

Lahontan Regional Water Quality Control Board

July 1, 2019

File: Environmental Doc Review
San Bernardino County

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Governor's Office of Planning & Research

JULY 01 2019

STATE CLEARINGHOUSE

Comments on Draft Environmental Impact Report for Desert Grove Retail Project, Victorville, State Clearinghouse Number 2018121029

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Draft Environmental Impact Report (DEIR) for the above-referenced project (Project). The DEIR, prepared by the City of Victorville (City), was submitted in compliance with provisions of 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 thank the City for providing Water Board staff the opportunity to review and comment on the DEIR and for taking our previous comments on the Notice of Preparation into consideration. We would like to reiterate the potential need of several permits including the Federal Clean Water Act (CWA) Section 401 Water Quality Certification and the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit.

PERMITTING REQUIREMENTS

A number of activities associated with the proposed Project have potential to impact waters of the State and, therefore, may require permits issued by the State Water Resources Control Board (State Water Board) or the Lahontan Regional Water Board. The required permits may include the following:

1. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board. All unavoidable permanent impacts to waters of the State must be mitigated to ensure no net loss of beneficial use and wetland function and value. Water Board

staff coordinate mitigation requirements with staff from federal and other state regulatory agencies. In determining appropriate mitigation ratios for impacts to waters of the State, we consider Basin Plan requirements (minimum 1.5 to 1 mitigation ratio for impacts to wetlands) and utilize 12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios, published December 2012 by the US Army Corps of Engineers, South Pacific Division.

2. Land disturbance of more than 1 acre may require CWA, section 402(p) storm water permits, including a NPDES General Construction Storm Water Permit, Water Quality Order 2009-0009-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board. Both of these permits require development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
 - a. The SWPPP should be applicable to all areas of the Project, including construction areas, access roads to and through the site, and staging and stockpile locations.
 - b. The Project shall not result in an exceedance of any applicable water quality objective (WQO) for the receiving water. For this Project, the receiving waters are unnamed drainages of the Mojave Hydrologic Unit and groundwaters of the Upper Mojave River Valley Groundwater Basin. The primary water quality parameters potentially affected by the Project include chemical constituents (as defined by California Code of Regulations, title 22), oil and grease, pH, suspended materials, temperature, and turbidity. Numeric and narrative WQOs for these parameters in surface waters and groundwater are outlined in Chapter 3 of the Water Quality Control Plan for the Lahontan Region.
 - c. Temporary best management practices (BMPs) must be implemented for all components of the Project until such time that vegetation has been restored to pre-Project conditions or permanent BMPs are in place and functioning.

Please be advised of the permits that may be required for the proposed Project, as outlined above. Should Project implementation result in activities that trigger these permitting actions, the Project proponent is highly recommended to consult with Water Board staff. 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 Project. If you have any questions regarding this letter, please contact me at (760) 241-7305 (tiffany.steinert@waterboards.ca.gov) or Jan Zimmerman, Senior Engineering Geologist, at (760) 241-7376 (jan.zimmerman@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.



Tiffany Steinert
Engineering Geologist

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov) (SCH #2018121029)
Ali Aghili, California Dept. of Fish and Wildlife (Ali.Aghili@wildlife.ca.gov)

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