CALIFORNIA
Water Boards

GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Lahontan Regional Water Quality Control Board

August 19, 2019

File: Environmental Doc Review
Inyo County

John Pinckney
Inyo County Local Transportation Commission
168 N. Edwards Street
Independence, CA 93526
jpinckney@inyocounty.us

Comments on Initial Study and Negative Declaration for the Inyo County Regional Transportation Plan 2019-2039, State Clearinghouse No. 2019079053

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Inyo County Regional Transportation Plan 2019-2039 (IS/ND) for the above-referenced plan (Plan) on July 18, 2019. The IS/ND was prepared by LSC Transportation Consultants, Inc. for Inyo County (County) 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 County to take this opportunity to integrate elements into the Plan that: (1) promote watershed management; (2) support "Low Impact Development" (LID); and (3) reduce the effects of hydromodification. Our comments are outlined below.

PURPOSE OF THE PLAN

The Inyo Transit County Regional Transportation Plan 2019-2039 is an overarching policy document that will guide decisions of necessary improvements in order to provide the best possible circulation/transportation system to meet the mobility and access needs of the Inyo County planning area. Given the conceptual, long-term nature of the plan, the IS/ND provides a general overview of the potential impacts of proposed projects; subsequent and focused environmental review will occur as individual projects are proposed to implement elements of the Plan.

WATER BOARD'S 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 for protection of water quality in the Lahontan Region to the Lahontan Water Board. 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.

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 which 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 recognize the effort put forth by the County to incorporate the policies and objectives of various local and regional watershed and management plans into one comprehensive programmatic Plan. We encourage the County to take this opportunity and incorporate into the Plan elements and strategies that promote watershed management, support LID, and reduce the effects of hydromodification.

1. 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 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 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 Inyo-Mono 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 Owens Valley and Long Valley groundwater basins. A number of water management plans are 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.

2. The foremost method of reducing impacts to watersheds from development is LID, 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 and benefit air quality, open space, and habitat. Vegetated areas for storm water management and infiltration onsite are valuable in LID. We encourage the County to establish LID implementation strategies for transportation-related projects and to incorporate these strategies into the Plan.

3. Because increased runoff from developed areas is a key variable driving a number of adverse effects, attention to maintaining the pre-development hydrograph will prevent or minimize many problems and will limit the need for other analyses and mitigation. 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 in every instance, but the right combination, in the right places, can successfully achieve these goals.

   We encourage the County 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/.

4. 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 County 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.

5. Groundwater protection should be considered a Plan-wide issue, ubiquitous to all elements of the Plan and associated strategies. Water quality and water quantity are fundamental to sustaining communities and promoting development. With the passage of California Assembly Bill 685 in 2012, it is now the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The County is encouraged to incorporate the principles of this policy into the Plan.

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 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. Water diversion and/or dewatering activities may be subject to discharge and monitoring requirements under either NPDES General Permit, Limited Threat

Discharges to Surface Waters, Board Order No. R6T-2014-0049, or General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality, WQO-2003-0003, both issued by the Lahontan Water Board. Project proponents should consult with Water Board staff early on should implementation of individual projects result in activities that trigger these permitting actions. 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 IS/ND. 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 Project name in the subject line.

Tiffany Steinert
Engineering Geologist

cc: State Clearinghouse (SCH No. 2019079053) (state.clearinghouse@opr.ca.gov)
California Dept. of Fish and Wildlife (AskRegion6@wildlife.ca.gov)

R:\RB6\RB6Victorville\Shared\Units\JAN's UNIT\Tiffany\CEQA\Inyo County Regional Transportation Plan 2019-2039_IS-MND.docx