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## State Water Resources Control Board

January 7, 2025

Donnie Stinnett  
Butte Water District  
735 Virginia Street  
Gridley, CA 95948

BUTTE WATER DISTRICT, INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE BUTTE WATER DISTRICT 2025 WATER TRANSFER PROGRAM PROJECT (PROJECT); STATE CLEARINGHOUSE #2024120212

Dear Donnie Stinnett:

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 falls within the jurisdiction of multiple DDW District offices, including the State Water Board, DDW's Valley District. State Water Board, DDW issues domestic water supply permit amendments to public water systems pursuant to Waterworks Standards (Title 22 California Code of Regulations [Cal Code Regs.] chapter 16 et. seq.). A public water system requires a 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.

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.”

The State Water Board, DDW, as a responsible agency under the California Environmental Quality Act, has the following comments on the Water System's IS/MND:

- During the 2025 irrigation season, the Butte Water District will sell up to 20,534 acre-feet of water to participating member districts of the State Water Contractors Incorporated, South Delta purchasers- which may include Central Valley Project (CVP) contractors and State Water Project contractors (SWP), and/or individual persons or entities within a CVP or SWP contractor service area (Buyers) [PDF page 3]. If the Butte Water District's sale of the water to Buyers will add a new water source to “a public water system” as defined above,

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

- the public water system will need to apply for a water supply permit amendment and receive approval for the new source from the applicable DDW District.
- In the IS/MND, please discuss if a new source will be added to a public water system.
  - If the Project will supply a new water source to a public water system, under section 8. Other Agencies Whose Approval is Required, please indicate “The State Water Resources Control Board will be issuing a water supply permit amendment for a new source.”
  - The IS/MND states the Butte Water District will cease operation of the production wells if monitoring data indicates a significant depletion of groundwater levels or if claims of third-party impacts are substantiated (PDF page 6).
    - Please define the threshold that constitutes “a significant depletion of groundwater levels.”
    - Please also discuss what constitutes “a substantiated claim” of third-party impacts.
  - The typical growing season for rice in California is May-September (PDF page 6). Groundwater substitution transfers could result in streamflow depletion in nearby rivers and creeks, specifically Morrison Slough, Snake Creek, and Live Oak Slough (PDF page 17).
    - Please estimate the amount of water that will be lost from these waterbodies from May-September, discuss the impacts of the drawdown on these waterbodies, and address mitigations, as needed.
      - If streamflow depletion monitoring was performed during previous groundwater pumping of the two production wells, please discuss the results of streamflow depletion monitoring to help estimate the drawdown.
  - Baseline land surface elevation measurements, used to measure subsidence impacts, are recorded during Project implementation when the groundwater basin hits a historic level (PDF page 28).
    - Please discuss if subsidence has occurred at the two wells sites in the past. If past land surface elevation measurement monitoring data is available from past transfers to support this discussion, please discuss this data.
    - If subsidence occurred with past water transfers at the same well locations but recovery of the land elevation did not completely occur, please consider using a more historic baseline elevation for a long-term comparison of changes and impacts in ground level measurements to consider possible cumulative impacts over time.
  - The document cites an amendment to the Department of Water Resources 2019 Draft Technical Information for Preparing Water Transfers document (PDF page 7). Please attach or provide the link to the referenced amendment.

Once the IS/MND is adopted, please forward the following items in support of water system’s permit application to the appropriate public water system’s District office:

- Copy of the IS/ND and Mitigation Monitoring and Reporting Plan (MMRP);

- Copy of all comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the IS/ND and MMRP; and
- Copy of the date stamped Notice of Determination filed at the appropriate County Clerk's Offices and the Governor's Office of Land Use and Climate Innovation, 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

Rebecca Tabor  
District Engineer  
Valley District