

Ad-Hoc Environmental Planning and Permitting Work Group

May 17, 2021



Agenda

- Revised Draft EIR/Supplemental Draft EIS
 - Part 2 EIR/EIS Briefing
- Permitting
 - Water Rights Application Update
 - BA/ITP Construction Impacts Overview
- Mitigation Cost Estimate
- Schedule and Dashboard Update
- Upcoming Priorities and Timing of Next Meeting

RDEIR/SDEIS – Part 2

Briefing

Laurie Warner Herson / Nicole Williams



Discussion Goals

- Review key components of the RDEIR/SDEIS and receive input and feedback in preparation for the public release in August 2021
 - Project Commitments
 - Key Preliminary Findings in the Construction-related Chapters
 - Chapters with impacts requiring mitigation
 - Chapters with significant and unavoidable impacts
 - Local Issues and Considerations

Project Commitments

- Part of the Project Description, important commitments
- Must be developed / implemented
- Best Management Practices (BMPs)
 - Design Standards (e.g., AASHTO, ASTM)
 - Site Evaluations (e.g., well decommissioning, environmental site assessments, utility verification and relocation)
 - Construction BMPs (e.g., SWPPP, SPCCPs, WEAP)
 - Maintenance and Operation BMPs (e.g., HMMPs)
- Plans (examples, not all inclusive)
 - Reservoir Management Plan
 - Land Management Plan
 - Cultural Resources Management Plan
 - Traffic Management Plan
 - Recreation Management Plan
 - Adaptive Management Plan and Technical Studies

Example: Reservoir Management Plan

- Purpose
 - Describes the management of water resources in Sites Reservoir, including monitoring water quality, fisheries management, and vector management
- Includes
 - Metrics, standards, testing and monitoring protocols, guidelines for water quality measurements, and the frequency and location of measurements in the reservoir, the source water, and the reservoir discharge
- Constituents currently included
 - Harmful Algal Blooms (HABs)
 - Methylmercury
 - Metals
 - Water Temperature
 - Salt and Minerals (Salt Pond)

Example: Cultural Resources Management Plan

- Purpose
 - Describes procedures for avoiding and minimizing the Project's known or potential impacts on cultural resources
- Includes
 - Phased Identification Procedure
 - Cemetery Relocation
 - Burial Treatment Procedures
 - Built Environment Treatment Procedures
 - Archaeological Treatment Procedures
 - Post-Review Discovery Procedures

Administrative Draft Chapter Development

Summary of Current Draft Chapter Deliverables

Deliverable	Deliverable Date	Number of Chapters/Appendices
Batch 1A	December 2020	20
Batch 1B	January 2021	8
Group 1	May 5, 2021	16

Preliminary Determinations – Chapters with Impacts Requiring Mitigation

- Vegetation and Wetlands
- Wildlife
- Geology and Soils
- Agricultural Resources
- Tribal Cultural Resources

Preliminary Determinations – Chapters with Significant Unavoidable Impacts

- Vegetation and Wetlands
- Wildlife
- Geology and Soils
- Agricultural Resources
- Land Use
- Cultural Resources
- Visual Character and Quality
- Tribal Cultural Resources
- Transportation and Traffic
- Environmental Justice

Construction-related Chapters Not Yet Completed

- Some construction-related chapters still in development and not included today
 - Air Quality
 - Greenhouse Gas Emissions

Local Issues and Considerations

- CEQA / NEPA focused on the physical changes in the environment
- Captures some (i.e., traffic) but not ALL local issues / considerations
- For example:
 - Increased call volume for local fire and law enforcement due to construction and O&M (Authority safety and security needs and increased recreationists)
 - Increased students from families that move to the area for permanent O&M jobs
- Will need to work with local agencies to address these items outside of the CEQA process
- Re-initiated meetings with local agencies to discuss their concerns and work towards mutually agreeable solutions

Administrative Draft Chapter Continued Development

- May 24, 2021 Group 2 Submittal
 - Remaining chapters including revised Batch 1A and 1B chapters/appendices
- May 31, 2021 Group 3 Submittal
 - Last set of chapters and appendices
- Summer 2021
 - Revise and Prepare Public Document

Process for Approval of Release of the Supplemental Draft EIR

- April – Part 1 Overview
 - CEQA overview and process presentation
- May – Part 2, Key Sections
 - Construction-Related Sections and Local Issues
- June – Part 3, Key Sections
 - Operations-Related Sections, [Growth Inducement](#) and Cumulative
- July – Request approval
 - Request approval from the Reservoir Committee and Authority Board for release of the public RDEIR in August
- August 2021 - Release of RDEIR
 - Schedule assumes parallel review and release of SDEIS as joint document

Permitting

Discussion Goals

- Water Rights Application Update
 - Update on Discussions with SWRCB
 - Review of Key Parameters for Application
 - Assignment of Colusa Reservoir Complex Filing
 - Place of Use
 - Purpose of Use
 - Points of Diversion and Rediversion
- BA/ITP Construction Impacts
 - Effects Approach
 - Difference between EIR/S and BA/ITP analysis
 - Effects to Species and Mapped Habitat
 - Mitigation

Water Rights Application Update

John Spranza



Water Rights Application Update

- SWRCB Meeting Update
 - Last meeting 4/22
- Board Staff agreed on Purpose of Use
 - Consistent with CVP and SWP
- Board Staff provided a .pdf version of the application for the Authority
- Authority staff and consultants provided a side-by-side comparison of the A025517 (Colusa Reservoir) filing with Site's proposed filing for discussion
- Agreed to establish standing monthly coordination meetings

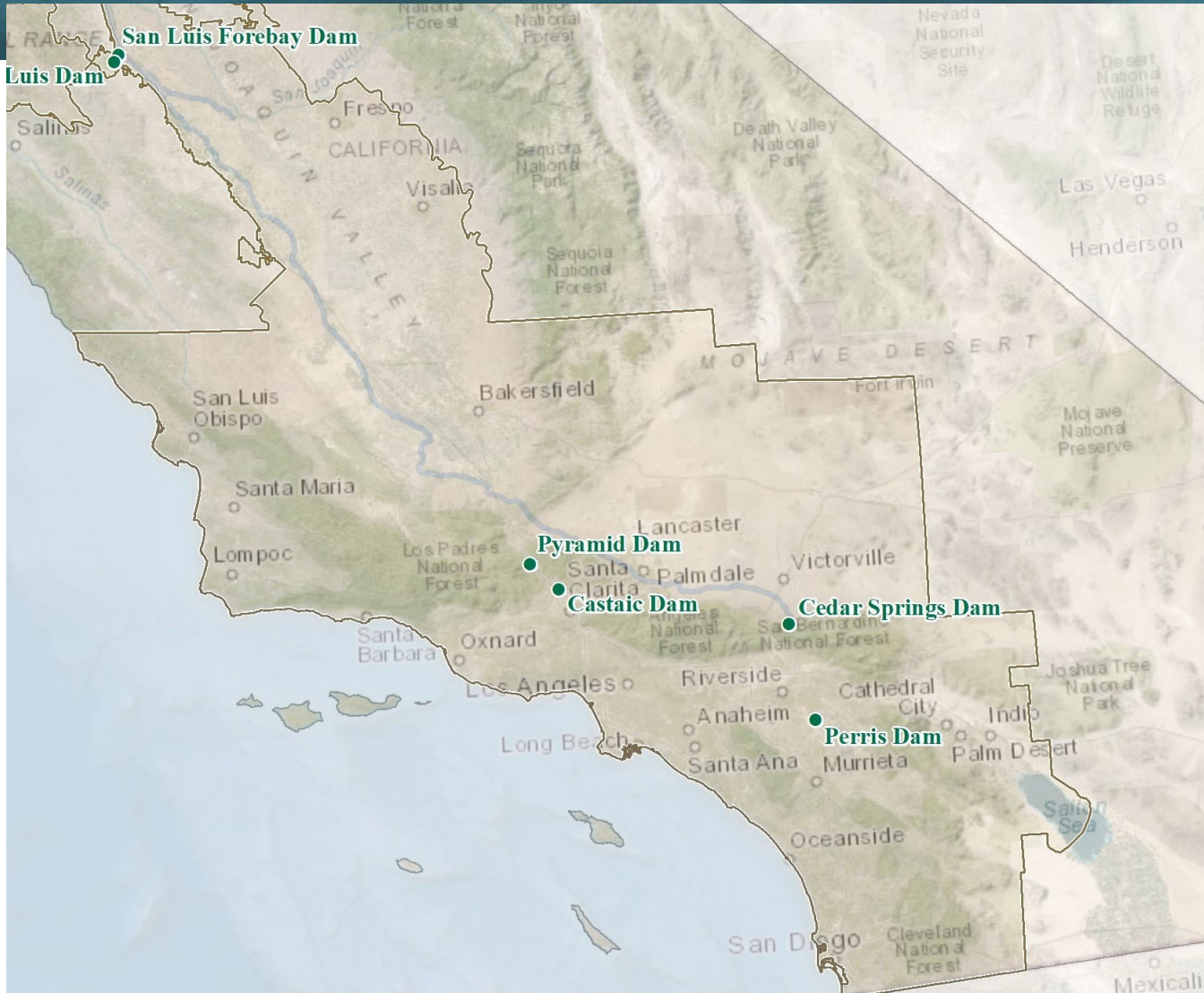
Place of Use

- Area where water diverted to storage could subsequently be used
- Place of Use:
 - Sites Reservoir, associated facilities and recreation areas
 - CVP and SWP place of use upstream of the Delta where water from Sites Reservoir can physically be delivered
 - All areas of Colusa County where water from Sites Reservoir can physically be delivered
 - Entire CVP and SWP area of export
- Place of use includes Yolo Bypass

Place of Use



Place of Use



Purpose of Use

- How water diverted into Sites Reservoir would subsequently be used
- Added stockwatering based on discussions with Reclamation
- Purpose of Use:
 - Irrigation
 - Domestic
 - Municipal
 - Industrial
 - Water Quality
 - Recreational
 - Fish and Wildlife Preservation and Enhancement
 - Incidental Power Generation
 - Stockwatering

State Filing Approach

- Petition to amend and assign A025517 (Colusa Reservoir)
 - Include as part of petition: full Application package to describe current project
- Likely to include request release from priority
 - A025514 (Glenn Reservoir)
 - A025513 (Glenn Reservoir - power)

Points of Rediversion

- Waterways where water previously diverted for the project could be re-diverted
- Survey is going out to participants to capture all
- Current Points of Rediversion:
 - North Bay Aqueduct
 - Contra Costa's facilities
 - Reclamation's Rock Slough Intake
 - SWP Delta and South-of-Delta facilities
 - CVP Delta and South-of-Delta facilities

Water Right Upcoming Activities

- Continue preparation of water right application
 - Assignment for A025517 and request for release of priority for A025513 and A025514
 - Review operational models
 - Complete Water Availability Analysis
- Legal review of draft application
 - September
- Authority review of draft application
 - Early November
- Authority approval of water right application
 - Late November
- Submit application
 - December

BA/ITP Construction Impacts

Ellen Berryman



BA and ITP Construction

- BA and ITP standards for issuance of take authorization, differences
- Differences between BA/ITP and EIR/S
- Challenging BA/ITP species and reasons
- Refining impacts and mitigation



Listed Species Considered - Construction

Listed Species	Federally Listed: Minimize and Assure No Jeopardy	State Listed: Minimize and Fully Mitigate
Keck's checker-mallow	Endangered	
Palmate-bracted bird's beak	Endangered	Endangered
Vernal pool crustaceans	1 Threatened; 2 Endangered	
Valley elderberry longhorn beetle	Threatened	
California red-legged frog	Threatened	
Giant garter snake	Threatened	Threatened
Tricolored blackbird		Threatened
Swainson's hawk		Threatened
Crotch and western bumblebees*		Candidate (in litigation)

Notes: *Not listed in 2017; Currently in litigation: engaging Sites Legal Team on how to proceed with these two species.

BA/ITP and EIR/S Differences

- EIR/S addresses more species (not just state or federally listed)
- EIR/S states minimum mitigation ratios and notes that ratios may increase through the BA/ITP process with USFWS and CDFW coordination



More Challenging Listed Species

Listed Species	Fed	State	Preliminary Impact Acres Permanent	Preliminary Impact Acres Temporary
Keck's checker-mallow	E		10,094	700
Palmate-bracted bird's beak	E	E	21	8
Vernal pool crustaceans	T, E		367	(all treated as permanent)
Valley elderberry longhorn beetle	T		13,535	983
California red-legged frog	T		287 Aquatic/6,785 Upland	18 Aquatic/347 Upland
Giant garter snake	T	T	2 Aquatic/26 Upland	21 Aquatic/19 Upland
Tricolored blackbird		T	13,487 Foraging/42 Nesting	1,043 Foraging/19 Nesting
Swainson's hawk		T	14,170 Foraging/1,083 Nesting	1,035 Foraging/50 Nesting
Crotch and western bumblebees*		C	14,104	992

Notes: *Not listed in 2017; Currently in litigation: engaging Sites Legal Team on how to proceed with these two species.

BA/ITP Construction Impacts

- Once property access is granted, impacts and mitigation requirements will be reduced with:
 - Ground truthing/ revised habitat mapping
 - Species surveys
 - Amending take authorizations

Mitigation Cost Estimate

Discussion Goals

- Current Planning Level cost estimate for resource mitigation
- Review resources covered by cost analysis
- Discuss approach, methods, and assumptions to develop cost
- Results – overall and by select resource categories

Resources Covered

- Scope of analysis included the resources covered in 2016 technical memorandum (TM)
 - Aquatic resources
 - Sensitive natural communities and wetland & non-wetland waters resources
 - Terrestrial wildlife resources/wildlife habitat
 - Surface water quality
 - Agricultural resources
 - Cultural resources
 - Paleontological resources
 - Air quality

Approach, Methods & Key Assumptions

- Cost developed in coordination with core mitigation team
- 2016 TM used as basis
- Review of current resource chapters & discussions with authors
- For terrestrial resources & land cover types
 - Outreach to experts in mitigation banking
 - Assumed 2:1 mitigation ratio & used median, per acre costs
 - Credit stacking (e.g., SWHA foraging habitat and rare plants stacked with annual grasslands)
- Cultural resources cost developed & reviewed by resource specialists
- Agricultural land cost based on preliminary outreach to Sites real estate team

DRAFT Mitigation Cost Estimate

Resource	Current Planning Level Cost (\$)
Aquatic Resources	\$ 46,500,000
Sensitive Natural Communities and Wetland & Non-Wetland Waters Resources	\$ 333,412,500
Terrestrial Wildlife Resources/Wildlife Habitat	\$ 123,090,500
Surface Water Quality	\$ 200,000
Agriculture & Forestry	\$ 58,756,750
Cultural Resources	\$ 13,303,500
Paleontology	\$ 536,800
Air Quality	\$ 250,000
Total	\$ 576,050,050

- Estimate is draft – additional refinements underway

Comparison to Value Planning Estimate

Resource	February 2020 Value Planning Estimate (\$)	Current DRAFT Planning Level Cost (\$)
Aquatic Resources	\$56,000,000	\$46,500,000
Sensitive Natural Communities and Wetland & Non-Wetland Waters Resources	\$174,800,000	\$333,412,500
Terrestrial Wildlife Resources/Wildlife Habitat	\$53,000,000	\$123,090,500
Surface Water Quality	\$200,000	\$200,000
Agriculture & Forestry	\$31,000,000	\$58,756,750
Cultural & Paleontological Resources	\$35,000,000	\$13,840,300
Air Quality	\$200,000	\$250,000
Riverine-Based Species and Habitats (operations)	\$150,000,000	N/A*
Contingencies and Forward Escalation	\$40,000,000	N/A
Total	\$540,000,000	\$ 576,050,050

* Operational mitigation costs are included in the above categories where applicable

Aquatic Resources

- Affects analysis is ongoing; therefore, specific mitigation requirements due to operations and/or maintenance effects have not been identified
- Aquatics mitigation cost from 2016 TM used as a placeholder
- One specific project identified: Tidal Habitat Restoration for Longfin Smelt
- Variation from Value Planning estimate (- \$9.5M) - current estimate used 2016 TM cost

Sensitive Natural Communities and Wetland & Non-Wetland Waters Resources

- Total cost estimated at \$333M
- Unit cost based on median estimated cost for 1 acre of mitigation bank credit
- A 2:1 mitigation ratio was assumed for all affected land cover types
- Sensitive natural communities were mapped based aerial imagery interpretation; on the ground surveys have not been performed
- When each parcel is available for surveys, initial land cover type mapping will be field-truthed
- Variation from Value Planning estimate (+ \$159M) - Unit cost of current estimate used mitigation bank pricing

Terrestrial Wildlife Resources/Wildlife Habitat

- Credit stacking with sensitive natural communities, where appropriate
 - Example: SWHA foraging habitat and rare plants stacked with annual grasslands
- Vernal pool branchiopods
 - Cost assumes presence; assumed 1/3 of modeled habitat would be required as mitigation
 - Using this approach, vernal pool mitigation approximately \$77M
 - Modeled habitat to be verified; surveyed to determine presence/absence
- CRLF
 - Cost assumes presence, aquatic mitigation approximately \$16M
 - Funks Reservoir removed
 - Upland credits stacked with other cover types
- Variation from Value Planning estimate (+ \$70M) - primary increase was inclusion of current mitigation bank cost for modeled vernal pool habitat

Agricultural Lands

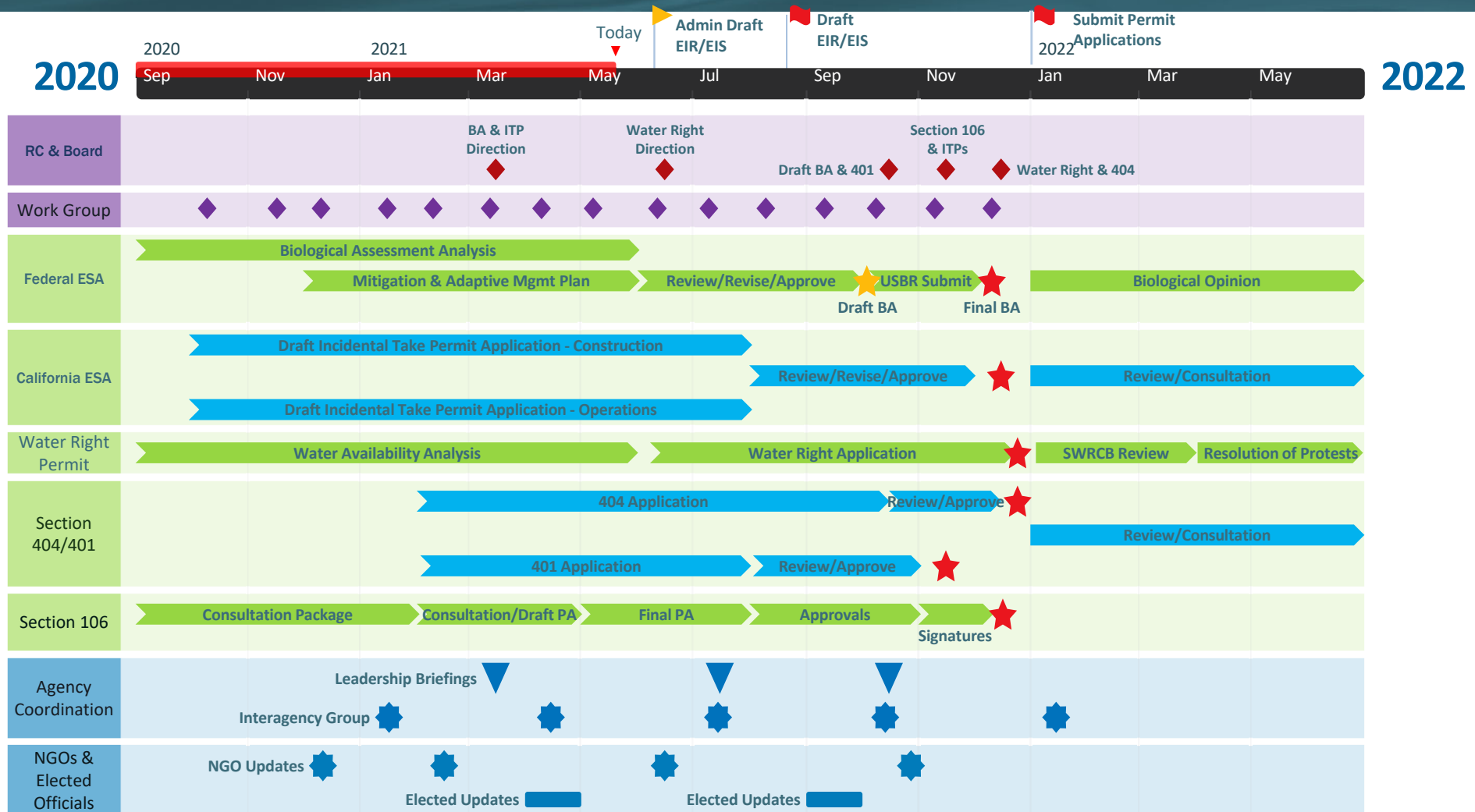
- RDEIR/SDEIS Mitigation Measures
 - Purchase Agricultural Conservation Easements to Preserve Regional Important Farmland
 - 304 acres in Colusa County, none in Glenn or Yolo Counties
 - Minimize impacts on Williamson Act-Contracted (WAC) Lands, Comply with Government Code Sections 51290–51293, and Coordinate with Landowners and Agricultural Operators
 - Considers land under WAC to be permanently disturbed, remnant parcels below County thresholds, and WAC contracts rescinded
- Variation from Value Planning estimate (+ \$38M) - current estimate may include values that are a real estate cost

Next Steps

- Continue to work with technical team to refine effects and assumptions
- Continue working with design teams to avoid and minimize effects through design refinements
- Work with agencies to solidify mitigation ratios
 - Ensure proper consideration for landscape-level mitigation is reflected in our ratios

Schedule and Dashboard Update

Schedule Update







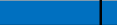
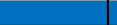
















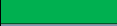
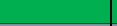
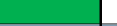




















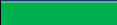










Dashboard Update

Key

- Prepared:** Internal work by team
- Presented:** Provided to agencies for review
- Reviewed:** Reviewed and discussed with agencies
- Revised:** Agency comments considered and addressed
- Resolved:** Agency issues/concerns discussed and resolved
- Deferred:** Deferred to further negotiations after application
- Confirmed:** Agencies have confirmed acceptance/agreement

- Complete** Activity completed
- In Process** Activity in progress
- Challenge** Team and agencies discussing how to resolve issues
- Roadblock** Significant issues slowing progress; escalation may be needed

Permit	Summary Status	Permit Topics/Considerations	Agreement Status with Agencies						
			Prepared	Presented	Reviewed	Revised	Resolved	Deferred	Confirmed
Biological Assessment/ Biological Opinion Reclamation USFWS NMFS		Project Description							
		Species List							
		Terr. Species Modeling Approach							
		Aquatic Species Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
		Essential Fish Habitat Analysis							
		Construction Effects Analysis							
		Aquatic Effects Analysis							
Mitigation and Adaptive Mgmt Plan									
Incidental Take Permit – Construction CDFW		Project Description							
		Species List							
		Species Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
Mitigation and Adaptive Mgmt Plan									
Incidental Take Permit – Operations CDFW		Project Description							
		Diversions Criteria							
		Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
Mitigation and Adaptive Mgmt Plan									
Water Right Permit SWRCB		Water Availability Analysis							
		Draft Water Right Application							
		Internal Review/Revise							
		Submit Water Right Application							

Dashboard Update

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Permit	Summary Status	Permit Topics/Considerations	Agreement Status with Agencies						
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Clean Water Act - Section 404 USACOE	●	Desktop Wetland Delineation							
		Pre-Application Meeting							
		LEDPA* Analysis							
		404 Permit Application							
		Compensatory Mitigation Plan							
		Internal Review/Revise							
		Approve/Submit 404 Application							
Clean Water Act - Section 401 SWRCB	●	Pre-Application Meeting							
		Draft 401 Application							
		Review/Revise							
		Approve/ Submit							
Section 106 Consultation Reclamation SHPO Tribes	●	Consultation Information Package							
		Phased Identification Work Plan							
		Draft Programmatic Agreement							
		Consultations							
		Final Programmatic Agreement Reviews							
		Final PA for signature							
		Execution							
EIR/EIS Reclamation & Cooperating Agencies	●	Project Description & Alternatives							
		Modeling Baseline & Approach							
		Fisheries Impacts							
		Tribal Cultural Resources							
		Terrestrial Impacts							
		Water Quality							
		Water Rights							
		Cumulative Impacts & GHGs							

Upcoming Permitting Work and Priorities – June/July

- BA/ITP:
 - Continue construction and operations analysis
 - Continue discussions on operations criteria and effects to species with agencies
 - Continue joint agency workshops
 - Resolve operations ESA consultation lead with Reclamation
- 404/401 – Continue discussions with USACE and State Board on delineation, permit approach, and coordination of activities
- Section 106 PA – Continue to prepare draft PA with Reclamation
- Water Rights – Continue Water Availability Analysis; continue discussions with State Board staff on approach and key parameters

Upcoming RDEIR/SDEIS Work and Priorities – June/July

- Continue NGO meetings
- Ongoing AB52 Consultation with Tribes
- Finalize operations-related analysis and chapter preparation
- Complete and review all other Administrative RDEIR/SDEIS Chapters
- Review of key chapters by Cooperating and Responsible agencies

Timing of Next Meeting

- Next meeting – June 7th 10am-12pm
 - Topics –
 - EIR/EIS – Part 3
 - Operations-related analysis
 - Cumulative and Growth Inducement
 - Permitting –
 - Section 404 and 401 application updates
 - Update on BA and ITP operations analysis

Thank you!



