October 12, 2007

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

Subject: NPDES Permit No. CAS004002 – Second Draft: August 29,2007 (Second Draft Permit)

Dear Dr. Swamikannu:

The City of Ventura respectfully submits the following comments on the subject permit. We are committed to working with you to collaboratively create a new permit that will serve as a model MS4 permit and effectively reach our mutual water quality goals.

The Ventura County Co-Permittees have worked together to review the Second Draft Permit, and the City of Ventura is substantially in agreement with the detailed comments submitted by Gerhardt Hubner, Chair of the Countywide Program, on behalf of all Co-Permittees (dated October 12, 2007). In addition to the countywide comments, the City would like to take this opportunity to focus on several key issues regarding the Second Draft Permit.

The City of Ventura supports a permit that:

1) **Contains reasonable, outcome based performance measures and gives the City the flexibility to comply with these measures in the most effective way possible.** These performance measures should serve as calls to action. They should include technically sound, locally developed, Municipal Action Levels, which are used to identify bad actors and drive program modifications accordingly. They should not include end of pipe effluent limitations, as currently proposed in the Second Draft Permit, which will force the City to spend public resources on fines and penalties rather than on improving water quality. The California Association of Stormwater Quality Agencies' performance measures model is an example that can be used to reach these goals.

2) **Facilitates Smart Growth/LID projects rather than treating them as the exception to the rule.** Smart Growth projects reduce the amount of impervious area utilized to much less than is created by suburban development. These projects create walkable communities and facilitate public transportation. The addition of the "RPAMP" in the Second Draft Permit only adds another layer of unnecessary bureaucracy to Smart Growth projects. This extra layer will take an extraordinary amount of administrative

time and resources that will push developers toward suburban projects where requirements are more fully defined and can be much easier implemented. Smart Growth projects should be credited for their sustainability benefits and clearly provided for in the permit. We are participating with the Local Government Commission on development of a system that would encourage sustainable development and the environmental benefits of Smart Growth projects. This system should be included in the new MS4 permit.

3) **Includes incremental requirements and reasonable time frames that make the program achievable and as cost-effective as possible.** 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, the Second Draft Permit contains many requirements that are confusing and counterproductive. Details and recommendations on these issues are included in the countywide letter.

The City of Ventura hopes that these comments will serve as a catalyst for facilitated stakeholder discussions that include an open exchange of ideas and approaches leading to an efficient and effective stormwater quality permit. We ask that these meetings take place before Regional Board staff redrafts the permit.

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, Public Works Division Manager, at (805) 652-4518, if you would like to discuss this or any other issues.

Sincerely,

Ronald J. Calkins, Director of Public Works

Cc: Vicki Musgrove, City of Ventura Public Works Division Manager
Gerhardt Hubner, Chair, Ventura Countywide Stormwater Quality Program