

THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

RESOLUTION NUMBER 2009-04

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
APPROVING THE FEATHER RIVER EROSION SITE 2 REPAIR PROJECT IS/MND,
ADOPTING FINDINGS, APPROVING THE PROJECT, AND AUTHORIZING
FILING OF A NOTICE OF DETERMINATION**

WHEREAS, the U.S. Army Corps of Engineers has expressed concern over the potential for erosion and scour along a portion of the State Cut, an overflow channel at the confluence of the Feather and Yuba Rivers, due to a lack of vegetation and the presence of fine, sandy soil in the levee foundation;

WHEREAS, a review of historical documents suggests that episodic scour has occurred within the State Cut during flood events below the 100-year level, and substantial scour is possible in a single extreme event;

WHEREAS, MBK Engineers conducted a hydrological analysis in April 2007 and determined that additional scour protection would be required within the State Cut to reduce the potential for scour;

WHEREAS, the Three Rivers Levee Improvement Authority (Three Rivers) has proposed to repair and arrange for the maintenance of a segment of the State Cut and a nearby portion of the waterside levee surface, which together comprise the Erosion Site 2 project site;

WHEREAS, the proposed activities include constructing a rock slope protection layer and toe trench, revegetating the levee slope, and regrading and resurfacing an existing maintenance road along the levee toe;

WHEREAS, Three Rivers arranged for the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) describing the project and its potential environmental impacts,

WHEREAS, the IS/MND was circulated for public review from February 6, 2009 through March 10, 2009, and four public comments were received;

WHEREAS, a mitigation monitoring program was prepared to provide for the implementation of the mitigation measures identified in the IS/MND; and

WHEREAS, it is the professional judgment of Three Rivers' environmental consultant that the potential impacts identified in the IS/MND would be mitigated to a less than significant level through implementation of the mitigation monitoring program;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE THREE RIVERS LEVEE IMPROVEMENT DISTRICT FINDS AS FOLLOWS:

1. Three Rivers has independently reviewed and analyzed the IS/MND and has considered all of the comments received.

2. The IS/MND has been prepared in accordance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and reflects the independent judgment of Three Rivers.

3. The project will have no impact on land use and planning, population and housing, public services, recreation, and utilities and service systems.

4. The project will have a less-than-significant impact on aesthetics, agricultural resources, mineral resources, and traffic and transportation.

5. With the inclusion of the proposed mitigation measures, the project will have a less-than-significant impact on air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise.

6. All mitigation measures identified in the IS/MND as feasible mitigation measures are adopted and incorporated into the project, and the mitigation monitoring program is adopted.

7. The project is approved.

8. The Executive Director of Three Rivers is authorized, on behalf of Three Rivers, to sign and directed to file with the Clerk of Yuba County a Notice of Determination for the project.

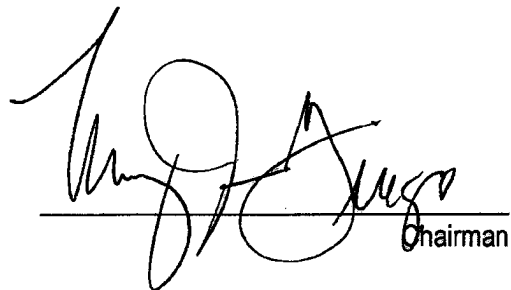
PASSED AND ADOPTED this 17th day of March, 2009, by the Three Levees Improvement Authority Board of Directors, by the following vote:

AYES: Directors Brown, Crippen, Graham, Griego, Nicoletti

NOES: None

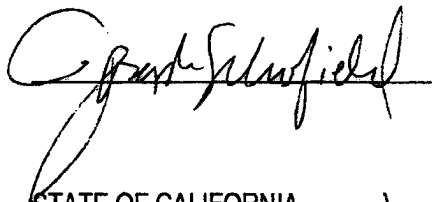
ABSENT: None

ABSTAIN: None



Chairman

APPROVED AS TO FORM:



ATTEST:


DONNA STOTTEMEYER, SECRETARY

STATE OF CALIFORNIA)
COUNTY OF YUBA) ss
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY)

I, Donna Stottlemeyer, Secretary of the Board of Directors of Three Rivers Levee Improvement Authority, do hereby certify that the foregoing is a true and correct copy of Resolution No. ____ adopted by the Board of Directors of the Three Rivers Levee Improvement Authority, Yuba County, California, at a regular meeting thereof, held on the 17th day of March, 2009 by the following vote:

AYES:
NOES:
ABSENT:

DONNA STOTTEMEYER, SECRETARY