

Lahontan Regional Water Quality Control Board

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File: Environmental Doc Review
San Bernardino County

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Comments on the Hesperia Big Box Retail Project Draft Environmental Impact Report, San Bernardino County, SCH No. 2024110259

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Hesperia Big Box Retail Project (HRP) for the above-referenced Project on November 25, 2025. The HRP was prepared by Kimley-Horn and Associates, Inc. (Kimley-Horn) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). Based on our review of the HRP, we recommend the following: (1) natural drainage channels and flow paths should be maintained through the Project site to ensure no net loss of function and value of waters of the state; and (2) a site-specific Storm Water Pollution Prevention Plan (SWPPP) should be prepared that identifies a combination of sediment and erosion control best management practices (BMPs) to effectively treat storm water runoff during the life of the Project. 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. In general, the construction and operation of a 167,664 square-foot (sf) big box retail center with 774 parking spaces, a 14-pump (28 fueling positions) fuel station with an approximately 205-sf office building, an approximately 2,623-sf automated carwash facility, and a total of six new driveways have the potential to hydrologically modify natural drainage systems. Of particular concern is the collection of onsite storm water runoff and the concentrated discharge of that storm water to natural drainage channels. Design alternatives that are compatible with low impact development (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. The HRP proposes two infiltration basins that will be located on the outer edges of the site. We encourage BMPs to establish and maintain flow of surface water to the infiltration basins.
2. A Project-specific SWPPP and implementation of site-specific erosion and sediment control BMPs is an effective way to reduce potentially significant water quality impacts to a less than significant level. To that end, we recommend the development and implementation of a Project-specific SWPPP during both the construction and post-construction phases of the Project. The SWPPP should be applicable to all areas of the Project site, including access roads. Please note that temporary BMPs need to be implemented for the Project until such time that permanent BMPs are in place and functioning.
3. 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 clean up a hazardous material spill, should one occur.
4. Equipment staging areas, excavated soil stockpiles, 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.

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.

1. 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.
2. 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) 2022-0057-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.
3. Discharge of designated waste may require WDRs in accordance with California Water Code (CWC) section 13260(a) requirements, obtained from the Lahontan Water Board. A ROWD must be filed with the Water Board that fully characterizes the site and the waste at least 180 days prior to the anticipated discharge. The ROWD must include an adequate assessment of potential threat to water quality from this Project that satisfies CEQA.

We request that the draft DEIR 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 web site at <http://www.waterboards.ca.gov/lahontan/>. Early consultation with Water Board staff regarding potential permitting is recommended.

If you have any questions regarding this letter, please contact me at (760) 313-1295 (Luis.Gomez@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 Project name in the subject line.

A handwritten signature in black ink, appearing to read "L. Gomez", with a stylized flourish at the end.

Luis Gomez
Engineering Geologist

cc: State Clearinghouse (SCH 2024110259) (state.clearinghouse@opr.ca.gov)