

RESOLUTION 07-105

Adopted by the Sacramento Area Flood Control Agency

CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT ON THE NATOMAS LEVEE IMPROVEMENT PROGRAM 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 LANDSIDE IMPROVEMENTS PROJECT 2008 CONSTRUCTION PROJECTS, CONSISTING OF THE "NATOMAS CROSS CANAL PHASE 2 IMPROVEMENT PROJECT" AND THE "SACRAMENTO RIVER EAST LEVEE PHASE 1 IMPROVEMENT PROJECT (REACHES 1 THROUGH 4B)"

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; and

WHEREAS, Section 52 of the SAFCA Act further mandates that SAFCA carry out its (flood control) responsibilities in ways which 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" or "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 known as 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 is fully described in Chapter 2 of the September 2007 Draft Environmental Impact Report on the NLIP Landside Improvements Project, as amended by the November 2007 Final Environmental Impact Report Responses to Comments and Revisions to the Draft EIR (State Clearinghouse No. 2007062016) (together, the "Final EIR"), and consists of project elements proposed for commencement of construction in 2008 that are analyzed at a

project level ("2008 Construction Projects"), which consist of the "Natomas Cross Canal South Levee Phase 2 Improvement Project" and the "Sacramento River East Levee Phase 1 Improvement Project (Reaches 1 Through 4B)," and elements proposed for commencement of construction in 2009 through 2010 that are analyzed at a program level; and

WHEREAS, the Final EIR is tiered from the Local Funding EIR; and

WHEREAS, the 2008 Construction Projects would involve levee raising; seepage remediation; improvements to major irrigation and drainage infrastructure; habitat development and management; encroachment management and bridge crossing modifications; right-of-way acquisition within the area of the proposed features, at borrow sites, and to prevent encroachment and provide for maintenance access along the land side of the flood control facilities; and

WHEREAS, SAFCA desires the 2008 Construction Projects to commence in 2008: 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 Natomas being managed to provide habitat for giant garter snake, Swainson's hawk, and other special-status species; and

WHEREAS, the Draft EIR describing the NLIP Landside Improvements 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:

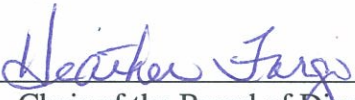
1. The Board hereby certifies that the Final EIR for the NLIP Landside Improvements Project has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.*, and reflects the independent judgment of SAFCA.
2. The Board hereby adopts the Findings and Statement of Overriding Considerations for the NLIP Landside Improvements Project, attached hereto as "Exhibit A," including the Statement of Overriding Considerations set forth therein.
3. The Board hereby adopts and incorporates into the NLIP Landside Improvements Project all of the mitigation measures within the

responsibility and jurisdiction of SAFCA that are identified in the Findings.

4. The Board hereby adopts the Mitigation Monitoring and Reporting Program for the NLIP Landside Improvements Project, attached hereto as "Exhibit B."
5. The Board hereby approves the 2008 Construction Projects, consisting of the "Natomas Cross Canal South Levee Phase 2 Improvement Project" and the "Sacramento River East Levee Phase 1 Improvement Project (Reaches 1 Through 4B).

ON A MOTION BY Director Moose, seconded by Director Tretheway the foregoing resolution was passed and adopted by the Board of Directors of the Sacramento Area Flood Control Agency, this 29th day of November 2007, by the following vote, to wit:

AYES: Directors: Christophel; Cohn; Dickinson; Fargo; Moose; Nottoli; Peters; Shields; Tretheway; Yee; Holloway
NOES: Directors: Silva
ABSTAIN: Directors:
ABSENT: Directors: MacGlashan



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

(SEAL)

ATTEST:


Clerk of the Board of Directors