



State Water Resources Control Board

October 14, 2024

Julie Newton
Sacramento County
827 7th Street, Room 225
Sacramento, CA 95814

COMMENT LETTER ON THE SACRAMENTO COUNTY (COUNTY),
ENVIRONMENTAL IMPACT REPORT (ENVIRONMENTAL DOCUMENT) FOR THE
PLNP2018-00284 UPPER WESTSIDE SPECIFIC PLAN PROJECT (PROJECT);
STATE CLEARINGHOUSE #2020100069

Dear Julie Newton:

Thank you for the opportunity to review the Environmental Document for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for regulating public water systems and issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's Sacramento District.

If the above noted project results in the formation of a new public water system, an application must be submitted, and a permit must be obtained from the DDW Sacramento District before water can be provided for human consumption. "Human consumption" means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes." Health & Saf. Code § 116275 subd. (e).

Note, Health & Saf. Code § 116527 subd. (b) requires that any person submitting a permit application for a proposed new public water system must first submit a technical report at least six months before initiating construction of any drinking water-related improvements. The technical report must include an examination of the possibility of connecting to or being annexed by an existing adjacent community water system.

A permit amendment must also be obtained from the DDW Sacramento District when changes are made to a permitted domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Cal. Code Regs. § 64556.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act has the following comments on the County's Environmental Document:

- The Project will be served domestic water by a new or existing public water system. Under section 2. "Project Description", "Intended Uses of the EIR" please add "The State Water Board, Division of Drinking Water" as an approving agency and "water supply permit" as the approval (PDF page 221-223).
- The City of Sacramento (City), through an agreement with the Sacramento County Water Agency (SCWA), will provide potable water for the Project as a wholesaler [PDF Page 207]. The Sacramento County Local Agency Formation Commission will need to approve an annexation of the service area to the SCWA (PDF page 182). Please clearly disclose if a new "public water system", pursuant to Health and safety Code section 116275 subd. (h), will be created under the authority of SCWA. The State Water Board, DDW encourages projects that would otherwise create a new public water system to connect with nearby community water systems, where possible, instead of forming a new public water system. If no nearby systems will agree to serve the Project, the applicant will need to submit a technical report to DDW Sacramento District pursuant to Health and Saf. Code § 116527 subd. (b).
- The City plans to sell water to the new development. The City has domestic wells in both the North American Groundwater Basin and the South American Groundwater Basin (PDF page 815). The South American Groundwater Basin is designated as a high priority groundwater basin by Department of Water Resources (Sustainable Groundwater Management Act Basin Prioritization Dashboard), but the Project impacts on this basin were not discussed in the Environmental Document. If water will be pumped from the South American Basin for the Project, please discuss the amount of water that will be pumped and the impacts of that pumping on the South American Groundwater Basin.
- The City will provide 4,313 acre-feet per year of treated water to meet the Project's total water demand (PDF page 841). Please explain why the City water system can't directly serve the Project and needs to provide treated water.
 - Will other sources of water besides purchased water from the City be used to serve the Project? If so please explain these sources and discuss the impacts of the use of these sources, as needed.
- Please disclose if the existing groundwater wells are on the Project site. If so, explain what actions will be taken to protect water quality. Has a well assessment or will a well assessment for the existing wells occur? Are there plans to use any of the wells as domestic supply or destroy them for the protection of water quality?
- Cal. Code. Regs. § 64572 requires separation of drinking water service lines from sources of potential contamination such as irrigation drainage channels, sewer mains, and stormwater detention basins. The Project site includes existing irrigation drainage channels and will also install new irrigation drainage channels, sewer mains, and four stormwater detention basins (PDF pages 206, 209, and 616). Please indicate if separation requirements can be met or if a waiver or alternative to Waterworks Standards (Cal. Code. Regs. § 64551.100)

will be needed. If a waiver is needed, the water system will need to provide the DDW Sacramento District with the alternative plans and a waiver approval should be listed as part of the needed DDW approvals in the Environmental Document.

Once the Environmental Document is certified, please forward the following items in support of water system's permit application to the State Water Board, DDW Sacramento District Office at DWPDIST09@waterboards.ca.gov:

- A copy of the Environmental Document and Mitigation Monitoring and Reporting Plan (MMRP);
- A copy of comment letters received and the lead agency responses as appropriate;
- A copy of the Resolution or Board Minutes certifying the Environmental Document and adopting the MMRP; and
- A copy of the date stamped Notice of Determination filed at the County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, for questions regarding this comment letter.

Sincerely,

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Austin Peterson
District Engineer
Sacramento District