



CITY OF SIMI VALLEY

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October 12, 2007

California Regional Water Quality Control Board – Los Angeles Region
Attn: Dr. Xavier Swamikannu
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

SUBJECT: SECOND DRAFT VENTURA MS4 PERMIT COMMENT LETTER

Dear Mr. Swamikannu:

I want to thank you for giving us the opportunity to address the Regional Board at the two previously held workshops on the subject matter. The coalition of the ten cities along with the County of Ventura want to continue working with you towards reaching a workable stormwater mitigation plan and permit that can be implemented in an environmentally and fiscally sound manner. As you saw and heard on September 20th, the City of Simi Valley joined with the other members of the coalition in support of the water quality issues that challenge our community. The City is very proud of our commitment and our success in protecting the quality of life, including the environment, in Ventura County. To that end, the Simi Valley City Council works extremely hard and has committed millions of taxpayer dollars annually to wastewater treatment, stormwater awareness, and source control compliance to protect our natural resources. Together with our neighbors, the City continues to be strongly supportive of meaningful, cost-effective stormwater program improvements.

At the September 20th Workshop, the coalition presented many issues. Judging by the Board's positive response, we are encouraged there may be an opportunity to clear these issues up before the permit is issued. I want to highlight three issues that are particularly important and need to be addressed in deliberations between our staff representatives. We certainly look forward to another workshop with the Regional Board, environmental groups, and other interested parties where we can all be supportive of the final draft permit. Those issues relate to: 1) the use of MAL's; 2) the enforcement of TMDL's; and 3) the land development conditions and restrictions.

We remain very concerned with the continued reference to MAL's in the Second Draft permit, and were hoping that an alternative would have already been found. We cannot accept this precedent-setting regulation, and we believe it is unfair and unsupportable to continue referring to MAL's in the draft permits.

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Regarding TMDL's, we have already worked together effectively on a watershed basis to establish monitoring and implementation plans that meet the State and Federal TMDL requirements. We do not want to see that monumental and very constructive joint effort that has already taken place undermined by arbitrary enforcement, and by additional implementation measures lacking stakeholder deliberation. The alternative we discussed, to use the wording already provided in the jointly adopted TMDL documents, seems very reasonable since it is language upon which we have both already agreed.

Lastly, with the demand for land use and development to support a growing statewide population, the City asks that your staff provide a balanced and locally sensitive plan that would allow construction to take place during favorable weather conditions. Again, in the somewhat arid conditions of Ventura County establishing "one-size-fits-all" regulations is not feasible, nor desirable.

The City also supports the Ventura County Watershed Protection District (WPD) comments as a member of the Coalition on the Second Draft permit. As WPD is our Principal for carrying out the countywide stormwater compliance program, we support their comments and ask you to reference their specific letters.

Clearly, more work is needed to make the draft stormwater permit suitable for Ventura County. The Second Draft Stormwater NPDES permit as presented is fiscally impractical for the City to implement. The City does not have the funds, or the mechanism to raise the money, to pay for the proposed program. Currently, Simi Valley residents commit \$3.5 million annually towards stormwater clean-up and monitoring programs. These funds are mostly taken from taxes and other general fund revenues as the City collects only about \$175,000 in dedicated stormwater fees. The \$175,000 comes from a \$3.87 fee per household, a fee that can only be raised by a successful Proposition 218 election. Under the Second Draft permit, we expect Simi Valley's cost burden could jump to nearly \$17 million. The City's entire annual General Fund Budget is \$65 million dollars. The Second Draft permit obligates the City to funnel over 25% of the General Fund Budget away from other important public programs, such as public safety and street maintenance

I am a firm believer in protecting our resources. However, I hope we can continue to work together to develop an improved stormwater program with measurable results at a reasonable and practical cost.

Sincerely,



Mike Sedell
City Manager

cc: City Council
City Attorney
Assistant City Manager, Paranic
Director of Public Works
Assistant Director of Public Works, Deakin