



Meeting: **Joint Reservoir Committee & Authority Board**
Agenda Item 3.1

May 19, 2023

Subject: **Status Briefing on the Final EIR/EIS, Part 3**

Requested Action:

Review and comment on the Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS), Part 3 (continued) status briefing in preparation for approval of the Project.

Detailed Description/Background:

This staff report provides the fourth of the planned briefings on the Final EIR/EIS in preparation for certification of the EIR and Project approval which is anticipated to occur in August 2023. Additional work to finalize the document and address comments from the Authority, Reclamation, along with the Cooperating and Responsible Agency review is underway. In this segment, we will provide an overview of the California Environmental Quality Act (CEQA) requirements to adopt a Statement of Overriding Considerations as part of the decision process and an initial review of the analysis. A briefing on the Findings related to certifying the Project, a status update on the tribal consultation, and a final water quality review will be covered at the June Joint Reservoir Committee and Authority Board meeting.

Statement of Overriding Considerations

In approving a project that results in significant and unavoidable impacts as is the case with Sites, the Authority must state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. Pursuant to CEQA, a Statement of Overriding Considerations needs to be analyze, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the Sites Reservoir Project against the identified unavoidable environmental risks. The Statement of Overriding Considerations must be supported by substantial evidence in the record. If the Authority determines the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, outweighs the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable” and Project approval can proceed.

As presented last month, the Project would result in significant and unavoidable impacts to the following resources. Proposed mitigation would reduce some but may not mitigate all impacts to less-than-significant levels. Bear in mind, once the Project and its mitigation measures are implemented, we may find that the resulting impact is less than significant.

- Surface Water Quality
- Vegetation and Wetlands
- Wildlife
- Paleontology (TRR East only)
- Land Use (Alternative 2 only)
- Agricultural Resources
- Traffic (Alternative 2 only)
- Air Quality
- Cultural Resources
- Tribal Cultural Resources
- Visual Resources

Prior to consideration of Project approval, the Authority will consider adopting a Statement of Overriding Considerations that will provide a summary of the remaining significant impacts as well as a summary of overriding considerations justifying Project approval. The Statement of Overriding Consideration will include a summary of benefits of the Project including:

- Water supply reliability and drought resilience;
- Ecosystem benefits;
- Anadromous fish benefits; and,
- Local and regional benefits related to flood control, recreation and economics.

These benefits are outlined in Attachment A and will be supported by substantial evidence in the record.

Future Meetings

Additional briefings will be provided in upcoming meetings, as outlined below.

- June 2023, Additional Status Briefing on the Findings, AB 52 and Water Quality – The June briefing will provide an additional briefing on ongoing AB 52 consultation efforts and water quality analysis.
- August 2023, Authority Decision – It is anticipated that the Final EIR will be certified in the August Board meeting. At that time, the Board will also need to adopt CEQA Findings and a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. The Board will then be able to take action on the Project. Additional briefings will be provided leading up to the document certification.

Prior Authority Board Action:

April 2023: Receive a status briefing on the Final EIR/EIS, Part 3

March 2023: Receive a status briefing on the Final EIR/EIS, Part 2

February 2023: Receive a status briefing on the Final EIR/EIS, Part 1

Fiscal Impact/Funding Source:

The preparation of the Final EIR/EIS, including responses to comments, can be completed within the Amendment 3 work plan total budget. A budget adjustment will be requested in Agenda Item 1.6 of the May 2023 Joint Reservoir Committee and Authority Board meeting to move funds within the ICF Jones and Stokes Task Order to address the additional level of effort to complete the Final EIR/EIS.

Staff Contact:

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Primary Service Providers:

ICF, HDR

Attachments:

Attachment A: Project Benefits

Attachment A

Statement of Overriding Considerations - Key Project Benefits

Water Supply Benefits

Sites Reservoir would be an off-stream reservoir and would be used to capture water from major storms and store the water until it is most needed during dry periods providing:

- State-wide water supply reliability.
- State-wide drought resilience.
- Operational flexibility for the Central Valley Project (CVP) and the State Water Project (SWP)
- Consistency with the Governor's Executive Order N-10-19, which identified the state's current water challenges.
- Consistency with the 2020 Water Resilience Portfolio, which identifies the need to expand smart surface water storage where it can benefit water supply and the environment.
- Consistency with CALFED which sought to balance environmental and water supply challenges in our state.

Ecosystem Benefits

- Provide incremental Level 4 Refuge water supply benefits as identified under the Water Storage Investment Program.
- Provide additional flow into the Yolo Bypass to benefit delta smelt. Deliveries would increase desirable food sources in the late summer and early fall.
- Provides a flexible water asset dedicated to the environment. Tests concepts proposed by the Public Policy Institute of California to better manage water for the needs of the environment in California.
- Involvement on technical and advisory teams (e.g., Sacramento River Temperature Task Group) that would provide opportunities to work collaboratively to achieve species benefits in the Sacramento Valley and the Delta.
- Exchanges and investment by Reclamation have the potential to assist the CVP and SWP in meeting their regulatory obligations, authorized purpose, and improving conditions to protect, restore and enhance fish, wildlife, and associated habitats.
- Increases freshwater habitat for species such as bald eagle, dabbling ducks, water birds, along with gull and pelican species.
- Water source for terrestrial species such as elk, deer, and badger.

Anadromous fish benefits

- Enhanced opportunity for cold water pool management in Shasta Lake.
- Enhanced frequency and amount of spring pulse flows in the upper Sacramento River.
- Better ability to maintain stable river flows in the upper Sacramento River in the fall.
- Exchanges with Shasta Lake would be formulated to target cold-water pool preservation and anadromous fish benefits.

Attachment A

Statement of Overriding Considerations - Key Project Benefits

- Project results in an overall increase in the population of endangered winter-run Chinook salmon.

Local and Regional Benefits

- Flood control benefits to:
 - The communities of Maxwell and Colusa, local agricultural lands, rural residences by impounding Funks Creek and Stone Corral Creeks.
 - Regional commerce and emergency services and evaluation routes by impounding Funks Creek and Stone Corral Creeks reducing the frequency and depth of water flooding on Interstate 5.
 - Regional communities by reducing flows in the Sacramento River during high flow events.
- Recreational benefits include two primary recreation areas and a day-use boat ramp providing multiple recreational amenities, including campsites, boat access, horse trails, hiking trails, and vista points.
- Economic benefits:
 - Increase in construction income and jobs are expected to be larger than the decrease in agricultural jobs and income, resulting in an overall beneficial effect on regional economics.
 - A beneficial effect on local economics would result from increased recreational visitors and associated spending.
- Local employment benefits by providing medium-term construction jobs and long-term operations jobs
- Improved safety and quality of local roadways after construction is complete