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## State Water Resources Control Board

June 30, 2023

Humboldt County  
Attn: Mr. Steve Santos  
3015 H Street  
Eureka, CA 95501

HUMBOLDT COUNTY (COUNTY), MITIGATED NEGATIVE DECLARATION (MND),  
FOR THE HUMBOLDT RESERVE RECORD NUMBER PLN-2022-17649 PROJECT  
(PROJECT); STATE CLEARINGHOUSE #2023060089

Dear Mr. Steve Santos:

Thank you for the opportunity to review the MND for the proposed Project.

It is the statutory responsibility of the Division of Drinking Water (DDW) to regulate public water systems, as defined below. If the above noted project results in the formation of a public water system or multiple public water systems, an application must be submitted, and a permit(s) must be obtained from DDW 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 and Safety Code section 116275(e).)

A public water system, as defined in the California Health and Safety Code section 116275(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."

Note, Health and Safety Code (H & SC) section 116527(b), effective January 1, 2017, 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 consolidation with an existing public water system or consolidation of multiple proposed public water systems.

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

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

- The MND indicates a total of 25 full-time employees year-round and up to 74 personnel will be working on site during peak season (PDF page 12) and that domestic water for employees would be sourced from the rainwater catchment or drinking water brought to the site (PDF pages 14 and 120). Providing domestic water to 25 full time employees or more would meet the definition of a public water system.
  - The DDW encourages proposed new public systems connect with other nearby systems where possible. Hydesville County Water District is a nearby system. [Note: Humboldt Reserve, LLC should coordinate with nearby water systems to determine if another system may provide water for their drinking water needs. If no nearby system will agree to serve the Project, the applicant will need to submit a H & SC section 116527 technical report to DDW. The County should then reflect what was determined by the Humboldt Reserve, LLC in the MND.]
    - Please indicate if a new public water system will be required by the Project.
    - If a new water system will be created, please include “State Water Resources Control Board, Division of Drinking Water, water supply permit” under Section 11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreements).
    - Also include a description of all proposed system components (e.g., collection pond, pumps, piping, tanks, aeration, chlorination, treatment), identify where the components will be located, and discuss relevant impacts.
- The MND proposes that rainwater and/or off-site water would be used for the domestic water supply and the existing onsite well is not associated with the Project and will not be used to supply the Project (PDF pages 10 and 89). However, the Utilities and Services Section briefly mentions existing on-site utilities include “private drinking water through a well” (PDF page 117). Please clarify the ownership and use of this well.

If the Project will require a DDW water supply permit, once the MND is certified, please forward the following items in support of Humboldt Reserve, LLC’s permit application to the State Water Board, DDW Klamath District Office at [DWPRedding@waterboards.ca.gov](mailto:DWPRedding@waterboards.ca.gov):

- Copy of the draft and final MND with any comment letters received and the lead agency responses as appropriate.
- Copy of the Resolution or Board Minutes adopting the MND, and
- Copy of the date stamped Notice of Determination filed at the Humboldt 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](mailto: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, 16<sup>th</sup> floor  
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Barry Sutter  
District Engineer  
Klamath District

Scott Gilbreath  
Water Resource Control Engineer  
Klamath District