

**RECLAMATION DISTRICT NO. 38  
P.O. BOX 408  
WALNUT GROVE, CA 95690  
(916) 776-1531  
FAX (916) 776-1018**

**RESOLUTION NO. 2021 - 3**

**APPROVING AND ADOPTING A MITIGATED NEGATIVE DECLARATION ON THE  
ENVIRONMENTAL IMPACT OF THE NORTH MOKELUMNE RIVER MULTI-BENEFIT  
PROJECT**

WHEREAS, Reclamation District No. 38 (District) is a reclamation district organized and existing under California Water Code Sections 50000 et seq.; and

WHEREAS, as part of its duties as a reclamation district, the District operates and maintains the levee system surrounding Staten Island; and

WHEREAS, the District received funding from the California Department of Water Resources (Project Funding Agreement ST-19-1.0-SP) for the North Mokelumne River Multi-Benefit Project (Project); and,

WHEREAS, the Project seeks to rehabilitate the levee section along the North Mokelumne River from Sta. 1040+00 – 1200+00 to the Delta Specific PL 84-99 Standard and enhance riparian habitat; and,

WHEREAS, the District's engineer has prepared an Initial Study and Mitigated Negative Declaration for the Project; and

WHEREAS, public Notice of Intent to adopt the Mitigated Negative Declaration for the Project was posted at the District office and with the San Joaquin County Clerk for the required 30 days, from June 16, 2021, to July 16, 2021; and,

WHEREAS, the proposed Mitigated Negative Declaration was circulated (State Clearinghouse #2021060346) for the required 30 days for public review and comment, from June 16, 2021, to July 16, 2021; and,

WHEREAS, at the meeting held on July 19, 2021, the District Board considered the comments received during the public review period, the Mitigated Negative Declaration and all of its supporting documentation.

NOW, THEREFORE, RECLAMATION DISTRICT NO. 38 hereby finds, determines and resolves as follows:

1. A Notice of Intent to adopt a Mitigated Negative Declaration was properly publicized within the meaning of 14 CCR 15072.
2. The Mitigated Negative Declaration was subject to proper public review as provided in 14 CCR 15073.
3. The Mitigated Negative Declaration was completed in compliance with the CEQA Guidelines.
4. The Board has considered all comments received during the public review process and that no

further modifications to the Project are necessary or required.

5. The Board hereby finds and determines that there is no substantial evidence, in light of the whole record before it, that the approval of the Project may have a significant effect on the environment, and that the Mitigated Negative Declaration, attached hereto as Exhibit A and incorporated by reference herein, as provided for under Section 21080(c) of the Public Resources Code, is hereby approved; and that the Mitigated Negative Declaration reflects the Board's independent judgment and analysis.
6. The Board hereby approves and adopts the Mitigated Negative Declaration and authorizes and directs its President to execute the Mitigated Negative Declaration and cause the filing of a Notice of Determination with the San Joaquin County Clerk and State Clearinghouse.
7. A Mitigation, Monitoring and Reporting Program for reporting on or monitoring the changes which the Board has either required in the Project or made a condition of approval to mitigate or avoid significant environmental effects is provided in Exhibit B to this resolution and is hereby adopted.


Approved and adopted this 19<sup>th</sup> day of July 2021, by the following vote:

AYES: Directors: *Dawn Zeleke, Jepred Dixon*

NOES: Directors:

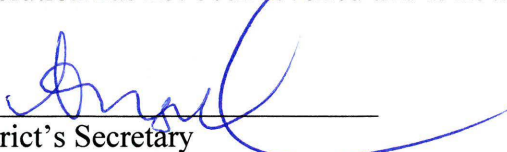
ABSENT: Directors: *Emily Wells*

**RECLAMATION DISTRICT NO. 38**

  
\_\_\_\_\_  
President

\* \* \* \* \*

I hereby certify that the foregoing is a full, true, and correct copy of a resolution passed and adopted by the Board of Trustees of Reclamation District No. 38 at a meeting held on July 19, 2021, and that this Resolution has not been revoked and is now in full force and effect.

  
\_\_\_\_\_  
District's Secretary

Date: *7/19/2021*