



## State Water Resources Control Board

August 14, 2023

Governor's Office of Planning & Research

**Aug 14 2023**

**STATE CLEARINGHOUSE**

Fresno County  
Attn: Mr. Ejaz Ahmad  
2220 Tulare Street, Suite A  
Fresno, CA 93721

FRESNO COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND) FOR THE INITIAL STUDY NO 7504; GENERAL PLAN AMENDMENT APPLICATION NO 555; AMENDMENT APPLICATION NO 3832 PROJECT (PROJECT); STATE CLEARINGHOUSE #2023070273

Dear Mr. Ejaz Ahmad:

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 Visalia District. DDW Visalia 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 may create a new public water system, and if so will need to apply for a water supply permit 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 Initial Study (IS)/MND:

- The State Water Board, 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 Selma Community Services District, the City of Fowler (1010006), and Tract 1199 (100075) to determine if another water system may provide water for their drinking water needs. If these water systems will not agree to serve the Project, the applicant will need to submit a California Health and Safety Code section 116527 technical report to DDW that shows consolidation with these systems was considered.] The County should discuss the outcome of the discussions with these nearby drinking water systems in the IS/MND.
- The IS/MND indicates the proposed industrial uses on the property will utilize an onsite well for water supply (PDF page 16). And indicates since the well will

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

serve 35 employees on the property, it would meet the definition of a public water system and require a drinking water permit from SWRCB, DDW (PDF page 16). After the applicant coordinates with these nearby water systems, if it is determined through the process noted above that a new public water system will be created, please include in the IS/MND:

- A description of the Project's proposed industrial uses and water system, including the construction and operation that will occur. According to the CEQA Guidelines section 15063(a)(1), "All phases of project planning, implementation, and operation must be considered in the Initial Study of the project."
  - In addition to the well, be sure to consider all of the proposed water system components that may be needed (e.g., tanks, piping, chlorination, treatment, et cetera).
  - The project site encompasses two parcels, one 18.56 acres and the other 9.29 acres (PDF page 1). A rail spur will be expanded and related freight terminal operations (PDF page 4). Warehousing and other structures allowed under M-3 Zoning were also implied to be allowed (PDF page 6).
    - Indicate the amount of Project site that will be graded.
    - Explain what the Project construction and operation will involve.
    - Discuss what will be developed now and what will require a separate CEQA review and approval.
- Please indicate the amount of water the Project will require, the amount of water available for the Project from the basin, and if any nearby wells will be affected by the pumping of the Project. Please discuss if the Project will have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- The Project falls within the San Joaquin Valley- Kings (5-022.08) basin, a high priority basin. The groundwater basin has many challenges including groundwater overdraft, surface water shortages, and groundwater quality problems, (Department of Water Resources, Sustainable Groundwater Management Act (SGMA) Basin Prioritization Dashboard). In accordance with the SGMA, the South Kings Groundwater Sustainability Agency (South Kings GSA) submitted a Groundwater Sustainability Plan (GSP) to the Department of Water Resources (DWR) for approval. A letter was provided to the South Kings GSA from DWR staff in March 2023, indicating that they believe the GSAs have taken sufficient actions to address the previously identified deficiencies that precluded initial approval of the Plan, and that staff anticipate recommending approval of the GSP. Please indicate if the Project will conflict with or obstruct implementation of this GSP, a sustainable groundwater management plan.
- Please attach the County Ordinance Code Grading and Drainage Sections, referenced on PDF page 17, that outlines required construction

- practices. If less than one acre of soil will be graded, please also discuss the best management practices that will be implemented for the Project.
- The IS/MND includes a mitigation measure to limit water use on site until the Project is served by a community sewer and water system (PDF page 12). Please indicate when the development of these systems are anticipated and how these services will be provided in the interim.
    - Will the industrial uses be developed on site, with 35 employees, and alternative water and sewer (e.g., bottled water, temporary portable toilets, et cetera) be brought on site to serve the employees prior to the community sewer and water system being available?
    - Will a septic system be constructed with small amounts of liquid waste being discharged? And if so, for how long?
  - Please discuss any discharges associated with the construction (preparation for use) and operation of the water system (e.g., well, tank, piping, et. cetera).

If a new public water system will be created, once the IS/MND is adopted, please forward the following items in support of new water system's permit application to the State Water Board, DDW Visalia District Office at [DWPDIST12@waterboards.ca.gov](mailto:DWPDIST12@waterboards.ca.gov):

- Copy of the draft and final IS/MND and Mitigation Monitoring and Reporting Plan;
- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the IS/MND; and
- Copy of the date stamped Notice of Determination filed at the Fresno 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](mailto: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, 16<sup>th</sup> floor  
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Adam Forbes  
District Engineer  
Visalia District

Vanessa Andrade  
Water Resources Control Engineer  
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