



— BUREAU OF —
RECLAMATION

Shasta Dam & Reservoir Enlargement Project: Lakehead Community Frequently Asked Questions

**(Includes questions for recreational residence
permit holders on National Forest Service lands
impacted by the Shasta Dam raise)**

When will a map be available, and when will I know if my property is impacted by the dam raise?

The Bureau of Reclamation (Reclamation) needs to take several steps before a final map will be available. A final dam design must be completed, and a Record of Decision must be signed for the project.

Reclamation will conduct land surveys of properties potentially impacted by a dam raise to ground-truth earlier surveys. The survey process could take 18 to 24 months to complete.

Many potentially affected parties were previously notified during the Environmental Impact Statement formulation, which occurred from 2000 through 2015. Efforts to identify the final elevations and the properties affected is underway.

If my property is impacted, how will the federal government compensate me or mitigate those impacts?

Once the planning is completed, a partner has provided funding, and appropriations are secured, Reclamation will contact each affected landowner about acquiring a portion or all their property. Noticing will include a timeline of when site inspections, appraisals and final closing dates are planned. This project will take several years to complete and phased implementation is anticipated.

Reclamation must follow federal law, regulation and policy in the acquisition of property. More specifically, Reclamation must follow the:

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (see below answer to Question 5a for more details on this process) and,

Code of Federal Regulations (49 CFR 24), dated January 4, 2005, “Uniform Relocation Assistance for Federal and Federally Assisted Programs.”

- **Land acquisition.** Each property would be appraised following federal law and established appraisal practices to determine the value of the property being acquired. Once in the appraisal process, Reclamation encourages the landowner to work directly with the appraiser to provide him/her with information on your property. Reclamation will offer you not less than the government appraised value of your property. Reclamation also pays all closing costs and associated fees in completing the acquisition. Reclamation will compensate you in lump sum via a local escrow company; although, other terms may be worked out if the landowner prefers.
- **Relocation.** In certain cases, individuals may choose to be relocated. Reclamation will work directly with each landowner to determine if they qualify for relocation under federal law. Relocations will be addressed on a case by case basis with the affected landowner. Replacement homes must be clean, safe and sanitary. In general, actual compensation is typically limited in a relocation – the relocation is provided in lieu of monetary compensation.

For more information on relocation and land acquisition processes, see:

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

https://www.fhwa.dot.gov/real_estate/publications/your_rights/

- **Fence, driveway, and/or septic tanks.** Reclamation will meet with each individual landowner to address their specific situation and impacts to their property. In general, and consistent with federal law, Reclamation will compensate for impacts to your property. This will typically be determined during the appraisal process.

How many property/cabin owners and businesses will be affected when the dam is raised?

An 18.5-foot raise would inundate an additional 2,500 acres. It is estimated from current Shasta County Assessor's roles that 200 parcels of non-federal land would be affected. More specific information by parcel will be available following the final design for the project and final surveys.

When and how will the affected property/cabin owners and businesses be reimbursed before the dam is raised?

There are about 200 landowners that Reclamation will need to work with. Federal acquisition of land can be a lengthy process (one to three years). To adequately address each individual landowner's situation, Reclamation will need to "phase" efforts – addressing landowners on a sequential basis rather than working with all landowners at once. Reclamation hasn't yet determined how best to phase efforts. Reclamation will then work with landowners so they can understand when Reclamation expects to begin efforts on their property. It will follow the acquisition and compensation processes under the Uniform Act or 1970 and Section 4008 of the WIIN Act. Residence and business owners will be provided compensation as otherwise required by law.

How does the federal land acquisition process work?

- What criteria are used to determine which homes will be acquired?

Reclamation has an estimate of the new reservoir inundation area. Wave action and flood control operations, typically called operational buffer, will, at limited times, cause inundation of additional areas. Reclamation is working with its design team to determine the total inundation area, accounting for the new reservoir elevation plus the operational buffer. Reclamation is also completing additional, more detailed land surveying around Shasta Lake. Once the total inundation area is known and additional surveying is completed, Reclamation will be able to determine the properties that will be wholly or partially acquired.

- If homeowners are required to sell their homes under eminent domain, will like properties be available further out on Lakeshore Drive?

The Uniform Act allows for many types of replacement scenarios many of which are further explained in the materials available at the Federal Highways materials found here:

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

https://www.fhwa.dot.gov/real_estate/publications/your_rights/

The federal government will provide just compensation for real property affected. If “comparable” properties are available within the local market and the affected individual prefers to remain within the area, the Uniform Act allows for a government purchase and exchange of the “comparable” property to replace the affected property. Any differences in value, to the positive or negative, would need to be “balanced” before deed transfer.

What will happen to Lakeshore Drive – will it be realigned? Is a “sea wall” type solution feasible?

The road will be evaluated during the final planning and design process. No further information, site engineering or project budget are currently available.

How will the federal government compensate or mitigate impacts to local businesses during dam raise construction? Will the marinas be relocated?

Reclamation is raising Shasta Dam using the authority provided in the Water Infrastructure Improvements for the Nation Act (Public Law 114-322). This act requires that any new or modified Reclamation water storage project construction that destroys or otherwise adversely affects any existing marina, recreational facility or other water-dependent business, will be compensated by the Secretary of the Department of the Interior (if Reclamation) or the Secretary of the Department of Agriculture (if U.S. Forest Service).

The act goes on to specify that the owner of the affected marina, recreational facility or other water-dependent business, under mutually agreeable terms and conditions, will be afforded the right of first refusal to construct and operate a replacement marina, recreational facility or other water-

dependent business, on United States land associated with the new or modified water storage project.

Will the Canyon Community Church and the Canyon School buildings be directly affected during the dam raise, and subject to relocation?

If Reclamation determines these structures and properties are impacted by the project, the same land acquisition and relocation process will apply as described above.

Who are the lead Reclamation and Forest Service staff contacts for the dam raise?

Reclamation – Public Affairs Officer, 916-978-5100

U.S. Forest Service – Lesley Yen, District Ranger, 530-275-1587

How/when/what will be the process for notifying specific cabin owners of potential impact to their personal property? (While the land is U.S. Forest Service, the cabins are personal property, subject to Shasta County taxes).

Reclamation will begin by conducting initial site reconnaissance for property impacts as part of the continued project planning. Reclamation will work with the U.S. Forest Service and the permit holders in securing access to conduct these inventories. Reclamation will also handle all further acquisition and reimburse for losses in accordance with the Uniform Act of 1970.

Will recreation residence permit holders, cabin owners, receive the same considerations as property owners?

Yes, recreation residence permit holders and cabin owners are entitled to receive the same considerations as property owners and will receive compensation under the laws for all affected parties. See Question 2 for additional information on the Uniform Act of 1970.

A stretch of road accessing the cabins was included in the 2002 inventory report. During the public meetings leading up to the 2015 EIS release, I was consistently told this county road would be re-routed as part of the project budget. Is there an updated road plan of what is/what isn't included in the project budget? That level of detail wasn't released with the 2015 EIS.

The road will be evaluated during the final planning process. No further information, site engineering or project budget are currently available.

Will Reclamation take land through eminent domain if the owners are not willing to sell?

It is Reclamation's goal to work collaboratively with private landowners and avoid the exercise of eminent domain for the project. It would reserve, however, the right of the government to take private property for public use, and in accordance with federal law, would provide just compensation for such taking.

Is the operational buffer contour map Reclamation sent to me accurate?

During the development of the final Feasibility Report and Environmental Impact Statement for the project, maps were sent to private property owners that provided some point elevations on portions of private property to validate topography lines. These elevations were done with the most recent survey grade instruments. The contour line represented on the parcel maps were of the three proposed take lines, 1,093 feet above sea level being the highest.

These contour lines are a point of reference and does not confirm whether a structure is "in" or "out" of the operational buffer.

A detailed survey is required to determine if a structure will be impacted by the final operational buffer.

Will Reclamation take private property if land, but not structures, is within the operational buffer?

Reclamation would acquire and compensate private property owners for land within the operational buffer.

What happens if my property isn't accessible because the operational buffer has taken out access roads?

You would be compensated for any property taken. There are many ways in which Reclamation could continue to provide you access. Reclamation would attempt to provide you replacement access in the most financially and legally prudent way possible.

Will Reclamation take my property if a small portion of a structure – deck footing, storage shed, concrete foundation – is touched by the operational buffer?

No structures would be allowed to remain within the operational buffer.

Who owns the land within the operational buffer if the area was previously private property?

All lands within the operational buffer would be owned in fee title by the U.S. government. The agency responsible for administering this land will either be Reclamation or the U.S. Forest Service.

I own a cabin on land leased from the Forest Service. Will my lease be affected if the operational buffer includes the parcel my cabin sits on, but does not include the cabin?

Refer to your U.S. Forest Service Special Use Authorization to determine if a partial taking may still allow you to retain your leased cabin site on a smaller footprint without adversely impacting the project.

What is the easiest way to learn more about the Shasta Dam raise project?

Visit the Bureau of Reclamation website to read about the project's history, timeline, maps and the acquisition process:

<https://www.usbr.gov/mp/ncao/shasta-enlargement.html> and
<https://www.usbr.gov/mp/ncao/shasta-lake.html>.

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