

Ad-Hoc Environmental Planning and Permitting Work Group

July 12, 2021



Agenda

- Action Items from the Previous Meeting
- Revised Draft EIR/Supplemental Draft EIS
 - Air quality and water quality
 - Cumulative Analysis
 - NEPA required chapters
 - Public outreach and review
 - Authorization to release the RDEIR/SDEIS
- Permitting
 - Section 106 PA Update
- Schedule and Dashboard Update
- Upcoming Priorities and Timing of Next Meeting

Action Items

Ali Forsythe / Laurie Warner Herson / John Spranza

Action Items from Previous Meeting

1. Schedule a meeting with TCCA, CGID and Colusa county to discuss the environmental water releases into Funks and Stone Corral.
 - Meetings with TCCA and GCID have occurred
 - Meeting with Colusa County this week
2. Put together a 1 page brief on times and events that would prevent releases of Sites' water. For example, are there water quality conditions within the reservoir during low water years that would prevent the release of water to all participants.
 - Don't anticipate issues with releases for members when releasing above operational dead pool (120,000 AF)
 - Working on engineering solution for metal concerns when reservoir is low for releases into Stone Corral Creek
 - Possible metal and pesticide concerns with releases into Yolo Bypass; further study proposed and cease releases if detrimental to ecosystem

Action Items from Previous Meeting

3. Add discussion of GHG and air quality to the next meeting to review mitigation measures to ensure measures do not unnecessarily delay construction.
 - On agenda today
4. Develop a budget for anticipated legal costs.
 - Will discuss as part of Amendment 3 approach
5. Set up meeting to discuss Sites' effects on Oroville and Folsom recreation and discuss feedback from state project non-participants regarding their concerns. Meeting would be Jeff Davis, Rob Kunde and Ali.
 - Not yet scheduled
6. Provide an update on the NGO meetings at next meeting

NGO Meetings Key Topics

- Water Quality
 - Data sources and in reservoir and downstream effects
 - Temperature, mercury, herbicides and pesticides
 - Effects on rice production
- Fishery
 - Unimpaired Flows
 - Model types
 - Effects on salmonids and Delta
- Terrestrial Effects
 - Effects analysis
 - Land access restrictions
 - Effects to giant-garter snake
 - Mitigation approach

NGO Meetings Key Topics

- Trinity River
 - Effects of the Project on Trinity River
 - Water temperature and salmonid fishery
 - Humboldt Co 1959 Contract with Reclamation
 - Water right term
 - Reclamation's role / CVP water use in Sites
- Water Rights
 - Approach to water right application
- Prop 1
 - Ecosystem benefits quantification and WISP contract
 - How changes in Project change benefits

RDEIR/SDEIS

Laurie Warner Herson / Nicole Williams

Discussion Goals

- Final of 4 briefings on the RDEIR/SDEIS
- Review key components of the RDEIR/SDEIS and receive input and feedback
- Authorize staff to release the RDEIR/SDEIS when it is ready in August
- Authorize Executive Director to file Notice of Completion and complete other noticing requirements to initiate public review process

Air Quality Preliminary Determinations

Criteria Pollutants

- All Alternatives Construction:
 - Exceedance of the applicable thresholds for CCAPCD and GCAPCD for NO_x and PM₁₀ for multiple years
 - Exceedance of the applicable YSAQMD threshold for PM₁₀ for multiple years
- All Alternatives Operation:
 - Exceedance of applicable thresholds for CCAPCD for ROG emissions
 - No exceedance of applicable thresholds for GCAPCD; however, analysis considers reservoirs location on the border of CCAPCD and GCAPCD
 - Below thresholds for YSAQMD and TCAPCD
- BMPs are incorporated into analysis and modeling
- Significant and unavoidable impacts with implementation of Mitigation Measures

Air Quality Preliminary Determinations Health Risk – Modeling Continues

- All Alternatives Construction:
 - Temporary nature of construction activities and the distances to the nearest sensitive receptors
 - Would not expose sensitive receptors to substantial concentrations of toxic air contaminants
 - Less than significant for health risks
 - There are likely localized violations of the AAQS – modeling still in progress to determine the number of localized impacts. Significant unavoidable impact.
- All Alternatives Operation:
 - Would not result in substantial sources of Toxic Air Contaminants – not modeled
 - Less than significant
- BMPs are incorporated into analysis and modeling

Air Quality Construction BMPs & MMs

- Modeled BMPs:
 - Application of onsite controls such as Tier 4 engines and 2010 or newer model year trucks to reduce construction emissions
 - Implementation of a dust control plan, which would involve using soil stabilizers on unpaved road surfaces and watering visibly dry surfaces
- Mitigation Measures include:
 - **AQ-1.1:** Zero Emission and/or Near Zero Emission vehicles and off-road equipment
 - **AQ-1.2:** Offset Construction and Operation-Generated Criteria Pollutants in CCAPCD, GCAPCD, and YSAQMD
 - **AQ-2.1:** Recreational Boat Emissions Minimization Plan
 - **AQ-2.2:** Offset Operation-Generated Criteria Pollutants in CCAPCD and GCAPCD

GHG Preliminary Determinations

- All Alternatives construction and operations:
 - Would generate substantial emissions of GHGs that constitute a net increase in emissions
 - Would not meet the carbon-neutral threshold
- Mitigation Measure GHG-1.1: Achieve Net-Zero Emissions by Developing a GHG Reduction Plan
 - Reduction commitment of up to 348,796 metric tons CO₂e total for construction and up to 48,644 metric tons of CO₂e annually to meet the net zero performance standard
 - Allows flexibility to adapt to changing technologies that have increasing effectiveness at reducing emissions and/or changes in expected construction emissions or available mitigation approaches
 - On site measures first, then off site measures

Water Quality Updates

- Refined and Added MMs
 - **Mitigation Measure WQ-1.1:** Methylmercury Reduction
 - **Mitigation Measure WQ-2.1:** Prevent Metals Impacts in Stone Corral Creek Associated with Sites Reservoir Discharges
 - **Mitigation Measure WQ-2.2:** Prevent Net Detrimental Metal and Pesticide Effects Associated with Moving Colusa Basin Drain Water through the Yolo Bypass
- Refined significance determinations for some constituents
 - Methylmercury downstream SU (construction and operation)
 - Metals in Stone Corral Creek LTS w/mitigation (operation)
 - Metals/pesticides downstream (Yolo Bypass) LTS w/mitigation (operation)
- Overall determinations did not change

Cumulative Preliminary Determinations

- Approach
 - Considers closely related past, present, or reasonably foreseeable probable future projects
 - Project list developed and informed by modeling results
 - Each resource is evaluated
- Preliminary Cumulatively Considerable Impacts
 - WQ: mercury and methylmercury
 - Vegetation: loss of oak woodlands
 - Wildlife: effects to special status wildlife and changes in wildlife movement
 - Agriculture: loss of important farmland; cancellation of Williamson Act contracts
 - Air Quality: emissions during construction

NEPA-Related Topics

- Ch 28, Climate Change
 - Operations – No effect to beneficial effects
- Ch 29, Indian Trust Assets
 - Construction – No effect
 - Operations – No adverse effect
- Ch 30, Environmental Justice
 - All Alts Construction – substantially adverse effects associated with air quality and visual resources to minority and low-income populations
 - All Alts Operation – substantially adverse effects associated with air quality
 - Alt 2 Operations – substantially adverse effects associated with land use and transportation to minority and low-income populations
- Ch 30, Socioeconomics
 - Construction and Operation – No adverse effect to beneficial effect

Public Outreach and Review

- Currently in the planning stages
- Target release
 - Under CEQA on August 26
 - Under NEPA on September 3
- 60-day review period from September 3
- Public Meetings
 - 2 virtual meetings; 1 during day, 1 in evening
 - 1 in-person meeting in Maxwell

Request for Authorization to Release

- Currently making final revisions with Authority legal counsel and Reclamation
- Reclamation Executive review will begin on July 23 and conclude around August 26
- Document expected to be ready to release on August 26
- Request Work Group recommend to the Reservoir Committee to:
 - Authorize staff to release the RDEIR/SDEIS when it is ready in August
 - Authorize Executive Director to file Notice of Completion and complete other noticing requirements to initiate public review process

Process for Approval of Release of the Revised 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 and Growth Inducement
- July – Request approval
 - Cumulative
 - 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

Section 106 Programmatic Agreement

Danielle Risse/ Susan Lassell

Update

- Reclamation sent Section 106 consultation letters to Native American tribes on 4/5/21
- Reclamation sent Section 106 initiation package to the State Historic Preservation Officer (SHPO) on 6/3/21
- Reclamation is revising draft programmatic agreement (PA) provided by Authority
- Biweekly Section 106 work group meetings are ongoing with Reclamation and USACE staff

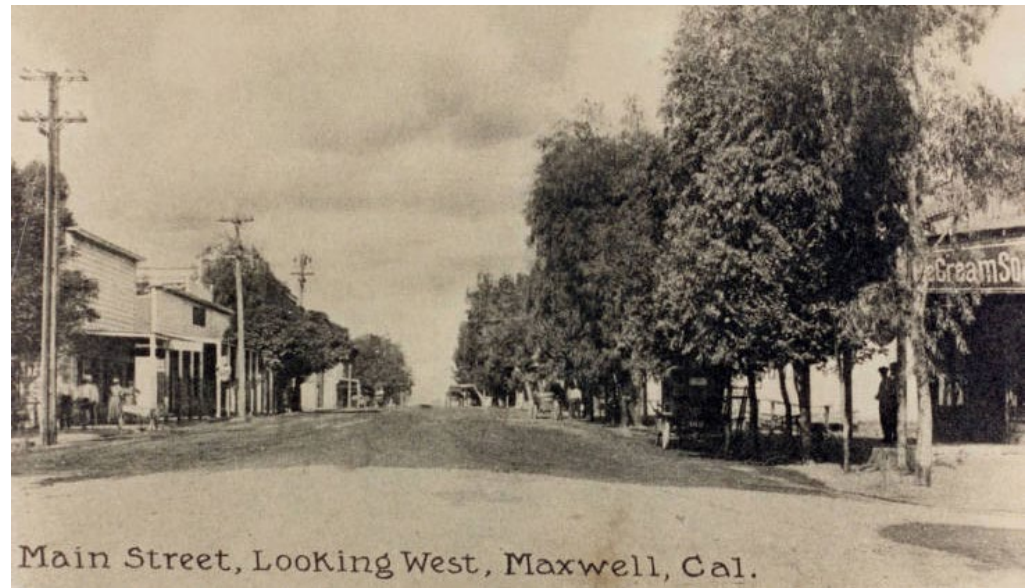


Image of Main Street, Maxwell, California, ca. 1927
Source: Sacramento Valley Museum.

Programmatic Agreement (PA)

The Authority will be an invited signatory to the PA and will implement the majority of measures outlined in the PA on the behalf of Reclamation

These measures may include:

- Delineation and revision of the Area(s) of Potential Effects as needed
- Preparation of signatory review documents
- Circulation of comments from signatories
- Maintaining documentation of the Section 106 compliance for each phase of work
- Assisting in the consultation with local agencies, interested non-governmental organizations, and individuals
- Development of management and treatment plans

Programmatic Agreement (PA) Commitments

1. Phased development of Area of Potential Effects (APE)
2. Phased identification of historic properties
3. Phased assessment of Project effects to historic properties
4. Phased resolution of adverse effects to historic properties
5. Development and implementation of a Programmatic Historic Properties Management Plan (PHPMP) to layout the protocols and procedures for implementing the above activities
6. Annual reporting on efforts completed under the programmatic agreement

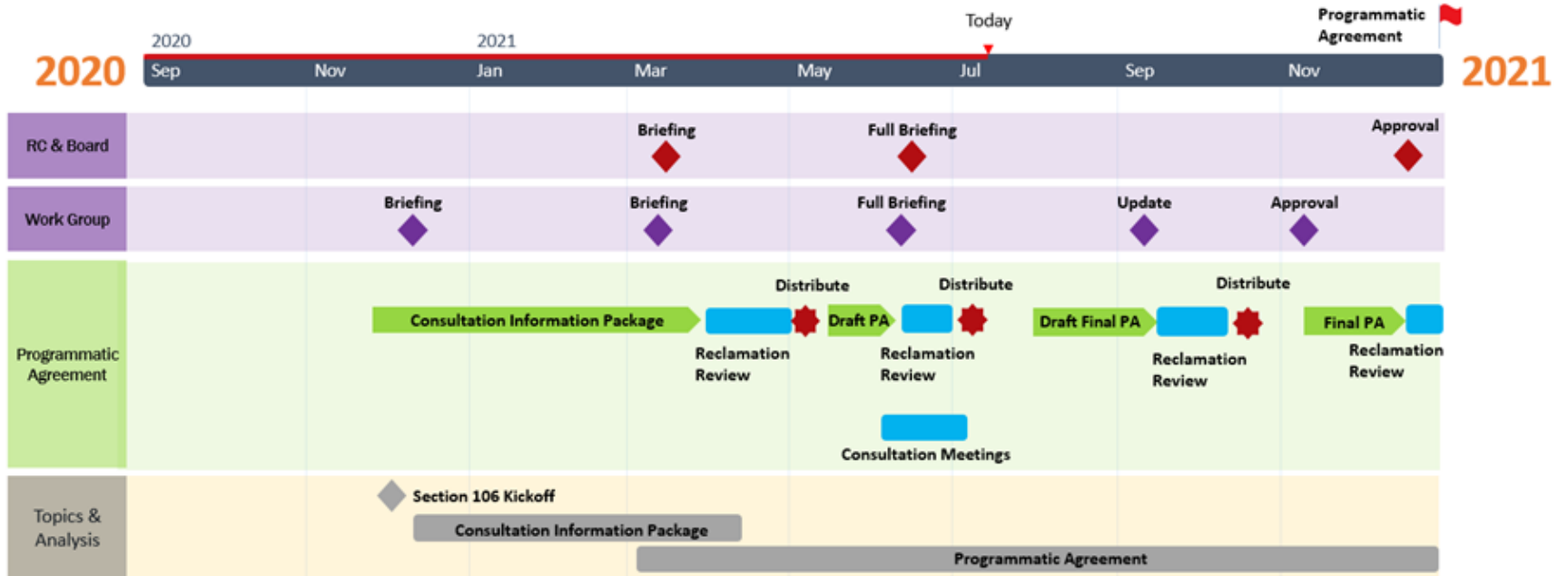
Programmatic Historic Properties Management Plan (PHPMP)

Draft PHPMP Outline (prepared by ICF; Reclamation has not yet reviewed):

1. Purpose
2. Summary of procedures
3. Timing
4. Responsible parties
5. Reporting requirements
6. Preconstruction:
 - a. Procedures for identifying APEs
 - b. Phased identification procedures
 - c. Cemetery Relocation Procedures
 - d. Resource Treatment Procedures
7. During construction:
 - a. Post-Review Discovery Procedures
 - b. Resource Construction Monitoring Procedures
 - c. Condition Assessments, Protections, and Repair of Inadvertent Damage Procedures and Implementation
8. Post construction:
 - a. Archaeological Operations Monitoring Procedures
 - b. Project Best Management Practices (such as Worker Environmental Awareness Program (WEAP))

Schedule

Section 106 Consultation



Next Steps and Upcoming Activities

- Reclamation to conduct additional outreach to tribes, SHPO, and other interested parties
- Reclamation to send draft PA to Section 106 consulting parties for review
- Following consultation on the draft PA, PA will be revised and circulated for final Reclamation legal and executive reviews
- Reclamation will execute the PA prior to signing the NEPA Record of Decision



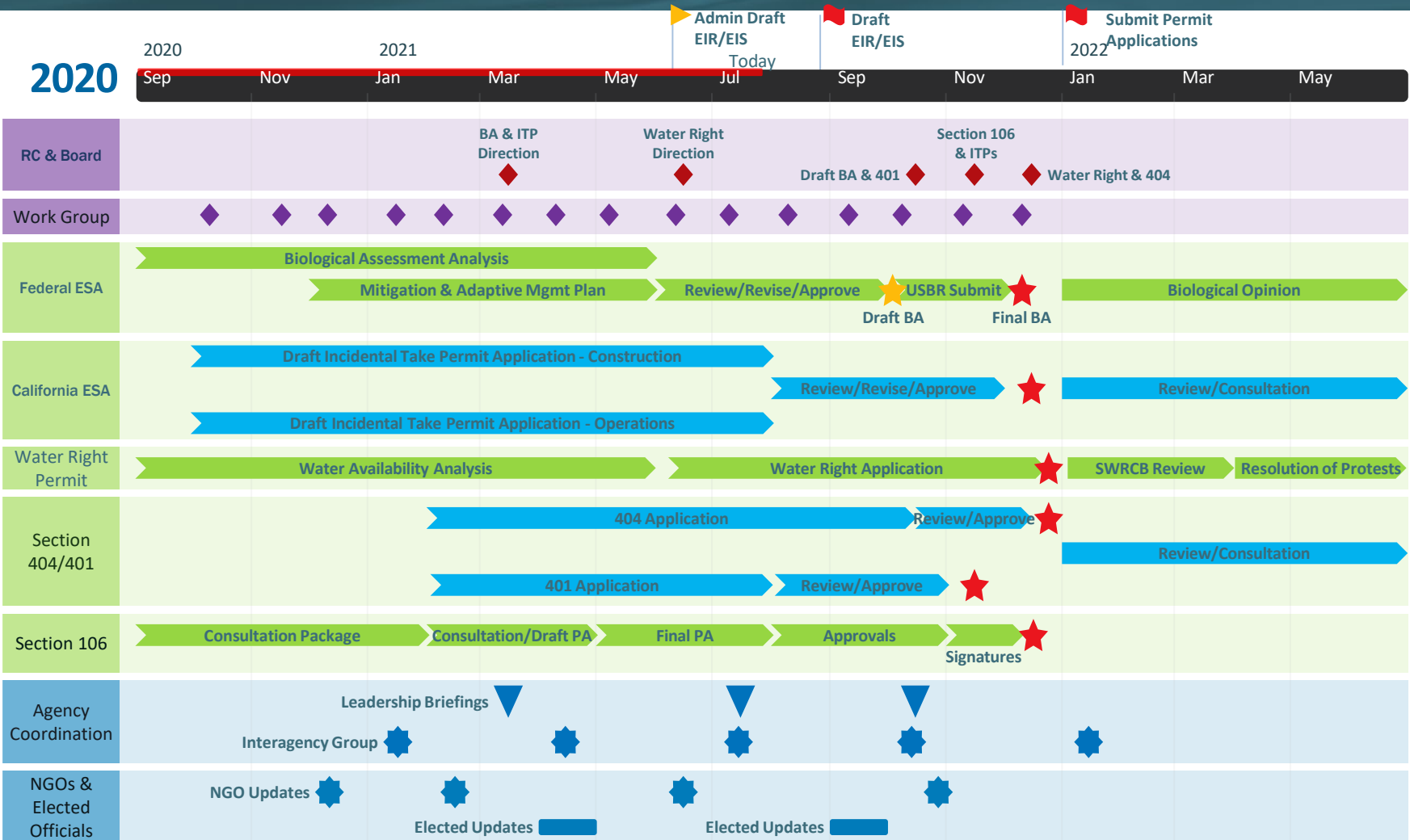
Image of Sites Quarry, ca. 1897. Source: Sacramento Valley Museum.

Schedule and Dashboard Update

Schedule Update

2020






2022



Dashboard Update

- 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		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							
Reclamation USFWS NMFS		Project Description							
		Species List							
		Species Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
		Mitigation and Adaptive Mgmt Plan							
Incidental Take Permit – Construction		Project Description							
		Species List							
		Species Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
		Mitigation and Adaptive Mgmt Plan							
Incidental Take Permit – Operations		Project Description							
		Diversion Criteria							
		Modeling Approach							
		Mitigation Approach							
		Species Modeling							
		Effects Analysis							
		Mitigation and Adaptive Mgmt Plan							
Water Right Permit		Water Availability Analysis							
		Draft Water Right Application							
		Internal Review/Revise							
		Submit Water Right Application							

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

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

Upcoming RDEIR/SDEIS Work and Priorities – July/August

- Continue NGO meetings
- Ongoing AB52 Consultation with Tribes
- Final review of all chapters and appendices of the Administrative RDEIR/SDEIS
- Complete RDEIR/SDEIS and initiate Reclamation internal review process
- Release RDEIR/SDEIS for public review

Upcoming Permitting Work and Priorities –July/August

- BA/ITP:
 - Continue joint agency workshops
 - Resolve operations ESA consultation lead with Reclamation
 - ICF Delivers and Authority/Reclamation review of complete Admin Draft BA and ITP applications
- 404/401 – Continue discussions with USACE and State Board on delineation, permit approach, and coordination of activities; complete admin draft LEDPA analysis
- Section 106 PA – Continue to prepare draft PA with Reclamation; host meeting with possible signatory agencies
- Water Rights – Continue Water Availability Analysis; continue discussions with State Board staff on approach and key parameters
- CV Flood Board/408 Permit – Hold update meeting

Timing of Next Meeting

- Next meeting – August 16, 2021
 - Topics –
 - EIR/EIS
 - Update on release status
 - Public review process and schedule
 - Permitting
 - Admin Draft Biological Assessment
 - Clean Water Act 404 and 401 Application update

Thank you!

