

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE  
NOVEMBER 4, 2008**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A RESOLUTION ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE NORTH COAST INTEGRATED REGIONAL WATER MANAGEMENT (IRWM) IMPLEMENTATION GRANT SONOMA COUNTY WATER RECYCLING AND HABITAT PRESERVATION PROGRAM PROJECT (COMPONENT 2.20)

**DISCUSSION**

In November 2002, California voters approved the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Stats. 2003, ch. 493). It amended the California Water Code to add, among other articles, § 79560 et seq., authorizing the Legislature to appropriate funding for IRWM projects. The intent of the IRWM Grant Program is to provide funding via competitive grants for projects that protect communities from drought, improve water quality, and improve local water security by reducing dependence on imported water, while encouraging water management on a regional level.

Proposition 50 authorizes approximately \$360 million to implement these projects. The IRWM Grant Program is administered jointly by the State Water Resources Control Board (State Water Board) and the Department of Water Resources (DWR). The IRWM Program Guidelines were adopted by the State Water Board and approved by DWR, in November 2004. The State Water Board adopted an IRWM Implementation Grant Funding List on January 18, 2007, with grants totaling \$75 million ([Resolution 2007-0001](#)), and DWR approved an IRWM Implementation Grant Funding List with grants totaling \$100 million.

Component 2.20 is part of the larger North Coast IRWM Implementation Project that was awarded funds by the State Water Board as part of the IRWM Grant Program. It was approved for \$1 million, and will implement Phase 1 West of the Urban Reuse Pilot Project described as Alternative 3 under the Santa Rosa Incremental Recycled Water Program Master Plan. Component 2.20 consists of: 1) providing recycled water to existing and future customers in west Santa Rosa (City) to replace potable water used for landscape irrigation, industrial use, or other approved uses; 2) constructing pipelines to convey recycled water to sites in western Santa Rosa; 3) increasing the capacity of the existing Llano Pump Station; 4) constructing algae removal and chlorination facilities on City-owned property on or near Alpha Farm; 5) constructing a hydroelectric pressure reducing station at Alpha Farm, or alternatively, constructing a booster pump station; and, 6) constructing a pump station and algae removal and chlorination facility at the West College Utilities Facility. The State Water Board has not previously made findings regarding Component 2.20 pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA).

In May 2003, the City prepared a Draft Environmental Impact Report (EIR) for the Santa Rosa Incremental Recycled Water Program, State Clearinghouse (SCH) No. 2002072046. The Draft EIR discussed seven alternatives. The City filed a Notice of Determination (NOD) with the Governor's Office of Planning and Research (OPR) on May 16, 2003, at the beginning of the public review period. The public review period was from May 16, 2003, through June 30, 2003. However, the City addressed all comments before submitting the Final EIR to the SCH on October 23, 2003.

The City received 626 comments during the public review period. As a result of the large number of comments, the City prepared a master response and included it in its October 2003 Final EIR. The comments addressed: the selection of alternatives, use of data, possible use of mixing zones for discharge, document organization, program versus project level studies, the proposed 25.9 million gallons per day capacity, possible source control, the California Toxics Rule and use of advanced membrane treatment. The City responded to all comments and minor changes were made to the EIR. Information on responses to comments is found in the October 2003 Final EIR. The City also prepared March 2004 and August 2007 addenda with updated information to the EIR, evaluating the potential for new significant impacts. No new impacts were identified. No additional comments were received during the comment periods.

In November 2007, the City prepared a supplemental CEQA Checklist specifically for the Santa Rosa Urban Reuse Project, which includes Component 2.20. The City approved Component 2.20 and the CEQA Checklist, adopted a Statement of Overriding Considerations (SOC), and a Mitigation Monitoring Program (MMP) on December 19, 2007. An NOD was filed for the CEQA Checklist with the Sonoma County Clerk on December 19, 2007, and with OPR on August 14, 2008.

State Water Board staff has reviewed and considered the information contained in the EIR and associated documents, and determined that Component 2.20 will not result in any significant adverse water quality impacts. Component 2.20's tasks include constructing: 1) pipelines; 2) facilities; 3) pump station; and, 4) hydroelectric pressure reducing station or a booster pump station.

The City adopted an SOC to substantiate its decision to approve Component 2.20 despite the following significant and unavoidable impacts:

- a. Temporary increases in traffic and air quality exceedances during construction.
- b. Temporary noise increases during construction and cumulative noise impacts during operation of Component 2.20.
- c. Component 2.20 will result in a permanent loss of 0.66 acres of farmland.
- d. Component 2.20 may result in the loss of 3.9 acres of botanical resources. While none of the plants are listed as endangered or threatened pursuant to federal Endangered Species Act (16 U.S.C. § 1531 et seq.) or the California Endangered Species Act (Fish & G. Code, § 2050 et seq.), one species (Thurber's reed grass) is a federal species of concern. Additionally, some species are listed with the California Native Plant Society as rare, threatened or endangered within California.

- e. Component 2.20 may result in impacts to cultural resources. These consist of the remains of the rail bed of the Petaluma & Santa Rosa Electric Railway and potential impacts to unrecorded archeological deposits.

State Water Board staff finds that the following specific economic, social, technological, and environmental benefits of Component 2.20 outweigh the unavoidable adverse environmental impacts:

- a. It will improve water quality by reducing discharges to Santa Rosa Creek and Laguna de Santa Rosa; both are 303(d) listed waterbodies.
- b. Replacing urban uses of potable water with recycled water will reduce the demand for potable water, which will reduce pressure on finite surface water and groundwater supplies.
- c. It will provide the City with operational flexibility to manage flows in a variety of seasons and weather years.
- d. It will enable the City to minimize discharges, while still accommodating anticipated increases in flows due to population growth.

## **POLICY ISSUES**

Should the State Water Board:

Adopt a Statement of Overriding Considerations regarding the North Coast IRWM Implementation Grant Component 2.20?

## **FISCAL IMPACT**

None

## **REGIONAL WATER BOARD IMPACT**

Component 2.20 will improve water quality by reducing discharges to Santa Rosa Creek and Laguna de Santa Rosa; both are 303(d) listed waterbodies.

## **STAFF RECOMMENDATIONS**

The State Water Board should:

Adopt a Statement of Overriding Considerations regarding the North Coast IRWM Implementation Grant Component 2.20.

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## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-

### ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE NORTH COAST INTEGRATED REGIONAL WATER MANAGEMENT (IRWM) IMPLEMENTATION GRANT SONOMA COUNTY WATER RECYCLING AND HABITAT PRESERVATION PROGRAM (COMPONENT 2.20)

#### 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 level;
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 January 18, 2007, the State Water Board adopted an IRWM Implementation Grant Funding List with grants totaling \$75 million ([Resolution No. 2007-0001](#));
5. In January 2007, DWR adopted an IRWM Implementation Grant Funding List with grants totaling \$100 million;
6. The North Coast IRWM Implementation Project was on the January 18, 2007, IRWM Implementation Grant Funding List approved for funding by the State Water Board;
7. Component 2.20 is part of the North Coast IRWM Project;
8. The City of Santa Rosa (City) prepared a final Environmental Impact Report (EIR) and a supplemental California Environmental Quality Act (CEQA) Checklist that addresses Component 2.20 (State Clearinghouse No. 2002072046);
9. The City approved the CEQA Checklist; adopted a Mitigation Monitoring Program and a Statement of Overriding Considerations (SOC); and, approved Component 2.20 on December 19, 2007.
10. The City filed a Notice of Determination for the CEQA Checklist with the Sonoma County Clerk on December 19, 2007, with the Governor's Office of Planning and Research on August 14, 2008.
11. The State Water Board has not made findings regarding Component 2.20 of the North Coast IRWM Implementation Project pursuant to CEQA;
12. The City adopted an SOC to substantiate its decision to approve Component 2.20 despite the following significant unavoidable impacts:

# DRAFT

- a. Temporary increases in traffic and air quality exceedances during construction.
  - b. Temporary noise increases during construction and cumulative noise impacts during operation.
  - c. A loss of 0.66 acres of farmland.
  - d. A potential loss of 3.9 acres of botanical resources.
  - e. A potential impact to cultural resources
13. The State Water Board finds that the following specific economic, social, technological, and environmental benefits of Component 2.20 outweigh these unavoidable adverse environmental impacts:
- a. It will improve water quality by reducing discharges to Santa Rosa Creek and Laguna de Santa Rosa, both 303(d) listed waterbodies.
  - b. Replacing urban uses of potable water with recycled water will reduce the demand for potable water, which will reduce the pressure on finite surface water and groundwater supplies.
  - c. It will provide the City with operational flexibility to manage flows in a variety of seasons and weather years.
  - d. It will enable the City to minimize discharges, while still accommodating anticipated increases in flows due to population growth.
14. The State Water Board reviewed and considered the EIR and applicable environmental documents, and determined that Component 2.20 will not result in any significant adverse water quality impacts.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

Adopts a Statement of Overriding Considerations regarding the North Coast IRWM Implementation Grant Component 2.20.

## 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 November 4, 2008.

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Jeanine Townsend  
Clerk to the Board