

RESOLUTION NO. 2016- 7

**RESOLUTION BY THE BOARD OF DIRECTORS OF THE
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
ADOPTING THE FEATHER RIVER SETBACK CONSERVATION PROJECT FINAL
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PROGRAM,
AND APPROVING THE FEATHER RIVER SETBACK CONSERVATION PROJECT**

WHEREAS, the Three Rivers Levee Improvement Authority (“TRLIA”) proposes the Feather River Setback Conservation Project (“Project”) to create approximately 500 acres of native wildlife habitat and establish the area as a mitigation bank to offset impacts of future Central Valley Flood Protection Plan levee and floodway improvement projects and State Plan of Flood Control routine operations and maintenance activities; and

WHEREAS, TRLIA is serving as the lead agency for the Project because it is the public agency that will carry out the Project; and

WHEREAS, pursuant to 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”); and

WHEREAS, based on the Initial Study TRLIA has determined that the Project would have potentially significant or significant impacts on biological resources, cultural resources, geology and soils, and hydrology and water quality, but mitigation measures are proposed to reduce these effects to less-than-significant levels; and

WHEREAS, pursuant to CEQA Guidelines Section 15097, TRLIA has prepared a Mitigation Monitoring and Reporting Program (MMRP) for the Project; and

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; and

WHEREAS, pursuant to CEQA Guidelines Sections 15072 and 15105, TRLIA provided a public review period for the Initial Study and proposed Mitigated Negative Declaration (IS/MND) that ran from June 26, 2015 to July 26, 2015; and

WHEREAS, TRLIA did not receive any written or verbal comments on the Project in response to the public review; however, several minor refinements to the proposed project have been made and cultural resources investigation and Native American consultation have been conducted since the IS/MND was issued for public review. None of the refinements trigger requirements in CEQA Guidelines section 15073.5(a) for public recirculation; and

WHEREAS, pursuant to CEQA Guidelines Section 15074, TRLIA has considered the Final IS/MND 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 Final IS/MND reflects 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 and Reporting 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 19th day of July, 2016.

Ayes: Directors Brown, Griego, Ritchie

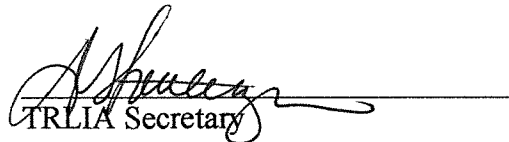
Noes: None

Absent: Directors Atwal, Nicoletti


Mary Jane Griego, Chair

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 July 19, 2016, 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

APPROVED AS TO FORM
GENERAL COUNSEL

By: Andrea P. Clark
ANDREA P. CLARK