



State Water Resources Control Board

August 13, 2025

Michael James
2836 McCray Street
Bakersfield, CA 93308

CITY OF SHAFTER (CITY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE DUAL WATER SYSTEM IMPROVEMENT PROJECT (PROJECT), STATE CLEARINGHOUSE #2025070614

Dear Mr. James:

Thank you for the opportunity to review the IS/MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (DDW), issues domestic water supply permits under the Safe Drinking Water Act. This Project falls under DDW's Tehachapi District jurisdiction. The Tehachapi District issues permit amendments according to the Title 22 California Code of Regulations (Cal. Code Regs) chapter 16. Public water systems need a permit amendment for modification of the water supply including new sources, new reservoirs with 100,000-gallon capacity or greater, service area expansions of twenty percent or more, and treatment design capacity or process changes as per Cal. Code Regs. § 64556.

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

- The definition of a Project under CEQA is “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (Cal. Code of Regs §15378). The lead agency must consider the whole of an action, not simply its constituent parts, when determining whether a project will have a significant environmental effect (*Citizens Assoc. For Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal. App.3d 151). If activities lack independent utility and are interdependent, they should be considered part of the same project and reviewed together (Cal Code of Regs § 15165). All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation (Cal Code of Regs § 15126).
- Infrastructure to connect the potable water well to the distribution system was not analyzed in the document. Instead, according to the project engineer (personal communication Curtis Skaggs, 07/24/25), a developer will install the piping to connect the domestic well to the public water

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

system as part of a future project. Either the domestic well should be removed from this project and included with the future project or the connection piping for the domestic well should be included in this document). If the domestic well and its connection piping will be part of this project:

- The Oildale Mutual Water Company will need to apply for a domestic water supply permit amendment from the State Water Resources Control Board, Division of Drinking Water Tehachapi District for a new drinking water source and treatment if needed. Please add the State Water Resources Control Board, Division of Drinking Water to section H. Public Agency Approvals.
- The Project may include installation of a granular activated carbon (GAC) treatment system to treat 1,2,3-TCP (PDF page 4). Please discuss the infrastructure that will be installed at the well site, the operation of the treatment system including if the spent GAC will be hazardous, how often it will need replacing, the replacement and disposal of spent resin, the discharge of backwash waste, where the discharge will occur, and if a discharge permit is needed.
- The Project falls within the San Joaquin Valley-Kern County Basin, according to the Department of Water Resources, Sustainable Groundwater Management Act prioritization dashboard. The San Joaquin Valley-Kern County Basin is a high priority and critically overdrafted basin. A Sustainable Groundwater Management Plan for the basin has yet to be approved.
 - Please discuss the current amount of water pumped from the basin by Oildale Mutual Water Company and the additional amount of water that will be pumped by the proposed project.
 - Discuss potential impacts to the critically overdrafted basin from the operation of the new groundwater wells.
 - If mitigation measures are needed to reduce the potentially significant impacts to groundwater and/or subsidence, please also include these in the project.
 - If the water and wells are required to implement a development Project, please consider development water demand impacts and provide a Water Supply Assessment, as required by Cal. Water Code 10910-10915.

Once the CEQA process is completed, please forward the following items in support of the Oildale Mutual Water system's permit application to the State Water Board, DDW Tehachapi District at DWPDIST19@waterboards.ca.gov:

- The IS/MND, Mitigation Monitoring and Reporting Plan (MMRP), and comments received and the lead agency responses as appropriate;

- The Resolution or Board Minutes adopting the IS/MND and MMRP, and approving the Project; and
- The 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
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Special Project Review Unit
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Cc:

State Clearinghouse

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