

Ventura County Watershed Protection District



PUBLIC WORKS AGENCY
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October 15, 2007

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California Regional Water Quality Control Board
Los Angeles Region
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Los Angeles, CA 90013

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Subject: **COMMENT LETTER – SECOND DRAFT VENTURA COUNTY
MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (NPDES
PERMIT No. CAS004002)**

Dear Mr. Egoscue:

We have received the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Draft Order dated August 28, 2007 and appreciate the opportunity to provide comments on behalf of the Watershed Protection District (District). Comments from the District on the first draft were submitted on March 6, 2007. We understand this is a second draft Order and our concerns and comments will be considered before a tentative Order is released.

In addition to the comments from the District, the District supports comments made by the Ventura Countywide Stormwater Quality Management Program October 12, 2007 letter and attachments.

Increases in permit requirements were expected as part of the iterative process, as reflected in the 2nd Draft Order. The comments presented here are made to maximize the effectiveness of the program to improve stormwater quality discharging from MS4s. Wherever possible each comment suggests a viable alternative; however in some

cases the draft language was not readily understood or the requirements did not appear technically or scientifically justified, so clarification was requested.

The District has developed the following studies and tools for use in evaluating hydromodification and they represent our experience and expertise in this area.

1. Development of continuous HSPF model on Calleguas creek with sediment yield/transport capabilities;
2. Use of said model to evaluate TMDLs and channel stability;
3. HSPF "Hydrologic Modeling of the Arroyo Simi Watershed with Hydraulic Simulation Program" report by Aqua Terra and subsequent report "Understanding and Managing Urbanization Induced Erosion in Southern California";
4. Development of continuous HSPF model for Santa Clara River with sediment yield/transport capabilities;
5. Recent evaluation of debris basins utilizing HEC-6T model in Ventura County for possible removal to restore sediment equilibrium;
6. Historic sediment transport modeling by WEST and Chang Consultants to evaluate Calleguas Creek system;
7. Current study to update sediment yield methodology;
8. Planned development of continuous HSPF model of Ventura River watershed with sediment yield and transport capabilities; and
9. Study to evaluate sediment transport for Sespe Creek in response to 2006 Day Fire;

With this understanding the District is compelled to comment of the hydromodification requirements in the draft order.

Issue: Need to include methodology to generate 2-yr storm hydrograph in Hydrology Manual Part 4 E. III (a) (2) (A) (i) page 54

The definition of 2-yr 24-hr storm needs to be clarified. Please clarify if this related to a flow frequency analysis, or does it refers to rainfall based on a rain gage analysis or other source.

To meet these requirements of the draft permit, the District would have to revise their methodology for developing design hydrographs. The current approach of using a modified rational method hydrograph with yield adjustment may not be suitable for sediment transport and hydromodification studies. The design hydrographs should be developed in conjunction with NPDES design volume requirements so that the methodologies are consistent with each other, but the NPDES design volume requirements need to be unambiguous.

Additionally, in many places of the County adhering to the specified 1% interim volume restriction will be impossible due to restrictions on infiltration from soil types and high ground water. Another problem is that significant areas of the county are underlain by perched aquifers containing water that is of poor quality (not suitable for drinking or ag), so increases in the groundwater table may encourage base flow into the streams and adversely affect water quality.

Issue: Projects disturbing land areas of 50 acres or greater will need to use SWMM or HSPF to evaluate treatment BMPs. Part 4 E. III (a)(2)(A)(ii) page 54

The requirement for developers with projects over 50ac to use HSPF or SWMM to evaluate their water quality impacts is not available at this time at that resolution. HSPF is a continuous model that cannot be used to evaluate design storm runoff due to development without extensive work to develop a methodology. The use of these models requires complex modeling and data gathering efforts, and only a few consultants in the County currently claim to have this modeling capability. The District would have to develop enough expertise to do a thorough review of their models to accept them.

Issue: Draft Order erroneously adds Watershed Protection District as a responsible party under previously adopted TMDLs.

In many of the TMDLs adopted by the Regional Board the Watershed Protection District was not identified as a responsible party. There is no reason that this Draft Order should include the District under any TMDL in which they were not named. Additionally, any requirements based on the TMDLs adopted in Ventura County should be identical to the

language in the adopted TMDLs. Please remove all inaccurate references to the District from TMDL language in the Draft order.

Issue: Inappropriately requiring coverage under the Construction Activity General Stormwater Permit (CAGSP) for activities expressly exempted from that permit. Part 4 G. I. 1. (c) page 71 Part 4 G. I. 7 (a) page 78

As adopted by the State Water Resources Control Board requirement for coverage under CAGSP "does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility." Street repaving and channel clearing are not required to get coverage under the CAGSP, therefore the District should not be required to do under this Draft Order. Please change to: all projects required to obtain coverage under the CAGSP shall do so.

Issue: Limiting options for effective BMPs Part 4 F. I. 2. page 63

The Draft Order reflects a prescriptive approach to addressing runoff from construction sites regardless of the nature of the construction site or activities on a site. Specifically the Draft Order requires all construction sites (regardless of size) to implement BMPs identified in Tables 6 and 7 regardless of whether the BMP is appropriate for the site. The District would prefer the draft order provide flexibility in selecting/requiring BMPs applicable to the site and construction activities. Please allow this flexibility and for other BMPs other than the ones contained in the Caltrans Stormwater Quality Handbook.

Issue: Discharge limitations for dewatering BMPs Table 10 page 77

Please explain the source of these limitations, and how they were deemed appropriate for the Southern California region.

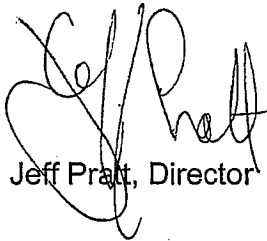
Issue: Draft Order should focus on infrastructure under Permittees control. Part 4 H. 3. (a) (1) (A) page 80

The District can only be responsible for infrastructure under their control. Please change to: A GIS layer showing the location and length of Permittee owned underground storm drain pipes.

All of the issues mentioned here are of particular concern to the District, however it is necessary to emphasize again that the October 12, 2007 letter and attachments from the Ventura Countywide Stormwater Quality Management Program also expresses the District's opinion and comments on the Draft Order.

Our hope is to have the best stormwater quality program possible, and this permit process will help us in that goal. But we need to take care that our resources are being used wisely and efficiently in order to meet that goal. We look forward to your response to all of the comments you have received. If you have any questions please contact Arne Anselm at 805-654-3942.

Sincerely,



Jeff Pratt, Director

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