

August 18, 2022

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STATE CLEARINGHOUSE

Fresno County
Attn: Elliot Racusin
2220 Tulare Street, Suite A
Fresno, CA 93721

FRESNO COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND) FOR THE INITIAL STUDY 8100 AND DIRECTOR REVIEW AND APPROVAL NO. 4663 PROJECT (PROJECT); SCH # 2022070352

Dear Mr. Elliot Racusin:

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. The proposed Project would create a new public water system that will require issuance of a water supply permit. A project causes the need for a permit if it includes the creation of a new water system, or a permit amendment for 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 initial study (IS/MND):

- PDF page 11 states, "According to SWRCB-DDW, the proposal meets the definition of a new public water system and shall be permitted as such." The State Water Board, DDW did not determine the proposal meets the definition of a public water system but provided the definition of a public water system and requested the County verify with the applicant the breakdown of people, (email to Thomas Kibayashi at Fresno County, 10/27/21). Please clarify in the IS/MND whether 25 or more people will be served by the water system at least 60 days per year and if the Project meets the definition of a public water system or not.
- PDF page 11 also states, "SWRCB-DDW also stated that the applicant has complied with all the outstanding issues relating to the current water system on the property and a water supply permit for this proposal has been drafted by that agency." The State Water Board, DDW has not determined that the applicant has complied with all the outstanding issues and a water supply permit has yet to be drafted (per latest discussion with District staff on 08/04/22). Please correct the language in the IS/MND.
- In the discussion of Hydrology and Water Quality, Appendix G checklist question B, the document cites the Water and Natural Resources Division water evaluation for the proposed project; however, the Water and Natural Resources Division water evaluation is not posted or made available as a supporting study incorporated by reference should be (Title 14, Division 6, Chapter 3, Article 10, section 15150). Please either summarize the referenced information in the IS/MND or post the referenced work for the public to access.

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

- The document mentions “The property is in a water-short area of Fresno County”, PDF page 12, but later on indicates “Additionally, the subject parcel is not located within an area of the county defined as being a water short area.” PDF page 18. The Project falls outside of any groundwater basins prioritized by the Department of Water Resources in Bulletin 118. Please clarify any discrepancies and further explain the conditions of the well’s water source.

Once the MND is adopted, please forward the following items in support of the new water system’s permit application to the State Water Board, DDW Fresno District Office at DWPDIST23@waterboards.ca.gov:

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

Cinthia Reyes
Environmental Scientist
Fresno District

Jose Robledo
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