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**Cc:** [Roger Pugliese](#); [Scott Houston](#); [Joseph Rosendo](#); [Ron Fomalont](#); [Stacy Sledge](#); [Tam Taylor](#); [Rosi Dagit RCD](#); [Clark Stevens](#)  
**Subject:** Official LAMP comments from the Topanga Creek Watershed Committee (TCWC) and the Topanga Association for a Scenic Community (TASC)  
**Date:** Monday, April 23, 2018 10:21:14 AM

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Dear CA Regional Water Quality Control Board,

The Topanga Creek Watershed Committee (TCWC) is an environmental advocacy group in Topanga, California, that promotes watershed-wise practices and environmental stewardship from the peaks of the Santa Monica Mountains down to the Santa Monica Bay, where our watershed drains. The co-singer of this letter, the Topanga Association for a Scenic Community (TASC), has spent decades creating and preserving the vanishing green spaces in the Santa Monica Mountains. Both organizations would like to commend and thank the State and Regional Water Quality Control Boards for taking proactive steps to protect surface and ground water reserves in our region and to allow our local agencies to implement the latest septic system requirements. To that end, we would like to submit our comments about the draft Local Agency Management Program (LAMP), dated February 6, 2018.

We believe that all stakeholders in our community have a responsibility to safeguard water quality, which must be protected long-term for the sake of both human and environmental health. In particular, we are concerned about failed and failing systems where effluent and other untreated water are escaping the confines of existing systems and polluting the surrounding environs as well as exerting downstream effects. While there are multiple homes and businesses with under-performing systems in our area who should be compelled to take steps to ensure that their systems do not pollute the environment, we ask for flexibility and reasonableness in how this is achieved.

As far as our concerns about the LAMP proposal, we were struck by the fact that the septic system industry had so much input into the types of systems that should be required. While they do have expertise to contribute, they also have undeniable conflicts of interest that could skew their recommendations. Manufacturers of new systems and products tend to promise the moon when it comes to what they can do, but far too often, the products fall far short of what they claim. Moreover, the marketing-oriented \*research\* that companies often rely on to support their promises are based on very small samples and highly controlled laboratory conditions that do not sufficiently replicate what happens in a real-world setting. Before we start requiring any new, "bells and whistles" systems, we would like to see some truly independent, longitudinal studies that are not funded, designed or performed by the industry pushing the product. Based on some articles we have read, many of these newer systems have been unable to perform as expected "in the field."

Though the LAMP document is somewhat noncommittal in terms of specifying the exact types of systems it requires, **it appears that residents and business owners will be required to install cost-prohibitive, advanced technologies with limited track records.** While people always gripe about costs when it comes to new regulations (even when the cost is minimal), in this case, we believe that the fears are warranted. For residents, advanced NOWTS could cost upwards of \$80,000 to \$100,000, based on actual quotes from local contractors for a proposed residence in Topanga. For businesses, the costs could easily run between \$200,000 and \$500,000. One well-known, local restaurant owner had to spend roughly \$500,000 on her new system. And it still has issues! These are not "worst case" scenarios; this is what WILL be faced by anyone seeking to renew a business license or make any change to their property. While large and flourishing businesses may be able to easily afford that, the majority of our local businesses and homeowners simply cannot. Our commercial district consists entirely of tiny, independent entrepreneurs struggling to survive in an era of mass homogenization and "Big Box" everything. While some residents are quite affluent, many (*i.e.* the majority) are not.

We are also concerned that the LAMP language is confusing and unclear about several critical aspects of the proposal. Even the non-technical portions of the document were often worded in an oddly confusing manner, including the explanation for how systems would be classified or tiered. We are still confused about which, if any, systems would be classified as Tier 1 (and if none can be in LA County, why is it even in the document as an option?). To be honest, many of us (all of whom are quite intelligent and educated) found ourselves downright baffled by the lengthy, 122-page document and seemingly contradictory and/or incomplete discussion. Many situations and septic system arrangements were insufficiently addressed or not addressed at all.

Our concerns about the sheer length and complexity of the document are not trivial. **A lengthy, overly complicated set of requirements will make implementation, compliance and enforcement very challenging and highly stressful. Let's try to minimize that with clearer guidance and some additional flexibility that gives residents and businesses a wider array of options *without* sacrificing water quality.** .

The core elements of the LAMP proposal and the regulation it seeks to enforce really need to be **winnowed down to a couple of pages, with a flow chart and decision tree indicating how various types of residents or businesses should proceed with:** (i) determining their classification; (ii) finding a suitably certified contractor; (iii) obtaining the requisite reports and permits; and (iv) selecting an affordable system or method that will enable them to comply. We believe that, in tandem with the LAMP proposal, some changes should also be made to the Plumbing Code, including an expanded allowance for greywater systems to include "gently used" shower and bathroom sink water.

Residents have a right to know and weigh in on exactly what will be expected of them. We are a very active and vocal community, and we deeply appreciate the efforts that our local representatives have made over the years to keep us all informed and in the loop on any policy measure that could affect us-*especially one of this magnitude*. Please follow our elected officials' example in hearing, respecting and responding to our valid concerns.

The TCWC and TASC are both sticklers when it comes to watershed protection (and proud of it), so we are not advocating giving anyone a free pass. We are simply asking for clearer direction, more flexibility, truly affordable options, and general reasonableness in the implementation approach and phase-in. Please empower our local representatives with the latitude needed to create customized approaches that work for their constituents while also protecting the watershed and larger environment.

Respectfully,

Carrie Carrier, Chair of the Topanga Creek Watershed Committee (TCWC), and  
Roger Pugliese, Chair of the Topanga Association for a Scenic Community (TASC)

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