
Lahontan Regional Water Quality Control Board

November 20, 2019

Mike Szarzynski
City of Victorville
Development Department
14343 Civic Drive
Victorville, CA 92392
mszarzynski@victorvilleca.gov

Governor's Office of Planning & Research File:

Environmental Doc Review
San Bernardino County

NOV 20 2019

STATE CLEARINGHOUSE

Comments on the Notice of Preparation of a Subsequent Program Environmental Impact Report for The Southern California Logistics Airport Specific Plan Amendment (Plan-19-00004), San Bernardino County, State Clearinghouse Number 2003011008

Lahontan Regional Water Quality Control Board (Water Board) staff received a Notice of Preparation (NOP) of a Subsequent Program Environmental Impact Report (SPEIR) for the above-referenced specific plan amendment (Plan) on October 22, 2019. The NOP was prepared by the City of Victorville (City) and project co-applicant Stirling Development, and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), title 14, section 15096. We encourage the City to take this opportunity to integrate elements into the Plan that (1) promote watershed management, (2) support "Low Impact Development" (LID), (3) reduce the effects of hydromodification, (4) encourage development/redevelopment on previously disturbed lands, and (5) encourage recycled water uses. Our comments on the NOP are outlined below.

PURPOSE OF THE PLAN

The Plan focuses on proposed changes in land use categories. Primary modifications to the Specific Plan would involve the following:

- Modification of the existing land use district boundaries to more appropriately guide future development at the Southern California Logistics Airport (SCLA).
- Reduction of the development footprint of the SCLA Specific Plan area, including the removal of over 1,000 acres for industrial development.

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

- Enlargement of the acreage available for the development of Airport and Support Facilities.
- Creation of a new land use district: Public Institutional, applicable to the existing Federal Correctional Complex, Victorville. This area was previously designated Industrial.
- Revisions to the circulation and infrastructure planning components of the Specific Plan.
- Updates to the design guidelines: site planning, landscape, architectural, and lighting.

With a sizable area of 8,611 acres, the vast majority of the Specific Plan area is undeveloped and large portions, particularly in the northern and eastern portions, lack any infrastructure required to support development. Development in the northern and eastern areas is not considered feasible for at least 25 years, and potentially even 50 to 75 years in the future.

To address this uncertainty for development in large portions of the Specific Plan area, the City has established a "Priority Development Area" for development feasibility occurring within the next 25 years based on available infrastructure and projected market demand for development. Development within the 2,312-acre Priority Development Area is anticipated to occur over a total of 5 phases, in 5-year increments over the next 25 years, and could result in approximately 25,973,000 square feet of new building area.

Given the conceptual, long-term nature of the planned development, Water Board staff understands that the SPEIR will be prepared as a programmatic Environmental Impact Report. Subsequent more focused environmental review by Water Board staff will be required as individual projects are proposed to implement elements of the Plan.

AUTHORITY

All groundwater and surface waters are considered waters of the State. Surface waters include streams, lakes, ponds, and wetlands, and may be ephemeral, intermittent, or perennial. All waters of the State are protected under California law. State law assigns responsibility to the Lahontan Water Board for protection of water quality in the Lahontan Region, which includes the planned development area of the Plan. Some waters of the State are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S. Swales and washes that experience intermittent surface water flow that drains into the Mojave River may be considered waters of the U.S.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated

beneficial uses as well as narrative and numerical objectives that must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at

http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

RECOMMENDED ELEMENTS TO INCLUDE IN THE PLAN

We encourage the City to take this opportunity and incorporate into the Plan elements that promote watershed management, support LID, reduce the effects of hydromodification, encourage development/redevelopment on previously disturbed lands, and encourage recycled water uses.

A Watershed Approach

Healthy watersheds are sustainable. Watersheds supply drinking water, provide for recreational uses, and support ecosystems. Watershed processes include the movement of water (i.e., infiltration and surface runoff), the recharge of groundwater, the transport of sediment, and the delivery of organic material to surface waters. These processes create and sustain the streams, lakes, wetlands, and other receiving waters of our region. The City is located within the Upper Mojave Hydrologic Area (28.20) of the larger Mojave River watershed.

The watershed approach for managing water resource quality and quantity is a collaborative process that focuses public and private efforts on the highest priority problems within a drainage basin. The Mojave Integrated Regional Water Management Group has assembled a collaborative group of stakeholders, both public and private, to address both water quantity and water quality issues within the Mojave watershed. A water management plan is being developed through that stakeholder collaboration process, and strategies continue to be developed and refined to sustain water quantity, and to manage salts and nutrients to maintain the quality of groundwater and surface water resources. The City is encouraged to play an active stakeholder role in the development of these plans and to incorporate the applicable implementation strategies into their Plan.

Low Impact Development Strategies

The foremost method of reducing impacts to watersheds from development is through the use of Low Impact Development (LID) strategies, the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of non-point source pollutants. LID results in less surface runoff and potentially less impacts to receiving waters, the principles of which include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge;
- Reducing compacted and impervious cover created by development and the associated road network; and

- Managing runoff as close to the source as possible.

LID development practices that maintain aquatic values also reduce local infrastructure requirements and maintenance costs. These practices also benefit air quality, open space, and habitat. Vegetated areas for storm water management and onsite infiltration are valuable in LID. We encourage the City to establish LID implementation strategies for commercial and transportation development projects and incorporate these strategies into the Plan.

Storm Water Management

Because increased runoff from developed areas is a key variable driving a number of other adverse effects, attention to maintaining the pre-development hydrology will prevent or minimize many problems and will limit the need for other analyses and mitigations. However, traditional methods for managing urban storm water do not adequately protect the environment and tend to treat symptoms instead of causes. Such practices have led to channelization and stream armoring that permanently alter stream habitat, hydrology, and aesthetics, resulting in overall degradation of a watershed.

Storm water control measures that are compatible with LID are preferred over more traditional methods. Examples include the use of bioretention swales, pervious pavement, and vegetated infiltration basins, all of which can effectively treat post-construction storm water runoff, help sustain watershed processes, protect receiving waters, and maintain healthy watersheds. Any particular one of these control measures may not be suitable, effective, or even feasible on every site, but the right combination, in the right places, can successfully achieve these goals.

We encourage the City to establish guidelines for implementing specific storm water control measures into the Plan. Additional information regarding sustainable storm water management can be accessed online at http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/.

Hydromodification

Hydromodification is the alteration of the natural flow of water through a landscape (i.e., lining channels, flow diversions, culvert installations, armoring, etc.). Disturbing and compacting soils, changing or removing the vegetation cover, increasing impervious surfaces, and altering drainage patterns limit the natural hydrologic cycle processes of absorption, infiltration, and evapotranspiration, and increases the volume and frequency of runoff and sediment transport. Hydromodification results in stream channel instability, degraded water quality, changes in groundwater recharge processes, and aquatic habitat impacts. Hydromodification also can result in disconnecting a stream channel from its floodplain. Floodplain areas provide natural recharge, attenuate flood flows, provide habitat, and filter pollutants from urban runoff. Floodplain areas also store and release sediment, one of the essential processes to maintain the health of the watershed. Information regarding hydromodification can be accessed online at http://www.swrcb.ca.gov/water_issues/programs/stormwater/hydromodification.shtml.

We encourage the City to establish guidelines and develop mitigation measures that will help to avoid hydromodification from future projects. The guidelines should include maintaining natural drainage paths of streams and creeks and establishing buffers and setback requirements to protect channels, wetlands, and floodplain areas from encroaching development.

Recycled Water Uses

The State Water Resources Control Board adopted the Recycled Water Policy in February 2009 (effective May 14, 2009, and amended January 22, 2013). The purpose of the policy is to increase the use of recycled water from municipal wastewater sources, in a manner that implements state and federal water quality laws, as a means towards achieving sustainable local water supplies. The Recycled Water Policy establishes goals and mandates for recycled water use. The mandates are to increase the use of recycled water from the amount used in 2009 by 200,000 acre-feet per year by 2020 and by 500,000 acre-feet per year by 2030. Incentives for implementing recycled water projects include grant opportunities and priority funding. The City is encouraged to consider the use of recycled water as an implementation strategy in their Plan to reduce demand on groundwater resources.

Other Issues to be Considered

1. The Plan area is located within Upper Mojave Hydrologic Area (No. 28.20) of the Mojave Hydrologic Unit and overlies the Upper Mojave River Valley Groundwater Basin (No. 6-42) according to the Lahontan Basin Plan. The beneficial uses of these waters are listed either by watershed (for surface waters) or by groundwater basin in Chapter 2 of the Basin Plan. The SPEIR should identify and list the beneficial uses of all water resources within the Plan area and include an analysis of the potential impacts to water quality and hydrology with respect to those beneficial uses.
2. Water quality objectives and standards, both numerical and narrative, for **all** waters of the State within the Lahontan Region, including surface waters and groundwater, are outlined in Chapter 3 of the Basin Plan. Water quality objectives and standards are intended to protect the public health and welfare, and to maintain or enhance water quality in relation to the existing and/or potential beneficial uses of the water. It is these objectives and standards that should be used when evaluating thresholds of significance for development impacts.
3. Storm water management should be considered a significant component of the Plan. The SPEIR should acknowledge that when individual projects are proposed to implement elements of the Plan, all associated stormwater management elements will require review by Water Board staff. For example, any future detention basins that will be installed as part of the Plan should include an analysis by the City of the adequacy of planned basins to perform as designed, subject to review by Water Board staff. Additional storm water controls

may be required. Where feasible, alternatives should be considered that redirect these flows to areas where they will dissipate by percolation into the landscape rather than directly discharge to surface water (e.g., the Mojave River).

4. Wastewater treatment systems that are expected to exceed capacity and are no longer able to adequately treat the wastewater must be upgraded in order to protect water quality and maintain compliance with the existing Waste Discharge Requirements (WDRs). In order to amend the current Board Order and WDRs, the responsible party must submit a Report of Waste Discharge (ROWD) and an Engineering Feasibility Study (EFS) to the Lahontan Water Board at minimum of 180 days before the proposed change in discharge.
5. Water quality impacts to irrigated lands that use treated wastewater and/or degradation of surface water or groundwater due to improperly treated wastewater caused by population growth and/or other influencing factors must be analyzed in the SPEIR. Mitigations to reduce potential impacts to a less than significant level must be provided in the SPEIR.
6. We urge the City to take a critical look at cumulative impacts on water quality and hydrology that may result over time from implementing the various components of the Plan. The analysis should consider the impacts of full implementation of the Plan and evaluate, at a minimum, the potential impacts to groundwater recharge due to increased impervious surfaces and/or compacted soils, changes in the hydrology of the watershed, potential flooding implications, and habitat connectivity. The cumulative impacts analysis should identify regional, broad-scale mitigation measures that, when implemented, will reduce potential impacts to a less than significant level.

PERMITTING REQUIREMENTS FOR INDIVIDUAL PROJECTS

A number of activities that will be implemented by individual projects under the Plan have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include, but are not limited to, the following.

1. Streambed alteration and/or discharge of dredge and/or fill material to a surface water, including water diversions, may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill WDRs for impacts to non-federal waters, both issued by the Lahontan Water Board.
2. Land disturbance of more than 1 acre may require a CWA, section 402(p) storm water permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or an individual storm water permit obtained from the Lahontan Water Board.

3. Recycled water use may require General WDRs under WQO 2009-0006-DWQ (specifically for landscape irrigation uses), or under WQO-2014-0090-DWQ (for all other authorized uses), both issued by the Lahontan Water Board.

We request that the SPEIR recognize the potential permits that may be required for individual projects, as outlined above. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment on the NOP. If you have any questions regarding this letter, please contact me at (760) 241-7340, (Todd.Batthey@waterboards.ca.gov) or William Muir at (760) 241-3523, (William.Muir@waterboards.ca.gov). Please send all future correspondence regarding this Project to the Water Board's email address at Lahontan@waterboards.ca.gov and be sure to include the State Clearinghouse No. and project name in the subject line.



Todd Batthey PG
Engineering Geologist

cc: State Clearinghouse (SCH 2003011008) (state.clearinghouse@opr.ca.gov)
California Department of Fish and Wildlife (AskRegion6@wildlife.ca.gov)