

State of California
California Regional Water Quality Control Board
Santa Ana Region

October 15, 2021

STAFF REPORT

ITEM: * 9

SUBJECT: Change of Ownership from Richland Communities, Inc., to Lennar Homes of California, Inc., Highland Park Tentative Tract Map (TTM) 31894 Residential Development Project, Riverside County, Order No. R8-2021-0055

DISCUSSION:

The ownership of the Highland Park TTM 31894 Residential Development Project (Project), authorized by Order No. R8-2017-0020, has been transferred from Richland Communities, Inc. to Lennar Homes of California, Inc. On August 10, 2021, Richland Communities, Inc. notified the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) staff about this ownership transfer and requested that Order No. R8-2017-0020 and its conditions be transferred to Lennar Homes of California, Inc. Additionally, on August 25, 2021, Santa Ana Water Board staff received notification from Lennar Homes of California, Inc. that they accept the transfer and responsibility of Order No. R8-2017-0020 and its conditions. Order No. R8-2021-0055 amends Order No. R8-2017-0020 and is needed to transfer the legal responsibility of the conditions of the original Order to the new owner.

The Project activities have commenced. Additional conditions have been added to the provisions in Order No. R8-2021-0055 with respect to noticing, recordkeeping, and reporting.

For further information on the proposed Project, please contact Santa Ana Water Board staff Nathan Patenaude at Nathan.Patenaude@waterboards.ca.gov or Claudia Tenorio at Claudia.Tenorio@waterboards.ca.gov.

RECOMMENDATION:

Adopt Order No. R8-2021-0055 as presented.

Comments were solicited from the following:

U.S. Environmental Protection Agency (R9cwa401@epa.gov)

James E. Mace, U.S. Army Corps of Engineers, Los Angeles District
(James.E.Mace@usace.army.mil)

California Department of Fish and Wildlife (R6LSA@wildlife.ca.gov)
(SAA No. 1600-2016-0091-R6)

David Lancaster, State Water Board, Office of the Chief Counsel
(David.Lancaster@waterboards.ca.gov)

State Water Board, Division of Water Quality – Water Quality Certification Unit
(Stateboard401@waterboards.ca.gov)

John Schafer, Richland Communities, Inc. (jschafer@richlandcommunities.com)

Jessica Toohey, Richland Communities, Inc. (Jtoohey@richlandcommunities.com)

Geoff Smith, Lennar Homes of California, Inc. (geoffrey.smith@lennar.com)

State of California
California Regional Water Quality Control Board
Santa Ana Region

Order No. R8-2021-0055

Amendment of Waste Discharge Requirements
Order No. R8-2017-0020
for
Change of Ownership From
Richland Communities, Inc.
to
Lennar Homes of California, Inc.
Highland Park TTM 31894 Residential Development Project
City of Jurupa Valley, Riverside County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter, Santa Ana Water Board), finds that:

1. This Order amends existing Santa Ana Water Board Waste Discharge Requirements (WDRs), Order No R8-2017-0020, to recognize a change in the Highland Park Tentative Tract Map (TTM) 31894 Residential Development Project (Project) ownership from Richland Communities, Inc. to Lennar Homes of California, Inc. (discharger).
2. On August 10, 2021, Richland Communities, Inc. requested the Santa Ana Water Board to transfer Order No. R8-2017-0020 and its conditions to Lennar Homes of California, Inc., who is now the legal owner of the property, TTM 31894. Additionally, on August 25, 2021, the Santa Ana Water Board received notification from Lennar Homes of California, Inc. that they accept the transfer and responsibility of Order No. R8-2017-0020. Lennar Homes of California, Inc. proposes no changes to the character, location, or volume of discharges authorized by the existing WDRs, Order No. R8-2017-0020.
3. The Santa Ana Water Board notified the discharger and other interested parties of its intent to amend Order No. R8-2017-0020 with this Order to transfer its legal responsibility of the conditions to the current owner of the Project.
4. Upon adoption of this Order No. R8-2021-0055, all references to discharger or Richland Communities, Inc. in the WDRs Order No. R8-2017-0020 shall mean Lennar Homes of California, Inc.

5. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Santa Ana River Basin (1995) and subsequent amendments (Basin Plan) and other plans and policies. The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the State, water quality objectives to protect those uses, and the State and federal antidegradation policies.
6. The Project consists of the construction of 398 detached single-family homes, 54.91 acres of passive and planted open space, a storm drain system and a water quality basin to serve the subdivision, a roadway network, and a 7.7-acre park site on a 163.8-acre site (Santa Ana Water Board WDID No. 332016-17).
7. The Project is located in the City of Jurupa Valley within Riverside County, on the Fontana U.S. Geological Survey 7.5-minute quadrangle map (latitude 34.015357° N, longitude -117.417272° W). The site is situated east of Sierra Avenue, and north of La Canada Drive. A map showing the Project location is found in Attachment A of this Order.
8. The discharger proposed to permanently discharge fill to 0.17 acre of ephemeral drainages, due to mass grading and other construction activities.
9. Waters of the State and the United States on-site consist of unnamed ephemeral tributaries of Sunnyslope Channel, which flows into Reach 3 of the Santa Ana River. Sunnyslope Channel, Reach 3, has the following designated beneficial uses (existing or potential):
 - i. Municipal Supply (MUN)
 - ii. Water Contact Recreation (REC1)
 - iii. Non-contact Water Recreation (REC2)
 - iv. Warm Freshwater Habitat (WARM)
 - v. Wildlife Habitat (WILD)
 - vi. Rare, Threatened or Endangered Species (RARE); and
 - vii. Spawning, Reproduction, and Development (SPWN)
10. The discharger proposed to mitigate 0.17 acre of permanent impacts by purchasing 0.25 acre of mitigation credit for restoration in a Santa Ana Water Board approved-mitigation bank or in-lieu-fee program in the Santa Ana Watershed.

IT IS HEREBY ORDERED that WDR Order No. R8-2017-0020 be amended by Order No. R8-2021-0055 as follows:

1. Add Provision 18:

- a. This Order is not transferable in its entirety or in part to any person or organization except after notice to the Santa Ana Water Board in accordance with the following terms:
 - i. The discharger shall notify the Santa Ana Water Board by submitting a Transfer of Property Ownership Report of any change in ownership or interest in ownership of the Project area. The discharger and purchaser shall sign and date the notification and provide such notification to the Santa Ana Water Board to be named as the discharger in a revised order.
 - ii. Until such time as this Order has been modified to name the purchaser as the discharger, the discharger identified in this Order shall continue to be responsible for all requirements set forth in this Order.

2. Add Provision 19:

- a. The discharger shall submit to the Santa Ana Water Board an Annual Report each year on the effective date of this Order. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the discharger. The contents of the Annual Report shall include a construction summary, Project process and schedule (including ground disturbance, site clearing and grubbing, and site construction), and an implementation status of Best Management Practices during the Active Discharge Period. If the Project has not started, the discharger shall provide an estimated start date and reasons for the delay.

3. Add Provision 20:

- a. The discharger shall submit to the Santa Ana Water Board staff a Commencement of Construction Report at least seven days prior to start of any further ground disturbance activities.

4. Add Provision 21:

- a. The discharger shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and discharger-responsible

mitigation. This request shall be submitted to the Santa Ana Water Board staff within thirty days following completion of all Project construction activities. Upon acceptance of the request, Santa Ana Water Board staff will issue to the discharger a Notice of Completion of Discharges Letter, which will end the active discharge period and, if appropriate, associated annual fees.

5. Add Provision 22:

- a. The discharger shall submit a Request for Notice of Project Complete Letter when construction and any required post-construction monitoring is complete and no further Project activities will occur. This request shall be submitted to Santa Ana Water Board staff within thirty days following completion of all Project activities. Upon approval of the request, the Santa Ana Water Board staff will issue to the Discharger a Notice of Project Complete Letter, which will end the post discharge monitoring period and associated annual fees.

6. Add Provision 23:

- a. The discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be extended during the course of any unresolved enforcement action or litigation regarding this discharge or when requested by the Santa Ana Water Board.

7. Add Provision 24:

- a. The Santa Ana Water Board and other authorized representatives shall be allowed to:
 - i. Enter premises where a regulated facility or activity is located or conducted, or where records are kept under the requirements of this Order;
 - ii. Access and copy any records that are kept under the requirements of this Order;
 - iii. Inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

- iv. Photograph, sample, and monitor for the purpose of assuring compliance with this Order.

8. Add Provision 25:

- a. This Order shall remain valid for five (5) years from the date of this Order.

I, Jayne Joy, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on October 15, 2021.

JAYNE JOY, P.E.
Executive Officer

TENTATIVE

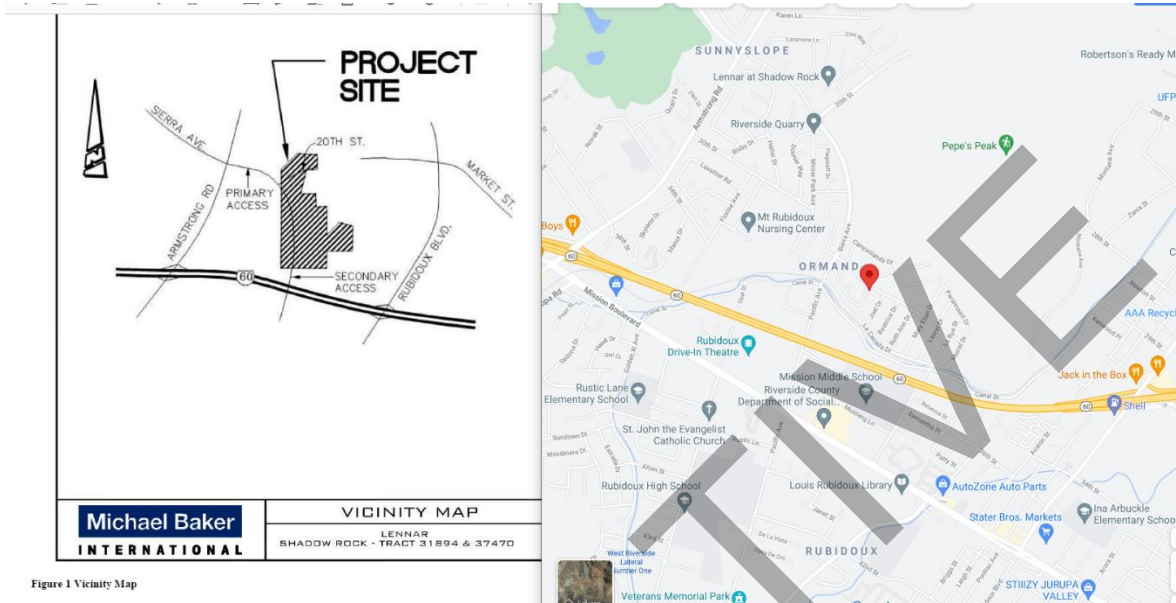


Figure 1 Vicinity Map

