



SITES PROJECT AUTHORITY

CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SITES RESERVOIR PROJECT; ADOPTION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM; APPROVAL OF THE SITES RESERVOIR PROJECT; AND DIRECTION TO THE EXECUTIVE DIRECTOR TO FILE THE NOTICE OF DETERMINATION AND CERTIFY THE RECORD OF PROCEEDINGS

I. CERTIFICATION OF THE FINAL EIR

The Sites Project Authority (“Authority”), as lead agency under the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.) (“CEQA”), has completed the Final Environmental Impact Report (“Final EIR” or “EIR”) for the Sites Reservoir Project (“Project”). The Authority prepared the EIR jointly as a joint Final EIR/Environmental Impact Statement (EIS) with the United States Department of the Interior, Bureau of Reclamation (“Reclamation”), which is the lead agency for the Project under the National Environmental Policy Act (“NEPA”). The EIR has State Clearinghouse No. 2001112009¹.

The Project involves the construction and operation of an offstream surface water reservoir to capture excess water from major storms and store the water until it is needed. The reservoir inundation area is located in rural, unincorporated areas of Glenn and Colusa Counties, and the physical Project components are located in Tehama County, Glenn County, Colusa County, and Yolo County. The water supplies stored in the reservoir would be used for the environment, people, and farms. Existing water storage facilities were designed to capture snowmelt, but precipitation in present-day California is more commonly in the form of rain. The state’s demand for water to serve communities, fuel the economy, and revitalize the environment has increased far beyond what the water storage system was designed to support. To meet these new

¹ The Final EIR was released as a Final EIR/EIS; the Revised Draft EIR was released as a Revised Draft EIR/Supplemental Draft EIS; and the Draft EIR was released as a Draft EIR/EIS. As these findings are specific to the Authority’s CEQA process, these findings use Final EIR, Revised Draft EIR (RDEIR), and Draft EIR in terminology.

challenges, the Sites Reservoir Project has long been envisioned as one tool in a toolbox of actions to assist the State of California in achieving its water supply reliability goals. These findings address the Authority's certification of the EIR and its approval of the Project.

The EIR evaluated three alternatives, and one of the alternatives consisted of two variations, as further described below: Alternative 1A; Alternative 1B; Alternative 2; and Alternative 3, which is evaluated in the Final EIR as the Authority's proposed version of the Project ("Proposed Action"). The Project as defined for approval in these findings consists of Alternative 3 as evaluated in the Final EIR with the Terminal Regulating Reservoir ("TRR") West location.

The Authority and Reclamation published a joint Draft Environmental Impact Report/Environmental Impact Statement ("Draft EIR" or "2017 Draft EIR") in August 2017. In November 2021, the Authority and Reclamation published a joint Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement ("RDEIR"). The RDEIR constituted a complete recirculation of the entire Draft EIR pursuant to Section 15088.5 of the CEQA Guidelines (which are codified in Title 14 of the California Code of Regulations).

The 2021 RDEIR presented a project-level analysis of the potential environmental impacts of implementing the Project; identified mitigation measures to eliminate or reduce potentially significant adverse impacts; and evaluated a reasonable range of project alternatives. The Final EIR consists of three volumes: (1) Volume I is a revised version of the RDEIR; (2) Volume II contains the technical appendices to support the environmental analysis; and (3) Volume III contains the comments submitted on the RDEIR by interested public agencies, organizations, and members of the public along with the Authority's written responses to the environmental issues raised in those comments. The responses include master responses to address common themes and issues raised by multiple commenters, as well as responses to individual comments. The Final EIR is incorporated into this document by reference.

Pursuant to Section 15090 of the CEQA Guidelines, the Board of Directors of the Authority ("Board") hereby certifies that (1) the Final EIR has been completed in compliance with CEQA and the CEQA Guidelines; (2) the Board has been presented with the Final EIR and has reviewed and considered the information and analyses contained therein before making the findings in Section II and the approvals in Section III below; and (3) the Final EIR reflects the Authority's independent judgment and analysis.

Section II below presents the Authority's findings pursuant to Sections 15091, 15092, and 15093 of the CEQA Guidelines, and Section III presents the Authority's approvals for the Project.

II. FINDINGS

Having received, reviewed, and considered the Final EIR and other information in the Authority's record of proceedings in this matter, the Board hereby adopts the following findings in accordance with CEQA and the CEQA Guidelines:

Part A: Findings regarding the Authority’s environmental review process and the contents of the Final EIR.

Part B: Findings regarding the Project’s environmental impacts and the mitigation measures for those impacts identified in the Final EIR. As described below, Exhibit A summarizes the Project’s significant environmental impacts and the mitigation measures in the Final EIR, and per Exhibit B, the mitigation measures are hereby adopted by the Board as conditions of approval for the Project.

Part C: Findings regarding alternatives and the reasons why alternatives are rejected or accepted.

Part D: Statement of Overriding Considerations explaining that the various economic, social, environmental and other benefits of implementing the Project outweigh the Project’s significant unavoidable environmental impacts and therefore justify approval of the Project despite such impacts.

The Board certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the close of the public hearing on this matter concerning the environmental issues discussed in the Final EIR. The Board adopts the findings in Parts A through D below for the approvals set forth in Section III below.

Part E: Identifies the custodian and location of the record of proceedings.

Part F: Describes the Mitigation Monitoring and Reporting Program (“MMRP”) for the Project, which is set forth in Exhibit B to these findings and which is adopted by the Board pursuant to Sections 15091(d) and 15097 of the CEQA Guidelines.

Part G: Summarizes the Authority’s findings and determinations regarding the Project.

A. Environmental Review Process

1. Prior Environmental Review

The Department of Water Resources (“DWR”) originally published a notice of preparation (“NOP”) for the Sites Reservoir Project EIR on November 5, 2001. The Authority assumed the role of CEQA lead agency in 2016 and issued a supplemental NOP on February 2, 2017. The Authority then conducted two scoping meetings in February 2017 following publication of the supplemental NOP. During both scoping periods, the public was invited to submit written comments by mail, fax, or email regarding the scope, content, and format of the environmental document. The Authority and Reclamation prepared an original Scoping Report, as well as a Supplemental Scoping Report, following the scoping meetings conducted in 2017.

As noted above, the Authority released the Draft EIR in August 2017. The 2017 Draft EIR evaluated four surface water reservoir size and conveyance alternatives. All four alternatives included a reservoir, ranging in size from 1.3 to 1.8 million-acre feet (“MAF”), to be filled using

existing Sacramento River diversion facilities and a Delevan Pipeline on the Sacramento River to allow for release of flows into the river. The Authority issued a Notice of Availability for the 2017 Draft EIR on August 14, 2017, the document was made available for public review and comment, and two public hearings were held.

In October 2019, the Authority initiated a value planning process to identify and evaluate additional alternatives that could make the Project more affordable for the Sites Storage Partners² while also reducing environmental impacts and addressing comments received on the 2017 Draft EIR. The value planning process focused on the following primary objectives: (1) improving water supply and water supply reliability; (2) providing Incremental Level 4 water supply for refuges³; (3) improving the survival of anadromous fish; and (4) enhancing the Sacramento–San Joaquin Delta (“Delta”) ecosystem. Secondary objectives of the value planning process were to provide opportunities for flood damage reduction and recreation. Refinements from the value planning process resulted in three new alternatives for analysis (with one of the alternatives consisting of two variants), which represented a reduction in size and environmental impacts as compared to the alternatives evaluated in the 2017 Draft EIR. These alternatives included a reservoir size ranging from 1.3 to 1.5 MAF; eliminated the Delevan Pipeline conveyance and the negative environmental consequences resulting from pipeline construction; and focused on using existing facilities to the extent practical for diversions to and releases from the reservoir.

As noted above and as further described below, the Authority – based on its value planning process, and pursuant to Section 15088.5 of the CEQA Guidelines – decided to make certain changes to the Project and to recirculate the 2017 Draft EIR as a revised draft document (namely, the RDEIR).

2. Preparation of the RDEIR

On November 12, 2021, the Authority issued the RDEIR as a complete revision of the 2017 Draft EIR to reflect changes to the Project and the environmental analysis. Following publication, the Authority made the RDEIR available for review and comment. The Authority issued a Notice of Availability and the period for commenting on the RDEIR remained open until January 11, 2022,

² The governmental agencies, water organizations, and others who have funded and received a storage allocation in Sites Reservoir and the resulting water supply or water supply-related environmental benefits from the Sites Reservoir Project. Storage Partners could include local agencies, the State of California, and the federal government.

³ The 1992 Central Valley Project Improvement Act (“CVPIA”) created the Refuge Water Supply Program, which includes 19 wetland habitat areas in the Central Valley or CVPIA refuges. CVPIA refuge water supplies are categorized into three categories. Level 2 water supply represents the historical average amount of water deliveries prior to the enactment of CVPIA and represents baseline supply for the refuge. Incremental Level 4 represents the additional increment of water required for optimal wetland development. Full Level 4 water is the sum of both Level 2 and Incremental Level 4.

with an extension granted until January 28, 2022. Two public hearings were held on December 15, 2021, and December 16, 2021, to receive written or oral comments on the RDEIR. Oral comments were received from organizations and individuals at the hearings; written comments were received from Federal, State, and local agencies, and from organizations and individuals.

As explained in the text of the RDEIR, pursuant to Section 15088.5(f)(1) of the CEQA Guidelines,⁴ the entirety of the draft document was revised and recirculated and reviewers were advised that the previous comments on the 2017 Draft EIR, although part of the record of proceedings for the Project, did not require a written response in the Final EIR,⁵ and reviewers also were advised that new comments must be limited to the RDEIR.

The Authority received approximately 101 unique letters and communications during the extended public comment period from federal, State, and local/regional agencies; elected officials; stakeholders; non-governmental organizations; and members of the public. One form letter was submitted by 112 individuals, and a petition with approximately 1,315 signatures was received. Based on review of these letters and communications, the Authority identified approximately 1,000 discrete comments. The Authority also received several comments outside of the public comment period.

The Final EIR was made available for review by public agencies and members of the public on November 2, 2023. As noted above, Volume 3 of the Final EIR contains all of the comments received during the public comment period, together with written responses to those comments which were prepared in accordance with CEQA and the CEQA Guidelines.

The Board finds and determines that the Final EIR provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues.

3. Absence of “Significant New Information” Requiring Recirculation

CEQA Guidelines Section 15088.5 requires a lead the Authority to recirculate an EIR for further review and comment when significant new information is added to the EIR after release of the draft EIR but before certification of the final EIR. Under this provision, “significant new information” includes the following circumstances: (1) “[a] new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented”;

⁴ This provisions states: “When an EIR is substantially revised and the entire document is recirculated, the lead agency may require reviewers to submit new comments and, in such cases, need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either in the text of the revised EIR or by an attachment to the revised EIR, that although part of the record of proceedings, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those comments submitted in response to the recirculated revised EIR.”

⁵ Reclamation has provided responses to the 2017 comments on the Draft EIS in Volume 3, Appendix 04A, consistent with NEPA requirements.

(2) “[a] substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance”; (3) “[a] feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it”; and (4) “[t]he draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” CEQA Guidelines § 15088.5(a). Recirculation is not required where the new information added to the EIR merely clarifies or amplifies the environmental analysis. CEQA Guidelines § 15088.5(b).

The Board recognizes that the Final EIR incorporates information obtained by the Authority since the RDEIR was completed, and contains additions, clarifications, and other modifications. With respect to this information, the Board finds as follows:

Changes to the Authority’s Proposed Action. Based on the April 2020 “Sites Project Value Planning Alternatives Appraisal Report” and Alternative VP-7 as presented in that report, the Authority in September 2020 designated “Alternative 1” as the Authority’s Proposed Action for the purposes of the RDEIR analysis. Among other components, this alternative included a reservoir of 1.5 MAF in size and federal investment of up to 7% of Project costs.

However, since the publication of the RDEIR, Reclamation and the Authority have worked together to make minor adjustments in the modeling of how Reclamation would utilize the water supplied to it from the Project as a result of federal investment. The modeling done to incorporate the refinements into the Project shows that these refinements do not result in additional impacts beyond those described in the RDEIR. These refinements serve to improve the anadromous fish benefits from the Project, by enhancing opportunities for cold-water pool management in Shasta Lake, enhancing the frequency and amount of spring pulse flows in the upper Sacramento River, and increasing the ability to maintain stable river flows in the upper Sacramento River in the fall.

In addition, on November 15, 2021, the President signed into law the Infrastructure Investment and Jobs Act providing over \$1 trillion in federal funding for infrastructure projects. This new law provides for a substantial increase in federal spending on infrastructure projects throughout the country.

Considering both the additional anadromous fish benefits from the Project resulting from federal investment and the increased availability of federal funding for infrastructure projects, in March 2022 the Authority designated “Alternative 3” as its Proposed Action. Alternative 3 has the same physical facilities and components as Alternatives 1, but would involve additional federal investment in the Project, at a range of between 7% and 25% of total Project costs.

As shown in the environmental analysis in the Final EIR, this change does not result in a new significant impact or a substantial increase in the severity of a significant impact identified by the RDEIR, and it does not trigger any of the other grounds for recirculation. Therefore, in

accordance with CEQA and the CEQA Guidelines, another round of recirculation of the EIR is not required as a result of this change.

Refinements to the Operations of the Project. Based on ongoing coordination with state and federal resource agencies, including the California Department of Fish and Wildlife, and in response to public comments on the RDEIR, the Final EIR includes a refinement to the Project's minimum bypass flows in the Sacramento River at Wilkins Slough. In the RDEIR, the minimum bypass flow at Wilkins Slough was included in the project description and was further enhanced in a mitigation measure. In the RDEIR, the project description set the minimum bypass flows in the Sacramento River at Wilkins Slough prior to and during Project diversions at 5,000 cubic feet per second ("cfs"). A mitigation measure in the RDEIR increased this amount to 8,000 cfs during the period from March through May. This mitigation measure was designed to reduce impacts from the Project to salmonids.

In the Final EIR, the minimum flow criteria at Wilkins Slough were strengthened, and were incorporated as an integral component of the Project, to ensure that the diversion of water from the Sacramento River to Sites Reservoir under the Project would not cause flow in the Sacramento River at Wilkins Slough to decline below 10,700 cfs, from October 1 to June 14, with no diversion occurring from June 15 to August 31 (when the Sacramento River is fully appropriated), and with minimum bypass flows of 5,000 cfs in September. As compared to the criteria used in the RDEIR, this change provides additional protection for salmonids, responds to commenter requests to limit or reduce Project diversions, and supports the impact determinations of less than significant for Impacts FISH-2 (winter-run chinook salmon), FISH-3 (spring-run chinook salmon), FISH-4 (late fall-run chinook salmon), and FISH-5 (Central Valley steelhead). This change also increases Delta inflow (the flow of fresh water into the Sacramento-San Joaquin Delta) and Delta outflow (the flow of water into the Pacific Ocean from the Delta) as compared to the flow criteria used in the RDEIR. This reduces the potential for negative flow-related effects from the Project to delta smelt and longfin smelt as compared to the flow criteria used in the RDEIR. Overall, the revisions to the Wilkins Slough bypass flow criteria in the Final EIR reduce Project impacts as compared to the analysis in the RDEIR.

Another protective measure (the Bend Bridge Pulse Protection criteria) is retained in the Final EIR but is modified slightly. In the RDEIR, pulse protection was required to last for 7 days upon initiation. In the Final EIR, this criterion and the modeling for the Project have been modified to allow pulse protection to end once the 3-day average flow at Bend Bridge exceeds 29,000 cfs, provided Project diversions subtracted from Bend Bridge flows continue to be at least 25,000 cfs. Pulse flows of these levels would provide flow continuity between the upper and lower Sacramento River and are expected to enhance survival of migrating salmon and steelhead through the middle reaches of the river. This change does not materially affect the analysis of the Project's impacts.

In light of the enhanced minimum flow criteria in the Final EIR for bypass flows in the Sacramento River at Wilkins Slough and for Bend Bridge Pulse Protection as described above, the criteria for flows at the Fremont Weir Notch that were included in the RDEIR are no longer

necessary, and thus have been removed from the Project. The revised flow criteria for the Project are anticipated to provide sufficient protections for the Fremont Weir Notch and to prevent changes in flow at the Notch, thus obviating the need for the additional flow criteria for the Notch that was included in the RDEIR.

The refinements to the Project's operational diversion criteria in the Final EIR do not result in a new significant impact or a substantial increase in the severity of a significant impact identified by the RDEIR, and do not trigger the other grounds for recirculation. Therefore, in accordance with CEQA and the CEQA Guidelines, no recirculation of the Final EIR is necessary based on these refinements to the Project operations.

Refinements to Project Design and Facilities. The Final EIR includes the following refinements to the Project design and its physical facilities:

- **Removal of Emergency Release Structures:** Two emergency release structures have been eliminated from Alternatives 1 and 3: the Emergency Release Structure 1 located adjacent to Saddle Dam 3, and the Emergency Release Structure 2 located adjacent to Saddle Dam 5. Removal of the two emergency release structures would reduce the overall Project footprint and the impacts from construction activities, and the reservoir would continue to manage emergency releases from the Project in accordance with the requirements of DWR's Division of Safety of Dams ("DSOD"). Removal of the two release structures would generally eliminate release flows in Hunters Creek and downstream agricultural lands. Emergency drawdown releases for all alternatives would be primarily through Sites Dam and Stone Corral Creek and the Inlet-Outlet ("I/O") Works to Funks Reservoir and the TRR. Potential effects to Hunters Creek and downstream lands would occur only in the unlikely event of an emergency spill from overtopping Saddle Dam 8B, and the crest elevation of the dam would allow storage of the probable maximum flood without spilling and have a sufficient capacity to enable controlled emergency spill release to Hunters Creek if needed based on DSOD review.
- **Sloped I/O Tower:** The vertical, free-standing I/O tower evaluated in the RDEIR has been redesigned as a sloped I/O tower that would be supported by the slope of the reservoir. The purpose of the I/O tower is to allow flows into and out of the reservoir through the use of ports around the tower's perimeter. The number and elevation of ports and the gates of the sloped I/O tower would be the same as what was described for the vertical I/O tower in the RDEIR. The ports, gates, or valves allow for operational flexibility, including managing the temperature and quality of water released from the reservoir. The sloped I/O tower would also have movable fish screens for the exclusion of adult fish similar to that of the vertical I/O tower. Construction means and methods of the sloped I/O tower would also be similar to the vertical I/O tower. However, the sloped I/O tower would eliminate the need for significant seismic reinforcement and therefore provide cost savings. There would not be a measurable change in the size or location of the I/O tower footprint, or in the associated environmental impacts.

- **One I/O Tunnel:** The I/O tunnels described in the RDEIR consisted of two 23-foot-diameter I/O tunnels that would extend approximately 3,110 feet from the I/O tower through the ridge on the right abutment of Golden Gate Dam. The tunnels would daylight on the other side of the ridge and connect through four pipes to the transition manifold. The two I/O tunnels have been reduced to one tunnel of the same length and approximately 32 feet in diameter. The single tunnel would be located underground in the same alignment as the two tunnels but would be slightly larger. The single tunnel would reduce the need for materials and labor and would result in cost savings to the Project. This change would not materially alter the impact analysis as compared to the RDEIR.

The refinements to the Project's design do not result in a new significant impact or a substantial increase in the severity of a significant impact identified by the RDEIR, and do not trigger another ground for recirculation. Therefore, in accordance with CEQA and the CEQA Guidelines, no recirculation of the Final EIR is necessary based on these refinements to the Project components.

Revisions to Mitigation Measures – Enhancement of Wilkins Slough Bypass Flow Criteria and Incorporation of these Criteria into the Project. As noted above, the bypass flow criteria for Wilkins Slough have been strengthened in the Final EIR to provide additional protections to fish species as compared to the flow criteria in the RDEIR. The initial Wilkins Slough criteria were presented as Mitigation Measure FISH-2.1 in the RDEIR, whereas the strengthened criteria have been incorporated as an integral component of the Project in the Final EIR. The strengthened flow criteria and the additional protection they provide have thus eliminated the need for Mitigation Measure FISH-2.1, which is not included in the Final EIR.

In addition to the increased protections provided by the revised flow criteria in the Final EIR, this change reflects the fact that the Wilkins Slough criteria have been made a vital part of how the Project will operate in terms of its diversions from the Sacramento River, rather than a separate measure that is applied distinctly from the Project operations and its diversion criteria. The modeling performed for the Final EIR includes the increased bypass flow requirement, and the analysis in Chapter 11, Aquatic Biological Resources, has been updated to reflect the inclusion of the increased bypass flow requirement.

This revision in the Final EIR strengthens the effectiveness of the Wilkins Slough bypass flow criteria in terms of protection to fish species, reduces adverse impacts, and responds to agency input on the RDEIR. This revision does not result in a new significant impact or a substantial increase in the severity of a significant impact identified by the RDEIR, and it does not trigger any of the other grounds for recirculation. Therefore, in accordance with CEQA and the CEQA Guidelines, no recirculation of the EIR is necessary due to this enhancement of the Wilkins Slough bypass flow criteria.

Refinements to Modeling Used to Evaluate Project Impacts. In response to comments and coordination with agencies, several adjustments were made in the CALSIM II modeling to represent real-time operations and update the environmental analysis. Overall, the modeling for

the Final EIR includes more protective diversion criteria than the modeling used for the RDEIR. The refinements to the modeling include the following:

- Baseline: The baseline used for the Project CALSIM II modeling was updated to match the most recent Reclamation baseline study completed on November 17, 2021. Part of this update includes an increase in the Central Valley Project (“CVP”) water allocation assumed for north-of-Delta Storage Partners. As a result, water from Sites Reservoir for north-of-Delta CVP Storage Partners may be used by them less frequently and may be available for other purposes.
- Shasta Lake Operations: The modeling of Sites-Shasta exchanges now supports not only Shasta Lake cold-water pool management, but also fall flow stability and spring pulse flow actions. With respect to cold-water pool management, by reducing releases from Shasta Lake in the spring and summer, the storage and cold-water pool in Shasta Lake would be preserved for use later in the year, typically during critical months of the cold-water pool management season (August and September) and into the fall. With respect to fall flow stability, Site-Shasta exchanges could be used to minimize fall-run Chinook salmon redd dewatering in the fall. With respect to spring pulse flow actions, Sites-Shasta exchanges could assist Reclamation in making spring pulse flows for the benefit of juvenile salmon outmigration in the lower Sacramento River. These adjustments to the modeling did not change any of the impact findings for the Project.
- Dead Pool Volume: The CALSIM II model now considers a smaller dead pool volume, reducing this volume from 120 thousand acre-feet (“TAF”) to 60 TAF. The reduction in dead pool volume means that more Sites storage will be actively utilized. Incorporating this revision into the modeling of Project impacts showed there were no changes to the impact findings.
- Delta Salinity Accounting: CALSIM II modeling of carriage water⁶ requirements for Delta salinity objectives was improved based on recommendations from DWR. This change resulted in an overall small decrease in carriage water requirements and a corresponding small increase in south-of-Delta deliveries.
- South-of-Delta Refuges: The CALSIM II modeling has been modified to provide for Delta exports to refuges to occur at both Banks and Jones Pumping Plants (instead of only at Banks Pumping Plant). The project description includes using both facilities; however, the modeling in the RDEIR did not reflect the use of the Jones Pumping Plant. This refinement

⁶ Carriage water is the amount of additional water necessary for water supplies moving through the Delta to keep Delta salinity at the same level as it would have been absent the movement of the water supply through the Delta (i.e., the additional increment of water necessary to maintain Delta salinity when moving water through the Delta). Carriage water typically contributes to Delta outflow.

has minimal effect on modeling results, and most of the conveyance of refuge water still occurs at Banks Pumping Plant.

- Period of Diversion to Sites Storage: The modeling was refined to reflect the restriction that diversions to Sites storage are limited to September 1 through June 14. The project description in the RDEIR included only this period; however, the modeling in the RDEIR allowed for diversions to occur year-round. This change in modeling has little effect on the modeling results or the impact analysis, since the June 15 through August 31 diversions had been minimal in any case due to lack of diversion criteria being met during this period.
- Period of Releases to Sacramento River: When Sacramento River flow is high (i.e., flow at Wilkins Slough is greater than 15,000 cfs), the flap gates at the Knights Landing Outflow Gates are closed to prevent Sacramento River water from entering Colusa Basin Drain. To reflect this reality, CALSIM II modeling has been modified to prevent discharge of water from Sites Reservoir to the Sacramento River when the river flow is greater than 15,000 cfs. This has minimal effect on modeling results because Sites releases during periods of high flow in the Sacramento River would be rare.

The refined modeling in the Final EIR does not result in a new significant impact or a substantial increase the severity of a significant impact identified by the RDEIR, and does not trigger the other grounds for recirculation. Therefore, in accordance with CEQA and the CEQA Guidelines, no recirculation of the Final EIR is necessary based on these refinements to the modeling.

Other Changes. Various minor changes and edits have been made to the text, tables, and figures of the RDEIR, as shown by strikethroughs and additions in the Final EIR. These changes are generally of an administrative nature such as correcting typographical errors, making minor adjustments to the data, and adding or changing certain text to improve readability. These changes are of a minor, non-substantive nature and do not require recirculation of the EIR.

In addition to the changes and corrections described above, the Final EIR provides additional information in response to comments and questions from agencies and the public. This additional information does not constitute significant new information requiring recirculation, but rather this information serves to clarify and amplify the analysis presented in the RDEIR.

In summary, the additional information and the changes described above do not show that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The RDEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on the foregoing, and having reviewed the information contained in the Final EIR and in the record of the Authority's proceedings, including the comments on the RDEIR and the responses thereto, and the above-described information, the Board hereby finds that no significant new information has been added to the Final EIR since public notice was given of the availability of the RDEIR that would require recirculation of the EIR.

4. AB 52 Process

As the CEQA lead agency for the Project, the Authority hereby finds the requirements of Assembly Bill 52 ("AB 52") have been satisfied, as further described below.

AB 52 Requirements. AB 52 added a variety of provisions to the CEQA statute, and it prescribes a stepwise process for a lead agency to consult with California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project regarding potential impacts to tribal cultural resources.

AB 52 requires the lead agency, prior to release of a draft environmental impact report, to begin this consultation process with a California Native American tribe if (a) the tribe requests in writing that the lead agency formally notify it regarding proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the tribe responds in writing requesting consultation within 30 days of receipt of the notification, and requests the consultation. (California Public Resources Code Section 21080.3.1(b).) AB 52 states that the consulting parties may propose mitigation measures to avoid or lessen significant impacts to tribal cultural resources; and that the consultation may include discussion concerning the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and project alternatives or appropriate mitigation measures that the tribe may recommend to the lead agency. (California Public Resources Code Section 21080.3.2(a).)

AB 52 further provides that any mitigation measures are agreed upon in the consultation must be enforceable and recommended for inclusion in the environmental document and the project's mitigation monitoring and reporting program. (California Public Resources Code Section 21082.3(a).) Further, when a project may have a significant impact on a tribal cultural resource, the environmental document must discuss whether the proposed project has a

significant impact on an identified tribal cultural resource; and whether feasible alternatives or mitigation measures avoid or substantially lessen the impact on the identified tribal cultural resource. Cal. Pub. Res. Code § 21082.3(b).

Before certifying an environmental impact report where the project has a significant impact on a cultural resource, the lead agency must determine that one of the following has occurred: (1) the consultation process has concluded; (2) the tribe requested consultation but has failed to provide comments to the lead agency or otherwise failed to engage in the consultation process; or (3) the tribe failed to request consultation within 30 days of being notified by the lead agency about the project under AB 52. (California Public Resources Code Section 21082.3(d).) With regard to item 1 above, under AB 52, the consultation is considered concluded when: (1) the parties agree to measures to mitigate or avoid significant effects on a tribal cultural resource; or (2) a consulting party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (California Public Resources Code Section 21080.3.2(b).

Project Compliance with AB 52. The Authority has complied with all applicable requirements under AB 52. The Authority formally notified numerous tribes prior to release of the RDEIR in November 2021, and it received two written requests for consultation within 30 days, from the following two California Native American tribes: (1) the Cachil Dehe Band of Wintun Indians (Colusa Indian Community Council) (“Cachil Dehe”); and (2) the Yocha Dehe Wintun Nation (“Yocha Dehe”). One additional tribe stated that the Project is outside its area of traditional and cultural affiliation and that it would defer AB 52 consultation to tribes that are closer to the Project. In addition to the formal notifications provided by the Authority under AB 52, the Authority has made other outreach efforts to tribes outside the scope of AB 52. It has also consulted under AB 52 with the Cachil Dehe and Yocha Dehe tribes with respect to the Authority’s already-approved and ongoing geotechnical investigations (which are separate CEQA projects from the Sites Reservoir Project). The Authority’s various consultation and outreach efforts are shown and described in Chapter 23 of the Final EIR and in other relevant materials of the record of the Authority’s proceedings in this matter.

In accordance with AB 52, Chapter 23 of the Final EIR discusses in detail the Project’s impacts on tribal cultural resources and proposes specific mitigation measures to address these impacts. The Final EIR explains the basis for its analysis and findings, and it concludes that the impacts will remain significant and unavoidable after mitigation. As documented in Part D of these findings, the Board finds the Project’s numerous and diverse benefits outweigh these significant impacts.

As shown and documented in Chapter 23 of the Final EIR and in other relevant materials of the record of the Authority’s proceedings in this matter, the Authority consulted on numerous occasions with the Yocha Dehe about the Project, including providing a preliminary project description to facilitate early coordination well before release of the RDEIR; alerting the Tribe to the release of the RDEIR for public comment; digitizing previous studies into a geographic information system format and sending files and information to the Tribe concerning tribal

cultural resources; requesting in writing that the Tribe provide comments on the analysis of tribal cultural resources and mitigation measures discussed in the RDEIR; and meeting with the Tribe on numerous occasions. The Authority received information from Yocha Dehe on the Tribe's preferences for addressing human burials and has and will continue to incorporate this information into the implementation of the Project. Although the Authority and the Tribe met numerous times to discuss the Project and its status, and to share information, the Authority did not receive any specific written or verbal comments on the analysis of alternatives, impacts and mitigation (other than the burial treatment plan). Since March 2023, the Tribe has chosen not to attend consultation meetings with the Authority.

The Authority also consulted with the Cachil Dehe – including providing a preliminary project description to facilitate early coordination well before release of the RDEIR; alerting the Tribe to the release of the RDEIR for public comment; sending files and information to the Tribe concerning tribal cultural resources; requesting in writing that the Tribe provide comments on the analysis of tribal cultural resources and mitigation measures discussed in the RDEIR; and meeting with the Tribe on numerous occasions.

The Cachil Dehe has submitted written correspondence generally expressing the following concerns, among other matters, claiming that: (1) the Authority has not complied with AB 52; (2) the Authority's mission prevents it from preparing an impartial analysis; and (3) a traditional cultural landscape exists in the Project area. The Authority finds that it has complied with AB 52 as documented in Chapter 23 of the Final EIR and in other relevant materials of the record of the Authority's proceedings in this matter. The Authority finds that it is the appropriate lead agency under CEQA in compliance with Public Resources Code Section 21067 and for the consultation process under AB 52. The Authority has requested information on the presence of a traditional cultural landscape such that the Authority can consider and assess it consistent with Public Resources Code Sections 21074(a) and 21074(b). General information has been provided on the connection between Native People and natural landscapes, but no detailed information has been provided for further assessment of these issues. The Authority has offered to fund Cachil Dehe's direct cost to complete an ethnographic study of the Project Area and develop such information. To date, Cachil Dehe has not requested funding for this effort. Outside of claiming that the Project should not be built, the Tribe has not proposed any specific modifications to alternatives or new alternatives, any specific comments on the Project's analysis of impacts to tribal cultural resources, or any specific comments on proposed mitigation measures for adoption as part of the MMRP for the Project.

Based on the foregoing, the Board hereby finds that certification of the Final EIR is appropriate under AB 52 on two independent grounds. First, that the consulting tribes have failed to provide comments to the lead agency or have otherwise failed to engage in the consultation process (Public Resources Code Section 21082.3(d)(2)). Although the Authority provided information and sought to engage each Tribe in consultation, both Yocha Dehe and Cachil Dehe have not provided specific comments on the analysis of alternatives, impacts and mitigation. Second, that the Authority has concluded, in good faith and after reasonable effort, that mutual agreement cannot be reached (Public Resources Code Sections 21080.3.2(b)(2),

21082.3(d)(1)). Although the Authority has received information recently from the Cachil Dehe, the information provided to the Authority is only general, does not allow for a further, more detailed assessment, and has generally insisted that the Project not be built.

In summary, the Board finds the Authority has complied with the requirements of AB 52. The Board wishes to express its commitment to continue to work cooperatively with the Tribes with traditional or cultural affiliation with the Project area throughout the life of the Project to better understand and respectfully incorporate the Tribes from their perspectives. Although the Board is completing the CEQA process, our desire and invitation to work together with Tribes with traditional or cultural affiliation with the Project area continue through future Project planning, implementation, and operations.

5. Differences of Opinion Regarding the Impacts of the Project

In making its determination to certify the Final EIR and to approve the Project, the Board recognizes that the Project involves a number of controversial environmental issues and that a range of technical and scientific opinions exist with respect to those issues. The Board has acquired an understanding of the range of this technical and scientific opinion by its review of the RDEIR, the comments received on the RDEIR, and the responses to those comments in the Final EIR, as well as testimony, letters, and reports regarding the Final EIR and its own experience and expertise in assessing water quality and water supply. The Board has reviewed and considered, as a whole, the information and analysis presented in the RDEIR, the information and analysis presented in the comments on the RDEIR, the information and analysis presented in the Final EIR, the information submitted on the Final EIR, and the reports and analyses prepared by the experts who prepared the EIR, by the Authority's consultants, and by staff. The Board has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. In turn, this understanding has enabled the Board to make its decisions after weighing and considering the various viewpoints on these important issues. The Board accordingly certifies that its findings are based on full appraisal of all of the information and analysis contained in the Final EIR, as well as the other information in the record of proceedings.

B. Impacts and Mitigation Measures

These findings provide the written analysis and conclusions of the Board regarding the environmental impacts of the Project and the mitigation measures proposed by the Final EIR and adopted by the Board as conditions of approval for the Project.

In making these findings, the Board has considered the opinions of other agencies and members of the public, including opinions that disagree with some of the analysis and significance thresholds used in the Final EIR. The Board finds that the determination of significance thresholds is a judgment within the discretion of the Board; the significance thresholds used in the Final EIR are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and the Authority staff; and the significance thresholds used in the Final EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

In particular, the EIR used significance criteria for evaluating impacts that are well suited to this type of project. The criteria used in the EIR to determine whether an impact is or is not “significant” are based on, among other things, a thorough review of the recommended significance thresholds that are presented in Appendix G to the CEQA Guidelines; the relationship of the effects of the Project to the adopted policies, ordinances, and standards of the Authority and of responsible agencies; and commonly accepted practice and the professional judgment of the Final EIR authors, technical consultants, and Authority staff.

1. Findings on Project’s Environmental Impacts

Exhibit A, Summary of Significant Impacts and Mitigation Measures for the Project, attached to these findings and incorporated herein by reference, summarizes the environmental determinations of the Final EIR about the Project’s impacts before and after mitigation. This exhibit does not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, Exhibit A provides a summary description of each impact, describes the applicable mitigation measures identified in the Final EIR and adopted by the Board, and states the Board’s findings on the significance of each impact after imposition of the adopted mitigation measures. As shown on Exhibit A, several impacts have been found by the Authority to be significant and unavoidable, as these impacts cannot feasibly be mitigated to a less than significant level; these significant and unavoidable impacts are also listed in Part D.1 below.

A full explanation of the Authority’s environmental findings and conclusions can be found in the Final EIR, and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR’s determinations regarding the Project’s impacts and the mitigation measures designed to address those impacts. In making these findings, the Board ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

2. Adoption of Proposed Modifications Design Features and Mitigation Measures as Conditions of Approval

The Board adopts, and incorporates as conditions of approval of the Project, the mitigation measures set forth in the Mitigation Monitoring and Reporting Program, or MMRP, attached to these findings as Exhibit B to reduce or avoid the potentially significant and significant impacts of the Project, as well as to reduce or avoid certain less-than-significant impacts. In adopting these mitigation measures, the Board intends to adopt each of the mitigation measures recommended for approval by the Final EIR. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted from Exhibit B, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in Exhibit B fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the

mitigation measure as set forth in the Final EIR shall control, unless the language of the mitigation measure has been specifically and expressly modified by these findings.

The Board finds that, for each impact that is identified in the Final EIR/EIS as potentially significant and for which mitigation is proposed that reduces the impact to a less than significant level, the applicable mitigation as presented in the Final EIR and the MMRP constitute changes or alterations required as conditions of approval for the Project that avoid or substantially lessen the significant effect as identified in the EIR.

Consistent with Public Resources Code Section 21189.82(c), the Board further confirms that the adoption of the MMRP, attached to these findings as Exhibit B, provides a binding and enforceable agreement with the Governor of California to implement the mitigation measures related to significant environmental impacts in any disadvantaged community as defined in Public Resources Code Section 21189.81(b).

3. Findings on Additional Suggested Mitigation Measures

In several comments on the RDEIR, various measures were suggested by commenters as proposed additional mitigation measures or modifications to the mitigation measures identified by the EIR. Some of the EIR's mitigation measures were modified in response to such comments. Other comments requested minor modifications in mitigation measures identified in the RDEIR, requested mitigation measures for impacts that were less than significant, or requested additional mitigation measures for impacts as to which the RDEIR identified mitigation measures that would reduce the identified impact to a less-than-significant level; these requests are declined as unnecessary.

With respect to the additional measures suggested by commenters that were not added to the Final EIR, the Board hereby adopts and incorporates by reference the reasons set forth in the responses to comments contained in the Final EIR as its grounds for rejecting adoption of these mitigation measures.

C. Basis for the Board's Decision to Approve the Project

1. Summary of Discussion of Alternatives in the Final EIR

The Final EIR evaluates three alternatives, with one of the alternatives consisting of two variations: Alternative 1A; Alternative 1B; Alternative 2; and Alternative 3, which is evaluated in the Final EIR as the Authority's proposed version of the Project, referred to as the Proposed Action. The EIR also summarizes the criteria and process that the Authority used to identify a range of reasonable alternatives for review in the EIR, and it describes proposals that the Authority concluded did not merit additional, more-detailed review either because they did not present a feasible alternative for the Project or are merely variations on the alternatives that are evaluated in detail.

2. The Board's Findings Relating to Alternatives

In making these findings, the Board certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR, including the information provided in comments on the RDEIR and the responses to those comments in the Final EIR. The Final EIR's discussion and analysis of these alternatives is not repeated in these findings, but the discussion and analysis of the alternatives in the Final EIR is incorporated in these findings by reference.

As set forth in section B above, the Board has adopted mitigation measures to avoid or reduce the significant environmental effects of the Project. As explained in section D of these findings, while these measures will not mitigate all of the Project's significant impacts to a less-than-significant level, they will mitigate those impacts to a level that the Board finds is acceptable.

The Board finds that Alternative 3—considered in these findings to be the Project—would satisfy the Project Objectives.⁷ The Board finds that the remaining alternatives are unable to satisfy the project objectives to the same degree as the Project and that these other alternatives do not provide the same magnitude of project benefits. The Board further finds that, on balance, none of the remaining alternatives has environmental advantages over the Project that are sufficiently substantial to justify approval of such an alternative instead of the Project, in light of each such alternative's inability to satisfy the project objectives to the same degree as the Project and to achieve the same magnitude of project benefits. Accordingly, the Board has determined to approve the Project instead of approving one of the remaining alternatives.

In making this determination, the Board finds that when compared to the other alternatives described and evaluated in the Final EIR, the Alternative 3, provides a reasonable balance between fully satisfying the project objectives and reducing potential environmental impacts to an acceptable level. The Board further finds and determines that Alternative 3 should be approved, rather than one of the other alternatives, for the reasons set forth below.

a. Description of Project Objectives

The overall goal of the Project is to construct an offstream reservoir to capture excess water from major storms and store the water until it is most needed during dry periods. The CEQA objectives of the Project are:

⁷ As presented below in these findings, Alternative 3 is the substantially the same as the version of Alternative 3 that was studied in the Final EIR as the Authority's Proposed Action, with the exception that the selected version of Alternative 3 as the Project includes one project component (the "Terminal Regulating Reservoir – West Location") that was included and evaluated as part of the analysis of Alternative 2 in the EIR.

- OBJ-1: Improve water supply reliability and resiliency to meet Storage Partners' agricultural and municipal long-term average annual water demand in a cost-effective manner for all Storage Partners, including those that are the most cost-sensitive.
- OBJ-2: Provide public benefits consistent with Proposition 1 of 2014 and use Water Storage Investment Program funds to improve statewide surface water supply reliability and flexibility to enhance opportunities for habitat and fisheries management for the public benefit through a designated long-term average annual water supply.
- OBJ-3: Provide public benefits consistent with the Water Infrastructure Improvements for the Nation Act of 2016 by using federal funds, if available, provided by Reclamation to improve CVP operational flexibility in meeting CVP environmental and contractual water supply needs and improving cold-pool management in Shasta Lake to benefit anadromous fish.
- OBJ-4: Provide surface water to convey biomass from the floodplain to the Delta to enhance the Delta ecosystem for the benefit of pelagic fishes in the north Delta (e.g., Cache Slough).
- OBJ-5: Provide local and regional amenities, such as developing recreational facilities, reducing local flood damage, and maintaining transportation connectivity through roadway modifications.

**b. Discussion and Findings Relating to the Alternatives
Evaluated in the EIR**

Chapter 2 of the Final EIR provides a full discussion of the following alternatives, which are summarized as follows:

- No Project Alternative
- Alternative 1: 1.5-million acre-feet ("MAF") reservoir, bridge, release to the Colusa Basin Drain ("CBD"), with either no Reclamation investment (Alternative 1A) or Reclamation investment of up to 7% of Project costs (Alternative 1B)
- Alternative 2: 1.3-MAF reservoir, South Road, partial release to the CBD, discharge to the Sacramento River, no Reclamation investment
- Alternative 3 (Evaluated in the Final EIR as the Authority's Proposed Action): 1.5-MAF reservoir, bridge, release to the CBD, Reclamation investment of up to 25% of the Project costs

No-Project/No-Action Alternative. Under CEQA, a "No-Project Alternative" compares the impacts of proceeding with a proposed project with the impacts of not proceeding with the Project. The No-Project Alternative describes the environmental conditions in existence at the

time the Notice of Preparation was published, along with a discussion of what would be reasonably expected to occur at the site in the foreseeable future, based on current plans and consistent with available infrastructure and community services.

As described in detail in Chapter 3 to the Final EIR, the No Project Alternative would not materially change conditions as compared to the environmental baseline, due to the following factors: (1) without the project, future land use conditions in the rural areas where the Project facilities would have been located are not projected to change substantially as compared to existing conditions; (2) the Final EIR assumes that the same regulatory criteria would continue to apply as under existing conditions, as these criteria were changed substantially in 2019-2020 and future regulatory changes are, at this point in time, in flux, uncertain and/or not yet finalized or adopted (such as potential updates to the 2006 Bay-Delta Water Quality Control Plan, as amended in 2018 [State Water Resources Control Board 2006, 2018]) ; and (3) the modeling differences between existing and projected future hydrological conditions and water demands are minimal, given that the modeling assumes a wide range of such conditions and demands over an extended period of time; the modeling already assumes full use of most water supply contract amounts (subject to availability due to hydrology); and the Authority is not aware of any new large water right, water right change, or new water supply contract that would change the assessment of this issue.

As the Project would not be built or operated under the No Project Alternative, this alternative would eliminate the significant environmental effects of the Project; however, this alternative would not satisfy any of the project objectives. On balance, the environmental benefits under this alternative are outweighed by the failure to achieve any of the project objectives and by the various benefits that would be achieved by the Project.

Action Alternatives. The action alternatives that are studied in the Final EIR (Alternatives 1A, 1B, 2 and 3) have the following common elements, including physical facilities; operation and maintenance elements; and best management practices, management plans, and technical studies.

Common Facilities:

- Improvements to and use of the existing Red Bluff Pumping Plant (“RBPP”), Tehama-Colusa Canal (“TC Canal”), Hamilton City Pump Station, and Glenn-Colusa Irrigation District (“GCID”) Main Canal for the diversion and conveyance of water from the Sacramento River.
- Construction of regulating reservoirs and a conveyance complex to control the conveyance of water between Sites Reservoir, TC Canal, and GCID Main Canal. These facilities would include the regulating reservoirs, pipelines, pumping generating plants (“PGPs”), electrical substations, and maintenance buildings.
- Construction of an administration and operations building and a maintenance and storage building near the existing Funks Reservoir.

- Construction of two main dams, the Golden Gate Dam on Funks Creek and the Sites Dam on Stone Corral Creek, to impound water in the new reservoir. A series of saddle dams and saddle dikes along the northern and eastern rims of the reservoir would also be constructed to close off topographic saddles in the surrounding ridges. The I/O Works for the reservoir would be located near the Golden Gate Dam.
- Upgrades to the TC Canal and construction of a new pipeline (the Dunnigan Pipeline) to convey water from the new reservoir to the CBD and ultimately, to the Sacramento River.
- Development of two primary recreation areas and a day-use boat ramp. The recreation areas would also require a network of new roads and upgrades to existing roads for maintenance and local access. The Peninsula Hills Recreation Area would be located on up to 373 acres along the northwest shore of the new reservoir and the Stone Corral Creek Recreation Area would be located on up to 235 acres along the eastern shore of the new reservoir. These areas would provide multiple recreational amenities, including campsites, boat access, horse trails, hiking trails, and vista points. Both of the primary recreation areas would have a kiosk, access to electricity and potable water, picnic sites, hiking trails, vault toilets, and campsites. The day-use boat ramp and parking area would be located on up to 10 acres on the western side of the new reservoir.
- Construction of approximately 46 miles of new paved and unpaved roads to provide construction and maintenance access to the new facilities, as well as public access to the recreation areas.
- Acquisition and maintenance of an approximate 100-foot buffer around the new reservoir and all related facilities, buildings, and recreation areas.

Common Operations and Maintenance Elements:

Water Operations. The Project would provide water supply and water supply-related environmental benefits to the Storage Partners. Water would be diverted from the Sacramento River at the existing RBPP through the TC Canal into the existing Funks Reservoir and at the GCID Hamilton City Pump Station through the GCID Main Canal into a new Terminal Regulating Reservoir (“TRR”). From the existing Funks Reservoir and a new TRR, the water would be pumped into the new Sites Reservoir. Diversions could occur between September 1 and June 14, which corresponds with the period that the Sacramento River is not fully appropriated. Diversions would occur only when the diversion criteria are met. Water would be held in storage in the reservoir until requested for release by a Storage Partner. Water releases would generally be made from May to November but could occur at any time of the year depending on the Storage Partner’s need and system conveyance capacity. Water would be released from Sites Reservoir via the I/O Works near the Golden Gate Dam back into a TRR or back into Funks Reservoir. Water released could be used along the GCID Main Canal, along the TC Canal, or conveyed to the new

Dunnigan Pipeline and discharged to the CBD and conveyed via the Sacramento River or the Yolo Bypass to a variety of locations in the Delta and south of the Delta. Releases from Sites Reservoir would be made to: (1) meet environmental purposes; (2) meet Storage Partners requests for stored water deliveries; (3) conduct operational exchanges with Reclamation in Shasta Lake; and (4) complete operational exchanges with DWR in Lake Oroville. Operations would be coordinated with Reclamation and DWR to prevent conflicts with the CVP and the State Water Project (“SWP”). Exchanges of water may occur with the CVP and SWP and have the potential to assist the CVP and SWP in meeting their regulatory obligations and their authorized purposes including to protect, restore and enhance fish, wildlife, and associated habitats, provide water supply and generate power. Exchanges are also expected to take place in real-time with local Storage Partners. Water would also be diverted and impounded from Funks and Stone Corral Creeks, and releases from Golden Gate Dam and Sites Dam, respectively, would occur into Funks and Stone Corral Creeks to maintain flows to protect downstream water right holders and ecological functions.

The Project provides flood control, ecosystem improvement, and recreation public benefits. The ecosystem benefits include providing water for Incremental Level 4 Refuge water needs for Central Valley Project Improvement Act refuges both north and south of the Delta and providing additional flow into the Yolo Bypass to benefit delta smelt. Incremental Level 4 Refuge water deliveries could occur in any water year type and at any time of year. For those refuges located south of the Delta, it is assumed that water would be moved from July to November through the Delta. Additional flows into the Yolo Bypass could occur at any time of year but are assumed to occur during the summer and fall months (August through October) of all water year types. These deliveries increase desirable food sources for delta smelt and other fish species in the late summer and early fall.

Energy Generation and Energy Use. All action alternatives would require power to run facilities and pump water but would also generate incidental power when water is released from Sites Reservoir at the PGPs. Hydropower generation would be an incidental benefit of stored water releases. The power needs for the Project beyond what could be generated by its operations would be purchased from market sources. The goal would be to purchase at least 60% from renewable, carbon-free sources from the start of operations to 2045, and to purchase 100% from renewable, carbon-free sources starting in 2045.

Facility Operations and Maintenance. Operations and maintenance activities for all facilities, including recreation areas, would include debris removal, vegetation control, rodent control, erosion control and protection, routine inspections (dams, tunnels, pipelines, PGPs, I/O Works, fencing, signs, and gates), painting, cleaning, repairs, and other routine tasks to maintain the facilities in accordance with design standards after construction and commissioning. Routine visual inspection of the facilities would be conducted to monitor performance and prevent mechanical and structural failures.

Best Management Practices, Management Plans, and Technical Studies. Best management practices (“BMPs”), management plans, and technical studies are part of the

Project and are described at length in the Final EIR. The BMPs would be implemented, as applicable, as part of Project design, construction, and operation/maintenance. The BMPs include applicable design standards, criteria, and requirements, as well as standard practices required on construction projects either pursuant to regulations or as a result of established best management protocols. The Authority will develop and implement a number of operations and management plans to govern the operations and maintenance activities of the Project. These would include a Reservoir Operations Plan, a Reservoir Management Plan, a Traffic Management Plan, a Land Management Plan, a Recreation Management Plan, an Initial Sites Reservoir Fill Plan, a Security Plan, and an Emergency Action Plan. Finally, technical studies for aquatic biological resources are incorporated into the Project. These technical studies will describe factors such as flow releases and adaptive management in Stone Corral and Funks Creeks, sediment monitoring and adaptive management, and fish monitoring and adaptive management.

Each alternative is further discussed below.

Alternative 1. The unique feature of Alternative 1 includes the following:

- Reservoir capacity would be 1.5 MAF;
- The TRR would be located at the TRR East location, which is on the east side of the GCID Main Canal;
- A bridge across the reservoir would provide access between the east and west sides of the reservoir;
- The Dunnigan Pipeline would extend from the TC Canal and discharge into the CBD; and
- Alternative 1A has no Reclamation investment and Alternative 1B includes Reclamation investment of up to 7% of Project costs, corresponding to up to 7% of Sites Reservoir storage space being dedicated to Reclamation's use.

Under Alternative 1, the Project would impound surface water at the Golden Gate Dam on Funks Creek and the Sites Dam on Stone Corral Creek, and would include a series of seven saddle dams along the surrounding eastern and northern ridges would close off topographic saddles to form Sites Reservoir. The 1.5-MAF reservoir would inundate approximately 13,200 acres of Antelope Valley in Colusa and Glenn counties. Water from the Sacramento River would be conveyed through existing or upgraded conveyance facilities operated by the Tehama-Colusa Canal Authority and those owned or operated by GCID to new and upgraded regulating reservoirs and into the new Sites Reservoir. Alternative 1 would involve the construction of TRR East, which is located on the east side of the GCID Main Canal.

Under Alternative 1, when releases are made from Sites Reservoir, existing and new facilities would convey water from the I/O Works to the CBD for release, from which flows could enter the Yolo Bypass or Sacramento River.

Construction roads, local roads, and maintenance roads would be developed or realigned to accommodate the reservoir facilities, including the realignment of Sites Lodoga Road with a new bridge over the reservoir.

Alternative 1A has no Reclamation investment. Alternative 1B includes Reclamation investment of up to 7% of Project costs, corresponding to up to 7% of Sites Reservoir storage space being dedicated to Reclamation's use. This equates to about 91,000 AF of storage allocation dedicated to Reclamation in Sites Reservoir. Reclamation's share of Sites Reservoir water would be flexibly used by Reclamation to meet CVP objectives of providing water for water supply reliability and environmental needs. Increased storage, diversion, and release capacity provides the CVP with additional opportunities to store and release water when it may have been otherwise constrained. Releases for Reclamation would be made for a variety of purposes as identified and directed by Reclamation and would be made in the same manner as described for all Storage Partners.

Alternative 1 consists of the same physical facilities as Alternative 3, and thus the construction impacts would be the same. The primary difference is that under Alternative 3, Reclamation investment will increase to up to 25% of Project costs. As described above in section A.3 of these findings, refinements in the modeling of how Reclamation would utilize the water supplied to it from the Project have demonstrated the enhanced opportunity under Alternative 3 for cold-water pool management in Shasta Lake, enhanced frequency and amount of spring pulse flows in the upper Sacramento River, and better ability to maintain stable river flows in the upper Sacramento River in the fall. In addition, the Infrastructure Investment and Jobs Act provides for a substantial increase in federal spending on infrastructure projects throughout the country. Due to the enhanced benefits of the Project and increased opportunity for federal funding, the Final EIR identifies Alternative 3 as its Proposed Action.

On balance, Alternative 1 does not reduce the Project's significant impacts as compared to Alternative 3 and does not offer the same type or magnitude of benefits as Alternative 3, and as a result there are specific social, environmental, and other considerations for rejecting Alternative 1.

Alternative 2. The unique features of Alternative 2 include the following:

- Reservoir capacity would be 1.3 MAF;
- The TRR would be located at the TRR West location, which is on the west side of the GCID Main Canal;
- A local access road around the southern end of the reservoir (i.e., South Road) would enable travel between the east and west sides of the reservoir;
- The Dunnigan Pipeline would extend to and discharge into the Sacramento River with primary release from the Sacramento River discharge and only a partial discharge at the CBD; and

- No Reclamation investment in the Project.

Alternative 2 would impound surface water at the Golden Gate Dam on Funks Creek and the Sites Dam on Stone Corral Creek; a series of four saddle dams (three saddle dams less than Alternative 1) along the surrounding eastern and northern ridges would close off topographic saddles to form Sites Reservoir. The 1.3-MAF reservoir (0.2 MAF less than Alternative 1) would inundate approximately 12,600 acres (600 acres less than Alternative 1) of Antelope Valley in Colusa and Glenn Counties. Alternative 2 would convey water from the Sacramento River to store in the reservoir through the same existing or upgraded conveyance facilities operated by the Tehama-Colusa Canal Authority and those owned or operated by GCID to new and upgraded regulating reservoirs and into the new Sites Reservoir. Alternative 2 would involve the construction of TRR West, which is located on the west side of the GCID Main Canal.

As under all alternatives, releases from Sites Reservoir under Alternative 2 would be made to meet environmental purposes, for Storage Partners based on their requests to meet their water supply portfolio needs, and for operational exchanges with Reclamation in Shasta Lake and with DWR in Lake Oroville. However, under Alternative 2, the Dunnigan Pipeline would be extended beyond the CBD so that releases could be discharged not only to the CBD, but also directly into the Sacramento River. Alternative 2 does not include any Reclamation investment in the Project.

As under all alternatives, construction, local, and maintenance roads would be required and developed; however, Alternative 2 does not propose a bridge for the relocated Sites Lodoga Road. Under Alternative 2, the existing Huffmaster Road would be realigned around the southern end of the reservoir and a new South Road would connect to the realigned Huffmaster Road.

Although implementation of Alternative 2 would result in a slightly smaller footprint for the reservoir, the EIR analysis demonstrates that the proposed construction of the South Road rather than a bridge would result in significant and unavoidable transportation and land use effects that would not occur under Alternatives 1 and 3.

The realignment of the Sites Lodoga Road would result in a longer route around the south side of Sites Reservoir compared to the No Project Alternative and Alternatives 1 and 3. This would have a substantial effect on school bus travel provided by the Maxwell Unified School District because of the substantial increase in the road length compared to the existing Sites Lodoga Road, as well as the increase in curves and elevation as compared to the existing road and the bridge under Alternatives 1 and 3. The realignments would result in a travel route that is approximately 14 miles longer in Alternative 2 compared to the existing travel route between Maxwell and Lodoga. Travel time on the new route would be approximately 60 minutes, which would substantially affect school bus travel. One potential measure to lessen this impact would be to shorten the length of the South Road; however, that is already presented in Alternatives 1 and 3 as the bridge crossing the Sites Reservoir. Another potential measure that was considered was the use of a ferry service that would connect both sides of Sites Reservoir to avoid the travel along the South Road for students and other users. However, it was determined that the reservoir

is not expected to maintain a consistent water level year-round. Due to unforeseeable fluctuating water levels, the potential mitigation was considered unfeasible. There are no feasible mitigation measures and operation impacts would be significant and unavoidable.

Construction and operation of Alternative 2 would also result in the physical division of established communities. While the Sites community would be inundated and displaced, the community would not be physically divided. There would be a physical division for the community of Lodoga, even though the South Road would connect Lodoga to Maxwell, because the new access route would substantially increase travel time. There are no feasible mitigation measures for this impact. This impact would be significant and unavoidable.

Alternative 2 would eliminate the significant and unavoidable impact on paleontological resources identified in the Final EIR as a result the TRR East location included as a component of Alternatives 1 and 3, since under Alternative 2, the TRR would be moved to the West location where this significant and unavoidable impact does not occur. In consideration of this factor, the Proposed Action for approval in these findings includes changing Alternative 3 as evaluated in the EIR by moving the TRR from the East to the West location. Incorporating this change into the Project thereby eliminates this significant and unavoidable impact.

Assuming Alternative 2 were revised to include the bridge component of Alternative 1 and 3, then Alternative 2 would reduce some of the significant environmental impacts associated with the construction and operation of a larger (1.5 MAF) reservoir. This is because Alternative 2 involves a smaller reservoir (1.3 MAF). However, regardless of the roadway configuration, Alternative 2 would still result in the same significant environment impacts (albeit to a lesser degree), including effects on water quality, vegetation and wetland resources, wildlife resources, agricultural resources, air quality, cultural resources, and visual resources. In addition, even if reconfigured, Alternative 2 would not provide the same magnitude of water supply benefits as Alternative 3, and thus would not meet the Project objectives to the same extent as Alternative 3 – including the objectives of improving water supply reliability and resiliency to meet Storage Partners’ agricultural and municipal long-term average annual water demand in a cost-effective manner for all Storage Partners, including those that are the most cost-sensitive; providing public benefits consistent with Proposition 1 to improve statewide surface water supply reliability and flexibility; and providing public benefits consistent with the use of federal funds to improve CVP operational flexibility. The lack of Reclamation investment in Alternative 2 would also substantially reduce the Project’s ability to improve cold-pool management in Shasta Lake to benefit anadromous fish as described in Chapter 11 of the Final EIR.

For these reasons, the Board finds that while Alternative 2 could be configured to reduce the magnitude of significant impacts from a larger reservoir, it would still result in significant and unavoidable environmental impacts, would not meet the Project objectives to the same extent as Alternative 3, and would not provide the same magnitude of project benefits. As a result, there are specific social, environmental, and other considerations for rejecting Alternative 2.

Alternative 3. Alternative 3 has the same physical facilities as Alternative 1 and is similar in terms of the potential environmental impacts from construction and operation. The key difference is that Alternative 3 would include increased Reclamation participation and investment as compared to Alternative 1, with investment of up to 25% of the Project cost. This increased level of Reclamation investment would result in up to 25% of Sites Reservoir storage space being dedicated to Reclamation's use.

Increased Reclamation investment would require some reduction in local participation for Alternative 3 as compared with Alternative 1; it is assumed that Storage Partners that are local agencies (statewide) would reduce their participation to accommodate the investment by Reclamation.

Under Alternative 3, the increased federal investment in the Project would provide enhanced opportunities for flexibility in terms of the use of Sites water by Reclamation to meet CVP objectives for water supply and environmental purposes. The increased level of Reclamation investment would also result in increased opportunities for maintaining cold-water pool in Shasta Lake, enhanced frequency and amount of spring pulse flows in the upper Sacramento River, and better ability to maintain stable river flows in the upper Sacramento River in the fall. For example, and as described in Chapter 11 of the Final EIR, Alternative 3 is expected to provide a net benefit to anadromous fish in the Sacramento River. More specifically, Alternative 3 would provide a net benefit to late fall-run juvenile rearing habitat availability as compared to the baseline. Alternative 3 also has the most and largest increases in steelhead juvenile rearing habitat availability. In addition, Alternative 3 is expected to result in positive benefit to winter-run chinook salmon populations as evidenced by the results of the National Marine Fisheries Service's Winter-run Life Cycle modeling effort.

Further, as explained above, while Alternative 3 as analyzed in the Final EIR includes the eastern location for the TRR (TRR East), the significant and unavoidable environmental impacts on paleontology resulting from the placement of the TRR in this location have been eliminated from the Project as presented in these findings for final approval. Instead of the eastern location, the Project as presented for approval in these findings includes the western placement of the TRR (TRR West), which is evaluated in the RDEIR and Final EIR as a component of Alternative 2. The EIR demonstrates that this change in location for the TRR (from East to West) will avoid a significant impact on paleontological resources. Including TRR West as part of the Project does not result in any new or significant impacts beyond those contemplated in the Final EIR as TRR West was included in and fully analyzed in the Final EIR as part of Alternative 2.

Summary of Findings Regarding Alternatives. For all of the foregoing reasons, the Board has determined to approve Alternative 3, with the TRR West location, instead of one of the other alternatives to the Project.

c. Findings Regarding Suggestions for Modifying the Project and Variations on the Alternatives

Various modifications to the Project and variations on the alternatives were proposed either in comments on the RDEIR or in letters submitted to the Authority after the Final EIR was completed. Some commenters claimed that additional alternatives should have been included in the assessment. Most commenters did not provide information to explain how their suggested plans or proposals would avoid or substantially lessen significant effects of the Project alternatives. The responses to comments in the Final EIR address the suggestions provided by commenters on the RDEIR. Three common themes were identified regarding commenter suggestions for alternatives, as follows:

- Operational criteria should be consistent with the 2006 Bay-Delta Water Quality Control Plan, as amended in 2018 (“Bay-Delta Plan”) (State Water Resources Control Board 2006, 2018), updates or alternative bypass flows and should incorporate or include the updates to the Bay-Delta Plan water quality control objectives or include a range of bypass flows that might then support the Bay-Delta Plan updates.
- The EIR should assess more than one operational scenario because evaluating more than one operational scenario could reduce or avoid adverse environmental impacts.
- Modifications to reservoir operations should be made regarding decreases in diversions and/or increases in bypass flows compared to those evaluated in the RDEIR.

Bay-Delta Water Quality Control Plan Updates. As noted in the Final EIR in Master Response 2, the State Water Board does not intend to complete the Bay-Delta Water Quality Control Plan until 2025, and the associated modeling has not been released. The Bay-Delta Plan and its update process are a different effort that is not part of the Project or its environmental review process. However, the Bay-Delta Water Quality Control Plan is discussed in Chapter 31, Cumulative Impacts, of the Final EIR. The State Water Board is in the process of updating the Bay-Delta Plan for the Sacramento River watershed but has not approved an update of the plan. The State Water Board has not provided enough information as part of the water quality control planning update process to disaggregate the potential estimated water supply effect for an evaluation of the potential change to water available for Sites Reservoir at its proposed points of diversion on the Sacramento River, Funks Creek, and Stone Corral Creek. Nor is there enough information currently available to evaluate the water supply effects during the Project’s proposed diversion season. As such, including an operational scenario that “incorporates” the Bay-Delta Plan updates is not currently feasible, or even possible. However, the Authority Board recognizes and acknowledges that updates to the Bay-Delta Plan could result in changes to diversions for Sites Reservoir and would be implemented through terms of the Sites water right including application of Standard Permit Term 96 (Sites Project Authority 2022) which the Authority has requested to be included in the Sites water right. Should diversions be altered in the future in association with implementation of the Bay-Delta Plan updates, impacts on aquatic biological resources would be no more severe or greater in magnitude than currently disclosed

in the EIR, as the purpose of any Bay-Delta Plan update and subsequent diversion alterations, if required, would be to support the applicable water quality beneficial uses, including ecosystem and cold-water fishery uses in the Sacramento River and Bay-Delta.

Multiple Operational Scenarios/Modifications to Project Operations. The Authority and Reclamation evaluated multiple operational scenarios over the course of Project development that were designed to meet the Project objectives; enhance Project benefits; and reduce or avoid significant environmental impacts. This evaluation resulted in (1) elimination of the previously proposed Delevan Facility and its resulting environmental impacts; and (2) strengthening of the Wilkins Slough minimum bypass flow criteria for the protection of fish species.

Further, as described in the Final EIR, the Authority considered more restrictive operational criteria in connection with its 2019 Value Planning Process, and it determined that such more restrictive criteria would substantially reduce the Project benefits such that it would not qualify for state funding under Proposition 1 and would also significantly increase the costs of the Project water. In addition, as discussed in Master Response 9, changes to the Project's operational scenario would not serve to reduce the significant environmental impacts resulting from Project construction, and also would not avoid or reduce other significant impacts resulting from Project operations – including effects on water quality and cultural resources.

Findings Regarding Adequacy of Range of Alternatives. Based on the analysis in the Final EIR/EIS and other documents in the Authority's record of proceedings in this matter, the Board finds the Final EIR evaluates a reasonable range of alternatives in compliance with CEQA and the CEQA Guidelines, and that the proposals for additional alternatives as suggested in the comments on the RDEIR are not feasible alternatives requiring CEQA analysis.

The range of alternatives evaluated in the EIR reflects a reasonable attempt to identify and evaluate alternatives that would potentially be capable of reducing the Project's environmental effects, while accomplishing the project objectives to different extents. The Board finds that the alternatives analysis is sufficient to inform the Board and the public regarding the tradeoffs between the degree to which alternatives to the Project could reduce environmental impacts and the corresponding degree to which the alternatives to the Project would hinder the Authority's ability to achieve most of its project objectives.

D. Statement of Overriding Considerations

1. Impacts That Remain Significant

As discussed in Exhibit A, the Board has found that the following impacts of the Project remain significant following adoption and implementation of the mitigation measures described in the Final EIR:

Number	Phase	Alts	Environmental Impact
WQ-1	Construction	1, 2, & 3	<p>Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water quality during construction. In the short-term (within 1–10 years of initial filling), operational release may cause degradation of water quality by potentially contributing to increases in aqueous and fish tissue methylmercury concentrations in the Colusa Basin Drain, Funks and Stone Corral Creeks, and the north Delta; mitigation is proposed but due to the uncertainty of effectiveness under the Project-specific conditions, this impact has been determined to be significant and unavoidable.</p>
WQ-2	Operation	1, 2, & 3	<p>Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water quality during operation. Operational releases may cause degradation of water quality in the north Delta in dry and critical water years by potentially contributing to increases in aqueous and fish tissue methylmercury concentrations; mitigation is proposed but due to the uncertainty of effectiveness under the Project-specific conditions, this impact has been determined to be significant and unavoidable.</p>
VEG-2	Construction	1, 2, & 3	<p>Substantial adverse effect (i.e., loss or removal) on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Construction related effects to upland riparian and oak woodlands, primarily in the reservoir inundation area, would be significant and unavoidable even with mitigation because of the long-term loss of upland riparian and oak savanna habitat.</p>

Number	Phase	Alts	Environmental Impact
VEG-4	Construction	1, 2, & 3	<p>Conflict with any local policies or ordinances protecting vegetation resources (including wetlands and non-wetland waters), such as a tree preservation policy or ordinance. Oak woodlands are considered important under the state Oak Woodlands Conservation Act and county general plans, long-term loss of blue oak woodland from construction would conflict with these policies.</p>
WILD-1	Construction	1, 2, & 3	<p>Substantial adverse effect (i.e., loss or removal), either directly or through habitat modifications, on wildlife species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (golden eagle only). The removal of mature trees within blue oak woodland, foothill pine, and oak savanna communities would be a long-term impact on golden eagle because of the length of time that would be required for newly planted trees to reach mature size and fully replace the habitat function and habitat value of the removed trees.</p>
WILD-2	Construction & Operation	1, 2, & 3	<p>Substantial interference with the movement of a native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impediment of the use of native wildlife nursery sites. Construction and operation of the Sites Reservoir would create a substantial barrier to the movement of native or migratory wildlife species or with established wildlife corridors that would not be fully mitigated.</p>
GEO-7	Construction	1, 3	<p>Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The use of cement deep soil mixing for construction of TRR East could destroy paleontological resources. The ground disturbance would be deep, and a paleontological monitor would not be able to observe the disturbance or halt construction.</p> <p>Note that under the Project as proposed for approval in these findings, the location of the TRR under Alternative 3 has been moved to the west (TRR West), thereby avoiding this significant and unavoidable impact.</p>

Number	Phase	Alts	Environmental Impact
LAND-1	Construction & Operation	2	Physical division of an established community. Construction and operation would result in the physical division of the community of Lodoga because the new South Road access route would substantially increase travel time to Maxwell.
AG-1	Operation	1, 2, & 3	Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use. The Project would result in permanent conversion of Important Farmland to nonagricultural uses, mitigation would not replace or restore the acres of Important Farmland permanently converted to nonagricultural uses.
AG-2	Construction & Operation	1, 2, & 3	Conflict with existing zoning for agricultural use or a Williamson Act contract. Alternative 1 or 3 would remove a total of 13,868 acres from Williamson Act contracts as a result of direct impact, and Alternative 2 would remove a total of 13,340 acres.
TRA-5	Operation	2	Substantially affect school bus travel. The proposed South Road would result in longer travel time to connect the west side of the reservoir with Maxwell, which would substantially affect school bus travel.
AQ-1	Construction	1, 2, & 3	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard during construction, or conflict with or obstruct implementation of the applicable air quality plan. Construction would result in a cumulatively considerable net increase of criteria pollutants for which the region is nonattainment under an applicable federal or state ambient air quality standard and conflict with an applicable air quality plan.

Number	Phase	Alts	Environmental Impact
AQ-2	Operation	1, 2, & 3	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard during operations, or conflict with or obstruct implementation of the applicable air quality plan. Operations would result in emissions that exceed thresholds primarily as a result of recreational boating activity.
AQ-4b	Construction	1, 2, & 3	Expose sensitive receptors to localized criteria pollutant emissions. During construction, localized particulate matter emissions would expose sensitive receptors to substantial concentrations of localized criteria pollutants.
CUL-1	Construction	1, 2, & 3	Cause a substantial adverse change in the significance of a historic built resource. Construction would impact potentially significant built resources, including 18 potentially significant resources that are located in the reservoir inundation area.
CUL-2	Construction & Operation	1, 2, & 3	Cause a substantial adverse change in the significance of an archaeological resource. Construction and operation of the Project would result in impacts on potentially significant archaeological resources by materially altering or destroying them.
CUL-3	Construction & Operation	1, 2, & 3	Disturb any human remains, including those interred outside of formal cemeteries. Construction of the Project would disturb human remains interred in known cemeteries within the Sites Reservoir inundation area and could disturb other currently unknown human remains.
TCR-1	Construction & Operation	1, 2, & 3	Substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or other local register or that the lead agency has determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Tribal cultural resources are within and surrounding the Project footprint and some will be significantly affected by the Project.

Number	Phase	Alts	Environmental Impact
VIS-1	Construction	1, 2, & 3	<p>Substantially degrade the existing visual character or quality of public views of the site and its surroundings.</p> <p>Construction of the reservoir and its associated facilities would substantially degrade the existing visual character and visual quality of the area and adversely affect existing viewers at this location.</p>

2. Overriding Considerations Justifying Project Approval

In accordance with CEQA Guidelines Section 15093, the Board has, in determining whether or not to approve the Project, balanced the economic, social, technological, and other project benefits against its unavoidable environmental risks, and finds that each of the benefits of the Project set forth below outweigh the significant adverse environmental effects that are not mitigated to less-than-significant levels. This statement of overriding considerations is based on the Board’s review of the Final EIR and other information in the Authority’s record of proceedings. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the Project. The benefits of the Project are as follows:

- Implementation of the Project will provide water supply benefits by capturing water from major storms and storing the water until it is most needed during dry periods providing:
 - State-wide water supply reliability.
 - State-wide drought resilience.
 - Operational flexibility for the CVP and 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.

- Implementation of the Project will provide ecosystem benefits through the following:
 - 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.
- Implementation of the Project will provide anadromous fish benefits through:
 - 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.
 - Based on modeling conducted by the National Marine Fisheries Service, the Project results in an overall increase in the population of endangered winter-run Chinook salmon.
- The Project will provide the following 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 thereby 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.

The above list of benefits are documented in the chapters and appendices of the Final EIR and in the agency's record of proceedings and will support the Project's objectives to improve water supply reliability and resiliency, provide public benefits consistent with Proposition 1 of 2014 to improve statewide surface water supply reliability and flexibility and enhance opportunities for habitat and fisheries management, to improve CVP operational flexibility and improve opportunities for cold-water pool management in Shasta Lake to benefit anadromous fish, provide surface water to convey biomass from the floodplain to the Delta to enhance the Delta ecosystem, and to provide local and regional amenities.

E. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the Board bases these findings and the approvals contained herein. The location and custodian of these documents and materials is Alicia Forsythe, Sites Project Authority, 122 West Old Highway 99, Maxwell, CA 95955.

F. Mitigation Monitoring and Reporting Program

In accordance with CEQA and the CEQA Guidelines, the Board must adopt a mitigation monitoring program to ensure that the mitigation measures presented in the Final EIR and adopted herein are implemented. The Board hereby adopts the Mitigation Monitoring Program for the Project attached to these findings as Exhibit B.

G. Summary

1. Based on the foregoing findings and the information contained in the record of proceedings, the Board makes the following findings with respect to the significant environmental effects of the Project identified in the Final EIR:
 - a) For significant impacts that are reduced to less-than-significance due to one or more mitigation measures, the Board finds that changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects on the environment.
 - b) For significant impacts that remain significant and unavoidable after mitigation, the Board finds that specific economic, social, technological, or other considerations make infeasible any mitigation measures or alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the Project.
2. Based on the foregoing findings and information contained in the record, it is hereby determined that:
 - a) All significant effects on the environment due to approval of the Project have been eliminated or substantially lessened where feasible.
 - b) Any remaining significant effects on the environment found unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section II.D, above.

III. RESOLUTION OF APPROVAL

The Board hereby takes the following actions and makes the following approvals:

- A. The Board has certified the Final EIR in Section I, above.
- B. The Board hereby adopts as conditions of approval all mitigation measures within the responsibility and jurisdiction of the Authority set forth in Section II.B of the findings, above.
- C. The Board hereby adopts the Mitigation Monitoring Program for the Project as discussed in Section II.F of the findings, above.
- D. The Board hereby adopts these findings in their entirety as its findings for these actions and approvals.
- E. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, incorporated mitigation measures, and adopted findings and a Statement of Overriding Considerations, the Board hereby approves the Project which the EIR identified and evaluated as Alternative 3, with the TRR West location.

F. The Board hereby directs the Executive Director to file a Notice of Determination in accordance with the requirements of CEQA and the CEQA Guidelines.

G. The Board authorizes the Executive Director to pay all associated fees.

H. The Board authorizes the Executive Director to certify the CEQA record of proceedings.