

Environmental Planning and Permitting Work Group

December 7, 2022



Agenda

- 2023-2024 Test Pits, Fault Studies and Quarry Studies Final Environmental Assessment/Initial Study, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan
- Project's Master Lake and Streambed Alteration Agreement
- Environmental components of the construction schedule
- Briefing the Reservoir Committee and Authority Board on the Final EIR/EIS
- Funks and Stone Corral Creeks Aquatic Study Plan
- Environmental Permitting and Planning Manager Report
 - Key Planning Activities Report
- Upcoming Meetings

2023-2024 Test Pits, Fault Studies and Quarry Studies

Jelica Arsenijevic

2023 – 2024 Proposed Sites Reservoir Test Pits, Fault Studies and Quarry Studies

- Field investigations to support engineering and design development
 - Test Pits provide information regarding quantity and quality of borrow materials at proposed quarry locations, as well as information regarding pipeline trench stability
 - Fault Studies provide information regarding the location and stratigraphy of suspected and known fault traces/zones and to further evaluate the areas for evidence of last movement
 - Quarry Studies gather information regarding the quantity and quality of borrow materials proposed for dam and reservoir feature construction fill and to assess the means and methods needed to remove overburden and rock materials during construction
- Locations in Glenn, Colusa, and Yolo Counties

Investigation Types, Approximate Numbers, and Approximate Depths by Proposed Sites Reservoir Feature

Proposed Sites Reservoir Feature	Approximate Numbers, Investigation Types, and Approximate Depths
Sites Reservoir	Up to 76 test pits, 18 to 20 feet below grade Up to 9 fault studies, 10 to 15 feet below grade Up to 7 quarry studies, 15 to 20 feet below grade
Funks Reservoir	Up to 3 test pits, 18 to 20 feet below grade Up to 2 fault studies, 10 to 15 feet below grade
Terminal Regulating Reservoir and Pipeline	Up to 4 test pits, 18 to 20 feet below grade
Dunnigan Pipeline	Up to 1 test pit, 18 to 20 feet below grade
Total	Up to 84 test pits, 18 to 20 feet below grade Up to 11 fault studies, 10 to 15 feet below grade Up to 7 quarry studies, 15 to 20 feet below grade

Initial Study and Mitigated Negative Declaration

- Draft Initial Study and Mitigated Negative Declaration circulated for public review September 23 – October 22, 2022
 - Comments received from 3 State agencies: CDFW; DTSC; and CV RWQCB
 - Comments mostly advisory
 - Minor revisions requested to mitigation measures
- Mitigation Monitoring and Reporting Program
 - Monitor implementation of mitigation measures

Mitigation Measures

Resource Area	Summary of Mitigation Measures
General	Conduct pre-investigation siting survey for biological, cultural, and Tribal resources; reprioritize or postpone proposed investigations if sensitive resources cannot be avoided
Biological Resources	Conduct mandatory biological resources awareness training; general measures to avoid and minimize effects on sensitive biological resources; measures to avoid and minimize effects on waters of the U.S./State; species-specific measures for state and federally listed plant and animal species along with migratory birds and eagles; and decontamination of equipment for aquatic invasive species. Adjust work locations as needed to avoid known resources
Paleontological Resources	Consult with qualified paleontologist if paleontological resources are discovered. Adjust work locations as needed to avoid known resources
Cultural Resources	Avoid impacts on known cultural resources; conduct pre-activity pedestrian survey; prepare a post-review Discovery Plan; conduct archeological sensitivity training; conduct archeological monitoring, and immediately halt ground-disturbing activities if cultural resources or human remains are found and implement appropriate plans. Adjust work locations as needed to avoid known resources
Tribal Cultural Resources	Avoid or preserve in place; treat resources with culturally appropriate dignity, and implement permanent conservation easements for any resources found. Adjust work locations as needed to avoid known resources

Permitting and Schedule

- Permits
 - No environmental permits are required for this geotechnical investigation effort
 - Full avoidance of known biological, cultural, and tribal resources
- Work scheduled to begin January 2023 and end by December 2024

RC/AB Requested Action in This Month's Agenda Packet – Any Concerns?

- Request **Reservoir Committee recommend** and the **Authority Board approve** the following actions:
 - Adopt the CEQA Initial Study/Mitigated Negative Declaration
 - Adopt the Mitigation Monitoring and Reporting Program
 - Approve the Project
 - Authorize the Executive Director to file all related notices and pay all related fees

Master Lake and Streambed Alteration Agreement

John Spranza

Lake and Streambed Alteration Agreement

- Fish and Game Code section 1602 requires notification of CDFW prior to beginning any activity that may:
 - Divert or obstruct the natural flow of any river, stream, or lake
 - Change the bed, channel, or bank of any river, stream, or lake, including when dry
 - Use material from any river, stream, or lake
 - Deposit or dispose of material into any river, stream, or lake
- A Lake and Streambed Alteration Notification Application (LSA) needs to be submitted to CDFW
 - CDFW will determine if Agreement is needed based on project activity and resources affected

Current Estimated Impacts

TABLE 1. IMPACTS TO LAKE AND STREAM RESOURCES RESULTING FROM CONSTRUCTION OF THE SITES RESERVOIR PROJECT

	Permanent Direct		Permanent Indirect		Temporary Direct		Total Area (acres)	Total Length (linear feet)
	Area (acres)	Length (linear feet)	Area (acres)	Length (linear feet)	Area (acres)	Length (linear feet)		
Lake and Stream Resources Subject to FGC 1602								
Canal	3.50	2,568			0.66	1,008	4.16	3,576
Ditch	0.37	3,413	0.31	2,750	0.15	755	0.83	6,918
Ephemeral Stream	6.06	77,787	16.26	215,044	0.39	4,210	22.71	297,042
Forested Wetland	1.01	--	1.96	--	0.30	--	3.27	--
Freshwater Marsh	13.24	--	29.48	--	6.29	--	49.02	--
Intermittent Stream	29.91	86,884	169.49	477,423	1.72	9,098	201.13	573,405
Managed Wetland	--	--	--	--	0.69	--	0.69	--
Pond	4.44	--	34.57	--	1.45	--	40.46	--
Reservoir	1.35	--	--	--	220.94	--	222.29	--
Scrub-Shrub Wetland	0.85	--	5.26	--	0.34	--	6.44	--
Seasonal Wetland	68.10	--	222.62	--	3.84	--	294.56	--
Riparian	7.22	--	41.89	--	1.77	--	50.88	--
Annual Grassland	10.25	--	78.18	--	0.27	--	88.70	--
Blue Oak Woodland	0.00	--	0.30	--	--	--	0.30	--
Oak Savanna	0.00	--	0.89	--	--	--	0.89	--
Ruderal	--	--	0.12	--	--	--	0.12	--
Grand Total	146.30	170,652	601.33	695,218	238.82	15,071	986.45	880,941

-- = null value (zero)

Land cover was mapped via aerial interpretation using desktop imagery.

Not all land cover types listed above would be subject to 1602 jurisdiction.

Rounding errors may affect total.

Master LSA Agreement

- A Master LSA Agreement covers projects like Sites where specific detailed plans have not been prepared at the time of the original LSA notification
 - An initial programmatic permit – 5+ year with 1 renewal
 - Subsequent notifications for regulated activities as they become needed and available
- Each sub-notification describes:
 - The types and timing of activities affecting LSA resources
 - Impacts to lake and stream resources, including riparian habitat, fish, and wildlife
 - Measures to avoid, minimize and mitigate for effects

Master LSA Agreement Fees

- Master LSA fees (2022 fees):
 - \$97,002.25 base fee, plus:
 - \$8,082.75 annual fee, and
 - \$809.25 per project (sub-notification) fee
- Mitigation will also be required for permanent impacts
 - Would be stackable with other similar habitat identified in EIR/EIS and 404/401
 - Consistent with the costs identified in 2021

Environmental Components of the Construction Schedule

Ali Forsythe

Construction Schedule in Development

- Critically assessing actions and activities needed to get into construction
- Pulling together lists of commitments and requirements (BMPs, mitigation measures, permit requirements)
- Focused on identifying those that have the potential to drive the construction schedule
 - Will develop more comprehensive list in 2023 to track and ensure following through on all commitments
- Assessing opportunities to run items in parallel and shorten schedule

Key Conclusion Thus Far

- Construction sequencing is important
 - Drives the environmental schedule
- Land access as soon as possible is critical
 - Can't go everywhere at once
 - Need access in increments based on construction sequencing
- Need to start thinking about and developing tools for environmental data management
 - Will be explored more in 2023

Final EIR/EIS

Process for Briefing the Reservoir Committee and Authority Board

Ali Forsythe and Laurie Warner Herson

Current Status and Next Steps

- Completion of Administrative Final EIR/EIS in January 2023 with concurrent review by Reclamation, legal counsel and responsible and cooperating agencies
- Preparation of the Final EIR/EIS in early 2023
- Federal review and approval for publication
- Authority preparation of CEQA Findings, MMRP and Statement of Overriding Considerations
- Authority Board public meeting to decide to adopt CEQA document, make findings and approve project

RC and AB Final EIR/EIS Briefings in Preparation for Approval of Project

- February 2023
 - Part 1 of 3
 - Review Final EIR/EIS format; provide overview of changes to the project based on design refinements and operations
- March 2023
 - Part 2 of 3
 - Overview of key comments and master responses, ongoing public outreach, and changes to key impacts
- 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
 - EIR Certification
 - Decision to Approve Project

Input Needed

- Any concerns with this approach?
- Any areas or items we should emphasize/focus on?
- What might be critical concerns of your agency?

Funks and Stone Corral Creeks Study Plan Status Update

Ali Forsythe






Aquatic Study Plan: Update

- Called for in our RDEIR/SDEIS and in one of our special terms in our water right application
- Plan proposes approach for:
 - Aquatic technical studies to assess baseline conditions for each creek
 - Fish community, aquatic habitat, flow characteristics, water quality, and geomorphology
- Results used to inform future reservoir operations
 - Maintain flood benefits, meet senior downstream water rights and comply with any mandatory environmental requirements
- Draft Plan currently under review by Colusa County and then GCID and TCCA prior to being released to agencies for review
- Staff will provide additional status updates as development continues

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			
• Submit BA to Reclamation	Jan-23		Date adjusted
• Receive BiOps	Aug-23	N/S	Date adjusted
State ITPs			
• Receive Construction ITP	Jul-23		
• Submit Operations ITP to CDFW	Jan-23		
• Receive Operations ITP	Jul-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	Apr-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	Jan-23	●	
• Receive Master Agreement	Jul-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 –
February 8, 2023, 10 to 11 AM
 - Topics –
 - Final EIR/EIS Part I Briefing
- Other upcoming meetings
 - Reservoir Operations and Engineering Workgroup
 - Wednesday, December 14, 2022 - 1:30 PM to 3:30 PM
 - Joint Reservoir Committee and Authority Board
 - Friday, December 16, 2022 - 9:00 AM to 12:00 PM
 - Joint Reservoir Committee and Authority Board
 - Friday, January 20, 2023 - 9:00 AM to 12:00 PM

Thank you!

