

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2008-0050**

**ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE SALINAS VALLEY INTEGRATED REGIONAL WATER
MANAGEMENT IMPLEMENTATION (IRWM) GRANT PROJECT**

WHEREAS:

1. The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), authorizes approximately \$360 Million to implement projects that protect communities from drought, protect and improve water quality, and improve local water security by reducing dependence on imported water while encouraging water management on a regional basis;
2. The IRWM Grant Program is administered jointly by the State Water Resources Control Board (State Water Board) and the Department of Water Resources (DWR);
3. The IRWM Program Guidelines were adopted by the State Water Board and approved by DWR in November 2004;
4. On March 20, 2007, the State Water Board adopted an IRWM Implementation Grant Funding List with grants totaling \$75 Million ([Resolution No. 2007-0011](#));
5. In March 2007, DWR adopted an IRWM Implementation Grant Funding List with grants totaling \$57 Million;
6. The Salinas Valley IRWM Component 2 was on the March 20, 2007, IRWM Implementation Grant Funding List approved for funding by the State Water Board;
7. Component 2 is part of the Salinas Valley IRWM Project;
8. The Monterey County Water Resources Agency (Agency) and the U.S. Army Corps of Engineers (USACE) prepared a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) that addresses Component 2 (State Clearinghouse No. 2000034007);
9. The Agency certified the final EIR/EIS, adopted the Mitigation Monitoring Plan (MMP) and Statements of Overriding Considerations, and approved Component 2 on June 4, 2002;
10. The Agency filed a Notice of Determination (NOD) with the Monterey and San Luis Obispo County Clerks on June 5, 2002;

11. The Agency prepared an Addendum EIR to address project modifications as a result of the Section 7 consultation under the Endangered Species Act with the U.S. Department of Commerce, National Marine Fisheries Service and amended the MMP to include conservation measures for the federally threatened California tiger salamander and mitigation measures to protect avian species;
12. The Agency adopted the Addendum EIR and the amended MMP on July 31, 2007;
13. The Agency filed an NOD for the Addendum EIR with the Governor's Office of Planning and Research on July 31, 2007, the Monterey County Clerk on August 1, 2007 and the San Luis Obispo County Clerk on August 2, 2007;
14. On October 25, 2007, the USACE adopted the EIR/EIS, approved Component 2 and filed a Record of Decision with the Federal Register;
15. The Agency adopted a Statement of Overriding Considerations to substantiate its decision to approve Component 2 despite significant and unavoidable impacts to the areas of 1) Fish Biology (recreational warmwater sportfish reproduction and habitat effects), 2) visual resources (San Antonio and Nacimiento reservoirs aesthetic value effects), 3) recreation (recreation and sport fishing effects at San Antonio and Nacimiento reservoirs), and 4) air quality (construction emission exceedances);
16. The State Water Board has not previously made findings regarding Component 2 of the Salinas Valley IRWM Implementation Grant pursuant to the California Environmental Quality Act;
17. The State Water Board finds that the following specific economic, social, technological, and environmental benefits of Component 2 outweigh these unavoidable adverse environmental impacts:
 - a. Component 2 will assist the Agency in protecting the region's water resources and making it safe for urban and agricultural users;
 - b. Approval of Component 2 will allow the Agency to reduce seawater intrusion in the Salinas River Basin;
 - c. Construction of Component 2 will help the local economy by allowing continual agriculture practices, which depend on groundwater supplies; and
 - d. The warmwater sport fish reproduction and habitat effects, recreation and sport fishing impacts, aesthetic value effects, and construction emission exceedances are necessary for the Agency to achieve Component 2 objectives.
18. State Water Board staff has reviewed and considered the environmental documents and has determined that Component 2 will improve existing water quality conditions.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

Adopts a Statement of Overriding Considerations regarding the Salinas Valley IRWM Implementation Grant Component 2.

CERTIFICATION


The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on July 15, 2008.

AYE: Chair Tam M. Doduc
Vice Chair Gary Wolff, P.E., Ph.D
Arthur G. Baggett, Jr.
Charles R. Hoppin
Frances Spivy-Weber

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board