



State Water Resources Control Board

July 28, 2023

Governor's Office of Planning & Research

Sonoma County
Attn: Ms. Jen Chard
2550 Ventura Avenue
Santa Rosa, CA 95403

July 28 2023

STATE CLEARINGHOUSE

SONOMA COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND) FOR THE NUNES FARM TASTING ROOM AND SARALEE'S VINEYARD WINERY AND TASTING ROOM PROJECT (PROJECT); STATE CLEARINGHOUSE # 2023060782

Dear Ms. Jen Chard:

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 Marin District. DDW Marin 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 California Code of Regulations Chapter 16 et. seq.).

It is the statutory responsibility of the Division of Drinking Water (DDW) 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 DDW 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." (California Health and Safety Code [H & SC], section 116275(e).)

A public water system, as defined in H & SC section 116527(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." A public water system requires a new water supply permit if it includes the creation of a new public water system.

Note, H & SC section 116527(b), 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-

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

related improvements. 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.

Tony Korman and Jackson Family Investments III, LLC (the Applicant) may need to apply for a new water supply permit or modified permit amendment for this Project.

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

- The MND mentions rainwater and groundwater will be used as a potable water source (PDF page 10, 12-13). A tank and distribution system are also mentioned as part of this portable water system, (PDF page 13). Given the number of residents, employees, and guests that may be served by the Project, the Project may create a new public water system.
 - The DDW encourages proposed new public systems connect with other nearby systems where possible. [Note: If a new public water system would be created, the Applicant should coordinate with nearby water systems to determine if another water system may provide water for their drinking water needs. If no nearby water system will agree to serve the Project, the Applicant will need to submit a H & SC section 116527 technical report to DDW. The County should then reflect what was determined in the MND.] Please indicate if a new public water system permit or amended permit will be required by the Project. If a new water system permit or amended permit will be required, please include:
 - “State Water Resources Control Board, Division of Drinking Water”, “water supply permit” or “amended permit” and “Title 22, Division 4, Chapter 14, Article 1, Section 64001” under Responsible and Trustee Agencies, Table 2.
 - The wineries will use an existing groundwater well to provide potable water (PDF page 10, 13). Treated rainwater and groundwater would be stored in a single potable water storage tank and distributed to all facilities requiring potable water on both parcels (PDF page 13). Please include a description of all the existing and proposed public water system components (e.g., existing well, existing well house, tank(s), pumps, rainwater collection system, treatment, et cetera) in the Project description, identify where the components will be located, and discuss relevant impacts in the checklist- as applicable.
 - Please also discuss who will be served by the system (employees, guests, et cetera). Will the current water system that serves the residences remain a separate system?

If a new public water system will be created or if the project will result in the modification of an existing public water system, thereby requiring a permit amendment application, once the MND is adopted, please forward the following items in support of the Applicant's permit application to the State Water Board, DDW Marin District Office at DWPDIST25@waterboards.ca.gov:

- Copy of the draft and final MND and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP; and
- Copy of the date stamped Notice of Determination filed at the Sonoma 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

Lori Schmitz
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Cc:

Office of Planning and Research, State Clearinghouse

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