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## Santa Ana Regional Water Quality Control Board

June 27, 2022

Jim Morrissey, Planner  
Land Use Services Department  
385 N. Arrowhead Avenue, 1st Floor  
San Bernardino, CA 92415-0187  
[jim.morrissey@lus.sbcounty.gov](mailto:jim.morrissey@lus.sbcounty.gov)

Governor's Office of Planning & Research

Jun 27 2022

STATE CLEARINGHOUSE

### VIA EMAIL

### **MITIGATED NEGATIVE DECLARATION, TENTATIVE PARCEL MAP NO 19985 AND PLANNED DEVELOPMENT PROJ-2020-00111, SAN BERNARDINO COUNTY, SCH NO. 2022060080**

Dear Mr. Morrissey,

Santa Ana Regional Water Quality Control Board (Santa Ana Regional Board) has reviewed the Mitigated Negative Declaration (MND) for the Tentative Parcel Map No. 19985 and Planned Development PROJ-2020-00111. The project is located in San Bernardino County, in the San Antonio Heights area north of the City of Upland, APN 1003-281-08 and 1003-281-09, east of Holly Drive and north of 26<sup>th</sup> Street.

The project proponent has submitted an application for a Planned Development Permit to subdivide the 7.1-acre property into four residential lots. Figure 3 in the MND indicates that the proposed project would significantly alter the hillside terrain, including ephemeral ravine drainages, with grading and road construction (MND page 6). The project proponent must contact the US Army Corps of Engineers (USACE) to perform a Jurisdictional Delineation of natural drainages that may be impacted by grading or fill. The project proponent must apply for a Section 401 Water Quality Certification, or California WDR Permit if the USACE does not take jurisdiction over the drainages on the parcel. Please find information on applying for a Certification or WDR at our website,

[https://www.waterboards.ca.gov/santaana/water\\_issues/programs/401\\_Certifications](https://www.waterboards.ca.gov/santaana/water_issues/programs/401_Certifications)

Page 33 of the MND indicates that sewer lines would connect each proposed structure to the proposed on-site leach field, but there is no detail or description of the leach field. The project proponent indicates that the septic system shall be certified by a qualified professional, but sufficient information should be available now to determine if such a system is feasible on each of the four proposed sub-divisions. Septic system leach fields must be approved by the San Bernardino County Environmental Health Department, and copies of percolation tests and soil reports must be submitted to the

County and copied to Susan Beeson ([Susan.Beeson@waterboards.ca.gov](mailto:Susan.Beeson@waterboards.ca.gov)) at the Santa Ana Regional Board.

The design of the on-site stormwater detention basin must be detailed in the Water Quality Management Plan (WQMP). The MND indicates (page 41) that a WQMP was prepared by SiteTech, Inc. in January of 2021, but Santa Ana Regional Board staff were unable to obtain the document for review until June 24<sup>th</sup>, 2022. The MND indicates that stormwater flow will be directed off-site to the existing storm drain system on 26<sup>th</sup> Street, but the existing system is not illustrated in the MND. Google images of the street suggest that the existing drainage system may not be adequate to handle additional flow from the impervious surfaces introduced by development of the property.

Santa Ana Regional Board staff were only provided with the soil analysis report and the WQMP two working days prior to the close of the public comment period for this project. Beginning January 1, 2022, AB 819 (Levine, 2021) establishes new statutory requirement for submitting CEQA documents to the Office of Planning and Research (OPR). CEQA lead agencies must submit a copy of all environmental documents with a Notice of Completion (NOC) transmittal form to OPR's State Clearinghouse. This includes all referenced reports that are not included in the main IS/MND or EIR document. The State Clearinghouse is responsible for making these documents available on an online public database and selecting the relevant state agencies to review them. The State Clearinghouse is also responsible for posting all state agency comments to the online database for public access.

If you have any questions, please contact Jason Freshwater at (951) 321-4576 and [Jason.Freshwater@waterboards.ca.gov](mailto:Jason.Freshwater@waterboards.ca.gov), or me at (951) 782-4995 and [Terri.Reeder@waterboards.ca.gov](mailto:Terri.Reeder@waterboards.ca.gov).

Sincerely,

Terri S. Reeder, PG, CEG, CHG  
Supervisor, Coastal Waters Planning and CEQA Section

cc:

U.S. Army Corps of Engineers, Los Angeles office – Stephen Estes  
[Stephan.M.Estes@usace.army.mil](mailto:Stephan.M.Estes@usace.army.mil)

California Department of Fish and Wildlife, Ontario – Breanna Machuca,  
[Breanna.Machuca@wildlife.ca.gov](mailto:Breanna.Machuca@wildlife.ca.gov)

Mr. Jim Morrissey

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U.S. Fish and Wildlife Service, Palm Springs – Karin Cleary-Rose  
[Karin\\_Cleary-Rose@fws.gov](mailto:Karin_Cleary-Rose@fws.gov)

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