



RESOLUTION No. 2019-03

OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

ADOPTING A MITIGATED NEGATIVE DECLARATION, AND APPROVING THE PROJECT AND MITIGATION MONITORING AND REPORTING PROGRAM – ORR CREEK RESERVOIR CLEANING AND INFRASTRUCTURE IMPROVEMENT PROJECT

WHEREAS, Nevada Irrigation District (“District”) has undertaken the review of a project to clean and repair the Orr Creek Diversion Structure at the same site (the “Project”); and

WHEREAS, the California Environmental Quality Act of 1970 (“CEQA”) requires state, local, and other agencies to evaluate or reduce, when feasible, the significant environmental impacts of their respective projects; and

WHEREAS, the District’s engineering staff has prepared a Preliminary Review and Initial Study (“Initial Study”) for the proposed Project in accordance with the requirements of CEQA; and

WHEREAS, on December 1, 2018, a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project was published in The Union newspaper and on December 9, 2018 in The Auburn Journal, advising of the time and place of a public hearing on the Project; and

WHEREAS, on January 9, 2019, following a public hearing on the Mitigated Negative Declaration for the Project, the Board of Directors of the Nevada Irrigation District approved the adoption of the proposed Mitigated Negative Declaration for the Project as presented; and

WHEREAS, the initial study and proposed project does not contemplate a change in historical operation of the facility’s outlets, and any new operation of outlets would be subject to any necessary regulatory and permitting requirements; and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Nevada Irrigation District that it does find as follows:

1. The above recitals are true and correct.
2. Based on its review of the whole record before it, including the Initial Study, presentations of Staff and the public comments, both written and oral, received in response to its Notice of Intent, the Board finds that there is no substantial evidence of record that the Project will have a significant effect on the environment and that the Mitigated Negative Declaration represents the independent judgment and analysis of the District.

3. Mitigation measures are made a condition for approval of the Project and the Board hereby adopts the mitigation measures which it has either required in the Project or made a condition of approval to mitigate or avoid significant environmental impacts.
4. The documents which constitute the record of proceedings upon which the decision of the Board is based are located at the offices of Nevada Irrigation District, 1036 West Main Street, Grass Valley, California, and the Secretary to the Board is the custodian thereof.
5. The Board of Directors hereby approves the Project.
6. The Board Secretary is hereby authorized to file a Notice of Determination, a copy of which is attached as Exhibit 'A', with the Office of the County Clerk, Nevada County and State Clearinghouse.

ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting of said Board, held on the 9th day of January, 2019, by the following vote of said Board.

AYES: Directors: Heck, Bierwagen, Peters, Wilcox, Miller

NOES: Directors: None

ABSENT: Directors: None

ABSTAINING: Directors: None



President



Board Secretary

Exhibit 'A'

Notice of Determination

Appendix D

To: [X] Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

From: Public Agency: Nevada Irrigation District
Address: 1036 West Main Street
Grass Valley, CA 95945
Contact: Gary D. King, P.E., Ph.D.
Phone: 530-273-6186

[X] County Clerk
County of: Placer
Address: County Clerk-Recorder
2954 Richardson Drive, Auburn CA 95603

Lead Agency (if different from above): Same as above
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2018112074

Project Title: Orr Creek Reservoir Cleaning and Infrastructure Improvement Project

Project Applicant: Nevada Irrigation District

Project Location (include county): Orr Creek Reservoir in Placer County

Project Description:

NID proposes to a) remove an estimated 10,000 cubic yards of accumulated sediment from the reservoir and restore a portion of its original 27 acre-feet of storage capacity; b) repair and improve the dam infrastructure including repairing cracks that have formed in the concrete dam structure; c) replace and realign the diversion pipe to the Gold Hill I Canal to increase efficiency and improve access for the District personnel; and d) add a low-level outlet at the base of the dam through which water could be released downstream into Orr Creek to maintain the storage capacity of the dam and improve downstream aquatic habitats.

This is to advise that the Nevada Irrigation District has approved the above (X Lead Agency or Responsible Agency)

described project on January 9, 2019 and has made the following determinations regarding the above described project.

- 1. The project [] will [X] will not have a significant effect on the environment.
2. [] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. [X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [] was not adopted for this project.
5. A statement of Overriding Considerations [] was [X] was not adopted for this project.
6. Findings [X] were [] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Nevada Irrigation District Office at the above address

Signature (Public Agency): [Signature] Title: PRESIDENT

Date: 1/9/19 Date Received for filing at OPR: