



# LINDSAY CITY COUNCIL REGULAR MEETING MINUTES

Item #: 10.2  
Consent

Lindsay Council Chambers  
251 E Honolulu St., Lindsay CA 93247

Tuesday, January 14, 2025  
6:00 p.m. – Regular Meeting

Proper notice of this meeting was given pursuant to Government Code Section 54954.2 and 54956.

**STAFF PRESENT:** City Manager Daymon Qualls, City Attorney Megan Crouch, City Clerk Maegan Peton, Director of Public Safety Rob Moore, Acting Human Resources Manager Lance Rowell, Director of Finance Lacy Meneses, Director of Recreation Services Armando da Silva, Acting City Services Director Ryan Heinks, Maintenance Supervisor Marshall Chairez, City Services Manager/Inspector Joseph Avina, Administrative Secretary Carmen Wilson, Administrative Secretary Anita Gonzalez, Administrative Supervisor Becky Mesedahl, Engineer Technician Mauricio Mendoza

## 6:00 p.m. – REGULAR MEETING

### 1. CALL TO ORDER

Mayor Villarreal called to order the regular meeting of the Lindsay City Council at 6:00 p.m. in the Council Chamber located at 251 E. Honolulu St.

### 2. INVOCATION

The invocation was led by Pastor Josh Treadway from the Harvest Center Church.

### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Nave.

### 4. ROLL CALL

**Council Present:** Mayor Villarreal  
Mayor Pro Tem Flores  
Councilmember Nave  
Councilmember Sanchez  
Councilmember Soria

### 5. APPROVAL OF AGENDA

It was motioned by Councilmember Soria, seconded by Councilmember Sanchez, and unanimously carried to approve the agenda.

### 6. PUBLIC COMMENT

Henry Villanueva provided public comment regarding the importance of inclusion and requested the City consider donating towards the film “Gaytino” that will be featured at the Lindsay Community Theater. Henry also requested the City consider an agenda item proclaiming Lindsay as a sanctuary city.

**7. COUNCIL REPORT**

Councilmember Nave reported she had attended the Lindsay High School State Championship game and the Skatepark Grand Opening. She also gave her condolences to Mercy Herrera for the loss of her son.

Mayor Pro Tem Flores advised she had nothing to report.

Councilmember Soria reported that he also attended the Lindsay High School State Championship game as well as the Foothill Pancake Rotary Breakfast, the Posada event at Mcdermont, a concert at the Lindsay Community Theater, and the Lindsay Community Council.

Councilmember Sanchez reported that she attended the First Friday Coffee Talk and also thanked all of the firefighters working on the Pacific Palisades fire.

Mayor Villarreal also thanked the firefighters working on the Pacific Palisades fire. She reported that she attended the Lindsay Christmas Parade, the Foothill Rotary Pancake Breakfast, the First Friday Coffee Talk, and the TCAG meeting.

**8. STAFF UPDATES**

City staff provided departmental updates to Council.

**9. CITY MANAGER REPORT**

The City Manager reported on recent events and items of interest.

**10. RECOGNITIONS**

**10.1 Resolution of Commendation for Joseph Avina.**

Mayor Villarreal presented the Resolution of Commendation to City Services Manager/Inspector Joseph Avina for his time spent as Acting City Services Director.

**11. PRESENTATIONS**

**11.1 Tulare County STD Education, Prevention, Testing Presentation.**

Health Education Assistant Sujej Martinez provided an informational presentation to Council.

**12. CONSENT CALENDAR**

It was motioned by Councilmember Soria, seconded by Councilmember Sanchez and unanimously carried to approve the items on the Consent Calendar as presented.

**12.1 Waive the Reading of Ordinance and Approve by Title Only.**

**Action & Recommendation:** Approve the reading by title only of all ordinances and that further reading of such ordinances be waived.

**12.2 Minutes of the regular and/or special Meeting of December 10, 2024.**

**Action & Recommendation:** Approve as submitted.  
Submitted by: Maegan Peton, City Clerk

**12.3 Warrant List for December 2, 2024 through January 5, 2025.**

**Action & Recommendation:** Accept the Warrant List for transaction dates of December 2, 2024 through January 5, 2025.  
**Submitted by:** Lacy Meneses, Director of Finance

**12.4 December 2024 Treasurer’s Report.**

**Action & Recommendation:** Accept the December 2024 Monthly Treasurer’s Report.

**Submitted by:** Lacy Meneses, Director of Finance

**12.5 Notice of Completion – Hermosa Street/Westwood Ave Roundabout Landscape Project.**

**Action & Recommendation:** Accept as complete the Hermosa Street/Westwood Avenue Roundabout Landscape Project – No. 1 and direct the City Clerk to file a “Notice of Completion” with the Tulare County Clerk Recorder with a 1-year warranty period beginning upon recordation.

**Submitted by:** Mauricio Mendoza, Engineer Technician

**12.6 Authorization to Release Request for Qualifications (RFQ) for City Engineering Services.**

**Action & Recommendation:** Grant authorization to release a Request for Qualifications for Engineering and Consulting Services for the City of Lindsay.

**Submitted by:** Ryan Heinks, Acting Director of City Services

**13. PUBLIC HEARINGS**

**13.1 Adoption of a Draft Initial Study / Mitigated Negative Declaration for the Well 11 Treatment Project Pursuant to the California Environmental Quality Act (CEQA) and Authorize the City Manager to Apply for Construction Grant Funding for the Treatment of Well 11.**

**Action & Recommendation:** Staff recommends the Lindsay City Council approve the following actions:

1. Hold a public hearing on the Adoption of a Draft Initial Study / Mitigated Negative Declaration for the Well 11 Treatment Project pursuant to the California Environmental Quality Act (CEQA) and incorporate any public comment into the report.
2. Adopt Resolution 25-01 to Accept and Adopt the Draft Initial Study / Mitigated Negative Declaration for the Well 11 Treatment Project pursuant to the California Environmental Quality Act (CEQA).
3. Adopt Resolution 25-02 for the Lindsay City Council to authorize the City Manager to apply for construction grant funding for the treatment of Well 11.

**Submitted by:** Ryan Heinks, Acting Director of City Services

**Public Hearing Open:** The Public Hearing opened at 7:29 p.m.

**Public Comment:** Public comment was submitted in advance of this meeting by the State Water Resources Control Board with questions. A response was provided by the consulting group Provost and Pritchard. The official public comments are attached as part of the official minutes.

**Public Hearing Closed:** The Public Hearing closed at 7:29 p.m.

**Council Action:** Following discussion, Council took the following actions:

For item 2, a roll call vote was taken, and the motion was unanimously carried to adopt Resolution 25-01.

**AYES:** Councilmember Soria, Mayor Pro Tem Flores, Councilmember Nave, Councilmember Sanchez, Mayor Villarreal.

**NOES:** None.

**MOTION PASSED 5-0**

For item 3, a roll call vote was taken, and the motion was unanimously carried to adopt Resolution 25-02.

AYES: Mayor Pro Tem Flores, Councilmember Nave, Councilmember Sanchez, Councilmember Soria, Mayor Villarreal.

NOES: None.

MOTION PASSED 5-0

#### **14. EXECUTIVE (CLOSED) SESSION**

Council adjourned to closed session at 7:33 p.m.

##### **14.1 Conference with Real Property Negotiators (§ 54956.8)**

Property: 205-236-013; 205-236-014; 205-236-022; 205-236-020

Agency Negotiation: Daymon Qualls, City Manager

Negotiating Parties: Kristar Development, LLC

Under Negotiation: Price, terms of payment

##### **14.2 Conference with Legal Counsel – Existing Litigation (§ 54956.9)**

Name of Case: Carrillo v. City of Lindsay, Case No. VCU306195

##### **14.3 Conference with Legal Counsel – Anticipated Litigation**

Significant Exposure to Litigation

Pursuant to § 54956.9(b): 2 cases.

Council adjourned from closed session at 9:37 p.m.

#### **EXECUTIVE (CLOSED) SESSION REPORT**

Mayor Villarreal advised there was no reportable action.

#### **15. REQUEST FOR FUTURE ITEMS**

It was the consensus of Council to add the following discussion items to a future agenda: Declaring Lindsay a sanctuary City, and City contributions to community events, specifically “Gaytino” at the Lindsay Community Theater.

#### **16. ADJOURNMENT**

The regular meeting was adjourned at 9:39 p.m.

Approved by Council: January 28, 2025.

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Misty Villarreal, Mayor

ATTEST:

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Maegan Peton, City Clerk

*The next Regular Meeting of the Lindsay City Council is scheduled to be held on January 28, 2025.*

**CITY OF LINDSAY**

# **WELL 11 TREATMENT PROJECT RESPONSE TO PUBLIC COMMENTS**

**TULARE COUNTY  
JANUARY 2025**

**PREPARED FOR:**

City of Lindsay  
251 E. Honolulu Street  
Lindsay, CA 93247

**PREPARED BY:**

PROVOST & PRITCHARD CONSULTING GROUP  
130 N. GARDEN STREET, VISALIA, CALIFORNIA 93291

**PROVOST &  
PRITCHARD**

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**Report Prepared for:**

**City of Lindsay**

251 E. Honolulu Street  
Lindsay, CA 93247

**Contact:**

Neyba J. Amezcua  
City Services Director  
(559) 562-7102

**Report Prepared by:**

**Provost & Pritchard Consulting Group**

Jarred Olsen, Environmental Project Manager  
Jackie Lancaster, Senior Project Administrator

**Contact:**

Jarred Olsen  
(559) 636-1166

## INTRODUCTION

As Lead Agency pursuant to the California Environmental Quality Act (CEQA) Guidelines (Public Resources Code (PRC) Section 15000 *et seq.*), the City of Lindsay (City) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the above referenced Project (SCH # 2024120358), pursuant to CEQA Guidelines Section 15070 *et seq.* The document was circulated for a 30-day public comment period, which began on December 9, 2024 and ended on January 8, 2025. During that period, one comment letter was received from State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW), which is attached as Appendix A.

CEQA guidelines do not require nor provide guidance on responding to comments on an IS/MND. However, this memo provides information relating to the comments received from the State Water Board, DDW and the recommendations contained therein. These project clarifications fall within the scope of the original project analysis included in the IS/MND and do not result in an increase in impacts or any new impacts. No new significant environmental impacts would result from the recommended clarifications below. Therefore, it is our opinion that no substantial revisions have been made that would require recirculation of the draft IS/MND pursuant to State CEQA Guidelines Section 15073.5 (*Recirculation of a Negative Declaration Prior to Certification*).

Comments received during the public review period did not result in significant changes to the IS/MND. Although comments included recommendations, editorial comments and suggestions, no new unavoidable significant effects were identified, and mitigation measures were not lessened as a result of responding to comments. Pursuant to California Environmental Quality Act (CEQA) Guidelines 2022 Section 15073.5(c)(1), the IS/MND has not been substantially revised after public notice of its availability and therefore does not require recirculation.

# **COMMENT LETTER A – STATE WATER RESOURCES CONTROL BOARD, DIVISION OF DRINKING WATER (STATE WATER BOARD, DDW) (JANUARY 7, 2025)**

## **COMMENT A/1**

The commentor states the Project will require a water supply permit amendment from the State Water Board, DDW Tulare District, for the operation of Well 11 and the addition of treatment to the City's water system. The City is also working on completing a DWSRF funding application and may receive funding through the State Water Board's Program. Under section 2.1.7 Other Public Agencies Whose Discretionary Approvals May Be Required, please list "State Water Resources Control Board" instead of "State Water Quality Resources Control Board."

## **RESPONSE A/1**

Thank you for your comments. The City acknowledges the need to obtain a water supply permit amendment and concurs that the project may receive funding through the State Water Board's Program.

The misidentification of the agency is a typographical error. The list in the final IS/MND will be updated to correctly identify the agency. This additional clarifying information is not substantial and pursuant to CEQA Guidelines Section 15073.5 the IS/MND does not need to be recirculated.

## **COMMENT A/2**

The commentor states the IS/MND indicated the brine pond would hold elevated levels of arsenic (PDF page 52) but also indicated that provided the perchlorate is removed upstream of the nitrate treatment system, the nitrate brine should be classified as nonhazardous (PDF page 69). Please discuss if testing will be performed on the brine prior to disposal and if other captured secondary contaminants will influence the type of treatment disposal.

## **RESPONSE A/2**

As discussed throughout the document, the brine will be disposed of at the CleanHarbors hazardous waste facility. The brine will be tested prior to its delivery to CleanHarbors for disposal following the pertinent US Environmental Protection Agency (EPA) and Department of Toxic Substances Control (DTSC) requirements pursuant to the Resource Conservation and Recovery Act (RCRA) related to the testing, transport and disposal of all RCRA and Non-RCRA (also known as California-only hazardous wastes).

Based on the information presented above, the lead agency is of the opinion that project impacts related to hazardous waste have been fully disclosed, adequately analyzed and appropriately mitigated to the extent feasible under CEQA, therefore no further analysis or revisions are required except for clarification as noted above. This information is not substantial and pursuant to CEQA Guidelines Section 15073.5, and the IS/MND does not need to be recirculated.

## **COMMENT A/3**

The commentor asked how often the perchlorate treatment resin will need to be replaced, who will dispose of the spent resin, and where it will be taken.

## **RESPONSE A/3**

The life of the perchlorate resin in the lead vessel has been estimated by Purolite, the resin supplier, to be 90,000 bed volumes, which is equivalent to 151 days with 24/7 operation, although the actual life is



expected to be longer given the anticipated usage of the well.<sup>1</sup> The resin would be exchanged through slurry transfer similar to granular activated carbon treatment. As noted in Response A/2 above, the resin will be tested/profiled and likely incinerated by Purolite or its contractor or disposed of in a hazardous materials landfill such as CleanHarbors.

Based on the information presented above, the lead agency is of the opinion that project impacts related to hazardous waste have been fully disclosed, adequately analyzed under CEQA, therefore no further analysis or revisions are required except for clarification as noted above. This information is not substantial and pursuant to CEQA Guidelines Section 15073.5, and the IS/MND does not need to be recirculated .

## **COMMENT A/4**

The commentor states the Project falls within the Kaweah subbasin- a high priority and critically overdrafted basin according to the Department of Water Resources (DWR), Sustainable Groundwater Management Act prioritization dashboard. DWR determined that the Sustainable Groundwater Management Plan for the Kaweah subbasin was inadequate, triggering State intervention (DWR letter). The reactivation of Well 11 may increase the City's overall water system pumping, causing potentially significant environmental impacts and contributing to cumulative impacts to the groundwater basin. Please discuss the amount of groundwater that will be pumped by the City's water system during normal, single drought years, and multiple drought years compared to the amount of the water historically pumped by the City's water system during normal, single drought years, and multiple drought years (CEQA baseline). If the City's water use will increase, discuss any actions that will be taken to reduce impacts from the increased pumping on the overdrafted basin and discuss feasible mitigation measures, as appropriate. Please also discuss any contributing cumulative impacts to the groundwater basin, as needed.

## **RESPONSE A/4**

As noted in the IS/MND (see Section 2.1.6 Description of the Project), a Water Feasibility Study (Feasibility Study) was prepared for the City. That study included an analysis of current and projected future water supply capacity and demands. The Feasibility Study identified an immediate supply deficit with the deficit worsening as the City's population grows. Without mitigation of the nitrate and perchlorate contamination at Well 11, any use of the well would result in a violation of two primary drinking water standards, both of which have the potential to result in acute health effects.

As stated in the IS/MND Impact Analysis 4.10.2 (b) and Impact Analysis 4.19.2 (b), the purpose of the Project is intended to improve water quality and bolster the city of Lindsay's water supply to ensure redundancy. Therefore, adding the proposed treatment process to Well 11 will allow the well to serve the City when surface water supplies may not be sufficient. In dry years where surface water is not sufficient to adequately supply the City, more groundwater would be extracted as discussed in the document. The City's 2020 Urban Water Management Plan determined that the City would have sufficient water supplies in a normal year.<sup>2</sup> However, in single and multiple dry years, there could be an eighteen percent (18%) deficit.

As a result, the City had prepared and adopted a Water Shortage Contingency Plan (WSCP), which identifies measures that would be implemented on a tiered basis that identifies up to a fifty percent (50%) reduction in water consumption.<sup>3</sup> The WSCP demonstrates that the City has already granted itself the authority to implement these water reduction measures. While the basin in which the City is located is in overdraft, the existing stormwater runoff basin adjacent to Well 11 was identified in the East Kaweah Groundwater Sustainability Agency's Groundwater Sustainability Plan<sup>4</sup>, as discussed on pages 4-48 of the IS/MND. Given

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<sup>1</sup> (Swanson 2024)

<sup>2</sup> (Provost & Pritchard Consulting Group 2023)

<sup>3</sup> (Provost & Pritchard Consulting Group 2023)

<sup>4</sup> (INTERA Corporated and Provost & Pritchard Consulting Group 2024)

that the City already has the tools to reduce water demand as necessary, in addition to the measures to recharge the overdrafted water basin.

Based on the analysis presented in the IS/MND and clarified herein, the lead agency is of the opinion that Project impacts related to water demand and availability have been fully disclosed, adequately analyzed, under CEQA, therefore no further analysis, revisions or mitigation measures are warranted, except for clarification as noted above.

This information does not identify a new, avoidable significant impact, and thus this revision is not substantial and pursuant to CEQA Guidelines Section 15073.5, the MND does not need to be recirculated.

## ERRATA

The minor clarification as shown in underline/strikeout below do not reflect new information or substantial changes with respect to the circumstances under which the Project is undertaken that involve new significant environmental effects or a substantial increase in the severity of impacts. This information does not identify a new, avoidable significant impact, and thus this revision is not substantial and pursuant to CEQA Guidelines Section 15073.5, the MND does not need to be recirculated

The following clarifications will be made in the IS/MND:

Section 2.1.6 Description of the Project, (pages 2-3):

### *Operation and Maintenance*

*Operation and maintenance of the water treatment facility would be performed by the existing City maintenance staff or contracted staff. Operation and maintenance associated with the evaporation pond alternative would consist of monitoring the ponds for leakage, occasional removal of crystalized salt from the bottom of the ponds, transferring the salt into super sacks and repair of the liner, as necessary. Brine and spent resin (when needed) will be appropriately tested prior to disposal at CleanHarbors Buttonwillow facility. Deliveries of these materials to the CleanHarbors would occur approximately every other day utilizing one (1) truck, where it would be disposed in accordance with applicable regulations.*

Section 4.10.2(b) (page 4-48):

*b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

***Less than Significant Impact.*** *The Project would bring the city of Lindsay's Well 11 back into service by constructing a treatment system designed to remove both perchlorate and nitrate. The rehabilitation of Well 11 would expand the City's water supply from what is present, but not in a historical manner as it used to be in use prior to its inactivity status. The City's water supply deficit is most critical during periods of extreme drought. During normal years, the City's contracted Central Valley Project (CVP) water allocation is 2,500 acre-feet, which is sufficient for the City to supply most of its water needs using its surface water treatment plant. However, during years of severe or extreme drought, including the recent instance of 2022, the City's Friant Kern Canal water allocation can be severely reduced or unfulfilled entirely. Even if water conservation measures are implemented, it is necessary to reactivate Well 11 to meet system demands. While the underlying Kaweah Subbasin is critically-overdrafted, the Project would not significantly increase overall groundwater demand as the City already supplements its water demand with groundwater using Well 14 and Well 15. Reactivating Well 11 would bolster the City's ability to meet its demand. Additional groundwater extraction would vary based on availability of surface water supplies. While demand is anticipated to exceed supply by eighteen percent (18%) in dry years, as described in the in the 2020 Urban Water Management Plan<sup>5</sup>, the City's adopted Water Shortage Contingency Plan would allow the City to reduce water consumption by up to fifty percent (50%).<sup>6</sup>*

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<sup>5</sup> (Provost & Pritchard Consulting Group 2023)

<sup>6</sup> (Provost & Pritchard Consulting Group 2023)

*The Project is intended to improve water quality and bolster the city of Lindsay's water supply to ensure redundancy. Therefore, implementation of the Project would not interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the Kaweah Subbasin, nor would it substantially decrease ground water supplies. The City has already implemented the management action Project 6 (the adjacent recharge basin) in the Groundwater Sustainability Plan<sup>22</sup>, which would allow for up to 150 acre-feet of recharge annually, and that project would not hinder or conflict with this Project. Any impacts would be less than significant. No mitigation measures are required.*

Section 4.19.2(b) (page 4-69):

*b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

***Less than Significant Impact.*** *The Project would construct upgrades to water treatment facilities, which would connect to the City's currently out of service well, Well 11. Without treatment of the nitrate and perchlorate contamination at Well 11, any use of the well would result in a violation of two primary drinking water standards, both of which have the potential to result in acute health effects. Reactivating Well 11 is necessary to meet system demands. Although the Project is expected to add to the City's available water supply, the well would not increase current water demand. The 2020 Urban Water Management Plan described an eighteen percent (18%) reduction in water supply compared to water demand in dry years<sup>7</sup>, however the City has prepared and adopted a Water Shortage Contingency Plan (WSCP) that demonstrated up to fifty percent (50%) in achievable water reductions, therefore there would be sufficient water supplies available during normal, dry and multiple dry years.<sup>8</sup> The Project itself would not require water to support its construction or implementation. Impacts would be less than significant. No mitigation measures are required.*

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<sup>7</sup> (Provost & Pritchard Consulting Group 2023)

<sup>8</sup> (Provost & Pritchard Consulting Group 2023)

## REFERENCES

- INTERA Corporated and Provost & Pritchard Consulting Group. 2024. "Groundwater Sustainability Plan, 2nd Amended." *East Kaweah Groundwater Sustainability Agency*. November. [https://lindmoreid-my.sharepoint.com/personal/chunter\\_lindmoreid\\_com/\\_layouts/15/onedrive.aspx?id=%2Fpersonal%2Fchunter%5Flindmoreid%5Fcom%2FDocuments%2FEKGSASWebShare%2FEKGSAS%5FGSP%5Fwith%5FAppendices%5F2024%5FFinal%2Epdf&parent=%2Fpersonal%2Fchunter%5Fli](https://lindmoreid-my.sharepoint.com/personal/chunter_lindmoreid_com/_layouts/15/onedrive.aspx?id=%2Fpersonal%2Fchunter%5Flindmoreid%5Fcom%2FDocuments%2FEKGSASWebShare%2FEKGSAS%5FGSP%5Fwith%5FAppendices%5F2024%5FFinal%2Epdf&parent=%2Fpersonal%2Fchunter%5Fli).
- Provost & Pritchard Consulting Group. 2023. "City of Lindsay Urban Water Management Plan 2020 Plan." *City of Lindsay*. October.  
[https://www.lindsay.ca.us/sites/default/files/fileattachments/city\\_services/page/8398/lindsay\\_2020\\_uwmp\\_final\\_errata\\_corrected\\_errata\\_included.pdf](https://www.lindsay.ca.us/sites/default/files/fileattachments/city_services/page/8398/lindsay_2020_uwmp_final_errata_corrected_errata_included.pdf).
- . 2023. "City of Lindsay: Water Shortage Contingency Plan." October.  
[https://www.lindsay.ca.us/sites/default/files/fileattachments/city\\_services/page/8398/lindsay\\_wscp\\_final.pdf](https://www.lindsay.ca.us/sites/default/files/fileattachments/city_services/page/8398/lindsay_wscp_final.pdf).
- Swanson, Cathy, email and telephone correspondence by Kevin Berryhill. 2024. *Purolite* (February 20).

Comment Letter A – State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) (January 7, 2025)



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## State Water Resources Control Board

Neyba Amezuca  
City of Lindsay  
251 E. Honolulu Street  
Lindsay, CA 93247

Dear Neyba Amezuca:

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE CITY OF LINDSAY (CITY); WELL 11 TREATMENT PROJECT (PROJECT); TULARE COUNTY; STATE CLEARINGHOUSE NO. 2024120358

### **DOMESTIC WATER SUPPLY PERMIT AMENDMENT**

Thank you for the opportunity to review the IS/MND 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. This Project is within the jurisdiction of DDW Tulare District. DDW Tulare District 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 California Code of Regulations [Cal. Code Regs.] chapter 16 et. seq.). A public water system requires a new water supply permit if it includes the creation of a new public water system or a water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Cal. Code Regs. § 64556. The City will need to apply for a water supply permit amendment for changes to a domestic source and operation of new treatment.

### **FUNDING**

We understand that the City is also pursuing Drinking Water State Revolving Fund (DWSRF) financing for this Project. As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Board is providing the following water quality related comments on the IS/MND circulating for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the DWSRF Program (Program). The primary purpose for the Program is to implement the Safe Drinking Water Act and various state laws by providing financial assistance for drinking facilities improvements to provide clean potable drinking water, and thereby protect and promote health, safety and welfare of the inhabitants of the state.

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

All applicants seeking DWSRF funding must comply with the California Environmental Quality Act (CEQA) and provide appropriate documents to the State Water Board so that it can fulfill its CEQA responsibilities, see [CEQA Requirements](#). For additional Program information, the complete environmental application package and instructions, please visit:

[Drinking Water State Revolving Fund Forms and Instructions](#).

Following are specific comments on the City's draft IS/MND:

- A-1 • The Project will require a water supply permit amendment from the State Water Board, DDW Tulare District, for the operation of Well 11 and the addition of treatment to the City's water system. The City is also working on completing a DWSRF funding application and may receive funding through the State Water Board's Program. Under section 2.1.7 Other Public Agencies Whose Discretionary Approvals May Be Required, please list "State Water Resources Control Board" instead of "State Water Quality Resources Control Board".
- A-2 • The IS/MND indicated the brine pond would hold elevated levels of arsenic (PDF page 52), but also indicated that provided the perchlorate is removed upstream of the nitrate treatment system, the nitrate brine should be classified as nonhazardous (PDF page 69). Please discuss if testing will be performed on the brine prior to disposal and if other captured secondary contaminants will influence the type of treatment disposal.
- A-3 • Please discuss how often the perchlorate treatment resin will need to be replaced, who will dispose of the spent resin, and where it will be taken.
- A-4 • The Project falls within the Kaweah subbasin- a high priority and critically overdrafted basin according to the Department of Water Resources (DWR), Sustainable Groundwater Management Act prioritization dashboard. On May 2, 2023, DWR determined that the Sustainable Groundwater Management Plan for the Kaweah subbasin was inadequate, triggering state intervention (DWR letter). The reactivation of Well 11 may increase the City's overall water system pumping, causing potentially significant environmental impacts and contributing to cumulative impacts to the groundwater basin. Please discuss the amount of groundwater that will be pumped by the City's water system during normal, single drought years, and multiple drought years compared to the amount of the water historically pumped by the City's water system during normal, single drought years, and multiple drought years (CEQA baseline). If the City's water use will increase, discuss any actions that will be taken to reduce impacts from the increased pumping on the overdrafted basin and discuss feasible mitigation measures, as appropriate. Please also discuss any contributing cumulative impacts to the groundwater basin, as needed.

If an application for funding will be submitted, please upload to Financial Assistance Application Submittal Tool the following applicable documents for the proposed Project: (1) one copy of the draft and final IS/MND with the Mitigation Monitoring and Reporting Program (MMRP), (2) the resolution adopting the IS/MND and the MMRP, (3) all comments received during the review period and the City's response to those



comments, and (4) the Notice of Determination filed with the Tulare County Clerk and the Governor's Office of Land Use and Climate Innovation, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

If funding will not be pursued, please forward the above requested documents with your permit amendment application to the State Water Board, DDW Tulare District Office at [DWPDIST24@waterboards.ca.gov](mailto:DWPDIST24@waterboards.ca.gov)

Thank you for the opportunity to review the City's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 449-5285, or by email at [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov) or contact Mrs. Bridget Binning at (916) 449-5641, or by email at [Bridget.Binning@waterboards.ca.gov](mailto:Bridget.Binning@waterboards.ca.gov).

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: State Clearinghouse

Bridget Binning, Division of Financial Assistance

Pete Stamas, Division of Financial Assistance

Shawn Demmers, Division of Drinking Water