



# Ventura County Watershed Protection District

September 15, 2017



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Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

**Subject: Statewide Dredged or Fill Procedures**

Dear Ms. Townsend:

The Watershed Protection District (District) has reviewed the Preliminary Draft State Wetland Definition and Procedures for Discharged of Dredged or Fill Material to Waters of the State and respectfully submits the following comments:

1. The proposed regulations repeatedly state the requirements for actions which "directly" impact waters of the state or waters of the U.S., but do not always distinguish between temporary and permanent impacts. Please provide clarity in application information or alternatives analyses requirements for temporary and permanent impacts.
2. What basis was used to develop the tiers for the alternatives analysis thresholds in Section A.1.h? These tier categories are much more restrictive than the USACE Nationwide Permit thresholds, requiring the 404(b)(1) level of alternatives analysis which adds substantial burden to developing permit applications. Guidance from the permitting authority to reduce the specific types of impacts to waters of the state on a case by case basis would be helpful.
3. How would the regulations affect maintenance of existing facilities, which include periodic temporary impacts, as well as occasional minor new permanent impacts? Our current Operations and Maintenance Program 401 Certification will expire in August of 2019. What would the new regulatory action be?
4. It is unclear if there will be one new permit application package that will be required for all types of regulatory actions including the 401 Certifications, Waste Discharge Requirements, or waivers. Clarification is requested.

Thank you for the opportunity to review and comment on the proposed regulations. Protection of water quality and wetlands is part of the District's mission.

Sincerely,

Sergio Vargas, Deputy Director

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