CALL TO ORDER: Welcome to the Three Rivers Levee Improvement Authority (TRLIA) meeting. As a courtesy to others, please turn off cell phones or other electronic devices which might disrupt the meeting. Thank you.

I  ROLL CALL – Directors Atwal, Brown, Lofton, Ritchie, Vasquez

II  ELECTION OF CHAIR AND VICE CHAIR

III  PUBLIC COMMUNICATIONS: Any person may speak about any subject of concern within the jurisdiction of TRLIA which is not on today’s agenda. The total amount of time allotted shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time, speakers are requested to fill out a “Request to Speak” card and submit it to the secretary.

IV  CONSENT AGENDA: Matters listed are considered to be routine and can be enacted by one motion.

A. Approve minutes of the meeting of December 6, 2016.

V  ACTION ITEMS

A. Adopt addendum to Western Pacific Interceptor Canal 200-Year Standard Project Final Initial Study/Mitigated Negative Declaration and authorize Executive Director to execute and file Notice of Determination in compliance with California Environmental Quality Act.

VI. BOARD AND STAFF MEMBER REPORTS

VII. ADJOURN

The complete agenda is available at the Yuba County Government Center, 915 8th Street, Suite 109 Marysville, and www.trlia.org. Any disclosable public record related to an open session item on the agenda and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available at Suite 109 during normal business hours. In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

DECEMBER 6, 2016

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 3:30 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Sarbdeep Atwal, Rick Brown, Mary Jane Griego, and John Nicoletti. Director Edward Ritchie was absent. Also present were Executive Director Paul Brunner, Counsel Andrea Clark, and Secretary/Clerk of the Board of Supervisors Donna Stottlemyer. Chair Griego presided.


II  PUBLIC COMMUNICATIONS: None.

III  SPECIAL PRESENTATION

Director Atwal joined the meeting at 3:33 p.m.

A. Special presentation of commemorative plaques for Directors Griego and Nicoletti. Executive Director Paul Brunner recapped the commitment and dedication of Directors Griego and Nicoletti; accomplishments during their tenure; commended their dedication to secure flood control and safety for the citizens of the County; and presented plaques commending their service.

The following individuals spoke:
- Counsel Scott Shapiro
- Rick Reinhardt, MBK Engineers
- Counsel Andrea Clark
- Director Brown

The Board recessed at 4:04 p.m. for refreshments and reconvened at 4:26 p.m.

IV  CONSENT AGENDA: Matters listed are considered to be routine and can be enacted by one motion.

MOTION: Move to approve    MOVED: Rick Brown    SECOND: Sarbdeep Atwal
AYES: Sarbdeep Atwal, Rick Brown, Mary Jane Griego, John Nicoletti
NOES: None    ABSTAIN: None    ABSENT: Edward Ritchie

A. Approve minutes of the meeting of October 25, 2016. Approved.

V.  ACTION ITEMS

A. Adopt resolution approving the grant of easement to Pacific Gas and Electric Company, and delegating authority to Executive Director to execute easement deed. Design Manager Larry Dacus recapped easement and responded to inquiries.
MOTION: Move to adopt        MOVED: Sarbdeep Atwal        SECOND: Rick Brown
AYES: Sarbdeep Atwal, Rick Brown, Mary Jane Griego, John Nicoletti
NOES: None        ABSTAIN: None        ABSENT: Edward Richie

Adopted Resolution No. 2016-9, which is on file with Yuba County Clerk of the Board of Supervisors.

B. Approve Memorandum of Agreement with Reclamation District 784 for maintenance of Goldfields 100-Year Interim project, and authorize Executive Director to execute and implement agreement. Executive Director Paul Brunner recapped and responded to inquiries.

MOTION: Move to approve        MOVED: John Nicoletti        SECOND: Sarbdeep Atwal
AYES: Sarbdeep Atwal, Rick Brown, Mary Jane Griego, John Nicoletti
NOES: None        ABSTAIN: None        ABSENT: Edward Richie

VI. CLOSED SESSION: The Board retired into closed session at 4:32 p.m. and returned at 5:00 p.m. There was no report.

A. Conference with Legal Counsel – Existing Litigation (Govt. Code 54956.9(d)(1)). Name of Case: A. Teichert & Son, Inc. v. TRLIA and TRLIA Board of Directors, Yuba County Superior Court No. CVPT 15-0000922

B. Pending litigation pursuant to Government Code §54956.9(a) – TRLIA vs. Latigo Farms LLC, et al., YCSCCVED 14-0000222, APNs 014-360-011 and 014-360-013

C. Pending litigation pursuant to Government Code §54956.9(a) – TRLIA vs. R.B. Satori LP, et al., YCSCCVED 16-0000496, APN 018-220-0562

VII. BOARD AND STAFF MEMBER REPORTS: None

VIII. ADJOURN: 5:01 p.m.

______________________________
Chair

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

______________________________
Approved: _____________________
January 17, 2017

TO: Three Rivers Levee Improvement Authority Board  
FROM: Paul Brunner, Executive Director  
Larry Dacus, Design Manager  
SUBJECT: Addendum for Western Pacific Interceptor Canal 200-Year Standard Project, Initial Study and Mitigated Negative Declaration

Recommended Action:

Staff recommends that the Three Rivers Levee Improvement Authority Board (Board) adopt the attached Addendum to the Western Pacific Interceptor Canal 200-Year Standard Project Final Initial Study/Mitigated Negative Declaration (IS/MND) and authorize the Executive Director to sign and file the attached Notice of Determination (NOD) in compliance with the California Environmental Quality Act (CEQA).

Background:

In response to new levee design criteria from the California Department of Water Resources (DWR), the Three Rivers Levee Improvement Authority (TRLIA) developed a levee remediation program to correct criteria deficiencies related to seepage and slope stability and construction of a landslide access road for future operations and maintenance activities, along portions of the Western Pacific Interceptor Canal (WPIC) West Levee. Levee remediation measures include cutoff walls and landslide berms and fill. TRLIA prepared an IS/MND for the WPIC 200-Year Standard Project which was adopted by the TRLIA Board on April 5, 2016. Since that time, TRLIA has made a minor modification to the project, which consists of installing a security fence along a portion of the WPIC West Levee. This fence is being incorporated into the project to exclude cattle from the improved levee. The security fence would be installed along approximately 4,000 feet of the WPIC. The fence would be installed parallel to and approximately 15 feet from the waterside toe of the West Levee. The fence would be a standard 3-strand barbed wire fence with steel posts. A 12-foot-wide gate would be placed every 400 feet along the fence (approximately 10 gates) to provide maintenance access waterside of the security fence.

Discussion:

In accordance with CEQA, an Addendum to the IS/MND for the WPIC 200-Year Standard Project has been prepared describing the security fence installation and documenting environmental impacts of the proposed fence installation. The Addendum does not require circulation for public review.

The Addendum concludes that the addition of the security fence installation to the WPIC 200-Year Standard Project:
would not result in any new significant environmental effects,
would not substantially increase the severity of previously identified effects,
would not result in mitigation measures or alternatives previously found to be infeasible becoming feasible, or
would not result in availability/implementation of mitigation measures or alternatives that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

These conclusions confirm that the Addendum to the 2016 IS/MND is the appropriate CEQA document to evaluate and record this minor project modification and resulting environmental impacts of the addition of a security fence to the project as described in the Addendum.

**Fiscal Impact:**

Addition of the security fence will add approximately $50,000 to the construction cost of the WPIC 200-Year Standard Project. The project is cost shared with the State as part of the UYLIP EIP.

**Attachments:**


2. Notice of Determination for the WPIC 200-Year Standard Project
Addendum
Western Pacific Interceptor Canal
200-Year Standard Project
State Clearinghouse No. 2015062074

Prepared for:
Three Rivers Levee Improvement Authority

January 2017

Prepared by:
GEI Consultants
Consulting Engineers and Scientists
Addendum

Western Pacific Interceptor Canal
200-Year Standard Project

State Clearinghouse No. 2015062074

Prepared for:
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 218
Marysville, CA 95901

Contact:
Paul Brunner, P.E.
Executive Director
(530) 749-7841

Prepared by:
GEI Consultants
2868 Prospect Park Drive, Suite 400
Sacramento, CA 95870

Contact:
Phil Dunn
Project Director
(916) 341-9127

January 2017
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<td>California Environmental Quality Act</td>
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<td>IS/MND</td>
<td>Initial Study/Proposed Mitigated Negative Declaration</td>
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<td>MND</td>
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<td>MMRP</td>
<td>Mitigation Monitoring and Reporting Program</td>
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<td>ND</td>
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Chapter 1. Introduction

1.1 Background

On June 25, 2015, the Three Rivers Levee Improvement Authority (TRLIA), as lead agency under the California Environmental Quality Act (CEQA), publicly distributed the Initial Study/Proposed Mitigated Negative Declaration (IS/MND) for the Western Pacific Interceptor Canal 200-Year Standard Project (project). All comments received on the IS/MND were considered by TRLIA and addressed in the Final IS/MND. TRLIA adopted the Mitigated Negative Declaration (MND) and associated Mitigation Monitoring and Reporting Program (MMRP), and approved the proposed project, on April 5, 2016. The IS/MND and MMRP were prepared on behalf of TRLIA in accordance with CEQA Statutes (Public Resources Code Sections 21000 et seq.) and the State CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations). TRLIA is a joint powers authority, composed of Yuba County and Reclamation District (RD) 784, that was formed to address funding and implementation of levee repairs for the RD 784 service area.

The TRLIA project includes a levee remediation program to correct deficiencies related to seepage and slope stability and construction of a landslide access road for future operations and maintenance activities, along portions of the Western Pacific Interceptor Canal (WPIC) West Levee. Levee remediation measures include cutoff walls and landslide berms and fill.

Since adoption of the MND, TRLIA has made a minor addition to the project, installing a security fence along a portion of the WPIC West Levee. This fence is being incorporated into the project to exclude cattle from the improved levee. Latigo Farms currently ranches along this portion of the West Levee, and on several occasions, cattle have crossed the WPIC and grazed on the levee. During wet conditions, this cattle grazing damages the levee and requires RD 784 to conduct additional levee maintenance to repair the damage.

CEQA Guidelines Section 15164 state that minor technical changes or additions may be addressed by a supplement to the negative declaration or an addendum, depending on whether such changes or additions result in new or substantially more severe changes in environmental impacts. Since adoption of the MND, TRLIA has determined that a security fence is necessary to prevent cattle from damaging the WPIC West Levee. Details of the proposed security fence are described in this addendum to the WPIC 200-Year Standard Project MND (Addendum). TRLIA has determined that this security fence constitutes a minor addition to the MND and none of the conditions described in CEQA Guidelines Section 15162 requiring preparation of a subsequent negative declaration have occurred. Therefore, TRLIA has prepared this Addendum in accordance with Section 15164 of the State CEQA Guidelines.

1.2 Regulatory Context

If, after adoption of a negative declaration or MND, altered conditions or changes or additions to a project occur, CEQA provides two mechanisms to address these changes: a subsequent negative declaration or an addendum to a negative declaration.

Addendum
Three Rivers Levee Improvement Authority
GEI Consultants, Inc.
WPIC 200-Year Standard Project
Section 15162 of the State CEQA Guidelines describes the conditions under which preparation of a subsequent negative declaration would be appropriate. When a negative declaration or MND has been adopted for a project, preparation of a subsequent negative declaration or MND would be appropriate if the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions is met:

1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
   a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
   b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
   c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
   d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164 of the State CEQA Guidelines states that a lead agency may prepare an addendum to an adopted negative declaration if only minor technical changes or additions are necessary or none of the conditions described above in Section 15162 calling for the preparation of a subsequent negative declaration have occurred.

The analysis below demonstrates that the minor addition of a security fence to the project:

- would not result in any new significant environmental effects, and
- would not substantially increase the severity of previously identified effects.
In addition, no new information of substantial importance has arisen that shows that:

- the project would have new significant effects,
- the project would have substantially more severe effects,
- mitigation measures previously found to be infeasible would in fact be feasible, or
- mitigation measures that are considerably different from those analyzed in the IS/MND would substantially reduce one or more significant effects on the environment.

Because none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent negative declaration have occurred, an Addendum to the MND, consistent with Section 15164 of the State CEQA Guidelines, is the appropriate mechanism to document the minor addition of the security fence to the project. The purpose of this Addendum, therefore, is to provide the additional CEQA analysis necessary to address this minor change to the project and provide documentation for the record that this change is consistent with the MND.
Chapter 2. Changes to the Project

TRLIA would install a security fence along a portion of the WPIC West Levee to prevent cattle from accessing and damaging the levee. RD 784 would maintain the fence after it is installed and other project construction is complete. The security fence would be installed along approximately 4,000 feet, between Reaches 4C and 5B (Station 216+00 to Station 254+65) of the project area (Figure 1). The fence would be installed parallel to and approximately 15 feet from the waterside toe of the West Levee. The fence would be a standard 3-strand barbed wire fence with steel posts. A 12-foot-wide gate would be placed every 400 feet along the fence (approximately 10 gates) to provide maintenance access waterside of the security fence. Construction details of the fence and gates are shown in Figure 2.

The fence would end at an area of dense vegetation along the WPIC to the south and in an area of riprap on the waterside slope of the West Levee to the north. The dense vegetation and riprap prevent cattle from accessing the levee at the southern and northern ends of the fence. A short reach (10-15 feet) of perpendicular fencing would extend from each end of the fence to the eastern TRLIA property acquisition line at the west bank of the WPIC.

Installation of the security fence and associated gates is anticipated to be completed in 3-5 days, by two or three workers. Equipment is anticipated to include one or two pick-up trucks, hand tools, and possibly a trailer-mounted posthole auger.
Figure 2. Construction Details of Security Fence and Gates
Chapter 3. Environmental Analysis

This section provides the analysis to verify that: (1) the minor change to the project described in Chapter 2 of this document and the resulting environmental impacts described in this chapter do not meet any of the criteria in Sections 15162 of the State CEQA Guidelines for preparation of a subsequent negative declaration and meet the criteria of 15164 of the State CEQA Guidelines for preparation of an addendum to the adopted MND; and, (2) the analysis in the IS/MND and this Addendum are sufficient to meet CEQA requirements.

Additional project activities and associated disturbance from installing the security fence would be minimal. Fence installation would be completed in several days by a small crew and would require minimal equipment, primarily hand tools. Approximately half of the security fence (Station 233+00 to Station 253+50) would be installed within the construction limits established for other components of the project. Therefore, this area would otherwise be disturbed during project construction, and very little additional temporary disturbance would result. Elsewhere, the fence would be installed along an area that is only slightly (approximately 30 feet) beyond the established construction limits. Although installing the fence would result in disturbance to an additional approximately 1,800 feet near the waterside toe of the West Levee, this would be a very minor element within the overall context of the larger project. Activities associated with ongoing maintenance of the fence would also be minor.

Because the duration and intensity of additional project activity and ongoing maintenance associated with the security fence would be so minor, addition of the fence to the project description would not result in any new or substantially greater impacts than those identified in the IS/MND. Therefore, there is no change in the impact analysis, conclusions, or mitigation measures relative to the IS/MND.

The security fence would have no impact, or negligible impacts that would be less than significant on the following resource areas evaluated in the IS/MND:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Geology, Soils, and Geomorphology
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreational Resources
- Socioeconomic Effects and Environmental Justice
- Transportation and Circulation
- Utilities and Service Systems
Installing the security fence could minimally affect biological and cultural resources. Specifically, the additional disturbance waterside of the levee could affect giant garter snake, a species listed as threatened under Federal and State Endangered Species Acts, if individuals are present when the fence is installed. Installing fence and gate posts also could disturb unknown buried archaeological resources, if present along the fence alignment, but nearly the entire fence alignment is outside the area of sensitivity for cultural resources that was identified during consultation with local Native American tribes. Because the extent, intensity, and duration of disturbance would be so limited, potential for adverse effects on biological and cultural resources to occur is very low. In addition, measures to minimize potential for such effects are identified in the MND and would be implemented during security fence installation. With implementation of these measures, the less-than-significant impacts on biological and cultural resources would be further reduced.

Based on the analysis of the environmental impacts evaluated above, adding the security fence described in this Addendum to the project would result in none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent negative declaration. In summary, there are no altered circumstances or new information of substantial importance since adoption of the MND, and the proposed minor addition evaluated in this Addendum:

- would not result in any new significant environmental effects,
- would not substantially increase the severity of previously identified effects,
- would not result in mitigation measures or alternatives previously found to be infeasible becoming feasible, or
- would not result in availability/implementation of mitigation measures or alternatives that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

These conclusions confirm that this Addendum to the MND is the appropriate CEQA document to evaluate and record the minor project addition and resulting environmental impacts thereof as described in this document.
Notice of Determination

To:  
Office of Planning and Research  
U.S. Mail:  
P.O. Box 3044  
P.O. Box 3044  
Sacramento, CA 95812-3044  
Sacramento, CA 95814  
☑ County Clerk  
County of: Yuba  
Address: 915 6th 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

☑ County Clerk  
County of: Yuba  
Address: 915 6th Street, Suite 107  
Marysville, CA 95901

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): 2015062074

Project Title: Addendum to Western Pacific Interceptor Canal 200-Year Standard Project

Project Applicant: Three Rivers Levee Improvement Authority (TRLIA)

Project Location (include county): Yuba County

Project Description:
TRLIA is making a minor addition to the Western Pacific Interceptor 200-Year Standard Project. A security fence would be installed along a portion of the WPIC West Levee. This fence is being incorporated into the project to exclude cattle from the improved levee. Cattle grazing occurs along this portion of the West Levee, and on several occasions, cattle have crossed the WPIC and grazed on the levee. During wet conditions, this cattle grazing damages the levee and requires additional levee maintenance to repair the damage.

This is to advise that the Three Rivers Levee Improvement Authority has approved the above described project on January 17, 2017 and has made the following determinations regarding the above described project.

1. The project [☐ will ☑ 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. ☑ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☑ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☑ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☑ was not] adopted for this project.
6. Findings [☐ 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: ___________________________

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.  
Revised 2011