

**RESOLUTION NO. 2021- 04**

**A RESOLUTION BY THE BOARD OF DIRECTORS OF  
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY  
DECLARING CERTAIN REAL PROPERTY AS  
EXEMPT SURPLUS LAND**

**WHEREAS**, the Three Rivers Levee Improvement Authority (“TRLIA”) is a public entity organized and existing under the Joint Exercise of Powers Act (Cal. Government Code, §§ 6500 *et seq.*) for the purpose of providing flood control improvements located in the County of Yuba, including improvements to the levee system and related drainage infrastructure; and

**WHEREAS**, in furtherance of its levee construction and rehabilitation projects, TRLIA has acquired fee simple interest in several parcels within Yuba County, identified in **Exhibit A**; and

**WHEREAS**, TRLIA and the California Department of Water Resources have determined that continued agricultural use of the Properties is consistent with TRLIA’s flood protection purposes; and

**WHEREAS**, the Surplus Land Act (Government Code, §§ 54220 *et seq.*) requires that before a local agency such as TRLIA takes action to dispose of (sell or lease) land, it must declare the property to be either “surplus land” or “exempt surplus land;” and

**WHEREAS**, pursuant to Government Code section 54221(f)(1)(G), “exempt surplus land” includes surplus land that is subject to valid legal restrictions that are not imposed by the local agency and that would make housing prohibited; and

**WHEREAS**, the Properties are required by the California Department of Water Resources to be encumbered by flowage easements in favor of the Sacramento-San Joaquin Drainage District that would effectively make housing prohibited through the right to flow and impound waters over the Properties; and

**WHEREAS**, pursuant to Government Code section 54221(f)(1)(J), “exempt surplus land” includes real property that is necessary for agency’s use to support agency work or operations; and

**WHEREAS**, the Properties were required to be acquired for purposes of TRLIA’s levee construction and rehabilitation projects; either contain or are required to support flood control facilities maintained by TRLIA or Reclamation District No. 784; and/or are encumbered by a flood/flowage easement prohibiting activities inconsistent with flood control purposes. The Properties therefore remain necessary for TRLIA’s use in its flood protection purposes; and

**WHEREAS**, TRLIA desires at this time and deems it to be in the public interest to declare the Properties as exempt surplus land and to consider offering them for lease for uses consistent with its flood control purposes, including but not limited to agricultural production; and

**WHEREAS**, Section 400(e) of the Surplus Land Act Guidelines, issued by the California Department of Housing and Community Development (“HCD”), requires a local agency that determines property is exempt from the Surplus Land Act to provide a copy of the resolution and written findings declaring the property exempt surplus land to HCD at least 30 days prior to disposition.

***NOW, THEREFORE, BE IT RESOLVED THAT:***

1. The Board of Directors of the Three Rivers Levee Improvement Authority finds that all of the preceding background facts are true and correct and are hereby incorporated and adopted as findings and determinations of the Board of Directors as if fully set forth herein.
2. The Board hereby declares the Properties exempt surplus land pursuant to Government Code sections 54221(f)(1)(G) and 54221(f)(1)(J).
3. The Board hereby authorizes and directs the Executive Director, on its behalf, to submit this declaration of exempt surplus land and written findings to the California Department of Housing and Community Development.

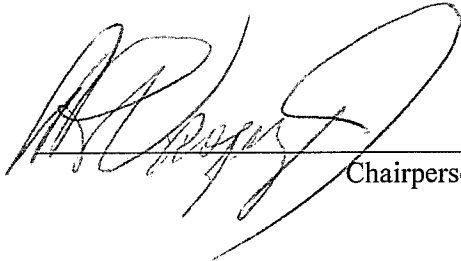
**PASSED AND ADOPTED** this 1 day of June 2021, by the Board of Directors of Three Rivers Levee Improvement Authority by the following vote:

AYES: Directors Atwal, Bradford, Brown, Vasquez

NOES: None

ABSENT: Director Ledbetter

ABSTAIN: None

  
Chairperson

ATTEST:  
CLERK OF THE BOARD

  
Rachel Dennis

APPROVED AS TO FORM:  
GENERAL COUNSEL  
ANDREA P. CLARK

  
Andrea P. Clark

## EXHIBIT A

State

County

City

1728879v1  
The County of Adams, State of Colorado, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of Adams, State of Colorado, and is true and correct.

Date:

By:

## Exhibit "A"

### Potential Agricultural Mitigation Parcels

	Property Identification	APN(s)
1	Goldfields tie-in remnant	018-150-063
2	Brophy Basin	018-180-082
3	Road 1034 Basin	018-180-073, 018-180-072, 018-180-074, 018-180-070, 018-180-079, 018-180-078
4	Bear Setback Area	016-130-015, 016-130-016, 016-150-024, 016-150-007, 028-050-009, 028-050-007
5	Bear Detention Basin	016-150-026, 016-150-025
6	FRSB 1	013-010-070, 013-010-071
7	FRSB 2	013-010-069
8	FRSB 3	014-250-028, 023-180-009, 023-180-007

### Existing Agricultural Properties

	Property Identification	APN (s)
9	FRSB 4	013-010-068
10	FRSB 5	014-370-003, 014-370-037, 014-370-024, 014-370-026, 014-370-002
11	FRSB 6	014-370-033
12	FRSB 7	016-010-034
13	FRSB 8	014-370-059
14	FRSB 9	016-010-033, 016-020-019, 014-370-051

The foregoing is a true and correct  
copy of the document on file  
in this office  
ATTEST: RACHEL FERRIS  
Clerk of the Board of Supervisors of  
the County of Yuba, State of California

By: Rachel Ferris

Date: 6-2-21