



State Water Resources Control Board

October 22, 2024

Aubrey Rose
Alameda County
224 West Winton Avenue, Room 111
Hayward, CA 94544

COMMENT LETTER ON THE ALAMEDA COUNTY (COUNTY), ENVIRONMENTAL IMPACT REPORT (ENVIRONMENTAL DOCUMENT) FOR THE ARROYO LARGO RESIDENTIAL PROJECT (PROJECT); STATE CLEARINGHOUSE #2023050339

Dear Aubrey Rose:

Thank you for the opportunity to review the Environmental Document for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for regulating public water systems and issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's San Francisco District.

A public water system, as defined in the California Health and Safety Code (Health & Saf. Code) § 116275 subd. [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."

If the above noted project results in the formation of a public water system, an application must be submitted, and a permit must be obtained from the DDW San Francisco District before water can be provided for human consumption. "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." Health & Saf. Code § 116275 subd. [e].

Note, Health & Saf. Code § 116527 subd. (b) 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 improvements. The technical report must include an examination of the possibility of connecting to or being annexed by an existing adjacent community water system. Please see the attached *What is a Public Water System* flyer.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act, has the following comments on the County's Environmental Document:

- California Water Service recently submitted a preliminary technical report for compliance with California Health and Safety Code §116527, indicating their intent to create a new public water system to serve this Project. The Environmental Document does not discuss a new water system, but instead indicates the proposed Project would connect to the California Water Service-Livermore District (PDF 596). If a new public water system will be created, discuss the water sources that will serve the Project and reasonably foreseeable future development and if the source would be adequate during normal, dry, and multiple dry years.
- Cal. Code. Regs. § 64572 requires separation of drinking water service lines from sources of potential contamination such as recycled water pipelines, sanitary sewer pipelines, and stormwater detention basins. The Project will install recycled water pipelines, sewer pipelines, and stormwater detention basins (PDF pages 117, 121 and,129). Please indicate if separation requirements can be met or if a waiver or alternative to Waterworks Standards (Cal. Code. Regs. § 64551.100) will be needed. If a waiver is needed, the water system will need to provide the DDW San Francisco District with the alternative plans.
- The Environmental Document mentions "In California, the State Department of Health Services conducts most enforcement activities" (PDF page 602). Authority to regulate public water systems changed from the California Department of Health Services (CDHS) to the California Department of Public Health (CDPH) when CDHS was reorganized in 2007 and then the program transferred from CDPH to the State Water Resources Control Board on July 1, 2014. Please update the document to reflect the State Water Resources Control Board as the agency that regulates the Safe Drinking Water Act.

Once the Environmental Document is certified, please forward the following items in support of the new water system's permit application to the State Water Board, DDW San Francisco District Office at DWPDIST04@waterboards.ca.gov:

- A copy of the Environmental Document, Mitigation Monitoring and Reporting Plan (MMRP), comment letters received, and the lead agency responses as appropriate.
- A copy of the Resolution or Board Minutes certifying the Environmental Document and adopting the MMRP; and
- A copy of the date stamped Notice of Determination filed at the 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, for 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

Marco Pacheco
District Engineer
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