



State Water Resources Control Board

July 25, 2024

Joshua Miranda
Sonoma County
2550 Ventura Ave,
Santa Rosa, CA 95403

COMMENT LETTER ON THE SONOMA COUNTY(COUNTY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL DOCUMENT) FOR THE VILLA VANTO FARM PROJECT (PROJECT); STATE CLEARINGHOUSE # 2024070225

Dear Joshua Miranda:

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's Marin District.

A public water system, as defined in the California Health and Safety Code (Health & Saf. Code) § 116275 subd. [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."

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 the Marin District 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." Health & Saf. Code § 116275 subd. [e].

Note, Health & Saf. Code § 116527 subd. (b) 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 connecting to or being annexed by an existing adjacent community water system. Please see the attached What is a Public Water System flyer.

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

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

- The Environmental Document includes estimates for the water use of 200 people, two full-time employees, and eight part-time employees (PDF page 49). A residence also exists on site (PDF page 8) and 12 bedrooms are under construction (PDF page 4). The barn includes two - three restrooms (PDF page 5). This Project appears like it may meet the definition of a public water system. The State Water Board, DDW encourages projects like this to connect with nearby community water systems, where possible, instead of forming a new public water system. If no nearby system will agree to serve the Project, the applicant will need to submit a technical report to DDW pursuant to Health and Saf. Code § 116527 subd. (b). If feasible, it may be beneficial to discuss connecting to a nearby community water system in the Environmental Document.
- If a new public water system will be created by the Project:
 - Within "Table 2.", column "Agency" please add to the document "The State Water Resources Control Board, Division of Drinking Water" as an approving agency. Under "Activity" include "water supply permit" and under "Authorization" include "California Code of Regulations, Title 17 Public Health" (PDF pages 2 and 3).
 - Describe the existing and any new water system components that would be needed to become a new public water system and discuss impacts associated with construction and operation of the system, including but not limited to the following, as applicable:
 - Will the existing wells need to be rehabilitated or upgraded?
 - Will the existing three 5,000-gallon tanks fed by onsite springs be connected to the system? Is new water storage proposed? If so, include the tank dimensions and capacities.
 - Is water for fire protection provided by the domestic water system or will there be a separate non-potable supply for fire flow?
 - Please discuss the quality of the water and if any treatment may be required. If treatment is required, please consider the treatment infrastructure in the document.
 - Please include a map of the existing and proposed water system components or discuss where the components are or will be sited within the Project area, as applicable.
 - The document sources figures and tables from Appendix 1, The Biological and Regulatory Constraints Report, but fails to include Appendix 1. Please make this document available. Documents incorporated by reference must be made publicly available (Cal. Code Regs., tit 14, § 15150 [b]).
 - There appears to be an error in section 4. Biological Resources (c) When discussing substantial adverse effects on state and federally protected wetlands through direct removal, filling, hydrological interruption, or other means (PDF page 38). The last statement of the discussion states that

“no impacts” to aquatic resources will occur as the aquatic resources do not meet the definition of a wetland even though it was stated earlier that the resources meet the Water Board’s definition of a wetland. The discussion also includes a final determination of less than significant impact which contradicts “no impacts.” Please clarify the discussion and conclusion.

- A National Pollutant Discharge Elimination System permit and waste discharge permits may help reduce project impacts to water quality. Under section 10. Hydrology and Water Quality, (a.) when discussing if the Project will violate water quality standards and waste discharge requirements:
 - It is mentioned that the project is not within the designated National Pollutant Discharge Elimination System area (PDF page 48). However, the document also mentions that pond, adjacent wetlands, and tributaries (which are within the site) are connected during significant stormwater flow events to an unnamed tributary and San Antonio Creek (PDF page 37). A National Pollutant Discharge Elimination NOI is also listed under Table 2 (PDF page 5). Please discuss the amount of soil that will be disturbed and if the NPDES permit will be needed. Please then clarify the first statement and/or the permit listing in Table 2.
 - Please discuss if waste discharge permits would be required for discharges to aquatic resources delineated within the Project site as Waters of the State.

Once the Environmental Document is adopted, please forward the following items in support of water system’s permit application to the State Water Board, DDW Marin District Office at DWPDISTRICT25@waterboards.ca.gov:

- A copy of the Environmental Document, Mitigation Monitoring and Reporting Plan, comment letters received, and the lead agency responses as appropriate.
- A copy of the Resolution or Board Minutes adopting the Environmental Document and Mitigation Monitoring and Reporting Plan; and
- A copy of the date stamped Notice of Determination filed at the 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, for questions regarding this comment letter.

Sincerely,

Lori Schmitz
Environmental Scientist
Division of Financial Assistance

Special Project Review Unit
1001 I Street, 16th floor
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Cc:

Office of Planning and Research, State Clearinghouse

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