
Lahontan Regional Water Quality Control Board

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RESPONSE TO DRAFT SURFACE WATER DELINEATION WORK PLAN, ARIMOL GROUP, INC. AND MEADOWBROOK CEDAR, INC. PROPERTIES, LAKE ARROWHEAD, SAN BERNARDINO COUNTY, WDID NO. 6B36C363433

Thank you for providing the Draft Surface Water Delineation Work Plan (Work Plan) for the Lahontan Water Board (Water Board) staff to review and comment. Staff has completed its review and has the following comments.

1. **General Comment** – Water Board staff found the Draft Work Plan to be a good initial framework for fine-tuning wetland habitat locations, based upon the assumption that surface water features depicted in previous submittals prepared by different consultant were accurate. Unfortunately, the surface water locations were based upon limited information, none of which was obtained through field reconnaissance activities. Therefore, additional information regarding methods/techniques for identifying the locations and extent of all pre-project surface waters on the three parcels needs to be included in the Final Work Plan.

2. **Page 3, Section 1, 1st Paragraph** – The historical account provided implies that there has been little activity since the initial unauthorized surface water impacts in 2011/2012. Water Board staff recommends revising the third sentence of the paragraph to state that the Work Plan is being developed as part of an effort to restore the affected surface waters. The restoration effort has been required through a Cleanup and Abatement Order (CAO) issued by the Water Board and a Notice of Violation issued by the California Department of Fish and Wildlife.
3. **Page 3, Section 2.1, 1st Paragraph** – Water Board staff finds it acceptable to identify site conditions existing “before 2011” as “pre-project” conditions for purposes of the Work Plan. However, staff recommends revising the second sentence or Table 1 to indicate that all three parcels have continuously been under the ownership of either Arimol Group, Inc. or Meadowbrook Cedar, Inc. beginning May 31, 2011. As currently presented, it appears that the unauthorized activities discussed in Section 1 were conducted on the parcels when Arimol Group, Inc. and Meadowbrook Cedar, Inc. did not own two of the three parcels, which was not the case.
4. **Page 4, Section 2.2, 2nd Paragraph** – This paragraph identifies the resources/data used in the preliminary data gathering and synthesis steps identified in the 1987 Comprehensive Protocols. Water Board staff expects that the following additional resources will also be incorporated into the preparation of the Final Work Plan, or an explanation of why they were not.
 - a. Water Board staff comments regarding PMC’s April 2012 and July 2012 submittals for the Development Impacts Report and Surface Water Restoration Plan.
 - b. Historical site surveys performed by Chris Ehe prior to the 2011/2012 surface water impacts, as discussed by Bill Moller during the June 14, 2013 site visit. These surveys could provide additional critical information regarding the “pre-project” locations and extent of the surface waters on the three parcels.
 - c. Additional aerial photography resources (e.g., Google Earth, Google Maps) that provide improved views of the pre-project and more recent site conditions, compared to the view provided in Figure 1. Water Board staff has enclosed examples of such resources.
5. The possibility of historical surface waters being present beneath the fill materials that pre-date 2011 (the “ball field” area) and the possibility of restoring those surface waters and receiving credit toward mitigation requirements were discussed during the June 14, 2013 site visit. The Draft Work Plan does not include any plans to investigate the conditions beneath these fill materials. While such investigative work could be completed at a later date, Water Board staff recommends that the Final Work Plan include investigative activities to assess the soil and hydrologic conditions beneath these fill materials. Doing so could facilitate making additional progress this fall towards satisfying mitigation requirements.

6. **Pages 4 and 5, Sections 2.2 and 2.2.1** – Statements in the second paragraph of Section 2.2 and the first paragraph of Section 2.2.1 indicate that the primary purpose of the field work is to better define estimated wetland boundaries. The proposed CAO requires that all pre-project surface waters, not just wetlands, be delineated. Staff expects that the Final Work Plan will identify investigative techniques for delineating the pre-project locations and extent of the springs, creeks, and spring-fed open-water channels that were impacted in 2011 and 2012. Staff suspects that many of the techniques proposed for identifying the wetlands will be effective at identifying the other impacted surface waters.
7. **Page 5, Table 2 and Page 6, Figure 1** – The number, locations, and spacing of the proposed transects does not meet the criteria specified by the Army Corps of Engineers' 1987 Wetlands Delineation Manual (Section E, pages 61-73). Water Board staff agrees that the Section B protocol is a necessary first step, however, given the extent and nature of the surface water disturbances, it is also necessary to incorporate Sections E and F of the 1987 Wetlands Delineation Manual, in addition to Section 5 of the May 2010 Regional Supplement for Western Mountains.

The Draft Work Plan states the purpose of the transects described in Table 2 and illustrated in Figure 1 are to verify the locations depicted in PMC's April 2012 and July 2012 submittals. However, Water Board staff understands that PMC's depictions were based upon limited information, none of which was obtained through any field reconnaissance. Therefore, staff does not believe these surface water locations to be "known with some confidence." Water Board staff has previously provided comments criticizing the limited basis for PMC's surface water depictions.

Staff expects the Final Work Plan to follow Directive C.2 of the proposed CAO, which at a minimum, includes following the protocols described by the applicable portions of Sections E and F of the 1987 Wetlands Delineation Manual, and the applicable sections of the May 2010 Regional Supplement for Western Mountains. Staff is also willing to consider an explanation of why you may believe that portions of the documents referenced by the proposed CAO do not apply and/or why other surface water delineation protocols may be more applicable to the conditions at the three parcels. Additionally, staff understands that it may be necessary to augment what the above-referenced manuals require with some of, if not all, the transects currently shown in Figure 1, in order to fully delineate all the pre-project surface waters on the three parcels.

8. **Page 6, Figure 1** – The locations of the north and south springs and associated open-water channels/flow paths have been a point of dispute, as was discussed during our June 14, 2013 site visit. It is unclear in the Draft Work Plan how you intend to determine the locations, extent, and nature of these surface waters. The pre-project figures staff has enclosed with this letter show the southern spring's outflow area to broaden out in an easterly direction as it flows towards the creek, rather than a narrow channel as depicted in Figure 1 of the Draft Work Plan. The location and extent of the southern spring's outflow area shown in staff's enclosed figures appears to place much of this surface water under the existing home and/or its concrete patio. Staff has yet to see an aerial photo or other figure that clearly

depicts the location of the northern spring; however, staff has heard different ideas from different sources. Staff expects the Final Work Plan to clearly describe the methods/techniques you intend to use to identify the actual pre-project locations and extent of both springs and the open-water channels or outflow areas they supported.

9. **Page 6, Figure 1** – There are two surface water features that flow onto Parcel 1; one near the middle of its southern boundary, and a second along its eastern boundary. Both were tributary to the creek that diagonally crosses Parcel 1. As depicted in Figure 1, these surface water features are either not shown (southern boundary drainage feature) or are shown to terminate on the site (eastern boundary drainage feature). Water Board staff expects the Final Work Plan to include methodologies/techniques to delineate the pre-project locations and extent of these surface water features.

Water Board staff believes incorporating staff's expectations and recommendations into the Final Work Plan will result in a successful surface water delineation effort when the Work Plan is implemented. Staff is available to discuss its expectations and recommendations to facilitate your efforts to restore the surface waters on the three parcels.

Please contact Jan Zimmerman at (760) 241-7376 or Scott C. Ferguson at (530) 542-5432, if you have any questions regarding these matters. They will coordinate with other Water Board staff in responding to your questions and comments.



Chuck Curtis, P.E.
Acting Assistant Executive Officer

- Enclosures: 1) Google Earth Image (March 21, 2013), Looking North
2) Google Earth Image (March 21, 2013), Looking West
3) Google Maps Image (Pre-project conditions), Looking North
4) Google Maps Image Pre-project conditions), Looking West

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ENCLOSURE 1



Google earth



ENCLOSURE 2



Google earth





