



California Regional Water Quality Control Board

Santa Ana Region



Linda S. Adams
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Arnold Schwarzenegger
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February 27, 2008

David Stearn
D.R. Horton
5790 Fleet Street
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Carlsbad, CA 92008

AMENDMENT OF CLEAN WATER ACT SECTION 401 WATER QUALITY STANDARDS CERTIFICATION (CERTIFICATION) ISSUED FOR TRACT MAP 14094, CITY OF CHINO HILLS, ON OCTOBER 26, 2006

Dear Mr. Stearn:

This letter amends the Certification issued for Tract Map 14094 (a.k.a. Canyon Hills) on October 26, 2006, to authorize changes in discharges of fill to waters of the State and modify the project description. This amendment is being made in response to a request submitted on your behalf by Glenn Lukos Associates (GLA) on November 8, 2007.

An additional discharge of fill is proposed to 0.02 acre (800 linear feet) of ephemeral drainage. The project changes that cause the additional discharge are the result of the review of the Chino Valley Independent Fire District and include the addition of an emergency access road¹.

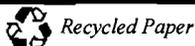
However, Regional Board staff has determined that the net result of the project changes results in a decrease in authorized discharges of fill in comparison with those authorized in the October 26, 2006 Certification. In response to your request, the discharges authorized in the October 26, 2006 Certification are hereby amended as shown in Table 1 below.

Table 1: Amended areas of waters of the State authorized for fill.

	Area of waters of the State impacted by fill (acre)	
	Temporary impact	Permanent impact
Wetlands	0.01	not to exceed 0.01
Ephemeral drainage	0.01	0.12

¹ Your request indicated that the project changes were the result of review by the City of Chino Hills. This would suggest that the City had discretionary authority over the project and conflict with findings made in the October 26, 2006 Certification. Regional Board staff contacted City staff on January 23, 2008 and learned that the changes were the result of review by the local fire district and not City review.

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A second extended detention basin has also been added north of Summer Canyon Road, between Spring Oak Way and Canyon Hills Road. Related changes are also proposed in the sizing of the original extended detention basin at the southwest corner of Summer Canyon Road and Canyon Hills Road, described in the October 26, 2006 Certification. As a consequence, *all Conditions of the October 26, 2006 Certification related to the original extended detention basin are hereby extended and apply to the added second detention basin.*

In subsequent communications with Regional Board staff, GLA staff has pointed out an error in the October 26, 2006 Certification where the mitigation site was mis-identified as Drainage "C". The location description in the Certification is correct. However, it is necessary that Regional Board staff confirm that the mitigation site is actually identified as Drainage "B" in our files in order to avoid any confusion.

Should there be any questions, please contact Adam Fischer at (951) 320-6363, or Mark Adelson at (951) 782-3234.

Sincerely,



Gerard J. Thibeault
Executive Officer
Santa Ana Regional Water Quality Control Board

cc: U. S. Army Corps of Engineers, Los Angeles Office – Gerry Salas
State Water Resources Control Board, OCC – Eric Spiess
State Water Resources Control Board, DWQ-Water Quality Certification Unit – Bill Orme
California Department of Fish and Game, Ontario Office – Jeff Brandt
U.S. EPA, Supervisor of the Wetlands Regulatory Office WTR- 8 – Eric Raffini and David Smith

APF:401/certifications/TM 14094 (Cyn Hills) amdnmnt 362008-01