

RESOLUTION NO. 2022-01

A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 348 APPROVING AND ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND PROPOSED MITIGATION MEASURES FOR THE SOUTH MOKELUMNE RIVER SETBACK LEVEE PROJECT

WHEREAS, Reclamation District No. 348 ("District") is responsible for the operation and maintenance of the New Hope Tract levee system located along the South Mokelumne River; and

WHEREAS, portions of the New Hope Tract levee system are below the Delta Specific PL 84-99 Standard, which requires: (1) levee crown elevations to be 1.5 feet above the 100-year flood elevation, (2) waterside slopes to be a minimum of 2:1, and (3) landside slopes to be a minimum of 3:1; and

WHEREAS, the South Mokelumne River Setback Levee Project (Project) includes the construction of three setback levees consisting of 4,350 linear feet, placement of fill as compacted embankment with geometry that meets the Delta Specific PL 84-99 Standard, placement of aggregate base material on the setback levee crown to create an all-weather roadway, and excavation of the existing levee above Mean Lower Low Water to construct a riparian bench for habitat enhancement; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21100 et seq.) (CEQA), the District as the Lead Agency has undertaken the environmental review of the Project, and has circulated a Draft Initial Study and proposed Mitigated Negative Declaration (IS/MND) for this Project through the State Clearinghouse (SCH# 2022010311). The District also posted a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project (Notice) with the Office of the County Clerk, San Joaquin County. The Draft IS/MND was circulated to the public and to responsible public agencies for a public review period of 30 days starting on January 20, 2022 and ending on February 22, 2022; and

WHEREAS, the District received four comment letters on the Draft IS/MND, and those letters, and responses to the comments in those letters, have been included in the Final IS/MND. No substantial revisions were made to the Draft IS/MND, and thus recirculation of the document is not required; and

WHEREAS, Proposed Mitigation Measures have been developed for the Project which are incorporated into and identified in the Draft IS/MND; and

WHEREAS, the District posted a notice of the time and place of its consideration of the adoption of the IS/MND for the Project in accordance with the Ralph M. Brown Act (Govt. Code §§ 54950 et seq.) and provided notice to all of the parties/entities that commented on the IS/MND; and

WHEREAS, the District's Board of Trustees ("Board") has carefully reviewed the IS/MND, and all other relevant information contained in the record regarding the Project, and has determined that there is no substantial evidence that the Project will have a significant effect on the environment.

NOW THEREFORE, BE IT RESOLVED:

1. The Board of Trustees has considered all of the information that has been provided to the Board regarding the Project, which includes, but is not limited to, the following:

- a. the IS/MND for the Project (attached hereto as Exhibit 1);
- b. all public comments regarding the Project received prior to or during the Board's March 10, 2022 meeting; as well as the responses to written comments received by the February 22, 2022 deadline for written comments; and
- c. the presentation by District staff and consultants at the Board's meeting held on March 10, 2022.

2. Based upon its review and careful consideration of the foregoing information, and all related information presented to the Board, the Board hereby finds that the IS/MND reflects the Board's independent judgment that the Project will not have a significant effect on the environment, and the IS/MND and Proposed Mitigation Measures incorporated therein are hereby adopted and the Project is approved.

3. The documents that constitute the record of proceedings upon which this decision is based, are located at the District office located at 500 Capitol Mall, Suite 1000 in Sacramento, and the Secretary to the Board is the custodian thereof.

4. The District directs that a Notice of Determination be filed with the State Clearinghouse and the Clerk of San Joaquin County within five (5) days of date this Resolution is approved, and any and all fees associated therewith be paid.

5. The President of the Board of Trustees is authorized to execute all additional documentation necessary to complete the performance and implementation of the Project.

PASSED, APPROVED, AND ADOPTED at a regular meeting of Reclamation District, No. 348, Stockton, California, on this 10th day of March 2022, by the following votes:

AYES: *Spaletta, Stokes*

NOES: *N/A*

ABSENT: Olagaray

ABSTAINING: N/A

A handwritten signature in blue ink, appearing to read 'William Stokes', written over a horizontal line.

William Stokes
President, Board of Trustees
Reclamation District No. 348

ATTEST:

A handwritten signature in blue ink, appearing to read 'Alexis K. Stevens', written over a horizontal line.

Alexis K. Stevens
Secretary, Board of Trustees
Reclamation District No. 348

EXHIBIT 1