

Public Comment  
Malibu Creek Watershed  
Deadline: 2/13/09 by 12 noon

**From:** "Ricardo Moreno" <Ricardo.Moreno@ventura.org>  
**To:** <commentletters@waterboards.ca.gov>  
**Date:** Wednesday, February 11, 2009 3:05 PM  
**Subject:** Comment Letter - Malibu Creek Watershed Trash TMDL  
**Attachments:** VCPWA Comments on MCW Trash TMDL.pdf

Ms. Jeanine Townsend  
Clerk of the Board  
State Water Resources Control Board

Dear Ms. Townsend:

The Ventura County Public Works Agency (PWA) appreciates the opportunity to provide comments on the Proposed Amendments to the Water Quality Control Plan – Los Angeles Region for the Malibu Creek Watershed Trash TMDL Basin Plan Amendments (Tentative BPA).

Attached you find a letter with the comments referenced above and one attachment.

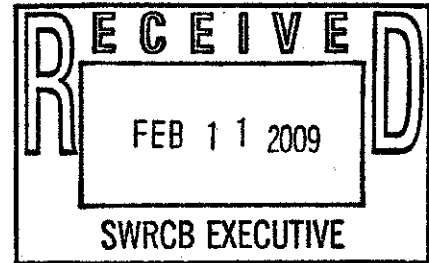
This email will be followed by a hard copy of the attachment sent via mail to Nick Martorano, Division of Water Quality.

We appreciate the State Water Resources Control Board's consideration of the comments.

if you have any questions on this letter or the attachment, or need clarification to any of the comments made, please contact Ricardo Moreno at (805) 477-7139

Regards,

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Ventura County Public Works Agency  
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February 11, 2009

Nick Martorano  
Division of Water Quality  
State Water Resources Control Board  
1001 'I' Street  
Sacramento, CA 95814

Transportation Department  
**Wm. Butch Britt**, Director  
Central Services Department  
**Janice E. Turner**, Director  
Water & Sanitation Department  
**R. Reddy Pakala**, Director  
Watershed Protection District  
**Tom Lagler**, Director  
Engineering Services Department  
**Alec T. Pringle**, Director

**Subject: COMMENTS ON PROPOSED APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION (BASIN PLAN) TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR TRASH IN THE MALIBU CREEK WATERSHED (MCW)**

Dear Mr. Martorano:

The Ventura County Public Works Agency (PWA) appreciates the opportunity to provide comments on the *Proposed Amendments to the Water Quality Control Plan – Los Angeles Region for the Malibu Creek Watershed Trash TMDL Basin Plan Amendments* (Tentative BPA). We believe this approach serves the interests of all parties involved, as well as the local community and the impacted waterbody in particular. In this regard, we submit the comments below for your consideration.

The comments presented in this letter refer to the Tentative Basin Plan Amendment (BPA). The letter provides a general discussion of the issues and the attachment provides supporting evidence to address the comments presented in this letter. In addition to addressing the concerns, the letter provides suggested language that we would like to see modified on the document.

The County of Ventura PWA was heavily involved and worked closely with the Los Angeles Regional Water Quality Control Board (RWQCB) staff to develop and adopt two other trash TMDL's in the region (Ventura River Estuary and Revolon Slough and Beardsley Wash, effective March 6, 2008). As a matter of fact, the County of Ventura PWA and the other stakeholders have received conditional approval on January 28, 2009 of the trash monitoring and reporting plan (TMRP) for the Revolon Slough and Beardsley Wash trash TMDL as a result of those efforts.

The County of Ventura PWA has concerns about the MCW Trash TMDL, but two general categories of greatest concern regarding the Upper Las Virgenes Creek are as follows:

1. The apparent designation of the Upper Las Virgenes Creek as land area under the jurisdiction of Ventura County,
2. Suggested language on a statement made in the Tentative BPA.



**County of Ventura Jurisdictional Comments**

The calculation of the Ventura County Unincorporated land area for the Non-point Source Load Allocation (LA) is of concern. On page 29, Table 6 of the Draft Staff Report, the "Ventura County-Responsible Jurisdiction" is listed as having 10.18 square miles of "Nonpoint Source Area (Mile<sup>2</sup>)". We feel this land allocation is incorrect and assume the number includes the Upper Las Virgenes Creek, designated on Page 25, Figure 2, "*Areas of the Malibu Creek Watershed*" of the Staff report as being all Unincorporated County lands. This is incorrect; the vast majority of Upper Las Virgenes Creek land (above the City of Calabasas) is owned and operated by the Santa Monica Mountains Conservancy and listed as a region in the Santa Monica Mountains National Recreation Area, Upper Las Virgenes Canyon Open Space (Former Ahmanson Ranch Area). The County of Ventura has no authority in these areas, thus has no mechanism to take actions associated with TMDL implementation. Attachment A shows the area described. This "impaired area" should be reallocated to the proper responsible parties.

**Language Suggestion**

In Table 7-31.1 (Elements), page 7 on the revised BPA implementation section, Nonpoint Sources, under Las Virgenes Creek # 5, the current language reads,

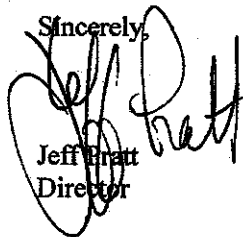
*"Within Ventura County, once every two months for the waterbody, shorelines and the adjacent areas and within 72 hours after critical conditions."*

The County of Ventura requests the following revised language be modified on this paragraph as follows:

*"Within Ventura County the Santa Monica Mountains National Recreation Area/upper Las Virgenes Canyon Open Space, once every two months for the waterbody, shorelines and the adjacent areas and within 72 hours after critical conditions."*

We appreciate the State Water Resources Control Board's consideration of the comments and language suggestions presented in this letter and the attached materials. Although the letter captures the major concerns with the documents, if you have any questions on this letter or the attachment, or need clarification to any of the comments made, please contact Ricardo Moreno at (805) 477-7139.

Sincerely,



Jeff Pratt  
Director

Attachment: Pictures and Map Detailing Upper Las Virgenes Creek Jurisdiction

cc: Tom Lagier, WPD  
Gerhardt Hubner, WPD  
Ricardo Moreno, VCPWA

**Attachment A: Pictures and Map Detailing Upper Las Virgenes Creek Jurisdiction**

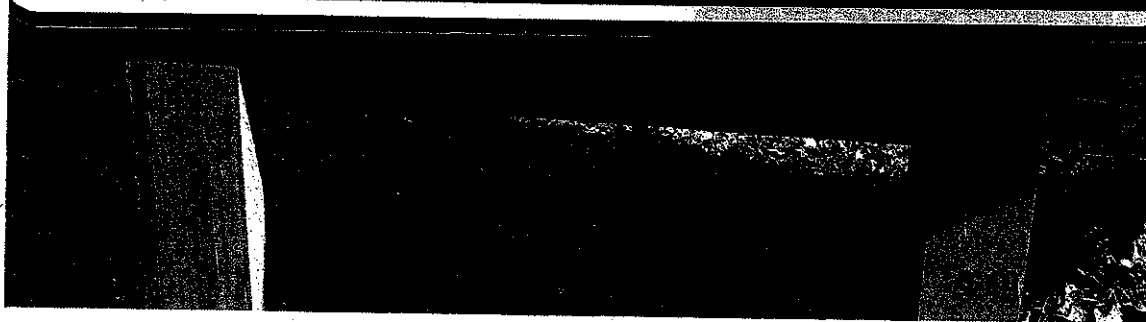
**Picture A. Signage at the *Las Virgenes Canyon Open Space Trail* which parallels Las Virgenes Creek, upstream of the City of Calabasas into Ventura County.**



**Picture B. More Signage at the entrance to Las Virgenes Canyon Open Space Trail Head.**

- **No unauthorized vehicle use.**
- **No defacing or destroying property.**
- **Dogs must be on leash and cleaned up after.**
- **Possession of firearms, bow and arrow prohibited.**

For information or emergencies: (310) 456-7049  
Managed-by Mountains Recreation & Conservation Authority.  
Violation is a misdemeanor punishable by fine and/or imprisonment.



Picture C. More signage detailing ownership of the *Upper Las Virgenes Canyon Open Space Preserve*

