

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2013-0006**

TO COMMIT UP TO \$1,000,000 OF PROPOSITION 40 INTEGRATED WATERSHED
MANAGEMENT PROGRAM GRANT FUNDS FOR THE ANTELOPE CREEK FISH PASSAGE
IMPROVEMENT PROJECT

WHEREAS:

1. In March 2002, the voters approved the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40). Approximately \$175 million in Proposition 40 was appropriated to the State Water Resources Control Board (State Water Board) to administer through eight different programs, including \$47.5 million for the Integrated Watershed Management Program (IWMP);
2. The purpose of the IWMP is to establish a program for integrated watershed management, to improve water quality, protect and restore habitat and fisheries, reduce flooding, control erosion and sedimentation, and improve local water supply reliability through better groundwater monitoring, river corridor recreation, forest land and fuel management, and hydropower management (Public Resources Code [PRC], Section 30945-30949);
3. The State Water Board is authorized to administer Proposition 40 IWMP funds to public agencies and nonprofit organizations for the development of local watershed management plans and implementation of watershed protection and water management projects;
4. In accordance with the provisions of Proposition 40, a Memorandum of Understanding (MOU) was developed between the California Environmental Protection Agency and the Resources Agency to coordinate of the IWMP with other programs administered by the agencies;
5. In 2006, the State Water Board adopted the *2005-06 Consolidated Grants Program Guidelines* (Guidelines) establishing the evaluation criteria and the review and selection process for the 2005-06 Consolidated Grants Program, which included the IWMP and five other grant programs;
6. The State Water Board awarded the IWMP funds in accordance with the Guidelines, but residual funds are available from projects that were completed under budget or declined funds;
7. The Guidelines are out-of-date and it is more efficient to waive the Guidelines and use a directed action process to award residual IWMP funds;
8. The Tehama County Resource Conservation District (Tehama RCD), a public agency, proposes to conduct the Antelope Creek Fish Passage Improvement Project (Project). The Project consists of an instream flow study to assess fish passage in lower Antelope Creek, and associated implementation. The Project meets the IWMP eligibility requirements outlined in Proposition 40, as the Project is a watershed protection and water management project that includes watershed management planning and implementation, as well as native fisheries enhancement (PRC §30947(a));

9. Antelope Creek is identified as a priority stream (Group 1) in the State Water Board's *Instream Studies for the Protection of Public Trust Resources: A Prioritized Schedule and Estimated Costs 2010*, based on the presence of: Central Valley spring run Chinook salmon; Central Valley steelhead trout; foothill Yellow-Legged frog; California Red-Legged frog; and Western Pond Turtle; and
10. State Water Board staff has determined the in-stream flow study and planning/design elements of the Project qualifies for a Class 6 [Class 6: Basic data collection, research, experimental management, and resource evaluation activities] categorical exemption from California Environmental Quality Act requirements and will not result in any significant adverse environmental impacts. The State Water Board staff will file a Notice of Exemption with the State Clearinghouse should the State Water Board approve the Project.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves up to \$1,000,000 in grant funds from the Proposition 40 IWMP for Tehama RCD's Project;
2. Authorizes the Deputy Director of the Division of Financial Assistance to issue grants and any amendments necessary to implement the Project; and
3. Waives the Guidelines for this Project.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on March 19, 2013.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Steven Moore
 Board Member Felicia Marcus

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board