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Subject: Topanga Town Council - LAMP statement 4-23-18
Date: Monday, April 23, 2018 12:01:18 PM
Attachments: [TTC LAMP STATEMENT 4-23-18.pdf](#)

Dear Mr. Raftery and Members of the Board,

The Topanga Town Council appreciates the opportunity to comment on the development of the LAMP. The April 2nd meeting at the Topanga Library was very informative and we are grateful to have had the opportunity for residents and businesses to learn more about the LAMP and how learn how it will affect them.

Attached, please find the Topanga Town Council's statement. We look forward to being able to comment at the upcoming hearing on May 10th.

Best regards,

Stacy Sledge
President, Topanga Town Council

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TOPANGA TOWN COUNCIL

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April 23, 2018

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Mr. Peter Raftery, Groundwater Planning Unit
CA Regional Water Quality Control Board, Los Angeles Region
320 West Forth Street, Suite 200
Los Angeles, CA 90013

RE: LA County Local Agency Management Plan (LAMP)

Dear Mr. Raftery,

The Topanga Town Council (TTC) appreciates the opportunity to comment on the provisions of the LAMP document. Over the years, the Town Council has held public meetings related to the topics of water conservation and septic management and care. The TTC recently held a public forum on April 2, 2018 that included presentations from the Los Angeles County Regional Water Quality Control Board, Los Angeles County Public Health, and the Office of Supervisor Sheila Kuehl's office followed by questions from the Topanga community. The large turnout at the meeting along with extensive social media participation indicates a high level of interest and concern among Topanga residents and business owners on this topic.

A BIT OF TOPANGA HISTORY

Topanga, an unincorporated town, operates under the jurisdiction of the Third District of the Los Angeles County Board of Supervisors. Topanga is located about a mile from the Pacific Ocean and is considered the largest urban wildland interface in the country, whose history goes back to its original inhabitants—the Chumash Indian tribe over 250 years ago. The Chumash way of living organically and in harmony with the land still thrives in Topanga today. Our connection to the earth is strong and our consciousness of 'reuse, recycle and repurpose' is ingrained in our culture. Given Topanga's special history, geography and landscape composition, the community faces a unique set of challenges within its scenic environment to continue its natural lifestyle while integrating government rules and regulations.

THE TOPANGA TOWN COUNCIL'S ROLE IN THE COMMUNITY

The Topanga Town Council was established by residents forty years ago to serve as a communication liaison between the Topanga community and government representatives. Regarding environmental issues, it collaborates with its local government and environmental advocacy organizations including the Resource Conservation District of the Santa Monica Mountains, Topanga Creek Watershed Committee, Topanga Association for a Scenic Community, Topanga Chamber of Commerce and community members who have a shared interest in protecting the environment while preserving the community's interests.

Over many decades the Town Council has and continues to address water conservation and waste management issues, among other concerns. Balancing the needs of residents, protecting their homes (most often their greatest investment), supporting businesses that provide essential services to our community, and preserving the environment is an ever-present challenge and commitment of the Topanga Town Council.

The Council has the unique perspective of observing and interacting with our town of more than 11,000 residents and business owners who face particular challenges of living and operating in a mountain community—the vast majority of whom have successfully operated with onsite wastewater treatment systems (OWTS) for over 100 years. Though the TTC is a strong advocate of promoting a healthy watershed, we acknowledge the health and stability of residents and businesses well-being must also be factored into the equation to ensure its continued survival as a community.

THE LAMP PROPOSAL

The Topanga Town Council has had little time to prepare a thorough response to the proposed LAMP, and since other organizations (RCDSMM, Topanga Creek Watershed Committee and TASC) address other agreeable points of concern in the LAMP, the TTC is highlighting the major concerns in this letter:

- 1. The TTC respectfully and strongly disagrees with the LAMP definition of a ‘failed’ septic system as one which has to be pumped three times within 180 days, a scientifically unsupported standard on OWTS systems.**

Many Topangans live in areas or small lots developed in the early 1900’s, with limited acreage, limited setbacks, built on bedrock or other types of soil that do not perc optimally or meet existing codes. One big constraint for many older septic systems is the inability to meet current percolation rates, however, these systems are often still functioning properly to accommodate the usage of the property—even if they have to be pumped more often.

Some residents have already chosen to augment their septic system with Sludgehammer, Pirana or similar type equipment as a preventative measure that helps preserve their current functioning system. Other preventative measures include owners who frequently pump to extend the system’s longevity. People who take such proactive measures should not be penalized when they are not effectively contaminating the environment. If contamination is detected, the contractor could report to the county. Requiring telemetric monitoring when no indicators of contamination are present seems an overreach and could feel like a violation of property rights.

In addition, requiring installation of even more advanced and emerging treatment technologies, without clear specification of what they are and if they have proven to work successfully, is confusing and creates an undue burden. No long-term (15-25 years) studies demonstrate these new technologies actually do what they purport to do.

Demanding all properties require installation of the highest tier treatment technology under the state’s current definition of a failed system, when other less expensive options exist, such as pumping more often, seems unwarranted and extremely punitive. Furthermore, property owners should not have to function as guinea pigs for emerging and/or unproven technologies.

Since the frequency of pumping does not in itself indicate a failed system, a contractor should only be required to report when there is evidence of an ‘over-flow’ or when ‘daylighting’ occurs and impacts the watershed. Most times, the existing process is self-regulating and activates when a complaint is reported to the county by a neighbor or contractor or when a rebuild or renovation permit is acquired. It is important to note that if a current

septic system shows an impairment to our stream and coastal eco systems, then a cost-effective NOWTS system should be available.

Topanga is almost completely developed and therefore presents little or no additional risk of septic impacts to the environment. Notably, we have successfully managed to be an unimpaired area without the implementation of extreme measures for over 100 years.

2. Affordable and proven solutions should be available to businesses and residents.

We request a commitment from the county and the state to incorporate alternative solutions such as composting toilets, allowance for vertical seepage pits, advanced grey water systems, and other systems used throughout the United States that can safely reduce the load. One reasonable and cheap alternative solution would be expanding the current grey water allowances to include shower water that has a negligible bacterial component (certainly no more than washing machines) and helps ease the drought's effect. As with all inventions, new septic technologies tend to be expensive. Prices will only come down over time and/or with volume purchases. In order for residents and businesses to comply with LAMP's OWTS and NOWTS requirements, we request the county and/or state to negotiate discounts among different providers or offer individual incentives (i.e. solar panel program, water conservation programs) and/or other payment options. The objective would be to provide alternative financial solutions if a property owner is faced with installing a cost-prohibitive system. Many Topangans would suffer under onerous enforcement methods or overly costly compliance requirements, especially our senior and low-income homeowners. Realistically, compliance on this level should have an extended roll-out period of at least a five-year timeline and ideally longer.

A reasonable approach would be to focus on system performance and not necessarily prescriptive requirements. It is our recommendation that the county/state perform regular and frequent water quality studies to determine if more stringent requirements are necessary. If the results indicate that additional measures should be taken, they can be considered at that time and implemented gradually with adequate notice and education.

3. Educational outreach to the community is a necessary component to a successful implementation.

Whatever policies the county and state adopt, they need to be presented in a timely manner and straightforward language that all property owners can understand. We urge the county to develop clearly worded guidelines that can be disseminated through annual public workshops, handouts, online videos, and include specific contact information, advanced notifications, financial options and support.

The Town Council and other local volunteer organizations can assist with educational outreach if given adequate notice and support. We encourage the county to take an active role in informing and assisting the community. Due to the potential excessive financial burden this LAMP proposal imposes, it is imperative that property owners have adequate knowledge of what is required and the time to comply with any new regulations.

In conclusion, with studies performed by the RCDSMM from 1994 and 2014, sometimes with the assistance of the County of Los Angeles, it was concluded that "Topanga Creek's upper watershed was NOT contributing to the bacterial exceedances observed at Topanga Beach. And while occasional elevated levels of bacteria and nutrients were found, this was primarily associated with first flush rain events that were quickly diminished. The natural processes still work in the Topanga Creek watershed and are not carrying ecologically problematic loads from OWTS."

The Topanga Town Council is in agreement with the RCDSMM in the following: 1) having the LAMP document be clear, concise and user friendly so residents and business owners can understand standards and why they must comply with the regulations, 2) provide clear examples of potential NOWTS including advanced, enhanced and alternative systems so an owner can understand which systems are available and what works best for their property

and budget, 3) provide clearer information on the variance process, procedures, and possibilities since many Topangans have small lots, setback issues, slow percolation rates and other constraints affecting their properties. In addition, to better serve the needs of a community such as Topanga, we encourage the county to provide flexible and customized variance language and procedures so residents and businesses can comply.

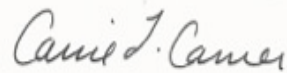
We are concerned the LAMP proposal may become an overly aggressive solution to an inadequately documented problem. We support a policy that provides a **reasonable** balance of environmental protection while allowing our independent local, small businesses to survive and residents to keep their homes. These are not abstract concerns; in recent years, the Canyon has already witnessed the exodus of far too many.

We ask that you work with us to ensure Topanga's unique lifestyle continues for future generations.

Respectfully submitted,



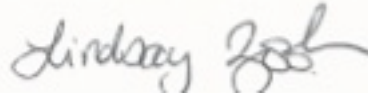
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