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August 14, 2013

Mr. Arne Anselm
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009
Via email: arne.anselm@ventura.org

Re: Comments on Ventura County Municipal Separate Stormwater Sewer System Preliminary Draft Hydromodification Control Plan

Dear Mr. Anselm,

On behalf of Heal the Bay, we submit the following comments to the Ventura County Watershed Protection District regarding the Ventura County Municipal Separate Stormwater Sewer System (“MS4”) Preliminary Draft Hydromodification Control Plan (“Plan”). Heal the Bay is an environmental organization with over 15,000 members dedicated to making Southern California coastal waters and watersheds safe, healthy, and clean for people and aquatic life.

We believe the County did a good job in the development of this Plan and in working to meet the Hydromodification Control Criteria outlined by the MS4 permit for New Development and Redevelopment projects. However, upon reviewing the Plan we have a few comments and concerns regarding the project:

- The Hydromodification Control Applicability Map (“Applicability Map”) located within the Plan illustrates areas in the county applicable to the Hydromodification Management Standard (“HMS”). We are concerned that the current Plan will not adequately mitigate hydromodification occurring in the county, given its limited applicability. It is apparent upon reviewing the Applicability Map that the majority of lands subject to HMS are located within the Calleguas Creek Watershed; **we believe that the plan needs to include areas currently exempt** (most of the Ventura River and Santa Clara River Watersheds) in order to properly mitigate hydromodification occurring in the county. **We understand this goes beyond the specific requirements specified in section 3.1 of the Plan, however, we urge the County to expand these applicability thresholds in order to reduce hydromodification impacts.**
- We are concerned that the monitoring guidelines outlined in the Plan will not accurately evaluate hydromodification control BMP effectiveness. Existing development is not subject to hydromodification controls in the Plan. Therefore, it will be extremely difficult to assess “new” hydromodification occurring in channels where existing development already discharge runoff. The Plan notes that Ventura County currently collects annual or every other year countywide aerial photographs, which can be used to compare past impacts with future impacts. Although annual photographs allow visual comparison of stream channels, they do not distinguish seasonal variation in flows impacting natural erosion and sedimentation. This natural noise occurring in channels is difficult to quantify, making visual effectiveness monitoring difficult. Additionally, the Plan does not outline a threshold for which hydromodification is measured. These concerns create an accountability problem for projects subject to HMS, which can result in surface water impairments for receiving waters. **We suggest a more robust effectiveness monitoring plan be examined and believe that third party consultation should be included to better assess hydromodification control BMP effectiveness.**



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As stated above, the Plan contains many positive elements. However, we have concerns regarding the types of projects that are subject to HMS as well as the ability to accurately assess if hydromodification BMPs are reducing or eliminating hydromodification impacts. If you have questions or would like to discuss any of these comments, please contact us at (310) 451-1500. Thank you for your consideration of these comments.

Sincerely,

Peter Shellenbarger, MESM
Science and Policy Analyst
Heal the Bay

Kirsten James, MESM
Science and Policy Director, Water Quality
Heal the Bay