January 25, 2013

Cindy Lin
U.S. Environmental Protection Agency
Southern California Field Office
600 Wilshire Blvd., Suite 1460
Los Angeles, CA 90017

via email: lin.cindy@epa.gov

RE: Comments on the draft Total Maximum Daily Loads (TMDLs) for Sedimentation and Nutrients to address Benthic Community Impairments in Malibu Creek and Lagoon

Dr. Lin:

The Malibu Surfing Association (MSA) formed in 1961 as one of California's first surfing clubs. The MSA is an all-volunteer, nonprofit
organization dedicated to the fellowship of surfing and to the stewardship of our home break, world-famous Malibu Surfrider Beach. Our club membership represents over 750 years of cumulative surfing experience at Malibu. We advocate for the protection and preservation of this historic surfing spot and a positive experience for Surfrider's 2.5 million annual visitors. In over 50 years since our club's founding, we remain intimately associated with the past, present, and future of Malibu surfing and of Surfrider Beach.

We submit the following comments on the Draft Total Maximum Daily Loads (TMDLs) for Sedimentation and Nutrients to address Benthic Community Impairments in Malibu Creek and Lagoon ("Draft TMDL" or "TMDL").

1. HUMAN HEALTH AND RECREATION

We strongly support the proposed nutrient limits for total nitrogen (TN) and phosphorus (TP) and reduction in sedimentation. Although limits on these parameters may not have a direct connection to keeping water safe for human recreational uses, we believe that by ensuring healthy benthic macroinvertebrate communities in these waters, you also benefit humans, given that water quality standards for aquatic life are typically stricter than those for human drinking water or human health.

2. SEDIMENT LOAD REDUCTION

Beach Preservation and the Wave at Surfrider Beach

Surfrider Beach was recently recognized as the very first World Surfing Reserve (2010). MSA recognizes the value and benefits of natural sediment transport from the watershed to the coast, which provides the wide sandy beaches that our members value, establishes the foundation for the very waves which attract millions of people to Malibu each year, and this sediment deposition provides critical protection to private property and historic property along Malibu's coast (e.g., Malibu Colony, Adamson Estate, etc.).

Surfrider Beach, among countless other beaches in Southern California, is sand-starved due to numerous unnatural structures reducing natural transport of sediment downstream to the coast, including roads and freeways, and (specific to Malibu Creek) Rindge Dam, which has been retaining over 600,000 cubic yards of silt, sand, and cobble for nearly a decade.

MSA supports a reduction in unnatural or contaminated sediment, as long as the long-term vision is to restore the sediment flow back to a more natural (pre-development) state. Our organization believes it would be appropriate for the EPA and Regional Board to consider reviewing or reopening this TMDL if/when Rindge Dam is removed.

3. ONSITE WASTEWATER SEPTIC SYSTEMS

Surfrider Foundation echoes the comments made in section 5 titled "Other concerns" found in Heal The Bay's comment letter as follows;

The State Water Resources Control Board's recently adopted Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy) requires the Regional Board to adopt a TMDL implementation plan for Malibu Creek in the near future. USEPA should help shape this plan by providing more detail through its implementation recommendations in the TMDL. The recommendations should be even more stringent than those outlined in Tier 3 of the OWTS Policy. For instance, EPA should recommend a sanitary survey to count, identify, map, and assess the condition of septic systems within 600 feet of Malibu Creek and its tributaries. Existing monitoring data and observations, such as that collected by Sikich et al. (2012) can be used to aid in this effort.

Clusters of septic systems that do not utilize advanced treatment may be identified to aid in the implementation of the TMDL. All new and replaced systems within 600 feet of Malibu Creek and its tributaries should be required to include advanced treatment to a reduction of 15 mg/L of nitrogen, and meet the other supplemental treatment requirements of the Septic Policy, effective immediately after adoption of the TMDL. The TMDL should also recommend a schedule that requires compliance with the load allocations as soon as practicable, given the watershed-specific circumstances.

SUMMARY
In summary, the Malibu Surfing Association supports the proposed limits for nutrients in the Malibu Creek Watershed. We support reduction in unnatural or impaired sedimentation and a restoration to natural sediment levels to promote suitable habitat for benthic macroinvertebrates and re-establish natural conditions on the beach and in the surf zone.

Over 2.5 million annual visits take place at Surfrider Beach. For us recreating in these waters, and being intimately involved in the future of surfing there, we ask that you take every reasonable step to develop TMDL limits which protect its upstream waters.

Thank you for the opportunity to comment. Please feel free to contact me with questions.

Sincerely,

Michael Blum
Stewardship Chair
Malibu Surfing Association
michael.blum@gmail.com