

State Water Resources Control Board

June 19, 2023

County of Merced
Attn: Tiffany Ho
2222 M Street, 2nd Floor
Merced, CA 95340



COUNTY OF MERCED (COUNTY), SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE UNIVERSITY COMMUNITY PLAN (UCP) UPDATE AND VIRGINIA SMITH TRUST (VST) SPECIFIC PLAN PROJECT (PROJECT); STATE CLEARINGHOUSE # 2001021056

Dear Ms. Tiffany Ho:

Thank you for the opportunity to review the EIR 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. The Project is within the jurisdiction of the State Water Board, DDW's Merced District. DDW Merced 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 CCR chapter 16 et. seq.). A public water system requires a water supply permit amendment for changes to a water supply source, storage, or treatment and for the operation of new water system components- as specified in the Waterworks Standards. The City of Merced (City) will need to apply for a water supply permit amendment for this Project.

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the County's EIR:

- Under Section 2.7- Required Discretionary Actions, please include “a water supply permit amendment”. Under Section 2.7.2 please include “The State Water Resources Control Board” and “The project would require the following actions, permits, or approvals from the State Water Board: Approval of a water supply permit amendment.”
- The CEQA document does not cover all of the Project. The document only discusses plans to install a well, use an old well, and install piping for the Project. The CEQA document should address the location and impacts of the entire proposed water system infrastructure that will be needed for the development in coordination with the City.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

- Please discuss any new tanks or old tanks that would be incorporated into this City's public water system service area.
 - The document indicates "UC Merced maintains a 250,000-gallon ground level storage tank that receives water from the City. However, this storage tank is for UC Merced use only and is not counted as part of the City's existing distribution system" (PDF page 333). If the water storage tank will become part of the City's public water system, meeting the definition of a distribution reservoir (Title 17 California Code of Regulations, Division 1, Chapter 5, Subchapter 1, Group 4, Article 5, Section 7625[b]), it will need to be permitted by DDW's Merced District. Please discuss if this tank be added into the City's water system with the incorporation of the development into the City?
 - If so, would the size of this tank be adequate to serve the entire UC Merced development?
 - If not, given the development will be in a separate pressure zone then other City service areas, would a new tank/(s) be added to the City's water system in this service area to provide for this development? If so, what size tank/(s)? Would the tank/(s) integrate fire flow, and where would they be located?
- Please indicate the State Clearinghouse number for the CEQA document which covers the 10-million gallon per day surface water treatment plant that will help serve the development (PDF page 249). If the document is not on the State Clearinghouse website, please provide a direct link. Otherwise, if it is not yet developed, be sure to send the document to our Merced District office for review when it is being circulated.
- Please include a clearer Figure 2-10 with a readable legend and labels.
- Please clarify if one new well (PDF page 340) or two new wells will be drilled (pdf page 258, three wells were considered in total). If two wells will be drilled, please include the second one on Figure 2-10 or another system infrastructure figure.
 - Will treatment be needed for these wells and if so, will the treatment be located at the wells' sites?
- Please indicate in the document where the 2001/2004 UCP EIR may be downloaded to help support responsible agency CEQA determinations.

Once the EIR is certified, please forward the following items in support of the City of Merced's permit application to the State Water Board, DDW Merced District Office at DWPDIST11@waterboards.ca.gov:

- Copy of the draft and final EIR and Mitigation Monitoring and Reporting Plan;
- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the EIR and MMRP; and

- Copy of the date stamped Notice of Determination filed at the Merced 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, if you have any questions regarding this comment letter.

Sincerely,

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

Cc:

Office of Planning and Research, State Clearinghouse

Austin Ferreria
Water Resource Control Engineer
Merced District

Shawn Demmers
District Engineer
Merced District