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## State Water Resources Control Board

September 3, 2024

Alameda County  
224 West Winton Avenue,  
Room 111  
Hayward, CA 94544

COMMENT LETTER ON THE ALAMEDA COUNTY (COUNTY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL DOCUMENT) FOR THE PLN2021-00064- FA YUN CHAN TEMPLE PROJECT (PROJECT); STATE CLEARINGHOUSE # 2024080043

Dear Damien Curry:

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 San Francisco 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 DDW San Francisco 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 Environmental Document's proposed onsite residents and visitor numbers indicate the Project will regularly serve at least 25 individuals daily at least 60 days out of the year during both Project Phases (PDF pages 8 and 9). The State Water Board, DDW encourages projects like this - that would otherwise form a new public water system, to connect with a nearby community water system, where possible.
- It is unclear if the Project will supply its own domestic water or be connected to a nearby community water system:
  - The Environmental Document explains the onsite well has been studied and the preliminary conclusion is that the well is adequate to meet the Project's drinking water demand (PDF page 102). It also states the applicants are petitioning for reinstatement of the Project into the Norris Canyon Homeowner's Association water system, which had been discontinued by the previous owner (PDF page 10). Please discuss if the water system can reconnect with the Norris Canyon Property Owners Association water system or connect with another nearby community water system. If no nearby water systems will agree to serve the Project, the applicant will need to submit a technical report to DDW San Francisco District pursuant to Health and Saf. Code § 116527 subd. (b) at least 6 months prior to any water-related improvement (i.e. well drilling, distribution system pipe laying, storage facility construction, etc.).
  - If it is determined that no other water systems can serve the Project, and a new public water system will be created by the Project:
    - Under section "10. Other Public Agencies whose Approval is Required." please add "The State Water Board, Division of Drinking Water" as an approving agency and "water supply permit" as the approval, as applicable.
    - Add the proposed water system to Figure 5 or include a new figure of the proposed water system and describe the existing and new water system components that would be needed for a new public water system.
    - Consider and discuss:
      - The adequacy of the existing well to provide the required quantity and quality of drinking water. Will the well need to be rehabilitated or upgraded for its proposed use? Will a backup well be needed?
      - Will treatment be needed?
      - The infrastructure of the water system including existing and new components, such as, pumps, water storage tanks (besides fire flow tanks), and the distribution system.
      - Will the fire flow system will be connected to the potable water system or be part of a separate water system?

- Cal. Code. Regs. § 64572 and Cal. Code. Regs. § 64560 requires separation of drinking water service lines and domestic supply wells from sources of potential contamination such as leach fields and stormwater treatment areas. The Project site includes one existing leach field. The Project will add two more new leach fields (PDF page 10). The Project will also add stormwater treatment areas to the Project site. (PDF page 9). Please indicate if Cal. Code. Regs. can be met or if a waiver or alternative to Waterworks Standards (Cal. Code. Regs. § 64551.100) will be needed. If a waiver is needed, the water system will need to provide the DDW San Francisco District with the alternate plans and a waiver approval should be listed as part of the needed DDW approvals in the Environmental Document.

Once the Environmental Document is adopted, please forward the following items in support of the Water System's permit application to the State Water Board, DDW San Francisco District Office at [DWPDIST04@waterboards.ca.gov](mailto:DWPDIST04@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

Marco Pacheco  
District Engineer

Damien Curry

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September 3, 2024

San Francisco District

Sara Glade  
Water Resource Control Engineer  
San Francisco District