

DEPARTMENT OF WATER RESOURCES

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Leilani Henry
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City of Hesperia
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SCH# 2026010656 Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the proposed AU Energy, LLC Hesperia Phelan CUP24-00012 Project, City of Hesperia

Dear Ms. Henry:

The California Department of Water Resources (DWR) Division of Operations and Maintenance (O&M) staff have reviewed the Notice of Intent to adopt the MND from the City of Hesperia's (City) for the proposed Phelan CUP24-00012 Project (CUP24) and appreciates the opportunity to provide the following comments.

Project Description

The Project is located at the intersection of Hwy395 and Phelan Rd in City of Hesperia which is adjacent to and due west of the Arroyo Gande Wash and west of CA Aqueduct. The 2.66-acre site surface will include 1.88 acres of paved surface area and 0.78-acreas of landscaped area. The Project includes the construction and operation of a 5,915-square-foot convenience store with five fuel islands (10 pumps total) beneath a 4,080-square-foot canopy, a 1,968-square-foot automated car wash tunnel and underground petroleum storage tanks (USTs) will be located in the southeastern corner of the Project site. The project site slope is from northeast to southwest with an approximate slope of 3 percent. The entire Project site will be graded to create a flat surface except for approximately .43 acres of sloped landscape area.

Comments:**1.7.1 Project Structures****1. Figure 1 Regional Location**

Figure 1 indicates the City Boundary with a red hashed line filled with gray color. The gray color is sufficiently opaque to mask important details and landmarks within the city limits. A photograph, similar to the google maps (figure 1.) which labels the California

Leilani Henry, SCH# 2026010656 Notice of Intent to Adopt a Mitigated Negative Declaration
2/19/2026
Page 2

Aqueduct and provides adequate detail to identify streets and the location of the Arroyo Grande Wash needs to be added for the public and agencies to evaluate the potential significant impacts of the project.



Figure 2 Project Site is not current and needs to be updated to include the Amazon facility, the structures that appear to be located on Phelan Road, grading work that has been done adjacent to the Amazon facility and then overlay the location of the three parcels. Those updates are needed to demonstrate how the existing Amazon development and other improvements and the three parcels will integrate and to provide reviewers accurate information.



1.9 OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED

Leilani Henry, SCH# 2026010656 Notice of Intent to Adopt a Mitigated Negative Declaration
2/19/2026

Page 3

Section 1.7.5 Utilities states that the storm drain will extend off the Project site. The IS/MND does not provide information on the Project's off-site drainage pattern, if project stormwater discharges, including from on-site storm drain outlets discharge into or direct flows towards DWR's right of way, an encroachment permit would be needed.

4. ENVIRONMENTAL ANALYSIS

The impacts conclusions throughout this document of less than significant storm water run-off impacts are not supported by technical information. Additional analysis is needed to support the less than significant impact conclusions.

The project location is described as undeveloped land composed of bare ground and sparse vegetation. This is correct, but the description fails to explain that bare ground and sparse vegetation is typical of the area and the natural drainage in the area consists of sheet flows over bare ground which flow to the Oro Grande Wash. The Oro Grande Wash flows near the Phelan Road and Highway 395 intersection and then passes under the California Aqueduct Box Culvert at Mile Post (MP) 394.5 and continues flowing from the northeast side of the Aqueduct. Increased drainage discharges into the Wash increase the sediment load onto the DWR right-of-way.

The IS/MND explains that "[t]o mitigate the addition of 1.88 acres of impervious surfaces proposed by the Project, which can inhibit the infiltration of stormwater, the proposed on-site storm drain system will connect to an underground retention facility located east of the proposed fueling station to retain any additional stormwater runoff and discharge through a new proposed storm drain to Phelan Road. The underground retention facility will be capable of retaining stormwater flows from a 100-year storm event".

The IS/MND does not provide essential information on the new proposed storm drain on Phelan Road, even though it is assumed that storm drain will be completed prior to the completion of the project construction. Will the proposed Phelan storm drain discharge into the Oro Grande Wash? If not, where is the discharge location? Based on drawing SP1 showing proposed and existing utilities, the outlet from proposed underground retention facility will drain into *existing* storm drains located underneath Phelan Road. The IS/MND needs to provide information that the drainage which will be routed through existing Phelan Road storm drains will not discharge at the storm drain and outlet structure located at the north end of Cataba Road (located east of proposed development). The Cataba Road discharge causes significant erosion and sedimentation issues within DWR right of way. Any Project discharge at the Cataba Road location requires an impact analysis .

A Hydrology/Drainage Study analyzing the pre- and post-development runoff volumes and showing that the proposed underground retention facility is sized sufficiently to

Leilani Henry, SCH# 2026010656 Notice of Intent to Adopt a Mitigated Negative Declaration
2/19/2026

Page 4

accommodate expected attenuating peak run-off velocities rather than the 100-year flood event is needed. The Hydrology/Drainage Study needs to analyze the pre and post flows into nearby DWR Cross Drainage Structures mentioned above. If no flows are expected to be discharged downstream impacting DWR cross drainage facilities, then provide analysis and calculation justifying that all stormwater will be collected on-site or be infiltrated. The concerns are uncontrolled runoff directed towards DWR right of way causing ponding, erosion and scour. Provide hydrology or drainage maps for this area showing pre-and post-development flows.

If you have any questions or need additional information, please contact me at (916) 820-8124 or via email at Nancy.finch@water.ca.gov.

Sincerely,

Nancy E Finch

Nancy Finch
Attorney III

Attachments