



# Ventura Countywide Stormwater Quality Management Program

Participating Agencies

June 4, 2010

Camarillo

County of Ventura

Fillmore

Moorpark

Ojai

Oxnard

Port Hueneme

San Buenaventura

Santa Paula

Simi Valley

Thousand Oaks

Ventura County  
Watershed Protection  
District

Mr. Sam Unger  
Interim Executive Officer  
Los Angeles Regional Water Quality Control Board  
320 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

**SUBJECT: COMMENTS ON RECONSIDERATION OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (TENTATIVE ORDER/NPDES No. CAS004002) FOR THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT, THE COUNTY OF VENTURA AND INCORPORATED CITIES THEREIN (MUNICIPAL SEPARATE STORM SEWER SYSTEM)**

Dear Mr. Unger:

The Ventura Countywide Stormwater Program ("Ventura Program") would like to take this opportunity to provide comments on the Los Angeles Regional Water Quality Control Board's ("Regional Water Board") Tentative Order/NPDES Permit No. CAS004002 of Waste Discharge Requirements for Storm Water Discharges from the Municipal Separate Storm Sewer System ("MS4") within the Ventura County Watershed Protection District, County of Ventura, and the Incorporated Cities therein (collectively referred to as the "Permittees), which was released for public comment by the Regional Water Board on May 5, 2010.

We wish to first express our appreciation of the Regional Water Board's staff efforts over the past year to meet and consider our interpretations with the currently effective permit, Order No. 09-0057. These efforts have aided in obtaining mutual understandings of the Permit requirements that are protective of water quality and build upon an award winning stormwater management program. The Permit, as you know, is comprehensive and addresses many relevant water quality issues within our watersheds.

Since the May 7, 2009 adoption of the Order the Permittees have committed significant resources towards permit compliance and have accomplished many tasks. Most significantly was the submittal of the Revised Technical Guidance Manual for New and Re-Developments. This manual was updated to help the development community understand and interpret the complex land development permit requirements. Other program elements submitted to the Regional Water Board were a Youth Outreach Plan to communicate the stormwater message to school-aged children, this plan was also implemented last year. The Permittees also provided a prioritization of catch basins by levels of trash received through maps or tables with GIS coordinates.



Improvements have been made in every aspect of the program. A special training session was held for Permittee construction inspectors and capital improvement project managers on the new requirements for construction sites. New inspection forms were developed for both construction sites and business inspections along with focused educational materials. Also new this year is a Retail Partnership Program to communicate specific BMPs through pet stores, automotive supply stores and home improvement/nurseries.

Most costly to the Program has been the increase in monitoring. The largest part of that were the design, construction and installation of the eleven new monitoring sites. Four new flow weighted composite monitoring stations were installed to capture the first flush rain event of this permit year, and seven more new stations are very close to completion. The increase in required flow weighted composites samples required a large investment in automation and communication equipment to make sample collection possible with current staffing levels. However, increased staff time was needed to complete the first year of the Regional Bioassessment Study; sampling for the second year begins this June. Also starting this June is the new requirement for dry weather grab samples from each Permittees' storm drain system. Finally, a Quality Assurance Project Plan required for the new sediment pyrethroid monitoring has been drafted

Before setting forth our comments on the Tentative Order, which is in fact our current Permit, we would like to highlight a couple of significant observations. First, the Tentative Order remains, in every sense of the word, a ground breaking permit. From the development requirements, to establishing performance standards for treatment control best management practices (BMPs), to specifying specific BMP requirements for businesses, industries, and construction sites; the Tentative Order sets a high bar for California's municipal stormwater programs. Because of the ground-breaking nature of this Tentative Order, the Permittees have had to substantially revise the existing Stormwater Management Program in Ventura County. As a result, costs associated with implementation of the Stormwater Management Program have increased substantially. Please be assured, the Permittees have all revised their programs to ensure compliance with the Permit. However the uncertainty caused by the Building Industry Association petition of the Permit to the State Water Resources Control Board, the release of subsequent versions of the Permit, and the voluntary remand of certain provisions within the Permit have created practical difficulties in being able to fully commit sufficient resources to implementation of the programs. Because of this uncertainty, we appreciate the fact that the due dates in the Tentative Order allow us the opportunity to address many of these program requirements with a renewed commitment and energy.

Furthermore, the Tentative Order as proposed will protect existing high quality water and will lead to real water quality improvements. The Permittees take pride in the fact that we have some of the cleanest waterbodies and beaches in Southern California. This Tentative Order will continue to build on our existing efforts to protect these waters.

However, as discussed further below, the Permittees would be remiss to not take this opportunity to comment or acknowledge a few outstanding issues with the Tentative Order.

Our specific comments are organized around some of the overriding approaches acknowledged in this Tentative Order.<sup>1</sup> They include:

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- I. Reporting Program
- II. Total Maximum Daily Loads (TMDLs)
- III. Monitoring Program

While the Permittees recognize that some of the comments submitted below may be outside of the Regional Board's notice for this hearing, the comments are intended to make the Tentative Order, Monitoring Program, TMDL and Annual Reporting requirements correct with previous Board action, better and more efficient, and are not necessarily substantive changes to the Tentative Order.

### I. Reporting Program

Over the past year the Permittees and Regional Water Board staff worked together to develop a reporting program to address inconsistencies with Permit and Attachment H under Order No. 09-57 (now Attachment I of the Tentative Order). A working group was formed and a consultant hired to develop an example reporting format for the Industrial/Commercial Facilities Program. During a December 2009 meeting with Regional Water Board staff this format was determined acceptable and we were requested to continue. Work proceeded on the other Annual Report program elements and these were also submitted to the Regional Water Board staff.

Having gone through this effort we find reverting to the format of Attachment I a frustrating and costly endeavor. Outlined below are some examples of why we have difficulties with Attachment I, and why we wish to continue with an alternative reporting format. The Permittees look forward to building on the work already accomplished and the opportunity make the reporting format as practicable as possible

The Tentative Order addresses the Annual Report requirements in three provisions. These are listed below:

- Part 4, Provision I. This provision essentially requires the Permittees to (1) develop in consultation with the Regional Water Board an electronic reporting program, (2) submit the Annual Report by December 15<sup>th</sup> of each year, and (3) document the status of the Municipal Storm Water Program, including an integrated summary of Part 1 – Monitoring Program and Part 2 – Program Report<sup>2</sup>
- Part 7, Provision T. This Standard Provision establishes requirements for the Annual Report consistent with 40 CFR 122.42(c). These requirements are as follows:
  - (1) The status of implementing the components of the storm water management Program that are established as permit conditions;
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Tentative Order and its potential impact to Ventura County and its municipalities. To that extent, the Permittees hereby incorporate by reference all previous comments and attachments submitted on March 6, 2007, October 12, 2007, and May 28, 2008, April 10, 2009 in response to administrative draft versions of the Tentative Order; as well as comments and attachments submitted between May 2008 and May 7, 2009 on the previous Tentative Order.

<sup>2</sup> Although not specified in Part 4, Provision I, the referenced Parts 1 and 2 are identified in Attachment I.

established as permit condition. Such proposed changes shall be consistent with 40 CFR 122.26(d)(2)(iii) of this part;

(3) Revisions, if necessary, to the assessment of controls and the fiscal analysis reported in the permit application under 40 CFR 122.26(d)(2)(iv) and (d)(2)(v) of this part;

(4) A summary of data, including monitoring data that is accumulated throughout the reporting year;

(5) Annual expenditures and budget for year following each annual report;

(6) A summary describing the number and nature of enforcement actions, inspections, and public education programs; and

(7) Identification of water quality improvements or degradation.

- Attachment I – Reporting Program Requirements. This attachment has four parts: Part 1 Monitoring Report, Part 2 Program Report, Part 3 Storm Water Quality Management Program Implementation, and Part 4 Special Provisions. The attachment includes a comprehensive list of questions that support the Regional Water Boards' effort to assess whether the MS4s are complying with the Tentative Order. The attachment is intended to be consistent with the requirements of the Tentative Order.

The Permittees have fundamental concerns with the current Tentative Order and Attachment I. First, the format established by the Tentative Order/Attachment I provides little information for the Permittees to use to assess the effectiveness of our program and how we might want to modify the program to make it more effective. Instead, the Tentative Order/Attachment I includes multiple questions that serve only as a check list of permit provisions and does little to help our efforts to protect water quality. Second, our review of the reporting requirements shows that Attachment I is inconsistent, and many times, in conflict with the Tentative Order. As a case in point, we compared the requirements in Attachment I with the requirements in the permit and found that there are numerous inconsistencies/conflicts, especially in the Planning and Land Development and Development Construction Programs. Some of these conflicts are summarized below:

- Part 4, Provision B.2 and Attachment I, Part 4, Watershed Initiative Participation, Question 1. The Tentative Order requires more participation than identified in Attachment I.
- Part 4, Provision D.2 (4) and Attachment I, Part 4, Industrial/Commercial; Question 3 regarding inspection requirements for nurseries. Attachment I requests more information than required in the Tentative Order.
- Part 4, Provision E and Attachment I, Part 4, Planning and Land Development Program, all questions. The Planning and Land Development Program is intended to be an integrated program for new development redevelopment projects that provides for the planning, design and implementation of BMPs to protect water quality. Attachment I on the other hand is a series of questions that do not relate to the overall program and taken separately do not provide the necessary insights into how the Planning and Land Development Program is functioning. More specifically questions 1, 2, 6 and 7 relate to each other and should be addressed together and evaluated as an entire program not separate

tasks. It is also worth noting that in some cases (e.g., questions 10-12) do not track the organization of the Tentative Order.

As noted in Attachment A, there are a number of inconsistencies and unnecessary questions that do not provide the information that the Permittees need to assess the effectiveness of their overall program and to make modifications when necessary. Instead, the questions create an extensive reporting requirement that may or may not adequately address the Tentative Order provisions. Thus, the Permittees are in an unenviable position of not knowing whether they are potentially in violation of the Tentative Order although they completed the questions noted in Attachment I. While we have concerns with the current Tentative Order and Attachment I, we believe that our concerns with the reporting requirement can be addressed relatively easily by adding a statement in Attachment I that allows the Permittees to submit their own reporting format in lieu of Attachment I as long as the proposed format meets the following objectives:

- (1) Conveys the status of implementing the components of the storm water management program that are established as permit conditions;
- (2) Includes proposed changes to the storm water management programs that are established as permit conditions or that have been identified by the Permittees as necessary to provide for more efficient stormwater management programs;
- (4) Includes a summary and assessment of monitoring data collected throughout the reporting year as established as permit conditions;
- (5) Conveys necessary information regarding annual expenditures and budget for year following each annual report;
- (6) Includes a summary describing the number and nature of enforcement actions, inspections, and public education programs implemented; and
- (7) Identifies water quality improvements and/or degradation.

Further, we suggest that the alternative report format be approved by the Executive Officer. Once approved, the alternative format would be applied to subsequent annual reports, unless a different alternative format is proposed for Executive Officer approval.

## II. TMDLs

Consistent with 40 C.F.R. § 122.44(d)(1)(vii)(B), the Tentative Order incorporates waste load allocations (WLAs) for effective TMDLs as permit limits. As required by 40 C.F.R. § 122.44(d)(1)(vii)(B), the permit limits in the Tentative Order have been modified from previous drafts of the permit to be "consistent with the assumptions and requirements of available WLAs" by being incorporated as receiving water limits in the permit. Additionally, the WLAs have appropriately been expressed in the form of BMPs consistent with EPA's 2002 Memorandum *Establishing Total Maximum Daily Load (TMDL) Wasteload Allocations (WLAs) for Storm Water Sources and NPDES Permit Requirements Based on Those WLAs*. As stated in that memorandum:

- Water Quality-Based Effluent Limits (WQBELs) for NPDES-regulated storm water discharges that implement WLAs in TMDLs may be expressed in the form of best management practices (BMPs) under specified circumstances. (See 33 U.S.C. §1342(p)(3)(B)(iii); 40 C.F.R. §122.44(k)(2)&(3).) If BMPs alone adequately achieve the WLAs, then additional controls are not necessary.
- EPA expects that most WQBELs for NPDES-regulated municipal and small construction storm water discharges will be in the form of BMPs, and that numeric limits will be used

- only in rare instances.
- When a non-numeric WQBELs is imposed, the permit's administrative record, including the fact sheet when one is required, needs to support that the BMPs are expected to be sufficient to achieve the WLA in the TMDL. (See 40 C.F.R. §§ 124.8, 124.9 & 124.18.)
- The NPDES permit must also specify the monitoring necessary to determine compliance with effluent limitations (See 40 C.F.R. § 122.44(l)). Where effluent limits are specified as BMPs, the permit should also specify the monitoring necessary to assess if the expected load reductions attributed to BMP implementation are achieved (e.g., BMP performance data).
- The permit should also provide a mechanism (e.g. iterative, adaptive management BMP approach) to make adjustments to the required BMPs as necessary to ensure their adequate performance.

In accordance with U.S. EPA's Guidance, the BMPs included in the permit will be sufficient to implement and achieve the WLAs in the TMDLs. Further, the specified monitoring program is sufficient to determine compliance load reductions resulting from BMP implementation. This combined with the incorporation of the "iterative process" is consistent with U.S. EPA's Guidance.

While the Permittees believe that the language in the Tentative Order meets the requirements of 40 C.F.R. §122.44(d)(1)(vii)(B) and is consistent with EPA's Guidance, we recommend the following revision to provide further clarification that the WLAs will be achieved through BMPs and to provide a mechanism for making adjustments to the BMPs to ensure their adequate performance. Our suggested revisions to the findings and to Part 6 of the Tentative Order are as follows:

### Finding F.3

~~The permit provisions and BMPs implementation of measures set forth in this Order are reasonably expected to reduce the discharge of pollutants conveyed in storm water discharges into receiving waters, and to achieve meet the TMDL WLAs for discharges from MS4s that have been adopted by the Regional Water Board.~~

### Part 5 – Total Maximum Daily Load Provisions

Provision (b)(2) under each TMDL, to read as follows:

~~If any WLA is exceeded at a compliance monitoring site, permittees shall implement BMPs in accordance with the TMDL Technical Reports, Implementation Plans or as identified as a result of TMDL Special Studies identified in the Basin Plan Amendment. Following these actions, Regional Water Board staff will evaluate the need for further enforcement action. Exceedances of the WLAs at the receiving water compliance locations will initiate the implementation of additional BMPs identified in the permit and modification of the SMP to include additional BMPs to further reduce discharges of pollutants to achieve compliance with the WLAs.~~

With these modifications, the Tentative Order will clearly achieve the TMDL in accordance with EPA's 2002 memorandum.

In addition, at the May 7, 2009 hearing on Order No. 09-057, I (representing the Ventura County Permittees) included in my PowerPoint presentation, and provided in written copies to the Board, proposed edits to Part 5 – TMDL Provisions. These edits are not substantive changes but rather corrections to the Tentative Order in line with previous Regional Board adopted TMDL Basin Plan Amendments. We request the edits included here as Attachment B be incorporated into a Revised Tentative Order.

#### VIII. Monitoring Program

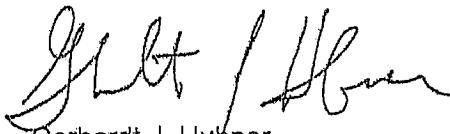
The Tentative Order reflects tremendous amount of work that has been done to resolve many past technical issues with the Monitoring Program, while ensuring the collection of useful water quality data for the Ventura County Permittees. In fact, this past wet weather season we utilized these stations, and the data collected added to our understanding of the Permittees' urban outfall discharges. The adoption of Order No. 09-057 last year, and the proposed Tentative Order include additional special studies, outfall monitoring and beach water quality monitoring doubling the cost of the monitoring program, all in addition to a significant amount of other monitoring occurring within the County: TMDLs, Ocean outfall, SWAMP, inland wastewater treatment plants and AB 411 (beach water quality) Programs.

One monitoring program that has been expanded in the Tentative Order is the Southern California Regional Bioassessment Study, in cooperation with the Southern California Coastal Water Research Project (SCCWRP). The Permittees acknowledge the value of this study and do not object to the additional requirement of fixed sites that are not a part of the current study design. However, the Tentative Order contains duplicative language with respect to this requirement. The requirement appears in both Attachment F - Monitoring Program, but also under the Watershed Initiative Participation in the body of the Tentative Order (Part 4. B. 2.). It is important that a requirement to participate in monitoring program, such as this one designed and managed by a third party, be written to allow flexibility to adjust to changes in the study's design. Since Attachment F can be modified by the Executive Officer, while a Part 4 revision requires action by your Board, we request deleting the requirement described in Part 4. B. 2 (but remaining in Attachment F).

### Summary

The Permittees recognize that the Tentative Order is a significant step forward in addressing urban runoff in Ventura County. We would submit that the Tentative Order, when viewed in the whole and not as individual parts, is comprehensive and protective of water quality. However, the comprehensive nature of the Tentative Order will significantly increase local agency and citizen costs to implement the program. In light of these increased costs, we encourage the Regional Water Board to carefully consider the implications associated with any future modifications as such modifications to one program element would likely come at the expense of another. Again, we thank you and your staff for the time and effort in meeting with the Ventura County Permittees to work through the many issues in the previous draft orders. If you have any questions, please contact me at (805) 654-5051.

Sincerely,



Gerhardt J. Hubner  
*On Behalf of the Entire  
Ventura Countywide  
Stormwater Management Program*

cc: Renee Purdy, Los Angeles Regional Water Quality Control Board  
Ventura County City Managers  
Marty Robinson, Ventura County Chief Executive Officer  
Jeff Pratt, Ventura County Public Works Director  
Ventura Countywide Stormwater Management Program Permittees

### Attachments

- A. Table Comparing Attachment I and Tentative Order Reporting requirements
- B. Edits for Part 5 TMDL Provisions



June 4, 2010

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Los Angeles Regional Water Quality Control Board  
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As noted in Attachment A, there are a number of inconsistencies and unnecessary questions that do not provide the information that the Permittees need to assess the effectiveness of their overall program and to make modifications when necessary. Instead, the questions create an extensive reporting requirement that may or may not adequately address the Tentative Order provisions. Thus, the Permittees are in an unenviable position of not knowing whether they are potentially in violation of the Tentative Order although they completed the questions noted in Attachment I. While we have concerns with the current Tentative Order and Attachment I, we believe that our concerns with the reporting requirement can be addressed relatively easily by adding a statement in Attachment I that allows the Permittees to submit their own reporting format in lieu of Attachment I as long as the proposed format meets the following objectives:

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Further, we suggest that the alternative report format be approved by the Executive Officer. Once approved, the alternative format would be applied to subsequent annual reports, unless a different alternative format is proposed for Executive Officer approval.

## II. TMDLs

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- EPA expects that most WQBELs for NPDES-regulated municipal and small construction storm water discharges will be in the form of BMPs, and that numeric limits will be used

- only in rare instances.
- When a non-numeric WQBELs is imposed, the permit's administrative record, including the fact sheet when one is required, needs to support that the BMPs are expected to be sufficient to achieve the WLA in the TMDL. (See 40 C.F.R. §§ 124.8, 124.9 & 124.18.)
  - The NPDES permit must also specify the monitoring necessary to determine compliance with effluent limitations (See 40 C.F.R. § 122.44(i)). Where effluent limits are specified as BMPs, the permit should also specify the monitoring necessary to assess if the expected load reductions attributed to BMP implementation are achieved (e.g., BMP performance data).
  - The permit should also provide a mechanism (e.g. iterative, adaptive management BMP approach) to make adjustments to the required BMPs as necessary to ensure their adequate performance.

In accordance with U.S. EPA's Guidance, the BMPs included in the permit will be sufficient to implement and achieve the WLAs in the TMDLs. Further, the specified monitoring program is sufficient to determine compliance load reductions resulting from BMP implementation. This combined with the incorporation of the "iterative process" is consistent with U.S. EPA's Guidance.

While the Permittees believe that the language in the Tentative Order meets the requirements of 40 C.F.R. §122.44(d)(1)(vii)(B) and is consistent with EPA's Guidance, we recommend the following revision to provide further clarification that the WLAs will be achieved through BMPs and to provide a mechanism for making adjustments to the BMPs to ensure their adequate performance. Our suggested revisions to the findings and to Part 6 of the Tentative Order are as follows:

### **Finding F.3**

~~The permit provisions and BMPs implementation of measures set forth in this Order are reasonably expected to reduce the discharge of pollutants conveyed in storm water discharges into receiving waters, and to achieve meet the TMDL WLAs for discharges from MS4s that have been adopted by the Regional Water Board.~~

### **Part 5 – Total Maximum Daily Load Provisions**

Provision (b)(2) under each TMDL, to read as follows:

~~If any WLA is exceeded at a compliance monitoring site, permittees shall implement BMPs in accordance with the TMDL Technical Reports, Implementation Plans or as identified as a result of TMDL Special Studies identified in the Basin Plan Amendment. Following these actions, Regional Water Board staff will evaluate the need for further enforcement action. Exceedances of the WLAs at the receiving water compliance locations will initiate the implementation of additional BMPs identified in the permit and modification of the SMP to include additional BMPs to further reduce discharges of pollutants to achieve compliance with the WLAs.~~

With these modifications, the Tentative Order will clearly achieve the TMDL in accordance with EPA's 2002 memorandum.

In addition, at the May 7, 2009 hearing on Order No. 09-057, I (representing the Ventura County Permittees) included in my PowerPoint presentation, and provided in written copies to the Board, proposed edits to Part 5 – TMDL Provisions. These edits are not substantive changes but rather corrections to the Tentative Order in line with previous Regional Board adopted TMDL Basin Plan Amendments. We request the edits included here as Attachment B be incorporated into a Revised Tentative Order.

#### **VIII. Monitoring Program**

The Tentative Order reflects tremendous amount of work that has been done to resolve many past technical issues with the Monitoring Program, while ensuring the collection of useful water quality data for the Ventura County Permittees. In fact, this past wet weather season we utilized these stations, and the data collected added to our understanding of the Permittees' urban outfall discharges. The adoption of Order No. 09-057 last year, and the proposed Tentative Order include additional special studies, outfall monitoring and beach water quality monitoring doubling the cost of the monitoring program, all in addition to a significant amount of other monitoring occurring within the County: TMDLs, Ocean outfall, SWAMP, inland wastewater treatment plants and AB 411 (beach water quality) Programs.

One monitoring program that has been expanded in the Tentative Order is the Southern California Regional Bioassessment Study, in cooperation with the Southern California Coastal Water Research Project (SCCWRP). The Permittees acknowledge the value of this study and do not object to the additional requirement of fixed sites that are not a part of the current study design. However, the Tentative Order contains duplicative language with respect to this requirement. The requirement appears in both Attachment F - Monitoring Program, but also under the Watershed Initiative Participation in the body of the Tentative Order (Part 4. B. 2.). It is important that a requirement to participate in monitoring program, such as this one designed and managed by a third party, be written to allow flexibility to adjust to changes in the study's design. Since Attachment F can be modified by the Executive Officer, while a Part 4 revision requires action by your Board, we request deleting the requirement described in Part 4. B. 2 (but remaining in Attachment F).

## Summary

The Permittees recognize that the Tentative Order is a significant step forward in addressing urban runoff in Ventura County. We would submit that the Tentative Order, when viewed in the whole and not as individual parts, is comprehensive and protective of water quality. However, the comprehensive nature of the Tentative Order will significantly increase local agency and citizen costs to implement the program. In light of these increased costs, we encourage the Regional Water Board to carefully consider the implications associated with any future modifications as such modifications to one program element would likely come at the expense of another. Again, we thank you and your staff for the time and effort in meeting with the Ventura County Permittees to work through the many issues in the previous draft orders. If you have any questions, please contact me at (805) 654-5051.

Sincerely,

Gerhardt J. Hubner  
*On Behalf of the Entire*  
*Ventura Countywide*  
*Stormwater Management Program*

cc: Renee Purdy, Los Angeles Regional Water Quality Control Board  
Ventura County City Managers  
Marty Robinson, Ventura County Chief Executive Officer  
Jeff Pratt, Ventura County Public Works Director  
Ventura Countywide Stormwater Management Program Permittees

## Attachments

- A. Table Comparing Attachment I and Tentative Order Reporting requirements
- B. Edits for Part 5 TMDL Provisions



Attachment A: Comparison between Attachment I and Tentative Order – Ventura Countywide Permit

Part 2 – PROGRAM REPORT

Requirement in Attachment I	Corresponding Language in Permit	Comments
Receiving Water Limitations 1. At any time, has the discharge from the MS4 caused or contributed to the violation of water quality objectives or water quality standards? 2. At any time, has the discharge from the MS4 for which a Permittee is at least partially responsible, caused or contributed to a condition of nuisance? 3. At any time, has the discharge of pollutant(s) from the MS4 exceeded the MS4 Waste Load Allocation(s) for Wet Weather Discharges?	Discharges from the MS4 that cause or contribute to a violation of water quality standards are prohibited. Discharges from the MS4 of storm water, or non-storm water, for which a Permittee is responsible, shall not cause or contribute to a condition of nuisance. WLA's listed on pp 96-100 of permit.	MS4s are not monitoring outfalls for waste loads therefore the question being posed cannot be answered adequately. Also the Permit requires compliance monitoring in the receiving water.

PART 3 - STORM WATER QUALITY MANAGEMENT PROGRAM IMPLEMENTATION

Requirement in Attachment I	Corresponding Language in Permit	Comments
Legal Authority	3. Each Permittee has adopted a Storm Water Quality Ordinance based upon a countywide model. Each Permittee shall ensure, no later than two years after adoption date, that its Storm Water Quality Ordinance authorizes the Permittee to enforce all requirements of this Order.	No corresponding question in Attachment I.
Fiscal Resources 1. Provide a detailed Annual Budget Summary of the Permittee's allocation of funds expended to implement the activities required to comply with the conditions of this Order. 2. Indicate the source(s) of funding (whether general funds; and/ or Benefit Assessment Program funds; plan review fees; permit fees; industrial/ commercial user fee; revenue bonds; grants; or other funding mechanism. Each Permittee's Annual Budget Summary shall separately include: (a) Annual Budget Summary of expenditures applied to the storm water management program and also identify the storm water budget for the following year, using estimated percentages and written explanations where necessary, for the specific categories noted below: (i) Program Overall Management Activities; (ii) Administrative costs (iii) Program Required Activities Implementation; (A) Provide an estimated percent breakdown of expenditures for the categories below: (i) Illicit connection/ illicit discharge (ii) Development planning (iii) Development construction (iv) Construction inspection activities (v) Industrial/ Commercial inspection activities (vi) Public Agency Activities (vii) Maintenance of Structural BMPs and Treatment Control BMPs (viii) Municipal Street Sweeping for Commercial/ Industrial land use only; (ix) Catch basin clean-outs (including dumping fees); (x) Storm drain clean-outs (including dumping fees); and (xi) Other costs (describe). (xii) Public Information and Participation; (xiii) Monitoring Program; and (xiv) Miscellaneous Expenditures (describe).	1. The Permittees shall implement the activities required to comply with the provisions of this Order. Each Permittee shall: (a) Submit an Annual Budget Summary that shall include: (1) Budgets for the upcoming report year (estimated expenditure) for the following specific categories (estimated percentages and written explanations where necessary): (A) Program Management Activities. (i) Overall Administrative costs (ii) Program Implementation Activities (permit related activities only). Provide figures breakdown of expenditures for the categories below: (i) Illicit connection/illicit discharge program. (ii) Development planning and approval (iii) Construction program including inspection activities (iv) Industrial/Commercial program including inspection activities (v) Public Agency Activities (i) Maintenance and inspection of Treatment Control BMPs (11) Municipal Street Sweeping (11) Municipal Drainage Maintenance including catch basin clean-outs (iv) Other costs associated with storm water management (describe) (vi) Public Information and Participation. (vii) Monitoring Program (viii) Miscellaneous Expenditures (describe)	Inconsistency between Attachment I questions and permit requirements (i.e. different budget categories)
D. Modifications/ Revisions 1. No later than two years after the Order adoption date, each Permittee shall modify its storm water management programs, protocols, practices, and municipal codes to make them consistent with the requirements herein.		No corresponding question in Attachment I

PART 4 - SPECIAL PROVISIONS

Attachment A: Comparison between Attachment I and Tentative Order – Ventura Countywide Permit

<p><b>General Requirements</b></p>	<p>1. This Order and the provisions herein are intended to develop, achieve, and implement a timely, comprehensive, cost-effective storm water pollution control program to reduce the discharge of pollutants in storm water to the MEP and not cause or contribute to exceedances of water quality standards for the permitted areas in the County of Ventura.</p> <p>2. <b>Best Management Practice Substitution</b>  (a) The Regional Water Board Executive Officer may approve any site-specific BMP substitution upon written request by a Permittee(s) and after public notice, if the Permittee can document that:  (1) The proposed alternative BMP or program will meet or exceed the objective of the original BMP or program in the reduction of storm water pollutants.  (2) The fiscal burden of the original BMP or program is greater than the proposed alternative and does not achieve a greater improvement in storm water quality.  (3) The proposed alternative BMP or program will be implemented within a similar period of time.  (4) BMP substitution will be in accordance with the public review provisions of the Order (Part 7C. 1 and Part 7C.2).</p>	<p>Inconsistency between Attachment I question and Permit requirements. Presenting all data provided by SMC is cumbersome and not reflective of Permit compliance.</p>
<p><b>Watershed Initative Participation</b></p> <p>1. Describe your participation (Principal Permittee) and present data results in the following:  (a) Southern California Stormwater Monitoring Coalitions' (SMC) Regional Monitoring program for the Southern California Regional Bioassessment.</p>	<p>1. The principal Permittee shall participate in water quality meetings for watershed management and planning, including but not limited to:  (a) SMC  (b) Other Watershed planning groups as appropriate</p>	<p>Inconsistency between Attachment I question and Permit requirements. Presenting all data provided by SMC is cumbersome and not reflective of Permit compliance.</p>
<p><b>Public Information and Participation Program (PIPP)</b></p> <p>1. Describe the Permittee successes in:  (a) Measurably increasing the knowledge of the target audiences regarding the MS4, the impacts of storm water pollution on receiving waters and potential solutions to mitigate the problems caused;  (b) Measurably changing the waste disposal and runoff pollution generation behavior of target audiences by encouraging implementation of appropriate solutions;  (c) Involving and engaging communities in Ventura County to participate in mitigating the impacts of storm water pollution.</p>	<p>1. The Principal Permittee shall implement a Public Information and Participation Program (PIPP) that includes, but is not limited to, the requirements listed in this part. The Principal Permittee shall coordinate with Permittees to implement specific PIPP requirements. The objectives of the PIPP are as follows:  (a) To increase the knowledge of the target audience about the MS4, the adverse impacts of storm water pollution on receiving waters and potential solutions to mitigate the impacts  (b) To change the waste disposal and storm water pollution generation behavior of target audiences by encouraging implementation of appropriate solutions  (c) To involve and engage communities in Ventura County to participate in mitigating the impacts of storm water pollution</p>	<p>Inconsistency between Attachment I questions and permit requirements (e.g. Attachment I requires MS4s to measurably change knowledge while Permit requires efforts to increase knowledge).</p>
<p><b>2. Residential Program</b></p> <p>(a) Did the Permittee label each storm drain inlet that they own with a legible "no dumping" message.  (b) How many inlets were labeled this year?  (c) How many inlets were labeled cumulatively?  (d) Did the Permittee install signs with prohibitive language discouraging illegal dumping at designated public access points to creeks, other relevant water bodies, and channels?  (e) How many?</p>	<p>2. <b>Residential Program</b>  (a) "No Dumping" Message  Each Permittee shall label all storm drain inlets that they own with a legible "no dumping" message. In addition, signs with prohibitive language discouraging illegal dumping shall be posted at designated public access points to creeks, other relevant waterbodies, and channels. Signage and storm drain messages shall be legible and maintained.</p>	<p>Attachment I requests more information than the Permit requires.</p>
<p><b>3. Public Reporting</b></p> <p>(a) Identify the staff person(s) who will serve as the contact person(s) for reporting clogged catch basin inlets and illicit discharges/ dumping, faded or missing catch basin stencils, and general storm water management information.  (b) Did the Permittee update this information by July 1 of this year?  (c) The Principal Permittee shall compile a list of the general public reporting contacts from all Permittees and make this information available on the web site (<a href="http://www.vcstormwater.org/contact.htm">http://www.vcstormwater.org/contact.htm</a>) and upon request.</p>	<p>(b) <b>Public Reporting</b>  Each Permittee shall identify staff who will serve as the contact person(s) for reporting clogged catch basin inlets and illicit discharges/dumping, faded or missing catch basin labels, and general storm water management information. Permittees shall include this information, updated by July 1 of each year, in public information media such as the government pages of the telephone book, and internet web sites. The Principal Permittee shall compile a list of the general public reporting contacts submitted by all Permittees and make this information available on the web site (<a href="http://www.vcstormwater.org/contact.htm">http://www.vcstormwater.org/contact.htm</a>) and upon request. Each Permittee is responsible for providing current, updated information to the Principal Permittee.</p>	<p>Inconsistency between Attachment I question and Permit requirements. Questions are inadequate to address all of the Permit requirements.</p>
<p><b>Industrial/ Commercial Facilities Program</b></p> <p>(a) Did the Permittee verify the following for each inspection:  (1) If required does each facility have a current Waste Discharge Identification (WDID) number or a current No Exposure Certification for discharging storm water associated with industrial activity?  (2) A Storm Water Pollution Prevention Plan available on-site?  (3) The facility is effectively implementing BMPs in compliance with County and municipal ordinances including the source control BMPs outlined in Part 4.D. of this Order.</p>	<p>2. <b>Inspect Critical Sources</b>  (a) <b>Commercial Facilities</b>  Permittee shall inspect all facilities identified in subpart 5. D. 1, twice during the 5-year term of the Order, provided that the first inspection occurs no later than (365 days after adoption date) A minimum interval of 6 months between the first and the second mandatory compliance inspection is required. In addition, each Permittee shall implement the activities outlined in the following subparts. At each facility, inspectors shall verify that the operator is implementing the source control BMPs. The Permittees may require implementation of additional BMPs where storm water flows from the MS4 discharge to an environmentally sensitive area (ESA, see part 7 for definition) or a CWA 5 303(d) listed waterbody (see subpart 3(b) below).</p>	<p>Inconsistency between Attachment I question and Permit requirements. Questions are more relevant for industrial inspections not commercial, therefore the questions do not adequately address the Permit requirements. On the other hand the questions regarding tracking of enforcement actions goes beyond</p>

<p>(b) For facilities discharging into a MS4 that to a CWA §303(d) listed water body how many facilities were required to implement additional treatment control BMPs? Provide the reporting data as suggested in the following table:</p> <p>Column headings:</p> <p>(a) Initial Number of Facilities at the start of cycle proposed for inspection by categories (after the initial year, the updated number based on the new data)</p> <p>(b) Number of facilities inspected in the current reporting year</p> <p>(c) % Completed at the time of this report for present cycle (from the initial value, and from the updated value after first cycle)</p> <p>(d) Total number since permit adoption</p> <p>(e) Did each Permittee perform an initial inspection at all facilities in the categories listed no later than (two years after the adoption of the Order)?</p> <p>(2) All facilities determined as having exposure of industrial activities to storm water are subject to a second compliance inspection. Were all inspections completed?</p> <p>(3) Was there a minimum interval of six months between the first and the second compliance inspection per site as required?</p> <p><b>BMPs Implementation</b></p> <p>Provide the reporting data as suggested in the following table:</p> <p>Column headings:</p> <p>(a) Number of facilities inspected by category this reporting year</p> <p>(b) Number of facilities identified as adequately implementing BMPs as specified in this reporting year</p> <p>(c) Percent adequately implementing out of total in this reporting year</p> <p>(d) Number of facilities required to implement or upgrade in this reporting year</p> <p>(e) Number of facilities inspected by category in this reporting cycle</p> <p>(f) Number of facilities identified as adequately implementing BMPs as specified in this reporting cycle</p> <p>(g) Percent adequately implementing out of total in this reporting cycle</p> <p>(h) Number of facilities required to implement or upgrade in this reporting cycle</p> <p>(i) Total Number during this permit adequately implementing</p> <p>(j) Total Number during this permit required to implement or upgrade</p> <p><b>Enforcement Activities</b></p> <p>Provide the reporting data as suggested in the following table:</p> <p>Column headings:</p> <p>(a) Enforcement Actions by categories (e.g. Warning letter, NOV, referral to D.A., etc.)</p> <p>(b) Number of facilities issued enforcement actions in the current reporting year</p> <p>(c) Number of facilities issued enforcement actions in the current reporting cycle</p> <p>(d) Number of facilities (re)inspected due to enforcement actions in current reporting year</p> <p>(e) Number of facilities (re)inspected due to enforcement actions in current reporting cycle</p> <p>(f) Number of facilities brought into compliance in the current reporting year</p> <p>(g) Number of facilities brought into compliance in current reporting cycle</p> <p>(h) Total number of enforcement actions since permit adoption (by category)</p> <p><b>3. Nurseries and nursery centers</b></p> <p>(a) At nurseries subject to the agricultural waiver issued by the Regional Water Board, provide a spreadsheet with the following information:</p> <ul style="list-style-type: none"> <li>How many operators have enrolled under the waiver?</li> <li>What is their identification number?</li> <li>How many nonifiers did you notify to apply under the agricultural waiver?</li> <li>Did you submit electronically semiannually to the Regional Water Board a list with</li> </ul>	<p>(1) Restaurants- Level of Inspections: Each Permittee shall inspect all restaurants within its jurisdiction to confirm that storm water BMPs are being effectively implemented in compliance with state-law, County and municipal ordinances. BMPs in Table 2 (BMPs at Restaurants) shall be implemented, unless the pollutant generating activity does not occur.</p> <p>(2) Automotive Service Facilities- Level of Inspection: Each Permittee shall confirm that BMPs are being effectively implemented at each facility within its jurisdiction, in compliance with County and municipal ordinances. The inspections shall verify that BMPs in Table 3 (BMPs at Automotive Service Facilities) are being implemented, unless the pollutant generating activity does not occur.</p> <p>(3) Retail Gasoline Outlets and Automotive Dealerships- Level of Inspections: Each Permittee shall confirm that BMPs are being effectively implemented at each facility within its jurisdiction, in compliance with County and municipal ordinances. The inspections shall verify that BMPs at Retail Gasoline Outlets are being implemented, unless the pollutant generating activity does not occur.</p> <p>(b) Industrial Facilities Each Permittee shall conduct compliance inspections as specified below.</p> <p>(1) Frequency of Inspection (A) Each Permittee shall perform an initial inspection at all industrial facilities identified by the U.S. EPA in 40 CFR122.26(c) no later than 2 years after Order adoption date. After the initial inspection, all facilities determined as having exposure of industrial activities to storm water are subject to a second mandatory compliance inspection. A minimum interval of 6 months between the first and the second compliance inspection is required.</p> <p>(B) Following the first mandatory compliance inspection, a Permittee shall perform a second mandatory compliance inspection yearly at a minimum of 20% of the facilities determined not to have exposure of industrial activities to storm water. The purpose of this inspection is to verify the continuity of the no exposure status. Facilities determined as having exposure will be notified that they must obtain coverage under the IASGP. A facility need not be inspected more than twice during the term of the Order unless subject to an enforcement action. A minimum interval of 6 months in between the first and the second compliance inspection is required.</p> <p>(C) Applicable to all facilities: A Permittee need not inspect facilities that have been inspected by the Regional Water Board within the previous 24 month interval. However, if the Regional Water Board performed only one inspection, the Permittee shall conduct the second required mandatory compliance inspection.</p> <p>(2) Level of Inspection: Each Permittee shall confirm that each operator: (A) Has a current Waste Discharge Identification (WDID) number for facilities discharging storm water associated with industrial activity, and that a Storm Water Pollution Prevention Plan (SWPPP) is available on-site. (B) Is effectively implementing BMPs in compliance with County and municipal ordinances. Facilities must implement the source control BMPs identified in subpart 5.D.3. and Appendix D, California Stormwater, Industrial and Commercial BMP Handbook (2003). (C) Has applied and has a current No Exposure Certification (and WDID number) for facilities subject to this requirement.</p>	<p>what the Permit specifies.</p> <p>Inconsistency between Attachment I question and Permit requirements. Questions go beyond Permit requirements.</p>
<p>(b) For facilities discharging into a MS4 that to a CWA §303(d) listed water body how many facilities were required to implement additional treatment control BMPs? Provide the reporting data as suggested in the following table:</p> <p>Column headings:</p> <p>(a) Initial Number of Facilities at the start of cycle proposed for inspection by categories (after the initial year, the updated number based on the new data)</p> <p>(b) Number of facilities inspected in the current reporting year</p> <p>(c) % Completed at the time of this report for present cycle (from the initial value, and from the updated value after first cycle)</p> <p>(d) Total number since permit adoption</p> <p>(e) Did each Permittee perform an initial inspection at all facilities in the categories listed no later than (two years after the adoption of the Order)?</p> <p>(2) All facilities determined as having exposure of industrial activities to storm water are subject to a second compliance inspection. Were all inspections completed?</p> <p>(3) Was there a minimum interval of six months between the first and the second compliance inspection per site as required?</p> <p><b>BMPs Implementation</b></p> <p>Provide the reporting data as suggested in the following table:</p> <p>Column headings:</p> <p>(a) Number of facilities inspected by category this reporting year</p> <p>(b) Number of facilities identified as adequately implementing BMPs as specified in this reporting year</p> <p>(c) Percent adequately implementing out of total in this reporting year</p> <p>(d) Number of facilities required to implement or upgrade in this reporting year</p> <p>(e) Number of facilities inspected by category in this reporting cycle</p> <p>(f) Number of facilities identified as adequately implementing BMPs as specified in this reporting cycle</p> <p>(g) Percent adequately implementing out of total in this reporting cycle</p> <p>(h) Number of facilities required to implement or upgrade in this reporting cycle</p> <p>(i) Total Number during this permit adequately implementing</p> <p>(j) Total Number during this permit required to implement or upgrade</p> <p><b>Enforcement Activities</b></p> <p>Provide the reporting data as suggested in the following table:</p> <p>Column headings:</p> <p>(a) Enforcement Actions by categories (e.g. Warning letter, NOV, referral to D.A., etc.)</p> <p>(b) Number of facilities issued enforcement actions in the current reporting year</p> <p>(c) Number of facilities issued enforcement actions in the current reporting cycle</p> <p>(d) Number of facilities (re)inspected due to enforcement actions in current reporting year</p> <p>(e) Number of facilities (re)inspected due to enforcement actions in current reporting cycle</p> <p>(f) Number of facilities brought into compliance in the current reporting year</p> <p>(g) Number of facilities brought into compliance in current reporting cycle</p> <p>(h) Total number of enforcement actions since permit adoption (by category)</p> <p><b>3. Nurseries and nursery centers</b></p> <p>(a) At nurseries subject to the agricultural waiver issued by the Regional Water Board, provide a spreadsheet with the following information:</p> <ul style="list-style-type: none"> <li>How many operators have enrolled under the waiver?</li> <li>What is their identification number?</li> <li>How many nonifiers did you notify to apply under the agricultural waiver?</li> <li>Did you submit electronically semiannually to the Regional Water Board a list with</li> </ul>	<p>(1) Restaurants- Level of Inspections: Each Permittee shall inspect all restaurants within its jurisdiction to confirm that storm water BMPs are being effectively implemented in compliance with state-law, County and municipal ordinances. BMPs in Table 2 (BMPs at Restaurants) shall be implemented, unless the pollutant generating activity does not occur.</p> <p>(2) Automotive Service Facilities- Level of Inspection: Each Permittee shall confirm that BMPs are being effectively implemented at each facility within its jurisdiction, in compliance with County and municipal ordinances. The inspections shall verify that BMPs in Table 3 (BMPs at Automotive Service Facilities) are being implemented, unless the pollutant generating activity does not occur.</p> <p>(3) Retail Gasoline Outlets and Automotive Dealerships- Level of Inspections: Each Permittee shall confirm that BMPs are being effectively implemented at each facility within its jurisdiction, in compliance with County and municipal ordinances. The inspections shall verify that BMPs at Retail Gasoline Outlets are being implemented, unless the pollutant generating activity does not occur.</p> <p>(b) Industrial Facilities Each Permittee shall conduct compliance inspections as specified below.</p> <p>(1) Frequency of Inspection (A) Each Permittee shall perform an initial inspection at all industrial facilities identified by the U.S. EPA in 40 CFR122.26(c) no later than 2 years after Order adoption date. After the initial inspection, all facilities determined as having exposure of industrial activities to storm water are subject to a second mandatory compliance inspection. A minimum interval of 6 months between the first and the second compliance inspection is required.</p> <p>(B) Following the first mandatory compliance inspection, a Permittee shall perform a second mandatory compliance inspection yearly at a minimum of 20% of the facilities determined not to have exposure of industrial activities to storm water. The purpose of this inspection is to verify the continuity of the no exposure status. Facilities determined as having exposure will be notified that they must obtain coverage under the IASGP. A facility need not be inspected more than twice during the term of the Order unless subject to an enforcement action. A minimum interval of 6 months in between the first and the second compliance inspection is required.</p> <p>(C) Applicable to all facilities: A Permittee need not inspect facilities that have been inspected by the Regional Water Board within the previous 24 month interval. However, if the Regional Water Board performed only one inspection, the Permittee shall conduct the second required mandatory compliance inspection.</p> <p>(2) Level of Inspection: Each Permittee shall confirm that each operator: (A) Has a current Waste Discharge Identification (WDID) number for facilities discharging storm water associated with industrial activity, and that a Storm Water Pollution Prevention Plan (SWPPP) is available on-site. (B) Is effectively implementing BMPs in compliance with County and municipal ordinances. Facilities must implement the source control BMPs identified in subpart 5.D.3. and Appendix D, California Stormwater, Industrial and Commercial BMP Handbook (2003). (C) Has applied and has a current No Exposure Certification (and WDID number) for facilities subject to this requirement.</p>	<p>what the Permit specifies.</p> <p>Inconsistency between Attachment I question and Permit requirements. Questions go beyond Permit requirements.</p>

<p>the names of facilities notified to apply for the waiver?</p>	<p>(a) Referral of Violations of the Municipal Storm Water Ordinances and California Water Code 8 13260: A Permittee may refer a violation(s) of 8 13260 by Industrial and Commercial facilities to the Regional Water Board provided that under its municipal storm water ordinance the Permittee has made a good faith effort of progressive enforcement. At a minimum, a Permittee's good faith effort must be documented with:</p> <ol style="list-style-type: none"> <li>(1) Two follow-up inspections</li> <li>(2) Two warning letters or notices of violation</li> <li>(b) Referral of Violations of the Industrial Activities Storm Water General Permit (IASGP), including Requirements to Pile a Notice of Intent or No Exposure Certification: For those facilities in violation of the municipal storm water ordinance and subject to the IASGP, Permittees may escalate referral of such violations to the Regional Water Board (electronically on a quarterly basis to the Regional Water Board's Storm Water Site at MS4stormwaterb4@waterboards.ca.gov) after one inspection and one written notice (copied to the Regional Water Board) to the operator regarding the violation. In making such referrals, Permittees shall include, at a minimum, the following documentation: <ol style="list-style-type: none"> <li>(1) Name of the facility</li> <li>(2) Operator of the facility</li> <li>(3) O h e r of the facility</li> <li>(4) WDID Number (if applicable)</li> <li>(5) Industrial activity being conducted at the facility that is subject to the IASGP</li> <li>(6) Records of communication with the facility operator regarding the violation, which shall include at least an inspection report</li> <li>(7) The written notice of the violation copied to the Regional Water Board</li> </ol> </li> </ol>	<p>Inconsistency between Attachment I question and Permit requirements.</p>
<p>Planning and Land Development Program</p>	<p>(d) Assistance of Regional Water Board Enforcement Actions: As directed by the Regional Water Board Executive Officer, Permittees shall assist Regional Water Board enforcement actions by: helping in identification of current owners, operators, and lessees of facilities; providing staff, when available, for joint inspections with Regional Water Board inspectors; appearing as witnesses in Regional Water Board enforcement hearings; and providing copies of inspection reports and other progressive enforcement documentation.</p> <p>(e) Participation in a Task Force: The Permittees shall participate with the Regional Water Board, and other public agencies on an enforcement task force such as the Storm Water Task Force, to communicate concerns regarding special cases of storm water violations by industrial and commercial facilities and to develop a coordinated approach to enforcement action.</p>	<p>No corresponding question in Attachment I</p>

<p><b>I. Purpose</b></p> <p>The Permittees shall implement a Planning and Land Development Program pursuant to part 5.E. for all New/Development and Redevelopment projects subject to this Order to:</p> <p>(a) Lessen the water quality impacts of development by using smart growth practices such as compact development, directing development towards existing communities via infill or redevelopment, safeguarding of environmentally sensitive areas, mixing of land uses (e.g., homes, offices, and shops), transit accessibility, and better pedestrian and bicycle amenities.</p> <p>(b) Minimize the adverse impacts from storm water runoff on the biological integrity of Natural Drainage Systems and the beneficial uses of waterbodies in accordance with requirements under CEQA (Cal. Pub. Resources Code 5 21 100).</p> <p>(c) Minimize the percentage of effective impervious surfaces on land developments to mimic redevelopment water balance through infiltration, evapotranspiration and reuse.</p> <p>(d) Minimize pollutant loadings from impervious surfaces such as roof-tops, parking lots, and roadways through the use of properly designed, technically appropriate BMPs (including Source Control BMPs such as good housekeeping practices), Low Impact Development Strategies, and Treatment Control BMPs.</p> <p>(e) Properly select, design and maintain Treatment Control BMPs and Hydromodification Control BMPs to address pollutants that are likely to be generated, assure long-term function, and to avoid the breeding of vectors.</p> <p>(f) Prioritize the selection of BMPs suites to remove storm water pollutants, reduce storm water runoff volume, and beneficially reuse storm water to support an integrated approach to protecting water quality and managing water resources in the following order of preference:</p> <ol style="list-style-type: none"> <li>(1) Infiltration BMPs</li> <li>(2) BMPs that store and reuse storm water runoff</li> <li>(3) BMPs that incorporate vegetation to promote pollutant removal and runoff volume reduction and integrate multiple uses</li> <li>(4) BMPs which percolate runoff through engineered soil and allow it to discharge downstream slowly</li> <li>(5) Approved modular/ proprietary treatment control BMPs that are based on LID concepts and that meet pollution removal goals</li> </ol>	<p>There are inconsistencies between Attachment I and the permit language. Current questions are for accounting purposes only and do not provide insight into the implementation of the Planning and Land Development Program.</p>
<p><b>1. Low Impact Development</b></p> <p>(a) Did all new development and redevelopment projects integrate Low Impact Development (LID) principles into project design?</p> <p>(b) How many did?</p> <p>(c) How many did not?</p> <p>(d) If not, why not?</p> <p><b>2. Effective Impervious Area</b></p> <p>(a) Did all new development and redevelopment achieve 5% EIA?</p> <p>(b) How many did?</p> <p>(c) How many did not?</p> <p>(d) If not, why not?</p> <p>(e) For those that did not, did they achieve 30% EIA?</p> <p>(f) How many did?</p> <p>(g) How many did not?</p> <p>(h) If not, why not?</p> <p>(i) For new development and redevelopment that did not achieve less than or equal to 5% EIA, was off-site mitigation provided?</p> <p>(j) How many provided off-site mitigation?</p> <p>(k) What were the localities/types of off-site mitigation provided?</p> <p>(l) How many did not?</p> <p>(m) If not, why not?</p>	<p><b>III. New Development/ Redevelopment Performance Criteria</b></p> <p>1. <b>Integrated Water Quality/Flow Reduction/Resources Management Criteria</b></p> <p>(a) Except as provided in subpart 4.E.III.2 below, Permittees shall require all New Development and Redevelopment projects identified in subpart 4.E.I.11 to control pollutants, pollutant loads, and runoff volume emanating from impervious surfaces through infiltration, storage for reuse, evapotranspiration, or bioretention/infiltration by reducing the percentage of Effective Impervious' Area (EIA) to 5 percent or less of the total project area.</p> <p>(b) Impervious surfaces may be rendered "ineffective," and thus not count toward the 5 percent EIA limitation, if the stormwater runoff from those surfaces is fully retained onsite for the design storm event specified in provision (c), below. To satisfy the EIA limitation and low-impact development requirements, the permittees must require stormwater runoff to be infiltrated, reused, or evapotranspired onsite through a stormwater management technique allowed under the terms of this permit and implementing documents.</p> <p>(c) The permittees shall require all features constructed or otherwise utilized to render impervious surfaces "ineffective," as described in provision (b), above, to be properly sized to infiltrate, store for reuse, or evapotranspire, without any runoff at least the volume of water that results from:</p> <ol style="list-style-type: none"> <li>(1) The 85th percentile 24-hour runoff event determined as the maximized capture stormwater volume for the area using a 48 to 72-hour draw down time, from the formula recommended in Urban Runoff Quality Management,</li> <li>(2) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in the Ventura County Technical Guidance Manual for Storm Water Quality Control Measures (July 2002 and its revisions); or</li> <li>(3) The volume of runoff produced from a 0.75 inch storm event.</li> </ol> <p>(d) To address any impervious surfaces that may not be rendered "ineffective," surface discharge of stormwater runoff if any, that results from New Development and Redevelopment projects identified in subpart 4.E. II which have</p>

<p>3. Numeric Hydromodification Mitigation Criteria</p> <p>1. Hydrologic (Flow/ Volume/ Duration) Control</p> <p>(a) Did the Permittees require all new developments and redevelopment projects to implement hydrologic control measures, to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems?</p> <p>(b) How many did?</p> <p>(c) How many did not?</p> <p>(d) Why not?</p>	<p>complied with subparts 4.E.III(a)-(c), above, shall be mitigated in accordance with subpart 4.E.III.4.</p> <p>2. Alternative Compliance for Technical Infeasibility</p> <p>(a) To encourage smart growth and infill development of existing urban centers where onsite compliance with post-construction requirements may be technically infeasible, the permittees may allow projects that are unable to meet the Integrated Water Quality/Flow Reduction/Resources Management Criteria in subpart 4.E.III.1, above, to comply with this permit through the alternative compliance measures described in subpart 4.E.III.2.(c) below.</p> <p>(b) To utilize alternative compliance measures, the project applicant must demonstrate that compliance with the applicable post-construction requirements would be technically infeasible by submitting a site-specific hydrologic and/or design analysis conducted and endorsed by a registered professional engineer, geologist, architect, and/or landscape architect. Technical infeasibility may result from conditions including the following:</p> <p>(1) Locations where seasonal high groundwater is within 5 feet of the surface;</p> <p>(2) Locations within 100 feet of a groundwater well used for drinking water;</p> <p>(3) Brownfield development sites or other locations where pollutant mobilization is a documented concern;</p> <p>(4) Locations with potential geotechnical hazards;</p> <p>(5) Smart growth and infill or redevelopment locations where the density and/or nature of the project would create significant difficulty for compliance with the onsite volume retention requirement; and</p> <p>(6) Other site or implementation constraints identified in the LID Technical Guidance document required by subpart 4.E.IV.5.</p>	<p>The questions, although similar to Permit provisions, should be integrated into the earlier questions to provide a better assessment of the Planning and Land Development Program.</p>
<p>3. Hydromodification (Flow/ Volume/ Duration) Control Criteria</p> <p>(a) Each Permittee shall require all New Development and Redevelopment projects identified in subpart 4.E.II to implement hydrologic control measures, to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems. The purpose of the hydrologic controls is to minimize changes in postdevelopment hydrologic storm water runoff discharge rates, velocities, and duration. This shall be achieved by maintaining the project's pre-project storm water runoff flow rates and durations.</p> <p>(1) Description</p> <p>(A) Hydromodification control in natural drainage systems shall be achieved by maintaining the Erosion Potential (Ep) in streams at a value of 1, unless an alternative value can be shown to be protective of the natural drainage systems from erosion, incision, and sedimentation that can occur as a result of flow increases from impervious surfaces and damage stream habitat (see Attachment "E" - Determination of Erosion Potential)</p> <p>(B) Hydromodification control may include one, or a combination of on-site, regional subregional hydromodification control BMPs, LID strategies, or stream restoration measures, with preference given to LID strategies and hydromodification control BMPs. Any in-stream restoration measure shall not adversely affect the beneficial uses of the natural drainage systems</p> <p>(C) Natural drainage systems, which include unlined or unimproved (not engineered) creeks, streams, rivers and their tributaries, are located in the following watersheds:</p> <p>(i) Ventura River</p> <p>(ii) Santa Clara River</p> <p>(iii) Calleguas Creek</p> <p>(iv) Malibu Creek</p> <p>(v) Miscellaneous Ventura Coastal</p> <p>(D) The Southern California Storm Water Monitoring Coalition (SMC) is developing a regional methodology to eliminate or mitigate the adverse impacts of hydromodification as a result of urbanization, including hydromodification assessment and management tools.</p> <p>(E) The SMC has identified the following objectives for the Hydromodification Control Study (HCS):</p> <p>(i) Establishment of a stream classification for Southern California streams</p> <p>(ii) Development of a deterministic or predictive relationship between changes in watershed impervious cover and stream-bed/ stream bank enlargement</p> <p>(iii) Development of a numeric model to predict stream-bed/ stream bank enlargement and evaluate the effectiveness of mitigation strategies</p>	<p>3. Hydromodification (Flow/ Volume/ Duration) Control Criteria</p> <p>(a) Each Permittee shall require all New Development and Redevelopment projects identified in subpart 4.E.II to implement hydrologic control measures, to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems. The purpose of the hydrologic controls is to minimize changes in postdevelopment hydrologic storm water runoff discharge rates, velocities, and duration. This shall be achieved by maintaining the project's pre-project storm water runoff flow rates and durations.</p> <p>(1) Description</p> <p>(A) Hydromodification control in natural drainage systems shall be achieved by maintaining the Erosion Potential (Ep) in streams at a value of 1, unless an alternative value can be shown to be protective of the natural drainage systems from erosion, incision, and sedimentation that can occur as a result of flow increases from impervious surfaces and damage stream habitat (see Attachment "E" - Determination of Erosion Potential)</p> <p>(B) Hydromodification control may include one, or a combination of on-site, regional subregional hydromodification control BMPs, LID strategies, or stream restoration measures, with preference given to LID strategies and hydromodification control BMPs. Any in-stream restoration measure shall not adversely affect the beneficial uses of the natural drainage systems</p> <p>(C) Natural drainage systems, which include unlined or unimproved (not engineered) creeks, streams, rivers and their tributaries, are located in the following watersheds:</p> <p>(i) Ventura River</p> <p>(ii) Santa Clara River</p> <p>(iii) Calleguas Creek</p> <p>(iv) Malibu Creek</p> <p>(v) Miscellaneous Ventura Coastal</p> <p>(D) The Southern California Storm Water Monitoring Coalition (SMC) is developing a regional methodology to eliminate or mitigate the adverse impacts of hydromodification as a result of urbanization, including hydromodification assessment and management tools.</p> <p>(E) The SMC has identified the following objectives for the Hydromodification Control Study (HCS):</p> <p>(i) Establishment of a stream classification for Southern California streams</p> <p>(ii) Development of a deterministic or predictive relationship between changes in watershed impervious cover and stream-bed/ stream bank enlargement</p> <p>(iii) Development of a numeric model to predict stream-bed/ stream bank enlargement and evaluate the effectiveness of mitigation strategies</p>	<p>The questions, although similar to Permit provisions, should be integrated into the earlier questions to provide a better assessment of the Planning and Land Development Program.</p>
<p>4. Post Construction Storm Water BMP Program</p> <p>(a) For each project, did each Permittee require that during the construction of a single-family, hillside home, actions be taken to:</p> <p>(1) Conserve natural areas?</p> <p>(2) Protect slopes and channels?</p> <p>(3) Provide storm drain system stenciling and signage?</p> <p>(4) Divert roof runoff to vegetated areas before discharge unless the diversion would</p> <p>Attachment A: Comparison between Attachment I and Tentative Order— Ventura Countywide Permit</p>	<p>II. Applicability</p> <p>1. New Development Projects.</p> <p>(a) Development projects subject to Permittee conditioning and approval for the design and implementation of postconstruction controls to mitigate storm water pollution, prior to completion of the project(s), are:</p> <p>(1) All development projects equal to 1 acre or greater of disturbed area and adding more than 10,000 square feet of impervious surface area</p> <p>(2) Industrial park 10,000 square feet or more of surface area</p>	<p>The questions, although similar to Permit provisions, should be integrated into the earlier questions to provide a better assessment of the Planning and Land Development Program.</p>

<p>result in slope instability? and</p> <p>(5) Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability?</p> <p>(b) Did each Permittee require that all development projects equal to 1 acre or greater be subject to conditioning and approval of post-construction BMPs as approved by the Regional Water Board in Board Resolution No. R 00-02?</p> <p>(c) Did each Permittee require that the following development projects be subject to conditioning and approval of post-construction BMPs?</p> <p>(1) Retail gasoline outlets 5,000 square feet or more of surface area; How many sites?</p> <p>(2) Development projects equal to 1 acre or greater of disturbed area and adding more than 10,000 square feet of impervious surface area; How many sites?</p> <p>(3) Industrial park 10,000 square feet or more of surface area; How many sites?</p> <p>(4) Commercial strip mall 10,000 square feet or more of impervious surface area; How many sites?</p> <p>(5) Restaurants (SIC 5812) 5,000 square feet or more of surface area; How many sites?</p> <p>(6) Parking lots 10,000 square feet or more of surface area or with 25 or more parking spaces; How many sites?</p> <p>(7) Automotive service facilities (SIC 5013, 5014, 5541, 7532-7534 and 7536-7539) [5,000 square feet or more of surface area]; How many sites? and</p> <p>(8) Redevelopment projects in subject categories that meet Redevelopment thresholds. How many sites?</p> <p>(d) Did each Permittee require that post construction BMPs be subject to conditioning and approval for development projects located in or directly adjacent to or discharging directly to an Environmentally Sensitive Area (ESA), where the development will:</p> <p>(1) Discharge storm water and urban runoff that is likely to impact a sensitive biological species or habitat.</p> <p>(2) Create 2,500 square feet or more of impervious surface area.</p>	<p>(3) Commercial strip mall 10,000 square feet or more of impervious surface area</p> <p>(4) Retail gasoline outlet 5,000 square feet or more of surface area</p> <p>(5) Restaurant (SIC 5812) 5,000 square feet or more of surface area</p> <p>(6) Parking lot 5,000 square feet or more of impervious surface area, with 25 or more parking spaces</p> <p>(7) Streets, roads, highways, and freeway construction or 10,000 square feet or more of impervious surface area shall incorporate USEPA guidance regarding Managing Wet Weather with Green Infrastructure: Green Streets to the maximum extent practicable.</p> <p>(8) Automotive service facilities (SIC 50 13, 50 14, 55 1 1, 5541, 7532-7534 and 7536-7539) [5,000 square feet or more of surface area]</p> <p>(9) Redevelopment projects in subject categories that meet Redevelopment thresholds (identified in subpart E.II.2 below)</p> <p>(10) Projects located in or directly adjacent to, or discharging directly to an Environmentally Sensitive Area (ESA), where the development will:</p> <p>(A) Discharge storm water runoff that is likely to impact a sensitive biological species or habitat; and</p> <p>(B) Create 2,500 square feet or more of impervious surface area</p> <p>(11) Single-family hillside</p> <p>Single-family hillside homes. To the extent that a Permittee may lawfully impose conditions, mitigation measures or other requirements on the development or construction of a single-family home in a hillside area as defined in the applicable Permittee's Code and Ordinances, each Permittee shall require that during the construction of a single-family hillside home, the following measures to be implemented:</p> <p>(A) Conserve natural areas</p> <p>(B) Protect slopes and channels</p> <p>(C) Provide storm drain system stenciling and signage</p> <p>(D) Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability</p> <p>(E) Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability</p>
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<p><b>5. Numeric Water Quality Design Criteria</b></p> <p>(a) Projects disturbing land areas less than 50 acres</p> <p>(1) How many did the Permittee require that post-construction Treatment Control BMPs incorporate, at a minimum, a volumetric and/ or hydrologic (flow based) treatment control design standard, as identified below to mitigate (infiltrate, filter or treat) storm water runoff as specified below?</p> <p>(2) How many sites were exempted from the requirement?</p> <p>(3) Why were they exempted?</p> <p>(b) Projects disturbing land areas of 50 acres or greater</p> <p>For sites 50 acres or greater how many did the Permittee require that post-construction Treatment Control BMPs be:</p> <p>(1) Designed using an appropriate public domain hydrodynamic model (such as Storm Water Management Model (SWMM) 5 or Hydrologic Engineering Center –Hydrologic Simulation Program – Fortran (HEC-HSPF); and incorporate</p> <p>(2) Rainfall intensity based on hourly rainfall records;</p> <p>(3) An adjustment factor for within hour rainfall variability; and</p> <p>(4) Hydraulics of BMP Performance.</p> <p>(5) How many projects did this apply to?</p> <p>(6) Were there any sites that were exempted from the requirement?</p> <p>(7) How many sites were exempted?</p> <p>(8) Why were they exempted?</p> <p><b>6. Applicability of Numerical Criteria</b></p> <p>Did the Permittee require all projects equal to 1 acre or greater and the following additional projects to design and implement post-construction treatment controls to mitigate storm water pollution for the following?:</p> <p>(1) Automotive service facilities (SIC 5013, 5014, 5541, 7532-7534 and 7536-7539) [5,000 square feet or more of surface area].</p> <p>(2) Retail gasoline outlets [5,000 square feet or more of impervious surface area and with projected Average Daily Traffic (ADT) of 100 or more vehicles]. Subsurface Treatment Control BMPs which may endanger public safety (i.e., create an explosive environment) are considered not appropriate.</p> <p>(3) Restaurants (SIC 5812) [5,000 square feet or more of surface area].</p> <p>(4) Parking lots 10,000 square feet or more of surface area or with 25 or more parking spaces.</p> <p>(5) Projects located in, adjacent to or discharging directly to an ESA that meet threshold conditions identified above in 3(d).</p> <p>(6) Redevelopment projects in subject categories that meet Redevelopment thresholds.</p> <p>(7) How many projects did this apply to?</p> <p>(8) Were there any sites that were exempted from the requirement?</p> <p>(9) How many sites were exempted?</p> <p>(10) Why were they exempted?</p>	<p><b>4. Water Quality Mitigation Criteria</b></p> <p>(a) Each Permittee shall require all New Development and Redevelopment projects identified in subpart 4.E.II to implement post-construction storm water treatment BMPs and control measures to mitigate storm water pollution as follows:</p> <p>(1) Projects disturbing land areas less than 50 acres</p> <p>(A) Volumetric Treatment Control BMP</p> <p>(i) The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area using a 48 to 72-hour draw down time, from the formula recommended in <i>Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998)</i>; or</p> <p>(ii) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in the Ventura County Technical Guidance Manual for Storm Water Quality Control Measures (July 2002 and its revisions); or</p> <p>(iii) The volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a storm water conveyance system; and/ or</p> <p>(B) Flow Based Treatment Control BMP</p> <p>(i) The flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity, or</p> <p>(ii) The flow of runoff produced from a rain event equal to at least 2 times the 85th percentile hourly rainfall intensity as determined from local rainfall records; or</p> <p>(iii) Eight percent of the 50-year storm design flow rate as determined from the method recommended in the Ventura County Technical Guidance Manual for Storm Water Quality Control Measures (July 2002 and its revisions)</p> <p>(2) Projects disturbing land area of 50 acres or greater</p> <p>(A) Eighty percent of the average runoff volume using an appropriate public domain continuous flow model (such as Storm Water Management Model (SWMM) or Hydrologic Engineering Center – Hydrologic Simulation Program – Fortran (HEC-HSPF), using the local rainfall record and relevant BMP Performance data.</p>	<p>The questions, although similar to Permit provisions, are out of context as stated and should be integrated into the earlier questions to provide a better assessment of the Planning and Land Development Program.</p>
<p><b>7. Site Specific Mitigation</b></p> <p>(a) List how many sites did each Permittee require the implementation of a sitespecific plan to mitigate post-development storm water for new development and redevelopment not identified in subsection E.II Applicability but which may potentially have adverse impacts on post-development storm water quality, with one or more of the following project characteristics:</p> <p>(1) Vehicle or equipment fueling areas. How many?</p> <p>(2) Vehicle or equipment maintenance areas, including washing and repair. How many?</p> <p>(3) Commercial or industrial waste handling or storage. How many?</p> <p>(4) Outdoor handling or storage of hazardous materials. How many?</p> <p>(5) Outdoor manufacturing areas. How many?</p> <p>(6) Outdoor food handling or processing. How many?</p> <p>(7) Outdoor animal care, confinement, or slaughter. How many?</p> <p>(8) Outdoor horticulture activities. How many?</p> <p>(9) Were there any sites that were exempted from the requirement?</p>	<p>There are inconsistencies between Attachment I and the permit language. Current questions are for accounting purposes only and do not provide insight into the implementation of the Planning and Land Development Program.</p>	<p>Attachment A: Comparison between Attachment I and Tentative Order – Ventura Countywide Permit</p>



<p>(c) How many sites were exempted? (d) Why were they exempted?</p>	<p>8. Redevelopment Projects (a) Did the Permittees apply the post construction BMP requirements, or site specific requirements including post-construction storm water mitigation to all projects that undergo significant Redevelopment in their respective categories? (b) How many? (c) Were there any sites that were exempted from the requirement? (d) How many sites were exempted? (e) Why were they exempted?</p>	<p>2. Redevelopment Projects (a) Redevelopment projects subject to Permittee conditioning and approval for the design and implementation of post-construction controls to mitigate storm water pollution, prior to completion of the project(s), are: (1) Land-disturbing activity that results in the creation or addition or replacement of 5,000 sq feet or more of impervious surface area on an already developed site on development categories identified in subpart 5.E.II.1. (2) Where Redevelopment results in an alteration to more than fifty percent of impervious surfaces or a previously existing development, and the existing development was not subject to post development storm water quality control requirements, the entire project must be mitigated. (3) Where Redevelopment results in an alteration to less than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, only the alteration must be mitigated, and not the entire development. (b) Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety. Impervious surface replacement, such as the reconstruction of parking lots and roadways which does not disturb additional area and maintains the original grade and alignment, is considered a routine maintenance activity. Redevelopment does not include the repaving of existing roads to maintain original line and grade. (c) Existing single-family dwelling and accessory structures are exempt from the Redevelopment requirements unless such projects create, add, or replace 10,000 square feet of impervious surface area.</p>	<p>Questions ask for details on projects that are not subject to Permit conditions. Information does not help prove Permit compliance or improve programs.</p>
<p>9. Maintenance Agreement and Transfer (a) How many developments subject to post construction BMP requirements and site specific plan requirements actually provided verification of maintenance provisions for Structural and Treatment Control BMPs, including but not limited to legal agreements, covenants, CEQA mitigation requirements, and/or conditional use permits? (b) How many of each verification were received? (c) The developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred? (d) A signed statement from the public entity assuming responsibility for Structural or Treatment Control BMP maintenance and that it meets all local agency design standards? (e) Written conditions in the sales or lease agreement, which requires the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year? (f) Written text in project covenants, conditions and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the Home Owners Association for maintenance of the Structural and Treatment Control BMPs? (g) Written conditions in the sales or lease agreement, which requires the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year? (h) Another type of legally enforceable agreement that assigns responsibility for the maintenance of post-construction Structural or Treatment Control BMPs?</p>	<p>1V. Implementation 1. Maintenance Agreement and Transfer (a) Prior to issuing approval for final occupancy each Permittee shall require that all new development and redevelopment projects subject to post-construction BMP requirements provide an operation and maintenance plan and verification of ongoing maintenance provisions for LID practices, Treatment Control BMPs, and Hydromodification Control BMPs including but not limited to: final map conditions, legal agreements, covenants, conditions or restrictions, CEQA mitigation requirements, conditional use permits, and/or other legally binding maintenance agreements. (1) Verification at a minimum shall include the developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred; and either (A) A signed statement from the public entity assuming responsibility for BMP maintenance, or (B) Written conditions in the sales or lease agreement, which require the property owner or tenant to assume responsibility for BMP maintenance and conduct a maintenance inspection at least once a year, or (C) Written text in project covenants, conditions, and restrictions (CCRs) for residential properties assigning BMP maintenance responsibilities to the Home Owners Association (HOA), or (D) Any other legally enforceable agreement or mechanism that assigns responsibility for the maintenance of BMPs. (b) Each Permittee shall require all development projects subject to post-construction BMP requirements to provide a plan for the operation and maintenance of all structural and treatment controls. The Operation and Maintenance plan shall follow the Technical Guidance Manual Appendix D "Maintenance Plan Guidance" (or subsequent guidance manual) for each BMP component. The plan shall be submitted for examination of relevance to keeping the BMPs in proper working order. Where BMPs are transferred to Permittee for ownership and maintenance, the plan shall also include all relevant costs for upkeep of BMPs in the transfer. Operation and Maintenance plans for private BMPs shall be kept on site for periodic review by Permittee inspectors.</p>	<p>10. Development Planning Coordination and Enforcement (a) Did you inspect each new development and redevelopment project for post construction controls prior to approving and signing off for occupancy? (b) How many? (c) Were there any sites that were exempted from the requirement? (d) How many sites were exempted? (e) Why were they exempted?</p>	<p>There are inconsistencies between Attachment I and the permit language. The questions are incorrectly stated to obtain the appropriate information for the Permit provision.</p>
<p>12. Inspection and Tracking System for Post Construction Treatment BMPs (a) Did you implement the required Geographic Information System (GIS) or other electronic system for tracking projects conditioned for post construction treatment control BMPs? (b) Does include the following information? (Answer each separately)</p>	<p>2. Tracking, Inspection, and Enforcement of Post-Construction BMPs (a) Each Permittee shall implement a tracking system and an inspection and enforcement program for new development and redevelopment post-construction storm water BMPs as set forth in part 4.E no later than one year after adoption date. (1) Implement a GIS or other electronic system for tracking projects that have been conditioned for post-construction BMPs. The electronic system, at a minimum, should contain the following information: (A) Municipal Project ID (B) State WDDID No (C) Project Acreage (D) BMP Type and Description (E) BMP Location (coordinates) (F) Date of Acceptance (G) Date of Maintenance Agreement</p>	<p>10. Development Planning Coordination and Enforcement (a) Did you inspect each new development and redevelopment project for post construction controls prior to approving and signing off for occupancy? (b) How many? (c) Were there any sites that were exempted from the requirement? (d) How many sites were exempted? (e) Why were they exempted?</p>	<p>Inconsistency between Attachment I question and Permit requirements. Question appears in conflict with the Permit requirements.</p>

<p>(1) Municipal Project ID?  (2) State WDID No.?  (3) Project Acreage?  (4) BMP Type and Description?  (5) BMP Location (GPS coordinates)?  (6) Date of Acceptance?  (7) Date of O&amp;M Certification?  (8) Maintenance Records  (9) Inspection Date and Summary?  (10) Corrective Action?  (11) Replacement or Repair Dates?  (c) Did you inspect all facilities to verify proper maintenance and operation of Treatment BMPs previously approved?  (d) Did you accomplish the following?  (1) BMP acceptance inspection to ensure proper installation?  (2) Inspection once every two years of high priority post-construction BMPs to ensure treatment effectiveness, hydraulic function, and vector risk minimization?</p>	<p>(1) Maintenance Records  (H) Inspection Date and Summary  (J) Corrective Action  (K) Date Certificate of Occupancy Issued  (L) Replacement or Repair Date  (b) Inspect all development sites upon completion of construction and prior to the issuance of occupancy certificates to ensure proper installation of LID measures, structural BMPs, treatment control BMPs and Hydromodification control BMPs. The inspection may be combined with other inspections provided it is conducted by trained personnel.  (c) Verify proper maintenance and operation of post-construction BMPs previously approved for new development and redevelopment and operated by the Permittees. The post construction BMP maintenance inspection program shall incorporate the following elements:  (1) Post-construction BMP Maintenance Inspection checklist.  (2) Inspection at least once every 2 years, beginning order adoption date, of post-construction BMPs to assess operation conditions with particular attention to:  (3) Criteria and procedures for post construction Treatment Control and Hydromodification Control BMP repair, replacement, or re-vegetation.  (4) For post construction BMPs operated and maintained by parties other than the Permittees the Permittees shall require annual reports by the other parties demonstrating proper maintenance and operations.  (e) Undertake enforcement as appropriate based on the results of the inspection.</p>	<p>Inconsistency between Attachment I question and Permit requirements.</p>
<p>13. Developer Technical Guidance and Information  (a) List dates as to when the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures was last updated to include the following:  (1) Hydrologic (Peak Flow) Control criteria for volume control described herein and the interim criteria based on hydrograph matching?  (2) Expected BMP pollutant removal performance including consistent effluent quality and removal efficiency ranges (International BMP Database, technical reports and the scientific literature?)  (3) Improved Correlation of BMPs with storm water POC?  (4) Data on Observed Local Effectiveness and performance of implemented BMPs?  (5) BMP Maintenance and Cost considerations?  (6) Criteria to facilitate integrated water resources planning and management in the selection of BMPs, including water conservation, groundwater recharge, public recreation, multipurpose parks, open space preservation, and redevelopment retrofits?</p>	<p>4. Developer Technical Guidance and Information  (a) The Permittees shall update the Ventura County Technical Guidance Manual for Storm Water Quality Control Measures to include, at a minimum, the following:  (1) Hydromodification Control criteria described in this Order, including numerical criteria.  (2) Expected BMP pollutant removal performance including effluent quality (ASCEI U. S. EPA International BMP Database, CASQA New Development BMP Handbook, technical reports, local data on BMP performance, and the scientific literature appropriate for southern California geography and climate).  (3) Selection of appropriate BMPs for storm water pollutants of concern.  (4) Data on Observed Local Effectiveness and performance of implemented BMPs.  (5) BMP Maintenance and Cost Considerations.  (6) Guiding principles to facilitate integrated water resources planning and management in the selection of BMPs, including water conservation, groundwater recharge, public recreation, multipurpose parks, open space preservation, and redevelopment retrofits.  (7) LID principles and specifications, including the objectives and specifications for integration of LID strategies in the areas of:  (A) Site Assessment.  (B) Site Planning and Layout.  (C) Vegetative Protection, Revegetation, and Maintenance.  (D) Techniques to Minimize Land Disturbance.  (E) Techniques to Implement LID Measures at Various Scales  (F) Integrated Water Resources Management Practices.  (G) LID Design and Flow Modeling Guidance.  (H) Hydrologic Analysis.  (I) LID Credits.  (b) Permittees shall update the Technical Guidance Manual within 120 days after Order adoption date.  (c) The Permittees shall facilitate implementation of LID by providing key industry, regulatory, and other stakeholders with information regarding LID objectives and specifications contained in the LID Technical Guidance Section through a training program. The LID training program will include the following:  (1) LID targeted sessions and materials for builders, design professionals, regulators, resource agencies, and stakeholders  (2) A combination of awareness on national efforts and local experience gained through LID pilot projects and demonstration projects  (3) Materials and data from LID pilot projects and demonstration projects including case studies  (4) Guidance on how to integrate LID requirements into the local regulatory program(s) and requirements  (5) Availability of the LID Technical Guidance regarding integration of LID measures at various project scales  (6) Guidance on the relationship among LID strategies, Source Control BMPs.</p>	<p>Attachment A: Comparison between Attachment I and Tentative Order -- Ventura Countywide Permit</p>

<p>15. California Environmental Quality Act (CEQA) Document Update</p> <p>(a) Did you incorporate into the CEQA process procedures for considering potential storm water quality impacts and providing for appropriate mitigation when preparing and reviewing CEQA documents? (Answer each below separately.)</p> <p>(1) Potential impact of project construction on storm water runoff?</p> <p>(2) Potential impact of project post-construction activity on Storm Water runoff?</p> <p>(3) Potential for discharge of storm water from areas from material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?</p> <p>(4) Potential for discharge of storm water to impair the beneficial uses of the receiving waters or areas that provide water quality benefit?</p> <p>(5) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and water bodies?</p> <p>(6) Potential for significant changes in the flow velocity or volume of Storm Water runoff that can cause environmental harm?</p> <p>(7) Potential for significant increases in erosion of the project site or surrounding areas?</p>	<p>Treatment Control BMPs, and Hydromodification Control requirements</p> <p>(d) The Permittees shall submit revisions to the Ventura County Technical Guidance Manual to the Regional Board for Executive Officer approval.</p> <p>V. State Statute Conformity</p> <p>1. California Environmental Quality Act (CEQA) Document Update</p> <p>(a) Each Permittee shall incorporate into its CEQA process no later than 365 days after Order adoption date those additional procedures necessary for considering potential storm water quality impacts and providing for appropriate mitigation when preparing and reviewing CEQA documents.</p> <p>(1) The procedures shall require consideration of the following:</p> <p>(A) Potential impact of project construction on storm water runoff.</p> <p>(B) Potential impact of project post-construction activity on storm water runoff.</p> <p>(C) Potential for discharge of storm water from areas from material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.</p> <p>(D) Potential for discharge of storm water to impair the beneficial uses of the receiving waters.</p> <p>(E) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and waterbodies.</p> <p>(F) Potential for significant changes in the flow velocity or volume of storm water runoff to cause harm to or impair the beneficial uses of natural drainage systems.</p> <p>(G) Potential for significant increases in erosion at the project site or surrounding areas.</p>	<p>Inconsistency between Attachment I question and Permit requirements. Question should be rephrased to address Permit requirements.</p>
<p>Development Construction Program</p> <p>1. Did you implement a program to control runoff from construction activity at all construction sites within your jurisdiction to ensure that the following requirements are effectively implemented? (Answer each separately)</p> <p>(a) For construction projects within or adjacent to an environmentally sensitive area (ESAs), did you prohibit grading between October 1 and April 15?</p> <p>(b) For construction projects, which include grading on slopes greater than 5:1, that no grading shall occur between October 1 and April 15?</p> <p>(c) All construction projects, which directly discharge into a sedimentation/ siltation impaired water body and is listed on the CWA §303 (d) list. No grading shall be occurring between October 1 and April 15?</p> <p>(d) If grading operations were not completed before the rainy season began, was grading halted and erosion control measures put in place to minimize erosion until grading resumes after April 15?</p> <p>2. Did you require construction site operators to seek separate coverage from the Regional Water Board whenever ground water dewatering may be necessary, is anticipated, or likely?</p> <p>(a) Small Construction Sites</p> <p>(1) For each construction site did you require and inspect to ensure that at each construction site, the minimum set of BMPs were implemented to minimize erosion and sediment loss, and prevent pollution from construction waste?</p>	<p>I. Each Permittee shall implement a construction program that prevents illicit construction-related discharges of pollutants into the MS4, implements and maintains structural and non-structural BMPs to reduce pollutants in stormwater runoff from construction sites, reduces construction site discharges of pollutants from the MS4 to the MEP, and prevents construction site discharges from the MS4 from causing or contributing to a violation of water quality standards.</p> <p>1. BMP Implementation - Construction Sites Less Than One Acre</p> <p>(a) Each Permittee shall require the implementation of an effective combination of erosion and sediment control BMPs from Table 6 to prevent erosion and sediment loss, and the discharge of construction wastes.</p> <p>2. BMP Implementation - Construction Sites One Acre but Less than 5 acres.</p> <p>(a) Each Permittee shall require the implementation of an effective combination of appropriate erosion and sediment control BMPs from Table 7 in addition to the ones identified in Table 6 to prevent erosion and sediment loss, and the discharge of construction wastes.</p> <p>3. BMP Implementation - Construction Sites 5 acres and Greater</p> <p>(a) Each Permittee shall require the implementation of an effective combination of the following BMPs in Table 8 (BMPs at Construction sites 5 acres or greater) in addition to the ones identified in Table 6 (BMPs at Construction sites less than 1 acre) and Table 7 (BMPs at Construction sites 1 acre or greater but less than 5 acres) at all construction sites 5 acres and greater to prevent erosion and sediment loss, and the discharge of construction wastes. Erosion control BMPs shall be preferred to sediment control BMPs.</p> <p>4. Enhanced Construction BMP Implementation.</p> <p>(a) Each Permittee shall implement, or require implementation of, enhanced practices that preclude impacts to water quality posed by all construction sites on hillsides as defined in this Order and construction sites that directly discharge to a waterbody listed on the CWA § 303 (d) list for siltation or sediment, or that occur within or directly adjacent to an Environmentally sensitive Area (ESAs). Construction sites located on hillsides, adjacent to CWA 303(d) listed waters for siltation or sediment, and directly adjacent to ESAs are termed "high risk sites."</p> <p>(b) Each Permittee shall require implementation of enhanced practices for high risk sites which shall include increased BMP inspection and maintenance requirements.</p> <p>(1) Each Permittee shall require that high risk sites shall be inspected by the project proponent's Qualified S WPPP Developer or Qualified SWPPP Practitioner or personnel or consultants who are Certified Professionals in Erosion and Sediment Control (CPESC) at the time of BMP installation, at least weekly during the wet season, and at least once each 24 hour period during a storm event that generates runoff from the site, to identify BMPs that need maintenance to operate effectively, that have failed or could fail to operate as intended.</p> <p>(2) During the wet season, the area of disturbance shall be limited to the area that can be controlled with an effective combination of erosion and sediment control BMPs. Enhanced sediment controls should be used in combination with erosion controls and should target portions of the site that cannot be effectively controlled by standard erosion</p>	<p>This entire section is inconsistent between Attachment I and the Permit. Questions go beyond Permit requirements.</p>

	<p>controls described above. Effective sediment and erosion control BMPs proposed by the proponent shall include the BMPs listed in Table 9 below. The project proponents are responsible to implement the BMPs below unless shown otherwise. The Permittee shall require that the project proponent retain records of the inspection and a determination and rationale of the BMPs selected to control runoff.</p> <p><b>6. Roadway Paving or Repaving Operations (For Private or Public Projects)</b></p> <p>(a) Each Permittee shall require that for any project that includes roadbed or street paving, repaving, patching, digouts, or resurfacing roadbed surfaces, that the following BMPs be implemented for each project:</p> <p>(1) Restrict paving and repaving activity to exclude periods of rainfall or predicted rainfall unless required by emergency conditions</p> <p>(2) Install sand bags or gravel bags and filler fabric at all susceptible storm drain inlets and at manholes to prevent spills of paving products and tack coat</p> <p>(3) Prevent the discharge of release agents including soybean oil, other oils, or diesel to the storm water drainage system or receiving waters.</p> <p>(4) Minimize non storm water runoff from water use for the roller and for evaporative cooling of the asphalt</p> <p>(5) Clean equipment over absorbent pads, drip pans, plastic sheeting or other material to capture all spillage and dispose of properly</p> <p>(6) Collect liquid waste in a container, with a secure lid, for transport to a maintenance facility to be reused, recycled or disposed of properly</p> <p>(7) Collect solid waste by vacuuming or sweeping and securing in an appropriate container for transport to a maintenance facility to be reused, recycled or disposed of properly</p> <p>(8) Cover the "cold-mix" asphalt (i.e., pre-mixed aggregate and asphalt binder) with protective sheeting during a rainstorm</p> <p>(9) Cover loads with tarp before haul-off to a storage site, and do not overload trucks</p> <p>(10) Minimize airborne dust by using water spray during grinding</p> <p>(11) Avoid stockpiling soil, sand, sediment, asphalt material and asphalt grindings materials or rubble in or near storm water drainage system or receiving waters</p> <p>(12) Protect stockpiles with a cover or sediment barriers during a rain</p>	<p>Public Agency Activities Program</p> <p><b>1. Sewage System Maintenance, Overflow, and Spill Prevention</b></p> <p>(a) Did you implement a response plan for overflows of the sanitary sewer system within their respective jurisdiction that clearly identifies agencies responsible and telephone numbers and email for any contact?</p> <p>(b) How many overflows did you have?</p> <p>(c) How many did you respond to?</p> <p>(d) Do you own and/or operate a sanitary sewer system?</p> <p>(e) If so, did you also identify, repair, and remediate sanitary sewer blockages, exfiltration, overflow, and wet weather overflows from sanitary sewers to the MS4?</p> <p>(f) Did you implement procedures and maintenance schedules to prevent sewage spills or leaks from sewage facilities from entering the MS4?</p> <p>(g) If you are a Permittee with septic systems in your jurisdiction, how many do you have?</p> <p>(h) Did you implement the following for flows of septic leachate to surface waters within their respective jurisdiction, which shall consist at a minimum of the following:</p> <p>(1) Investigation of any complaints received?</p> <p>(2) Immediately respond to overflows for containment, upon notification?</p> <p>(3) Notification to appropriate agencies and public health agencies when a septic system fails and flows to the MS4?</p>
<p>No corresponding question.</p>		
		<p><b>2. Vehicle Maintenance/Material Storage Facilities Corporation Yards Management/ Long Term Maintenance Programs</b></p> <p>(a) Each Permittee shall implement the activity specific BMPs listed in Table 10 when such activities occur at Permittee owned/leased facilities and job sites including but not limited to vehicle1 equipment maintenance facilities, material storage facilities, and corporation yards, and at any area that includes the activities as described in the following Tables. Additionally, for any activity or area described in the footnote below, each Permittee shall also implement the BMPs in the Calltrans Storm Water Quality Handbook Maintenance Staff Guide described as B-4 in Table 10 (BMPs at Vehicle Maintenance/ Material Storage Facilities1 Corporation Yards).</p>
		<p><b>3. Vehicle Maintenance/ Material Storage Facilities/ Corporation Yards Management.</b></p> <p>(a) Did you implement the required BMPs for each maintenance yard and activity specified in Table 10 - BMPs at Vehicle Maintenance/ Material Storage Facilities/ Corporation Yards</p> <p>Answer for each maintenance yard and activity separately.</p> <p>(b) Are all of your existing facilities that are not plumbed to the sanitary sewer with</p>
		<p>Inconsistency between Attachment I question and Permit requirements. Questions go beyond Permit requirements.</p> <p>Inconsistency between Attachment I question and Permit requirements.</p>

<p>vehicle and equipment washing areas:</p> <ol style="list-style-type: none"> <li>(1) Self-contained? How many?</li> <li>(2) Equipped with a clarifier? How many?</li> <li>(3) Equipped with an alternative pre-treatment device? How many?</li> <li>(4) To be plumbed to the sanitary sewer? How many? When?</li> </ol> <p>(A) Are all new facilities, or during redevelopment of existing facilities (including fire stations), all vehicle and equipment wash areas to be plumbed to the sanitary sewer and be equipped with a pre-treatment device in accordance with requirements of the sewer agency? If not state why.</p>	<p><b>3. Vehicle and Equipment Wash Areas</b></p> <p>(a) Each Permittee shall eliminate discharges of wash waters from vehicle and equipment washing no later than 365 days after Order adoption date by implementing any of the following measures at existing facilities with vehicle or equipment wash areas:</p> <ol style="list-style-type: none"> <li>(1) Self-contain, and haul off for disposal</li> <li>(2) Equip with a clarifier</li> <li>(3) Equip with an alternative pre-treatment device;</li> <li>(4) Plumb to the sanitary sewer</li> </ol> <p>(b) Each Permittee shall ensure that any municipal facilities constructed, redeveloped, or replaced has all vehicle and equipment wash areas plumbed to the sanitary sewer or be self contained and all wastewater washwater hauled for legal disposal.</p>	<p>Inconsistency between Attachment I question and Permit requirements. In some cases questions go beyond the Permit requirements.</p>
<p><b>4. Landscape and Recreational Facilities Management</b></p> <p>Control Program for Registered Pesticides</p> <ol style="list-style-type: none"> <li>(a) Did you adopt and implement policies, procedures, and/or ordinances requiring the minimization of pesticide use and the use of integrated pest management (IPM) techniques in your operations and on municipal property?</li> <li>(b) What was your previous year's pesticide use? Answer in gallons or pounds for each type used.</li> <li>(c) Using estimated projections, what is your expected use this coming fiscal year? Answer in gallons or pounds for each type used.</li> <li>(d) Do you have commitments to reduce or phase-out, and ultimately eliminate use of pesticides that cause impairment of surface waters? State for each, by when.</li> <li>(e) Describe your Integrated Pesticide Management (IPM) program.</li> <li>(f) Attach the program elements.</li> <li>(g) Did you comply with the following requirements?       <ol style="list-style-type: none"> <li>(1) Use a standardized protocol for the routine and non-routine application of pesticides, herbicides (including pre-emergents), and fertilizers?</li> <li>(2) Ensure no application of pesticides or fertilizers immediately before, during, or immediately after a rain event or when water is flowing off the area to be applied?</li> <li>(3) Ensure that no banned or unregistered pesticides are stored or applied?</li> <li>(4) Ensure that all staff applying pesticides are certified by the California Department of Food and Agriculture, or are under the direct supervision of a certified pesticide applicator?</li> <li>(5) Implement procedures to encourage retention and planting of native vegetation and to reduce water, fertilizer, and pesticide needs?</li> <li>(6) Store fertilizers and pesticides indoors or under cover on paved surfaces or use secondary containment?</li> <li>(A) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills?</li> <li>(B) Regularly inspect storage areas to ensure no environmental harm?</li> </ol> </li> </ol>	<p><b>4. Landscape, Park, and Recreational Facilities Management</b></p> <p>(a) Integrated Pest Management (IPM)</p> <p>IPM is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Each Permittee shall implement an IPM program within 365 days after Order adoption date that includes the following:</p> <ol style="list-style-type: none"> <li>(1) Pesticides are used only if monitoring indicates they are needed according to established guidelines.</li> <li>(2) Treatments are made with the goal of removing only the target organism.</li> <li>(3) Pest controls are selected and applied in a manner that minimizes risks to human health, beneficial, non-target organisms, and the environment.</li> <li>(4) Its use of pesticides, including Organophosphates and Pyrethroids do not threaten water quality.</li> <li>(5) Partner with other agencies and organizations to encourage the use of IPM.</li> <li>(6) Adopt and verifiably implement policies, procedures, and/or ordinances requiring the minimization of pesticide use and encouraging the use of IPM techniques (including beneficial insects) in the Permittees' overall operations and on municipal property.</li> <li>(7) Policies, procedures, and ordinances shall include commitments and timelines to reduce the use of pesticides that cause impairment of surface waters by implementing the following procedures:       <ol style="list-style-type: none"> <li>(A) Quantity pesticide use by its staff and hired contractors.</li> <li>(B) Prepare and annually update an inventory of pesticides used by all internal departments, divisions, and other operational units.</li> <li>(C) Demonstrate reductions in pesticide use.</li> </ol> </li> <li>(b) Each Permittee shall implement the following requirements no later than 180 days after Order adoption date:       <ol style="list-style-type: none"> <li>(1) Use a standardized protocol for the routine and non-routine application of pesticides (including pre-emergents), and fertilizers.</li> <li>(2) Ensure no application of pesticides or fertilizers are applied to an area immediately prior to, during, or immediately after a rain event, or when water is flowing off the area.</li> <li>(3) Ensure that no banned or unregistered pesticides are stored or applied.</li> <li>(4) Ensure that all staff applying pesticides are certified in the appropriate category by the California Department of Pesticide Regulation, or are under the direct supervision of a pesticide applicator certified in the appropriate category.</li> <li>(5) Implement procedures to encourage the retention and planting of native vegetation to reduce water, pesticide and fertilizer needs; and           <ol style="list-style-type: none"> <li>(f) Store pesticides and fertilizers indoors or under cover on paved surfaces or use secondary containment.</li> <li>(A) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.</li> <li>(B) Regularly inspect storage areas.</li> <li>(C) Comply with the provisions and the monitoring requirements for application of aquatic pesticides to surface waters (WQ Order No. 2004-0008-DWQ).</li> </ol> </li> </ol> </li> </ol>	<p>Inconsistency between Attachment I question and Permit requirements. Proposed questions reflect significant accounting effort and in some cases goes beyond the Permit requirements.</p>
<p><b>5. Storm Drain Operation and Management</b></p> <p>(a) Catch Basin Cleaning</p> <ol style="list-style-type: none"> <li>(1) How many catch basins did you designate as one of the following:       <ol style="list-style-type: none"> <li>Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/ or debris?</li> <li>Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/ or debris?</li> <li>Priority C: Catch basins that are designated as generating low volumes of trash and/ or debris?</li> </ol> </li> <li>(2) Did you clean all catch basins according to the following schedule?       <ol style="list-style-type: none"> <li>Priority A: A minimum of three times during the wet season and once during the dry season</li> <li>Priority B: A minimum of three times during the wet season and once during the dry season</li> <li>Priority C: A minimum of three times during the wet season and once during the dry season</li> </ol> </li> </ol> <p>Attachment A: Comparison between Attachment I and Tentative Order – Ventura Countywide Permit</p>	<p><b>Storm Drain Operation and Management</b></p> <p>(a) Catch Basin Cleaning</p> <ol style="list-style-type: none"> <li>(1) Each Permittee shall designate catch basin inlets within its jurisdiction as one of the following:       <ol style="list-style-type: none"> <li>Priority A: Catch basins that are designated as consistently generating the highest volumes of trash.</li> <li>Priority B: Catch basins that are designated as consistently generating moderate volumes of trash.</li> <li>Priority C: Catch basins that are designated as generating low volumes of trash.</li> </ol> </li> </ol> <p>Within one year of Order adoption date, Permittees shall submit a map or list of Catch Basins with their GPS coordinates and their designations. The map or list shall contain the rationale or data to support designations.</p> <ol style="list-style-type: none"> <li>(2) Each Permittee shall inspect catch basins according to the following schedule:       <ol style="list-style-type: none"> <li>Priority A: A minimum of 3 times during the wet season and once during the dry season every year.</li> <li>Priority B: A minimum of 3 times during the wet season and once during the dry season every year.</li> <li>Priority C: A minimum of 3 times during the wet season and once during the dry season every year.</li> </ol> </li> </ol>	<p>Inconsistency between Attachment I question and Permit requirements. Proposed questions reflect significant accounting effort and in some cases goes beyond the Permit requirements.</p>

<p>season every year? How many?  Priority B: A minimum of once during the wet season and once during the dry season every year?  Priority C: A minimum of once per year?  Priority C: A minimum of once per year?  (3) Did you ensure that any catch basin that is at least 25% full of trash and/or debris was cleaned out?  (A) How many?  (B) For each type of catch basin (A, B, or C) state how much trash and debris was collected and state the units (wet tons, dry pounds, etc...)  (A) Did you require for any special event that they arrange for temporary screens to be placed on catch basins or for catch basins in that area to be cleaned out subsequent to the event and prior to any rain event?  (f) How many events did this apply to?  (g) How much trash and debris was collected? (wet tons, dry pounds, etc...)</p>	<p>Priority B: A minimum of once during the wet season and once during the dry season every year.  Catch basins shall be cleaned as necessary on the basis of inspections. Permittees shall maintain inspection records for Regional Board review.  (3) In addition to the preceding schedule, Permittees shall ensure that any catch basin that is determined to be at least 25% full of trash shall be cleaned out.  (b) Trash Management at Public Events  (1) Each Permittee shall require for any event in the public right of way or wherever it is foreseeable that substantial quantities of trash and litter may be generated, the following measures:  (A) Proper management of trash and litter generated;  (B) Arrangement for temporary screens to be placed on catch basins;  (C) Provide clean out of catch basins, trash receptacles, and grounds in the event area within 24 hours subsequent to the event.</p>	<p>Inconsistency between Attachment I question and Permit requirements. Proposed questions reflect significant accounting effort and in some cases goes beyond the Permit requirements.</p>
<p>6. Trash Controls  (a) Did you install trash receptacles or other trash capturing device in areas subject to high trash generation as required?  (b) How many?  (c) How much trash and debris was collected? (wet tons, dry pounds, etc...)  (d) Did you install trash excluders, or similar devices upon catch basins to prevent the discharge of trash to the storm drain system?  (e) How many?  (f) How much trash and debris was collected? (wet tons, dry pounds, etc...)</p>	<p>(c) Trash Receptacles  (1) Each Permittee shall install trash receptacles, or equivalent trash capturing devices in areas subject to high trash generation within its jurisdiction no later than one year after Order adoption date.  (2) Each Permittee shall ensure that all trash receptacles are, cleaned out and maintained as necessary to prevent trash overflow.  (e) Additional Trash Management Practices  (1) Each Permittee shall install trash excluders, or equivalent devices on or in catch basins or outfalls to prevent the discharge of trash to the storm drain system or receiving water no later than two years after Order adoption date in areas defined as Priority A (Provision 1 a(2)) except in sites where the application of such BMP(s) alone will cause flooding. Lack of maintenance that causes flooding is not an acceptable exception to the requirement to install BMPs. Alternatively the Permittee may implement alternative or enhanced BMPs beyond the provisions of this permit (such as but not limited to increased street sweeping, adding trash cans near trash generation sites, prompt enforcement of trash accumulation, increased trash collection on public property, increased litter prevention messages or trash nets within the MS4) that provide substantially equivalent removal of trash. Permittees shall demonstrate that BMPs, which substituted for trash excluders provide equivalent trash removal performance as excluders. When outfall trash capture is provided, revision of the schedule for inspection and cleanout of catch basins in task (e) may be proposed by the permittee for approval by the Executive Officer.</p>	<p>Inconsistency between Attachment I question and Permit requirements. Proposed questions reflect significant accounting effort and in some cases goes beyond the Permit requirements.</p>
<p>8. Storm Drain Maintenance  (a) Did you inspect all Permittee-owned open channels and other drainage structures for debris and identify and prioritize problem areas of illicit discharge for regular inspection?  (b) Do your maintenance activities assure that appropriate storm water BMPs are being utilized to protect water quality?  (c) Did you remove trash and debris from open channel storm drains before the storm season?  (d) Did you minimize the discharge of contaminants during MS4 maintenance and clean outs?  (e) How?  (f) Did you properly dispose of material removed?  (g) How much trash and debris was collected? (wet tons, dry pounds, etc...)  (h) Have you obtained coverage under the CASGP for Long-term maintenance programs for flood control channels (such as vegetation removal) if one or more acres of soil are disturbed by grading, clearing or excavation activities for an individual project or as part of several projects part of the Permittee's long-term maintenance plan?  (i) How many projects?  (j) Which projects?</p>	<p>(f) Storm Drain Maintenance  (1) Each Permittee shall implement a program for Storm Drain Maintenance no later than 90 days after Order adoption date that includes the following:  (A) Visual monitoring of Permittee-owned open channels and other drainage structures for debris at least annually.  (B) Remove trash and debris from open channel storm drains a minimum of once per year before the wet season.  (C) Eliminate the discharge of contaminants during MS4 maintenance and clean outs.  (D) Quantify the amount of materials removed using techniques appropriate for quantifying solid waste and ensure the materials are properly disposed of.</p>	<p>Proposed questions reflect significant accounting effort and in some cases goes beyond the Permit requirements.</p>
<p>(k) Were all municipally owned treatment control BMPs as maintained as necessary to ensure optimal pollutant reduction?  (l) Was any pooled water shall be discharged to the sanitary sewer system?  (m) Was any of the pooled water treated to remove pollutants and discharged to the storm drain?</p>	<p>(h) Permittee Owned Treatment Control BMPs  (1) Each Permittee shall implement an inspection and maintenance program for all Permittee owned treatment control BMPs, including post-construction treatment control BMPs.  (2) Each Permittee shall ensure proper operation of all treatment control BMPs and maintain them as necessary for proper operation, including all post-construction treatment control BMPs.</p>	<p>Inconsistency between Attachment I question and Permit requirements. Questions are more restrictive than Permit requirements.</p>

<p>(n) Was every discharge monitored to ensure compliance?</p>	<p>(3) Any residual water produced by a treatment control BMP and not being internal to the BMP performance when being maintained shall be:  (A) Hauled away and legally disposed of; or  (B) Applied to the land without runoff; or  (C) Discharged to the sanitary sewer system (with permits or authorization);  (D) Treated or filtered to remove bacteria, sediments, nutrients, and meet the limitations set in Table 11 (Discharge Limitations for Dewatering Treatment BMPs) prior to discharge to the MSA.</p>	<p>6. Streets and Roads Maintenance  (a) Maintenance  (1) Each Permittee shall perform street sweeping of curbed streets in commercial areas and areas subject to high trash generation to control trash and debris at least two times per month.  (2) Road Reconstruction  (1) Each Permittee shall require that for any project that includes roadbed or street paving, repaving, patching, digouts, or resurfacing roadbed surfaces, that the following BMPs be implemented for each project.  (A) Restrict paving and repaving activity to exclude periods of rainfall or predicted rainfall unless required by emergency conditions.  (B) Install sand bags or gravel bags and filter fabric at all susceptible storm drain inlets and at manholes to prevent spills of paving products and tack coat;  (C) Prevent the discharge of release agents including soybean oil, other oils, or diesel to the storm water drainage system or receiving waters.  (D) Minimize non storm water runoff from water use for the roller and for evaporative cooling of the asphalt.  (E) Clean equipment over absorbent pads, drip pans, plastic sheeting or other material to capture all spillage and dispose of properly.  (F) Collect liquid waste in a container, with a secure lid, for transport to a maintenance facility to be reused, recycled or disposed of properly.  (G) Collect solid waste by vacuuming or sweeping and securing in an appropriate container for transport to a maintenance facility to be reused, recycled or disposed of properly.  (H) Cover the "cold-mix" asphalt (i.e., pre-mixed aggregate and asphalt binder) with protective sheeting during a rainstorm.  (I) Cover loads with tarp before haul-off to a storage site, and do not overflow trucks.  (J) Minimize airborne dust by using water spray during grinding.  (K) Avoid stockpiling soil, sand, sediment, asphalt material and asphalt grindings materials or rubble in or near storm water drainage system or receiving waters.  (L) Protect stockpiles with a cover or sediment barriers during a rain.</p>	<p>Significant inconsistency between Attachment I question and Permit requirements. Question imposes new requirement for long term maintenance projects beyond the Permit.</p>
<p>9. Streets and Roads Maintenance  (a) Did you conduct street sweeping of curbed streets in commercial areas to control trash and debris at least 2 times per month?  (b) How much trash and debris was collected? (wet tons, dry pounds, etc...)  (c) Did you obtain coverage under the CASGP for long-term maintenance programs for roadside maintenance (such as: vegetation removal), if 1 or more acres of soil are disturbed including: grading, clearing or excavation activities that disturb 1 or more acres of land either for an individual project or as part of a long-term maintenance plan?</p>	<p>10. Parking Facilities Management  (a) Were all Permittee-owned parking lots exposed to storm water cleaned to be kept clear of debris and excessive oil buildup and cleaned no less than 2 times per month?  (b) How much trash and debris was collected? (wet tons, dry pounds, etc...)</p>	<p>11. Public Industrial Activities Management  (a) Did you obtain separate coverage under the IASGP for any municipal activity subject to it for the discharge of storm water associated with industrial activity?  (b) For how many facilities?  (c) Which facilities?</p>	<p>Question in Attachment I does not have equivalent Permit requirement.</p>
<p>12. Municipal Drinking Water System Discharges  (a) From your municipal drinking system did you maintain the system by flushing hydrants or other fixtures?  (b) How many gallons total were discharged in the year?  (c) If the discharges in an annual period were less than 100,000 gallons for the entire city did you implement a BMP or suite of BMPs to ensure that the chlorine level of the discharge is 0.1mg/L or less?  (d) Did you sample or take a test every time to ensure dechlorination of the water to 0.1mg/L or less?  (e) Did you ensure that the BMP or suite of BMPs were implemented so that no erosion is caused by the discharge of the potable water?  (f) What BMPs were implemented?</p>	<p>13. Municipal Employee and Municipal Contractor Training  (a) Did you train all of your employees in targeted positions regarding the</p>	<p>Footnote 2, page 34  Those releases for dewatering or hydro-testing or flushing of water supply and distribution mains and incidental and infrequent releases from well heads shall be allowed with the implementation of appropriate BMPs until such time as a new General Permit is adopted that addresses those types of releases. Discharges from hydrostatic pipe testing shall be subject to separate NPDES general permit coverage (CAG674001) and discharges from utility vaults shall be conducted under coverage of a separate NPDES permit specific to that activity.</p>	<p>Question imposes new accounting requirements.</p>
<p>14. Municipal Employee (and municipal contractor) Training  (a) Did you train all of your employees in targeted positions regarding the</p>	<p>8. Municipal Employee and Municipal Contractor Training  (a) Each Permittee shall, no later than one year after Order adoption date and annually thereafter before June 30,</p>	<p>8. Municipal Employee and Municipal Contractor Training  (a) Each Permittee shall, no later than one year after Order adoption date and annually thereafter before June 30,</p>	<p>Inconsistency between Attachment I question and Permit requirements.</p>

<p>requirements of the overall storm water management program?  (b) Did you promote a clear understanding of the potential for activities to pollute storm water?  (c) Did they learn to identify opportunities to require, implement, and maintain appropriate BMPs in their work?  (d) Did they learn the appropriate ways of identification, investigation, termination, cleanup, and reporting of illicit connections and discharges?  (e) Will they ensure that the requirements of this Order are met?  (f) For those employees or contractors who use or have the potential to use pesticides (whether or not they normally apply pesticides as part of their work), which includes related surface water toxicity?  (g) Proper use, handling, and disposal of pesticides?  (h) Least toxic methods of pest prevention and control?  (i) Encourage the use of IPM?  (j) Require the quantifiable reduction of pesticide use?  (k) Training – Show that all Permittees shall train all responsible employees that work within the Storm Water Permitting program?</p>	<p>train all of their employees and contractors in targeted positions (whose interactions, jobs, and activities affect storm water quality) on the requirements of the overall storm water management program to:  (1) Promote a clear understanding of the potential for activities to pollute storm water.  (2) Identify opportunities to require, implement, and maintain appropriate BMPs in their line of work.  (b) Each Permittee shall, no later than one year after Order adoption date and annually thereafter before June 30, train all of their employees and contractors who use or have the potential to use pesticides or fertilizers (whether or not they normally apply these as part of their work). Training programs shall address:  (1) The potential for pesticide-related surface water toxicity.  (2) Proper use, handling, and disposal of pesticides.  (3) Least toxic methods of pest prevention and control, including IPM.  (c) Each Permittee shall, no later than one year after Order adoption date and annually thereafter before June 30, train all of their employees and contractors who are responsible for illicit connections and illicit illegal discharges.  Training programs shall address:  (1) Identification  (2) Investigation  (3) Termination  (4) Cleanup  (5) Reporting of Incidents  (6) Documentation of Incidents</p>	<p>Questions go beyond the Permit requirements.</p>
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## Attachment B

### Edits for Part 5-TMDL Provisions

- **5(b)(1)** Compliance with the WLAs is to be determined through receiving water monitoring conducted in accordance with the Santa Clara River Chloride Nitrogen TMDL Monitoring Program approved by the Executive Officer.
- **6(a)(1)** Chlorpyrifos WLA of 0.014 is a four day average
- Diazinon WLA is 0.1 as a 1 hour average and a 4-day average
- **6(c)(3)** The Pesticide Collection Program is to be was implemented by March 24, 2009.
- **(7)(a)** Table 12 4,4-DDD in Arroyo Simi should be 14.0 instead of 140
- **8(a)(2)** Table 14. Interim Mass-based WLAs for copper, nickel, and selenium mercury
- **9(a)(1)** For consistency with language for the other TMDLs, please revise as follows: MS4 permittees discharging to Malibu Creek or its tributaries (Ventura County Watershed Protection District, County of Ventura, and the cities of Thousand Oaks and Simi Valley) ("Malibu MS4 permittees") shall implement BMPs to achieve the WLAs identified in Resolution 2004-19.
- **9(a)(2)** For clarity, please revise as follows: The dry weather wasteload allocations are to be achieved no later than January 26, 2012
- **(a)(1)** For clarity, please add the date of compliance as follows: ...shall implement BMPs to achieve the WLAs of zero trash by March 6, 2016.
- **12(a)(1)** For consistency with the other TMDLs, please add the following: MS4 permittees discharging to Calleguas Creek, its tributaries or Mugu Lagoon (Ventura County Watershed Protection District, County of Ventura, and the cities of Camarillo, Moorpark, Oxnard, Thousand Oaks and Simi Valley) ("Calleguas MS4 permittees") shall implement BMPs to achieve the WLAs identified in Table 16.
- **12 (a) (2)** Please delete Table 17 as it contains final allocations that are not applicable during this permit term.
- **12 (c)** Please delete the discussion of the monitoring program. The monitoring program was discussed in 12 (b) and this discussion is inconsistent with 12 (b) and the TMDL (monitoring is required within 1 year, not 6 months from approval of the work plan).
- **13 (a)(1)** The reference to Table 15 should be Table 18 and the reference to Table 17 should be Table 19.

- The final wet weather allocations in Table 19 should be deleted as they are not applicable during this permit term.

Please add the following language after Table 18: The dry weather wasteload allocations are to be achieved no later than December 18, 2013