

VENTURA COUNTY



PUBLIC WORKS AGENCY
JEFF PRATT, P.E.
Agency Director

WATERSHED PROTECTION DISTRICT

April 10, 2009

Ms. Tracy Egoscue
California Regional Water Quality Control Board
Los Angeles Region
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Los Angeles, CA 90013

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Subject: **FEBRUARY 24, 2009 TENTATIVE ORDER OF THE VENTURA COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (NPDES No. CAS004002) FOR THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT, COUNTY OF VENTURA AND THE INCORPORATED CITIES**

Dear Ms. Egoscue:

On behalf of the Ventura County Watershed Protection District (District), we appreciate this opportunity to provide written comments concerning the Regional Water Quality Control Board's (Regional Board) tentative order of Waste Discharge Requirements for Storm Water Discharges from the Municipal Separate Storm Sewer System (Tentative Order) in Ventura County (NPDES Permit No. CAS004002). This was released for public comment by the Regional Water Board on February 24, 2009. The District comments on the previous drafts were submitted on March 6, 2007, October 15, 2007 and May 29, 2008.

The District supports the April 10, 2009 Ventura Countywide Stormwater Quality Management Program comment letter and all attachments.

We wish to first express our appreciation of the Regional Water Board's staff efforts to meet and consider our concerns with the previous draft orders. These efforts aided in crafting a Tentative Order that is protective of water quality and builds upon an award winning stormwater management program. The Tentative Order is comprehensive and provides clear metrics for assessing the effectiveness of our program and addressing relevant water quality issues within our watersheds.

With respect to hydromodification criteria, the Tentative Order correctly identifies the need for such criteria but appropriately identifies exemptions for conditions where warranted. The Tentative Order also allows for the continued coordination and support of the Southern California Storm Water Monitoring Coalition's (SMC) efforts to develop a regional methodology to mitigate adverse impacts of hydromodification due to urbanization. The District supports such an approach because it is practical, while being protective of stream-bed integrity.

We also support the interim hydromodification requirements until such time that the SMC completes the Hydromodification Control Study. Lastly, the exemption provisions address many of our concerns expressed on the previous draft orders. These provisions should allow us to focus on discharges that pose the most significant threat to stream bed integrity and water quality.

The District is proud of its stormwater program, and understands that to continue to improve and protect water quality increases in permit requirements were expected, and this is reflected in the Tentative 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.

Issue: Tentative Order should focus on infrastructure under Permittees control. Part 4 H. 3. (a) (1) (A) page 83.

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

Issue: Extensive mapping required of the storm drain system is ambiguous and has conflicting deadlines. Part 5.H.(1).(b), page 83.

The requirement is to map all known connections to storm drain system in 3 years. Taken literally this is a near impossible task. If the storm drain system means the MS4 then it is defined as including streets and gutters, and there are an endless number of connections draining to streets and gutters. Even with a more limited definition of storm drain to mean only below grade drainage structures this task will be extremely resource intensive. Countless French drains have been installed over the years, and there is an unknown number of small patio or area drains. The goal of this requirement should be stated and the clarity added to its intent and function.

The time given for the above requirement is 3 years, but a mapping requirement in 5.H.(3) gives 5 years for all pipes 18 – 35 inches in diameter. Mapping all known connections cannot occur before all pipes are mapped. Again, clarity is needed, if this requirement is for mapping all known illicit connections, then it is reasonable. We request this revision in the Tentative Order.

Issue: The Tentative Order erroneously identifies the Watershed Protection District as having been given waste load allocations when incorporating provisions from adopted TMDLs. Part 6 V. 2(a)(1); 3(a)(1); 4(a)(1); 5(a)(1)

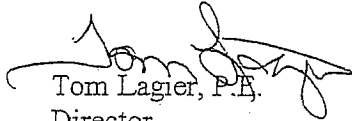
The TMDLs for Bacteria in Malibu Creek and Lagoon; and Toxicity, Chlorpyrifos, and Diazinon, Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCBs) and Siltation, Metals and Selenium in the Calleguas Creek, its Tributaries and Mugu Lagoon do not list the District as a responsible party. However, the Tentative Order erroneously lists the District for all

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of these TMDLs, and requires it to comply with waste load allocations. The Tentative Order should reference only the responsible parties identified in the adopted TMDLs.

Our aim is to have the best stormwater quality program possible. This permit will help us in that goal, ensuring 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,


Tom Lagier, P.E.
Director

C: Jeff Pratt, Agency Director, County of Ventura Public Works Agency
Gerhardt Hubner, Deputy Director, Watershed Protection District
Ventura County Stormwater Permittees