

RESOLUTION 09-156

Adopted by the Sacramento Area Flood Control Agency

CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT ON THE NATOMAS LEVEE IMPROVEMENT PROGRAM PHASE 4A LANDSIDE IMPROVEMENTS PROJECT; ADOPTION OF FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, MITIGATION MEASURES, AND A MITIGATION MONITORING AND REPORTING PROGRAM; AND APPROVAL OF THE NATOMAS LEVEE IMPROVEMENT PROGRAM PHASE 4A LANDSIDE IMPROVEMENTS PROJECT

WHEREAS, Section 20(c) of the SAFCA Act {Stats.1990, c. 510 (S.B.46), §1.}, finds and declares that a purpose of SAFCA is to coordinate a regional effort to finance, provide, and maintain facilities and works necessary to ensure a reasonable and prudent level of flood protection, as determined by the agency, in developed and urbanizing areas which are designated for residential, commercial, or industrial uses within its boundaries and to provide local assurances and participate in cost sharing for federal flood control projects; and

WHEREAS, Section 52 of the SAFCA Act states that SAFCA shall have as its highest priority the protection of life, property, watercourses, watersheds, and public highways within its boundaries from damage from flood and storm waters; and

WHEREAS, Section 52 of the SAFCA Act further mandates that SAFCA carry out its flood control responsibilities in ways that provide for the optimum protection of the natural environment, especially riparian habitat and natural stream channels suitable for native plant and wildlife habitat and public recreation; and

WHEREAS, the Natomas Levees Improvement Program Landside Improvements Project ("NLIP Landside Improvements Project") consists of improvements to the levee system in the Natomas Basin and related landscape modifications and drainage and infrastructure improvements to reduce the risk of flooding in a significant portion of the Sacramento metropolitan area, thereby implementing a portion of the flood control program analyzed at the program level in the Environmental Impact Report on Local Funding Mechanisms for Comprehensive Flood Control Improvements for the Sacramento Area (State Clearinghouse No. 2006072098) ("Local Funding EIR"); and

WHEREAS, the NLIP Landside Improvements Project was further evaluated in the Environmental Impact Report on the NLIP Landside Improvements Project (State Clearinghouse No. 2007062016) ("2007 Landside EIR"), and consists of elements that were analyzed in the 2007 Landside EIR at a project level (the "Phase 2 Project") and elements that were analyzed at a program level (the "Phase 3 Project" and the "Phase 4 Project"); and

WHEREAS, the Phase 3 Project has been analyzed at a project level in the Environmental Impact Report on the NLIP Phase 3 Landside Improvements Project (State Clearinghouse No. 2008072060) ("Phase 3 EIR")

WHEREAS, the SAFCA Board of Directors certified the Local Funding EIR in February 2007, certified the 2007 Landside EIR and approved the Phase 2 Project in November 2007, and certified the Phase 3 EIR and approved the Phase 3 Project in May 2009; and

WHEREAS, modifications to the Phase 2 Project were analyzed in the Supplement to the Environmental Impact Report on the NLIP Landside Improvements Project – Phase 2 Project (State Clearinghouse No. 2007062016 (“Phase 2 SEIR”); and

WHEREAS, the SAFCA Board of Directors certified the Phase 2 SEIR and approved the modifications to the Phase 2 Project in January 2009; and

WHEREAS, minor changes to the Phase 2 Project were analyzed in the Addendum to the Environmental Impact Report on the NLIP Landside Improvements Project – Phase 2 Project (State Clearinghouse No. 2007062016 (“Phase 2 EIR 1st Addendum”) and the 2nd Addendum to the Environmental Impact Report on the NLIP Landside Improvements Project – Phase 2 Project (State Clearinghouse No. 2007062016 (“Phase 2 EIR 2nd Addendum”); and

WHEREAS, the SAFCA Board of Directors certified the Phase 2 EIR 1st Addendum and approved the minor changes to the Phase 2 Project in June 2009, and certified the Phase 2 EIR 2nd Addendum and approved the minor changes to the Phase 2 Project in August 2009; and

WHEREAS, minor changes to the Phase 3 Project were analyzed in the Addendum to the Environmental Impact Report on the NLIP Phase 3 Landside Improvements Project (State Clearinghouse No. 2008072060) (“Phase 3 EIR Addendum”); and

WHEREAS, the SAFCA Board of Directors certified the Phase 3 EIR Addendum and approved the minor changes to the Phase 3 Project in September 2009; and

WHEREAS, construction of the Phase 1 Project and most of the Phase 2 Project has been completed; and

WHEREAS, the Phase 4a Project would involve improvements to a portion of the Natomas Basin’s perimeter levee system in Sutter and Sacramento Counties, California, and associated landscape and irrigation/drainage infrastructure modifications, with a focus on addressing underseepage, riverbank erosion, encroachment, and levee height deficiencies along the Sacramento River east levee south of Interstate 5; and

WHEREAS, SAFCA has prepared an Environmental Impact Report on the NLIP Phase 4a Landside Improvements Project (State Clearinghouse No. 2009032097) (“Phase 4a EIR” or “EIR”); and

WHEREAS, the Phase 4a EIR is tiered from the Local Funding EIR and the 2007 Landside EIR; and

WHEREAS, the Phase 4a Project is fully described in Chapter 2 of the August 2009 Draft EIS/EIR, as amended by the November 2009 Final EIR; and

WHEREAS, SAFCA desires the Phase 4a Project to provide at least 100-year flood protection as quickly as possible while laying the groundwork to achieve at least "200-year" flood protection over time; to use flood control projects in the vicinity of Sacramento International Airport to facilitate better management of Airport lands that reduce hazards to aviation safety; and to use flood control projects to enhance habitat values by increasing the extent and connectivity of the lands in the Natomas Basin being managed to provide habitat for giant garter snake, Swainson's Hawk, and other special-status species; and

WHEREAS, construction of the Phase 4a Project is scheduled to begin in spring 2010 and is expected to be completed in 2011, assuming receipt of all required environmental clearances, permits, and approvals for project implementation; and

WHEREAS, the Draft EIS/EIR describing the Phase 4a Project has been circulated for public review, comments have been received and responses issued, and a Final EIR has been prepared; and

WHEREAS, the Final EIR has been presented to the Board and the Board has reviewed and considered the information contained in the Final EIR.

NOW, THEREFORE, BE IT RESOLVED BY THE SACRAMENTO AREA FLOOD CONTROL AGENCY BOARD OF DIRECTORS:

1. The Board hereby finds the foregoing recitals to be true and correct.
2. The Board hereby certifies that the Final EIR for the Phase 4a Project has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.*, and reflects the independent judgment and analysis of SAFCA.
3. The Board hereby adopts the Findings and Statement of Overriding Considerations for the Phase 4a Project, attached hereto as "Exhibit A," including the Statement of Overriding Considerations set forth therein.
4. The Board hereby adopts and incorporates into the Phase 4a Project all of the Mitigation Measures within the responsibility and jurisdiction of SAFCA that are identified in the Findings.
5. The Board hereby adopts the Mitigation Monitoring and Reporting Program for the Phase 4a Project, attached hereto as "Exhibit B."
6. The Board hereby approves the Phase 4a Project.

ON A MOTION BY Director Tretheway seconded by Director Quinn, the foregoing resolution was passed and adopted by the Board of Directors of the

Sacramento Area Flood Control Agency, this 13th day of November 2009, by the following vote, to wit:

AYES: Directors: Gallagher, Smith, Shiels, Holloway, Moose, Peters
Pannell, Tretheway, Yee, Rogers, Nottoli, Quinn
NOES: Directors: (None)
ABSTAIN: Directors: (None)
ABSENT: Directors: Johnson



Susan Price
Chair of the Board of Directors of the
Sacramento Area Flood Control Agency

(SEAL)

ATTEST:


Yvonne Russell
Clerk of the Board of Directors

EXHIBIT A

Findings and Statement of Overriding Considerations for the Natomas
Levee Improvement Program Phase 4A Landside Improvements
Project

Is available at:

http://www.safca.org/board_meetings.htm

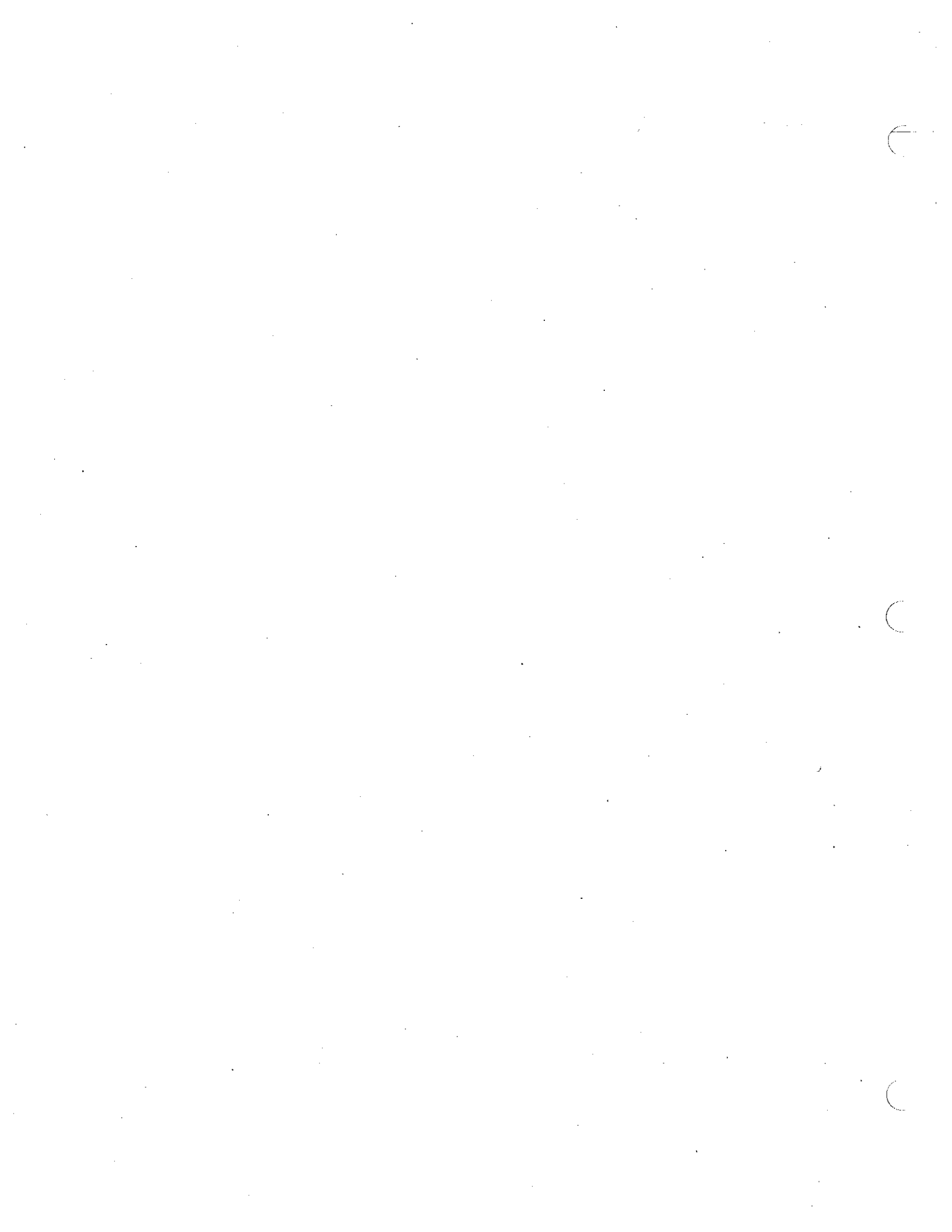


EXHIBIT B

The Mitigation Monitoring and Reporting Program for the Phase 4A
Project is available on SAFCA's Website at

http://www.safca.org/board_meetings.htm

