the former salt ponds
    - ▶ Construct ecotone (a horizontal levee) features to provide habitat and protect levees

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# Primary Project Design Features

- ▶ Primary design features of Reach 1 include:
  - ▶ Flood Risk Management Levee
  - ▶ Ecotone Habitat
  - ▶ Maintenance Access Road
  - ▶ Recreational Trail
  - ▶ Restoration of Pond A12



## 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
- Achieve through Holistic Approach to Project Design



# Design Achieves the Greatest Public Good

- ▶ New coastal levees tie into riverine levees to protect against coastal flooding and future sea level rise
- ▶ Restores and enhances approximately 2,900 acres of tidal marsh and related habitat lost due to former salt ponds production activities
- ▶ New levees will be used as trails and will connect to the Bay Trail network

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# Design Results in the Least Private Injury

- ▶ A portion of the parcel is located within the project footprint
- ▶ Project design will not impact private structures or access to private structures
- ▶ The properties to be acquired are seasonally inundated by water



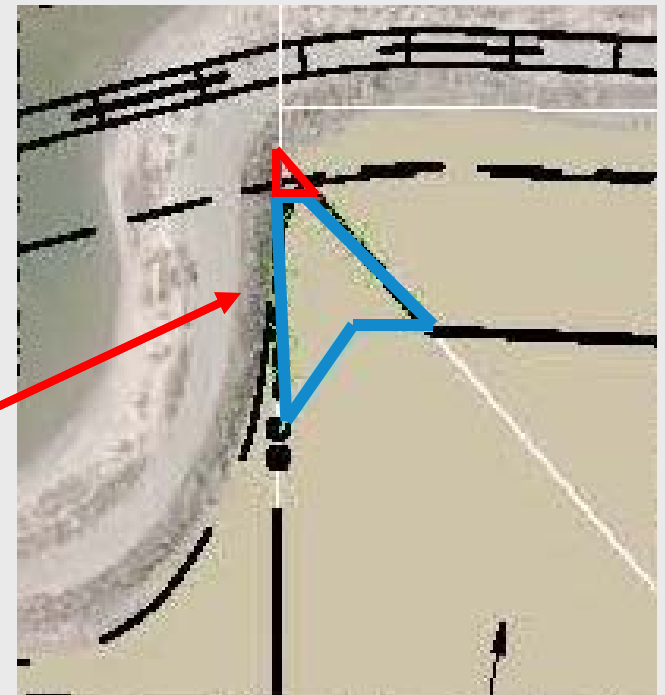
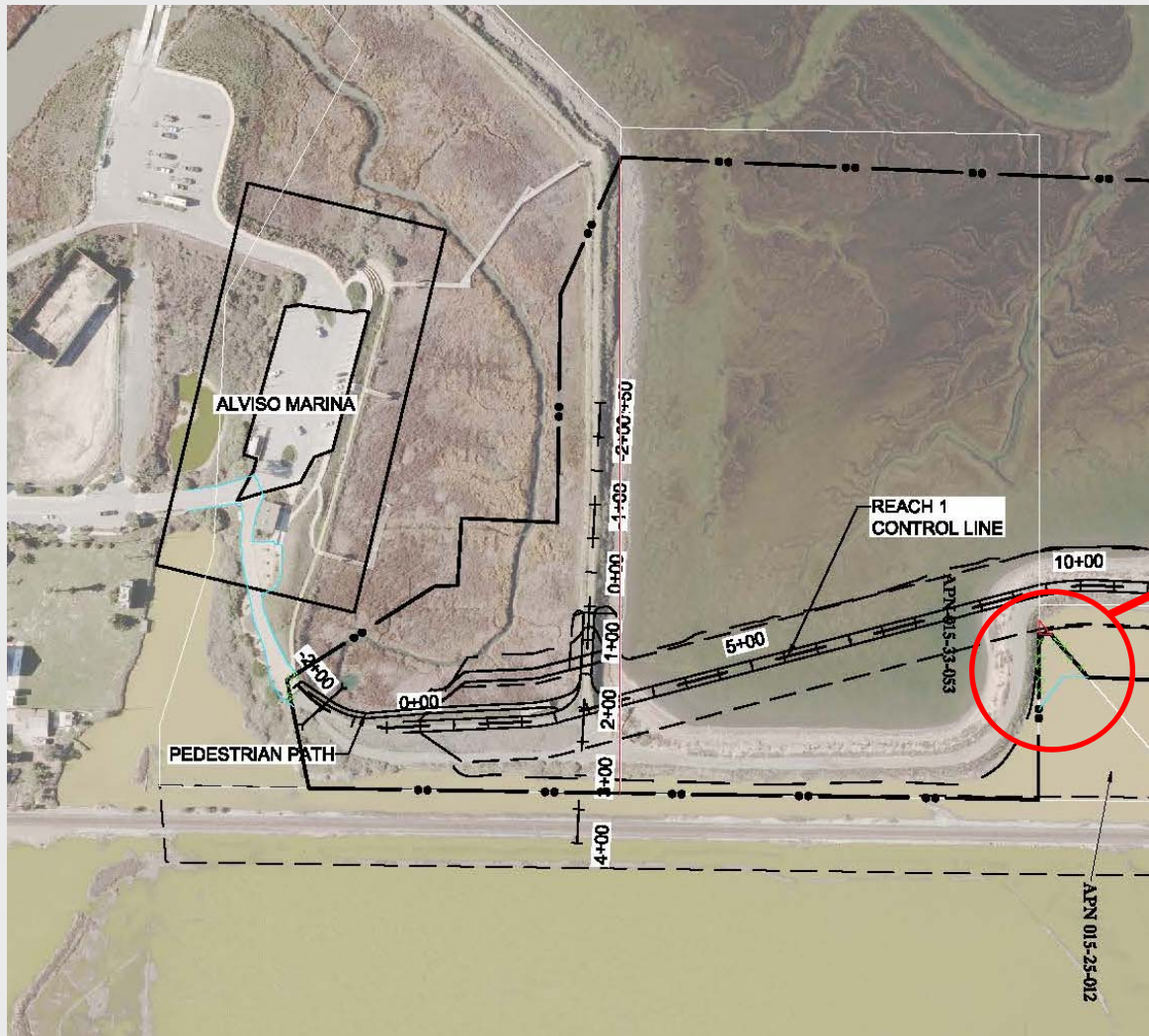


# Property is Necessary for the Project

- **Finding:** The property described in the resolution is necessary for the proposed project
  - ▶ The Project cannot be executed without these rights of way as shown on the Project Site Plan on the next slide.
  - ▶ Essential project features and uses are planned on the properties to be acquired. The coastal levee will be built on the permanent easement, and the TWAE is needed for construction access and staging purposes.



# Project Site Plan



# Gov. Code Section 7267.2(a) Offer

- ▶ **Finding:** The Offer Required by Section 7267.2(a) of the Gov. Code has been made to the owners of record
- ▶ An offer that complies with Gov. Code 7267.2(a) was mailed to property owner on October 11, 2018 via certified mail, and the District confirmed delivery on October 22, 2018 by certified mail
- ▶ To ensure the package was received, an offer package was resent certified mail with return receipt on October 25, 2018. Delivery and receipt of this offer package was confirmed by return receipt on November 2, 2018.
- ▶ District has not received further communication from the property owner



# Discussion and Decision

- ▶ This completes the District's presentation regarding acquisition of the Santos Alviso Partnership LP property.
- ▶ After the Board receives comments from the property owner and public, staff is ready to answer questions.

