



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE: WM-9

Ms. Tracy Egoscue
Executive Officer
California Regional Water Quality
Control Board - Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013-2343

Attention Dr. Xavier Swamikannu

Dear Ms. Egoscue:

SECOND DRAFT VENTURA COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

Public Works has reviewed the proposed second draft Ventura County Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System Permit made available for public comment by the Regional Board. Our comments are enclosed.

We thank staff for its work on this second draft permit and for inviting us to several meetings where important issues relating to the second draft permit were discussed. We also thank the Regional Board for hosting a workshop on the second draft permit on September 20, 2007.

If you have any questions, please contact Mr. Frank Wu at (626) 458-4358 or fwu@dpw.lacounty.gov.

Very truly yours,

DONALD L. WOLFE
Director of Public Works

MARK PESTRELLA
Assistant Deputy Director
Watershed Management Division

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**County of Los Angeles Department of Public Works
Comments in Response to the
Second Draft Ventura County Municipal Stormwater NPDES Permit
Dated August 28, 2007**

The County of Los Angeles and Los Angeles County Flood Control District, herein jointly referred to as "County", submit the following comments in response to the proposed Second Draft Ventura County Municipal Stormwater NPDES Permit (Second Draft Permit). Following the workshop format on September 20, 2007, comments relating to major topics are presented first, followed by comments on other miscellaneous issues.

The County shares the Regional Board's goal of improving receiving water quality in Los Angeles County and looks forward to working with staff on the next Los Angeles County municipal stormwater NPDES permit. The County urges the Regional Board to adopt common sense policies with reasonable measures, practical timelines, and meaningful effectiveness measures.

I. Municipal Action Levels

Comments made by Regional Board members at the September 20, 2007, workshop held in the City of Ventura, made clear the Regional Board's frustration with the slow progress in achieving receiving water quality improvements. The County, having expended hundreds of millions of taxpayer dollars since 1990 to comply with municipal stormwater NPDES permits, shares the same frustration. However, we also recognize that TMDLs are a part of the overall iterative process to improve water quality, evidenced by the fact that permittees have expended millions of dollars in the last few years to comply with TMDLs by implementing BMPs in addition to those required in the permit's Stormwater Quality Management Program.

With respect to the SQMP, a lack of decision-making tools that stormwater managers need to make informed decisions has contributed to the limited degree to which the SQMP has been revised. In a complex municipal stormwater program, with numerous moving parts, which parts should be adjusted to achieve meaningful improvement in performance? Should the stormwater manager require more construction site inspections? Recommend change in stormwater ordinances? Sweep streets more frequently? Buy more media impressions or conduct more business outreach events?

Instead of quantifying MEP through the use of MALs, the Regional Board should

1. Work with the California Stormwater Quality Association (CASQA) to explore the best way to incorporate CASQA's recommended Progressive Approach into the Second Draft Permit. CASQA's draft White Paper submitted to the Regional Board on August 15, 2007, and its *Municipal Stormwater Program Effectiveness Assessment Guidance* document dated May 2007, together provides a roadmap toward better water quality protection. The County appreciates CASQA's efforts to advance the science and regulation of stormwater management.
2. Continue to have the municipal stormwater permit reflect TMDLs, as it is compelling the iterative process evidenced by the fact that permittees are implementing BMPs on top of those required by the SQMP.

II. Total Maximum Daily Loads

The County believes that the current TMDL process is resulting in receiving water improvements. Regional Board should let the process work over time, by continuing to have permits reflect applicable TMDLs. Because TMDLs are developed in a stakeholder process and approved by USEPA, requirements should not be altered as they are incorporated into permits.

III. Low Impact Development

On October 23, 2007, the County of Los Angeles Board of Supervisors will hear County staff's recommendations on how LID can be required for new development and redevelopment and incorporated into new road and stormdrain projects. Thus, the County is well on its way to incorporating LID principals into practice and we are in support in principal of the Second Draft Permit's emphasis on LID. Echoing comments made during the September 20 workshop, we urge the Regional Board to consider project scale and local conditions in imposing LID requirements.

IV. Monitoring

The County applauds staff's decision to remove the stream restoration study and the Total Suspended Solids monitoring requirements, and to integrate the bioassessment requirement with regional efforts.

With respect to receiving waters monitoring, we support the removal of the tributary monitoring requirement. Mass emissions monitoring also should be

reduced because the status and trends question has been answered by the receiving waters monitoring conducted during the last 15 years. Reducing mass emissions monitoring would allow more resources to be focused on outfalls monitoring. While we believe using a 36"-diameter threshold for "major outfalls" is impractical, the County will be conducting an assessment of its MS4 outfalls and looks forward to working with staff to craft a workable compliance monitoring program.

V. Other Issues

Cost Benefit Analysis - Staff should conduct cost-benefit analyses for the major requirements contained in the Second Draft Permit. Proposed requirements then should be ranked based on results of cost-effectiveness analyses, with the most cost-effective measures included as permit requirements.

Trash Excluders - We applaud staff's decision to limit the installation of trash excluders only to areas subject to high trash generation. We also welcome the opportunity to discuss with staff how high trash generation areas are defined; in our experience, land use type may not be the "one-size fits all" solution to identifying such areas.