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## State Water Resources Control Board

August 21, 2024

Kevin Valente  
City of Wheatland  
111 C Street  
Wheatland, CA 95692

CITY OF WHEATLAND (CITY), ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE HERITAGE OAKS EAST PROJECT (PROJECT); STATE CLEARINGHOUSE # 2024031192

Dear Kevin Valente:

Thank you for the opportunity to review the EIR 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 Valley District. DDW Valley District issues domestic water supply permit amendments to the public water systems serviced with new or modified sources of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 California Code of Regulations chapter 16 et. seq.). A public water system requires a new water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the in the Cal. Code Regs. Tit. 22, § 64556. The City will need to apply for a water supply permit amendment for this Project for proposed changes to the domestic water supply resulting from this Project.

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

- According to the Department of Water Resources (DWR), Sustainable Groundwater Management Act prioritization dashboard, the Project falls within the Sacramento Valley- South Yuba groundwater basin. DWR identifies the South Yuba groundwater basin as a high priority basin (DWR, *ibid*) and approved the Groundwater Sustainability Plan on November 18, 2021 (DWR, SIGMA Portal). Please address the following:
  - Discuss if the project water demand associated with the Project was included in the most recently adopted urban water management plan (Cal Code of Regs. § 10910 [2]). If so, please attach the urban water management plan. If not, as part of the water supply assessment, please

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

include the consideration of normal, single, dry, and multiple dry years (Cal Code of Regs. § 10910 [3]) and a determination on if there will be enough water for the project during normal, single, dry, and multiple dry years over a 20-year projection.

- The EIR states “As part of project approval, the project would be required to obtain a domestic water supply permit from the Yuba County Environmental Health Department (YCEHD) for the installation of the new water storage tank, demonstrating proper compliance with the applicable regulations established by YCEHD related to water tank design (PDF page 220).” Please update this to reflect that the entity with regulatory authority over public water systems, including water supply permits and tank designs, is the State Water Resources Control Board, Division of Drinking Water, not the YCEHD.
- Two wells have been drilled and permitted since the original grading of the Project (California Drinking Water Watch). The EIR mentioned one existing well will serve the development (PDF page 78). If any other existing or new wells will serve the Project, please include them in the Project description and consider the construction and operational impacts of the well(s), as needed. Please also discuss the maintenance and operation of the tank.
- Stormwater from the west detention basin will be discharged to Grasshopper Slough (EIR PDF pages 78, 225, and 269). Please discuss if Grasshopper Slough is considered a Water of the United States (WOTUS) and/or a Water of the State (WOTS). Please also discuss any permits needed for the discharge into a WOTUS or WOTS, as applicable.

When the CEQA review process is completed, please forward the following items with the permit application to the State Water Board, DDW Valley District Office at [DWPRedding@waterboards.ca.gov](mailto:DWPRedding@waterboards.ca.gov):

- Copy of the EIR and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of all comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the EIR and MMRP; and
- Copy of the date stamped Notice of Determination filed at the Yuba 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), for 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

Rebecca Tabor  
District Engineer  
Valley District

Dan Cikuth  
Associate Sanitary Engineer  
Valley District