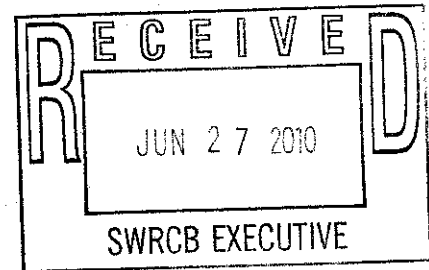


SALLY BENJAMIN

June 27, 2010

Mr. Charles R. Hoppin, Chair
c/o Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
P.O. Box 1000
Sacramento, CA 95812



RE: Comment Letter – Malibu Septic Prohibition

Dear Mr. Hoppin:

We understand the State Water Resource Control Board ("State Board") is accepting public comments on the "proposed approval of an amendment to the water quality control plan for the Los Angeles region to prohibit on-site wastewater disposal in the Malibu Civic Center area".

I would like to express my opposition to the resolution the Los Angeles Regional Water Quality Control Board adopted on Nov. 5, 2009 to prohibit discharges from existing and new septic systems for 3 reasons:

1. Where my residence is located in relation to the water quality in question
2. This is going to cost residents a lot of money and we need to make sure we are implementing a solution that will actually improve water quality.
3. This proposed ban doesn't provide for other solutions to solve the problem, just implementing a collector system when other solutions can achieve the same goal.
4. The wells in the Civic Center have not been used since the '60's. Taking out the septic systems will not make the water drinkable.

My residence is located on a ridgeline along the North side of the Civic Center known as The Knolls. The elevation of the area is 200 - 260 ft. above the Civic Center area. We are ¼ - ½ mile away from the ocean or Lagoon. According to one scientific study, it takes 50 years for the septic dispersants from this area to reach the ocean. With this length of time the bacteria are removed. Given the length of time to travel, the distance and elevation my area can't be contributing to the impaired water bodies in question.

Malibu has committed to spend in excess of \$50 million dollars to improve water quality in our beaches. To this end the City of Malibu has undertaken several studies, at taxpayers' expense, to identify the specific cause of pollution. Many of these studies are being carried out at the request of LA Regional Water Control Board. While it is important to move forward on this issue, it is also

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important to make sure when we are done, we will see a significant improvement in water quality. The results from the studies underway in Malibu will provide us with information necessary to arrive at the proper solutions. LARQWCB and The City of Malibu should wait for the results and make their decisions according to the findings.

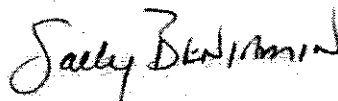
The proposed prohibition doesn't allow for The City to implement other possible solutions to resolve the pollution in the impaired water bodies. My area has elevation, distance and length of time for dispersants travel in its favor suggesting it not be included in the prohibition area. The City's hands would not be able to make such a decision. Some areas now listed in the prohibition area would benefit from bacterial and viral upgrading of their systems, solving some of the bacterial and viral pollutants in question. This can be found in the 2004 Stone Report. A general ban is placing a large band aid over an area when small, different sized in different locations would be more cost efficient.

Prior to 1965, groundwater was the primary source of drinking water in the Malibu area. During this time the residences were told not to give the water to children due to the high fluoride and salt in the water. This changed when imported water was introduced in 1965. Water district 29 now provides water to the residences in the proposed septic system banned area. The condition of the ground water will not be potable after the septic system ban, it wasn't in 1965.

I am confident that the City will continue to move forward to improve water quality. I urge you to remand the Regional Water Quality Control Board's resolution and request there be collaboration between the RWQCB and The City. Such action will keep the project moving forward and avoid stagnation in the courts. We all desire improved water quality.

Thank you for your time and consideration of my residential area, The Knolls.

Sincerely,



Sally Benjamin

CC: California Governor Arnold Schwarzenegger

Linda Adams, Secretary, California Environmental Protection Agency

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