

August 4th, 2022

Governor's Office of Planning & Research

Butte County
Attn: Mark Michelena
7 County Center Drive
Oroville, CA 95965

AUG 05 2022

STATE CLEARINGHOUSE

BUTTE COUNTY, MITIGATED NEGATIVE DECLARATION (MND) FOR THE TSM20-0002 (BUTTE VISTA ESTATES) PROJECT (PROJECT); SCH #2022070044

Dear Mr. Mark Michelena:

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 drinking water project requires a permit if it includes water system consolidation or changes to a water supply source, storage, or treatment.

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

- The CEQA document includes conflicting information on the source of water for the Project and how it will be provided. The initial study / mitigated negative declaration first indicates how domestic water services would be provided by the Thermalito Water & Sewer District (PDF page 1). The document then discusses how the Project site is not located within a water service district and thus, water would be obtained from a private well installed on the site (PDF Page 40). It then later mentioned in the document that water lines are already extended to the project site (PDF page 50). Please clarify what water system components will be installed and how the water will be provided.
- If the Project will require a new well or other water supply permit amendment from the State Water Board, DDW:
 - Please include the "State Water Resources Control Board, Division of Drinking Water" and "Water Supply Permit" in the list "Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement (PDF page 2)."
 - The Project falls within the Sacramento Valley- Wyandotte Creek (5-02.69) groundwater basin, designated as a medium priority basin by the Department of Water Resources. Please discuss if the Project will conflict with or obstruct implementation of a groundwater management plan. Please discuss the amount of groundwater that will be used by the Project verses the amount groundwater used under exiting conditions and any potential impacts from the Project on the groundwater basin.
 - If the Project will use more groundwater, please include feasible mitigation measures to reduce potential impacts on the groundwater basin (California Public Resources Code, Division 13 Environmental Quality, section 21002).

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

- If applicable, also discuss cumulative impacts of the Project on the sustainable management of the groundwater basin, per Title 14, Division 6, Chapter 3, Article 5, section 15064 [h].

If a water supply new permit or permit amendment will be required, once the MND is adopted, please forward the following items in support of the water system's permit application to the State Water Board, DDW Santa Ana District Office at DWPRedding@waterboards.ca.gov:

- Copy of the draft and final MND with the Mitigation Monitoring and Reporting Plan;
- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND; and
- Copy of the stamped Notice of Determination filed at the Butte 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

Reese Crenshaw
District Engineer
Valley District