



Topic: Authority Board Agenda Item 6-6

2019 October 21

Subject: Project Environmental Planning and Permitting Status

Requested Action:

No action requested. Discussion and possible direction to staff regarding the status and progress of the Sites Reservoir (and Maxwell Water Intertie) Project’s environmental planning and permitting efforts.

Detailed Description/Background:

The Sites Project team has been diligently working to complete key environmental planning and permitting efforts. The status of the key efforts underway is provided below.

- California Environmental Quality Act / National Environmental Policy Act (CEQA / NEPA) – The Draft Environmental Impact Report / Environmental Impact Statement (EIR/EIS) was developed in compliance with CEQA / NEPA and released in August 2017. The comment period closed on January 15, 2018. Thru the end of September, the Sites Project staff and Service Area E team were developing responses to the comments received on the Draft EIR/EIS. On October 1, and due to (1) the need to develop a preferred project and (2) focusing efforts to determine permitting certainty, development of responses to comments and the Administrative Final EIR/EIS were put on hold. These efforts will be reinitiated once a preferred project has been identified and additional funding is available.

The Sites Project staff and staff from the Integration Team are now focused on preparing an Environmental Summary Report that would accompany the Authority’s Feasibility Analysis.

- Federal Endangered Species Act – The project team continues to develop a draft Biological Assessment in coordination with the Bureau of Reclamation (Reclamation). The Biological Assessment, when completed, will be submitted by Reclamation to initiate the federal Endangered Species Act compliance with National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service for the Project construction actions and operation. In September, the team re-initiated discussions with NMFS and began preparing for a joint NMFS and California Department of Fish and Wildlife meeting. The team also established regularly scheduled meetings with the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife to address terrestrial species. These efforts are assisting in development of the preferred project.
- National Historic Preservation Act, Section 106 – The project team is currently developing a Programmatic Agreement in coordination with Reclamation. Reclamation will be the lead federal agency for Section 106 compliance. On October 1, and due to (1) the need to develop a preferred project and (2) focusing efforts to determine permitting certainty, development of the Programmatic Agreement was put on hold. This effort will be reinitiated once a preferred project has been identified and additional funding is available.

Status: Draft	Preparer: Forsythe	Phase: 2	Version: A
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Caveat: Informational	Authority Agent: Forsythe	Ref/File #:	
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- California Endangered Species Act (Fish and Game Code Section 2081) – Through the on-going discussions with the California Department of Fish and Wildlife described in the staff report for Agenda Item 6.1, the project team is developing initial approaches for the 2081 permit application. The team is currently anticipating developing two permit applications; one for construction actions and the second for operations. For the same reasons as identified above, on October 1, development of the permit applications were put on hold.

A number of other permit applications and approvals are anticipated including, but not limited to the following: Clean Water Act, Section 401 and 404; Rivers and Harbors Act, Section 408 and 10; Central Valley Flood Protection Board Encroachment Permit; California Fish and Game Code Section 1600 (Streambed Alteration Agreements); State Lands Commission lease agreement; and water rights. In addition, the team is working on the draft Adaptive Management Plan and the mitigation approach for the project. All these permit applications are in their initial stages of development with efforts shifting to these in the 2020 timeframe.

Prior Authority Board Action:

None.

Fiscal Impact/Funding Source:

None.

Staff Contact:

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Attachments:

None.