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## Lahontan Regional Water Quality Control Board

October 9, 2019

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File: Environmental Doc Review  
San Bernardino County  
Governor's Office of Planning & Research

**OCT 09 2019**

### STATE CLEARINGHOUSE

#### **Comments on the Mitigated Negative Declaration Environmental Impact Report for the Rancho Road Aqueduct Crossing Project, City of Hesperia, San Bernardino County, State Clearinghouse Number 2019099031**

Lahontan Regional Water Quality Control Board (Water Board) staff received email notice from the State Clearinghouse (SCH) of a Notice of Intent to adopt a Negative Declaration Environmental Impact Report (MND) for the above-referenced project (Project) on September 12, 2019. The MND, prepared by City of Hesperia (City), was submitted in compliance with provisions of California Environmental Quality Act (CEQA) in order to solicit input on the potential impacts on the environment and ways in which those significant effects are proposed to be avoided or mitigated.

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 MND and for taking the initiative to develop the MND with considerations to potential effects on water quality. Based on our review, we request the following be included in the final MND: (1) Appendix C, "Drainage Report," be updated to include all appendix reports in full; and (2) the mitigation measures for hazardous materials be revised include the potential for hazardous materials to be found on or in the existing bridge materials itself during demolition. Our comments on the MND are outlined below.

#### **PROJECT DESCRIPTION**

The Project proposes to replace an existing two-lane, two-span bridge that allows Rancho Road to cross over the California Aqueduct. The bridge will include four traffic

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

lanes, a new median, new multi-use paths (sidewalk plus bike lane) in both directions, and new curbs-and-gutters in both directions. The Project will also include new bridge approaches in both directions, a realignment of 11<sup>th</sup> Avenue, and construction of a cul-de-sac adjacent to Rancho Road to allow easier access to one private home. A 14-inch diameter steel water supply line will have to be removed, and a temporary 8-inch diameter steel water line will be put in its place for the duration of the Project. Construction activities will require closure of Rancho Road for the duration of the Project.

## **WATER BOARD'S AUTHORITY**

All groundwater and surface waters are considered waters of the State. 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 United States. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the United States.

The 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](http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml)

## **SPECIFIC COMMENTS**

We request the following be included in the final MND prepared for the Project.

1. Appendix C, Drainage Report – Please include in that report, the entire contents of all appendices referenced: Appendix A, "Project Data"; Appendix B, "Hydrology Calculations"; and Appendix C, "Hydraulic Calculations." Only the cover pages of those three appendices were included in Appendix C of the MND.
2. Appendix C, Drainage Report – Please include a scaled figure that shows the location and size of the detention basin mentioned on page three of that report.
3. Water Board staff have inspected other bridge replacement projects where lead-based paint was found on the rocker bearings of the bridge abutments. This discovery of lead was unanticipated and not evaluated in the environmental review for those projects. We recommend that the City include mitigations for hazardous materials handling and disposal should lead-based paint be found on or in the bridge materials itself and/or in road striping paint and for air-deposited lead in soils adjacent to the roadway.



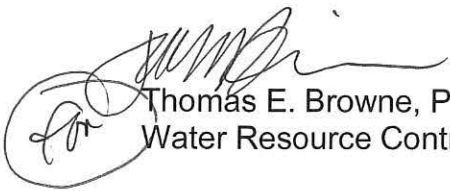
4. The MND does not discuss the possibility of concrete and asphalt debris falling into the aqueduct. Please include a discussion of the mitigation measures that will be taken to minimize and prevent construction debris from falling into the aqueduct.

## PERMITTING REQUIREMENTS FOR INDIVIDUAL PROJECTS

A number of activities implemented by individual projects in accordance with the General Plan amendment 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. The Project will disturb more than one acre of soil and is located within the watershed of the Mojave River, a Water of the United States. Hence, the Project will 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.
2. 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.
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 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.

Thank you for the opportunity to comment on the MND. If you have any questions regarding this letter, please contact me at (760) 241-7391 ([thomas.browne@waterboards.ca.gov](mailto:thomas.browne@waterboards.ca.gov)) or Jan Zimmerman, Senior Engineering Geologist, at (760) 241-7376 ([jan.zimmerman@waterboards.ca.gov](mailto: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](mailto:Lahontan@waterboards.ca.gov) and be sure to include the State Clearinghouse number 2019099031 and Project name in the subject line.



Thomas E. Browne, PhD, PE  
Water Resource Control Engineer

cc: State Clearinghouse (SCH 2019099031) ([state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov))  
California Department of Fish and Wildlife ([AskRegion6@wildlife.ca.gov](mailto:AskRegion6@wildlife.ca.gov))

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