



**RESOLUTION 2012-13**

**A RESOLUTION OF THE TRINIDAD CITY COUNCIL THAT THE LUFFENHOLTZ SOURCE WATER PROTECTION PROJECT IS WITHIN THE SCOPE OF AND CONCURRING WITH THE MITIGATED NEGATIVE DECLARATION PREPARED AND ADOPTED BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME FOR A MASTER AGREEMENT FOR TIMBER OPERATIONS AND ROAD MANAGEMENT WASTE DISCHARGE REQUIREMENTS FOR GREEN DIAMOND RESOURCE COMPANY**

**WHEREAS**, the City of Trinidad obtains its water from Luffenholtz Creek, and the watershed is primarily owned by Green Diamond Resource Company; and

**WHEREAS**, the City of Trinidad applied for a Source Water Protection Grant from the California Department of Public Health funded by Proposition 50 to implement sediment reduction projects, known as the Luffenholtz Source Water Protection Project (hereinafter 'Project'), in the Luffenholtz Creek watershed to reduce sediment loading to the City's water intake; and

**WHEREAS**, the Project is subject to the provisions of the California Environmental Quality Act, and the City is serving as a Responsible Agency pursuant to §15381 of the CEQA Guidelines; and

**WHEREAS**, the California Department of Fish and Game was the Lead Agency in preparing and adopting a Mitigated Negative Declaration pursuant to CEQA for a Master Agreement for Timber Operations and Road Management Waste Discharge Requirements for Green Diamond Resource Company; and

**WHEREAS**, City staff have reviewed the Master Agreement for Timber Operations and Road Management Waste Discharge Requirements for Green Diamond Resource Company and have found that the Project is consistent with and within the scope of the preceding document; and

**WHEREAS**, the City Council has independently considered the Mitigated Negative Declaration at a duly noticed public hearing; and

**WHEREAS**, the City Council finds that, on the basis of information documented in the Mitigated Negative Declaration and supporting Initial Study, the project, as mitigated and conditioned, will not have any significant adverse environmental impacts; and

**WHEREAS**, the City Council desires to approve and carry out the project in order to reduce sediment loads in Luffenholtz Creek.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Trinidad does hereby adopt Resolution No. 2012-13 and certifies that the Mitigated Negative Declaration reflects proper assessment of the environmental impacts of the Luffenholtz Source Water Protection Project and that the environmental impacts of the project will be less than significant.

**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of December, 2012 by the following vote:

AYES: Miller, Bhardwaj, Fulkerson, Davies  
NOES: None  
ABSTAIN: None  
ABSENT: None

Attest:

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**Gabriel Adams**  
Trinidad City Clerk

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**Kathy Bhardwaj**  
Mayor