

Environmental Planning and Permitting Work Group

February 8, 2023



Agenda

- Review and comment on Part 1 of 3, Status Briefing on the Final EIR/EIS, in preparation for approval of the Project
- Review and comment on the Charter Documents
- EPP Manager's Report

Status Briefing on the Final EIR/EIS, Part 1 of 3

Ali Forsythe and Laurie Warner Herson

Final EIR/EIS Briefings in Preparation for Approval of Project

- February 2023, Part 1 of 3 – Today!
 - Review Final EIR/EIS requirements and format
 - Provide overview of changes to the project based on design refinements and operations
 - Discuss revisions to modeling
- March 2023, Part 2 of 3
 - Overview of key comments and master responses; ongoing public and local community outreach; ongoing tribal outreach and AB 52 consultation; and refinements to impacts and mitigation measures
- April 2023, Part 3 of 3
 - Overview of Findings, Statement of Overriding Considerations and MMRP
 - Request approval to publish Final EIR
- May 2023, Board Hearing
 - Any last items and next steps post EIR
 - EIR Certification
 - Decision to Approve Project

Final EIR Requirements

- CEQA requires that a lead agency prepare a Final EIR/EIS prior to approving a project
- The Final EIR must include:
 - The draft EIR or revision of the draft
 - Comments and recommendations received on the draft EIR, either verbatim or in summary
 - A list of persons, organizations, and public agencies commenting on the draft EIR
 - The responses of the Lead Agency to significant environmental points raised in the review and consultation process (CEQA Guidelines Section 15132)

Final EIR/EIS Approach

- The Sites Final EIR/EIS includes:
 - Identification of refinements to the Project, both facilities and operations
 - Revisions to diversion criteria and associated modeling
 - Master and individual responses to comments received on the RDEIR/SDEIS
 - Revisions to text based on comment/responses and/or based on project modifications (e.g., facility changes, operation modifications)

Final EIR/EIS Format

- Volume 1 – Chapters
 - Include all chapters from RDEIR/SDEIS *with changes*
- Volume 2 – Appendices
 - Include all appendices from RDEIR/SDEIS *with changes*
- Volume 3 – Response to Comments
 - Master responses
 - Individual responses
- Comment letters will be posted on Authority's website

Chapters/Appendices with No Changes

- Chapters
 - 13, Minerals
 - 19, Noise
 - 22, Cultural Resources
 - 24, Visual Resources
 - 25, Population and Housing
- Appendix 2A, 2C, 8B, 9A, 9B, 10B, 12A, 12B, 19A, 20A, 20C, 20D, 22A, 24A, 24B, 27A, 33A, 33B, 33C

Key Refinements between RDEIR/SDEIS and Final EIR/EIS

- Preferred Alternative is now Alternative 3
- Revisions to diversion criteria
- Incorporation of Mitigation Measure Fish-2.1 into Project
- Revised modeling
- Minor changes in facilities due to design refinements
- Corrections or clarifications needed in response to comments

No new or substantial greater impacts identified that would require recirculation

Changed to Alt 3 as Preferred Alternative

Facilities / Operations	Alternative 1 – Authority’s Preferred Project in RDEIR/SDEIS	Alternative 2	Alternative 3 – Preferred Alt in the Final EIR/EIS
Reservoir Size	1.5 MAF	1.3 MAF	1.5 MAF
Hydropower	Incidental upon release	Same as Alt 1	Same as Alt 1
Diversion Locations	Red Bluff Pumping Plant and Hamilton City	Same as Alt 1	Same as Alt 1
Conveyance Release / Dunnigan Release	1,000 cubic feet per second (cfs) into new Dunnigan Pipeline to Colusa Basin Drain	1,000 cfs into new Dunnigan Pipeline to Sacramento River. Partial release into the Colusa Basin Drain	Same as Alt 1
Reclamation Involvement	<ol style="list-style-type: none"> 1. Funding Partner, up to 7% 2. Operational Exchanges <ol style="list-style-type: none"> a. Within Year Exchanges b. Real-time Exchanges 	Operational Exchanges <ol style="list-style-type: none"> a. Within Year Exchanges b. Real-time Exchanges 	Same as Alt 1, but up to 25% investment
DWR Involvement	Operational Exchanges with Oroville and storage in SWP facilities South-of-Delta	Same as Alt 1	Same as Alt 1
Route to West Side of Reservoir	Bridge across reservoir	Paved road around southern end of reservoir	Same as Alt 1

Key Changes to Diversion Criteria

- Bend Bridge Pulse Protection
 - Revised to base on projected flows
 - Includes off-ramp to allow for diversions with the 7-day pulse protection if flows are at or over 29,000 cfs at Bend Bridge
- Wilkins Slough Bypass Criteria
 - Revised to 10,700 cfs October 1 through June 14; 5,000 cfs September (not diverting from June 15 to end of August)
- Fremont Weir Notch Protection
 - No longer included. Revised Wilkins Slough criteria and Bend Bridge pulse protection provide protections for Fremont Weir Notch

Single Operational Criteria

- Final EIR/EIS continues to include a single operational criteria applied to all alternatives
- Operational criteria have been refined over time to be protective of fish
 - Multiple operational criteria have been considered over the life of the Project
- Single criteria allows for comparison of alternatives on a similar basis with operational criteria that meet the Project objectives to be cost-effective while being protective of fish
 - Inconsistent with CEQA to analyze alternatives that don't meet objectives and are not feasible

Incorporation of Mitigation Measure Fish-2.1 into Project

- RDEIR/SDEIS
 - Included Mitigation Measure FISH-2.1 to reduce potential effects on salmonids by increasing the bypass flow requirement at Wilkins Slough
 - Minimum bypass flow requirement of 10,700 cfs at Wilkins Slough in March-May
- Final EIR/EIS
 - Bypass flow requirement at Wilkins Slough has been revised (see previous slide)
 - Bypass flow requirement is an integral component of Project operates
 - Modeling performed for the Final EIR/EIS includes the revised diversion criteria
 - Eliminates the need for Mitigation Measure FISH-2.1 in the Final EIR/EIS

Revised Modeling in the Final EIR/EIS

- Shasta Lake Operations – Expanded exchanges to include more opportunities for fall flow stability and spring pulse enhancement
- Deadpool Volume – Reduced from generally 120 TAF to 60 TAF
- Delta Salinity Accounting – Slightly refined based on revisions to Calsim II coding
- Period of Diversion to Sites Storage – Revised to only include Sept 1 to June 14 to match water right application
- South of Delta Water Delivery – Revised to allow in any year that capacity is available (previously limited to below normal, dry and critically dry years)
- Updates to Diversion Criteria – Revised diversion criteria incorporated

Minor Facility Refinements

- The RDEIR/SDEIS identified possibility of refinements to facilities
- Final EIR/EIS includes:
 - Sloped rather than vertical Inlet/Outlet (I/O) Tower
 - Single 32' diameter I/O tunnel replaces two 23' tunnels
 - Removal of two emergency release structures, eliminating emergency drawdown releases to Hunters Creek

Next Steps in Briefing Process

- March 2023, Part 2 of 3
 - Overview of key comments and master responses
 - Ongoing public and local community outreach
 - Ongoing tribal outreach and AB 52 consultation
 - Overview of any refinements to impacts and mitigation measures
- April 2023, Part 3 of 3
 - Overview of Findings, Statement of Overriding Considerations and MMRP
 - Request approval to publish Final EIR

Final EIR Certification Targeted for May 2023

- May 2023, Board Hearing
 - Any last items
 - Reminders on Findings, Statement of Overriding Considerations and MMRP
 - EIR Certification
 - Decision to Approve Project
 - Next Steps
 - Local considerations with MOUs and Local Community Working Group
 - Tribal considerations with MOA and Tribal Working Group

Work Group Charter Documents

Ali Forsythe

Updates to Charter Documents

- **Work Group Charter Document**
 - Sets the foundation for all work groups
 - Key change
 - Authority Board members can be work group members
 - Quorum based on quorum limits for Reservoir Committee and Authority Board, respectively
 - Charter encourages active participation in the work groups
- **Environmental Planning and Permitting Work Group Charter Document**
 - Updated to reflect meeting frequency of every other month
 - No other major changes

What Does Good Look Like?

Are these meetings valuable to you? Do they further your understanding of the Project?






What do you like most / least? What would you like to see more of / less of?

Are there other topics / issues that you would like to see addressed in the work group?

Environmental Planning and Permitting Manager Report

Ali Forsythe

Dashboard Update

Deliverable	Finish	Status	Notes, New or Potential Issues
Water Right Application			
• Submit to State Board	May-22		Application Submitted May
• Complete Protest Resolution Period	Oct-23		Date adjusted to incorporate time for information request from State Board
• Receive Water Right Permit	Sept-24	N/S	
Federal ESA			
• Reclamation Initiates Consultation	Mar-23		Date adjusted
• Receive BiOps	Nov-23	N/S	Date adjusted
State ITPs			
• Receive Construction ITP	Oct-23		Date adjusted
• Submit Operations ITP to CDFW	Mar-23		Date adjusted to incorporate review time
• Receive Operations ITP	Nov-23	N/S	

N/S = Not Started;  = On track;  = Area of Potential Concern;  = Delayed;  = Completed

Dashboard Update

Deliverable	Finish	Status	Notes, New or Potential Issues
Section 106 – Cultural Resources			
• Final Programmatic Agreement	Aug-23	●	
• Programmatic Historic Properties Management Plan	Jun-23	●	Ongoing meetings and coordination
Clean Water Act 404/401			
• Submit Final Permit Applications	May-23	●	
• Receive 404 and 401 Permits	May-24	●	
Streambed Alteration Agreement			
• Prepare and Submit Application	Mar-23	●	Date adjusted for review time
• Receive Master Agreement	Sept-23	●	
Eagle Permit			
• Short-Term and Nest Take Permits Issued	Mar-23	●	
• Long-Term Permit Issued	Mar-24	●	

N/S = Not Started; Green = On track; Yellow = Area of Potential Concern; Red = Delayed; Blue = Completed

Dashboard Update

Deliverable	Finish	Status	Notes, New or Potential Issues
Final EIR/EIS			
• Complete Final EIR/EIS	May-23	●	
• Certify Final EIR/EIS and approve preferred project and MMRP	May-23	●	

N/S = Not Started; **Green** = On track; **Yellow** = Area of Potential Concern; **Red** = Delayed; **Blue** = Completed

Upcoming Meetings

- Next Work Group Meeting –
April 12, 2023, 10 to 11 AM
 - Topics –
 - Continued Final EIR/EIS briefings
 - Water right permit status
- Other upcoming meetings
 - Reservoir Operations and Engineering Workgroup
 - Wednesday, February 8, 2023 - 1:30 PM to 3:30 PM
 - Joint Reservoir Committee and Authority Board
 - Friday, February 17, 2023 - 9:00 AM to 12:00 PM
 - Environmental Planning and Permitting Workgroup
 - Wednesday, April 12, 2023 - 10:00 AM to 11:00 AM

Thank you!



Final EIR/EIS Status

- Administrative Final EIR/EIS currently under review
- Final EIR/EIS anticipated in May 2023
- First of three briefings on the Final EIR/EIS prior to Board action includes:
 - Review of Final EIR/EIS Content and Format
 - Overview of Project Refinements
 - Preferred Alternative
 - Comparison of RDEIR/SDEIS and Final EIR/EIS Operational Criteria
 - Mitigation Measure Fish-2.1
 - Facility Refinements
 - Revisions to diversion criteria and associated modeling