
Lahontan Regional Water Quality Control Board

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File: Environmental Doc Review
Town of Apple Valley

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Comments on the Draft Initial Study and Mitigated Negative Declaration for Amargosa LLC Navajo Rd. & Johnson Rd. Warehouse Project, San Bernardino County, State Clearinghouse No. 2025020293

Lahontan Regional Water Quality Control Board (Water Board) staff received the Draft Initial Study and Mitigated Negative Declaration (IS/MND) for the above-referenced Project (Project) on February 19, 2025. The IS/MND was prepared by Blodgett Baylosis Environmental Planning 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 Town of Apple Valley for providing Water Board staff the opportunity to review and comment on the IS/MND. Based on our review, we recommend the following: (1) mitigation as a result of changes to runoff to prevent flooding or erosion downstream; (2) incorporating Low Impact Development (LID) measures; (3) construction and post-construction Best Management Practices (BMP); (4) identify and list the beneficial uses of all water resources within the Project area; (5) hazardous material storage location; and (6) additional clarification on the Contech CDS System clarifiers CDS202-5 stormwater treatment. Our comments are outlined below.

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 *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.

GENERAL COMMENTS AND RECCOMENDATIONS

Our general comments and recommendations on the Project and environmental review, as they pertain to water quality and hydrology, are outlined below.

1. The Project proposed grading and diversion of stormwater flows, yet the analysis concludes that these changes will have less-than-significant impacts. It would be beneficial to include additional discussion of how changes in site runoff characteristics will be mitigated to prevent localized flooding or erosion impacts downstream.
2. Although no direct groundwater extraction is proposed, the project's impervious surfaces may reduce groundwater recharge. Additionally, the impervious surfaces have the potential to modify natural drainage systems. Consideration should be given to incorporating LID measures beyond the proposed retention basins. Design alternatives that are compatible with LID should be considered. LID components include maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge; managing runoff as close to the source as possible; and maintaining vegetated areas for storm water management and onsite infiltration. We recommend natural drainage channels and flow paths be maintained through the Project stie to avoid no net loss of function and value of waters of the state as a result of Project implementation.
3. The analysis states that the Project will comply with National Pollutant Discharge Elimination System (NPDES) permitting requirements and BMPs; however, it does not clearly outline site-specific BMPs beyond general references to stormwater treatment (e.g. Contech CDS System clarifiers, vegetated swales, and buffers). It would be beneficial to include a more detailed description of how stormwater will be managed during both construction and post-construction. The IS/MND should identify post-construction storm water management as a significant Project component, and a variety of BMPs.
4. The Project is located within the Upper Mojave Hydrologic Unit (Hydrologic Unit No. 628.020) and overlies the Upper Mojave River Valley groundwater basin (Basin No. 6-42). The beneficial uses of these waters are listed either by watershed (for surface waters) and by groundwater basin (for groundwater) in

Chapter 2 of the Basin Plan. The proposed Project should identify and list the beneficial uses of all water resources within the Project area.

5. Equipment staging areas and hazardous materials (i.e. oils and fuels) should be sited in upland areas outside surface waters and adjacent flood plain areas. These locations should also be included on Project maps or site plans, which are needed to evaluate the Project impacts.
6. Two Contech CDS System clarifiers CDS202-5 are proposed to be installed at the site to treat on-site flows prior to exiting the site into the off-site drainage conveyance channels. It states that the CDS system separates and traps trash, debris, sediment, and hydrocarbons from storm water runoff. It is unclear if the CDS system will address finer pollutants such as nutrients or metals.

PERMITTING REQUIREMENTS FOR INDIVIDUAL PROJECTS

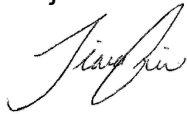
A number of activities associated with the proposed Project may have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include the following.

1. Land disturbance of more than 1 acre and construction 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) 2022-0057-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan 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. Construction of retention basins may require a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2022-0057-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.

We request that the draft 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 draft EIR. If you have any questions regarding this letter, please contact me at (760) 243-2355, (tiara.crucius@waterboards.ca.gov) or Christina Guerra, Senior Engineering Geologist, at

(760) 241-7333, (christina.guerra@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.



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cc: California Department of Fish and Wildlife (Reg4Assistant@wildlife.ca.gov)
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