

GENERAL LAND ACQUISITION

How are lands determined to be part of the Project?

The final Project design will determine the footprint of the reservoir itself, water conveyance facilities, roadways, and recreation areas. The Project is being designed to impact the least amount of land possible. The needs to construct, operate, and maintain the facilities are taken into consideration before the Sites Project Authority approaches the landowner.

Who makes the decision to buy land rights for the Project?

The Authority authorizes the staff to enter into negotiations with landowners and authorizes any purchase agreements.

What law gives the Authority the right to acquire my property?

As a California public agency, the Authority has the power to acquire land for Project purposes as established by its bylaws and subject to its land acquisition policy and in accordance with federal and state requirements. The U.S. Constitution and California Constitution provide that private property shall not be taken for public use without just compensation.

What is the process for purchasing my property?

If your land is affected by the Project, a Sites Real Estate Team Member will be in contact with you to share information about the Project and the potential impacts to your lands. This Real Estate Team Member is your dedicated point of contact to coordinate with you through the entire process, to provide answers to any questions you have, and to ensure you are treated fairly and your rights are protected. The Real Estate Team Member will arrange with you for an appraisal of your property to establish a fair market value for your land and any improvements. This appraisal process is conducted in a confidential manner. This appraisal will be used as the basis for an offer to you for the purchase of your land. You will be provided a written offer for the purchase of your land and have the opportunity to discuss and negotiate that offer with your Real Estate Team Member.

How will the Authority determine the value of my property?

The Authority will hire a qualified, licensed, independent appraiser familiar with local property values to appraise the property and provide an unbiased opinion of its fair market value. The Sites Real Estate Team will contact you to make an appointment to conduct a site visit of the property with the appraiser. [Landowners are encouraged to participate in this process.](#) If you are unable to participate, you may wish to have a representative who is familiar with the property meet with the appraiser instead. After the site visit, the Real Estate Team's appraiser will complete an appraisal report that will include the appraiser's unbiased opinion of the property's fair market value and the information upon which the fair market value is based. It is important to note that each parcel of real property is different and, therefore, no single formula can be used to appraise all properties.

What if I don't agree with the Authority's value of the property?

If you do not agree with the Authority's value of your property, you are entitled to present evidence as to the amount you believe is the fair market value of your property, and to make suggestions for changing the terms and conditions of the offer. You will have the opportunity to work with your Real Estate Team Member to discuss the value, or any other items related to the offer.

Will I receive a copy of the Authority's appraisal?

Yes. If it is determined that your land is affected by the Project, you will receive all of the applicable information regarding the Authority's appraisal as part of your written offer for the proposed purchase of your land. The appraisal process and final report will be confidential.

Can I get my own appraisal?

Yes. After you have received your formal, written offer from the Authority, pursuant to Code of Civil Procedure Section 1263.025, the Landowner can elect to obtain an independent appraisal. The Authority will pay for the actual, reasonable costs up to \$5,000 for you to secure an independent appraisal.

What are the requirements/qualifications to perform an appraisal of my property?

Appraisers must be licensed by the California Bureau of Real Estate Appraisers. Licensees have demonstrated competency through education, examination and experience. Experience and knowledge of the local real estate market and agricultural land appraisals are also important qualifications.

How is Fair Market Value determined?

Fair market value is determined via an appraisal process. The fair market value of real property proposed is the highest price on the date of valuation that would be agreed to by a willing seller under no particular or urgent necessity to sell with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

May I have someone represent me in the negotiation process?

Yes. You may have anyone you designate represent you during your negotiations – a family member, friend, real estate representative, attorney, etc.

When does the Authority anticipate making an offer to purchase property?

The Authority anticipates substantially acquiring property for the Project upon achieving of key Project milestones including environmental review and securing key permits from federal, state and local government agencies. Currently, the Authority is pursuing a water right from the California Water Resources Control Board to store diverted water in the reservoir. This water right is key to the advancement of the Project. The process to fund final design, full land acquisition and construction of the Project would occur after that. Under its current schedule, the Authority would begin acquiring land in mid-2026.

Can the Authority use Eminent Domain to acquire my land?

Yes. As a California Public Agency, the right of Eminent Domain has been extended to the Authority through the establishment of the Sites Joint Powers Authority in 2010. The Authority intends to achieve land acquisition as a willing buyer and willing seller.

What Is Eminent Domain?

Eminent Domain is the power to acquire private property for public use. The exercise of Eminent Domain is subject to the limitations and requirements of appropriate due process of law, and the payment of just compensation, as outlined in the U.S. Constitution – Amendment 5.

How does the Resolution of Necessity process work?

Every effort will be made to work collaboratively with you to reach an amenable agreement. If you and Authority are unable to reach an agreement through negotiations, formal legal proceedings to acquire the property may be initiated. If needed, these formal proceedings are begun by a Resolution of Necessity process. This process involves a formal, public hearing at an Authority Board Meeting. Regardless of the adoption of a resolution, the Authority and your Real Estate Team Member will continue to work with you to reach an amenable agreement with regard to the purchase of necessary land for the Project.

If we go to court, what court will take jurisdiction over the case?

Eminent Domain cases will be heard in the county where the condemned parcels are located. For example, if the Authority condemns your property in Colusa County, the eminent domain case will be heard in Colusa County Superior Court.

How long can I stay in my property after close of escrow?

Typically, owner/occupants must vacate property acquired by the close of escrow. There may be opportunities for occupants to remain on the property until it is needed for construction. Your Real Estate Team Member will discuss these opportunities with you, on a case-by-case basis.

I have been trying to sell my property that is in the footprint of the proposed reservoir. Can the Authority prioritize buying my property sooner than scheduled?

While the Authority has identified a small number of properties to acquire as part of its early acquisition program, funding for land acquisition is currently not yet available pending the issuance of water right by the California Water Resources Control Board and agreement by the Project participants to fund land acquisition.

Will the Authority help me find replacement property?

Yes. The Authority will provide relocation assistance to all persons displaced by the Project.

I have a low-interest rate mortgage on my property. Will the Authority help me with the cost of obtaining a new mortgage on my replacement property?

Yes. The Authority will have staff members with specialization in Relocation Assistance, which may include mortgage interest assistance. A Relocation Assistance Agent will work with each affected landowner, who may be displaced from their property, to determine if mortgage interest assistance is applicable to that landowner's situation, and to ensure that the mortgage interest assistance, and all other applicable relocation assistance benefits are made known, and available, to the landowner.

Will the Authority help cover my costs to move to my replacement property?

Yes. The Authority's relocation assistance program will help cover the cost of a professional move or a fixed fee to move oneself, subject to limitations.

Do I have to pay taxes on the proceeds from the sale of my property to the Authority?

Proceeds from the sale of real property to the Authority are subject to a tax on capital gains.

We suggest each owner consult with a tax professional to understand how to utilize the proceeds of the sale, depending upon each owner's unique circumstances

I own property next to the proposed reservoir; could I lease some of the property to temporarily graze my cattle until the Authority starts filling the reservoir?

The Authority may enter into leases for grazing on acquired property and other uses on a case-by-case basis depending upon the Project's construction schedule and other potential circumstances. If this is a desired circumstance, please inform the Sites Real Estate Team, so they can work with you on this.

Can the value of my land be compensated by an equivalent capacity share in the reservoir instead of receiving cash?

The Sites Authority Board is willing to consider any form of compensation that provides fair and equitable compensation and can achieve a willing buyer willing seller transaction. Determining the value of the land in terms of capacity shares in the reservoir adds complexity to the negotiations which could extend the time to reach an agreement. If this approach is desired, please inform the Sites Real Estate Team, so they can work with you on this – early notice is appreciated for the best opportunity to work through this.

SITES RESERVOIR

How big will the setback be from Sites Reservoir's high-water mark?

The Sites Reservoir Project's Final Environmental Impact Report (EIR) that was certified by the Authority in November of 2023 provides for a general 100-foot buffer of land around the reservoir's high-water mark. However, the Authority is committed to working with landowners on a case-by-case basis to establish a buffer area that allows for flexibility to ensure adjoining landowners can continue their operations in an efficient and productive manner while providing for the needs of the Sites Reservoir and the safety of future recreators.

Will there be a fence around the reservoir and who is responsible for maintaining it?

The Authority will construct and maintain a fence around the reservoir.

What is the Authority's plan for construction roads/routes?

Construction routes on existing roads will be defined and specified for use by construction vehicles. New construction roads will be built by the contractors on specified private lands for construction vehicles. These measures prioritize public safety while mitigating construction impacts on the local communities. Construction vehicles will be prohibited from traveling on Oak Street through the town of Maxwell.

How is the Authority planning to address conflicts between construction traffic and local traffic (i.e. planting and harvest season)?

Considerations for local traffic, including planting and harvest schedules, will be defined within the construction contract documents and construction contractors will be required to manage their use of existing roads in a manner that does not impede residents traffic flow. Construction traffic will be regulated by the contract specifications, which will be defined by a traffic study, traffic management plan, and through outreach activities led by the Authority.

Will Sites Lodoga Road remain open during construction?

The existing Sites Lodoga Road will remain open during construction. A temporary detour road will be constructed to reroute traffic on Maxwell Sites Road to Sites Lodoga Road prior to commencing construction work at Sites Dam. This temporary detour road will provide continued public access across the reservoir construction area while the realignment of Sites Lodoga Road is being constructed.

Will the Authority be required to repair the roads that are damaged during construction?

Roads will be improved and/or repaired to meet, at a minimum, its pre-construction condition. The Authority will be entering into an agreement with the County to describe commitments for all existing, improved, and new roads involved in the implementation of the Project.

Will the Authority need to acquire land to make necessary improvements to accommodate construction activities?

It is anticipated that land acquisition(s) or temporary construction easement(s) will be required for construction of improvements to accommodate construction activities, particularly for necessary roadway improvements.

What is the Authority going to do about the effects of the increased amount of public safety service calls (law enforcement, fire, etc.) during construction?

The Authority is currently coordinating with the County and local public safety agencies to assess the potential effects of the Project on service calls due to the construction and future operations of the Project.

DUNNIGAN PIPELINE & COLUSA BASIN DRAIN**Instead of building the Dunnigan Pipeline, why not use Bird Creek to convey the water to the Colusa Basin Drain?**

In addition to environmental impact considerations, the technical challenges of ensuring system capacity, reliability, and avoiding impacts to adjacent landowners makes use of Bird Creek as a Project conveyance feature an unfavorable option.

Has the Authority considered an option to carry the water to the Sacramento River and not use the Colusa Basin Drain?

The Project EIR/EIS, Alternative 2 analysis, evaluated a Dunnigan Pipeline configuration that could carry water directly to the Sacramento River. The Authority selected Alternative 3 as its preferred alternative which would utilize the Colusa Basin Drain to convey Sites Reservoir water to the Sacramento River.

Will land required for the Dunnigan Pipeline be acquired as an easement or in fee?

The determination to acquire land rights via easement or in fee is a policy decision, to be made by the Authority. A significant consideration in this decision is minimizing the Project's impact to local lands. Often, the acquisition of an easement has fewer impacts to land and landowner operations, and the Authority will seek to acquire the minimum necessary land rights for the Project, to minimize impacts to landowners and their operations.

What type of long-term access will be required to maintain the Dunnigan Pipeline and any improvements that are constructed on the Colusa Basin Drain?

It is anticipated that the Authority will require long-term access to the lands above and adjacent to the Dunnigan Pipeline as well as any improvements constructed on the Colusa Basin Drain for routine maintenance or for emergency access. The Authority will establish access agreements with landowners affected by these facilities that will facilitate the terms and conditions of this access.

How big will the Dunnigan Pipeline be and what would be the total footprint needed for construction and future operations?

The Dunnigan Pipeline inner diameter could be up to 10.5 feet; its temporary construction footprint could be up to 210 feet wide with an operation and maintenance footprint of up to 80 feet wide (anticipated to be under easement).

How much higher will the water elevation be in the Colusa Basin Drain as a result of the Sites Project's releases?

The Colusa Basin Drain water surface elevation could increase by up to 1.7 feet due to Project releases, in certain locations and under certain conditions. Additional hydraulic modeling analysis will be completed to better characterize water surface elevation impacts on the Lower Colusa Basin Drain System.

When will the Sites Project be conveying water through the Colusa Basin Drain?

Project operations within the Colusa Basin Drain could occur at any time of the year depending on the Storage Partner needs and conveyance capacity to carry water to its intended point of delivery, but generally is planned to substantially occur between the months of July and November.

Has the Authority considered potential seepage caused by adding Sites water into the Colusa Basin Drain to adjacent land?

The Authority has been working with landowners to understand seepage issues along the Lower Colusa Basin Drain System, and particularly along the Knights Landing Ridge Cut. Seepage issues will continue to be evaluated as additional hydraulic modeling and engineering assessments are performed along the Lower Colusa Basin Drain System.