

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

February 4, 2022

STAFF REPORT

ITEM: *10

SUBJECT: Nationwide Permit Authorization Amendment (Order No. R8-2022-0007) for Pacific Summit-Foothill, LLC, Sycamore Heights Residential Development Project, City of Rancho Cucamonga, San Bernardino County, Order No. R8-2021-0016

DISCUSSION:

Waste Discharge Requirements (WDRs), as adopted under Order No. R8-2021-0016 by the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board), were issued to Pacific Summit-Foothill, LLC (Discharger) for proposed fill activities to waters of the State from construction activities associated with the Sycamore Heights Residential Development (Project). Existing Order R8-2021-0016 was amended on September 17, 2021, to recognize a change on the agreed-upon mitigation. Order No. R8-2022-0007 is proposing to amend Order R8-2021-0016 for a second time to modify the United States Army Corps of Engineers (USACE) Nationwide Permit term and expiration date provision in the Order.

Existing Order R8-2021-0016 was valid until the USACE 2017 Nationwide Permits expired on March 18, 2022. However, on July 8, 2021, the USACE issued a Nationwide Permit Verification for the Project under the 2021 Nationwide Permits. Order R8-2022-0007 amends existing Order No R8-2021-0016 to recognize a modification to the USACE Nationwide Permit authorization term and expiration date. Order R8-2021-0016 will remain valid until the USACE 2021 Nationwide Permits expire on March 14, 2026.

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

RECOMMENDATION:

Adopt Order No. R8-2022-0007 as presented.

Comments were solicited from the following:

U.S. Environmental Protection Agency (R9cwa401@epa.gov)
Vanessa Navarro, USACE, Los Angeles District
(Vanessa.Navarro@usace.army.mil) (File No. SPL-2020-00433)
California Department of Fish and Wildlife, Region 6 (R6LSA@wildlife.ca.gov)
Eric Chan, California Department of Fish and Wildlife (Eric.Chan@wildlife.ca.gov)
(LSA No. 1600-2018-0093-R6)
David Lancaster, State Water Resources Control Board, Office of the Chief Counsel
(David.Lancaster@waterboards.ca.gov)
State Water Resources Control Board, Division of Water Quality – Water Quality
Certification Unit (Stateboard401@waterboards.ca.gov)
Chad Stadnicki, Pacific Summit-Foothill, LLC (chad@rypropertiesinc.com)
Molly Burdick-Whipp, VCS Environmental (mburdick-whipp@vcsenvironmental.com)
Wade Caffrey, VCS Environmental (wcaffrey@vcsenvironmental.com)

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

Order No. R8-2022-0007

Amendment of Waste Discharge Requirements

Order No. R8-2021-0016
for
Pacific Summit-Foothill, LLC
Sycamore Heights Residential Development Project
City of Rancho Cucamonga, San Bernardino County

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

1. Order R8-2022-0007 amends existing Santa Ana Water Board Waste Discharge Requirements (WDRs), Order No R8-2021-0016, to recognize a modification to the United States Army Corps of Engineers (USACE) Nationwide Permit authorization term and expiration date.
2. On September 17, 2021, Order R8-2021-0045 amended Order R8-2021-0016 to recognize a modification to agreed-upon mitigation. Order R8-2022-0007 is the second amendment to existing R8-2021-0016 Order.
3. The Project consists of the construction of 175 residential condominium units and associated amenities on approximately 24 acres of land (Santa Ana Water Board WDID No. 362020-11).
4. The Project is located north of Foothill Boulevard, south of the Red Hill Country Club, west of Cucamonga Creek, and east of Grove Avenue, in the City of Rancho Cucamonga in San Bernardino County. The Project coordinates are 34.1060° N, -117.6202° W.
5. The Santa Ana Water Board notified interested parties of its intent to amend Order No. R8-2021-0016 with Order R8-2022-0007 to modify the Order's valid date.

IT IS HEREBY ORDERED that the WDRs Order No. R8-2021-0016 be amended by Order R8-2022-0007

1. Revise Provision 19:

This Order will remain valid until the USACE 2021 Nationwide Permits expire on March 14, 2026, or through an extended period beyond the expiration date that is authorized in writing by the USACE.

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 February 04, 2022.

JAYNE JOY, P.E.
Executive Officer

TENTATIVE