

From the Publisher
Arnold G. York

Summertime, when the living is easy...

Summertime, when the living is easy... Fish are jumpin' and the cotton is high

In a normal Malibu summer, those words would ring true—except for the cotton, of course. When you think of a warm summer evening, most people think of sitting, looking at the ocean, and sipping a glass of wine and watching fireworks. In Malibu, our thoughts turn not to fireworks, but usually to our septic systems and the hope they won't overflow when one of our damn fool city guests with no experience in country living throws something into a toilet that doesn't belong.

The Los Angeles Regional Water Quality Control Board (RWQCB) worries about the same thing, and for only \$41 million or maybe \$61 million or whatever it ends up being, if you own large pieces of commercial land in the Civic Center, or have the misfortune to own a home inside the butterfly (remember that name), meaning Serra, Malibu Colony, much of Malibu Road, many of the Civic Center adjacent properties, plus others that are close, you will have to pay, and pay, and pay.

Certainly if we decide we don't want to pay in 2015 (actually now 2016 because it's about a year behind schedule), every septic system in the Civic Center (the commercial core of our town) has to be disconnected, and we either close down and essentially go out of business, or alternatively we become the porta potty capitol of the world. Then in 2019 (now 2020) all of the surrounding homes in the butterfly have to hook into the sewer system (assuming it exists) or disconnect and go the porta potty route.

I apologize for this somewhat cynical introduction into what is really a very complex topic with serious scientific, political, legal and policy questions. Over the next few years, in a series of environmental reports, public hearings, city council meetings, RWQCB meetings, probably private conferences, state water board meetings, courtroom battles and, I would imagine, a few screaming matches at any of those locations, I promise you that you will all end up knowing more about septic systems than any of you ever cared to know.

For now, I'll just set the stage. The 800-pound gorilla in all of this is the RWQCB, is a state agency that calls the shots under the authority that flows to it from the state water board, which draws its powers from some state statutes and mostly the Federal Clean Water Act, which, I suspect, comes from God. This act came into being in no small part because the river outside of Cincinnati, Ohio, caught fire and

they couldn't put it out and Congress (back in those days, when Congress actually did something) decided it was time to act, and they did. It made eminent sense and still does, but, as they say, the devil is in the details. The questions we are now confronting are these:

- Do we really need this sewer system in central Malibu?
 - If so, who should be paying for it?
 - Why aren't the state and county helping pay for this?
 - How is it that our beaches are a great state and regional asset until it comes to paying for something and suddenly it's a local problem that we are expected to solve?
 - Is the Memo of Understanding that the city signed with the RWQCB (certainly very much under duress, I might add) a fair attempt to solve a large area, or did we just get hosed?
 - Is there a regional problem, like sewage and runoff, coming down from the watershed and flowing to the ocean that we're being asked to solve?
 - If so, where are Calabasas, Agoura Hills and Westlake Village in all this? Why doesn't the RWQCB even appear to care if the costs are proportionally fair, or is the word "fair" just a word that isn't in the environmental lexicon?
 - When it comes to splitting up costs, are the Civic Center commercial property owners paying their fair share of the system or are the adjacent homeowners ultimately being asked, actually commanded, to subsidize the system?
 - Is it possible that the 1,000 or so people living in the general vicinity of the Civic Center could conceivably have a urine output so enormous that it outweighs the urine output of the 15 million visitors who come to Malibu, and requires that Malibu pay for it all?
 - Lastly, can we expect some fair and even-handed treatment from the RWQCB, considering that one of their members is Madelyn Glickfeld, a longtime Malibuite who certainly knows the community, or is this an instant replay of our experience with Sara Wan, another longtime Malibuite, when she was Chair of the California Coastal Commission?
- Those are just some of the questions that come to mind, and many more will pop up in the next few years.
- As for the answers, no one knows yet, but you can expect answers to emerge as the process moves on.

In case you missed it

The top stories on MalibuTimes.com this week



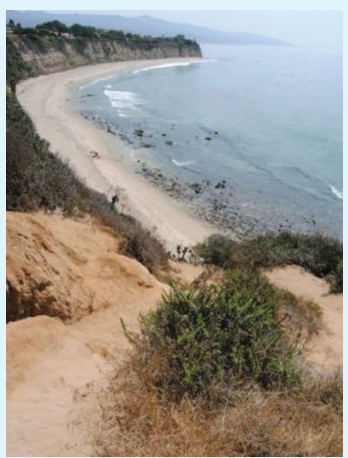
Leslie Gilliams: Malibu's MasterChef
Malibu resident participates on the FOX reality show.



Fireworks shows set for 4th of July in Malibu
Three offshore firework displays are scheduled for 9 p.m. on the Fourth.



Disney Star Arrested in Malibu for DUI
Billy Unger, who stars in the show "Lab Rats," was arrested over the weekend on PCH.



Coastal Commission Can Now Issue Fines
CCC can give out fines for property owners who attempt to block public beach access.



City Turns Down Plan To Widen PCH at Cross Creek
The City requires further study for plans to widen lanes.

Guest Column | Burt Ross Independence Day

It's strange. I am not an overtly patriotic guy, but with each passing year, I look more and more forward to celebrating July 4. I have never hung a flag outside my home, I



most of them to death; and so on and so on.

Whereas some African countries have passed laws making homosexual acts a capital offense, our country passed laws throughout much of the land allowing gays to marry. Whereas soccer fans in Spain and Italy routinely throw bananas onto the playing field when a black player kicks the ball, we force an owner to sell his team for making racist comments in a private conversation. Whereas some countries do not allow women to drive a car, we have over 20 women serving in the United States Senate, and, more than likely, a woman will be a candidate for President in 2016.

So how do I demonstrate my ever-increasing patriotism? I don't. I simply feel that living in this great country of ours is a blessing and one of which I do not take for granted. When I read the newspapers (I am so old, I actually still read a newspaper), I can only appreciate what we have, and I cherish it.

So far in 2014, hundreds of young girls were kidnapped in Nigeria; Russian troops annexed Crimea and threatened to take over the rest of Ukraine; the military staged a coup in Thailand; Egypt held a sham trial for hundreds of people and sentenced

I look forward to this Friday. I will sit on my balcony and watch the sky light up in celebration of what we have achieved, just like John Adams envisioned over 200 years ago. And I will be so grateful.

Letters to the Editor

The Malibu Times requests that letters to the editor be sent by U.S. mail or hand-delivered to The Malibu Times, 3864 Las Flores Canyon Rd., Malibu, CA 90265; e-mailed to malibunews@malibutimes.com or by fax to 310.456.8986. Name, address and phone number must be included with all letters for verification purposes. Typed letters must use sentence case (please avoid submitting correspondence typed entirely in capital letters or in cursive). Letters should be brief, 350 words maximum, and may be edited for clarity or length. Deadlines are Tuesdays at noon.

Road blocks

Last week's decision by the City of Malibu to require a complete environmental study for the proposed PCH widening at Malibu Lagoon is very important. Remember, in 2008, an earlier city planner and city council gave this a green light without any environmental impact report. Incredibly, just 14 months ago, La Paz and its road-widening permit were given a discretionary two-year extension by the City.

All the Civic Center commercial projects are affected by last week's decision. The now-moribund Rancho Malibu proposal had piggybacked onto this traffic plan. So did Steve Soboroff and his "Whole Foods in the Park" supermarket plan (I love the unintentionally hilarious title). These developers and others all wanted to shift PCH south into Malibu Lagoon State Park to make room for their right turn lane, which they must install or they cannot build. Now, this city action will prevent that.

It's obvious that the right turn lane is needed at Cross Creek, and it is also obvious that this turn lane needs to be on the right side of the westbound road at the Shell station, which sits partly on Caltrans land. The commercial landowners at the Civic Center need an assessment district to pay for PCH widening where it belongs, and not in the State Park across the street.

It's not the sewer that would block the commercial development; the sewer is coming anyway because of the state order. It's the traffic issue where we have local control. The City of Malibu is required, under its own rules, to say no to development that snarls traffic.

Thanks to the hard work of people here 22 years ago, Malibu has the toughest planning rules in the state. And California Environmental Quality Act is also very powerful. The commercial landowners have a right to build their projects, within those strict rules. Finally, City Hall is saying "no exceptions."

Hans Laetz

Praise for Peak

If there is anything the City of Malibu can be proud of in the last two years, it's the evolution of Skylar Peak into a fine young man. He has grown in maturity and someone we all can take pride in. His comments and decisions at the City Council meetings are clear and direct. I am happy he is our mayor. Keep it up, Skylar.

Terry Lucoff

Foundation of America

Ever mindful of the bitter lessons learned by the authors of our Constitution from their Calvinist predecessors in 17th century New England, our Constitution reflects the eternal profound wisdom and justice of the separation of church and state.

Thomas Jefferson stated that no citizen "shall be compelled to frequent or support any religious worship, place or ministry whatsoever." As president, Jefferson explained the First Amendment builds a "wall of separation" between church and state.

James Madison opposed even "three pence" of tax money being used in support of a religion. Further Madison opposed Congressional

chaplains and government days of prayer, warning that "torrents of blood" have been spilled over religious differences.

John Adams stated, "The government of the United States is not in any sense founded on the Christian religion."

Benjamin Franklin wrote, "When a religion is good, I conceive it will support itself, and when it does not support itself, and God does not take care to support it, so that its professors are obliged to call for the help of the civil powers, 'tis a sign, I apprehend, of it being a bad one."

Our first president, George Washington, refused to take communion, kneel in prayer in churches, (or at Valley Forge), have a priest at his deathbed or take last rites. Washington stated, "Religious controversies are always productive or more acrimony and irreconcilable hatreds than those that spring from any other cause..."

Lastly, Thomas Payne, the revolutionary who gave America its very name and fanned the flames of the American Revolution, wrote that

"My religion is to do good" and "My own mind is my own church."

As we witness the chaos embroiling theocracies throughout the world, we must offer reflection and gratitude for the unique and remarkable geniuses who envisioned our Constitution and for those who sacrificed and died to bring the great American experiment to fruition.

I am proud to be an American.

Pamela Campbell

Speaking for Malibu

In response to, "Controversy reigns as Council accepts petition signatures," June 26, 2014: This initiative is very confusing. A basic requirement of a ballot initiative is to be clear and straightforward. This initiative is not—not even close.

We are constantly hearing that Malibu is being overrun with out of town interests and not representative of whom we are, so the irony of this whole situation is comical in its hypocrisy. I'm not sure if it's the San Francisco law firm, the consultant from Beverly Hills or the

funding from a part-time resident rarely seen in our town, but I can't help but feel that longtime Malibu citizens like myself are being fed a bologna sandwich by the very outside interests that Preserve Malibu advocates against.

In regards to Mr. Felix Schein's statements about why they filed a "revised" draft of the initiative, in short, we don't believe you—you're moving the goal post all the time. I sincerely hope Mr. Schein or someone from Reiner's PR team attends the July 14 City Council hearing and does better than "we got feedback from the community." Who in Malibu suggested to you that they want to change the initiative to virtually exempt an entire commercial center? Who in Malibu suggested to you that they want one side of Cross Creek exempted, while the other side gets heavy restrictions? Tell us who. Please explain to us!

If Reiner and his team are so confident that this initiative is legal and good for Malibu, then why don't they indemnify the city?

Lloyd Ahern

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