



State Water Resources Control Board

Governor's Office of Planning & Research

March 6, 2023

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STATE CLEARING HOUSE

City of Hughson
Attention: Ms. Cara Jauregui
7018 Pine Street
Hughson, CA 95326

CITY OF HUGHSON (CITY), MITIGATED NEGATIVE DECLARATION FOR THE COBLES CORNER AND COUNTY VILLA APARTMENTS WATER SYSTEM CONSOLIDATION PROJECT (PROJECT); STATE CLEARINGHOUSE NO. 2023020341

Dear Ms. Cara Jauregui:

We understand that the City is 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 Resources Control Board (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.

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.

Following are specific comments on the City's draft MND:

1. The Project includes destroying the Cobles Corner's wells and Country Villa Apartments' wells (PDF page 11). Please discuss the amount of water used by

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

the two systems and if the City's current wells and groundwater source is adequate to serve these two systems.

2. Section 2.3 Permits and Approvals appears to contain an incomplete sentence. "The SWRCB also has approval authority for" (last sentence). Clarify or remove the incomplete sentence (PDF page 30).

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 Stanislaus 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.

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, or contact Mrs. Bridget Binning at (916) 449-5641, or by email at Bridget.Binning@waterboards.ca.gov.

Sincerely,

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Attachment: Division of Financial Assistance CEQA Requirements

cc: State Clearinghouse

Mrs. Bridget Binning, Division of Financial Assistance

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

