Joint Reservoir Committee and Authority Board Meeting

Agenda Item 3.1: Final EIR/EIS Status Update

September 22, 2023

Sites

Final EIR/EIS Briefings in Preparation for Project Approval

- February 2023, Part 1
  - Review Final EIR/EIS requirements and format
  - Provide overview of changes to the project based on design refinements and operations
  - Discuss revisions to modeling

- March 2023, Part 2
  - Overview of key comments and master responses; ongoing public and local community, tribal and NGO outreach

- April 2023, Part 3
  - Overview of refinements to impacts and mitigation measures; Mitigation Monitoring and Reporting Program

- May 2023, Part 3, Continued
  - Statement of Overriding Considerations

- June 2023, Part 3, Continued
  - Overview of Findings; Water Quality and Tribal Cultural Resources

- August 2023
  - Public Release and CEQA Administrative Record

- September 2023
  - Preparation for Board Hearing

- October or November 2023, Board Hearing
  - EIR Certification
  - Decision to Approve Project
  - Next steps post EIR

Final EIR/EIS Status

- Final EIR/EIS is in review with Reclamation's DC Office

- Once Reclamation is authorized to release the document, Authority will post on our website at www.sitesproject.org/environmental-review/

- Final EIR/EIS will be posted at least 10 days prior to Board hearing

Board Hearing Process – EIR Action Item

1. Staff Presentation

2. Public Hearing

3. Reservoir Committee and Authority Board Discussion and Deliberation

4. Reservoir Committee Recommends Action

5. Authority Board Takes Action

Staff Presentation – Time to Orient Everyone

- Staff presentation
  - Overview of the Project
  - Review of any additional comments received since the Final EIR/EIS was published
  - Review of prior briefings
  - Review of CEQA process and what it means for the Board to certify the EIR and approve the Project

Public Hearing – Board to Hear Directly from Members of the Public

- Public hearing
  - Open for public comments
  - Organized and orderly process to walk through comments
    - In-person, then virtual
  - Time for the Board to hear from the public
    - Not a comment/response format
  - Close hearing after all comments received

Reservoir Committee and Authority Board Discussion and Deliberation

- Reservoir Committee and Authority Board discussion and deliberation
  - Opportunity to ask staff questions and seek clarifications
  - Opportunity to deliberate on Project merits and challenges
  - Opportunity to share thoughts and reasoning

Reservoir Committee Recommends Action

- Reservoir Committee recommends action
  - Advising the Authority Board
  - Recommending a course of action
  - Reservoir Committee, in and of itself, is not taking an action
- Individual Reservoir Committee members
  - Making recommendation in their role as a Sites Project Authority Reservoir Committee member
  - Action not binding on individual member's respective agency

Authority Board Takes Action

- Authority Board take an action, using its independent judgement
  - Voting to take action that is binding on the Sites Project Authority
  - If Project is approved, then the Sites Project Authority can be sued
    - Filing and posting of the Notice of Determination starts a 30-day statute of limitations on court challenges

- Individual Authority Board members
  - Voting in their role as an Authority Board member
  - Action not binding on individual member's respective agency

What is the Action?

- Structured as one resolution
  - Certifies Final EIR
  - Adopts CEQA Findings, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations
  - Considers Project Approval
    - Decide whether or how to approve or carry out the project
  - If Project approved, authorizes Executive Director to file Notice of Determination, pay all associated fees, and certify Record of Proceedings within 5 days of Project approval

Questions?

Sites