

Requested Action:

Authorize release of Revised Draft EIR/Supplemental Draft EIS (RDEIR/SDEIS) and authorize the Executive Director to file a Notice of Completion with the State Clearinghouse and complete other noticing requirements to initiate the public review process.

Detailed Description/Background:

Staff is completing the development of the RDEIR/SDEIS. This is the last of a series of briefings and includes the consideration of approving release of the RDEIR/SDEIS for public review starting approximately August 26. This briefing focuses on the cumulative impact analysis, NEPA-required chapters, completion of the air quality and water analyses along with changes in key outcomes since prior briefings and planned public review outreach efforts. This briefing also requests authorization to release the RDEIR as part of the joint RDEIR/SDEIS for public review in August.

Cumulative Impact Analysis

Both CEQA and NEPA require the assessment of cumulative impacts as part of the environmental review process. Under CEQA, “cumulative impacts refer to two or more effects that when considered together are considerable or which compound or increase other environmental impacts” (State CEQA Guidelines, Section 15355). The State CEQA Guidelines go on to state that the types of projects that should be considered in a cumulative impact analysis are “closely related past, present, or reasonably foreseeable probable future projects” (State CEQA Guidelines, Section 15355; see also Section 15130, subd. (b)(1)(A)).

Over 60 projects are considered in the cumulative impact analysis. Projects include flood control efforts, water supply projects, restoration projects, and infrastructure and development projects. The potential for Project implementation to result in a cumulatively considerable incremental contribution was determined for each resource based on the associated thresholds of significance

Based on preliminary analysis, the following areas were found to have cumulatively considerable impacts: mercury and methylmercury considerations for water quality; loss of oak woodlands; effects to special status wildlife; changes in wildlife movement; loss of important farmland; cancellation of Williamson Act contracts; and air quality emissions during construction.

NEPA-Required Chapters

The RDEIR/SDEIS contains three chapters that are required under NEPA. These include the following:

- **Climate Change** – This analysis focuses on the effects of climate change and sea level rise on the Project along with climate change effects that would potentially result from the Project. Climate change effects that would potentially result from the Project or that would worsen environmental impacts of the Project also require evaluation under CEQA.
- **Indian Trust Assets** – The analysis of Indian Trust Assets focuses on the Project’s impacts to legal interest in land, minerals, funds, rights, or other property that have been reserved by or granted to Indian tribes or Indian individuals by treaties, statutes, and Executive Orders and held by the United States in trust.
- **Socioeconomics and Environmental Justice** – The analysis of socioeconomics is concerned with the interaction between social and economic characteristics of populations with the potential to be affected by the Project. The analysis of environmental justice seeks to identify if any population group would disproportionately be affected by the Project, with a focus on minority and low-income populations.

The key NEPA conclusions for these chapters are provided in Table 1.

Table 1. Preliminary NEPA Findings for NEPA-Required Analyses

| Chapter (# and Title) | NEPA Conclusion |
|--|---|
| 28, Climate Change | All Alts, Operations – No effect to beneficial effects as changes in performance of Sites due to climate change are small |
| 29, Indian Trust Assets | All Alts, Construction – No effect as no Indian Trust Assets are present All Alts, Operations – No adverse effect as the nature of the planned work does not appear to be in an area that would impact Indian hunting or fishing resources or water rights nor is the alternative on Indian trust lands |
| 30, Socioeconomics and Environmental Justice | All Alts, Construction – Substantially adverse air quality and visual effects to minority communities in Colusa and Yolo counties and low-income communities in Colusa County; Not adverse / beneficial effects to regional economics and losses in property tax revenue; Not adverse effect to agricultural economics; No effect on municipal and industrial water use economics All Alts, Operations – Substantially adverse air quality effect to minority and low-income populations in Colusa County; Not adverse / beneficial effects to regional economics, losses in property tax revenue, and agricultural economics; Beneficial effect on municipal and industrial water use economics |

Table 1. Preliminary NEPA Findings for NEPA-Required Analyses

| Chapter (# and Title) | NEPA Conclusion |
|---|--|
| | Alt 2, Operations – Substantially adverse land use and transportation/traffic effect to minority and low-income populations in Colusa County |
| <p>Note: This table provides preliminary determinations and is not intended to be a final or conclusive resolution of the NEPA findings for the Project. These determinations may change as chapters undergo additional review and are revised prior to public release.</p> | |

Air Quality, Water Quality, and Changes in Key Outcomes Since Prior Briefings

Staff has recently completed the air quality and water quality analyses. Table 2 provides a brief summary of the impacts requiring mitigation and significant and unavoidable impacts, if any, in these two chapters. The significant and unavoidable finding for water quality is being recommended because of the uncertainty that exists in whether the Project would result in concentrations of constituents downstream that would violate a water quality standard, and if so, the uncertainty in the Authority’s ability to implement feasible mitigation that would reduce the impact to less than significant. The significant and unavoidable finding for air quality is being recommended because of the uncertainty that exists in being able to offset emissions of criteria pollutants to less-than-significant levels.

Table 2. Preliminary CEQA Findings for Air Quality and Water Quality

| Chapter (# and Title) | Impacts Requiring Mitigation | Significant and Unavoidable Impacts |
|--|--|---|
| 6, Surface Water Quality | All Alts – Implement mercury and methylmercury control and reduction measures; Evaluate metal concentrations and effects in Stone Corral Creek; Evaluate metal and pesticide concentrations and effects in the Yolo Bypass | All Alts – Increased methylmercury concentrations downstream of Sites Reservoir |
| 20, Air Quality | All Alts – Increase in criteria pollutant for which region is nonattainment during construction; recreational boat emissions during operations | All Alts – Increase in criteria pollutant for which region is nonattainment during construction |
| <p>Note: This table provides preliminary determinations and is not intended to be a final or conclusive resolution of the CEQA findings for the Project. These determinations may change as chapters undergo additional review and are revised prior to public release. This table also only focuses on those impacts that have found to be significant and thus require mitigation or are significant and unavoidable. It is not intended to provide a comprehensive summary of the Project’s impacts. Additional impacts will be discussed and addressed in the respective chapters.</p> | | |

As staff is completing the development of the RDEIR/SDEIS, modifications are occurring throughout various resource chapters, such as refinements of analysis and further development of mitigation measures. However, there have been no substantial changes in key outcomes since prior briefings.

Public Review Outreach Efforts

Staff is working with Reclamation to develop the outreach plan for the RDEIR/SDEIS release. Currently, three public meetings are proposed with one in-person meeting in Maxwell and two virtual meetings. The virtual meetings are intended to allow for broader accessibility and inclusivity to the meeting without the need for travel. The document is planned to be released for a 60-day public review period. Additional information on outreach efforts will be provided at the August meeting.

Request for Authorization to Release

Staff is completing the final revisions to the RDEIR/SDEIS. Reclamation will begin its final, executive level review of the document shortly. Staff expects to have final Reclamation input and complete the document for public distribution in late August.

Staff is recommending that the Reservoir Committee and Authority Board authorize release of RDEIR/SDEIS as soon as the document is ready, including authorizing the Executive Director to file a Notice of Completion with the State Clearinghouse and complete other noticing requirements to initiate the public review process.

Prior Action:

June 2021: Reviewed and commented on the key outcomes of the operations-related chapters and growth inducement analysis in the Revised Draft EIR/Supplemental Draft EIS.

Fiscal Impact/Funding Source:

The public draft RDEIR/SDEIS is tracking within the budgeted funds for this task within the Amendment 2 work plan.

Staff Contact:

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Attachments:

None