



Subject: **Summary of Comments on the RDEIR/SDEIS**

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**Requested Action:**

Receive an update on public comments on the Revised Draft EIR/Supplemental Draft EIS (RDEIR/SDEIS).

**Detailed Description/Background:**

On November 23, 2021, the Authority and the Bureau of Reclamation (Reclamation) jointly issued the RDEIR/SDEIS for the Project pursuant to their respective lead agency obligations under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The planned 60-day public comment period on the RDEIR/SDEIS, originally scheduled to end on January 11, 2022, was subsequently extended and closed on January 28, 2021. During this period, the Authority and Reclamation received comments that were provided by agencies and the public either in writing via letters and emails or during two virtual public meetings held on December 15 and December 16, 2021.

Approximately 101 comment letters with about 1,000 individual comments were received during the public comment period. Comments were also submitted in form letters and in a petition. These include:

- 18 letters from public agencies and tribes (Attachment A)
- 10 letters from non-governmental organizations (NGOs) (Attachment B)
- 26 from individuals and NGOs who commented during the public meetings

The remainder of the comments were received from members of the public, including a single form letter sent by 113 individuals and approximately 45,000 petition signatures, a number of which came from individuals outside of California. It also is difficult to assess whether the petition signatures date back to the 2017 EIR/EIS or relate to the present document.

Comments cover a broad range of policy and environmental issues. Major topic areas of the comments include the following: stakeholder engagement and public process; level of Tribal consultation; the alternatives description and operations of the alternatives; surface water quality impacts; aquatic biological resources impacts; terrestrial wildlife and vegetation impacts; cumulative impacts; need to better define ecosystem benefits; concerns regarding the Trinity River; and changes

in the town of Maxwell. At this time, the team's assessment is that all of the comments can be addressed within the Final EIR/EIS.

CEQA and NEPA both require that a lead agency evaluate comments on environmental issues received and prepare written responses. In coordination with Reclamation, staff and the planning team have been reviewing and developing an approach to responding to comments. Activities have involved the numbering, sorting and categorizing individual comments, identifying themes for master responses and creating tables to group comments on specific topics.

The drafting of responses will be undertaken over the next several months and will likely include additional technical analysis to support responses. The project team will work closely with Reclamation to respond to the comments and make revisions to the document, which will be reflected in the Final EIR/EIS. The Final EIR/EIS is expected to be completed later this calendar year.

**Prior Action:**

July 2021: Authorized release of RDEIR/SDEIS and authorized the Executive Director to file a Notice of Completion with the State Clearinghouse and complete other noticing requirements to initiate the public review process.

**Fiscal Impact/Funding Source:**

The preparation of the Final EIR/EIS, including responses to comments, is tracking within the budgeted funds for this task within the Amendment 3 work plan.

**Staff Contact:**

Ali Forsythe

**Attachments:**

Attachment A – Public agencies and tribes

Attachment B – Non-governmental organizations

## **Attachment A – Public Agencies that Commented on the RDEIR/SDEIS**

### **Tribal:**

- United Auburn Indian Council
- Winnemem Wintu Tribe (with NGO group)
- Yocha Dehe Wintun Nation

### **Federal:**

- National Marine Fisheries Service
- US Environmental Protection Agency

### **State:**

- California Department of Fish and Wildlife
- CA Office of Environmental Health and Hazard Assessment
- Central Valley Regional Water Quality Control Board
- State Water Resources Control Board, Water Rights Division

### **Regional:**

- Contra Costa Water District
- East Bay Municipal Utility District
- Local Agencies of the North Delta

### **Local:**

- Colusa County Board of Supervisors
- Maxwell Fire Protection District
- Maxwell Public Utility District
- Maxwell Unified School District

### **Water-Related NGOs:**

- State Water Contractors
- Northern California Water Association

## **Attachment B – NGOs that Commented on the RDEIR/SDEIS**

- AquAlliance
- Bay Institute
- California Indian Environmental Alliance
- California Native Plant Society
- California Sportfishing Protection Alliance
- California Wilderness Coalition
- CalWild
- Center for Biological Diversity
- Defenders of Wildlife
- Friends of the River
- Golden State Salmon Association
- Golden West Women Flyfishers
- Institute for Fisheries Resources
- Natural Resources Defense Council
- Northern California Council Fly Fishers International
- North Coast Rivers Alliance
- Planning and Conservation League
- Pacific Coast Federation of Fishermen's Associations
- Restore the Delta
- San Francisco Baykeeper
- Save California Salmon
- Sierra Club California