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September 20, 2007

Ms. Francine Diamond
Chair
Los Angeles Regional Water Quality Control Board
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Re: Proposed Ventura County Municipal Storm Water Permit;
September 20, 2007 hearing – Ventura, CA

Dear Chairwoman Diamond and Regional Board Members,

On behalf of Jensen Design & Survey, Inc., we appreciate the opportunity to express our views and concerns with the recently released revised draft of the Ventura County Municipal Storm Water Permit (MS4). We are a local engineering firm responsible for the design of many types of projects, including new residential and commercial sites. We also work extensively on redevelopment, or in-fill sites as well, providing engineering services for the design of infrastructure systems including streets, water, sewer, and drainage. For the projects that we provide engineering services for, it is our design that the permit jurisdictions review for compliance with the MS4 criteria. We have first-hand knowledge and expertise as to what really works for sites relative the mitigating storm water runoff.

We join the Regional Board in supporting efforts to achieve cleaner water in Ventura County. We believe that through a comprehensive approach, utilizing best management practices that are adaptable to differing communities and individual site conditions, we will be better able to impact water quality in a positive sense throughout our region.

Hydromodification Control Criteria requirements are based on three components: Flow, volume, and duration. Restricting all of these components on development projects can only mean retaining all runoff, above that of natural conditions, onsite. While being noble in thought, the practicality of it is not feasible. Development projects must be allowed to affect one of these requirements to adequately treat and mitigate development impact in ways that are acceptable, sustainable, and practical. It is not practically possible to develop a site that doesn't affect some component of these three aspects. To achieve the goals of cleaner water with little or no downstream impact, we suggest that the permit allow latitude in the duration effects since this component is often extended to mitigate the increase in peak runoff rates caused by development. There is a minimal impact to the watershed because the "duration" of the runoff from the site is extended; i.e. providing detention as opposed to retention. This increased duration allows some infiltration, treatment, and particle settlement to occur. The MS-4 permit must address an understanding of this to make any of the implementation solutions practical and achievable.

For most of the sites developed in Ventura County, onsite retention/infiltration is not practical because of typical high ground water levels, and therefore surface area required to achieve this volume of retention is excessive and not appropriate for most applications.



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We would oppose the inclusion of numeric effluent limits in the MS4 permit. We believe the Board should address water quality regionally rather than site-by-site as recommended in the revised draft. The site-specific approach not only will be extremely costly, but also will not lead to increased water quality in our basin.

In Ventura County we value redevelopment and infill projects. Through redevelopment of properties we are able to take advantage of existing infrastructure, such as roads and highways. Therefore we request that you not place restrictions on redevelopment projects. Reading the MS 4 wording literally, it could be interpreted that redevelopment sites must mitigate their flow back to natural conditions. For a site in an older downtown area, does that mean that we now have to make engineering assumptions for a natural condition that may not have existed for over 100 years? See page 50, item 2. (2).

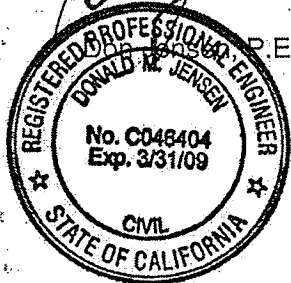
We also request that you not place unnecessary burdens on the development of new residential, commercial and industrial properties through grading restrictions that are not likely to lead to increase water quality. Again, water quality needs to be addressed regionally and not on a site-specific basis. The MS 4 permit should also allow for flexibility in allowing structural BMP's, if there are grade or other constraints that prohibit the use of natural bio-swales, etc.

The reliance on ground infiltration is also an issue. Practically all construction sites are built on compacted grade, be it cut or fill. Infiltration on a 90% compaction site is virtually nil due to the compaction requirement for geotechnical feasibility. The compaction is required for structural – and seismic – integrity of the building(s), and roadways. Over time water infiltration into these areas would pose a significant public safety hazard by undermining both on-site improvements, and possibly off-site properties as well due to sub-surface migration of water.

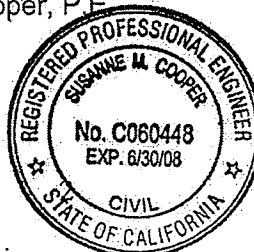
In closing let us express our concern that the costs need to be assessed by the agencies and jurisdictions that will be responsible for enforcing the permit criteria. We doubt that any of the municipalities have the funding to support the permit criteria. Costs should be spread to the entire population, and not to new development or potential future homeowners to subsidize a community-wide benefit. By most estimates, the financial costs associated with the revised draft MS4 permit are very high.

Again, we appreciate the opportunity to express our concerns. We look forward to working with the Regional Board in achieving an MS4 that will enhance water quality in Ventura County without negatively impacting our residents, local governments, and our economy.

Very truly yours,



Susanne Cooper, P.E.



Robert Talmadge, AICP