

US EPA ARCHIVE DOCUMENT



CITY of CALABASAS

January 15, 2013

U.S. Environmental Protection Agency
Southern California Field Office
600 Wilshire Blvd., Suite 1460
Los Angeles, CA 90017
Attention: Ms. Cindy Lin (WTR-2)

Dear Ms. Lin:

The City of Calabasas wishes to express its concern for the proposed revision of Total Maximum Daily Loads (TMDLs) in the Malibu Creek Watershed.

Cities, homeowners and businesses in the region stand to be adversely affected if the proposed new standards are rushed into place without a proper scientific vetting.

As a community, we have made extensive investments in improving conditions in Malibu Creek and its tributaries. Through changes in building codes to control runoff, trash filtering and oil capture up through more frequent street sweeping and significant investments made by all the region's sewer service ratepayers, we continue to fulfill the mission of a community engaged in the stewardship of the watershed. Many of these activities are being done as a result of the 2003 Malibu Creek Nutrient TMDL and actions of the Los Angeles Regional Water Quality Control Board.

Given the significant investments in these measures, along with others such as the recently adopted Los Angeles County MS4 permit, we request that the EPA take a more deliberate approach to the placement of any more stringent standards for the creek. The reasons are many, among them are:

- No assurances that tighter standards will produce the desired effect, specifically the elimination of algae from Malibu Creek.
- Malibu Creek has unusual characteristics that do not integrate well with a "one size fits all" approach to stream regulation. Its salinity and native nutrient levels require a specific and scientific approach to its chemistry.

100 Civic Center Way
Calabasas, CA 91302
(818) 224-1600
Fax (818) 225-7324

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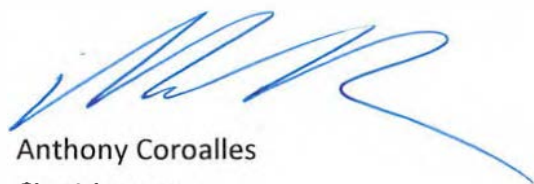
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- The proposed TMDL has not been given an appropriate amount of time for evaluation. It was released for public review on December 12 and the comment deadline is January 23, 2013.
- The new NPDES Permit already contains new and stringent requirements for permittees to comply with the US EPA's and LA RWQCB's TMDLs. Local agencies have limited resources that need to spend wisely to comply with the requirements of the new Permit.

If adopted as proposed, the TMDLs may result in additional financial and administrative burdens to this city and to the constituents we mutually serve, with no assurances that these measures will be effective. At a time when the economy challenges each governmental entity to be prudent users of public funds, we believe this proposal carries great risk with no guarantee of a tangible public benefit.

For these reasons and others, we respectfully request that EPA forego the placement of the proposed TMDLs, allow the 2003 standard to demonstrate its effects and that fully vetted scientific standards be applied to the unique traits of Malibu Creek before any additional corrective measures are adopted.

Sincerely,



Anthony Coroalles
City Manager