

State Water Resources Control Board

March 7, 2023

Tulare County
Attn: Hector Guerra
200 W. Oak Avenue
Visalia, CA 93291



TULARE COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND), FOR THE AKERS BUSINESS PARK (GPA 22-003 & PZC 22-003 & PPM 23-007) PROJECT (PROJECT); STATE CLEARINGHOUSE # 2023020373

Dear Mr. Hector Guerra:

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 the State Water Board DDW's Tulare District. The Tulare District issues a domestic water supply permit 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 the creation of a new public water system. The Project water system may need to apply for a water supply permit for this Project.

If the above noted project results in the formation of a new public water system or multiple new public water systems, an application must be submitted, and a permit 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, division 104, part 12, chapter 4, 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."

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

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

- The Proposed Project is less than a quarter mile from the City of Tulare's municipal water system and should consider connecting to that water system in the environmental document.
- A public water system requires a domestic water supply permit to operate. Please indicate if the Project could create a new public water system.
 - New public water systems are being limited under Senate Bill 1263, effective January 1, 2017. Senate Bill 1263 requires that any person submitting a permit application for a proposed new public water system must first submit a technical report to the State Water Board, DDW at least six months prior to 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.
- If the Project will create a new public water system, please add:
 - A description of all new potable water system components that will be installed or constructed. In addition to the three proposed wells, please also discuss any tank, pump stations, and treatment systems, that may be needed.
 - A map of and/or description of where the components will be located within the Project's defined site (PDF page 3).
 - "The State Water Resources Control Board, Division of Drinking Water" to the list of agencies whose approvals is required for the Project.
 - Clarification on if the Project description will include a convenience store (with gas station) and self-storage (mini-warehouses) (PDF page 101).
 - Clarification on the water budget for the Project, including how much water the development will use and the resulting savings from not growing walnut trees (PDF page 108).

If a DDW Water Supply permit will be required, once the MND is adopted, please forward the following items in support of the public water system's permit application to the State Water Board, DDW Tulare District Office at DWPDIST24@waterboards.ca.gov:

- Copy of the draft and final MND with 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 date stamped Notice of Determination filed at the Tulare 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
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

Kristin Willet
District Engineer
Tulare District