

RESOLUTION NO. 2014- 3

**RESOLUTION BY
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
ADOPTING MITIGATED NEGATIVE DECLARATION,
APPROVING NOTICE OF DETERMINATION,
AND GIVING FINAL APPROVAL FOR
YUBA GOLDFIELDS 100-YEAR FLOOD PROTECTION PROJECT**

WHEREAS, the Three Rivers Levee Improvement Authority (“TRLIA”) proposes to construct an embankment in the Yuba Goldfields designed to intercept and block flood flows, for the purpose of providing 100-year flood protection to areas downstream of the Yuba Goldfields along the Yuba and Feather Rivers (the “Project”);

WHEREAS, pursuant to the California Environmental Quality Act, Cal. Public Resources Code Section 21000 *et seq.* (“CEQA”) and CEQA Guidelines Section 15063, TRLIA as the lead agency for the Project conducted an initial evaluation of the potential effects of the Project on the environment (the “Initial Study”);

WHEREAS, based on the Initial Study, TRLIA determined that the Project would have potentially significant impacts on air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and hydrology and water quality, but that feasible mitigation measures will be incorporated into the Project to reduce these potential impacts to less-than-significant levels;

WHEREAS, pursuant to CEQA Guidelines Section 15097, TRLIA has prepared a mitigation monitoring program for the Project;

WHEREAS, based on the Initial Study, TRLIA determined that there is no substantial evidence, in light of the whole record before the agency, that the Project, as mitigated, may have a significant effect on the environment;

WHEREAS, pursuant to CEQA Guidelines Section 15070, based on its determination that there is no substantial evidence that the Project, as mitigated, may have a significant effect on the environment, TRLIA prepared a proposed Mitigated Negative Declaration for the Project;

WHEREAS, pursuant to CEQA Guidelines Sections 15072 and 15105, TRLIA provided a public review period for the proposed Mitigated Negative Declaration that ran from February 5, 2014 to March 6, 2014;

WHEREAS, during the public review period TRLIA received written comments about the Project, to which TRLIA has responded, and which do not change TRLIA’s conclusions about the Project; and

WHEREAS pursuant to CEQA Guidelines Section 15074, TRLIA has considered the Initial Study, proposed Mitigated Negative Declaration, and public comments, and finds on the basis of the record before it that there is no substantial evidence that the Project, as mitigated, will have a significant effect on the environment and the Mitigated Negative Declaration reflects

the TRLIA's independent judgment and analysis;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Directors of the Three Rivers Levee Improvement Authority hereby adopts the final Mitigated Negative Declaration and mitigation monitoring program prepared for the Project and approves the Project.

The documents which constitute the record of proceedings upon which TRLIA's decision is based are located at the TRLIA's main office at 1114 Yuba Street Suite 218, Marysville, California, and TRLIA's Executive Director is the custodian of such documents; and

TRLIA's Executive Director is hereby instructed to execute the Notice of Determination, a copy of which is attached hereto, and is directed to file it promptly, in accordance with applicable law.

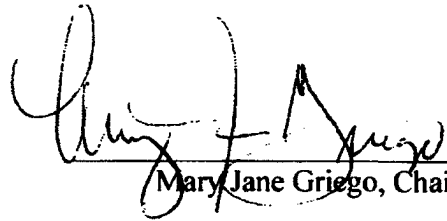
Approved this 1st day of April, 2014.

Ayes: Directors Atwal, Brown, Crippen, Griego, Nicoletti

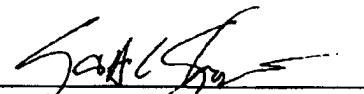
Noes: None

Absent: None

Approved As to Form:



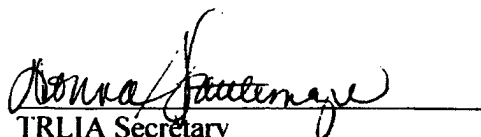
Mary Jane Griego, Chair



General Counsel, TRLIA

Certification

I, Donna Stottlemeyer, hereby certify that I am and at all times mentioned herein was duly elected, qualified and acting Secretary of the Three Rivers Levee Improvement Authority organized and existing under and by virtue of the laws of the State of California, that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a meeting of TRLIA's Board of Directors duly held on April 1, 2014, a majority and quorum of the members of said Board of Directors being present and voting in favor of said Resolution; and that said Resolution has not been modified, rescinded, altered or amended and is now in full force and effect.



TRLIA Secretary

Notice of Determination

Appendix D

To:

[X] Office of Planning and Research
U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113 Sacramento, CA 95814

[X] County Clerk
County of: Yuba
Address: 915 8th Street, Suite 107 Marysville, CA 95901

From:

Public Agency: TRLIA
Address: 1114 Yuba Street, Suite 218 Marysville, CA 95901
Contact: Paul Brunner, Executive Director
Phone: 530/749-7841

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2014022010

Project Title: Yuba Goldfields 100-Year Flood Protection Project

Project Applicant: Three Rivers Levee Improvement Authority (TRLIA)

Project Location (include county): Yuba County

Project Description:

TRLIA is proposing to approve construction of facilities in the Yuba Goldfields required to provide 100-year flood protection to the Reclamation District 784 service area. The proposed project would involve constructing a 2.1-mile-long embankment within the Goldfields designed to intercept and block breach flows, holding them long enough to allow flood peaks to pass. The blocked flows would then return to the Yuba River or percolate into underlying groundwater aquifers. The embankment would be built using the Goldfields' existing dredge tailings.

This is to advise that the Three Rivers Levee Improvement Authority has approved the above (X) Lead Agency or () Responsible Agency

described project on April 1, 2014 and has made the following determinations regarding the above described project. (date)

- 1. The project () will (X) will not have a significant effect on the environment.
2. () An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. (X) A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (X) were () were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan (X) was () was not adopted for this project.
5. A statement of Overriding Considerations () was (X) was not adopted for this project.
6. Findings (X) were () were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Yuba County Library, 303 Second Street, Marysville, CA 95901

Signature (Public Agency): Title: Executive Director, TRLIA

Date: Date Received for filing at OPR: