



Lahontan Regional Water Quality Control Board

July 20, 2020

File: Environmental Doc Review
San Bernardino County

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STATE CLEARINGHOUSE

Comments on the Initial Study and Mitigated Negative Declaration, Whitehaven Estates, San Bernardino County, SCH 2020060430

Lahontan Regional Water Quality Control Board (Water Board) staff received the Initial Study and Mitigated Negative Declaration (IS/MND) for the above-referenced Project (Project) on June 19, 2020. The IS/MND was prepared by the San Bernardino County Planning Department (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 thank the County for providing Water Board staff the opportunity to review and comment on the IS/MND. Based on our review, we have the following recommendations: (1) use low-impact development (LID) practices, maintain natural drainage paths to the extent feasible, and maintain temporary sediment and erosion controls until the construction is complete and permanent storm water controls are in place and functioning; (2) ensure the Project complies with the Municipal Separate Storm Sewer System (MS4), Phase 2 state-wide permit (Order 2013-0001-DWQ); and (3) prepare a detailed hydrology study to ensure cumulative erosion impacts to the Oro Grande Wash are mitigated. Our specific comments are outlined below.

WATER BOARD'S AUTHORITY

All groundwater and surface waters are considered waters of the State, including those that are seasonal or ephemeral. All waters of the State are protected under California law. State law assigns responsibility for the protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the

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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 *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.

SPECIFIC COMMENTS

We recommend the following be specifically discussed in the environmental review document.

1. Water Board staff recommend using LID designs that maintain natural drainage to the maximum extent feasible. The Project will create new paved roads and denuded, compacted surfaces for new houses on areas next to very steep terrain that is hydraulically connected to the Oro Grande Wash. Water Board staff's experience with subdivision projects is that once a site is graded, it may stay that way for years without natural erosion control (vegetation). The edges of these graded lots erode, contributing sediment at accelerated rates to the watershed and into the new streets and storm water conveyance systems. We request the Project owner install appropriate temporary best management practices (BMPs) after the lots are graded, and maintain these temporary BMPs until construction is complete and permanent storm water controls are in place and functioning
2. The Project is located within the boundary of the MS4, Phase 2 permit, maintained by the County of San Bernardino, Waste Discharge Number 6B36M2000166. Because this Project disturbs more than 2,500 square feet of soil, it will be subject to the site design measures described in section E.10 of Order 2013-0001-DWQ. Water Board staff encourage the Project owner to familiarize themselves with all the requirements of this MS4 permit.
3. Water Board staff request a detailed hydrology study be prepared for the Project area. The hydrology study should include at a minimum a map of soil types, a map of sub-watersheds and their areas, a map showing elevation contours, calculation methodology, run-off coefficients used within each subwatershed, and computer output for calculating time-of-concentration and flow rate leaving the sub-watershed for selected storms. Water Board staff recommend time-of-concentration modelling be done for 10-year, 25-year, and 100-year 24-hour storms.

PERMITTING REQUIREMENTS

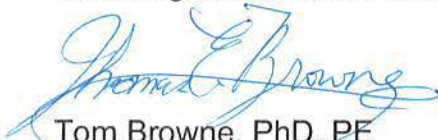
A number of activities associated with the proposed Project may have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits will include the following:

1. This Project will disturb more than one acre of land and is located within the watershed of the Upper Mojave River Hydrologic Area (628.20). Hence, the project will 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. This Project will likely alter ephemeral streambeds, tributaries to the Oro Grande Wash, and may involve discharge of fill material to those streambeds. Such activity requires a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or Dredge and Fill Waste Discharge Requirements (WDR) for impacts to non-federal waters, both issued by the Lahontan Water Board.

In the environmental document we request that the IS/MND recognize the potential permits that may be required for the Project, as outlined above and identify the specific activities that may trigger these permitting actions in the appropriate sections of the environmental document. Information regarding these permits, including application forms, can be downloaded from our website at <http://www.waterboards.ca.gov/lahontan/>. Early consultation with Water Board staff regarding potential permitting is recommended.

Thank you for the opportunity to comment on the IS/MND. If you have any questions regarding this letter, please contact me at (760) 241-7391, thomas.browne@waterboards.ca.gov or Jan Zimmerman, Senior Engineering Geologist, at (760) 241-7404, 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 number and Project name in the subject line.



Tom Browne, PhD, PE
Water Resource Control Engineer

cc: California Department of Fish and Wildlife (R6LSA@wildlife.ca.gov)
State Clearinghouse (state.clearinghouse@opr.ca.gov) (SCH #2020060430)