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BOARD OF SUPERVISORS

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TO: Board of Supervisors
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009

FAX NO.: 677-8711

DATE: December 3, 2009

NO. OF PAGES: 4 (includes cover sheet)

RE: Agenda Item 39 (Consolidating Existing
Flood Control Ordinances Into a
Watershed Protection Ordinance Code).

3152 Shad Court
Simi Valley, CA 93063
December 3, 2009

Board of Supervisors
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009

Re: Agenda Item 39 (Adoption of an Ordinance Consolidating Existing Flood Control Ordinances Into a Watershed Protection Ordinance Code. All Zones, All Supervisorial Districts.

Dear Members of the Board:

I am opposed to the aforementioned item for the following reasons.

- #1 - You are being asked to "read in title only Ordinance WP-1 (Exhibit 1) and waive further reading of the Ordinance"--page 1 of the December 8, 2009 letter to the Board from Director Norma J. Camacho.
- #2 - The Exhibits do not contain the word "Exhibit", nor the number. The only way to identify the three separate Exhibits is through the Board's Website's Agenda Item 39's posted items.
- #3 - The Exhibits do not contain the respective subject Titles: 1. Consolidated Ordinance Code, 2. Table of Flood Control Ordinances, and 3. Strike-Out Version Of Ordinances per Director Camacho's listed Attachments on page 2 of her December 8, 2009 letter.
- #4 - Exhibit 3, the strike-out version of the ordinance is is not struck-out. The document is the same text as Exhibit 1 (Consolidated Ordinance Code), but with the text not coinciding with the page numbers, nor the sentences aligning on the page on the same words, additional underlining, location of page numbers, a missing page number, and spacing problems between sections and words.

- #5 - Page 2 of Director Camacho's December 8, 2009 letter, it is stated that "The proposed Ordinance Code also contains simplified and modernized text that does not make any substantive changes to the District's authority". This statement should have been accompanied by additional descriptive information on those simplified and modernized textual changes. Or, those simplified and modernized textual changes should have been noted in the struck-out version of the Ordinance. These simplified and modernized textual changes do make substantive changes to the District's authority.
- #6 - It is inexcusable that since 2002, when the Ventura County Flood Control District was legally changed to the Ventura County Watershed Protection District, the approximately 30 flood control ordinances (adopted between 1945 and 1997) have not been consolidated, and thus the District is functioning with "a confusing array of ordinances".
- #7 - It is inexcusable that the lack of consolidation of former Ventura County Flood Control District ordinances has resulted in hindered "effective regulatory action". These hindrances to effective regulatory action must be described. Is this one of the reasons that property owners were being charged hundreds of thousands of dollars, and even in the million dollar mark for overuse of groundwater--the Ventura County Star recently had an article on this? Some of the fines went back to 2006. Do these hindrances impact the recently approved Los Angeles Regional Water Quality Control Board's Ventura Countywide MS4 NPDES permit? Do these hindrances impact the Cities of Fillmore, Moorpark, Oxnard, and Ventura updated FEMA DFIRMs, and the County's unincorporated areas NFIP Flood Insurance Study, and Flood Insurance Rate Maps?
- #8 - Page 2 of "Exhibit 1 - Consolidated Ordinance Code", Section 102-6. District Act means the Ventura County Watershed Protection District Act, Water Code Appendix, Chapter 46, give the date of the "Act".
- #9 - It is stated on Page 1, in Exhibits 1 and 3, under Section 102-2, that the "Comprehensive Plan" "means

the revised Comprehensive Plan for Flood Control - Ventura County Watershed Protection District adopted by the Board in 1980, and on October 11, 1994...", in Exhibits 1 and 3. The "Ventura County Watershed Protection District" is incorrect. The correct wording is the "Ventura County Flood Control District (now Ventura County Watershed Protection District)".

- #10 - The Comprehensive Plan for Flood Control "also means Map A and Table II of the above-referenced report, as hereinafter modified or amended by Board action during a public hearing after reasonable notice thereof". Map A and Table II should have been posted on the Board's Website for the Consolidated Ordinance Code along with the other Agenda Item exhibits.

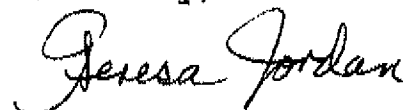
JORDAN RECOMMENDATIONS

- #1 - "Exhibit 2 - TABLE OF FLOOD CONTROL ORDINANCES", the document does not include page numbers.
- #2 - To "Exhibit 2", add the words "TABLE OF" (page 1).
- #3 - To "Exhibit 1", add the words "CONSOLIDATED ORDINANCE CODE". To "Exhibit 3", add the words "STRIKE-OUT VERSION OF ORDINANCES".
- #4 - The pages of "Exhibit 1" should have the text of the sections "(a)" through the given section's ending letter align in the format provided in "Exhibit 3" (the Website posted non struck-out document).

QUESTION

1. Is this consolidation of flood control ordinances required by federal, or state agency regulations? If so, which regulation(s)?

Sincerely,


Teresa Jordan