



## State Water Resources Control Board

March 14, 2024

Governor's Office of Planning & Research

**Mar 14 2024**

**STATE CLEARINGHOUSE**

City of Riverbank  
Attn: Miguel Galvez  
6707 3<sup>RD</sup> Street, Suite A  
Riverbank, CA 95367

CITY OF RIVERBANK (CITY), ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE RIVERWALK SPECIFIC PLAN PROJECT (PROJECT); STATE CLEARINGHOUSE #2021060098

Dear Mr. Miguel Galvez:

Thank you for the opportunity to review the EIR for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's Stockton District. DDW Stockton District issues domestic water supply permit amendments to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 CCR chapter 16 et. seq.). A public water system requires a new water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Waterworks Standards. The City will need to apply for a water supply permit amendment for this Project.

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act (CEQA), has the following comments on the City's EIR:

- Please provide the following information in the document regarding the State Water Resources Control Board's Division of Drinking Water authorities as a responsible agency:
  - In Section 1.3 (PDF page 73; EIR p. 1.0-5) and in Section 2 (PDF page 113; EIR p. 2.0-33), Responsible and Trustee Agencies, under "Other governmental agencies that may require approvals in connection with the Project include, but are not limited to, the following:" include "State Water Resources Control Board, Division of Drinking Water- Approval of a domestic water supply permit amendment for the service area expansion, two new wells, and a tank that will be added to the city's system".
  - Under 3.14 Utilities, Safe Drinking Water Act, please update the language to reflect that implementation of the Safe Drinking Water Act is under the authority of the State Water Resources Control Board, Division of Drinking Water. This

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

authority was transferred from the California Department of Public Health to the State Water Resources Control Board in July of 2014.

- Under Section 3.11, Noise, the noise mitigation measure 3.11-1 did not consider the length of time typical to drill a well, which is usually a 24-hour a day, multiple day process. Please be sure to consider the construction and operation of water system infrastructure when analyzing the checklist sections and setting mitigation measures.
- Under Impacts 3.9-2 (PDF page 475-478) when discussing impacts from loss of groundwater recharge, please discuss how much water is currently used on the Project site (the No Project Alternative) in acre-feet per year (afy). What is the current amount of recharge? Please discuss how much recharge would be lost through the conversion of the land to residential use.
  - Will more or less groundwater be used by the proposed Project than the “No project alternative”? Be sure to consider:
    - Annual Pumping in afy that would occur for residential and agricultural uses for the proposed Project and No Project alternative.
    - Annual Recharge in afy that would occur for both residential and agricultural uses for the proposed Project and No Project alternative.
    - And new groundwater demand needed for agricultural land being protected as part of the proposed Project [if the land does not already currently have an existing groundwater water allocation].
  - Also consider groundwater recharge and ground water savings or loss from implementing the Project in the Hydrology and Water Quality sections Impact 3.9-5 [Conflicts with a sustainable groundwater management plan] and Utilities Impact 3.14-4 [Sufficient water supplies]. Discuss how the difference in recharge and water demands fits into the Project’s water budget and if these changes will affect whether the Project will conflict with the sustainable groundwater management plan as currently formulated. Also discuss in general these numbers from the loss or gain in recharge and increase or decrease in water needed to serve the Project site in Section 5 Alternatives to the Proposed Project, Hydrology and Water Quality when comparing the “No project alternative” verses the proposed Project.
- The EIR mentions the City encourages the use of recycled water for appropriate use, including but not limited to outdoor irrigation, toilet flushing, fire hydrants, and commercial and industrial processes (PDF page 654) and a future possible source for recycled water for the Project was identified as part of the wastewater treatment plant upgrades. Broad plans/figures are provided for proposed domestic water and sewer, but none are provided for recycled water infrastructure (PDF page 141 and page 143). Please include a figure/map and consider possible broad impacts for the recycled water lines and other on-site project infrastructure that may be needed to serve recycled water to the Project.
  - As the recycled water may be developed at a future time that is yet to be determined, please discuss the possible timelines for the development of onsite infrastructure and potential infrastructure locations.
  - If on-site recycled water will not be addressed in this document, please discuss plans for possible tiering of future documents for needed on-site infrastructure.
- Please discuss if the wells and two-million-gallon tank will provide irrigation water and fire-flow water, as well as domestic water, until recycled water is made available. If so, is the two-million-gallon tank adequately sized for these demands?
- Please discuss if any treatment will be required for the new wells. If treatment is required for the wells, please include the treatment infrastructure in the Project description and a

discussion of impacts associated with construction and operation of the system, as warranted. Please also address whether there would be sufficient land for the well treatment within the Project area, if treatment is needed.

- The Project falls within the San Joaquin Valley, Modesto groundwater basin according to the Department of Water Resources, Sustainable Groundwater Management Act prioritization dashboard (DWR, SGMA Prioritization Dashboard). The San Joaquin Valley- Modesto basin is identified as a high priority basin by the Department of Water Resources (DWR, *ibid*). Although the sustainable ground water management agencies have been working with DWR to get a sustainable groundwater management plan approved for the basin, DWR has yet to determine the plan as adequate for approval (DWR, SGMA Portal). Please address the following:
  - The EIR mentioned that the declining water levels are occurring primarily in the eastern subbasin, not the central subbasin where the City is located. Please discuss the present and future decline of the groundwater levels, if any, that are happening in the central subbasin. If groundwater decline is happening, please identify what is causing it and consider this decline in the multiple year prediction analysis.
  - The Water Supply Assessment and EIR estimates predict the availability of water will remain the same at 15,944 afy no matter if a normal rainfall occurs or rain fails to fall over multiple dry years. The EIR stated that the largest component of recharge to the basin is from irrigation, followed by precipitation (PDF page 646). If no decline in the City's water availability is occurring, please identify how the City's water availability will remain the same in drought years if there is less precipitation recharge and call out any supplemental water amounts that will balance the declining recharge in the assessment, (PDF page 476).
  - The discussion of Project water demand for buildout during a normal rain year was calculated to be 2,294.3 acre-feet per year [afy] (Page 658), almost twice as much as the estimated 1,215.7 afy of project demand that the Water Supply Assessment determined (Appendices H, Table 2-3, PDF page 1692 [1,078.6 afy]). However, when discussing normal, single, and multiple dry years, the EIR used the lower 1,215.7 afy total water demand numbers from the Water Supply Assessment. Along with the changes above for the multiple year prediction analysis, please also recalculate Table 2.14-11 to reflect the adjusted acre-feet per year demand in the EIR, based on the increase in medium density residential land use.

When the CEQA review process is completed, please forward the following items with the permit application to the State Water Board, DDW Stockton District Office at [DWPDIST10@waterboards.ca.gov](mailto:DWPDIST10@waterboards.ca.gov):

- Copy of the EIR and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of all comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the EIR and MMRP; and
- Copy of the date stamped Notice of Determination filed at the Stanislaus 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](mailto:Lori.Schmitz@waterboards.ca.gov), if you have any questions regarding this comment letter.

Sincerely,

Lori Schmitz

Environmental Scientist  
Division of Financial Assistance  
Special Project Review Unit  
1001 I Street, 16<sup>th</sup> floor  
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

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Stockton District

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