

US EPA ARCHIVE DOCUMENT

January 17, 2013

Cindy Lin (WTR-2)  
U.S. Environmental Protection Agency  
600 Wilshire Blvd., Suite 1460  
Los Angeles, CA 90017

Dear Ms. Lin,

We are writing to express our concern regarding the Total Maximum Daily Loads (TMDLs) being proposed for the Malibu Creek Watershed.

As homeowners in close proximity to a portion of Malibu Creek we will be directly affected by any new standards. Through our property taxes and sewer service rates, the costs associated with compliance will be borne by us.

We ask that you consider the following issues:

The draft TMDL document, released for review on December 12, 2012, with a deadline for comments set for January 23, 2013, is voluminous. This time frame, less than thirty business days, is insufficient to allow for reasonable review and comment by the public.

Applying freshwater standards to a brackish, non-freshwater stream like Malibu Creek does not make sense, especially in light of the fact that it carries no water at all over 25% of its length in dry weather periods. Malibu Creek is unsuitable as a potable water source, in part because of its salinity. The salt impact of the Monterey Formation in the watershed, a key reason why the water district that serves our community was first formed, warrants consideration by EPA with regard to its affect on freshwater insects.

We're concerned that EPA should not give greater weight to recent data compiled by advocacy groups (NGOs) and ignore data scientifically collected by government agencies over the last four decades in accordance with strict EPA standards. We ratepayers fund those stringent government testing programs. We urge EPA to thoroughly consider this information in its analysis when formulating regulations.

We call upon EPA to conduct a scientifically sound evaluation of the Malibu Creek watershed, and give appropriate opportunities to homeowners to examine the data and comment on the findings. EPA should not proceed with adopting new, revised, or additional TMDLs until that evaluation is complete.

Sincerely,

Handwritten signatures of Joe and Debbie Chilco in cursive script.

Joe and Debbie Chilco  
4148 Arroyo Willow Lane, Calahasas Hills, CA 91301