
Los Angeles Regional Water Quality Control Board

April 4, 2022

Ventura County MS4 Permittees¹

Via Email Only

REVIEW OF THE NOTICE OF INTENT (NOI) TO DEVELOP A VENTURA COUNTY-WIDE WATERSHED MANAGEMENT PROGRAM (WMP) PURSUANT TO THE REGIONAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR THE LOS ANGELES REGION (NPDES PERMIT NO. CAS004004; ORDER NO. R4-2021-0105)

Dear Ventura County MS4 Permittees:

The Regional MS4 Permit (Order No. R4-2021-0105) authorizes discharges from the MS4 operated by 99 municipal Permittees within the coastal watersheds of Los Angeles and Ventura Counties (hereafter, Regional MS4 Permit or Order). The Regional MS4 Permit became effective on September 11, 2021. The Regional MS4 Permit allows the Permittee(s) the option to use a Watershed Management Program (WMP) to implement many of the permit's requirements on a watershed scale through customized strategies, control measures, and best management practices (BMPs).

Ventura County MS4 Permittees initially submitted a Notice of Intent (NOI) to develop a Ventura County-Wide Watershed Management Program on December 13, 2021. On December 15, 2021, Ventura County MS4 Permittees submitted an amended NOI to include the City of Ojai's letter of intent. Pursuant to Part IX.F.2 of the Order, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) has reviewed the amended NOI submitted by Ventura County MS4 Permittees on December 15, 2021 to develop a Ventura County-Wide Watershed Management Program. This NOI addresses the following watershed management areas: Calleguas Creek, Santa Clara River, Ventura River, and Miscellaneous Ventura County Coastal Watersheds. This NOI also states that the Ventura County-Wide WMP would potentially include the Upper Malibu Creek subwatershed if the Ventura County Watershed Protection District (VCWPD), the County of Ventura, and City of Thousand Oaks are not successful in negotiations to join the Malibu Creek WMP. The NOI to join the Malibu

¹ Permittees include Ventura County Watershed Protection District, the County of Ventura, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Santa Paula, Simi Valley, Thousand Oaks, and Ventura.

Creek WMP was a separate submittal and the Board's review is provided under separate cover.

The Los Angeles Water Board has reviewed the NOI and has determined that, for the most part, the NOI includes the elements required in Part IX.F.2 of the Order. However, in order to completely fulfill the requirements of Part IX.F.2 of the Order, some revisions to the NOI are necessary. Please revise the NOI to address the following comments:

- 1) Per Table 3 of the NOI, Category 1A includes Water Body-Pollutant Combinations (WBPCs) with past due (i.e., prior to September 2021) TMDL deadlines. Category 1B includes WBPCs within the permit term (i.e., prior to Sept. 2026) TMDL deadlines. However, per Part IX.F.3 of the Order, the Watershed Management Program (WMP) is due on September 11, 2023. Therefore, upon submittal of the WMP, Category 1B WBPCs with any deadlines prior to September 11, 2023 would be past due and should fall in Category 1A. Please note this in the NOI. In the WMP, revise inclusion and prioritization of WBPCs accordingly.
- 2) Section 3 of the NOI discusses the Water Body-Pollutant Combination (WBPC) categories, where Category 1, 2, and 3 WBPCs are divided into two Groups. The second group of WBPCs (1A, 2B, 2C, 2D, and 3B) are to be further evaluated and potentially addressed in the WMP to determine if MS4 discharges are causing or contributing to receiving water exceedances. The NOI further states that WBPCs in these categories will be included in the WMP if MS4 discharges are identified as causing or contributing to receiving water exceedances. Note that for the Category 1A WBPCs, Ventura County MS4 Permittees would need to submit a request for additional time per Part X.E of the Order if they wished to address these in the WMP.
- 3) Section 3 of the NOI includes Category 1 WBPCs with final TMDL deadlines. However, Section 3 of the NOI does not include Category 1 WBPCs with interim TMDL deadlines. If the intent is to consider addressing interim TMDL deadlines in the WMP, please revise tables in Section 3 of the NOI to include WBPCs with interim TMDL deadlines. Tables in Section 3 of the NOI should be clear on which Category 1 WBPCs pertain to interim TMDL deadlines and which pertain to final TMDL deadlines.
- 4) Table 4 of the NOI lists Boron as Category 1B for Fox Barranca, which is a tributary to Calleguas Creek Reach 6 and is in the Las Posas subwatershed. However, per Attachment N Part IV of the Order, the Calleguas Creek Salts TMDL does not assign final receiving water limitations for Boron in the Las Posas subwatershed. Therefore, you may remove Boron as a Category 1B WBPC in Fox Barranca.
- 5) Table 5 of the NOI lists trash for Calleguas Creek Reach 6 as Category 2A. However, Calleguas Creek Reach 6 is not listed in the 2018 Clean Water Act (CWA) Section 303(d) list as impaired for trash. Please remove trash in Calleguas Creek Reach 6 as a Category 2A WBPC.

- 6) Table 5 footnote 1, Table 9 footnote 2, and Table 11 footnote 1 of the NOI state that “Areas with priority land uses, as defined by the Statewide Trash Amendments, will be addressed in the WMP.” Note that the Statewide Trash Amendments are reflected in Part III.B of the Order (Discharge Prohibitions – Trash). This provision applies to all priority land use areas not addressed by a Trash TMDL, not just those waterbodies that are CWA Section 303(d) listed for trash. Please remove all the aforementioned footnotes and instead, discuss the intent to implement the Statewide Trash Amendments in the WMP in Section 2 of the NOI. When implementing Part III.B of the Order, please ensure that all priority land use areas as identified in the responses (including the maps of priority land uses areas for all Permittees in Ventura County) to the California Water Code Section 13383 Orders dated August 18, 2017 are addressed. Also, please be advised that trash WBPCs are not eligible for deemed compliance through a WMP. Compliance with trash WBPCs shall be determined as outlined in Part X.C. of the Order.
- 7) Table 8 of the NOI does not include Santa Clara River Reach 4A. Per Tables J-3 and J-4 in Attachment J of the Order, and Part IV in Attachment M of the Order, the Santa Clara River Estuary and Reaches 3, 5, 6, and 7 Indicator Bacteria TMDL applies to Santa Clara River Reach 4A where the County of Ventura and City of Fillmore are named as responsible Permittees. Please clarify if the WMP will cover Category 1B WBPCs for Santa Clara River Reach 4A.
- 8) Table 8 of the NOI lists Selenium as Category 2A for Santa Clara River Reach 1. However, per the 2018 CWA Section 303(d) list, Santa Clara River Reach 1 is not listed as impaired for Selenium.
- 9) Table 9 of the NOI lists Chloride as Category 1A for Piru Creek. However, per Part II in Attachment M of the Order, the Santa Clara River Reach 3 Chloride TMDL applies to Santa Clara River Reach 3 and its tributaries. Therefore, the TMDL does not apply to Piru Creek because Piru Creek is a tributary to Santa Clara River Reach 4A.
- 10) Table 10 and 11 of the NOI has a typographical error. Per the 2018 CWA Section 303(d) list “Sajon Barranca Creek” should be spelled Sanjon Barranca Creek.

If the NOI is not revised per the comments identified in this letter, per Part X.B.2.b.iv of the Order, Ventura County Permittees cannot be deemed in compliance for any receiving water limitations per Part V.A of the Order for WBPCs that are not listed in Tables 4 through 11 of the NOI submitted on December 15, 2021.

Please make the necessary revisions to the NOI as identified in this letter and submit the revised NOI no later than **May 4, 2022**. The revised NOI must be submitted electronically as a PDF file to: MS4StormwaterRB4@waterboards.ca.gov with the subject line "Ventura County-Wide WMP Revised NOI" with a copy to Erum.Razzak@waterboards.ca.gov.

Pursuant to Part IX.F.4 of the Order, until the WMP is approved by the Los Angeles Water Board, Ventura County MS4 Permittees that elect to develop a WMP shall:

- a. Continue to implement their existing stormwater management programs, including actions within each of the six categories of minimum control measures consistent with 40 CFR section 122.26(d)(2)(iv) in lieu of Part VIII.D through Part VIII.I of the Order;
- b. Comply with all other Parts of the Order, including Parts III, IV, VI, VII, VIII.A and B and Attachments K through S; and
- c. Comply with Part V of the Order for WBPCs not identified in the NOI.

If you have any questions, please contact Erum Razzak with the Municipal Stormwater Permitting Unit by email Erum.Razzak@waterboards.ca.gov or phone (213) 620-2095. Alternatively, you may also contact Ivar Ridgeway, Municipal Stormwater Permitting Unit Supervisor by email at Ivar.Ridgeway@waterboards.ca.gov or by phone at (213) 620-2150.

Sincerely,

Renee Purdy, Executive Officer

cc: Dave Klotzle, City of Camarillo
Ken Matsuoka, City of Camarillo
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Don Villafana, City of Port of Hueneme
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Representatives