



State Water Resources Control Board

February 9, 2024

Governor's Office of Planning & Research

February 09 2024

Tuolumne County
Community Development Department
Attn: Mr. Clark Sintek
A.N. Francisco Building, 4th floor
48 Yaney Avenue
Sonora, CA 95370

STATE CLEARINGHOUSE

TUOLUMNE COUNTY (COUNTY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE TINY HOUSE VILLAGE SITE DEVELOPMENT PERMIT SDP22-006 PROJECT (PROJECT); STATE CLEARINGHOUSE #2024010359

Dear Mr. Clark Sintek:

Thank you for the opportunity to review the IS/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. This Project is within the jurisdiction of the State Water Board, DDW's Yosemite District. DDW Yosemite District issues domestic water supply permits 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.). If a Project includes the creation of a new public water system a new water supply permit will be required. The new water system may need to apply for a water supply permit for this Project.

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

Note, Health & Saf. Code 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.

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

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

- The IS/MND indicates that a total of three full time employees (one that lives on-site) would be required on-site [PDF page 59] and twelve prefabricated mobile units would be rented out for overnight stays [PDF page 3]. Providing domestic water to the mobile unit guests and employees would meet the definition of a public water system if it would serve 25 individuals daily at least 60 days out of the year. The DDW encourages potential new public water systems to connect with nearby community water systems where possible, rather than forming a new public water system. Grover Community Services District is a nearby system. Note: If the Project would create a public water system, the applicant should coordinate with nearby water systems to determine if another system may provide water for their drinking water needs. If no nearby system will agree to serve the Project, the applicant will need to submit a Health and Saf. Code section 116527(b) technical report to DDW. The County should then reflect what was determined by the applicant through the coordination process in the IS/MND.
- Please indicate if a new public water system will be formed by the Project. If so,
 - Please include “Division of Water Quality” and “for a General Construction Stormwater Permit”, and “Division of Drinking Water” and “for a water supply permit”, under “Other Agencies Approvals- State Water Resources Control Board” (PDF page 4).
 - Discuss the new and existing water system components that would become part of the new public water system.
 - Will water for fire protection be provided by the domestic water system or will there be a separate non-potable supply for fire flow? If the domestic water system will provide domestic supply and fire flow, is the well capacity and amount of stored water sufficient to meet both fire flow and drinking water needs?
 - The IS/MND indicates “In the event that the well goes dry in Tuolumne County, steps would be taken by the property owner to deepen, further test potential sites on the parcel, or contract with a well company to have water trucked in and stored on the site.” Please indicate in the IS/MND that trucking in water and storing it at the site would be an interim solution and not permitted by the Yosemite District as a permanent solution to a well going dry.

Once the IS/MND is adopted, please forward the following items in support of the new water system's permit application to the State Water Board, DDW Yosemite District Office at DWPDIST28@waterboards.ca.gov:

- Copy of the IS/MND with all 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 Tuolumne 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
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

Ofelia Romero-Maraccini
District Engineer
Yosemite District

Austin Ferreria
Water Resources Control Engineer
Yosemite District