



State Water Resources Control Board

February 29, 2024

Governor's Office of Planning & Research

City of San Jose
Attn: Bethelhem Telahun
200 E. Santa Clara Street, 3rd Floor
San Jose, CA 95113

Feb 29 2024

STATE CLEARINGHOUSE

CITY OF SAN JOSE (CITY), ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE SEELY AVENUE MIXED USE PROJECT (PROJECT); STATE CLEARINGHOUSE # 2022020565

Dear Ms. Bethelhem Telahun:

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 Santa Clara District. DDW Santa Clara 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 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. City of San Jose- NSJ/Alviso 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:

- Under "2.5 Project-Related Approvals, Permits, and Clearances" please include "Water Supply Permit- State Water Resources Control Board, Division of Drinking Water."
- Under 3.10.1.2 Existing Conditions, Water Quality, the IS/MND indicates "No existing potable water supply infrastructure is located within the project site." This does not appear to be the case as the IS/MND mentioned the six Valley Water wells would need to be decommissioned (PDF page 298). Please update this section to reflect this and also discuss the existing water quality of the site.
 - Is there any further indication from past monitoring of the six wells that the groundwater water is contaminated with diesel fuel?

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

- Please discuss if any treatment will be required for the new well. If treatment is required, please include the treatment infrastructure in the Project description and a discussion of impacts associated with construction and operation of the system, as warranted.

When the CEQA review process is completed, please forward the following items with your permit application to the State Water Board, DDW Santa Clara District Office at DWPDIST17@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 Santa Clara 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, if you have any questions regarding this comment letter.

Sincerely,

Lori Schmitz

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

Van Tsang
District Engineer
Santa Clara District