

February 23, 2021

City of Bakersfield  
Attn: Jose Fernandez  
1715 Chester Avenue,  
Bakersfield, CA 93301



CITY OF BAKERSFIELD, MITIGATED NEGATIVE DECLARATION (MND), FOR THE GENERAL PLAN AMENDMENT / ZONE CHANGE 21-0136 PROJECT (PROJECT); SCH # 2022020171

Dear Mr. Jose Fernandez:

Thank you for the opportunity to review the Mitigated Negative Declaration 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. 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 (CCR) title 22, chapter 16 et. seq). The above referenced Project may require a new or amended water supply permit.

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the City's draft MND.

- The Initial Study / MND states “The project would require the construction of some new water, storm water drainage, sewer facilities; above and/or belowground electrical facilities, natural gas facilities, and telecommunications (e.g., cable, fiber optic, phone, etc.) typical of commercial development.” (PDF page 34).
  - Please specify the type of new water infrastructure that will need to be installed.
  - If such infrastructure will require a water supply permit, please list the State Water Board, Division of Drinking Water and the water supply permit under “10. Other public agencies whose approval is anticipated to be required,” (PDF page 4).
- The City's 168-unit multiple-family residential community will receive water from the San Joaquin Valley Groundwater Basin, Kern County Subbasin. This subbasin is listed as critically over-drafted by Department of Water Resources. PDF page 22 says, “The project site has been considered by Calwater against its most current Urban Water Management Plan (UWMP) and it was concluded that Calwater has sufficient existing capacity to service the project. Therefore, the project has already been considered in the groundwater analysis in the UWMP and would not exacerbate subsidence in the area beyond the baseline condition.”
  - Please provide a summary of the incorporated part of the referenced document and describe the relationship between the incorporated part of the referenced document and the MND per CCR section 15150(c). Please site the UWMP Plan in the references section of the IS/MND.

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

- The 2020 Urban Water Management Plan discusses how in wet and dry years groundwater can be used if there is not enough purchased water but does not provide sustainable thresholds at which pumping can be done for the short-term, long term, or cumulatively. Instead the reader is reminded throughout the document that there are no restrictions for pumping on the groundwater basin: “It should be noted that the Kern County Subbasin is not adjudicated and the projected groundwater supply volumes are not intended to and do not determine, limit or represent Cal Water’s water right or maximum pumping volumes...” Please include a discussion to support the Project will not:
  - Substantially decrease groundwater supplies such that the project may impede sustainable groundwater management of the basin,
  - Interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin, and
  - Have cumulative effects on the sustainable management of the basin (Title 14, Division 6, Chapter 3, Article 5, 15064 [h])

Provide feasible mitigation measures to reduce potential effects, if appropriate (California Public Resources Code Division 13 Environmental Quality, Chapter 1, Section 21002).

If the Project requires a water supply permit, once the MND is adopted, please forward the following items in support of Cal Water Service- Bakersfield’s permit application to the State Water Board, District Office:

- Copy of the draft and final MND and Mitigation Monitoring and Reporting Plan (MMRP)
- Any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP; and
- Copy of the stamped Notice of Determination filed at the Kern County Clerk’s Office and the Governor’s Office of Planning and Research, State Clearinghouse.

Please contact Shawn Demmers of the Visalia District Office, at (559) 447-3309 or [Shawn.Demmers@waterboards.ca.gov](mailto:Shawn.Demmers@waterboards.ca.gov) if you have any questions regarding permitting requirements.

Sincerely,

*Lori Schmitz*

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

Shawn Demmers  
Water Resources Control Engineer  
Visalia District