

State Water Resources Control Board

December 28, 2022

Humboldt County
3015 H Street
Eureka, CA 95501

Attention: Mr. Desmond Johnston



Subject: HUMBOLDT COUNTY, NOTICE OF PREPARATION (NOP) FOR AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR 12856 HUMSUN 3 LLC CANNABIS CULTIVATION PROJECT (PROJECT); STATE CLEARINGHOUSE #2022110427

It is the statutory responsibility of the Division of Drinking Water (Division) to regulate *public water systems*, as defined below. If the above noted project results in the formation of a public water system or multiple public water systems, an application must be submitted and a permit(s) must be obtained from the Division before water can be provided for human consumption.

A public water system, as defined in the California Health and Safety Code (CH&SC), Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), Article 1, Section 116275(h), is “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.**”... (e) “Human consumption” means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes.”

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. Note, **SB1263**, effective January 1, 2017, requires that any person submitting a permit application for a proposed new public water system must first submit a technical report at least six months before initiating construction of any drinking water-related improvement. The technical report must include an examination of the possibility of consolidation with an existing public water system or consolidation of multiple proposed public water systems.

Thank you for the opportunity to review the NOP for the proposed Project.

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

The State Water Board, DDW, as a responsible agency under CEQA, would like to see the following items addressed in the EIR:

- A public water system requires a water supply permit to operate. If the number of people who will be served by a water system on the Project site will be greater than 24, please discuss the source of water that will serve the people and indicate if the proposed Project will create a new public water system.
- If a new public water system will be created, please add:
 - A description of new potable water system's components that will be installed or constructed.
 - "The State Water Resources Control Board, Division of Drinking Water" to list(s) of agencies whose approvals are required for the Project and "domestic water supply permit" to the list(s) of approvals for the Project.

The Project is within the jurisdiction of DDW Klamath District. Once the CEQA document is ready to be circulated for public review, please ensure that the State Water Board, Klamath District is notified. The State Water Board will review the draft CEQA documents and provide additional comments, if necessary.

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
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Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Barry Sutter, Klamath District Engineer,
State Water Resources Control Board
Division of Drinking Water