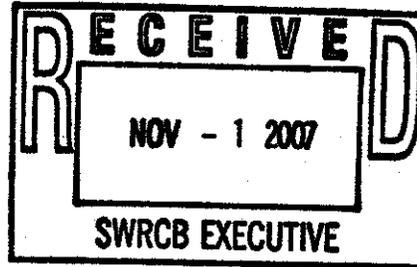


# county of ventura

PUBLIC WORKS AGENCY  
RONALD C. COONS  
Agency Director

November 1, 2007

Jeanine Townsend  
Acting Clerk to the Board  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



Transportation Department  
Wm. Butch Britt, Director  
Central Services Department  
Lane B. Holt, Director  
Water & Sanitation Department  
R. Reddy Pakala, Director  
Watershed Protection District  
Jeff Pratt, Director  
Engineering Services Department  
Alec T. Pringle, Director

**Subject: COMMENT LETTER ON DRAFT STAFF REPORT FOR TRASH TOTAL MAXIMUM DAILY LOAD FOR THE VENTURA RIVER ESTUARY AND PROPOSED AMENDMENTS TO THE WATER QUALITY CONTROL PLAN - LOS ANGELES REGION FOR THE VENTURA RIVER ESTUARY TRASH TMDL**

Dear Ms. Townsend:

The County of Ventura Public Works Agency (PWA) appreciates the opportunity to provide comments on the *Amendments to the Water Quality Control Plan - Los Angeles Region for the Ventura River Estuary Trash TMDL Basin Plan Amendments (BPA)*. As a stakeholder in the Ventura River Estuary Watershed, we have been actively working with Regional Board staff to develop a Trash TMDL for the Ventura River Estuary that will result in a mechanism for reducing trash discharges and also maintain the ability of the stakeholders in the watershed to coordinate and effectively implement the TMDLs. This process has included numerous conversations with Regional Board staff in April and May of 2007, and formal submission of comments to Regional Board staff outlining our concerns.

During the development of the TMDL, the Regional Board staff recognized that the Ventura River Estuary watershed varied significantly from the Los Angeles River watershed and contained significantly different sources. To address this situation, the TMDL included a mechanism of compliance with the TMDL called the Minimum Frequency of Assessment and Collection (MFAC)/ Best Management Practice (BMP) program. That program requires responsible parties conduct regular trash pick ups in the drains discharging to the waterbody and in the waterbody itself to reduce the amount of trash in the waterbody. As a stakeholder, we fully support this approach addressing trash in waterbodies and feel it is the most effective method for the county to undertake. Such a combined MFAC/BMP program allows us to install BMPs to address areas that are generating the largest amount of trash with structural solutions, while addressing less problematic areas through cleaning up drainage areas as well.



However, our support for the TMDL was tempered by actions taken at the June 7, 2007 Regional Board hearing on this TMDL. At the hearing, the ability of point sources to comply using a MFAC/BMP program was significantly diminished by additional requirements to the TMDL. Although we recognize the reasoning behind the changes, we feel that the State Board should understand that the MFAC/BMP program is an essential part of compliance for our agency.

In the current proposed order we are listed as a responsible party for point and non-point source discharges. As a non-point source, our only mechanism of compliance is through the MFAC/BMP program. We need to be able to coordinate our point and nonpoint requirements so that resources are not wasted and trash discharges are effectively addressed. The changes to the TMDL during the Regional Board hearing made it unclear whether or not this will be possible.

Based on conversations with the Regional Board staff, it is our understanding that additional language will be proposed that clarifies the mechanisms for compliance in the TMDL. We understand that these language changes will address some of the inconsistencies within the Basin Plan Amendment that resulted from the changes that occurred in the Regional Board hearing and clarify that point sources can comply with the TMDL through any mechanism that achieves the required reductions. With these language clarifications, we feel that our agencies will be able to determine the most effective ways to address trash discharges and continue to work with other non-point source dischargers, such as agriculture, to meet the TMDL requirements.

Furthermore, although we support the MFAC/BMP program, we have concerns about how it will be implemented. The designated responsible parties are at the base of a large 226 square mile watershed. We are concerned that we will be responsible for cleaning up discharges from upstream sources that are not currently listed in the TMDL. During dry weather, the trash deposited is primarily from localized sources. However, during wet weather, sources may come from anywhere within the watershed. As such, the agencies at the base of the watershed should not be primarily responsible for wet weather sources of trash. As the TMDL is implemented, the Regional Board should reconsider the TMDL if the monitoring program determines that significant sources of trash are coming from other sources and not require clean up of those sources by the responsible agencies in the TMDL that are at the base of the watershed.

Additionally, for the trash TMDL, we can understand how we are responsible for point source discharges. However, we have concerns about the potential future implications of being named as nonpoint sources in this TMDL. We would like to state that we do not consider our agencies to be nonpoint sources for other pollutants and do not feel that the trash TMDL designation should be used as precedent for any other TMDLs.

In summary, we would like to express our support for the MFAC/BMP approach in the BPA, and support for adoption of the BPA with the understanding that additional

Ms. Jeanine Townsend

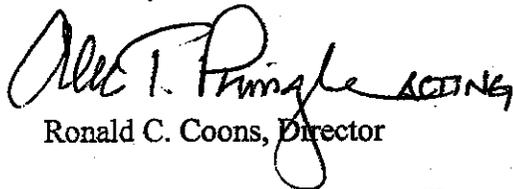
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language clarifications is included, as discussed via a conference call with Regional Board staff and stakeholders on October 26, 2007. If the additional language clarifications are not included, we would like consideration of the attached clarifications that were discussed with Regional Board staff.

We appreciate the State Board's consideration of the comments presented in this comment letter. If you have any questions on this letter or the attachment, please contact Paul Tantet at (805)662 - 6737.

Sincerely,

 ACTING  
Ronald C. Coons, Director

Attachment: Number 1 - Changes to the Basin Plan Amendments Discussed with  
RWQCB on 10/26/07

cc: Jeff Pratt  
Gerhardt Hubner

**Attachment Number 1**

**Changes to the Basin Plan Amendments Discussed with RWQCB on 10/26/07**

The discussed changes would be the same for both the Ventura River Estuary and Revolon Slough Trash TMDLs.

**Under Implementation for Point Sources, third paragraph:**

"In certain circumstances (if approved by the Executive Officer), point source dischargers may alternatively comply with WLAs by implementing a program for minimum frequency of assessment and collection in conjunction with best management practices (MFAC/BMPs)."

Deleted: also

**In Table 7-24.2a and Table 7-25.2a, change the title as follows:**

"Implementation Schedule for Point Sources"

Deleted: Full Capture System

**Change the text those same tables as follows:**

3	Submit results of Trash Monitoring and Reporting Plan, recommend trash baseline WLA, and propose <u>prioritization of Full Capture System installation or implementation of other measures to attain required trash reductions.</u>
4	Installation of Full Capture Systems <u>or other measures</u> to achieve 20% reduction of trash from Baseline WLA*.
5	Installation of Full Capture Systems <u>or other measures</u> to achieve 40% reduction of trash from Baseline WLA*.
6	Evaluate the effectiveness of Full Capture Systems <u>or other measures</u> , and reconsider the WLA.
7	Installation of Full Capture Systems <u>or other measures</u> to achieve 60% reduction of trash from Baseline WLA*.
8	Installation of Full Capture Systems <u>or other measures</u> to achieve 80% reduction of trash from Baseline WLA*.
9	Installation of Full Capture Systems <u>or other measures</u> to achieve 100% reduction of trash from Baseline WLA*.

Deleted: Full Capture System

\*Compliance with percent reductions from the Baseline WLA will be deemed wherever full capture systems are installed in corresponding percentages of the conveyance discharging to...

Deleted: assumed

**Table 7-24.2b and Table 7-25.2b, the second sentence of the footnote language was changed as follows:**

"At Task 4, all Responsible Jurisdictions must demonstrate full compliance and attainment of the zero trash target's requirement that trash is not accumulating in deleterious amounts between the required trash assessment and collection events."

Deleted: including