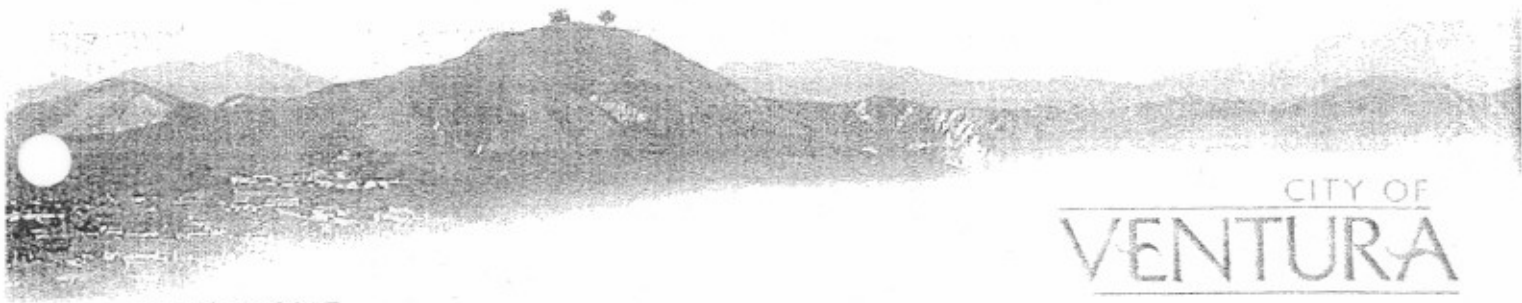


**Comments Received on draft Ventura County MS4 Permit
December 27, 2006**

**From: Ronald J. Calkins, Director of Public Works
City of Ventura**

To: RWQCB-LA

Date: March 6, 2007



CITY OF
VENTURA

March 6, 2007

Xavier Swamikannu
Los Angeles Regional Water Quality Control Board
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Subject: Comments for the Draft Ventura County Municipal Separate Storm Sewer System (MS4) Permit (NPDES Permit No. CAS004002)

Dear Dr. Swamikannu:

Over the past 13 years, the Ventura County Co-Permittees and Regional Board have collaboratively developed our successful Ventura County Stormwater Quality Program. The City of Ventura appreciates the efforts of the Regional Board and their staff and welcomes this opportunity to create an excellent new MS4 permit that will continue water quality improvements in Ventura County.

The Ventura County Co-Permittees have worked together to review the Draft MS4 Permit, and the City of Ventura is pleased to say that we are substantially in agreement with the comments submitted on March 6, 2007 by Gerhardt Hubner, Chair of the Countywide Program, on behalf of all Co-Permittees. The City of Ventura hopes that these comments will serve as a catalyst for stakeholder discussions over the next six months and will enable us to again produce an effective and achievable Permit. In addition to the Countywide comments, the City would like to take this opportunity to focus on several key issues regarding the Draft Permit.

Smart Growth/LID

The City of Ventura endorses low impact development (LID) strategies for new developments. Long-term beneficial effects for water quality, site enhancements and ease of maintenance demonstrate these principles are the first choice for pollution mitigation measures. The City of Ventura is committed to being a national leader in the field of Smart Growth and LID.

Adopted in 2005, the City's General Plan focuses future growth on an "Infill First" approach that emphasizes reusing existing buildings and land, and revitalizing our historic downtown and any blighted communities. Such a strategy will help avoid sacrificing farmland, open space, and environmentally sensitive areas in our hillsides and along our rivers. We believe this high-density, low-impact development and redevelopment will protect the environment for future generations.

Some of the hydromodification provisions and imperviousness restrictions within the Draft Permit will hinder, if not work against Ventura's ability to implement this Smart Growth strategy. Ventura's desired projects are typically infill or redevelopment that utilize a reduced number of parking spaces in a subterranean garage, commercial or office space at street level, and residential or office space in the upstairs floors. These projects minimize impervious area, create walkable communities and encourage the use of public transportation. Such projects are typically full site build-outs, and offer very limited space to implement BMPs that will maintain the pre-development hydrograph. The existence of these Smart Growth projects is, in itself, a tool for improving water quality, and they should be supported, not penalized. This Draft Permit appears to encourage urban sprawl, where the requirements are more easily achievable, and discourage Smart Growth/LID infill projects.

Recommendation: The City of Ventura requests an additional six months before the Tentative Permit is issued, to allow a collaborative stakeholder process that will revise the hydromodification provisions and develop a tiered structure for impervious areas associated with smaller infill projects.

Municipal Action Limits (MALs)

The City of Ventura cannot support the MALs, as written, for the following reasons:

- They are not consistent with applicable TMDLs or the Basin Plan;
- The City does not have jurisdiction or control of all discharges to the City's storm drain system, e.g., agriculture, State Agencies, and other municipalities, and can therefore not be held responsible for the inputs to our storm drain system; and
- The permit is too prescriptive. The City needs flexibility to be able to improve water quality in the most cost-effective and efficient manner possible, without being tied to the MALs plus the multitude of prescriptive and administrative actions that are not effective in improving water quality.

Recommendation: The City of Ventura requests an additional six months before the Tentative Permit is issued, to allow a collaborative process with the stakeholders on rewriting the MAL requirements of this Draft Permit to better match the intent of the State Blue Ribbon Panel's recommended strategy of using MALs as "upset values" to help focus further corrective action. If MALs were re-written, they may assist in focusing our program and as a call to action toward meeting the maximum extent practicable standard. They cannot be utilized as enforceable limits, as presently written.

Dr. Xavier Swamikannu
March 6, 2007
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Draft Permit Compliance Expenses

Recent program expenses for the City of Ventura's stormwater quality efforts have averaged about \$1 million per year. Although estimating future compliance costs for MALs and TMDLs is highly problematic, it appears that the City's permit compliance costs would average at least \$4 million each year during the future five-year permit term. The City of Ventura embraces a permit that would be the finest in the nation and recognizes that water quality improvement comes with a cost. However, this permit needs to be incremental and as cost-effective and achievable as possible. Funding for new program expenses will primarily come from the City's General Fund – which already has far more demands (Police, Fire, Libraries, Parks, Senior Services, etc.) upon it than it can satisfy.

Recommendation: The City of Ventura requests an additional six months before the Tentative Permit is issued, to allow a collaborative stakeholder process that will create a cost-effective and achievable Permit.

Flexibility

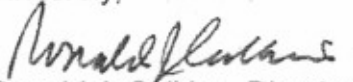
This Draft Permit goes farther than it should in assigning particular Permittees to extremely prescriptive requirements that may or may not address our local water quality issues.

Recommendation: Allow Permittees greater flexibility to implement a stormwater management program directed at protecting our local water resources.

We Request Additional Time for Collaborative Discussions

The City of Ventura requests a six-month time period before the Tentative Permit is issued to work through these and other issues. Again, the City of Ventura views this Permit process as an opportunity to develop a Permit that we can all be proud of and embrace as it leads us toward protecting our environment for future generations. Please call Vicki Musgrove, Maintenance Services Manager, at (805) 652-4518, if you would like to discuss this or any other issues.

Sincerely,


Ronald J. Galkins, Director of Public Works

Cc: Vicki Musgrove, City of Ventura Maintenance Services Manager
Gerhardt Hubner, Chair, Ventura Countywide Stormwater Quality Program