

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2008-0066**

ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING
THE EAST CONTRA COSTA COUNTY INTEGRATED REGIONAL WATER MANAGEMENT (IRWM)
IMPLEMENTATION GRANT ALTERNATIVE INTAKE PROJECT (COMPONENT 4)

WHEREAS:

1. The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, 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 Integrated Regional Water Management (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 East Contra Costa County IRWM Implementation Project was on the March 20, 2007, IRWM Implementation Grant Funding List approved by the State Water Board;
7. Component 4 is part of the East Contra Costa County IRWM Project;
8. The Contra Costa Water District (District) and the Bureau of Reclamation (BOR) prepared a final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) that addresses Component 4 (State Clearinghouse No. 2005012101);
9. The District certified the final EIR/EIS, adopted the Mitigation Monitoring Plan (MMP) and a Statement of Overriding Considerations (SOC), and approved Component 4 on November 15, 2006;
10. The District filed a Notice of Determination (NOD) with the Contra Costa County Clerk and the Governor's Office of Planning and Research on November 16, 2006;
11. On May 2, 2008, BOR adopted the EIR/EIS and a Record of Decision (ROD) and approved Component 4. However, implementation of the ROD is contingent upon the State Water Board approval of the related water rights petition;
12. The District adopted an SOC to substantiate its decision to approve Component 4 despite significant and unavoidable impacts to the areas of air quality (short-term emissions exceed Air Quality District significance thresholds during project construction even with mitigation incorporated) and the conversion of approximately six to eight acres of Prime Farmland and Farmland of Statewide Importance;

13. The State Water Board has not made findings regarding Component 4 of the East Contra Costa County IRWM Implementation Project pursuant to the California Environmental Quality Act;
14. The State Water Board finds that the following specific economic, social, technological, and environmental benefits of the Project outweigh these unavoidable adverse environmental impacts:
 - a. Component 4 will deliver high-quality water to meet the District's Board-adopted water quality objectives, particularly during the late summer and fall and during drought periods when Delta source water quality is typically lowest;
 - b. Component 4 will ensure that drinking water meets or exceeds Federal and State drinking water regulations and will protect public health by reducing salinity and disinfection byproduct precursors;
 - c. Component 4 will increase operational flexibility at District facilities. It will maintain the benefits of the Los Vaqueros Project by extending the time periods for available Delta water of sufficient quality to fill the reservoir and allow direct water use without the need for blending with reservoir water; and
 - d. Component 4 will decrease fish losses through entrainment and impingement at existing District Delta intakes.
15. State Water Board staff reviewed and considered the EIR/EIS and applicable environmental documents, and determined that Component 4 will improve water quality conditions.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

Adopts a Statement of Overriding Considerations regarding the East Contra Costa County IRWM Implementation Grant Component 4.

CERTIFICATION

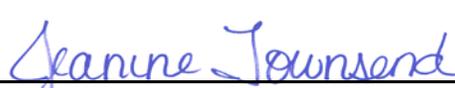
The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 16, 2008.

AYE: Chair Tam M. Doduc
 Arthur G. Baggett, Jr.
 Charles R. Hoppin
 Frances Spivy-Weber

 NAY: None

 ABSENT: Vice Chair Gary Wolff, P.E., Ph.D

 ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board