

Ventura Countywide Stormwater Quality Management Program,
Small Communities Tiered Permit Approach Draft for Discussion
August 15, 2007

Submitted by Gerhardt Hubner, Chair
Ventura Countywide Stormwater Quality Management Program
on behalf of the
Ventura County Stormwater Co-Permittees
(Ojai, Fillmore, Port Hueneme, Santa Paula, Moorpark, and Camarillo)
for discussion regarding Phase II designation

VENTURA COUNTYWIDE STORMWATER MANAGEMENT PROGRAM
SMALL COMMUNITIES TIERED PERMIT APPROACH
DRAFT FOR DISCUSSION
August 15, 2007

There are currently six small, incorporated communities listed as co-permittees in the Ventura Countywide Stormwater NPDES permit. Based on the most recent census data, the City of Ojai has 8,156 citizens. Fillmore has 15,400; Port Hueneme, 21,845; Santa Paula, 29,400; Moorpark, 36,150; and Camarillo, 62,739. These urban areas are significantly smaller than the population threshold trigger of 100,000 for Phase I requirements. Additionally, Ojai, Santa Paula, and Fillmore are not contiguous with the remainder of the urban areas of Ventura County.

The U.S. EPA established Phase I regulations with the understanding that discharges from larger communities MS4's have the potential to have greater water quality impacts than those from smaller communities. Phase II regulations were implemented with the knowledge that the Phase II programs would not necessarily conform to the programs implemented by Phase I entities based upon the understanding that the potential of water quality impacts from the smaller communities were not as significant. The Phase II regulations wisely allow smaller communities to learn from the successes and failures of the Phase I programs and use the information as a guide in developing their programs.

Catch Basin Excluders – The small communities support the “Trash Management” option outlined in the issue paper titled “Alternative Language for Permit Requirements” submitted on June 13, 2007 to regional board staff by the Ventura Countywide Stormwater Quality Program. Due to the minimal resources available to smaller communities we request that smaller communities be required only to implement the second option of a “Trash Management Program”. This will allow for a better use of those limited resources in making a difference in water quality. This meets the intent of the draft permit to reduce trash entering the receiving waters by using proven techniques already in use. Water bodies impaired for trash are addressed through the TMDL process.

Meeting Frequency – Attendance at management committee meetings is mandatory and will be attended 100% of the time. Subcommittee attendance is required at a minimum of 50% of meetings for communities with a population of 50,000 to 100,000; 30% for smaller communities. Because of limited staff, small communities usually have only one or two persons who can devote a portion of their time to the program. Mandatory attendance at all subcommittee meetings is infeasible with small communities' limited staffing resources. An update of key subcommittee activities is received at management committee meetings so co-permittees consistently stay informed. Small communities will make a good effort to attend as many subcommittee meetings as possible.

SMALL COMMUNITIES TIERED PERMIT APPROACH

DRAFT FOR DISCUSSION

August 6, 2007

Page 2 of 3

Public Outreach –The small communities support the Ventura Countywide Program’s alternative approach for public outreach activities that was provided to regional board staff in the “Principal Permittee Activities” issue paper on June 27, 2007. Smaller cities lack the resources required to provide a monetary contribution to a Statewide Environmental Education Account and hereby request they not be required to participate in that endeavor. The recommended approach in the aforementioned issue paper would allow small communities to focus limited resources on the most effective outreach tools and continue to participate in delivering a consistent, countywide stormwater message.

Time Frames – Modify program timelines for small communities as follows:

1. Modification of stormwater programs, protocols, practices, municipal codes – 3 years
2. Obtain coverage under Construction Activities Stormwater General Permit – 90 days from Order adoption
3. Order shall serve as NPDES permit and take effect 90 days from Order adoption
4. GIS Stormdrain pipe – exempt small communities from this requirement and therefore eliminate this timeline. There is no water quality benefit to this requirement. Many of the small communities do not have such a program and do not plan on purchasing such a program, nor do they have the technical staff and equipment to support such a system.

All other timeframes set forth in draft permit to be amended based on overall Countywide program comments already submitted.

Special Studies and Plans – The scope of work for the special studies will not be extended to the communities that have a population of less than 50,000.

As stated in the second paragraph, the U.S. EPA Phase II provision wisely allows smaller communities to learn from the successes and failures of the Phase I programs and use the information as a guide in developing their programs.

Electronic Tracking – Exempt small communities from electronic tracking requirements. Many of the small communities do not have such a program nor do they have the technical staff and equipment to support such a system. There is no water quality benefit to this requirement. Limited resources for the stormwater program should be maximized to benefit water quality.

Public Construction Activities Management – Exempt small communities from participating in public construction activities management program. Small communities typically have to schedule public construction projects based on very limited budgets. The budgets come from grant programs and other sources.

SMALL COMMUNITIES TIERED PERMIT APPROACH

DRAFT FOR DISCUSSION

August 6, 2007

Page 3 of 3

For example, road projects are funded from gas taxes that do not sufficiently meet the needs of road rehabilitation. This requirement would add 15 to 20% to the project costs crippling an already struggling system.