



CITY OF SIMI VALLEY

Home of The Ronald Reagan Presidential Library

May 29, 2008

Ms. Tracy Egoscue
Executive Officer
Los Angeles Regional Water Quality Control Board
320 4th Street, Suite 200
Los Angeles, CA 90013

SUBJECT: DRAFT TENTATIVE ORDER OF THE VENTURA COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (NPDES PERMIT NO. CAS004002)

Dear Ms. Egoscue:

The City of Simi Valley respectfully submits the following comments regarding the above referenced Draft Tentative Order. The City concurs with the Ventura Countywide Stormwater Program comment letter dated May 27, 2008, and states our support. Some issues raised in that letter are highlighted below to emphasize the City's key concerns:

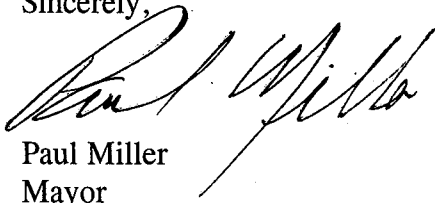
- **Cost** - The City is committed to protect the environment but cannot sacrifice essential public services, including public health and safety. The fiscal impact on Simi Valley citizens by the Draft Tentative Order would be devastating. The Ventura Countywide letter cites an annual cost to comply of \$600 per household, a seventeen-fold cost increase. This astronomical cost increase cannot be afforded nor justified. The Ventura Countywide letter further describes that the costs will not effectively improve water quality directly. So not only is this an astronomical cost increase, it may not effectively relate to improved water quality. For both reasons, this is not fiscally responsible, and it is not responsible public policy.
- **Inflexibility** - The Draft Tentative Order mandates that the City implement specific actions rather than allowing the flexibility to develop cost effective and efficient solutions. This prescriptive approach may provide your agency's staff with easier measurement criteria; however, it may not cost effectively improve water quality. We live in a time where communication, consensus-building, and idea development are commonly used to improve our environment. The reversion to a more prescribed method for achieving regional goals is outdated, and less effective. Allow all our Cities, County and your staff the open opportunity to continue to develop better ideas through a flexible framework for the good of water quality and the environment.

- **Municipal Action Levels (MALs)** -This Draft Tentative Order is the first in the nation to require storm drain runoff to meet effluent limits. These draft MALs defy even your own designated expert Blue-Ribbon Panel determination that they are not feasible. Furthermore, the methods and logic for the draft MALs do not measure up to expert opinions on the matter. The City concurs with the Ventura Countywide letter that MALs are a major flaw in the Draft Tentative Order, both in concept and in the specific methods the numerical limits were derived. We cannot accept this flawed requirement nor justify our citizens paying for it.
- **Timeframes** - This Draft Tentative Order has unrealistic deadlines. As emphasized above, increased stormwater program investment requires that the City Council balance fiscal priorities, essentially reducing investment in other public programs. The City's annual public budget process plans revenues and expenses for the fiscal year, and certain commitments are made based upon the budget. The permit deadlines, many less than one-year, assume required actions can be funded and carried-out without such planning. Such compressed, unplanned activities will necessarily be rushed, adding to inefficiency. Individually, the Draft Tentative Order deadlines may seem reasonable, but the sum total is impossible for our City to implement.

The City has a long and effective history of improving local water quality. To accomplish this important need, the City Council consistently reviews the public's fiscal responsibility and manages scarce public funds to invest in our community's water resources cost effectively. The City has significant concerns with the Draft Tentative Order - it is too costly, too inflexible, too stringent, and the actions required too rushed. We look forward to working with the Board to create a revised draft Permit that is reasonable, flexible, and provides a cost effective relationship between investment and water quality improvement.

If you have any questions, please call me at (805)-583-6703 or have your staff contact Joe Deakin, Assistant Director of Public Works, at (805)-583-6401.

Sincerely,



Paul Miller
Mayor

cc: City Council
City Manager
Assistant City Manager, Dan Paranick
Director of Public Works
Assistant Director of Public Works