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## State Water Resources Control Board

October 29, 2024

Michael Coleman  
Santa Clara Valley Water District  
5750 Almaden Expressway  
San Jose, CA 95118

Dear Michael Coleman:

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE SANTA CLARA VALLEY WATER DISTRICT (WATER SYSTEM); PENITENCIA WATER TREATMENT PLANT RESIDUALS MANAGEMENT PROJECT (PROJECT); SANTA CLARA COUNTY; STATE CLEARINGHOUSE NO. 2024091149

### **DOMESTIC WATER SUPPLY PERMIT AMENDMENT**

Thank you for the opportunity to review the IS/MND 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 DDW Santa Clara District. DDW Santa Clara District issues domestic water supply permit amendments to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 California Code of Regulations [Cal. Code Regs.] 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 Cal. Code Regs. § 64556. The Water System will need to apply for a water supply permit amendment for approval of a change in domestic water supply treatment resulting from this Project.

### **FUNDING**

We understand that the Water System is also pursuing Drinking Water State Revolving Fund (DWSRF) financing for this Project. As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Board is providing the following water quality related comments on the IS/MND.

The State Water Board, Division of Financial Assistance, is responsible for administering the DWSRF Program (Program). The primary purpose for the Program is to implement the Safe Drinking Water Act and various state laws by providing financial assistance for drinking facilities improvements to provide clean potable drinking water,

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

and thereby protect and promote health, safety and welfare of the inhabitants of the state.

All applicants seeking DWSRF funding must comply with the California Environmental Quality Act (CEQA) and provide appropriate documents to the State Water Board so that it can fulfill its CEQA responsibilities, see [CEQA Requirements](#). In addition, because the Program is partially funded by the United States Environmental Protection Agency additional federal environmental documentation (cross-cutters) may be required. For additional Program information, the complete environmental application package and instructions, please visit:

[Drinking Water State Revolving Fund Forms and Instructions](#).

Following are specific comments on the Water System's draft IS/MND:

- In section 1.5 Interagency Collaboration and Regulatory Review, Table 1.5-1 Summary of Agency Approvals, under "Agency" please include "State Water Resources Control Board, Division of Drinking Water" and under "Permit/Review" please include "water supply permit amendment for a change in domestic water supply treatment." Under "Agency", please also include "State Water Resources Control Board, Division of Financial Assistance" and under "Permit/Review" please include "possible Drinking Water State Revolving Fund financing."
- In section 2.6 Valley Water BMPs, Table 2.6-1 identifies the best management practices that will be implemented for the Project. Some best management practices are not referred to in the discussion but are included in the table. Other best management practices are referred to in the discussion and are not defined in the table. Please add to the table the missing best management practices that are referred to in the discussion. Please also refer to the best management practices that are listed within the table in the discussion where applicable.

If an application for funding will be submitted, please upload to Financial Assistance Application Submittal Tool the following applicable documents for the proposed Project: (1) one copy of the draft and final IS/MND with the Mitigation Monitoring and Reporting Program (MMRP), (2) the resolution adopting the IS/MND and the MMRP, (3) all comments received during the review period and the Water System's response to those comments, and (4) the Notice of Determination filed with the Santa Clara County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

If funding will not be pursued, please forward the above requested documents with your permit amendment application to the State Water Board, DDW Santa Clara District Office at [DWPDIST17@waterboards.ca.gov](mailto:DWPDIST17@waterboards.ca.gov)

Thank you for the opportunity to review the Water System's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 449-5285, or by

email at [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov) or contact Mrs. Bridget Binning at (916) 449-5641, or by email at [Bridget.Binning@waterboards.ca.gov](mailto:Bridget.Binning@waterboards.ca.gov).

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

Bridget Binning, Division of Financial Assistance

Van Tsang, Division of Drinking Water