

RESOLUTION NO. 2011- 9

**A RESOLUTION BY THE BOARD OF DIRECTORS OF
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
APPROVING FUNDING FOR SMALL FLOOD PROTECTION PROJECTS
IN THE YUBA GOLDFIELDS, AND AUTHORIZING THE FILING OF
CEQA NOTICES OF EXEMPTION**

WHEREAS, Three Rivers Levee Improvement Authority (TRLIA) has been working to bring the Reclamation District 784 basin to 200-year flood protection; and

WHEREAS, ongoing mining activities by private entities in the Yuba Goldfields has degraded certain cobble embankments in three places, and minor rehabilitation of those embankment sites through the backfilling of approximately 50,000 cubic yards of cobble into existing excavations will provide flood protection benefits to the Reclamation District 784 basin; and

WHEREAS, TRLIA wishes to provide funding for this rehabilitation work, to be undertaken by the private mining entities Western Aggregates, LLC and Cal Sierra Development, Inc. in conjunction with their mining operations in the Yuba Goldfields; and

WHEREAS, Western Aggregates, LLC and Cal Sierra Development, Inc. have expressed willingness to undertake this rehabilitation work in conjunction with their mining operations; and

WHEREAS, TRLIA has concluded that the rehabilitation work is exempt from review under the California Environmental Quality Act (CEQA), and that no exceptions to CEQA exemption apply.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Three Rivers Levee Improvement Authority hereby authorizes necessary funding for the rehabilitation of one embankment site through the backfilling of cobble into an existing excavation in the Yuba Goldfields by Cal Sierra, Inc. The Board authorizes the Executive Director to execute a contract with Cal Sierra, Inc. for this work.
2. The Board hereby authorizes necessary funding for the rehabilitation of two cobble embankment sites through the backfilling of cobble into existing excavations in the Yuba Goldfields by Western Aggregates, LLC. The Board authorizes the Executive Director to execute a contract with Western Aggregates, LLC for this work.
3. The Board finds that these projects are exempt from CEQA review pursuant to the CEQA Guidelines, 14 Cal. Code Regs. §§ 15304 (Minor Alterations to Land), 15301 (Existing Facilities), and 15302 (Replacement or Reconstruction). The projects are

exempt because they involve minor backfilling of earth into previously excavated land with material that is compatible with the natural features of the site, will result in only minor changes to land and vegetation, and will not require the removal of any mature trees. No fill will be imported to the project sites. The projects involve minor alterations to existing topographical features with no expansion of existing use, and they also involve the reconstruction of deteriorated embankments to meet certain standards of flood protection. The Board also concludes that none of the exceptions to CEQA exemption listed in 14 Cal. Code Regs. § 15300.2 apply. The projects are not located in a sensitive environment, will not have cumulatively significant impacts when combined with successive projects of the same type over time, will not affect any scenic highways, hazardous waste sites, or historical resources, and there are no unusual circumstances that warrant CEQA review. The Board hereby authorizes the Executive Director to promptly file a CEQA Notice of Exemption for both projects with the County Clerk.

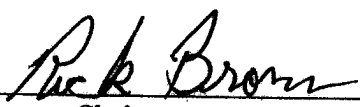
PASSED AND ADOPTED this 27 day of September, 2011, by the Board of Directors of Three Rivers Levee Improvement Authority by the following vote:

AYES: Directors Brown, Crippen, Graham, Nicoletti

NOES: None

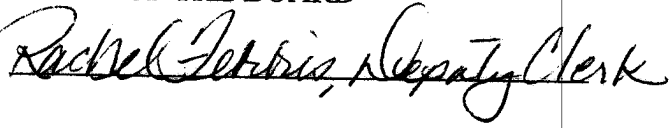
ABSENT: Director Griego

ABSTAIN: None

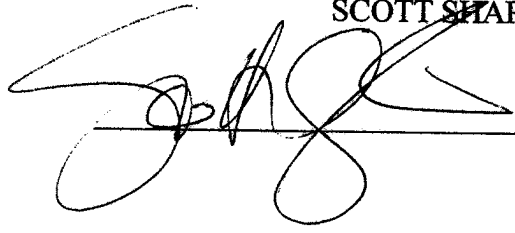


Chairperson

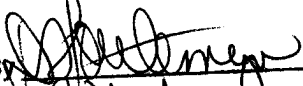
ATTEST: DONNA STOTTEMEYER,
CLERK OF THE BOARD



APPROVED AS TO FORM: GENERAL COUNSEL
SCOTT SHAPIRO



The foregoing instrument is a Correct Copy of the original on file in this office
ATTEST: DONNA STOTTEMEYER
Clerk of the Board of Supervisors of the County of Yuba, State of California

By  _____
Date: September 27, 2011