

Environmental Planning and Permitting Work Group

April 12, 2023



Agenda

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

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

Ali Forsythe and Laurie Warner Herson

Final EIR/EIS Briefings in Preparation for Approval of Project

- February 2023, Part 1 of 3
 - 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, tribal and NGO outreach
- April 2023, Part 3 of 3
 - Overview of refinements to impacts and mitigation measures; Mitigation Monitoring and Reporting Program
- May 2023, Part 3 of 3, continued
 - Overview of Findings and Statement of Overriding Considerations
- June 2023, Board Hearing
 - Any last items and next steps post EIR
 - EIR Certification
 - Decision to Approve Project

Determination of Impacts

- Lead Agency must consider direct and indirect effects
- Impacts determined by comparison to baseline physical conditions
- Impact determinations:
 - No impact – No change
 - Less-than-significant impact – No substantial adverse change
 - Less than significant with mitigation – Implementation of one or more mitigation measures would reduce the impact to a less-than-significant level
 - Significant and unavoidable impact – A potentially substantial adverse change in the physical conditions of the environment would result AND mitigation is not feasible or would not reduce impact to less than significant

Summary Statistics

- EIR/EIS provides an evaluation of impacts:
 - For all 3 alternatives
 - In 33 resource areas/chapters
 - 123 impact determinations in total

Impact Determination	# of Impacts With this Determination in the Final EIR/EIS	
	Alternative 1 & 3	Alternative 2
No Impact	6	6
Less than Significant	88	85
Less than Significant with Mitigation	11	13
Significant and Unavoidable	18	19
Total	123	123

Resource Areas with No Impacts or Less-than-Significant Impacts

- Surface Water
- Fluvial Geomorphology
- Groundwater Resources
- Minerals
- Recreation
- Energy
- Noise
- Population and Housing
- Public Services and Utilities
- Public Health and Environmental Hazards

Summary of Significant + Significant and Unavoidable Impacts

Chapter (# and Title)	Significant Impacts Requiring Mitigation	Significant and Unavoidable Impacts
6. Surface Water Quality	All Alts – Construction effects related to potential to degrade surface water quality due to methylmercury; operational effects related to potential to degrade surface water quality due to methylmercury, metals and pesticides	All Alts – Increased methylmercury concentrations downstream of Sites Reservoir
9. Vegetation and Wetlands	All Alts – Construction effects on special-status plant species, wetlands, and potential conflicts with HCP/NCCP; operational effects on special status plant species, riparian habitat or other sensitive natural community, and wetlands	All Alts – Construction related effects to oak woodlands, primarily in the reservoir inundation area
10. Wildlife	All Alts – Construction effects on special-status species, potential conflicts with local policies and HCPs/NCCPs, interference with movement of species / wildlife corridors; operational effects due to use of pesticides and herbicides, interference with movement of species / wildlife corridors	All Alts – Construction related effects to golden eagle; interference with movement of native or migratory wildlife species or with established wildlife corridors

Summary of Significant + Significant and Unavoidable Impacts (cont)

Chapter (# and Title)	Significant Impacts Requiring Mitigation	Significant and Unavoidable Impacts
11. Aquatic Biological Resources	All Alts – Construction effects on special-status fish; operational effects on Delta and longfin smelt	None
12. Geology, Soils, Paleontology	All Alts – Construction effects on paleontological resources	Alt 1 & 3 – Paleontological resource impacts due to construction method for TRR East
14. Land Use	No feasible mitigation identified	Alt 2 – South Road (no bridge) physical divides Lodoga and Maxwell
15. Agricultural Resources	All Alts – Conversion of farmlands and Williamson Act lands	All Alts – Permanent conversion of farmland and Williamson Act Lands
18. Navigation, Transportation and Traffic	No feasible mitigation identified	Alt 2 – South Road (no bridge) will add substantial travel time for school bus travel to Lodoga (from 30 to 50 minutes)
20. Air Quality	All Alts – Increase in criteria pollutant for which region is nonattainment during construction; recreational boat emissions during operations	All Alts – Increase in criteria pollutant for which region is nonattainment during construction

Summary of Significant + Significant and Unavoidable Impacts (cont)

Chapter (# and Title)	Significant Impacts Requiring Mitigation	Significant and Unavoidable Impacts
21. Greenhouse Gas Emissions (GHG)	All Alts – Develop a GHG Reduction Plan to achieve net-zero emissions during construction and operations	None
22. Cultural Resources	All Alts - Impacts to historic/archaeological resources that will be addressed through identification, avoidance, protection and data collection	All Alts – Permanent loss of historic and archaeological resources due to construction, inundation and wave action
23. Tribal Cultural Resources	All Alts –Although not yet formally evaluated, the Authority has determined certain sites to be tribal cultural resources pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.	All Alts – Permanent loss of tribal cultural resources due to construction, inundation and wave action
24. Visual Resources	All Alts – No feasible mitigation identified	All Alts – Inundation substantially degrades the existing visual character Alt 2 – Sacramento River discharge structure substantially degrades the existing visual character

Refinement to Impacts – Aquatics Chapter

- 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 revised to 10,700 cfs at Wilkins Slough Oct-June
 - Bypass flow requirement is an integral component of Project operations and incorporated into project description rather than mitigation
 - 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
- Impacts now less than significant
 - Impact FISH-2, winter-run Chinook salmon
 - Impact FISH-3, spring-run Chinook salmon
 - Impact FISH-4, Central Valley steelhead

Other Minor Refinement to Impacts

- Only minor revisions have been made to 14 of the impact statements for clarification purposes
- Minor adjustments in impact analysis due to revised modeling
- No new or substantial greater impacts identified

Refinement to Mitigation Measures

- Mitigation Measure FISH-2.1 eliminated in the Final EIR/EIS
- Only minor changes, clarifications, additions to a few other mitigation measures
- No other major changes to mitigation measures
- No additional mitigation required

Refinement to Best Management Practices

- Numerous best management practices (BMPs), management plans and studies incorporated as part of the Project
- Refinements in the Final EIR/EIS include:
 - BMP-16, Traffic Management Plan – Added more detail on prohibiting construction traffic in the community of Maxwell while allowing construction traffic along Old Highway 99
 - Reservoir Management Plan – Added more detail on approach to water quality monitoring, fish sampling, and studies

Mitigation Monitoring and Reporting Program (MMRP)

- Required under CEQA
- MMRP identifies
 - Impact and required mitigation
 - Timing for implementation
 - Responsible party (Authority as CEQA lead agency ultimately responsible but can delegate to contractors)
- MMRP would be adopted by Board after EIR certification

Next Steps for Implementing Mitigation

- Mitigation implementation strategy to clearly identify how all mitigation measures will be implemented
 - Measures implemented directly by Authority or delegated to contractors
 - Roles and responsibilities and decision-making process for implementing mitigation
 - Reporting process, timelines, and tracking system
 - Auditing process to ensure mitigation is being implemented
- Begin development later this calendar year
- Important to complete prior to issuance of any construction contract (including Dams CMAR package)

Next Steps in Briefing Process

- May 2023, Part 3 of 3 (continued)
 - Overview of Findings and Statement of Overriding Considerations






Final EIR Certification Targeted for June 2023

- June 2023, Board Hearing
 - Any last items
 - EIR Certification
 - Adoption of Findings, Statement of Overriding Considerations and Mitigation, Monitoring and Reporting Program
 - Decision to Approve Project
 - Next Steps
 - Local considerations with MOUs and Local Community Working Group
 - Tribal considerations with MOA and Tribal Working 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	Jan-24		Date adjusted
• Receive Water Right Permit	Dec-24	N/S	Date adjusted
Federal ESA			
• Reclamation Initiates Consultation	April-23		On-going discussions with Reclamation
• Receive BiOps	Dec-23	N/S	
State ITPs			
• Receive Construction ITP	Nov-23		
• Submit Operations ITP to CDFW	April-23		
• 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	●	
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	April-23	●	
• Receive Master Agreement	Oct-23	●	
Eagle Permit			
• Short-Term and Nest Take Permits Issued	April-23	●	Received and evaluating
• 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	June-23	●	Date adjusted
• Certify Final EIR/EIS and approve preferred project and MMRP	June-23	●	Date adjusted

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

Upcoming Meetings

- Next Work Group Meeting –
May 10, 2023, 10 to 11 AM
 - Topics –
 - Continued Final EIR/EIS briefings
 - Reimbursable Agreement with NMFS
- Other upcoming meetings
 - Joint Reservoir Committee and Authority Board
 - Friday, April 21, 2023 - 9:00 AM to 12:00 PM
 - Environmental Planning and Permitting Workgroup
 - Wednesday, May 10, 2023 - 10:00 AM to 11:00 AM

Thank you!



Additional Analysis of GHG

- Comments received from EPA
 - Include an estimate of greenhouse gas emissions generated as a result of inundating the lands in the reservoir footprint
- Appendix 21A – Greenhouse Gas Support
 - Identifies net increase in emissions resulting from the change in land use in the inundation area
 - Other activities, features, and/or mitigation measures that may result in an emissions benefit but are not currently accounted for
 - No change in impact determination - still achieve net-zero Emissions through a GHG Reduction Plan

Alternative 3 Impacts

- Alternative 3 has been identified as the Authority's preferred project
- Significant and unavoidable impacts that would be avoided under Alternative 3 include land use and traffic conflicts associated with the South Road
- Significant and unavoidable impacts associated with paleontological resources could also be avoided if TRR West replaces TRR East as part of Alternative 3

Other Minor Refinement to Impacts

- Only minor clarifications have been made to the following impact statements:
 - Impact HYDRO-1
 - Impact VEG-2
 - Impact VEG-3
 - Impact WILD-2
 - Impact FISH-1
 - Impacts AQ-4a, 4b, and 4c
 - Impact AQ-5
 - Impact CULT-1
 - Impact CULT-2
 - Impact TCR-1
 - Impact HAZ-2
 - Impact HAZ-3
 - Impacts HAZ-5a, 5b, 5c, and 5d
 - Impact HAZ-8
- No new or substantial greater impacts identified that would require recirculation

Mitigation Monitoring and Reporting Program

- CEQA (Guidelines Section 15097) requires that a lead agency adopt a program for monitoring or reporting on the measures it has imposed to mitigate or avoid significant environmental effects to ensure that the mitigation measures are implemented.
- Sites Mitigation Monitoring and Reporting Program (MMRP) under development and identifies:
 - Impact and mitigation required
 - Timing for implementation
 - Responsible party
- MMRP would be adopted after EIR certification