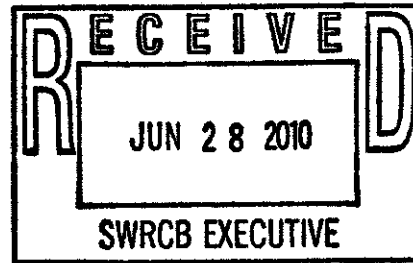


6-24-10

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 the State Water Resources Control 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 systems in the Malibu Civic Center area". We are writing today to express our opposition the resolution the Los Angeles Regional Water Quality Control Board adopted on November 5, 2009 to prohibit discharges from existing and new septic systems in Malibu's Civic Center area.

We are also writing to express our support for the City of Malibu's Community-Based Wastewater Treatment Solution because it is a more targeted, technically feasible and politically achievable plan. It would have new measurable and enforceable milestones to avoid stagnation and inaction. The Community-Based Wastewater Treatment Solution also would be quicker to implement because it would avoid the lengthy legal and political battles that have stalled similar projects in other cities.

The Regional Board's resolution encompasses an expansive zone of nearly 550 residences and businesses, making it technically unfeasible because the infiltration area is not available for dispersing large quantities of treated wastewater into a small, concentrated aquifer. The Regional Board's resolution would require the City to install an ocean outfall or discharge into the Malibu Creek aquifer to disperse the treated wastewater.

In contrast, the City's Community-Based Wastewater Treatment Solution would target users with the highest potential impact to groundwater by focusing on the homes and businesses closest to Malibu Creek. It would allow construction of a smaller wastewater treatment plant for which there is adequate percolation area. The City's plan already has won widespread support from the community, making it more politically achievable and quicker to implement.

The City is moving aggressively to improve ocean water quality with construction to be completed later this year of Legacy Park, an innovative plan to clean up to 2.6 million gallons of stormwater and urban runoff, and the launch of the Paradise Cove Clean Ocean Project on June 28. Both are important milestones in the City's more than \$50 million commitment to clean water. The City also is spending nearly \$3 million on engineering and environmental reports for a Civic Center centralized wastewater treatment facility.

We are confident the City will continue to move aggressively forward to protect public health and improve ocean water quality. For these reasons, we urge you to remand the Regional Board's resolution and request that they work collaboratively with the City to adopt the Community-Based Wastewater Treatment Solution to ensure quicker action to improve ocean water quality and protect public health.

Signature

Gerald Lemonnier
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