

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2008-0006**

**ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS  
REGARDING THE INTEGRATED REGIONAL WATER MANAGEMENT PROGRAM'S  
MARTIN SLOUGH INTERCEPTOR 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 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 January 18, 2007, the State Water Board adopted an IRWM Implementation Grant Funding List with grants totaling \$75,000,000 ([Resolution No. 2007-0001](#));
5. In January 2007, DWR adopted an IRWM Implementation Grant Funding List with grants totaling \$100,000,000;
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. The Martin Slough Interceptor Project (Martin Slough Component) is part of the North Coast IRWM Implementation Project;
8. The City of Eureka (City) prepared a final Environmental Impact Report (EIR) that addresses the Martin Slough Component (State Clearinghouse No. 2002082043);
9. The City certified the final EIR and adopted the Mitigation Monitoring Plan (MMP), a Statement of Findings, and a Statement of Overriding Considerations, and approved the Martin Slough Component on October 5, 2004.
10. The City filed a Notice of Determination (NOD) with the Humboldt County Clerk and the Governor's Office of Planning and Research on October 7, 2004.
11. The City adopted a Statement of Overriding Considerations to substantiate its decision to approve the Martin Slough Component despite significant and unavoidable impacts to the areas of 1) biological resources (wetland function loss), 2) traffic and circulation (direct traffic effects of construction vehicles), 3) noise (construction-related noise effects), and 4) land use and planning (indirect land-use effects).

12. The State Water Board has not previously made findings regarding the Martin Slough Component of the North Coast IRWM Implementation Project pursuant to the California Environmental Quality Act.
13. 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. The Martin Slough Component will assist the community in meeting land use and housing goals that were planned and approved by the City in its adopted General Plan, and by Humboldt County in the adopted Eureka Community Plan;
  - b. Approval of the Martin Slough Component will allow the City to reduce unauthorized wastewater discharges, and enable the City to comply with their current NPDES permit requirements;
  - c. The Martin Slough Component will help construct a more efficient wastewater collection system to prevent future sanitary sewer overflow incidences within the City and County; and,
  - d. Even though the City will use wetland mitigation credit from a prior agreement with Humboldt County to mitigate wetland impacts, the loss of wetland functions will remain significant and unavoidable. The loss of wetland functions, construction-related noise effects, direct traffic effects of construction vehicles, and indirect land-use effects are necessary for the City to achieve the above objectives.
14. State Water Board staff have reviewed and considered the EIR and applicable environmental documents, and have determined that the Martin Slough Component will reduce existing significant adverse water quality impacts.

THEREFORE BE IT RESOLVED THAT:


The State Water Board:

Adopts a Statement of Overriding Considerations regarding the Integrated Regional Water Management Program's Martin Slough Interceptor Project.

#### 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 February 5, 2008.

AYE: Tam M. Doduc  
Gary Wolff, P.E., Ph.D.  
Frances Spivy-Weber  
Charles R. Hoppin  
NO: None  
ABSENT: Arthur G. Baggett, Jr.  
ABSTAIN: None

  
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Jeanine Townsend  
Clerk to the Board