

ATTACHMENT E

Lahontan Comments

Lahontan Regional Water Quality Control Board

May 3, 2022

File: Environmental Doc Review
San Bernardino County

City of Victorville
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Request for Consultation, City of Victorville Tentative Tract Map No. 20454 Plan 21-00033, San Bernardino County

Lahontan Regional Water Quality Control Board (Water Board) staff received a Request for Consultation (Request) for the above-referenced project (Project) on April 19, 2022. The Request, which included a brief Project description, was prepared by the City of Victorville Planning Department (City) to solicit input regarding potential environmental concerns associated with the Project and to help the City Planning Agency in their review of Tentative Tract Map No. 20454 with an Initial Study and a proposed Mitigated Negative Declaration for the proposed Project. The proposed Project is described as a development of 108 single-family residential lots from three existing undeveloped parcels located at the southwest corner of Nyack Road and Mesa View Drive.

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 encourage the City to take this opportunity to perform a Project-level environmental review and to integrate elements into the Project that (1) support low impact development (LID), (2) reduce the effects of hydromodification, and (3) encourage the Project proponent to prepare and implement a comprehensive spill prevention and response plan throughout the life of the Project. Our comments are outlined below.

1. **Project level environmental review** – Pursuant to the California Environmental Quality Act, every development project which requires a discretionary governmental approval requires at least some environmental review, unless an exemption applies. **The proposed Project is not exempt from CEQA.** Because the City is the primary public agency with discretionary authority to deny or approve the Project, the City, as lead agency, is responsible for ensuring that the Project complies with CEQA as part of their approval process. The State Water

Resources Control Board (State Water Board) or the Lahontan Water Board, acting as a responsible agency, may need to issue discretionary permits for Project implementation, but cannot do so until CEQA has been satisfied.

The City's request for consultation for the proposed Project is the first step in the environmental review process, but alone does not fulfill the requirements of CEQA. At a minimum, the City must conduct an Initial Study to evaluate the environmental effects of the Project. Depending on those potential effects, a further and more substantial review may be warranted in the form of a Mitigated Negative Declaration or an Environmental Impact Report. Through the environmental review process, feasible alternatives must be considered, and mitigation measures incorporated into the Project to substantially lessen significant environmental effects of the Project.

2. **Low impact development** – The foremost method of reducing impacts to watersheds from development is LID, the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of non-point source pollutants. LID results in less surface runoff, the principles of which include: maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge; reducing compacted and impervious cover created by development and the associated road network; and managing runoff as close to the source as possible. LID development practices that maintain aquatic values also reduce local infrastructure requirements and maintenance costs and benefit air quality, open space, and habitat. Vegetated areas for storm water management and infiltration onsite are valuable in LID. We encourage the City to establish LID implementation strategies that would be applicable for all development and redevelopment projects, including this Project.
3. **Hydromodification** – Because increased runoff from developed areas is a key variable driving a number of adverse effects related to hydromodification, attention to maintaining the pre-development hydrograph will prevent or minimize many problems and will limit the need for other analyses and mitigation. We encourage the City to establish specific storm water control measures and implementation strategies for the proposed Project. Examples include the use of bioretention swales, pervious pavement, and vegetated infiltration basins, all of which can effectively treat post-construction storm water runoff, help sustain watershed processes, protect receiving waters, and maintain healthy watersheds. Any particular one of these control measures may not be suitable, effective, or even feasible on every site, but the right combination, in the right places, can successfully achieve these goals.
4. **Spill prevention and response** – The City should require the preparation and implementation of a comprehensive Spill Prevention and Response Plan for the Project. This plan should outline the site-specific monitoring requirements and list the best management practices necessary to prevent hazardous material spills or to contain and cleanup a hazardous material spill, should one occur.

5. **Statewide General Storm Water Permit** – Land disturbance of more than one acre may require a Clean Water Act (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, or individual storm water permit obtained from the Lahontan Water Board. The Project proponent is urged to coordinate with Water Board staff on potential permitting requirements.
6. **Streambed alteration and/or discharges to surface waters** – 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. The Project proponent is urged to coordinate with Water Board staff on potential permitting requirements.

Thank you for requesting our consultation; please share our comments with the Project proponent. If you have any questions regarding this letter, please contact me at (760) 241-7305 (tiffany.steinert@waterboards.ca.gov) or Jan Zimmerman, Senior Engineering Geologist, at (760) 241-7376 (jan.zimmerman@waterboards.ca.gov).



for Tiffany Steinert
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cc: California Department of Fish and Wildlife (R6LSA@wildlife.ca.gov)