

Lahontan Regional Water Quality Control Board

June 4, 2019

File: Environmental Doc Review
Los Angeles County

Karl Price, Senior Environmental Planner
California Department of Transportation
100 S. Main Street, MS 16A
Los Angeles, CA 90012
Karl.price@dot.ca.gov

Governor's Office of Planning & Research

JUN 05 2019

STATE CLEARINGHOUSE

Comments on the Initial Study/Environmental Assessment, Avenue N Interchange Improvements Project, Los Angeles County, State Clearinghouse Number 2019049144

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received an Initial Study with Proposed Negative Declaration/Environmental Assessment (IS/EA) for the above-referenced Project (Project) on April 29, 2019. The IS/EA was prepared by the California Department of Transportation (Caltrans) in conjunction with the City of Palmdale (City) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). Based on our review of the IS/EA, we recommend the following: (1) the IS/EA acknowledge that the riverine wetland along 18th Street is a water of the State and that impacts to this resource will require a permitting action by the Water Board; (2) the IS/EA be corrected to state that all beneficial uses are applicable to all water resources on the Project site regardless of whether the surface waters are perennial, intermittent, or ephemeral; and (3) the IS/EA identify specific mitigation measures to reduce the effects of hydromodification. 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/lahtontan/water_issues/programs/basin_plan/references.shtml.

WATER QUALITY CONCERNS

Our comments on the Project are outlined below.

1. Early consultation with Water Board staff in 2018 did not indicate that Project boundaries would impact the riverine wetland along 18th Street. The consultation in 2018 only covered two small man-made storm water drainages that drain either onto undeveloped land or to a concrete-lined storm water drainage. The riverine wetland is considered a water of the State. Impacts to this feature will require a permit action by the Water Board.
2. The Project site is located within the Lancaster Hydrologic Area (626.50) of the Antelope Hydrologic Unit (626.00), and groundwater beneath the Project site is contained within the Antelope Valley Groundwater Basin (6-44). The beneficial uses of these water resources are listed either by watershed (for surface waters) or by groundwater basin (for groundwater) in Chapter 2 of the Basin Plan. These beneficial uses are applicable to all water on the Project site regardless of whether the surface waters are perennial, intermittent, or ephemeral. Therefore, we request that the IS/EA identify and list the beneficial uses of the water resources within the Project area, and include an analysis of the Project's potential impacts to water quality and hydrology with respect to those beneficial uses.
3. Because increased runoff from developed areas is a key variable driving a number of adverse effects, attention to maintaining the pre-development hydrograph will prevent or minimize many problems and will limit the need for other analyses and mitigation. Traditional methods for managing urban storm water do not adequately protect the environment and tend to treat symptoms instead of causes. Such practices have led to channelization and stream armoring that permanently alter stream habitat, hydrology, and aesthetics, resulting in overall degradation of a watershed.

Storm water control measures that **are compatible with Low Impact Development (LID) are preferred over more traditional methods. 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 in every instance, but the right combination, in the right places, can successfully achieve these goals. We encourage Caltrans to incorporate storm water controls compatible with LID into this Project to reduce the potential effects of hydromodification.



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

4. 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. All unavoidable permanent impacts to waters of the State must be mitigated to ensure no net loss of beneficial use and wetland function and value. Water Board staff coordinate mitigation requirements with staff from federal and other state regulatory agencies. In determining appropriate mitigation ratios for impacts to waters of the State, we consider Basin Plan requirements (minimum 1.5 to 1 mitigation ratio for impacts to wetlands) and utilize 12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios, published December 2012 by the US Army Corps of Engineers, South Pacific Division.
5. Land disturbance of more than 1 acre 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) 2009-0009-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.

We request that the draft IS/EA 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 requesting our consultation. 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). 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 Project name in the subject line.


 Tiffany Steinert, GIT
Engineering Geologist

cc: CA Dept. of Fish and Wildlife (AskR5@wildlife.ca.gov)
State Clearinghouse (SCH 2019049144) (state.clearinghouse@opr.ca.gov)

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