



DEPARTMENT OF PARKS AND RECREATION
Angeles District
1925 Las Virgenes Road
Calabasas, California, 91302

Major General Anthony L. Jackson, USMC (Ret), Director

January 25, 2013

Dr. Cindy Lin
U.S. Environmental Protection Agency
Southern California Field Office
600 Wilshire Blvd., Suite 1460
Los Angeles, CA 90017

Via email: lin.cindy@epa.gov

RE: Comments on the Draft Total Maximum Daily Loads (TMDLs) for Sedimentation and Nutrients to Address Benthic Community Impairments in Malibu Creek and Lagoon

Dear Dr. Lin:

The California Department of Parks and Recreation (CDPR), Angeles District appreciates the opportunity to provide comments on the above referenced document. Below our are general and specific comments. Although some of these comments may be most appropriate for the future implementation plan, we wish to bring them forward now for consideration.

Comments:

1) Request Rindge Dam Removal Project Exemption from TMDL Sediment Limits

The Malibu Creek Ecosystem Restoration Project (Rindge Dam Removal Project) is scheduled to complete its feasibility/environmental phase in the next year. Funding permitting, the project would be implemented within the next decade and likely within the timeframe of this TMDL. This important restoration project would not only remove Rindge Dam, but up to 11 additional upstream barriers, to protect and expand steelhead migration within one of only three streams where this species is found in the Santa Monica Mountains. Other aquatic and riparian species would benefit from removal of these barriers and the restoration of associated habitat. Natural sediment processes would be greatly improved by this project, and would also ultimately benefit area beaches, and associated recreational opportunities, and would provide buffers from storm and flood damage.

Removal of the dam and the sediment impounded behind it, is anticipated to take about 5-7 years. During this time, sediment transport could increase temporarily during construction despite use of BMPs. As this important project has significant net benefits to the watershed and removes an identified impairment to fish migration, we are requesting that the project be exempt from the TMDL limits for sediment during the construction phase. **Comment 5-1**

2) Clarifying Our Position on Open Space's Role on Watershed Pollution

CDPR and other open space agencies throughout the Santa Monica Mountains spend considerable time and resources managing and improving storm water runoff from our properties. This effort includes inventorying potential sources of sediments, nutrients and other pollutants that might be entering waterways and correcting these issues as funding becomes

available. Specific examples include the redesigned Malibu Lagoon Parking Lot which captures, treats and infiltrates all the stormwater runoff from a 3.2 inch rain storm in 24 hours. This use of Low Impact Development technologies have also been implemented at Baldwin Hills Scenic Overlook, and Los Angeles State Historic Park, among other areas.

Open space areas managed by CDP, Angeles District, and other resource agencies also improve water quality derived from upstream sources as it passes through our undeveloped areas. This is supported by studies conducted by Heal the Bay's Stream Team over a 10-year period, which showed that undeveloped streams in open space areas improve the water quality for bacteria and nutrients associated with storm water runoff emanating from urban areas.

We take responsibility for the pollutants that emanate our properties and for properly maintaining our storm water facilities. We request, however, that CDP, Angeles District, not be held responsible for pollutants that we did not produce, but unfortunately flow downstream onto our lands from upstream sources within the watershed, resulting in adverse impacts upon the environment. We hope this will be considered within the future implementation plan. **Comment 5-2**

3) Section 3.1: Malibu Creek and Tributaries Numeric Targets

SC-IBI: "The SC-IBI scores at stations MC-1, MC-12, and MC-15 should obtain a median value of 40 or better, consistent with at least a "Fair" ranking (Ode et al., 2005)."

Comment: Why are we shooting for a low "fair" value rather than a "good" value? **Comment 5-3**

4) Section 3.2: Malibu Lagoon Numeric Targets

Benthic Community Diversity: Achieve a goal of increasing species richness in Malibu Lagoon with multiple functional groups. USEPA believes that by setting a target of species richness of 35 in 15 years will lead to a healthy community of benthic invertebrates.

Comment: EPA has reviewed available data from Malibu Lagoon over a 15 year time span (1995-2010) and concluded that the average taxa richness was 16 taxa. Given that we expect the Lagoon restoration project alone, with its improvements to tidal flushing, to significantly increase species richness, it seems the goal of 35 may be low for a 15-year period, especially when considering the results for the similar Los Peñasquitos and San Dieguito Lagoons:

"The best indication of the expected increase in benthic infaunal richness was the observed data before and after extended mouth closure due to anthropogenic activities. Los Peñasquitos Lagoon saw approximately three-fold increase of taxa richness (from around 11 to 34). Similarly, San Dieguito, although a much larger estuary, saw a six-fold increase in taxa richness after more natural tidal flushing actions were implemented (from 7 to 42)." **Comment 5-4**

5) Implementation Plan:

What is the time frame for the preparation of the Implementation Plan for these TMDLs? The completion and implementation of this document should be a high priority. **Comment 5-5**

6) Other Minor Comments:

Pg. 1-4: Western Snowy plover also has critical habitat designated for it in the Malibu Lagoon now. **Comment 5-6**

Pg 2-2: Why isn't Malibu Lagoon checked for the BIOL category? **Comment 5-7**

Figure 7-1: I would doublecheck with SMBRC (Jack Topel/ Mark Abramson) and NPS staff (Katy Delaney) that additional monitoring stations have not been overlooked. **Comment 5-8**

Section 11-1: The work near the Adamson house (Eastern Lagoon) was not ultimately implemented as part of the Malibu Lagoon Restoration project due to cultural resource concerns. **Comment 5-9**

Please contact me if we can provide any clarifications on our comments. I can be reached at 818.880.0373.

Also, please add me as a contact for CDPD within the Los Angeles and Ventura County areas.

Sincerely,



Jamie King
Environmental Scientist