

Chapter 33 Consultation and Coordination and List of Preparers

This chapter describes the consultation and coordination activities undertaken for the Project and provides a list of the staff who prepared this Final EIR/EIS. These staff are federal agency staff, Authority staff, and consultant and subconsultant staff.

33.1 Consultation and Coordination

This chapter describes the most recent consultation and coordination activities undertaken by the Authority as the CEQA lead agency and Reclamation as the NEPA lead agency. The earlier public and agency involvement activities undertaken by the California Department of Water Resources (DWR) (as the former CEQA lead agency) and Reclamation that satisfy the CEQA and NEPA requirements for public scoping and agency coordination and consultation are described in the corresponding chapter of the 2017 Draft EIR/EIS, which is included as Appendix 33A, *2017 Draft EIR/EIS Chapter 36, Consultation and Coordination*.

33.1.1. Consultation

The Authority and Reclamation have continued to meet with stakeholders, interested parties, and State and federal regulatory agencies. Reclamation has initiated consultation with the following agencies: Advisory Council on Historic Preservation; California State Office of Historic Preservation; and federally recognized Native American Tribes (Section 106 Consultation). The Authority has initiated consultation with the Native American Heritage Commission and California Native American Tribes traditionally or culturally affiliated with the Project area.

Preapplication coordination has begun with the California Department of Fish and Wildlife (CDFW), U.S. Army Corps of Engineers, State Water Resources Control Board, and Central Valley Flood Protection Board. The National Marine Fisheries Service and U.S. Fish and Wildlife Service (USFWS) have provided technical assistance.

33.1.2. Coordination

The following sections describe coordination efforts with local water interests, counties, and other State and federal agencies throughout the environmental documentation process.

33.1.2.1. Cooperating Agencies

Pursuant to NEPA, a cooperating agency may be any agency other than the lead agency that has jurisdiction by law or special expertise, especially with respect to the environmental impacts expected to result from a proposal. An agency has “jurisdiction by law” if it has the authority to approve, veto, or finance all or part of the proposal. An agency has “special expertise” if it has statutory responsibility, agency mission, or related program experience with regard to a proposal. A lead agency must request the participation of cooperating agencies as early as possible in the

NEPA process, use the environmental analyses and proposals prepared by cooperating agencies as much as possible, and meet with cooperating agencies at their request.

In December 2020, as the lead agency for NEPA, Reclamation sent letters to the following agencies and federally recognized tribes to request participation in the NEPA process based on their “jurisdiction by law or special expertise with respect to the environmental issues which should be addressed in the REIR/SEIS.” All of the following were specifically asked to “be a cooperating agency in this Project as defined by the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA in 40 CFR 1508.1(e).”

- Western Area Power Administration
- U.S. Environmental Protection Agency
- USFWS
- National Marine Fisheries Service
- U.S. Army Corps of Engineers
- CDFW
- Bureau of Indian Affairs
- Colusa Indian Community Council, Cachil Dehe Band of Wintun Indians of the Colusa
- Yocha Dehe Wintun Nation
- Kletsel Dehe Band of Wintun Indians

Since January 2021, the first five agencies listed above expressed interest in serving as cooperating agencies. Coordination with those agencies is ongoing. For example, USFWS provided a Planning Aid Memorandum between USFWS and Reclamation (Appendix 33C, *Planning Aid Memorandum*) under the authority of the Fish and Wildlife Coordination Act for the North-of-Delta Offstream Storage/Sites Reservoir Project. CDFW formally declined given its role as a CEQA responsible agency.

33.1.2.2. Responsible Agencies

Pursuant to CEQA, responsible agencies are the public agencies (other than the lead agency) that have discretionary approval power over a project. The Authority has coordinated on an ongoing basis with the following applicable responsible agencies:

- CDFW
- State Water Resources Control Board
- Central Valley Regional Water Quality Control Board, Central Valley Region 1
- Central Valley Flood Protection Board
- DWR¹
- California Water Commission

¹ Became a responsible agency when the Authority took over the role as State lead agency.

- Sites Storage Partners, including the TCCA and GCID

33.1.2.3. Trustee Agencies

Pursuant to CEQA, trustee agencies are State agencies that have jurisdiction by law over natural resources affected by a project that are held in trust for the people of the state of California.

Trustee agencies include:

- CDFW with regard to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by CDFW.
- California State Lands Commission with regard to State-owned sovereign lands, such as the beds of navigable waters and State school lands.

There has been ongoing coordination with the applicable trustee agencies regarding the Project.

33.1.2.4. Native American Representatives

Reclamation and the Authority have coordinated with the following Native American Tribes throughout the life of the Project:²

- Colusa Indian Community Council (Cachil Dehe Band of Wintun Indians)*
- Cortina Indian Rancheria of Wintun Indians*
- Grindstone Indian Rancheria of Wintun-Wailaki*
- Paskenta Band of Nomlaki Indians*
- Shingle Springs Band of Miwok Indians*
- United Auburn Indian Community of the Auburn Rancheria*
- Wilton Rancheria*
- Yoche Dehe Wintun Nation*
- Estom Yumeka Maidu Tribe of the Enterprise Rancheria (only Authority)*
- Mechoopda Indian Tribe (only Authority)*

In addition to the Native American Tribes identified above, the Authority engaged the following Native American Tribes² in 2021:

- Ione Band of Miwok Indians*
- Konkow Valley Band of Maidu
- Redding Rancheria*
- Shingle Springs Band of Miwok Indians*
- United Auburn Indian Community of the Auburn Rancheria*

² Federally recognized Tribes are identified with an asterisk.

- Wilton Rancheria*
- Wintu Tribe of Northern California

Chapter 23, *Tribal Cultural Resources*, provides an overview of the California AB 52 consultation efforts and other tribal outreach conducted since 2017. Tribal consultation efforts under National Historic Preservation Act Section 106 are described in Chapter 22, *Cultural Resources*.

33.1.2.5. Other Government Entities

The Authority has met informally and formally with the following entities to address local issues of concern:

- Colusa County
- Glenn County
- Yolo County
- Maxwell Unified School District
- Maxwell Fire Protection District
- Colusa County Sheriff's Office
- California Department of Forestry and Fire Protection
- U.S. Department of Agriculture Natural Resources Conservation Service

33.1.2.6. Non-Governmental Organizations

A series of one-on-one and group meetings have been held with non-governmental organizations (NGOs) and other interested parties since 2017. The following outlines the most recent outreach.

On August 13, 2019, the Authority met with the following NGOs to discuss the revisions made to the Project since 2017, review their collective comments on the 2017 Draft EIR/EIS, and solicit additional input on the Project:

- Natural Resources Defense Counsel
- Defenders of Wildlife
- Western Water Strategies
- The Bay Institute
- San Francisco Baykeeper
- California Sportfishing Association

From May to July 2020, the Authority provided updates to NGOs on the “rightsizing” of the Project, including reviewing the Scenario B diversions criteria used in the value planning analysis.

From December 2020 to July 2021, the Authority conducted workshops to update NGOs on the status of the Project and to provide an opportunity for input and the identification of key concerns. A survey was conducted in January 2021 to identify topics for focused small group meetings. Small working groups subsequently met to discuss water rights, Trinity River effects, terrestrial species effects, Project benefits, water quality effects, and fisheries protections and effects.

The following NGOs were invited to the workshops:

- AquAlliance
- The Bay Institute
- Butte Environmental Council
- California Indian Water Commission
- California Native Plant Society, Sacramento Valley Chapter
- California Sportfishing Protection Alliance
- California Water Impact Network
- California Wilderness Coalition
- Center for Biological Diversity
- Chico 350
- Coast Action Group
- Defenders of Wildlife
- Environmental Justice Coalition for Water
- Environmental Water Caucus
- Fly Fishers of Davis
- Fly Fishers International Northern California Council
- Friends of the River
- Golden Gate Salmon Association
- Natural Resources Defense Council
- North Coast Environmental Center
- Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources
- Planning and Conservation League
- Protect American River Canyons
- Sacramento River Council
- Sacramento River Preservation Trust
- Safe Alternatives for our Forest Environment

- San Francisco Baykeeper
- Save the American River Association
- Save California Salmon
- Sierra Club, Mother Lode Chapter
- Southern California Watershed Alliance
- Water Climate Trust
- Women’s International League for Peace and Freedom Earth Democracy

The Winnemem Wintu Tribe was also invited due to comments on the 2017 Draft EIR/EIS submitted with NGOs in 2019.

The distribution list for small working group meetings was subsequently expanded to include the following NGOs and other entities that expressed interest in participating:

- Audubon Society
- California Trout
- California Waterfowl
- Ducks Unlimited
- Environmental Defense Fund
- Grasslands Water District
- Humboldt County Planning Department
- The Nature Conservancy
- Point Blue Conservation Science
- Public Policy Institute of California
- Restore the Delta
- River Partners
- Trout Unlimited

In addition, the Vice Chair of the Yurok Tribe attended the first of the Trinity River Small Working Group meetings.

33.1.3. RDEIR/SDEIS and Project Approval Process

At the end of the RDEIR/SDEIS public and agency review and comment period, the Authority and Reclamation considered the comments received on the RDEIR/SDEIS and prepared responses to the comments. Volumes 1 and 2 have been revised to reflect changes and clarifications, including those based on comments received. Volume 3 contains the response to comments on the RDEIR/SDEIS. Reclamation also responded to comments submitted on the 2017 Draft EIR/EIS and the RDEIR/SDEIS in the Final EIR/EIS, according to NEPA requirements. Volumes 1, 2, and 3 constitute the Final EIR/EIS.

The Authority and Reclamation management will consider the Final EIR/EIS when deciding whether to certify the EIR or sign a Record of Decision (ROD). At the time the Project is being considered for approval, the Authority will adopt written findings of fact and a statement of overriding considerations for each potentially significant impact that is identified in the Final EIR/EIS.

If approved, the Authority will file a Notice of Determination with the County Clerk Recorder offices and the Office of Planning and Research, State Clearinghouse. The NEPA process ends with Reclamation’s issuance of the ROD.

33.2 List of Preparers and Contributors

This Final EIR/EIS includes the updated environmental effects analysis to reflect refinements to the Project that have occurred since the issuance of the 2017 Draft EIR/EIS. Therefore, the preparers and contributors identified in this section represent the current environmental analysis effort.

33.2.1. Introduction

This document was prepared by the Authority and Reclamation. The following individuals led the effort:

CEQA Lead Agency (Authority):

- Alicia Forsythe, Environmental Planning and Permitting Manager
- Laurie Warner Herson, Planning Integration Lead

NEPA Lead Agency (Reclamation):

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- Melissa Dekar (NEPA Specialist/Natural Resources Specialist)

33.2.2. Contributors to the Final EIR/EIS

Tables 33-1 through 33-4 list the Reclamation, Authority, consultant, and subconsultant staff who prepared this Final EIR/EIS.

Table 33-1. Reclamation Staff Contributors

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Table 33-2. Authority Staff Contributors

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Consultation and Coordination and List of Preparers

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Consultation and Coordination and List of Preparers

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Consultation and Coordination and List of Preparers

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