



**Ventura Countywide
Stormwater Quality
Management Program**

Participating Agencies August 15, 2013

Camarillo

County of Ventura

Fillmore

Moorpark

Ojai

Oxnard

Port Hueneme

San Buenaventura

Santa Paula

Simi Valley

Thousand Oaks

Ventura County
Watershed Protection
District

Emel G. Wadhvani
California State Water Resources Control Board
Senior staff Counsel
PO Box 100
Sacramento, CA 95812-0100

Subject: **SWRCB/OCC FILE A-2236(a) THROUGH (kk)
COMMENTS IN RESPONSE TO QUESTIONS POSED BY THE
STATE WATER RESOURCES CONTROL BOARD CONCERNING
RECEIVING WATER LIMITATIONS AS ADDRESSED IN THE LOS
ANGELES MS4 PERMIT ORDER NO. R4-2012-0175**

Dear Mr. Wadhvani:

On behalf of the Ventura County Watershed Protection District, County of Ventura, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Santa Paula, Simi Valley, Thousand Oaks, and Ventura who have joined together to form the Ventura Countywide Stormwater Quality Management Program (Program), thank you for providing this opportunity to provide comments on the subject request by the State Water Resources Control Board (State Water Board) in its July 8, 2013 announcement with respect to the petitions received on the MS4 permit for discharges within Los Angeles County Flood Control District, including the County of Los Angeles, and the incorporated cities therein (LA MS4 Permit). Ventura County is also in the State Water Board's Region 4 and currently has the identical Receiving Water Limitation (RWL) language in our MS4 NPDES permit.

The Ventura Countywide Stormwater Quality Management Program supports the strategic compliance program approach and proposed model language provided by the California Stormwater Quality Association (CASQA) in their August 15th cover letter and attachment. This approach provides permittees the opportunity to comply with permit provisions, prioritize resources to address most problematic pollutants, and develop meaningful programs and projects to improve water quality.

Regardless of MS4 efforts to comply with their stormwater permits in good faith, and to the extent their available resources allow (including through the use of the




iterative process), it is inevitable that MS4 permittees will find themselves in violation of current receiving water limitation provisions found in most MS4 permits. There are no easy solutions that can be implemented in one year, or even one permit cycle that will change this. Creating solutions to address water quality challenges requires significant investments in public programs and infrastructure, which must be established, supported, and funded. This can only happen over time, and with constant evaluation and refinement to improve results.

The Ventura Countywide Stormwater Quality Management Program is very proud of its efforts and believes it to be one of the best stormwater quality programs in the state. We can boast the best beach water quality in Southern California. Our stormwater monitoring shows that 99% of the over 200 constituents analyzed in each storm are of little concern to our receiving water. Only two constituents, aluminum and bacteria, with both human and non-human sources present continuing compliance issues. Without a constructive resolution to the RWL provision, we will continue to be vulnerable to enforcement actions and third-party suits that will divert our limited resources away from further water quality improvements.

Please consider the strategic compliance program approach presented by CASQA. It strives to create compliance pathways with sufficient rigor to be enforceable, but also provides protection to permittees from the threat of unwarranted lawsuits. Thank you for your consideration of our comments. If you have any questions, please contact me at (805) 654-5051.

Sincerely,



Gerhardt Hubner, Chair

On Behalf of the Entire Ventura County Stormwater Quality Management Committee

cc: Petitioners and Their Counsel of Record
Los Angeles MS4 Dischargers List
Ventura County Stormwater Quality Management Committee