



Ventura Countywide Stormwater Quality Management Program

Participating Agencies

October 3, 2023

Camarillo

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor, Sacramento, CA 95814
Via email: commentletters@waterboards.ca.gov

County of Ventura

Fillmore

**SUBJECT: COMMENT LETTER – DRAFT MUNICIPAL STORMWATER
COST POLICY**

Moorpark

Dear Ms. Tyler:

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 comments on the Draft Municipal Stormwater Cost Policy (Draft Policy). Collectively, these agencies operate the municipal storm drain system in Ventura County and discharge stormwater and urban runoff pursuant to the Los Angeles Regional NPDES Stormwater Permit. All 12 agencies are committed to working cooperatively to improve storm water quality in our local waterways and beaches.

Oxnard

Port Hueneme

San Buenaventura

The Program appreciates the efforts made by the State Board in developing a policy for standardizing cost reporting for MS4 compliance with an end goal to improve receiving water quality more effectively. The Program has reviewed the Draft Policy and would like to take this opportunity to submit the following comments on issues of particular importance to Ventura County Permittees. Additionally, the Program strongly supports the detailed comments submitted on this subject by the California Stormwater Quality Association.

Santa Paula

Simi Valley

Thousand Oaks

Comments:

Ventura County
Watershed Protection
District

1. EXTEND ADOPTION TIMELINE:

The Program supports allocating additional time to thoroughly consider feedback received from public workshops, written comments, and the beta testing process. The current adoption schedule is rushed and limits the opportunity to consider the results of ongoing beta testing, including potential adjustments, and propose a revised (and final) policy that would better achieve the stated goals.



Request: To ensure all concerns are adequately heard and addressed, extend the current schedule for adoption to a minimum of six months after completion of beta testing to allow for consideration of feedback from the beta testing process and allow additional time for public engagement.

2. CLARIFY THE PURPOSE OF THE COST REPORTING POLICY: The Draft Policy should establish a clear and explicit goal beyond only the collection of standardized data. While the Draft Policy mentions three distinct goals—informing permitting decisions, justifying proposed stormwater funding measures, and addressing environmental justice issues—these goals can lead to varying data needs, significantly expand the scope beyond determining the cost of permit implementation, and impact the policy's intent. We recommend first giving priority to establishing the cost of implementing a stormwater program in accordance with the requirements of the relevant permit. This objective would serve as a fundamental cornerstone for the other goals included in the Draft Policy. Prioritizing the assessment of permit implementation costs also directly aligns with the State Auditor's Report, which advises the Regional Boards to obtain sufficient and consistent information regarding the management expenses of stormwater programs.

Request: Revise the existing Draft Policy purpose statement to: "The purpose of the [Draft Policy] is to ensure MS4 permittees estimate, track, and report annual expenditures in a consistent manner to determine the costs to implement each municipal stormwater program, as required by the applicable permit."

3. THE DATA REQUIRED TO BE COLLECTED SHOULD ALIGN WITH THE OBJECTIVE OF IMPROVING RECEIVING WATER QUALITY: The Draft Policy currently mandates 103 separate reporting items, which may not align with actual MS4 permit implementation costs or lead to improvements in stormwater quality. Justification for this level of detail should be provided to ensure that the effort and time invested in calculating and reporting these detailed costs leads to measurable improvements of stormwater quality. The increased detail in cost data requirements will also compromise data accuracy and hinder comparisons among Permittees.

Understanding and acknowledging the limitations of municipal agencies to accurately report embedded costs in day-to-day programs (e.g., parks, streets, operations and maintenance, etc.) is very important. Many stormwater program implementation costs are ingrained into operational budgets that do not have the capability for further granularity. Further, the financial information used to report costs comes from municipal finance departments, not from stormwater program managers. Financial reporting systems are limited and not designed to parse out data at the level of detail currently required by the Draft Policy, which will lead to inconsistencies between data sources. Cost reporting should not require an increased effort or replace financial systems for compliance and should be feasible using existing, established accounting methods. The most sensible option to address these limitations would be to revise the Draft Policy framework to require reporting of standardized categories for which data collection among programs is

relatively reliable and allow optional reporting of sub-categories that can be selected based on the capabilities of individual operational and financial systems.

Request: Given the diversity of MS4 permit requirements across the state, revise the Draft Policy to require cumulative cost reporting at the standardized category level, with optional sub-category reporting.

4. PROVIDE EXPLICIT GUIDANCE FOR DATA COLLECTION METHODS: Stormwater pollution reduction measures and their associated costs are challenging to standardize due to differing Minimum Control Measure (MCM) requirements in regional permits and various implementation methods. Existing standardized statewide guidance on MCM's does not exist. These permit variations are expected due to differences in population, land use, hydrology, pollution sources, infrastructure, and water uses, among others; however, they lead to inherent differences in implementation of stormwater programs. The Draft Policy should include explicit guidelines on data collection methods, reporting intervals, and verification processes to enhance the reliability of collected information. This will help stakeholders understand the intent of the Draft Policy and provide more consistent data.

Request: Include clearer, more robust guidelines for cost reporting to ensure consistent data collection. Specific instructions on what data to report in each category, sub-category, and line item are necessary before adopting the Draft Policy.

5. ADDRESS FUNDING CONSTRAINTS AND FUTURE ASSESSMENT: The Draft Policy should acknowledge existing funding limitations and allow for future assessments and refinements of data collection efforts. Insufficient funding within agencies hinders their ability to fulfill all of the requirements mandated by state and regional boards. The data to be collected as part of the Draft Policy does not reflect these funding and compliance challenges faced by all Ventura County Permittees. Continuous evaluation is essential to ensure the data collected serves its intended purpose and may lead to necessary policy modifications.

Request: Add a new section to the Draft Policy outlining a funding limitations assessment and data collection refinement process.

6. ALIGN REPORTING TIMELINES WITH PERMIT REQUIREMENTS: The Draft Policy stipulates specific timelines for the tracking and submitting cost reporting data. These requirements should be modified to allow alignment with the reporting timeframes required by the applicable MS4 permit.

Request: Revise relevant sections of the Draft Policy to ensure that cost reporting information is submitted as part of the annual reporting requirements specified in the applicable stormwater permit.

Courtney Taylor
October 3, 2023
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On behalf of the Ventura Countywide Stormwater Quality Management Program, thank you for your time and the opportunity to submit these comments. The Program looks forward to reviewing the revised Draft Policy and offering further input as work progresses toward the final policy. If you have any questions, please contact me at (805) 654-3942, or via email at Arne.Anselm@Ventura.org.

Sincerely,



Arne Anselm

On Behalf of the Ventura Countywide Stormwater Management Program

cc: Ventura County Stormwater Program Permittees