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June 26, 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:

I am writing today to express my **opposition** to the resolution the Los Angeles Regional Water Quality Control Board adopted on November 5, 2009 to prohibit on-site wastewater disposal system in the Malibu Civic Center area and prohibit discharges from existing and new septic systems in Malibu's Civic Center area.

I am also writing to express my 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 storm water 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.

I am confident the City will continue to move aggressively forward to protect public health and improve ocean water quality. For these reasons, **I request that you send back 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.

Sincerely,



Judy Kunisaki - Associate Broker

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CC:

Governor Arnold Schwarzenegger
State Capitol
Sacramento, California 95814

Linda S. Adams, Secretary
California Environmental Protection Agency
P.O. Box 2815
Sacramento, California 95814

The Honorable Julia Brownley
Member, California State Assembly
State Capitol, Room 2163
Sacramento, CA 95814

The Honorable Fran Pavley
Member, California State Senate
State Capitol, Room 4035
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Mr. James Thorsen
City Manager, City of Malibu
23815 Stuart Ranch Road
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