

March 14, 2022

Governor's Office of Planning & Research

Mar 15 2022

Sonoma County
Attn: Crystal Acker
2550 Ventura Avenue
Santa Rosa, CA 95403

STATE CLEARINGHOUSE

SONOMA COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND) FOR THE UPC18-0023 SEVENFOLD DISPENSARY PROJECT (PROJECT); SCH #2022020456

Dear Ms. Crystal Acker:

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 County's draft MND.

- The State Water Board, DDW regulates public water systems in Sonoma County. “Public water system” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following: (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system, (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system”, and “(3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption,” (Health and Safety Code, division 104, part 12, chapter 4, article 1, section 116275 [h]).
 - The Project site is served by a private well. The document states that the operator anticipates an average of 300 patrons per day and 11 employees on-site per shift, and that the restroom building would be used by customers and employees. The document also states a possible breakroom may be developed from the single-family dwelling / second floor apartment. Please clarify if the domestic potable water system for the proposed Project will meet the definition of a public water system. If so, please:
 - Describe all existing and proposed drinking water infrastructure (wells, storage tanks, treatment, etc.) and the capacity of the components.
 - Include a map or designs of the existing and proposed domestic water system components; and

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

- Under the State Water Resources Control Board add “water supply permit” for the “operation of a new public water system” to Table 2. Agencies and Permits Required (PDF Page 3).
- The Project includes an existing commercial mound septic system that will be used for wastewater treatment. California regulations require separation of water service lines and domestic supply wells from leach fields and other sources of potential contamination. Projects that install or have multiple public services may require alternatives to California Waterworks Standards (CWS). If the Project will include implementing an alternative (CCR section 64551.0) to CWS, please include such plans in the CEQA document as part of the Project analysis.

In accordance with Health and Safety Code section 116527(b) (1), “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 report must include: “(2) A discussion of the feasibility of each of the adjacent public water systems identified pursuant to paragraph (1) annexing, connecting, or otherwise supplying domestic water to the applicant’s proposed new public water system’s service area. The applicant shall consult with each adjacent public water system in preparing the report and shall include in the report any information provided by each adjacent public water system regarding the feasibility of annexing, connecting, or otherwise supplying domestic water to that service area.” If the proposed Project will meet the definition of a public water system, please have the applicant submit the report to the State Board.

CCR title 22, division 4, chapter 14, article 1, section 64001 requires a public water system apply for a permit. CCR title 22, division 4, chapter 16, article 3, section 64560 requires that for any well that will serve a public water system the well designs and specifications shall be submitted to the State Water Board. If a new public water system will be operated, applicable documents should be submitted by the water system to the DDW, Sonoma District Office prior to the Project’s construction.

If it is determined that the Project will be a new public water system, once the MND is adopted, please forward the following items in support of Sevenfold Dispensary’s permit application to the State Water Board, DDW Sonoma 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 Sonoma County Clerk’s Office and the Governor’s Office of Planning and Research, State Clearinghouse.

Please contact Janice Oakley of the State Water Board, DDW Sonoma District Office, at (707) 576-2006 or Janice.Oakley@waterboards.ca.gov if you have any questions regarding permitting requirements.

Sincerely,

Lori Schmitz

Lori Schmitz
Environmental Scientist
Division of Financial Assistance

Ms. Crystal Acker

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Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Janice Oakley
District Engineer
Sonoma District