



Wednesday, October 07, 2009

Dr. Rebecca Chou
California RWQCB Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Subject: Response to Proposed Amendment to Prohibit Onsite Wastewater Disposal Systems in the Civic Center Area of the City of Malibu

Dear Rebecca:

As a committed Civil and Environmental Engineer with decades of experience in wastewater treatment at both the municipal and decentralized levels, I am commenting on the issue of existing Advanced Onsite Wastewater Treatment Systems (AOWTS) with regards to practicality, socially-inclusive processes, and the economic analysis provided for the proposed moratorium.

Practicality of Implementation

The proposed moratorium has a physical boundary capturing specific local watersheds. The area includes diverse areas, some residential others commercial. Some residential areas have existing clustered treatment systems using advanced treatment processes. Others, particularly along Malibu Road, have a geographic linearity and a uniform residential wastewater source. The moratorium area has a mix of onsite septic systems and Advanced Onsite Wastewater Treatment Systems (AOWTS). Large shopping centers have existing AOWTS that act as cluster treatment systems for multiple businesses. An increasing number of commercial parcels to the east along Pacific Coast Highway (PCH) have individual AOWTS.

The moratorium is intended to bring discharges into compliance in the moratorium area, which has generally been understood to require construction and hookup to a municipal wastewater treatment plant. During the October 1, 2009 public presentation by RWQCB staff, multiple cluster systems may be considered. The flexibility suggested by such statements indicate staff's willingness to acknowledge that cluster systems exist and others could be built to satisfy the RWQCB's objectives to restore beneficial uses and stop impairment of groundwater and surface waters. A monumental practicality factor is linked to using one versus several treatment systems.

Consider that the moratorium completion date is October 1, 2014 -- only five years from the present. During a five-year period, the institutional and social capacity of existing and future cluster systems to reach compliance is considerably higher than the capacity to reach compliance through a single wastewater option or either sewer interceptor option. Consider the development of a funding mechanism and its implementation, siting, the CEQA process, land purchase, numerous studies and engineering still needed, construction of the plant, installation of sewers throughout this area including significant pump stations, and an ocean outfall or other suitable disposal method. Having worked on municipal wastewater treatment systems during some of these phases, notably the engineering and environmental review phases, five years seems like an unrealistic deadline for reaching the RWQCB's goal. A programmatic CEQA process for a prohibition is relatively minor compared to the CEQA process for so many land and traffic disturbances, not to mention the enormous cost imposed on residents and businesses, many who have already installed systems worthy of inclusion in the future wastewater management scheme. What would

the RWQCB realistically expect to do with regard to the residents and businesses at the end of five years if the selected single-destination solution were far from complete?

Consider instead how relatively simple it is to achieve compliant effluent water quality within five years from existing cluster systems. Simultaneously the agencies would feasibly map out and proceed with additional cluster systems that better suit the geography and wastewater characteristics of the properties involved. If you want to succeed within five years, work with those who have cluster systems already, work with geographically-related groups, and involve them in defining the path forward.

Socially-Inclusive Problem Solving

Public agencies are required to use processes that involve the public. Sometimes this merely results in public hearings that offer limited options for commenting and even fewer opportunities for dialogue. That level of involvement fosters conflict and leads to public dissatisfaction and a loss of public trust. A public process would more realistically involve periodic community meetings and education and a stakeholders group composed of residents, business owners, community and environmental groups, public agencies, and other stakeholders. The objective of such a group is dialogue leading to solutions that have transparency, accountability, defensibility, implementability, and improved public support for restoration of the water quality and beneficial uses of our waters.

Regarding transparency and accountability, rumors already allege arbitrary lack of issuance of RWQCB permits for expansions and/or upgrades to existing facilities, even when not in the proposed moratorium area. Such agency behavior, if were ever true, would only lead to a deterioration of respect for and collaboration with the RWQCB. This scenario was used to illustrate the importance of genuine public involvement from here on by local community stakeholders.

Regrettably, the prohibition will probably not have widespread defensibility in the eyes of the residents once they understand what is happening and what it will cost them. The objectives are probably supported by most people, but the methods and means show little effort and commitment to garnering support and consensus building. Increasingly people view such heavy handedness as a rather old-fashioned way of accomplishing things when so many team-building approaches could be applied. What is the RWQCB's commitment to allowing real and formalized stakeholder involvement? How might it help the State to achieve its objectives?

Economic Analysis

The economic analysis appears to be limited to an analysis of capital costs of the four options. The options show the same Local Sewer System cost. These costs would not likely be the same. Consider how a decentralized option would incur little to no additional sewer cost for those parcels already connected to existing cluster systems. Some types of decentralized sewers are easier to build using small diameter pipes, costing substantially less than the 4-inch diameter sewer assumed for both options. The Local Sewer Option does not appear to include the cost of pump stations, especially for hilly sections of the moratorium area, which significantly increase the cost of sewer installation and operation.

Treatment costs for the two local options do not appear to account for existing cluster plants, some of which perform as required and other which require improvements, but not in the cost range of new treatment facilities. Since the local citizens and businesses must bear the cost for the changes, planning smartly with existing systems in mind is defensible. Dismissing them at great cost to others is not.

The cost of land is not included. Given that the cost is probably very high, it needs to be included to be representative of real costs for both local options. Assumptions were not provided for the location of the

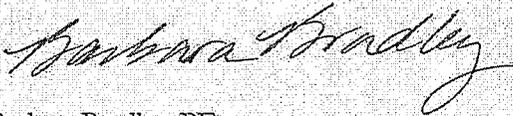
land relative to the users and to disposal. These are such significant factors that it is hard to understand the validity of the sums provided.

I am requesting that the RWQCB provide the detailed cost tables developed that form the basis for and substantiate the analysis. Without them, it is hard to understand how the sums in the analysis reflect genuine differences in the options.

I can be reached at 760-743-8777 (office), 760-500-2849 (cell), or barbara.bradley@advonsys.com.

Sincerely,

Advanced Onsite Systems

A handwritten signature in cursive script that reads "Barbara Bradley".

Barbara Bradley, PE

Principal

Copy: Craig George/City of Malibu

From: Rebecca Chou
To: GW permitting team; Phillips, Wendy; student assistant team; Villar, ...
Date: 10/8/2009 1:51 PM
Subject: Fwd: Malibu OWDS prohibiton -- 11-5-09 RWQCB hearing

>>> "Frank Angel" <fangel@angellaw.com> 10/8/2009 1:39 PM >>>

Dear Dr. Chou,

I am a member of the Surfrider Foundation for many years, and a resident of Malibu. I write to strongly support the proposed moratorium on On-Site Wastewater Disposal Systems (OWDSs) in the Malibu civic center area.

From decades of testing and research, Surfrider Foundation and other public interest organizations, such as Heal the Bay, have documented diseases suffered by individuals surfing or swimming at Surfrider Beach. The diseases documented are symptomatic of those caused by human pathogens. (See, e.g., Heal the Bay report card historical data, at <http://www.healthebay.org/brcv2/default.aspx?tabid=2>.) Sickneses occurred at times when Malibu Creek was and when it was not flowing, pointing to the culprit: OWDSs in a flood zone with a high groundwater table. The studies reviewed and summarized in the Regional Board's staff report confirm the hydrological connection between the OWDS dispersal fields, and Malibu Lagoon and the adjacent coastal waters. (Regional Board Staff Report at 26.)

In addition to the overwhelming scientific evidence, the moratorium is now necessary to ensure the City of Malibu's compliance with its Local Coastal Program (LCP) certified by the California Coastal Commission pursuant to the Coastal Act in 2002. The Regional Board's staff report shows groundwater levels very close to ground level in many locations in Malibu's civic center area. For obvious public health reasons, Malibu's LCP forbids the bottom of an effluent dispersal system to come within five feet of groundwater. (See Malibu Land Use Plan Policy 3.133; Malibu Local Implementation Plan, section 18.7(G).) With a groundwater table often higher than five feet (e.g., Malibu Colony), how is it possible to install an OWDS at the required distance from groundwater? LCP Policy 3.140 further requires protection of the lagoon and, in fact, any surface waters, from lateral seepage from effluent dispersal systems. Also, LCP Policies 3.134 and 3.141 make approval of a coastal

development permit for any OWDS contingent on compliance with RWQCB requirements and production of a study that analyzes the cumulative impact of the proposed OWDS on groundwater level and the quality of nearby surface drainages. I have had occasion to review coastal development permit approvals by the city. I have never seen the required study analyzing the cumulative impact of a new proposed OSWD on groundwater level and the quality of nearby surface drainages. The city routinely approves coastal development permits without the study.

For these reasons, I support the Regional Board's long-overdue decision.

Sincerely,

Frank P. Angel
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2601 Ocean Park Blvd., Suite 205
Santa Monica, CA 90405-5269
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Fax: (310) 314-6434
angellaw.com

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From: Rebecca Chou
To: GW permitting team; Phillips, Wendy; student assistant team; Villar, ...
Date: 10/8/2009 2:18 PM
Subject: Fwd: Comment regarding the proposed Prohibition for Malibu Civic Center

>>> "Meg Henry" <meg@ensitu.com> 10/8/2009 2:06 PM >>>

Dear Ms. Chou,

This email is intended as a comment to the Los Angeles Regional Water Quality Control Boards' Proposed Septic Prohibition for the Malibu Civic Center Area.

During the October 1, 2009 Community Meeting held at Pepperdine, LARWQCB staff presented a slide presentation which included a slide and table acknowledging projects that are currently "in the pipeline". However, it is not clear from the information provided exactly how far along in the City's development permitting process a project must be to be allowed to construct after the prohibition goes in to effect. The RWQCB staff mentioned only "permitted" projects would allowed to proceed. Does this mean if a project "in the pipeline" has a Coastal Development Permit from the City by November 5, 2009, it will be allowed to proceed?

Thank you,

Meg Henry

Ensitu Engineering

Meg Henry

Ensitu Engineering Inc

685 Main Street Suite A

Morro Bay, CA 93442

Tel: (805) 772-0150

Fax: (805) 772-0813

meg@ensitu.com <<mailto:jallen@ensitu.com>>



**ENVIRONMENTAL
ENGINEERING & CONTRACTING, INC.**

501 Parkcenter Drive, Santa Ana, CA 92705
Phone (714) 667-2300 Fax (714) 667-2310

Via e-mail

Dr. Rebecca Chou
California Regional Water Quality Control Board
320 West 4th Street, #200
Los Angeles, CA 90013

Subject: Public Comment on the Proposed Amendment to the Water Quality Control Plan for the Coastal Watersheds of Ventura and Los Angeles Counties to Prohibit On-site Wastewater Disposal Systems (OWDS) in the Malibu Civic Center Area:
- Proposal for Incorporating an Integrated Watershed Management Approach

Dear Dr. Chou,

Thank you for providing the opportunity for public comment concerning the proposed OWDS prohibition. This letter does not take a position of support or opposition to the OWDS prohibition. Rather, it is intended to invite the Water Board and all of the stakeholders to consider an Integrated Watershed Management approach before decisions are made on a singular element that may negate environmental opportunities that will benefit all stakeholders.

This approach integrates all of the key issues of the watershed, such as overall water quality improvements, flood control, drainage, groundwater, lagoon, intertidal water, environmental needs, and imported water, as well as issues of fire control and aesthetic water reuse. An Integrated Watershed Management approach is emphasized in the State Board's new strategic plan¹ and is working successfully in much larger and more complex California watersheds, such as the Santa Ana River Watershed due to their "One Water - One Watershed" approach. Our experience with "One Water - One Watershed" shows that this approach brings all of the key stakeholders together to contribute cooperatively, rather than leaving many of them believing that they are disenfranchised and therefore precluded from having meaningful input to potential solutions. A united approach also provides collaborative funding solutions. EEC discussed this concept at the October 1, 2009 Community Meeting and we have personally discussed it with the following key stakeholders:

- The City of Malibu - Craig George and Vic Peterson
- The Water Board - Wendy Phillips and Elizabeth Erickson
- Environmentalist Group - Mark Gold of Heal the Bay
- Commercial Discharger - David Reznick of the Malibu Bay Company
- Developers - David Reznick of the Malibu Bay Company and Robert Gold of Big Rock Partners

¹ State Board Strategic Plan Preamble: "A watershed approach is hydrologically focused, recognizes the degree to which ground water and surface water bodies are connected physically, recognizes the linkages between water quantity and water quality, and requires a comprehensive watershed protection approach"

Based on these conversations, it appears that there is open willingness to incorporate an Integrated Watershed Management approach that will benefit the stakeholders, community and environment and a recognition that third party involvement may help facilitate this discussion.

The Proposal

Incorporate an Integrated Watershed Management approach as the most beneficial long term environmental solution for all stakeholders.

Option 1: Revise the current proposed OWDS prohibition plan/schedule, if agreed to by the stakeholders

Option 2: In parallel with the current proposed prohibition plan/schedule, if realistically achievable

The Proposers

John Shaffer of Environmental Engineering & Contracting, Inc. (EEC)

- Founder and Principal of EEC (www.eecworld.com), former student at Our Lady of Malibu
- EEC specializes in wastewater, groundwater, stormwater, and recycled water projects

Wyatt Troxel of WTr Science (subconsultant to EEC)

- 16 Year Board Member of Inland Empire Utilities Agency (IEUA)
- 8 Year Commissioner of the Santa Ana Watershed Project Authority (SAWPA)
- Originator and thought leader of “One Water – One Watershed”
- SWRCB Certified Grade V Wastewater Treatment Plant Operator
- 40 year water utility management professional

- Consultants with experience in Integrated Watershed Management approaches and stakeholder collaboration efforts.
- Worked together on multiple projects throughout Southern California.
- Clients include a balance of municipalities, developers, commercial properties, and law firms (often involving support of environmentalist group actions).
- Unsolicited proposal. Not retained by any stakeholder or interested party.

Opportunities Potentially Lost Without an Integrated Watershed Management Approach (List Developed Based on Stakeholder Input)

Note: The stakeholders interviewed recognize that there are significant historical issues that have led to the proposed prohibition and they share the same overall goal of improved water quality. The common concern is that the current path, without incorporating an Integrated Watershed Management approach, will result in many lost opportunities. For example:

- The City’s current tentative plan for a \$60M centralized treatment plant has significant unresolved challenges involving plant location, wastewater disposal/reclamation, and installation of a collection system. There are no current significant discussions concerning the opportunities provided by a properly planned wastewater treatment solution, such as a recycled water program, water storage and delivery, and proper biosolids disposal or reuse.

- There are no current significant discussions concerning the opportunities unique to Malibu that can be integrated with a properly planned wastewater treatment solution, such as fire water storage and delivery, lagoon treatment, stormwater management, groundwater treatment, a water science center, and habitat restoration.
- The current prohibition path, with an immediate moratorium for new dischargers and a 5-year deadline for existing dischargers, will result in immediate action, but will likely discourage stakeholder collaboration and integration of projects.
- The prohibition, as currently drafted, will likely lead many affected property owners to try to qualify their own wastewater treatment systems for the limited exemption rather than addressing the watershed as a whole because they believe they can't wait for a centralized wastewater treatment system to come on line.
- It was observed at the October 1, 2009 Community Meeting that the prohibition is having the effect of dividing rather than uniting the community around the common goal of water quality improvements. Further polarization of stakeholders will result in resources being channeled away from a watershed approach. This polarization also stifles the ability to reach consensus on a watershed approach.
- The prohibition, as currently drafted, may have the unintended effect of preventing the continued exploration of innovative treatment solutions that are already being considered that could be operating in less than 5 years.
- An Integrated Watershed Management approach will provide significant opportunities for Federal and State funding and loans that will be far less available without an Integrated Watershed Management approach.

Benefits of an Integrated Watershed Management Approach

- Parallel path of water quality improvements for Surfrider Beach integrated with other important beneficial watershed projects
- Stakeholder collaboration
- Proper water resource management
- Sustainability
- A long term integrated plan that all stakeholders can support and stay vested in. Example: "One Water - One Watershed", administered by the Santa Ana Watershed Project Authority (SAWPA). Information available on the SAWPA website (www.sawpa.org).

Proposed Immediate Action

EEC (led by John Shaffer and Wyatt Troxel) is offering to organize and host an Integrated Watershed Management stakeholder meeting, preferably before the Water Board adopts the prohibition, involving the key stakeholders listed above and 3-4 other stakeholders recommended by the Water Board and the City of Malibu. The meeting will focus on the issues listed in this letter. There are many potential outcomes of the meeting, but based on key stakeholder interest to this point, EEC will attempt to focus on Options 1 and Option 2 listed above.

The City has offered to assist EEC in identifying a date, time and location for the meeting. If the Water Board is open to our proposal, please contact me as soon as possible and I will begin to contact the stakeholders, arrange the meeting, and establish ground rules for a productive meeting.

Thank you again for the opportunity to comment on the proposed prohibition and for your consideration of this proposal. If you have any questions or would like to discuss our proposal, please contact me at (714) 667-2300.

Sincerely,
Environmental Engineering & Contracting, Inc. (EEC)

A handwritten signature in black ink, appearing to read "John Shaffer", with a long horizontal flourish extending to the right.

John Shaffer
President

cc: Wendy Phillips, Regional Water Quality Control Board
Elizabeth Erickson, Regional Water Quality Control Board
Vic Peterson, the City of Malibu
Craig George, the City of Malibu
Mark Gold, Heal the Bay
David Reznick, Malibu Bay Company
Robert Gold, Big Rock Partners

Pat Maginnit

From: Ben Leu
To: Rodriguez, Dionisia
Subject: Fwd: Re: Sept. 1, 2009 Workshop attendees

>>> Rosie Villar 9/15/2009 9:45 AM >>>

FYI - I received a call Thursday from Pat Maginnit, an attendee at the September 1 workshop wanting to express some of his feelings. While he feels it's a great thing what the Water Boards is doing he suggested that for our upcoming Community meeting we bring up the fact that Malibu is not being singled out. He thinks we can generate more support from the Malibu community if we bring up other cities, counties who are being look at aside from Malibu. He stated that County of LA Sewage Plant is an environmental violator and it doesn't seem like our agency would go after them as we are going after Malibu due to special interest. He also suggested we post our information on the Malibu Times to show our good faith (letters to the editor). In addition he shared that a surfer, Dusty Peak, recently died from those contaminated waters and more than the WB the residents would like to have the water issues resolved.

See attached links to articles he shared.

>>> <ousoonersocal@aol.com> 9/10/2009 4:32 PM >>>

Rosie:

Nice chatting with you about Malibu issues. Here are some local articles about Malibu and Dusty Peak. Spare us more waterboarding in Malibu. Thanks.

Pat Maginnis

310-589-9662

Paddle out for Dusty Peak who died of staph disease he caught at Malibu Pier surfing.

<http://www.malibusurfsidenews.com/archives/09032009.pdf>

<http://www.malibutimes.com/>

<http://www.malibutimes.com/articles/2009/09/09/news/news5.txt>

Dusty Peak died from a staph infection he caught surfing near Malibu Pier. Some day it came from the effluent in Malibu Creek, and some say it came from the discharge from Las Virgines Water District.

<http://www.malibutimes.com/articles/2009/09/02/editorial/letters/letter3.txt>

Malibu stories from Malibu Surfside News

<http://www.malibusurfsidenews.com/stories/stories.html>

Notice of funeral for Dusty Peak

<http://www.malibusurfsidenews.com/archives/08272009.pdf>

-----Original Message-----

From: Rosie Villar <rvillar@waterboards.ca.gov>
To: Dionisia Rodriguez <drodriguez@waterboards.ca.gov>
Sent: Thu, Sep 10, 2009 3:20 pm
Subject: List Invitation to Sept. 1, 2009 Workshop attendees

Thank you, for participating in the Regional Board workshop on the proposed prohibition in the Malibu Civic Center area held at Pepperdine University on September 1, 2009. You provided us with your e-mail address and we would like to invite you to subscribe to our Notification List to assure that you receive future notifications/announcements regarding the proposed prohibition.

To subscribe to our list for these announcements, please go to:

http://www.waterboards.ca.gov/resources/email_subscriptions/reg4_subscribe.shtml, where you will find various lists. For this list, please check Prohibition - Malibu Civic Center Septics.

Thank you for your interest in this matter.

Cholada Thai Cuisine

18763 Pacific Coast HWY, Malibu, CA 90265
Tel 310 317 0025 Fax 310 317 8640
Email: cholada2@yahoo.com

California Regional Water Quality Control Board,
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, California 90013
Attn: Dr. Rebecca Chou, Chief of the Groundwater Permitting Unit

October 7, 2009

RE: STOP the prohibition in Wastewater Treatment Systems-Malibu

Dear Dr Chou;

The proposed 'Prohibition' on local Malibu wastewater systems will go into place on November 15, 2009 implemented by the Regional Water Quality Control Board. As a small business we are simply unimformed about the current requirements for wastewater permitting and the implications for our business.

To better understand the current situation some historical prospective is necessary. Typically, these properties were constructed 30-50 years ago in accordance with the codes in effect at that time, which generally did not require a separate wastewater permit from the Regional Board. The standard wastewater system utilized was a septic system. Septic systems have been used successfully for decades

We feel that the California Regional Quality Water Board has proposed this 'Prohibition' for the Civic Center, without giving time to businesses and residents to completely understand how to implement needed forms and/or a way for the City of Malibu to meet the list of recommendations of a new 'sewer system.'

This prohibition will impact our business an already historical economic recession! We have had 3 fires, huge transportation issues added to the down economy in only the last 3 years.

We request that the RWQCB delay the actions they have deemed necessary for a prohibition, and ask that they 'partner,' with the Malibu Community to create a mutual goal for all business and local community members within Malibu.

Please stop this prohibition and work with us to make it a community we can all be proud of. We look forward to working with you in a positive way to support our local businesses and residents of Malibu.

Sincerely yours,

Nikorn Sriwichailumpan
Nikorn Sriwichailumpan
President
Cholada Thai Cuisine
310 317 0025

GEORGE TOBERMAN CONSTRUCTION CO.

Dr. Rebecca Chou

State Water Resources Control Board

October 6, 2009

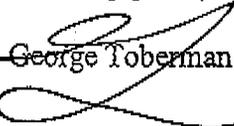
Re: Wastewater Treatment Systems - Malibu

Prove to me that the small amount of waste water that we put into the ground thru our septic system reaches the Pacific Ocean. Denise and I have an acre of land for our system. A good septic system is better then a treatment plant that empties the treated waste directly into the creek or the ocean. Tapia Park dumps millions of gallons of sewage directly into the creek. The creek is disgusting.

All the people in LosAngeles dump their waste into the Santa Monica Bay. My waste after it percolates thru 40 feet of soil is pure before it leaves my acre of land.

Please don't implement any action against us until you have completed all the research necessary to make a decision.

Sincerely yours,


George Toberman

3539 CROSS CREEK LANE, MALIBU 90265
TEL: (310) 456-3457 FAX: (310) 456-7432
EMAIL: georgetoberman@verizon.net

California Regional Water Quality Control Board
Attn: Dr. Rebecca Chou
320 West 4th Street, #200
Los Angeles, CA 90013

7 October, 2009

Dear Dr. Chou and Board Members,

Please accept my comments in the spirit in which they are submitted, which is one of cooperation and collaboration.

We all believe in clean water. We all wish to "heal" Surfrider Beach and the Lagoon. But we, as citizens of Malibu, should not be subjected to the type of draconian mandate that an outright prohibition on septic systems so alarmingly embodies.

If it could be proven that we, as individuals, knowingly and without permits, installed systems that polluted the lagoon and the bay, then there would be grounds for actions such as prohibitions, moratoriums and stiff fines. But this is not the case. In fact, just the opposite has occurred. For the past 5 or six years all septic work performed in the Civic Center area has been required to comply with the most stringent water quality standards of any region in the State of California. And as the requirements become more restrictive, we as citizens have always complied.

It is therefore unjust of this body to simply shut off one of the three "utilities" that make our homes and businesses able to function. You may as well ask SoCal Edison to shut off our electricity, or the Gas Company to cap off our meters. Without the ability to treat our wastewater, we will not be able to live in our homes or conduct our businesses, and this is essentially what the prohibition would demand.

The logic behind the prohibition seems to me to be flawed. The underlying notion is clear; the WQB staff feels that 5 years is enough time for the City of Malibu to design, permit and install a Civic Center sewage treatment plant. So, if they truly believe this, and they also know that any septic system work performed in the area only IMPROVES the quality of the treated effluent discharge in the interim, why would they need to "freeze" the existing conditions for five years, capping the upside potential of voluntary system upgrades while potentially increasing the number of failed systems?

The actions recommended by the WQB staff is more indicative of a belief that 5 years is not enough time for the implementation of this new system. That being the case, why support a policy that prolongs the assumed sources of pollution? Why not encourage, as the City of Malibu all ready does, upgrades to these systems? The prohibition makes no sense under any scenario other than the "governmental arm twisting" approach to public policy development.

It is also unjust, and slightly irrational, to deny new construction to occur within the Civic Center area. For if, as your argument goes, it is the cumulative effect of the hundreds of systems discharging effluent into the ground that is the source of the contamination at

Surfrider Beach, than surely the loading from any new development utilizing advanced treatment systems would be insignificant.

The prohibition would be devastating to any spark of economic recovery in the area. Home improvement would cease. The buying and selling of real estate would never find a way out of up its current doldrums. Commercial projects would never leave the drawing boards.

Therefore, in the spirit of cooperation and collaboration, I would ask that we work together to permit, fund and install a sewage treatment plant for the Civic Center area WITHOUT the tyrannical spectre of a prohibition on OWTS.

There are several hurdles to this proposition. Simply being told to "put in a treatment plant, or else" is really not a cooperative stance for this board to take. Why not approach the problem from a collaborative standpoint? Help us design the best system. Advocate for low or zero interest loans in order to assist us in obtaining the necessary funding. Help us educate those who are or will be affected by this undertaking to understand its importance. But most of all, work with us in the interim period to create an environment whereby our citizens a) are confident that the new treatment plant will be implemented within a reasonable timeframe, b) understand the financing and feel that they are getting the best deal possible (or help us find grants and/or stimulus money for project), and c) have trust that they may continue to look at their property as something that can be improved, expanded, and enjoyed as has always been the case in our City. And State. And Nation.

Thank you.

Lester Tobias

Tobias Architecture
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