

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**320 W. 4th Street, Suite 200
Los Angeles, California 90013
(213) 576-6600**

**Public Notice No. 09-070
NPDES No. CAS004002**

NOTICE

**NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT AMENDMENT
for
THE COUNTY OF VENTURA WATERSHED PROTECTION DISTRICT
THE COUNTY OF VENTURA AND INCORPORATED CITIES THEREIN
(Municipal Separate Storm Sewer System)**

The County of Ventura Watershed Protection District, the County of Ventura and the Incorporated Cities Therein (hereinafter Permittee) discharged waste from its Municipal Separate Storm Sewer System under waste discharge requirements, which served as an NPDES permit, contained in Order No. 00-108, adopted by the Regional Board on July 27, 2000 (NPDES Permit No. CAS004002).

The area covered by this Order includes all areas within Ventura County boundaries and all areas within each co-permittee's boundaries that drain into the MS4. The Permittees covered under this Order were designated on a system-wide basis under Phase I of the CWA § 402(p)(3)(B)(i). The action of covering all Ventura County municipalities under a single MS4 permit on a system-wide basis was consistent with the provisions of 40 CFR122.26(a)(3)(iv), which states that one permit application may be submitted for all or a portion of all municipal separate storm sewers within adjacent or interconnected large or medium municipal separate storm sewer systems; and the Regional Water Board may issue one system-wide permit covering all, or a portion of all municipal separate storm sewers in adjacent or interconnected large or medium municipal separate storm sewer systems.

Permittees have expressed their intention to work cooperatively to control the contribution of pollutants from one portion of the MS4 to another portion of the system. Permittees filed a report of waste discharge (ROWD) and applied for renewal of its WDRs and NPDES permit for discharge of wastes to surface waters on January 26, 2005.

Storm water discharges consist of surface water runoff generated from various land uses in all the hydrologic drainage basins, which discharge into Waters of the State. The quality of these discharges varies and is affected by geology, land use, season, hydrology, and sequence and duration of hydrologic events. Based on the Ventura Countywide Storm Water Monitoring Program's Water Quality Monitoring Reports which were required under Order No. 00-108, the dry weather and wet weather Pollutants of Concern (POC) in urban storm water include an anion, bacteria, conventional pollutants, metals, a nutrient, organic compounds, and pesticides. The POC are identified in Attachment "B" of this Order. Many of the POC listed are causing

impairments identified on the federal Clean Water Act (CWA) § 303(d) list of impaired waterbodies.

Common pollutants in urban storm water and their respective sources are: bacteria from animal droppings and illegal discharges; Polycyclic Aromatic Hydrocarbons (PAHs) from the products of internal combustion engine operation and parking lot sealants wash off; nitrates from fertilizer application; pesticides from pest mitigating applications and from plant mitigating applications; bis (2-ethylhexyl) phthalate from the break down of plastic products; mercury from atmospheric fallout and improper disposal of mercury switches; lead from fuels, paints and automotive parts; copper from brake pad wear and roofing materials, zinc from tire wear and galvanized sheeting and fencing; sediment from land disturbance and erosion; and dioxins as products of combustion.

In general, the pollutants that are found in municipal storm water runoff can harm human health and aquatic ecosystems. In addition, the high volumes and high velocities of storm water discharged from MS4s into natural watercourses can adversely impact aquatic ecosystems and stream habitat and cause stream bank erosion and physical modifications. These changes are collectively termed hydromodification. Municipal point source discharges of runoff from urbanized areas remain a leading cause of impairment of surface waters in California.

This proposed Order includes the updates associated with a revised Record of Waste Discharge submitted by the Discharger

On the basis of a preliminary staff review and application of lawful standards and regulations, the Regional Water Quality Control Board, Los Angeles Region, tentatively proposes to renew Order 2009-XXX and terminate the requirements in Order R4-00-108 incorporating changes requested by the State Board and updates reflecting new information provided in an updated ROWD and supporting documentation from the Discharger.

HEARING DATE AND LOCATION

Date: May 7, 2009
Time: 10:00 a.m.
Place: Ventura County Board of Supervisors Meeting Room
800 S. Victoria Ave.
Ventura, California 93009

Please check the website address (<http://www.waterboards.ca.gov/losangeles/>) for the most up to date public hearing location as it is subject to change.

SCOPE OF HEARING

NOTE: The matter before the Board is the renewal of Waste Discharge Requirements for discharges from the Municipal Storm Water Separate Sewer System in Ventura County.

AVAILABILITY OF DOCUMENTS

The proposed language and other information and documents relied upon are available for inspection and copying between the hours of 8:00 a.m. and 4:30 p.m. by appointment at the following address:

Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of the documents may be made by calling the Los Angeles Regional Board at (213) 576-6600. The entire file will become a part of the administrative record of this proceeding, irrespective of whether individual documents are specifically referenced during the hearing or contained in the agenda packet. The entire file will not be present in the hearing room. Should any interested persons desire staff to bring to the hearing any particular documents that are not included in the agenda packet, they must submit a written or electronic request to staff during business hours, not later than five business days before the hearing. The request must identify the documents with enough specificity for staff to locate them.

Additionally, the Tentative Waste Discharge Requirements, Tentative Monitoring and Reporting Programs, Staff Report/Fact Sheet and other related documents can be found on the Regional Board's website:

http://www.waterboards.ca.gov/rwqcb4/water_issues/programs/stormwater/municipal/ventura_ms4/venturams4_draft_tentative_permit.shtml

PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on, or object to, the tentative TSO, or submit evidence for the Board to consider, are invited to submit them in writing to Tracy Woods at the above address, or send them electronically to: VenturaMS4Comments041009@waterboards.ca.gov. To be evaluated and responded to by Regional Board staff, included in the Board's agenda folder, and fully considered by the Board, written comments or testimony regarding the tentative revisions must be received at the Regional Board office no later than close of business on **April 10, 2009**. Failure to comply with these requirements is grounds for the Regional Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 648.4, title 23 of the California Code of Regulations.

NATURE OF HEARING

This proceeding will be a formal adjudicatory proceeding. For such proceedings, the Regional Board follows procedures established by the State Water Resources Control Board, which are set forth in regulations commencing with section 647 of title 23 of the California Code of Regulations, in particular, Article 2, commencing with section 648. While this proceeding is formal, as an administrative proceeding, the Board does not generally require the prior identification or cross examination of witnesses, or other procedures not specified in this notice, that might typically be expected of parties in a courtroom.

PARTIES TO THE HEARING

The following are the parties to this proceeding:

1. The County of Ventura Watershed Protection District
2. The County of Ventura
3. Cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura (Ventura), Santa Paula, Simi Valley and Thousand Oaks

Any other persons requesting party status must submit a written or electronic request to staff not later than 20 business days before the hearing. All parties will be notified if other persons are so designated.

HEARING PROCEDURE

The board meeting, of which the hearing will be a part, will start at 9:00 a.m. Interested persons are invited to attend. When the agenda item is called, staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to five minutes or less for each interested person, depending on the number of persons wishing to be heard. Parties or interested persons with similar concerns or opinions are encouraged to choose one representative to speak, and are encouraged to coordinate their presentations with each other. Parties will be advised after the receipt of public comments, but prior to the date of the hearing, of the amount of time each is allocated for presentations. That decision will be based upon the complexity and number of issues under consideration, the extent to which the parties have coordinated, the number of parties and interested persons anticipated, and the time available for the hearing. The parties are invited to contact staff not later than April 10, 2009, to discuss how much time they believe is necessary for their presentations, and staff will endeavor to accommodate reasonable requests. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

Parties or persons with special procedural requests or requests for alternative hearing procedures should contact staff, who will endeavor to accommodate reasonable requests. Objections to any procedure to be used during the hearing must be submitted in writing no later than close of business 15 business days prior to the date of the hearing. (Any objections related to the amount of time allocated for parties' presentations must be submitted within two business days of notice thereof, if that date is less than 15 business days before the hearing.) Absent such objections, any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the California Code of Regulations. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on June 4, 2009. A continuance will not extend any time set forth herein.

STAFF CONTACTS

If you have any question regarding this proposed action, please contact Tracy Woods at (213) 620-2095 or via email at twoods@waterboards.ca.gov.