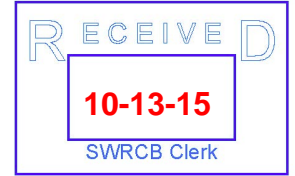




Ventura Countywide Stormwater Quality Management Program



Participating Agencies

October 13, 2015

Camarillo

VIA EMAIL: commentletters@waterboards.ca.gov

County of Ventura

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Fillmore

**SUBJECT: COMMENTS ON STORM WATER RESOURCE PLAN
AND PROPOSITION 1 FUNDING GRANT GUIDELINES**

Moorpark

Dear Ms. Townsend:

Ojai

On behalf of Ventura Countywide Stormwater Quality Management Program (Program), which includes the Watershed Protection District, the County of Ventura and the incorporated cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Ventura, Santa Paula, Simi Valley, and Thousand Oaks, thank you for the opportunity to provide stakeholder comments on the Draft Storm Water Resource Plan Guidelines (Plan Guidelines) and the Draft Proposition 1 Storm Water Grant Program Funding Guidelines (Funding Guidelines). Collectively, these agencies operate the municipal storm drain system in Ventura County and discharge stormwater and urban runoff pursuant to the Ventura Countywide 2010 NPDES Stormwater Permit. All 12 agencies are committed to working cooperatively to improve water quality through stormwater capture and reuse opportunities.

Oxnard

Port Hueneme

San Buenaventura

Santa Paula

Simi Valley

After reviewing the draft Plan Guidelines and the draft Funding Guidelines, the Program respectfully offers the following comments and suggestions for your consideration.

Thousand Oaks

Functionally Equivalent Plans

Ventura County
Watershed Protection
District

With increased emphasis on stormwater as a resource and multi-benefits in watershed planning in recent years, existing plans and monitoring efforts may already meet SB 985 requirements. To eliminate the need for duplicate efforts, it is important that existing plans be accepted as functionally equivalent to a Storm Water Resource plan where SB 985 requirements are met. Ventura County's three major



Watersheds - the Santa Clara River, Calleguas Creek, and Ventura River watersheds, currently have active watershed planning processes that include a diverse set of stakeholders that go beyond stormwater management agencies. These efforts support the identification of watershed priorities and collaborative, multi-benefit solutions to those priorities including storm water capture and reuse projects. The Program is, therefore, pleased to see that existing watershed management plans, or a collection of existing plans, will be considered functionally equivalent to a Storm Water Resources Plan if the plans and ordinances collectively meet all the requirements of Water Code section 10560 et seq.

Mandatory Requirements and Approval Process for Storm Water Resource Plans

It is the Program's understanding that one option for approving Storm Water Resource Plan(s) being considered by the State Water Board staff is to require submittal of a coversheet consisting of the checklist in Plan Guidelines Appendix A accompanied by a certification statement to declare under penalty of perjury that the Storm Water Resource Plan conforms to Plan Guidelines. The Program supports this checklist approach to approval, however, we request that the approval process be clearly written in the Plan Guidelines, and that the checklist and certification be limited to the first table in Appendix A, "Mandatory Required Elements per California Water Code." (Plan Guidelines, A-1). Approval should be based solely on meeting requirements consistent with California Water Code section 10560 et seq. Establishing a well-defined and straightforward approval process will give applicants the assurance that their projects will be eligible for much needed funding under Prop 1. An efficient approval process is especially important given the scope of a comprehensive Storm Water Resource Plan and the relatively short time for development and approval before the first solicitation for Prop 1 funding.

Inclusion of Storm Water Resource Plans in Integrated Regional Water Management Plans (IRWMPs)

The Plan Guidelines state a mandatory requirement that "Upon development, the Plan will be submitted to the applicable integrated regional water management [Integrated Watershed Management] (IRWM) group for incorporation into the IRWM plan". (Plan Guidelines p. A-2). The Program supports the inclusion of the Storm Water Resource Plan in the IRWMP, however, the time necessary to incorporate Storm Water Resource Plan(s) into the applicable IRWMP may vary between (IRWM) groups and may hinder an agency's ability to apply for grant funds in a timely manner. The Program recommends that both the Plan Guidelines and Funding Guidelines specify that only *submittal* of the Storm Water Resource Plan to the local IRWM group for incorporation is required for a project to be eligible for Prop 1 funds. In particular, Appendix C of the Funding Guidelines should be revised to reflect the submittal threshold to be consistent with California Water Code section 10562(b)(7).

Identification of Plan Implementation and Scheduling Components

The Plan Guidelines require that the Storm Water Resource Plan include a list of implementation and scheduling components to a level of detail that is beyond the requirements California Water Code section 10562, subds. (d). The Plan Guidelines, Section VI.E.2., require plans to identify among others, the following components:

- c. Agency (ies) responsible for project implementation, with clearly identified linkages or interdependence between projects;
- f. Timelines for all active or planning project components and identification of the instructional structure that will ensure Plan implementation; [and]
- h. A strategy and timeline for obtaining necessary federal, state, and local permits. (Draft Plan Guidelines, p.28 and A-4).

However, these items require a level of detail and commitment that may not be possible at the planning level, and is not necessary in a Storm Water Resource Plan. This specificity is more appropriate on a project scale, and would be more suitable to be included in the Funding Guidelines. The Program suggests the Storm Water Resource Plan identify agencies *and stakeholders whose cooperation is necessary* for project implementation, and remove items f. and h. from the list. Alternative to removing item h., the Program recommends the Storm Water Resource Plan identify only “[*general*] timelines and [*potential*] strategies for obtaining necessary federal, state and local permits.” (Draft Plan Guidelines, p. 28).

Timing of Prop 1 Funding Solicitation

Given the conflict in timing between development of Storm Water Resource Plans and the appropriation of funding under Prop 1, applicants should be allowed to apply for implementation funding while simultaneously waiting for approval of the applicable Storm Water Resource Plan. The Program requests that the State Water Board staff move forward with scoring and ranking an applicant’s project, as long as the project is included in a Storm Water Resource Plan that is approved by the time of the official grant award. The intent is to give agencies more time to develop a Storm Water Resource Plan or update existing plans to meet SB 985, while not hindering their ability to apply for funding for projects that meet the Prop 1 funding requirements.

Storm Water Capture and Use Projects Analysis

Section VI.C.2. of the Plan Guidelines requires that Storm Water Resource Plans “include an analysis of how collectively the projects and programs in the watershed will capture and use the proposed amount of storm water and storm water runoff.” The proposed guidelines go further to specify that the analysis should “[demonstrate] that the collective performance of individual projects... captures the dry weather runoff and, at minimum, the first flush from the 85th percentile 24-hour storm event.” (Plan Guidelines, p. 23). While this volume of retention may be ideal for storm water capture projects, it may not be feasible in certain watershed’s individual projects or

groups of projects to collectively retain the 85th percentile 24-hour storm event. Applying an 85th percentile 24-hour design storm threshold for projects in a Storm Water Resources Plan goes above and beyond the requirements California Water Code section 10565 subds. (b). Our concern is that considering the Storm Water Resource Plan requirements will be in effect permanently, this performance standard could impede many good projects with significant multi-benefits from being considered or implemented beyond the Prop 1 funding period. The Program requests that the 85th percentile 24-hour storm event threshold be removed Section VI.C.2.b.i. of the Plan Guidelines.

On behalf of the Ventura Countywide Stormwater Quality Management Program, I thank you for your time and opportunity to submit these comments. If you have questions, please contact me at (805) 654-5051, or via email at Gerhardt.Hubner@ventura.org.

Respectfully,



Gerhardt J. Hubner

On Behalf of the

Ventura Countywide Stormwater Management Program

cc: Ventura County Stormwater Program Permittees