
Lahontan Regional Water Quality Control Board

September 28, 2020

File: Environmental Doc Review
San Bernardino County

Reuben J. Arceo
San Bernardino County
Land Use Services Department - Current Planning Division
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0182
reuben.arceo@lus.sbcounty.gov

Governor's Office of Planning & Research

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STATE CLEARINGHOUSE

Comments on the Initial Study and Proposed Mitigated Negative Declaration for Lake Arrowhead Pine Rose, 25994 Highway 189, Twin Peaks, San Bernardino County, State Clearinghouse Number 2020080333

Lahontan Regional Water Quality Control Board (Water Board) staff received the Initial Study and Proposed Mitigated Negative Declaration (IS/MND) for the above-referenced project (Project) on August 20, 2020. The IS/MND, was prepared by Lake Arrowhead Pine Rose on behalf of the San Bernardino County Land Use Services Department (County) and 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 San Bernardino County for providing Water Board staff the opportunity to review and comment on the IS/MND and for taking the initiative to develop the IS/MND with considerations to potential effects on water quality. We encourage San Bernardino County to take this opportunity to integrate elements into the Project that:

1. Incorporate storm water management as a primary Project component.
2. Based on the design of the sound wall, the wall will require routine maintenance to ensure proper absorption or pass through of stormwater.
3. Prevent erosion and the release of sediment and other pollutants through Best Management Practices (BMPs).

Our comments on the proposed Project are outlined below.

PETER C. PUMPHREY, CHAIR | MIKE PLAZIAK, ACTING EXECUTIVE OFFICER

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 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.

COMMENTS ON THE ENVIRONMENTAL REVIEW

Based on our review of the IS/MND, we recommend that the following issues be considered and addressed in applicable sections of the final environmental document.

1. Water Board staff recommends that the Project description be revised to include sufficient detail of key Project components, particularly post-construction storm water conveyance and collection associated with design criteria to substantiate the findings so that the Project will not have a significant effect on the environment, particularly on hydrology and water quality resources.
2. Based on the design of the sound wall, routine maintenance will be required to ensure proper absorption or pass through of storm water. The required maintenance activities and their potential effects on environmental resources should be included as part of the environmental review.
3. The potential for storm water pollution exists on any construction project. Developers, contractors, and property owners are expected to prevent erosion and the release of sediment and other pollutants through use of BMPs. BMPs include scheduling construction activities during dry months of the year whenever possible, employing prevention measures, and installing sediment and erosion control devices. The goal is to manage storm water runoff as close to the source as possible, and to keep pollutants out of storm drains, waterways, and adjacent properties. Pollutants should be contained on-site until appropriate disposal is possible. We recommend that the Project proponent include the following measures as part of their storm water protection program for the Project.

- a. Check the weather forecast and be prepared for rain by having necessary materials onsite before the rainy season.
- b. Inspect all BMPs before and after a storm event. Maintain BMPs on a regular basis and replace, as necessary.
- c. Schedule construction activities during dry weather. Keep grading operations to a minimum during the rainy season (October 15 through April 15). You can properly protect an exposed slope once before rain arrives or send out a crew to repair a wet, muddy, and slippery slope every time it rains.
- d. Train and educate construction crews and personnel to better understand the effects of storm water pollution from construction projects and learn ways to prevent or minimize pollution on the job.

All recommended BMPs are suggestions only. Temporary BMPs must be implemented for all components of the Project until such time that permanent post-construction BMPs are in place and functioning. Each construction project should employ site specific BMPs. Property owners and project applicants are encouraged to enlist professional services to ensure appropriate and effective BMPs are used during and after the construction process.

PERMITTING REQUIREMENTS

Several 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 or the Lahontan Water Board. The required permits may include the following.

1. Land disturbance of more than 1 acre may require CWA, section 402(p) storm water permits, 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. Both 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 surface waters within the Upper Mojave Hydrologic

Area, Mojave Hydrologic Unit (628.20) and groundwaters of the Upper Mojave River Valley groundwater basin (6-42). 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 Basin Plan. It is these WQOs that should be used as threshold limits not to be exceeded by the Project.

- c. Temporary BMPs must be implemented for all components of the Project until such time that vegetation has been restored to pre-Project conditions and/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. The Project proponent is urged to consult with Water Board staff regarding 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/MND. If you have any questions regarding this letter, please contact me at (760) 241-7325 (alicia.borchmann@waterboards.ca.gov) or William Muir, Senior Engineering Geologist, 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.



Alicia Borchmann
Scientific Aid

cc: State Clearing House (SCH 2020080333) (state.clearinghouse@opr.ca.gov)
California Department of Fish and Wildlife (AskRegion6@wildlife.ca.gov)