



State Water Resources Control Board

February 13, 2025

Levan King Cranston
Sonoma County
2550 Ventura Avenue
Santa Rosa, CA 95403

COMMENT LETTER ON THE SONOMA COUNTY (COUNTY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE KUTCH WINERY FILE NO. PLP22-003 PROJECT (PROJECT); STATE CLEARINGHOUSE #2025010347

Dear Levan King Cranston:

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 Marin 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 Marin 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. The following website has more information for the Project applicant (Applicant) and guidance document for the initial Preliminary Technical Report: [Permits for Water Systems | California State Water Resources Control Board](#).

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

The State Water Board, DDW has the following technical recommendations regarding the Project planning to be shared with the Applicant:

- The Applicant should initiate communication with the DDW Marin District early in the project design phase to ensure compliance with all necessary drinking water permit regulations for the proposed facilities.
- The Applicant should provide project design drawings and as-built plans to the Marin District vial the email below for all existing and proposed infrastructure, including main and water line connections to buildings, prior to the start of construction to ensure compliance with separation standards as outlined in Cal. Code Regs. tit., 22, § 64572. The plans should detail all pipes and conveyances from the proposed groundwater source well(s), mains and connections to any structures, covering both potable and wastewater conveyances.
- The Applicant should reach out to the Marin District at (707) 576-2145 and/or by email at DWPDist25@waterboards.ca.gov.

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 there will be four fulltime employees, four part-time seasonal employees (during harvest), and wine tastings will average 24 visitors per day (PDF page 10). The Environmental Document also indicates an existing well will provide domestic and production water to the winery and tasting room (PDF page 9). The proposed Project appears to create a new public water system. The State Water Board, DDW prefers projects connect with a nearby community water system if feasible, instead of forming a new public water system. If connecting to a nearby community system is not feasible, the Applicant will need to submit a technical report to DDW Marin District (Health and Saf. Code § 116527 subd. (b)).
- If a new public water system will be created by the Project:
 - In the Environmental Document, Table 2 please add, under "Agency" "The State Water Board, Division of Drinking Water", under "Activity" "Water Supply Permit", and under "Authorization" "Ca. Code Regs. tit. 22, 64556 (3)(a)."
 - Please provide a legible site plan; Figure 3: Proposed Site Plan for Kutch Winery (PDF page 7) is not useful.
 - Please provide a map of the proposed public water system or discuss where the water system components will be sited within the Project area.
 - Please provide a description of the new and existing system components and impacts associated with construction and operation of the system. Besides wells, please consider water storage, treatment, and if fire flow will be provided by the Kutch winery's potable water system. Please also discuss whether the second existing well will be connected to the Kutch winery potable water system or if the domestic well will be a separate system.

- Documents incorporated by reference must be made publicly available (Cal. Code Regs., tit.14., § 15150 [b]). Please provide the attachments listed on PDF Page 58 of the IS/MND, including but not limited to:
 - The Attachment 1 Site Plan, for an understanding of the layout of the Project site.
 - The Attachment 6 Biological Assessment, to support “Waters of the United States” and “Waters of the State” environmental impact determinations.
 - And the Attachment 7 Net Zero Report, to support the determination that the Project will not substantially decrease groundwater supplies and will have sufficient supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- 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. The Project site includes an existing septic system for the existing residence (PDF page 10). The Applicant will add two winery processing wastewater leach fields and a winery domestic leach field. The Project will also add a rainwater catchment and stormwater dissipaters to the Project site (PDF page 43). 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 Applicant will need to provide the DDW Marin 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 Applicant’s permit application to the State Water Board, DDW Marin District Office at DWPDIST25@waterboards.ca.gov:

- The Environmental Document and Mitigation Monitoring and Reporting Plan (MMRP);
- Comment letters received and the lead agency responses as appropriate;
- The Resolution or Board Minutes adopting the Environmental Document and MMRP and approving the Project; and
- The date stamped Notice of Determination filed at the County Clerk’s Office and the State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, for questions regarding this comment letter.

Sincerely,

Lori Schmitz
Environmental Scientist

Levan King Cranston

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Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

State Clearinghouse

Elena Joy Pelen
District Engineer
Marin District