



---

## State Water Resources Control Board

March 20, 2024

Brooke Gutierrez  
Merced Irrigation District  
9090 Lake McClure Road  
Snelling, CA, 95369

COMMENT LETTER ON THE MERCED IRRIGATION DISTRICT (MID), PROGRAM ENVIRONMENTAL IMPACT REPORT (ENVIRONMENTAL DOCUMENT) FOR THE MERCED IRRIGATION DISTRICT RECREATION FACILITIES PROJECT (PROJECT); STATE CLEARINGHOUSE #2024051222

Dear Brooke Gutierrez:

Thank you for the opportunity to review the Environmental Document for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for regulating public water systems and issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW Merced District.

DDW Merced District issues domestic water supply permit amendments to public water systems pursuant to Waterworks Standards (Title 22 California Code of Regulations [Cal. Code Regs.] chapter 16 et. seq.). A public water system requires a 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 Cal. Code Regs. § 64556.

The Project proposes to upgrade existing wells, replace tanks, and upgrade treatment for Bagby Recreation Area (2208067), Barrett Cove (2209035), and Horseshoe Bend Recreation Area (2208033). An application for an amended domestic water supply permit shall be submitted to the DDW Merced District prior to the addition of a new distribution reservoir (100,000-gallon capacity or greater) or change in treatment, including design capacity or process (Cal. Code of Regs. § 64556 [1] and [4]).

The Project also proposes to upgrade the existing wells for McSwain Recreation Area (2209065) and McClure Point Recreation Area (2209063). However, according to the Safe Drinking Water Information System (SDWIS) these water systems do not currently have active wells [<https://sdwis.waterboards.ca.gov/PDWWW/>].

---

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

If new wells are constructed or if the existing wells are upgraded, the addition of a new source or change in the status of an existing well will require a water supply permit amendment from the Merced District office (Cal. Code of Regs. § 64556 [3]).

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

- Under Section 1.2 Purpose of this Program Environmental Impact Report (PDF page 11), please add a bullet stating “The State Water Resources Control Board, Division of Drinking Water may rely on this CEQA analysis, to make its decision regarding whether to issue water supply permit amendments triggered under Cal. Code of Regs. §64556.”
- If the Project actions will trigger State Water Board, DDW water supply permit amendment(s), under Table 1-1 [PDF page 17], please add “California Water Works Standards, Domestic Water Supply Permit Amendment” to the “State Water Resources Control Board (Responsible Agency)” row under the “Permit, Approval, or Clearance” column. Under the Relevance column, add “A public water system requires a 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 Cal. Code Regs. § 64556.”
- There appears to be a discrepancy in the Utilities and Services discussion. When discussing sufficient water, the Environmental Document states that water infrastructure for the proposed project is reliant on Lake McClure and McSwain Reservoir for potable water (PDF page 102). However, at least three of the existing MID water systems depend on wells as the sole or primary source, not surface water (SDWIS). Please clarify.
- Please provide the links or include the attachments listed in the document (E.g. 2015 Federal Energy Regulatory Commission Final Environmental Impact Statement (Merced River Project) Recreation Plan, Biological Resource Materials, et. cetera). Documents incorporated by reference must be made publicly available (Cal. Code Regs., tit.14., § 15150 [b]).

When the CEQA review process is completed, please forward the following items, with required MID permit applications, as applicable, to the State Water Board, DDW Merced District Office at [DWPDIST11@waterboards.ca.gov](mailto:DWPDIST11@waterboards.ca.gov):

- The Environmental Document and Mitigation Monitoring and Reporting Plan (MMRP);
- The Resolution or Board Minutes adopting the Environmental Document and adopting the MMRP and approving the Project; and
- The date stamped Notice of Determination filed at the County Clerk's Office and the 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:

State Clearinghouse

Orlando Gonzalez  
District Engineer  
Merced District

Bruce Ramsden  
Associate Sanitary Engineer  
Merced District