

Public Comment
Implementation Plan for US EPA Malibu Nutrient and Sedimentation TMDLs
Deadline: 1/26/17 12 noon

January 26, 2017



Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
commentletters@waterboards.ca.gov

Central Services Department
J. Tabin Cosio, Director

Engineering Services Department
Christopher E. Cooper, Director

Transportation Department
David L. Fleisch, Director

Water & Sanitation Department
Michaela Brown, Director

Watershed Protection District
Glenn Shephard, Director

Subject: COMMENT LETTER – IMPLEMENTATION PLAN FOR U.S. EPA MALIBU NUTRIENT AND SEDIMENTATION TMDLS

Dear Ms. Townsend:

The County of Ventura (County) and Ventura County Watershed Protect District (District) appreciate the opportunity to submit comments on the Proposed Approval of an Amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to Establish an Implementation Plan for the Malibu Creek Nutrients TMDL and the Malibu Creek and Lagoon TMDL for Sedimentation and Nutrients to Address Benthic Community Impairments. Our comments are limited to the fact that the proposed Amendment does not include primary property owners such as Rancho Simi Parks & Recreation District, U.S. National Park Service, Mountains Recreation and Conservation Authority, Conejo Open Space Conservation Authority, and California Department of Parks and Recreation who own approximately 51% of undeveloped lands in upper Malibu Creek Watershed (MCW), i.e., above Los Angeles County line. As estimated by U.S. Environmental Protection Agency during development of Malibu Creek Nutrients TMDL and referenced in the Regional Water Quality Control Board's TMDL Staff Report, these lands contribute 25.2% of the total nitrogen load and 5.5% of the total phosphorus load during the winter period and 9.3% of the total nitrogen load and 10.6% of the total phosphorus load during the summer period. Upper MCW offers opportunities for recreation including equestrian uses, which may need to be evaluated for Best Management Practices towards nutrient reduction and improvement of water quality. **The primary land owners of undeveloped lands should be subject to the same requirements as Municipal Separate Storm Sewer Systems (MS4s) including monitoring requirements for lakes, assignment of load allocations (LAs), and monitoring and implementation requirements for the upper MCW or participation in watershed-wide approach if chosen.**

The proposed TMDL Implementation Plan provides an option to the Responsible Parties to develop a watershed-wide approach towards achieving LAs and wasteload allocations (WLAs), which can be done most efficiently and successfully if all primary property owners, MS4 and other TMDL Responsible Parties are participating. County of Ventura has been working on identifying opportunities for stormwater treatment control measures in upper Malibu Creek. It has come to our attention that significant portion of the stormwater runoff entering County's storm drain system comes from properties owned by other parties, especially large undeveloped areas upstream of the County's storm drain system. If primary property owners of undeveloped lands are involved in watershed-wide efforts,



more opportunities for stormwater capture may present itself within jurisdictions of all participating parties.

As proposed in the Proposed Amendment, the U.S. National Park Service and/or California Department Parks and Recreation were only listed under Cooperative Parties for Malibou Lake and Sherwood Lake, and to meet requirements for sedimentation below Malibou Lake (outside upper MCW). The Proposed Amendment does not require the U.S. National Park Service and California Department Parks and Recreation to address nutrients and conduct monitoring required for MS4s. Other primary property owners of undeveloped lands such as Rancho Simi Parks & Recreation District, Mountains Recreation and Conservation Authority, and Conejo Open Space Conservation Authority are not listed in the Proposed Amendment.

Request: *Include the Rancho Simi Parks & Recreation District, U.S. National Park Service, Mountains Recreation and Conservation Authority, Conejo Open Space Conservation Authority, and California Department of Parks and Recreation as responsible parties in the Proposed Amendment for monitoring and implementation plan development efforts within their jurisdictional areas at the comparable requirement levels as MS4s and other TMDL Responsible Parties.*

The proposed addition ensures that the primary property owners of the undeveloped lands in upper MCW are responsible for implementing TMDL requirements and willing to collaborate with local agencies towards the common goal of reducing nutrient levels and improving water quality in MCW.

Thank you for the opportunity to submit comments on the Proposed Amendment for your consideration. If you have any questions or need additional information, please feel free to contact Ewelina Mutkowska at Ewelina.Mutkowska@ventura.org or (805) 645-1382.

We look forward to working with all Responsible Parties and regulatory agencies to implement the TMDLs.

Sincerely,



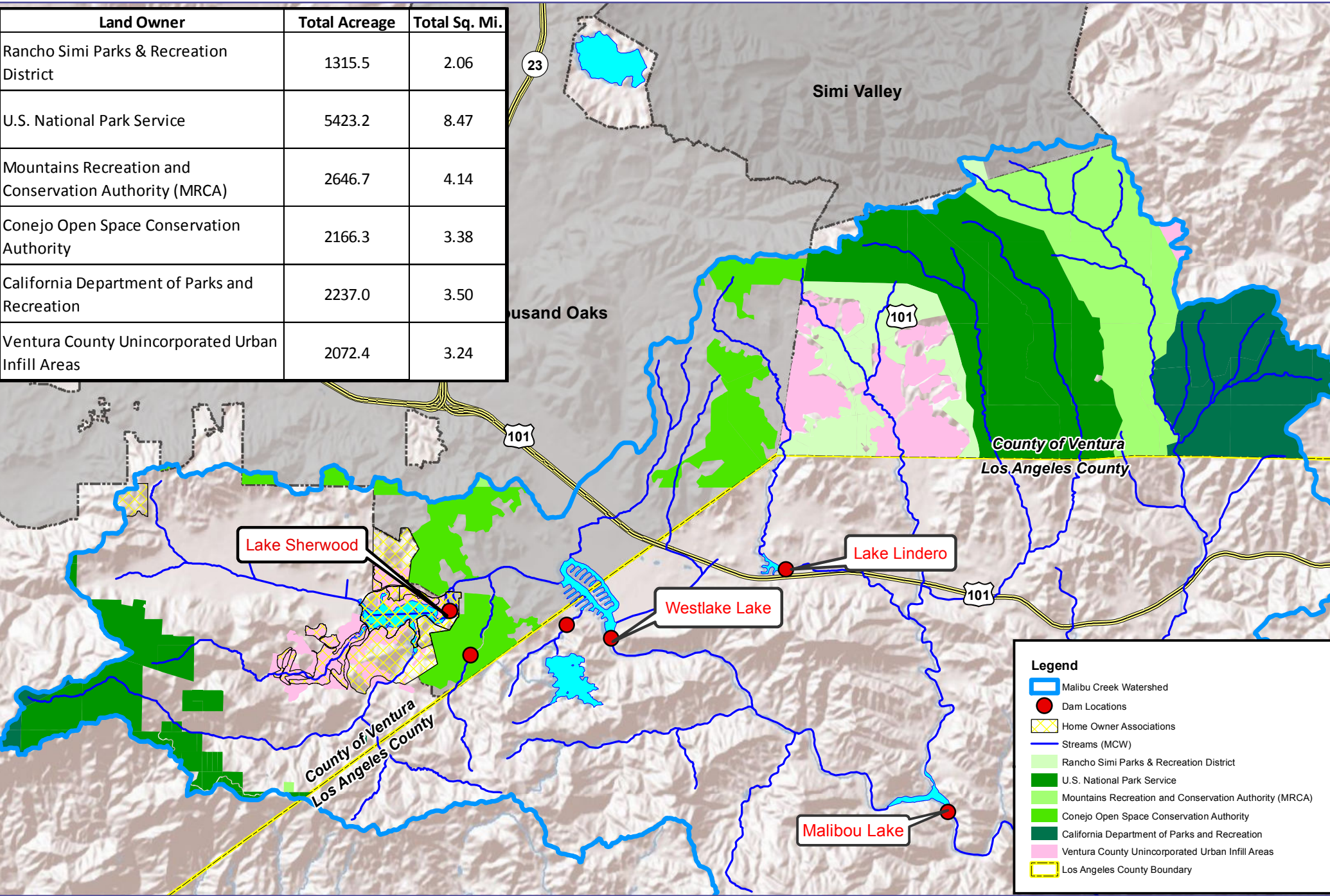
Arne Anselm
Ventura County Watershed Protection District
Deputy Director

Attachment: Figure 1 – Upper Malibu Creek Watershed Map

Cc: Renee Purdy, Regional Programs Chief, Los Angeles Regional Water Quality Control Board (LARWQCB)
Jenny Newman, TMDL Section Chief, LARWQCB
Jeff Pratt, Director, Ventura County Public Works Agency
Glenn Shephard, Director, Ventura County Watershed Protection District
Ewelina Mutkowska, Stormwater Program Manager, Ventura County Public Works Agency



Land Owner	Total Acreage	Total Sq. Mi.
Rancho Simi Parks & Recreation District	1315.5	2.06
U.S. National Park Service	5423.2	8.47
Mountains Recreation and Conservation Authority (MRCA)	2646.7	4.14
Conejo Open Space Conservation Authority	2166.3	3.38
California Department of Parks and Recreation	2237.0	3.50
Ventura County Unincorporated Urban Infill Areas	2072.4	3.24



Legend

- Malibu Creek Watershed
- Dam Locations
- Home Owner Associations
- Streams (MCW)
- Rancho Simi Parks & Recreation District
- U.S. National Park Service
- Mountains Recreation and Conservation Authority (MRCA)
- Conejo Open Space Conservation Authority
- California Department of Parks and Recreation
- Ventura County Unincorporated Urban Infill Areas
- Los Angeles County Boundary

0 0.5 1 2 Miles



Sources:
 County of Ventura GIS data
 LARWQCB HUC boundaries,
 as amended October 28, 2011

FIGURE 1
Upper Malibu Creek Watershed
Land Use Breakdown

