

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

**GOVERNOR'S CERTIFICATION FOR JUDICIAL STREAMLINING OF
THE SITES RESERVOIR PROJECT**

I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by Senate Bill 149 (Chapter 60, Statutes of 2023), Public Resources Code Section 21189.80 et seq., make the following determinations:

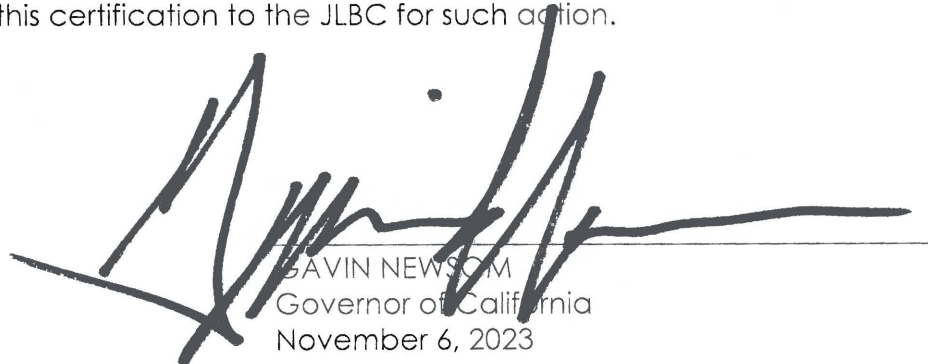
The Sites Reservoir Project (Project) would involve the construction, operation, and maintenance of an offstream surface water reservoir west of the community of Maxwell, California. The reservoir would store unappropriated flow of up to approximately 1.5 million acre-feet of water from the Sacramento River to help California maintain a resilient water supply in the face of climate change, weather extremes, and water scarcity. A copy of the Project's application, which contains information supporting this certification, is attached as Exhibit 1. All materials associated with this application are available online at: <https://opr.ca.gov/ceqa/judicial-streamlining/infrastructure-streamlining.html>.

As set forth below, the Project applicant has demonstrated that the Project meets all requirements to be eligible for certification for judicial streamlining.

1. Project Applicant: The Sites Joint Powers Authority
2. Project Description: The applicant proposes to build, operate, and maintain an offstream surface water reservoir with a potential capacity of approximately 1.5 million acre-feet west of the community of Maxwell, California. The Project would capture and store water from the Sacramento River during high flows— after all other water rights and regulatory requirements are met— and make that water available to California's environment, communities, and farms when it is most needed – especially during times of drought. There are currently 22 Storage Partners representing local and regional water delivery agencies that serve over 24.5 million people and over 500,000 acres of farmland that are paying for the Project and would receive the resulting water supply benefits.
3. CEQA Lead Agency: The Sites Joint Powers Authority (National Environmental Policy Act Lead Agency: U.S. Department of the Interior, Bureau of Reclamation)
4. This Project meets the criteria set forth in Public Resources Code Section 21189.81, Subdivision (h)(1)(B)(i). It is a water storage project funded by the California Water Commission pursuant to Chapter 8 (commencing with Section 79750) of Division 26.7 of the Water Code. (Exhibit 1, Section 2.1, pg. 16).
5. This Project meets the criteria set forth in Public Resources Code Section 21189.81, Subdivision (h)(1)(B)(ii). The applicant has provided information establishing that the Project will minimize the intake or diversion of water except during times of surplus water and prioritizes the discharge of water for ecological benefits or to mitigate an emergency, including, but not limited to, dam repair, levee repair, wetland restoration, marshland restoration, or habitat preservation, or other public benefits described in Section 79753 of the Water Code. (Exhibit 1, Section 2.2, pg. 17-20).
6. This Project meets the criteria set forth in Public Resources Code Section 21189.81, Subdivision (h)(2). The applicant has agreed the Project will comply with the applicable provisions of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code. (Exhibit 1, Section 2.3, pg. 20).
7. This Project meets the criteria set forth in Public Resources Code Section 21189.81, Subdivision (h)(3). The Project does not include the design or construction of through-Delta conveyance facilities of the Sacramento-San Joaquin Delta. (Exhibit 1, Section 1.2, pg. 6-13).

8. This Project meets the criteria set forth in Public Resources Code Section 21189.82, Subdivision (a)(4)(B)(i). The applicant has agreed to pay the costs of the trial court and the court of appeal in hearing and deciding any case challenging the Sites Joint Powers Authority's action under Division 13 of the Public Resources Code, including payment of the costs for the appointment of a special master if deemed appropriate by the court, in a form and manner as required. (Exhibit 1, Section 2.4, pg. 20).
9. This Project meets the criteria set forth in Public Resources Code Section 21189.82, Subdivision (a)(4)(B)(ii). The applicant has agreed to pay the costs of preparing the record of proceedings for the project concurrent with the review and consideration of the project. (Exhibit 1, Section 2.5, pg. 21).
10. This Project meets the criteria set forth in Public Resources Code Section 21189.82, Subdivision (a)(4)(B)(iii). The applicant has demonstrated that the record of proceedings is being prepared in accordance with Section 21189.86. (Exhibit 1, Section 2.6, pg. 21-23).
11. This Project meets the criteria set forth in Public Resources Code Section 21189.82, Subdivision (a)(4)(C). The applicant has demonstrated that greenhouse gas emissions resulting from the project will be mitigated to the extent feasible. (Exhibit 1, Section 2.7, pg. 24-26, and attachment C).
12. This Project meets the criteria set forth in Public Resources Code Section 21189.82, Subdivision (c). The applicant has agreed to enter into a binding and enforceable agreement to comply with Section 21189.82, Subdivision (c) in its application prior to the lead agency's certification of the environmental impact report for the Project. Specifically, the applicant has committed to avoid or minimize significant environmental impacts in any disadvantaged community, and to mitigate any significant environmental impacts to disadvantaged communities with mitigation measures that are undertaken in, and directly benefit, the affected community. (Exhibit 1, Section 2.8, pg. 27-41).

Therefore, I hereby certify that the Sites Reservoir Project is an eligible water-related project infrastructure project pursuant to Senate Bill 149 (Chapter 60, Statutes of 2023), Public Resources Code Section 21189.80 et seq. Pursuant to statute, this certification must be submitted to the Joint Legislative Budget Committee (JLBC) for concurrence or nonconcurrence; I therefore instruct the Director of the Office of Planning and Research to transmit this certification to the JLBC for such action.



GAVIN NEWSOM
Governor of California
November 6, 2023