

ATTACHMENT B

Yolo County Planning Commission Determination and Recommendation to the Board of Supervisors on the Sites Reservoir Project Development Agreement

Upon due consideration of the facts presented in this staff report and at the May 14, 2026, public hearing for Zone File #2026-011, Sites Reservoir Project Development Agreement, the Yolo County Planning Commission recommends that the Board of Supervisors adopt an Ordinance approving and authorizing execution of the Development Agreement. This recommendation and the following determinations supporting the recommendation shall be transmitted to the Board of Supervisors for consideration at a future duly noticed public hearing.

A summary of evidence to support each determination is shown in italics.

I. California Environmental Quality Act

1. The Sites Project Authority certified the Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) (SCH #200112009) on November 17, 2023 covering project alternatives, including the Dunnigan Pipeline.

The approval of the Development Agreement relies on the Authority's CEQA lead agency status and does not alter previously certified analysis. The Development Agreement anticipates a variety of later activities that may result in "projects" within the meaning of CEQA. As of the date of this Agreement, however, no such projects have been identified, explored, formulated, or proposed in any level of meaningful detail. For all of these reasons, environmental review of such projects is thus premature and not required by CEQA. The Parties shall conduct all appropriate environmental review, if necessary, at the time when such review is required, and before the approval or implementation of any project that may result from the activities anticipated in this Agreement. Responsibility for performing environmental review, including which entity will serve as the "lead agency," will be determined at the appropriate time and in the legally required manner.

2. The approval before the Board of Supervisors is not the Sites Reservoir, but action on a Development Agreement that would provide regulatory stability during project implementation. The CEQA "common sense" exemption, codified in CEQA Guidelines section 15061(b)(3), applies because it can be seen with certainty that the project (here, the Development Agreement) will not have a significant effect on the environment. The Development Agreement does not approve any actions to implement the Sites Reservoir, but instead ensures that local regulations and requirements remain consistent during its construction in exchange for certain assurances and public benefits.

II. Title 8 Yolo County Land Development Code

In accordance with Section 8-5.301 of the Yolo County Code, the Planning Commission determines that the Development Agreement:

1. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;

The Commission finds that the Agreement requires the Sites Project Authority to obtain all required County permits, including encroachment permits and land use approvals, and to comply with applicable County improvement standards, ensuring alignment with General Plan goals for coordinated land use review and infrastructure stewardship (Section 1(B), 1(C))

The Agreement also requires the implementation of Best Management Practices for noise, drainage, dust control, traffic, and topsoil management (Section 2(B)), supporting General Plan conservation, public health, and environmental quality objectives.

Further, the GHG-1.1 mitigation commitments, including prioritizing 20% of off-site GHG reductions within Yolo County when feasible, advance countywide sustainability and climate goals (Section 3(A)).

2. Is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is or will be located;

The Commission finds that the Agreement governs facilities—primarily underground pipeline and outlet structures—that are expressly exempt from zoning ordinances under Government Code §53091(e), as acknowledged in Exhibit B.

The infrastructure contemplated within Yolo County does not conflict with existing land use or zoning designations, and the Agreement incorporates County permitting, inspection, and improvement requirements sufficient to ensure compatibility with existing zoning regulations (Section 1(B), 1(C)).

3. Is in conformity with and will promote public convenience, general welfare and good land use practice;

The Commission finds that the Agreement facilitates a project that provides regional water supply reliability, environmental benefits, flood control advantages, and recreational enhancements, all of which promote general welfare (Recitals).

The Agreement commits the Parties to timely permit processing, interagency cooperation, and coordinated management of roadway impacts (Section 1(B), 4(L); Section 6(C)), which represent good land use practice.

Required implementation of construction-related BMPs further protects public convenience and welfare by reducing noise, dust, traffic, and drainage impacts (Section 2(B)).

4. Will not be detrimental to the health, safety and general welfare;

The Commission finds that the Agreement includes extensive measures to evaluate, mitigate, and repair roadway conditions, including preconstruction surveys, Equivalent Single Axle Load (ESAL) analyses, and corrective action plans (Section 1(D)–(E)).

Noise abatement, dust control, traffic management, and drainage BMPs provide further protection for residents during construction (Section 2(B)).

The Agreement incorporates all mitigation measures adopted in the Project’s certified Final EIR/EIS and ensures CEQA compliance for future project actions (Section 2(A); Section 6(A)).

5. Will not adversely affect the orderly development of property or the preservation of property values;

The Commission finds that the Agreement requires the Authority to maintain or restore all impacted County roads to “as good or better” condition (Section 1(A)), supporting orderly rural development patterns.

The Agreement addresses road improvements, repairs, and new access routes in a coordinated manner consistent with long-term land use planning (Exhibit B, Yolo County road listings).

The Payment in Lieu of Taxes (PILT) provisions ensure that public acquisition of land does not reduce County revenues necessary to support services that stabilize property values (Section 4(P)).

6. Will meet the intent of Section 8-5.202(a); and

The Commission finds that the Agreement promotes certainty in the planning and development process by clarifying the rights, obligations, mitigation responsibilities, and permitting procedures applicable to the Sites Project (Sections 1–4).

The Agreement secures public benefits—including roadway improvements, environmental mitigation, community benefit programs, GHG reduction investments, PILT payments, and local hiring commitments—that exceed those achievable through traditional project-by-project conditions (Recitals; Sections 1, 2, 3, 4(P)).

7. Is consistent with the findings required by Government Code 65302.9.

The Commission finds that the Agreement is the product of direct coordination between the County and the Sites Project Authority, a joint powers agency formed to design, permit, construct, and operate regional water storage infrastructure (Recitals).

The Agreement incorporates CEQA/NEPA water resource analysis and ensures additional environmental review for future Project actions (Section 6(A)).

The Agreement also addresses coordinated water management actions, including potential conveyance through the Yolo Bypass and associated County review processes, consistent with the statutory purpose of integrating water resource and land use planning (Section 4(R)).