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## State Water Resources Control Board

November 27, 2024

Alyce Alvarez  
Fresno County Department of Public Works and Planning  
Development Services and Capital Projects Division  
2220 Tulare Street, Suite A  
Fresno, CA 93721

COMMENT LETTER ON THE FRESNO COUNTY (COUNTY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL DOCUMENT) FOR THE INITIAL STUDY APPLICATION NO 8521 AND UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO 3779 PROJECT (PROJECT); STATE CLEARINGHOUSE # 2024101282

Dear Alyce Alvarez:

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 Visalia 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 Visalia 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

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

connecting to or being annexed by an existing adjacent community water system. Please see the attached What is a Public Water System flyer.

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 states the Project would convert an existing single-family residence to an 18-bed residential care facility with a maximum of one visitor per patient per day, four employees per shift [with 3 shifts per day], and deliveries weekly (PDF pages 1 and 14). The Environmental Document also states there is an existing well on the property (PDF page 10). This appears to 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 systems will agree to serve the Project, the applicant will need to submit a technical report to DDW Visalia District 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:
  - In the Environmental Document, Environmental Checklist form, under “10. Other public agencies whose approval is required”, please add the State Water Board, Division of Drinking Water as an approving agency for a water supply permit.
  - In the Environmental Document, Environmental Checklist form, under “8. Description of the Project” please discuss the plans for the construction and operation of the Project, including, but not limited to:
    - The work that will need to be done on the Project site to convert the single-family residence to an 18-bed facility.
    - New water systems components that will be installed, as needed (E.g. tanks, treatment, fire flow, piping) and if the existing well will need upgrades to serve the Project.
    - The number of staff dedicated to operating the new public water system.
    - The existing well's expected water quality, including a discussion on the results of past water quality monitoring, as applicable.
    - And expected upgrades to the onsite sewage disposal system, as needed, to serve the new 18-bed facility.
  - In the Environmental Document, Evaluation of Environmental Impacts, if new system components and/or upgrades will be needed, please discuss the impacts associated with the construction and operation of these components.
  - The Environmental document states no new construction will occur (PDF page 2), but also states that impervious surfaces will be added and a loss of topsoil will occur (PDF page 7). Please discuss how much soil will be disturbed during construction, and if a general construction National

- Pollutant Discharge Elimination System permit will be needed and/or best management practices will be implemented.
- The Project falls within the San Joaquin Valley- Kings Basin, according to the Department of Water Resources, Sustainable Groundwater Management Act prioritization dashboard (DWR, SGMA Prioritization Dashboard). The San Joaquin Valley- Kings Basin is a high priority and critically overdrafted basin (ibid). A Sustainable Management Plan for the basin was approved by DWR on August 4, 2023 (SGMA portal). Please further explain:
    - How much groundwater the existing well currently pumps in acre-feet/year and how this compares to the estimated 400-500 gallons per day that will be pumped by the Project. If water use will increase as a result of the Project, please discuss potential impacts to nearby wells and the critically overdrafted basin.
    - If the Project will have sufficient water to serve the Project now and in the future during normal, dry, and multiple dry years.
    - If the Project will comply with the 2023 DWR-approved Sustainable Groundwater Management Plan or will conflict with or obstruct the implementation of the plan.
    - And if mitigation or minimization measures are needed to reduce/eliminate the Project potential impacts to the groundwater.
  - 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 onsite sewage disposal systems and hazardous waste. The Project site includes an onsite sewage disposal system (PDF page 10). The Project will also use and/or store hazardous materials and/or hazardous waste (PDF page 8). 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 Visalia 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 new water system's permit application to the State Water Board, DDW Visalia District Office at [DWPDIST12@waterboards.ca.gov](mailto:DWPDIST12@waterboards.ca.gov):

- A copy of the Environmental Document, Mitigation Monitoring and Reporting Plan (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

Adam Forbes  
District Engineer  
Visalia District

Lauren Pham  
Water Resource Control Engineer  
Visalia District