



**COMMUNITY SERVICES & WATER DEPARTMENT**  
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Via Electronic Mail  
[commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, California 95814

**SUBJECT: Comment Letter – Receiving Water Limitations Language Workshop**

Dear Ms. Townsend:

The City of Vernon appreciates this opportunity to provide comments on the Alternatives being considered for the Receiving Water Limitations Language to be contained in the NPDES permits. With strong support from our City Council and City Administration, both the Health and Environmental Control and Community Services and Water Departments are committed to protecting the environment and appreciate the efforts of the State Water Resources Control Board. However, due consideration must be given to the economic realities both the State and cities are facing. The implementation of stormwater regulations that are not viable, places cities in an untenable position.

The City of Vernon is a co-permittee of the Los Angeles County National Pollutant Discharge Elimination System (NPDES) permit for Municipal Separate Storm Sewer System (MS4) discharges and we are extremely concerned with the Receiving Water Limitations language that has been included in the revised Los Angeles County MS4 permit. Unlike the current General Industrial, General Construction, and Cal Trans stormwater permits, the revised Los Angeles County NPDES MS4 permit does not provide a fair, feasible, or sustainable opportunity to achieve compliance. The Los Angeles Regional Water Quality Control Board's strict interpretation of State Board Order WQ 99-05 on the subject of Receiving Water Limitations language imposes requirements to comply with numeric water quality standards, for both dry- and wet-weather runoff, is unacceptable and unachievable potentially placing permittees in instant violation of its MS4 permit. An iterative process in achieving water quality standards must be considered.

The State Water Board's has found that the implementation of Best Management Practices in lieu of numeric water quality-based effluent limitations is an appropriate means of meeting water quality standards. It is the City of Vernon's opinion that an iterative process whereby an exceedance of a water quality standard triggers a process of BMP improvements is the only viable alternative. If changes are not made to the Los Angeles County NPDES MS4 permit, litigation of some sort, will almost certainly result, which will do nothing to protect the environment.

*Exclusively Industrial*

The City of Vernon will continue to improve the water quality of stormwater and non-stormwater discharges into the receiving waters; however, we must consider the economic challenges we are currently faced with when developing programs for water quality improvements. Unfortunately, the Los Angeles Regional Water Quality Control Board has given no consideration to pollution sources that the City has no control over including discharges from industrial and Cal Trans properties. As such, a "safe harbor" must be provided to permittees for dischargers it has no control over. Let us emphasize that the City of Vernon has been actively improving the environment for decades and the City will continue its commitment to employ an effective program that will lead us to meet the water quality objectives, but the City asks that due consideration by the Board be given to adopting regulations that are sustainable.

The City of Vernon hereby supports Alternative 5 as described in the State Water Resources Control Board's Issue Paper. The language in Alternative 5 captures the intent of the progression of achieving water quality standards over time through an iterative process. It is the City's opinion that receiving water limitations language plays a vital part in the progression of achieving water quality standards over time through an iterative process. Anything less than the language proposed in Alternative 5 to the Receiving Water Limitations provision will place the Los Angeles County MS4 Permittees out of compliance immediately and expose the Permittees to definite third party litigation.

The City of Vernon appreciates the State Water Resources Control Board's efforts in providing this highly important workshop. The City will continue its efforts in protecting the environment. Please contact Ms. Claudia Arellano at (323) 583-8811 extension 258 or Mr. Jerrick Torres at extension 204 if you have any questions or comments.



Samuel Kevin Wilson, P.E.  
Director of Community Services & Water

Sincerely,



Leonard Grossberg, MPA, R.E.H.S.  
Director/Health Officer  
Health & Environmental Control Department

SKW/LG/jt/ca