

US EPA ARCHIVE DOCUMENT

January 20, 2013

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

Dear Ms. Lin,

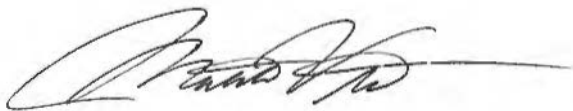
My name is Matthew Violette and I am a resident of the Las Virgenes Park HOA. I am writing to express my concern for the Total Maximum Daily Loads (TMDL's) being proposed for the Malibu Creek Watershed.

As a homeowner who will bear the costs for complying with any new standards, through property taxes and sewer service rates, we raise the following issues:

1. Why is this matter being rushed for adoption?
Regulations that are hurried into place often result in poor policies and a waste of community resources. With the draft of the TMDL being released on 12/12/12 and a deadline for comments 1/23/13, this is incredibly unreasonable at best. The timing of this draft was not in the best interest of the public as the holiday season was upon us. This is simply being rushed.
2. Ratepayers have no guarantees the proposed TMDL will work.
The EPA states that the goals of the 2003 Nutrient TMDL have been met, but now says they are inadequate to address the continuing presence of algae. The EPA made this finding after our community has invested more than \$10mm to meet the 2003 standard. In light of this, what can the EPA produce to convince the rate paying public that its 2012 proposal will be any more effective? Funding could be put to better use than an issue that has already been heavily invested in.
3. Ratepayers are the true "stakeholders"
While volunteerism and advocacy groups wanting to protect our environment are appreciated, we residents shoulder the responsibility for the funding of these measures. We're concerned the EPA focuses too much on recent data that supports their position and ignores data from other government agencies. We urge you to consider the data from all sources and not just the data that fuels an agenda.

For these reasons, the homeowners of the Las Virgenes Park HOA call upon the EPA to conduct a scientifically sound evaluation of the Malibu Creek Watershed with opportunities for homeowners and businesses of the region to examine the data and comment accordingly. The EPA should not proceed with adopting new, revised, or additional TMDL's until that evaluation is complete.

Sincerely,



Matthew P. Violette
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Cajabaras, CA 91302