



State Water Resources Control Board

September 5, 2023

County of Solano
Attn: Eric Wilberg
675 Texas Street, Suite 5500
Fairfield, CA 94533

COUNTY OF SOLANO (COUNTY), MITIGATED NEGATIVE DECLARATION (MND)
FOR THE SOLANO LANDING PROJECT (PROJECT); STATE CLEARINGHOUSE
#2023080100

Dear Mr. Eric Wilberg:

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 San Francisco District. DDW San Francisco 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 (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 for changes to a water supply source, storage, or treatment and for the operation of new water system components- as specified in the Waterworks Standards.

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, an application must be submitted, and a permit 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 [HSC], section 116275(e).)

A public water system, as defined in HSC 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. The Project's new water system may need to apply for a water supply permit from the San Francisco District.

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

Note, HSC 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-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.

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:

- If this Project may regularly serve 25 or more people daily at least 60 days out of the year and relies on groundwater wells instead of connecting to the City's domestic water system, a new public water system would be created. Considering all uses (employees, customers, market, tasting rooms, dining hall, restaurant, hotel, etc.) please discuss the estimated number of people and number of days per year they would be served and the amount of water needed.
- The IS/MND (PDF page 12) states there are two City water mains that run adjacent to the Project site, but one of them cannot provide water to any additional users. The IS/MND also indicates the applicant is working with the City of Vallejo to provide water for fire suppression via an existing water line that is adjacent to the Project site." (PDF page 100). Consider the feasibility and environmental impacts of connecting to one of the adjacent City water lines rather than constructing new groundwater wells.
- Under HSC section 116527(b) DDW reviews the technical report for new public water systems to determine if a new public water system permit may be approved. After the applicant coordinates with DDW on this process, if it is determined that a new public water system will be created by the proposed Project:
 - Under Section 1.4 "Permits and Approvals Required from Other Agencies (Responsible, Trustee, and Agencies with Jurisdiction)", "Agencies that May Have Jurisdiction over the Project", please add "State Water Resources Control Board, Division of Drinking Water" for approval of a water supply permit.
 - Please discuss all major water system components (e.g., wells, treatment, pump station, piping, etc.) being proposed.
 - Please also consider the infrastructure impacts and operations in appropriate sections of the IS/MND.
 - In Section 2.10 Hydrology and Water Quality (a). please discuss well drilling discharge, well waste operational discharge, and any additional infrastructure discharges for the operation of the system (e.g., tanks, treatment, etc.) as required for the system preparation and operation.
 - Please also discuss how close the wells will be drilled to neighboring wells and if the proposed wells will have any impact on surrounding neighbor wells.

Once the MND is adopted, 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:

- Copy of the draft and final MND with 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 Solano 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

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