



## State Water Resources Control Board

March 10, 2023

City of Wasco  
Attention: Ms. Maria Lara  
746 8<sup>th</sup> Street  
Wasco, CA 93280



CITY OF WASCO (CITY), MITIGATED NEGATIVE DECLARATION, FOR THE WASCO WATER SYSTEM IMPROVEMENT PROJECT (PROJECT); STATE CLEARINGHOUSE NO. 2023010548

Dear Ms. Maria Lara:

### **DOMESTIC WATER SUPPLY PERMIT AMMENDMENT**

Thank you for the opportunity to review the MND 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 Project is within the jurisdiction of DDW Visalia District. DDW Visalia 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 new water supply permit if it includes a new water supply permit amendment for changes to a water supply source, storage, or treatment and for the operation of new water system components including new distribution tanks equal to or over 100,000 gallons, new wells, and treatment systems. The City will need to apply for a water supply permit amendment for this Project.

### **FUNDING**

We understand that the City is also pursuing Drinking Water State Revolving Fund (DWSRF) financing for this Project. As a state funding agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Board is providing the following information on the MND to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the DWSRF Program (Program). The primary purpose for the Program is to implement the Safe Drinking Water Act and various state laws by providing financial assistance for facilities improvements to provide clean potable water, and thereby protect and promote health, safety, and welfare of the inhabitants of the state.

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

The DWSRF environmental review process regulations, 40 Code of Federal Regulations (CFR) § 35.3580, require some steps that are not part of the normal CEQA process. Some of these are below:

- A. An analysis of environmental alternatives discussing environmental impacts of the Project.
- B. A public hearing or meeting for adoption/certification of all CEQA documents except for those with little or no environmental impacts.

COMMENTS ON THE DRAFT MND:

1. The CEQA document states “Kern County has also adopted a well ordinance that is under the jurisdiction of the County Public Health Department. The Project will adhere to the applicable Kern County regulations, (PDF page 83).” Please reference the ordinance number or summarize this regulation.

If an application for funding will be submitted, please upload to Financial Assistance Application Submittal Tool the following applicable documents for the proposed Project, according to the City’s CEQA process: (1) one copy of the draft and final MND with the Mitigation Monitoring and Reporting Program (MMRP), (2) the resolution adopting the MND and MMRP, (3) all comments received during the review period and the District’s response to those comments, and (4) the Notice of Determination filed with the Kern County Clerk and the Governor’s Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

If funding will not be pursued, please forward the above requested documents with your permit amendment application to the State Water Board, DDW Visalia District Office at [DWPDIST12@waterboards.ca.gov](mailto:DWPDIST12@waterboards.ca.gov)

Thank you for the opportunity to review the City’s draft MND. If you have any questions or concerns, please feel free to contact me at (916) 449-5285, or by email at [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov), or contact Mrs. Bridget Binning at (916) 449-5641, or by email at [Bridget.Binning@waterboards.ca.gov](mailto:Bridget.Binning@waterboards.ca.gov).

Sincerely,

Lori Schmitz  
Environmental Scientist  
Division of Financial Assistance  
Special Project Review Unit  
1001 I Street, 16<sup>th</sup> floor

Ms. Maria Lara

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Sacramento, CA 95814

Attachment:

Division of Financial Assistance CEQA Requirements

cc: State Clearinghouse

Mrs. Bridget Binning, Division of Financial Assistance

Ms. Lauren Pham, Division of Drinking Water

Mr. Adam Forbes, Division of Drinking Water

STATE WATER RESOURCES CONTROL BOARD,  
DIVISION OF FINANCIAL ASSISTANCE

## California Environmental Quality Act Requirements

The State Water Resources Control Board (State Water Board) Division of Financial Assistance (DFA) funds wastewater, recycled water, and drinking water infrastructure projects as well as water quality improvement projects using resources from various state grant programs. All applicants seeking grant funds must comply with the California Environmental Quality Act (CEQA) and provide appropriate documents to the State Water Board so that it can fulfill its CEQA responsibilities.

### **LEAD AGENCY**

The applicant is usually the **Lead Agency** and must prepare and circulate an environmental document before approving a project. Only a public agency, such as a local, regional or state government, may be the Lead Agency under CEQA. If a project will be completed by a non-governmental organization, Lead Agency responsibility goes to the first public agency providing discretionary approval for the project. In this situation, the State Water Board may serve as Lead Agency.

### **RESPONSIBLE AGENCY**

Typically, the State Water Board is a **Responsible Agency**. As a Responsible Agency, the State Water Board must make its own findings using information provided by the Lead Agency before funding a project.

### **STATE WATER BOARD RESPONSIBILITIES**

The State Water Board's mission is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure their proper allocation and efficient use for the benefit of present and future generations. To fulfill this responsibility, and to carry out obligations as a Responsible Agency under CEQA, the State Water Board must consider the Lead Agency's environmental document before funding a project.

### **ENVIRONMENTAL REVIEW**

The State Water Board's environmental review process must be completed before the State Water Board can approve a project for funding and the project can begin construction.

### **DOCUMENT REVIEW**

The State Water Board would like to review CEQA documents as early as possible. Applicants are encouraged to consult with agency staff during development of CEQA documents if considering applying for funding from DFA. Potential applicants should consider sending their environmental documents to DFA, Environmental Section during the CEQA public review period. This way, any environmental concerns the State Water Board has about the project can be addressed early in the process.

### **REQUIRED DOCUMENTS**

The Environmental Section within DFA requires the documents listed below to complete the environmental review:

- 1. Draft and Final Environmental Documents** – Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, Notice of Exemptions, as appropriate for the project;
- 2. All comments** – that were received during the public review period and the Lead Agency's responses to those comments;
- 3. Adopted Mitigation Monitoring and Reporting Plan** – this is separate from, and in addition to, the identification of mitigation measures in the CEQA document;

**4. Resolution/Minutes** – these document that the applicant adopted or certified the CEQA document, made CEQA findings, and approved the project;

**5. Date-stamped copy of the Notice of Determination or Notice of Exemption** – these result after filing of the document with the County Clerk and the Governor's Office of Planning and Research; and

**6. Completed Environmental Package** – this is a component of the Funding Application.

Once the State Water Board receives all the required documents and determines them to be adequate to make its own findings, the environmental review for the funding application will be completed.

### **CONTACT INFORMATION**

For more information about the State Water Board's environmental review process, please visit our website: [https://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/environmental\\_requirements.html](https://www.waterboards.ca.gov/water_issues/programs/grants_loans/environmental_requirements.html)

