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June 7, 2010

To: Mr. Ivar Ridgeway  
Los Angeles Regional Water Quality Control Board  
320 W. 4<sup>th</sup> St  
Los Angeles, CA 90013

As professional civil engineers in one of Ventura County's largest civil engineering companies we continue to be extremely concerned about the tentative DRAFT MS4 permit currently being circulated for public comment.

We must make this permit reasonable and workable. Our business, and our profession are committed to cleaning and improving the environmental design throughout the world and that begins at home. We need to work together to address issues and remove or correct problems with the land development requirements in the permit. The permit should be modified to:

- Eliminate Effective Impervious Area (EIA) as a compliance metric, it does not attain measurable value and is not a practical requirement. Good planning and site constraints can achieve the goals without forced onsite retention
- Biofiltration and biotreatment **must be encouraged as a preferred** and allowable best management practice for low impact development, If a project provides filtration and treatment why should it be required to store water as well?
- The permit must include flexibility so that good land use planning can be balanced with LID principles and soil consideration especially in the areas of onsite detention where infiltration is potentially harmful for any number of reasons (vector breeding, lack of existing outlet systems, Pathogen source, expansive soil conditions, impermeable sub grades, etc.)

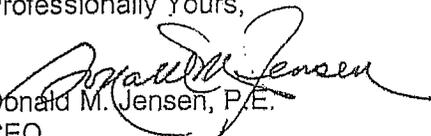
If the LA RWQCB does not make these changes, the permit will:

- Increase the cost of all new public and private infrastructure without any true improvement on the quality of the environment
- Make infill and redevelopment projects nearly impossible to build, creating conflicts with the goals of SOAR, SB375, and use and reuse of the developed areas in our County
- Further degrade the County's economy development... business will continue to leave and job loss will continue as business expansion cannot afford unreasonable requirements.
- Remove local land use authority and mandate that unproven storm water controls, not good planning, will be the deciding factor in what is built in Ventura County

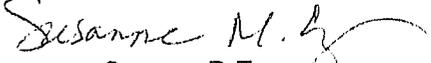
Over the past year much work has been done on the Technical Guidance Manual (TGM). In review of the DRAFT TGM little has been done to address how good design can add flexibility in how the permit can be flexible and implemented. It is really a repeat of the existing well known BMPs and new language that will preclude the use of many of the BMP options. Without substantial change and clarity to the DRAFT TGM design problems without solution are inevitable. In spite of the claim that the new Ventura MS 4 Permit is supposed to encourage Low Impact Development BMPs It does nothing to encourage this and adds unwarranted Volume based storage requirements. It appears to us that the only "sure way" to address the MS4 requirement is Onsite RETENTION or don't build. The DRAFT TGM also creates new restrictions on methods of computing storage requirements that are not in the permit by removing the 0.75 storm event capture measurement from sites that are over 5 acres in size.

We sincerely hope you to incorporate these changes before the July 8, 2010 hearing.

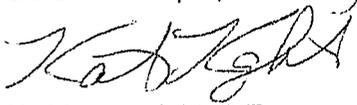
Professionally Yours,

  
Donald M. Jensen, P.E.  
CEO

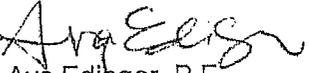


  
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