# State Water Resources Control Board

November 5, 2026

Alyce Alvarez
Fresno County
2220 Tulare Street, Suite A
Fresno, CA, 93721

COMMENT LETTER ON THE FRESNO COUNTY (LEAD AGENCY), INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL DOCUMENT) FOR THE INITIAL STUDY NO. 8803 AND UNCLASSIFIED CONDITIONAL USE PERMIT NO. 3834 (PROJECT); STATE CLEARINGHOUSE #2026100571

Dear Ms. 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 Fresno 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 an average of at least 25 individuals daily at least 60 days out of the year.” If a new public water system will be formed by the Project, an application must be submitted, and a permit must be obtained from the DDW Fresno 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 to the Fresno District at least six months before initiating construction of any drinking system 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. 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 Environmental Document:

- The Environmental Document indicates domestic water will continue to be provided through on-site facilities (PDF page 3 (PDF page 15). At full operation the Project will bring 40 employees and up to five visitors to the site (PDF page 13). This may meet the definition of a public water system. If no nearby municipal water systems agree to serve the Project, the applicant must submit a technical report to the DDW Fresno District (Health and Saf. Code § 116527 subd. [b]) and apply for a domestic water supply permit. The proposed Project is near the Panoche Water District service area. If connecting to the Panoche Water District is feasible, discuss this possibility in the Environmental Document.
- If a new public water system would be created by the Project:
    - Please consider whether the groundwater from the existing well meets domestic water quality regulations (Cal. Code Regs., tit. 22, chapter 15) and if the existing well meets Waterworks Standards (Cal. Code Regs., title 22, chapter 16).
    - Please consider if an increase in water storage for fire flow will be needed as part of the domestic water system.
    - The Project falls within the San Joaquin Valley – Delta Mendota Groundwater Basin, a high priority and critically overdrafted basin, according to Department of Water Resources Sustainable Groundwater Management Act Basin Prioritization Dashboard. The Environmental Document indicates the identified water supply does not involve new groundwater extraction (PDF page 10 and 11). However, in discussions with the Lead Agency and Applicant, it was indicated that an existing well currently supplies water for handwashing in restrooms and breakrooms (11/02/26, email discussions). Given the plans to use groundwater to serve the Project and the increase in the number of people that will be served, please consider the impacts, if any, on the groundwater basin and if the Project will conflict with the sustainable groundwater management plan.
    - Drinking water service lines and domestic supply wells shall be separated from sources of potential contamination (Cal. Code Regs., tit. 22, §§ 64572, 64560), such as wastewater. The Project site includes an existing on-site sewage disposal plant. Please consider how domestic pipelines will be protected from contamination and if the regulations can be met or if a waiver or alternative to Waterworks Standards (Cal. Code Regs., tit. 22, § 64551.100) will be needed. If an alternative is needed, the water system will need to apply to the DDW Fresno District office.
    - According to Geotracker, the Project site includes an open inactive Cleanup Program Site [RB Case #SLT5FS020], a former pesticide shed and pesticide landfill that includes concrete caps (Cleanup Site) (https://geotracker.waterboards.ca.gov/). Please consider if the Project's construction will disturb this Cleanup Site and if so, how water quality will

be protected from contamination. If hazardous materials will need to be removed, consider how the materials will be properly disposed of.
- The National Wetland Inventory identifies three wetlands on or near the Project site (https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/). Please consider if they are Waters of the State and if they will be impacted by the Project.

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 Fresno District Office at DWPDIST23@waterboards.ca.gov:

- The Environmental Document, 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, 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

Digitally signed by Lori Schmitz
Date: 2026.11.05 14:41:36 -08'00'

Water Boards

Lori Schmitz
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Cc:

State Clearinghouse

Sudarshan Poudyal
District Engineer
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