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## State Water Resources Control Board

September 5, 2024

Keith Gronendyke  
County of Mendocino  
860 North Bush Street  
Ukiah, CA 95482

COMMENT LETTER ON THE COUNTY OF MENDOCINO (COUNTY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL DOCUMENT) FOR THE U\_2019-0006 [RCWC] PROJECT (PROJECT); STATE CLEARINGHOUSE # 2024070695

Dear Keith Gronendyke:

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 Mendocino 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 Mendocino 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.

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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 Project includes construction and operation of a commercial kitchen, restrooms, two 5,000-gallon water storage tanks, and a pump house with well (PDF page 4). An existing well may also be operated (PDF page 38). If the Project will serve at least 25 individuals daily at least 60 days out of the year the project will meet the definition of a public water system. If the Project will create a public water system, the State Water Board, DDW Mendocino District would encourage the Redwood Community Wellness Center to obtain domestic water services from the North Gualala Water Company (NGWC), as the Project falls within the NGWC service area. It is unlikely that a new public water system permit would be granted for a new public water system that falls within the boundaries of another existing public water system. If the Redwood Community Wellness Center proposes to pursue the development of a new public water system, a technical report pursuant to Health & Saf. Code § 116527 subd. (b), as outlined above, would need to be submitted to the Mendocino District.
- If the Redwood Community Wellness Center proposes to create a new public water system, the Environmental Document should include the following:
  - Under the Project Description:
    - Please discuss the operation of the Project: How many employees and/or visitors are expected to visit the Wellness Center in a year? What is the intended purpose and proposed use of the Wellness Center? If events are proposed, how frequently would they occur and how many people are estimated to attend?
    - Under "Other Public Agencies Whose Approval is Required" (PDF page 6), please add "The State Water Board, Division of Drinking Water" as an approving agency and "water supply permit" as the approval.
  - Please provide a description of the new and existing public water system components.
    - The Environmental Document proposes the construction of a new well, but also mentions the Project site has an existing onsite well (PDF page 37-38). Please clarify if the existing well would be used for domestic supply or if the proposed water system would have two wells.
    - Discuss the adequacy of the well(s) to provide the required quantity of water. Will the existing well need to be rehabilitated or upgraded for its proposed use? Will a backup well be needed?
    - If there will be two wells, explain how both will be used (potable use, backup well, nonportable use, et cetera).
    - Discuss if there are other private or public wells near the Project site that could be significantly impacted by the well production for this Project.

- Discuss the water quality of the well and if treatment may be needed. If so, include a description of the potential treatment needed and operational impacts.
- Please indicate what fire-flow infrastructure will be needed. Please also indicate if the fire-flow system will be part of the public drinking water system or a separate system.
- Under section 5.10, Hydrology and Water Quality, when discussing if the Project will violate water quality standards or waste discharge requirements:
  - Please explain how much soil the Project's construction will disturb and if the Project will require a State Water Resources Control Board Construction Stormwater General Permit.
  - "“Waters of the State” means any surface water or groundwater, including saline waters, within the boundaries of the state.” (California Water Code § 13050 [e]). Please refer to the Federal Register for the most recent definition of the “Waters of the United States.” The Environmental Document states several ephemeral streams, one small seasonal wetland, and a man-made pond are within the study area (PDF page 18).
    - Please update Figure 3 and/or provide a separate site map that includes the Project components that be constructed and the surrounding Waters of the State and Waters of the United States.
    - Please identify and discuss whether each ephemeral stream, small seasonal wetland, and man-made pond is a Water of the State.
    - Please discuss how close work will be done to Waters of the State. If work exclusions buffers will be maintained, please define the buffer distances in the figure and/or in a discussion in the Environmental Document.
    - If work will occur within the Water of the State, please discuss impacts (temporary and/or permanent), restoration or replacement of the impacted Waters of the State, and State Water Resources Control Board and/or Regional Water Quality Control Board Waste Discharge permits that may be needed.
    - Please attach or provide a link to the Environmentally Sensitive Habitat Area Survey performed by WRA Environmental Consultants. Documents incorporated by reference must be made publicly available (Cal. Code Regs. §15150 [b]).
  - Cal. Code Regs. § 64572 and Cal. Code Regs. § 64560 requires separation of water service lines and domestic supply wells from sources of potential contamination, such as septic systems and leach fields. The Project includes an existing leach field and will install septic lines (PDF page 16). Please indicate if Cal. Code

- Regs. § 64560 and § 64572 requirements can be met or if a waiver or an alternative to Waterworks Standards (§ 64551.100) will be needed. If a waiver is needed, the water system will need to provide the DDW Mendocino District Office with the alternate plans and a waiver approval should be listed as part of the needed DDW approvals in the Environmental Document.
- Under section 5.10 Hydrology and Water Quality and under section 5.19 Utilities and Services, when discussing groundwater supplies:
    - Please discuss the groundwater aquifer in the Project area. Is the aquifer a hard rock aquifer? Is water limited and/or prone to contamination?
    - Identify the Project's estimated water demand in normal, single dry, and multiple dry years and the capacity the well will be able to produce for those years.
  - There are discrepancies within the Environmental Document. Please clarify, support, and/or correct the following, as needed:
    - The Findings for the Utilities and Service Section was "No Impact"; however, the Project will result in the use of water and construction of new domestic water facilities, so water system infrastructure and water supply impacts would occur (PDF page 37).
    - The Environmental Document discusses how Mendocino soils are prone to weathering, landslides, and erosion (PDF page 24), but then claims the Project would not result in landslide, lateral spreading, subsidence, liquefaction, or collapse. Please support these determinations in the discussion or provide a geotechnical report for support of the conclusions. (Page 24).

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 Mendocino District Office at [ddwsantarosa@waterboards.ca.gov](mailto:ddwsantarosa@waterboards.ca.gov):

- A copy of the Environmental Document, MMRP, comment letters received, and the lead agency responses as appropriate.
- A copy of the Resolution or Board Minutes adopting the Environmental Document and MMRP; 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](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

Zachary Rounds  
District Engineer  
Mendocino District

Lori Hanson  
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