



City of Hidden Hills

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January 22, 2013

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

Dear Ms. Lin:

The City of Hidden Hills 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 been working on and continue to work on improving conditions in Malibu Creek and its tributaries. Through adoption of requirements to control runoff, 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 being:

- 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.

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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, 2012 and the comment deadline is January 23, 2013. Under normal circumstances, that is a short time frame for in-depth analysis of a complex document. Given the intervening holiday period it is unusually brief, and much of the review period occurred at a time when elected bodies do not meet and staff vacations are at a peak. The short time frame suggests a rush to judgment and the lack of a prudent period for public review.

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.

We respectfully request that EPA forego the placement of the proposed TMDLs, allow the 2003 standard to demonstrate its effects, and apply fully vetted scientific standards to the unique traits of the Malibu Creek before any additional corrective measures are adopted.

Sincerely,



Stuart E. Siegel
Mayor

SES/dlg