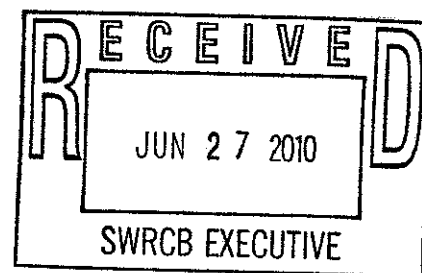


June 27, 2010

Mr. Charles R. Hoppin, Chair  
c/o Jeanine Townsend, Clerk of the Board  
State Water Resources Control Board  
P. O. Box 1000  
Sacramento, CA 95812



Re: Comment Letter – Malibu Septic Prohibition

Dear Mr. Hoppin:

We understand that the State Water Resource Control Board (“State Board”) is accepting public comments on the “proposed approval of an amendment to the water quality control plan for the Los Angeles region to prohibit on-site wastewater disposal in the Malibu Civic Center area”.

I am writing to express my opposition to the resolution that the Los Angeles Regional Water Quality Control Board adopted on November 5, 2009 to prohibit discharges from existing and new septic systems.

My residential home is located on a ridgeline along the North side of the Civic Center known as The Knolls. The Knolls doesn't contribute to the pollution in the impaired water bodies due to its elevation, distance from the water bodies and length of time for our dispersants to reach the impaired water bodies. The Knolls' elevation is roughly 200 feet above the Civic Center area, which gives enough separation distance from ground water and dispersants. RWQCB requires 5-10 feet of vertical separation. We are obviously well above that requirement. We are ¼ to ½ mile away from the impaired waters of the ocean or lagoon. A 2004 Stone Report states that the travel time for dispersants from the Knolls to the ocean is 50 years. In that length of time the bacteria has been removed. This same report, upon which the RWQCB established their boundaries, provides a drawing of the underground water table in the Civic Center area and its relationship to the surrounding topography. The Stone Report had to adjust their boundaries to exclude the Knolls based upon their findings.

The Report from RWQCB showed bacterial levels in the impaired water bodies and wells, however didn't prove where these came from. The bacteria could be animal or human. No extensive tests were done in their study to shed light on this issue. The Report did not prove that our “human” septics are polluting the impaired water bodies or the wells.

Malibu has committed to spend in excess of \$50 Million Dollars to improve water quality in our beaches. To this end the City of Malibu has undertaken several studies, at taxpayers' expense, to identify the specific course and source of pollution. Many of these

studies are being carried out at the request of LA Regional Water Quality Control Board, who requested that a \$350,000 study be done to determine the influence of waste water dispersal on groundwater and other OWTS within the Civic Center area. The results from these studies underway in Malibu will provide us with information necessary to arrive at the proper solutions. A prohibition without due consideration given to this study would be premature and a waste of our taxpayer dollars. While it is important to move forward on this issue, it is also important to make sure that when we are done, we will see a significant improvement in water quality. LARWQCB and The City of Malibu should wait for the results and make their decision according to the findings.

If there is a "rush to judgment" without the benefit of the results of any and all studies, either in place or being performed, and there are still contaminants in the water bodies, the quality has not been substantially improved, in what position does that place the LARWQCB? The homeowners have been forced into a premature solution at great financial burden when ongoing studies which were never allowed to be completed and reviewed may have suggested a better solution. If the true, non-political, non-biased intent of the LARWQCB and the City of Malibu, along with residents, is to provide a lasting, efficient method to clean our waters, then it is only common sense to await and benefit from the results of all tests and findings before acting.

As a long time property owner, I share along with the City and LARWQCB the desire to improve ocean water quality. The solution should be one which is rational and scientific and based upon review of all studies before implementation. It should achieve the desired goal to improve ocean quality and be fiscally responsible. The City of Malibu is moving forward to achieve these goals.

As a Malibu resident, I am confident that the City of Malibu will continue to move forward towards improving our water quality. For this reason I urge you to remand the Regional Water Quality Control Board's resolution and request collaboration between the RWQCB and the City of Malibu. Such an action will keep the project moving forward and avoid stagnation in the courts.

Thank you for your consideration of The Knolls in this matter. We all desire improved water quality!

Gayle Pritchett-MacLeod  
3220 Colony View Circle  
Malibu, CA 90265

Cc: California Governor Arnold Schwarzenegger  
Linda Adams, Secretary, California Environmental Protection Agency