

August 24, 2021

Governor's Office of Planning & Research

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Merced
Attn: Brian Guerrero
2222 M Street
Merced, CA 95340

STATE CLEARINGHOUSE

MERCED COUNTY (COUNTY), NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE AZEVEDO DAIRY FARMS LLC PROJECT (PROJECT); SCH #2021070488

Dear Mr. Brian Guerrero:

Thank you for the opportunity to review the Notice of Preparation and Initial Study (IS) 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 administered under the Safe Drinking Water Act and will require a new water supply permit for the above referenced Project. A project requires a permit if it includes water system consolidation or changes to a water supply source, storage, or treatment or a waiver or alternative from Waterworks Standards (California Code of Regulations title 22, chapter 16 et. seq).

The proposed Project includes constructing a new dairy on approximately 220 acres of an existing farm to house 15,000 milk cows, 3,000 dry cows and 10,000 support stock. The Project would include construction of a milking parlor, 14 free stall barns for milk cows, 12 free stall barns for support stock, 40 shade structures for calf hutches, and one commodity barn. A waste management system would be installed that will consist of three mechanical separators, six wastewater ponds, and two stormwater ponds. One thousand, four hundred and twenty-five acres would be reserved for crop production and the application of manure process water and/or solid manure. Forty parking spaces would be constructed for employees and visitors. There will be 35 employees for the dairy on-site at any given time. The Project would be serviced by heavy trucks. An existing driveway off SR 59 would be extended to be the main dairy access. Two domestic wells will be drilled to service the milking parlor.

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the County's Initial Study.

- On page 58 (PDF page 62), the IS states, "Based on the number of proposed employees, the dairy operation would be required to obtain a Public Water System Permit. Prior to crossing the threshold of 25 or more persons on 60 or more days of the year, the property owner shall obtain a public water system permit from the State of California State Water Resources Control Board, Division of Drinking Water. The facility shall then maintain compliance with that permit as long as 25 or more persons are present at the facility on 60 or more days of the year." The designs of the document include a domestic well and backup domestic well, (figure 4, pdf page 11). Please

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

include assessment of the environmental impacts of the construction and operation of the wells.

- Under Population and Housing, Question (a) the IS indicates, the Project will create a new water system to serve the site. Please edit or clarify the conflicting statement, "...nor does the project create or improve any infrastructure serving the site or region."
- Under Utilities and Services
 - The Environmental Setting discussion indicates, "There are three single-family residences and a shop located on the project parcel. Domestic water is provided to these uses by two on-site water wells." Please clarify if this is a private water system or if it is part of a public water system. Please note: the California Health and Safety Code section 116527 (b)(1) requires, "Before a person submits an application for a permit for a proposed new public water system, the person shall first submit a preliminary technical report to the state board at least six months before initiating construction of any water-related improvement."
 - The IS (PDF page 63) question (a), (c) states, "The proposed dairy would rely on additional existing utilities, including electrical, gas, and telecommunication services. The project would require new electrical services to be extended to multiple points on the site. It is anticipated that no modification to the electric power system would be required." Would a transformer be required as part of the Project? If so, please explain.

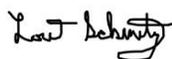
The State Water Board as a responsible agency under CEQA, has the following comments on what to include in the County's EIR based on the IS/NOP discussion.

- Please include any environmental impacts of the construction and operation of the wells, connections, and associated components in the EIR.
- Please discuss the feasibility of consolidation with existing nearby water systems in the EIR as a proposed alternative.
- In the EIR, Under the Hydrology and Water Quality Section:
 - When discussing waste discharge requirements and degradation of surface or groundwater quality, please include a discussion on discharges associated with the drilling and operation of the domestic wells, if the discharges will be surface or groundwater discharges, and any discharge permits that will be obtained.
 - When discussing groundwater supplies, please include your domestic wells and your irrigation wells in your analysis of water use and impacts on groundwater levels.
 - The project site falls in the Federal Emergency Management Agency's Flood Zone A. When discussing flood hazards please indicate how the wells will be designed and constructed to address these concerns.

Once the EIR is ready to be circulated for public review, please ensure that the State Water Board, DDW, Merced District is notified. The State Water Board staff will review the draft EIR and provide additional comments, if necessary.

Please contact Adam Forbes at Merced District Office, at (559) 447-3316 or Adam.Forbes@waterboards.ca.gov if you have any questions regarding permitting requirements.

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

Adam Forbes
District Engineer
Merced District