

# City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861  
Phone (310) 456-2489 · Fax (310) 456-3356 · [www.malibucity.org](http://www.malibucity.org)

October 27, 2011

Sent via email to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



State Water Resources Control Board  
Attn: Jeanine Townsend, Clerk to the Board  
PO Box 100  
Sacramento, CA 95812-2000

RE: Comment Letter – Santa Monica Bay Marine Debris Total Maximum Daily Load (TMDL)

Dear Members of the State Water Resources Control Board:

The City is very appreciative for this opportunity to comment on the Santa Monica Bay Nearshore and Offshore Marine Debris TMDL. The City would also like to recognize the Regional Board staff for their effort, time and outreach to coordinate with MS4 permittees during this TMDL process. The outreach led to an open and collaborative dialogue on this TMDL. The City is also pleased to see that many recreational and park agencies that own and control open space have been included as responsible parties to this TMDL. Having parkland and recreational facilities in our region is a tremendous gift to the residents and visitors to the area, and we are all lucky to have such beautiful mountains, streams and coastline nearby. But, as we know, this natural beauty comes with a tremendous amount of responsibility for everyone. Thus, the SWRCB should be aware that there has been a simple **but critical** omission from the TMDL of two agencies that own and/or operate a substantial portion of recreational and park facilities throughout the Santa Monica Mountains, and even in the Los Angeles River Watershed: the Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority.

Collectively, the Santa Monica Mountains National Recreation Area boasts in excess of 30 million annual visitors that bring with them, but leave behind (whether intentional or not), litter and waste. City staff has previously provided a list in writing and verbally to Regional Board staff of all responsible parkland agencies that must be included as responsible parties to this TMDL. This list included the California Department of Parks and Recreation, the Santa Monica Mountains National Recreation Area, the Santa Monica Mountains Conservancy and the Mountains Recreation and Conservation Authority as owners or managers of park properties in the region. A more detailed list, including individual parks or open space properties in the North Santa Monica Bay region, is attached to this letter for your reference. So, it was surprising to notice in the Responses to Comments for this TMDL that the Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority were not listed as responsible parties.

The Santa Monica Mountains Conservancy was established by the California State Legislature in 1980 to help preserve over 60,000 acres of parkland in both wilderness and urban settings and has improved more than 114 public recreational facilities throughout Southern California. The Mountains Recreation and Conservation Authority preserves and manages local open space and parkland, watershed lands, trails and wildlife habitat. The Mountains Recreation and Conservation Authority manages and provides ranger services for thousands of acres of public lands and parks that it owns and that are owned by the Santa Monica Mountains Conservancy or other agencies and provides comprehensive education and interpretation programs for the public.

The following are excerpts from the two agencies' websites:

“The Santa Monica Mountains Conservancy zone covers an area from the edge of the Mojave Desert to the Pacific Ocean. The zone encompasses the whole of the Santa Monica Mountains, the Simi Hills, the Verdugo Mountains and significant portions of the Santa Susana and San Gabriel Mountains.”<sup>1</sup>

“In addition, the Mountains Recreation and Conservation Authority also owns or manages thousands of acres ... From north to south, these areas drain into the Santa Clara River, Calleguas Creek, numerous smaller coastal watersheds in the Santa Monica Mountains, and the Los Angeles River and Rio Hondo.”<sup>2</sup>

As an important community resource, these agencies also offer public programs, hiking trails, tours and facility rentals for special events, including conferences/meetings, picnics and weddings, all of which can generate substantial litter and debris. Facilities owned and managed by the Mountains Recreation and Conservation Authority for rent include King Gillette Ranch, which is listed as: “One of the most stunning locales in the Santa Monica Mountains, 588-acre King Gillette Ranch is situated in the heart of the Malibu Creek Watershed, **by the confluence of five major tributaries** (emphasis added), and adjacent to Malibu Creek State Park.” Additional event rental sites: Temescal Gateway Park in Pacific Palisades, and The Los Angeles River Center and Gardens in Los Angeles, both with the potential to discharge to regional water bodies draining to the Santa Monica Bay.

Hence, these agencies control significant land area in the North Santa Monica Bay where debris is generated and can be discharged to the Santa Monica Bay. It is imperative that *all agencies* controlling land where debris and waste are generated be included as responsible agencies under the TMDL.

---

<sup>1</sup> From the Santa Monica Mountains Conservancy website at <http://www.smmc.ca.gov/>


<sup>2</sup> From the Mountains Recreation and Conservation Authority websites at <http://www.mrca.ca.gov/> and <http://www.lamountains.com/>

At the Regional Board Hearing on November 4, 2010 when this TMDL was adopted, Regional Board staff reported that those agencies were not included as responsible parties to this TMDL because the geographic information systems (GIS) showed several [small or scattered] parcels throughout the area. In other words, staff did not consider these agencies to have control over a significant amount of land to include them. Staff reassured the City at the hearing that this could be looked into in any future amendments or TMDL reconsiderations. However, the Board should not wait until that uncertain date to re-evaluate the responsible agencies. These park agencies exist and control significant portions of land in the region. By their very nature, the parcels owned and operated by these park agencies are interspersed parcels and pocket parks throughout the region, as explained above.

It is imperative that these agencies be named as responsible parties to this TMDL with load allocations and standard requirements at this final adoption stage. To not include them is a major oversight and places undue burden on the remaining responsible agencies to control debris from land where it has no jurisdiction or control. The City of Malibu supports environmental initiatives and regulations that protect environmental resources and, to be effective, this TMDL must apply to all responsible agencies that control land where debris is generated.

Thank you for this opportunity to share our concerns. If you have questions, please do not hesitate to contact Jennifer Brown, Senior Environmental Programs Coordinator, at (310) 456-2489 extension 275 or [jbrown@malibucity.org](mailto:jbrown@malibucity.org).

Sincerely,



Jim Thorsen  
City Manager

Enclosure

cc: Vic Peterson, Environmental Sustainability Director  
Jennifer Brown, Senior Environmental Programs Coordinator  
Sam Unger, Executive Officer, Los Angeles Regional Water Quality Control Board

**PARK AGENCIES AND INDIVIDUAL PARKS/PROPERTIES  
IN THE NORTH SANTA MONICA BAY<sup>i</sup>**

**California Department of Park and Recreation**

- Leo Carillo State Park
- El Pescador State Beach
- La Piedra State Beach
- El Matador State Beach
- Point Dume State Beach
- Point Dume Nature Preserve
- Malibu Lagoon State Beach
- Adamson House State Historic Site
- Malibu Pier
- Malibu Creek State Park

**Santa Monica Mountains National Recreation Area**

- Decker Encinal Canyon Park
- Trancas/Zuma Canyon Park
- Upper Ramirez Canyon parcels
- Solstice Canyon Park
- Paramount Ranch
- Peter Strauss Ranch

**Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority (combined)**

- Lechuza Beach
- Ramirez Canyon Park
- Latigo Canyon parcels
- Escondido Canyon Park
- Corral Canyon Park
- Malibu Bluffs open space
- Tuna Canyon Park
- King Gillette Ranch
- Triunfo Creek Park
- Las Virgenes View Park (with Calabasas and Las Virgenes MWD)
- Upper Las Virgenes Open Space Preserve (formerly Ahmanson Ranch)

---

<sup>i</sup> This list is not intended to be an exhaustive list of all properties owned and/or operated by the listed agencies. It is used for illustrative purposes of the various parks owned and/or operated by those agencies listed for the North Santa Monica Bay region only. These same agencies have additional parks in other watersheds that discharge to the Santa Monica Bay and other receiving waters.