



To the California State Water Resources Control Board:

I believe that it was at the hearing on the last Colfax NPDES permit renewal that I&I conditions were first placed on the POTW. At that hearing a majority of the regional board members acted to require the I&I conditions. Friends of the North Fork's cross-examination of the city engineer at the hearing contributed to this.

After many years of canyon conservation efforts and recreation in the North Fork American River Canyon by its incorporators, Friends of the North Fork ("Friends") formed in February 2005. We have a board member and an active member who own different properties on the river and who take their drinking water from the river a short distance below the ravine next to Yankee Jims Road where treated and untreated municipal wastewater from the City of Colfax ("City") enters the river. Our board includes those who are county property owners and county family members

1. The Board is unable to avail itself of necessary information due to the limited time frame provided for written comments.

The e-mail with the state board meeting agenda attached containing the Colfax Agenda Item 12 was dated Friday September 9, 2011 at 4:48 p.m. At the time I was at a conference in Los Angeles that continued through later Sunday afternoon, so Friends of the North Fork first learned about the Colfax project Monday morning September 12. I left a voice mail message for the Clerk of the Board early September 14 inquiring about who the assigned staff person is and how to review the file. Not hearing back, I called the Division of Financial Assistance from downtown Sacramento around 1:00 p.m. and left a message for Ms. Brown as directed. Then I went to the Central Valley regional office and found that the Colfax files were unavailable before noon September 15 because they are being worked on by the prosecution team for their deadline the this day for the regional board's Colfax mandatory penalty hearing. I met the team leader there and obtained the March 18 and July 11 letters referred to in the staff report. While I was at the region office, Ms. Brown returned my call and she later sent me an e-mail with the Facility Approval Plan and the two letters. We learned this morning that the Board's engineering documents for the project are not available because they are in Ventura. State and regional staff have been laudably responsive to our requests for information, but the extremely short 3 1/2 day time frame provided for written comments is an unfortunate, unlaudable and inexplicable constraint.

Therefore, this correspondence is not based on a review of Colfax files. In addition to the limited notice time and the limited access to project documents we have had, I have had out-of-town morning obligations for a hearing the 13th, a dental appointment the 14th and a doctor's appointment the 15th. We expected to read the credit review before writing this, but in the rush and through no one's fault, our access to this and the CEQA update and other file materials has not come about.

2. History of the Colfax POTW and violations.

The staff report needs an outline of the timeline of the decades of history of the Colfax POTW including its costs, failures and violations.

The inadvisable nature of the original plant design for land treatment including the 75-foot high Pond 3 earthen dam (height per DWR dam safety) seems to have been matched by the inadvisability of designing, constructing and funding each effort to correct and improve operations based around the original plan.

This history suggests to Friends that the evaporation effort proposed to speed draining Pond 3 may have no more success than the original plan to sprinkle treated effluent on the 2,000-foot elevation property. This ridge is visible for miles around with Camels Hump that was used as a landmark by miners, and has the Gillis Hill Fault which has not that we are aware of been the subject of CEQA analysis for the project. Perhaps the fault explains some of the leakage problems and springs: a spring is found elsewhere on the ridge. California Department of Conservation, 2010 Fault Activity Map of California, California Geological Survey, Geologic Data Map No. 6, <http://www.quake.ca.gov/gmaps/FAM/faultactivitymap.html>

The report and item consideration also need to include and to be based on a list of each of the engineering reports and their authors done for Colfax, including identification of current engineers and consultants with documentation of the duration and ending date of their contracts with the city. At the last CDO hearing it was disclosed that while there were at least six consultants in the audience who had worked on the Colfax sewer operation, none came forward to answer questions about the project and CDO, and the city manager explained that contracts could be ending on the very day of the hearing. The funding should not go forward without documentation of the continuity of project engineering management. This needs to include an evaluation of the city's capable of managing the project, and what the alternatives are for achieving adequate management.

A listing is necessary for fiduciary purposes of all past Colfax sewer operation projects and costs, including but not limited to state funding.

Those acting on the project should see the facility and its location on the ridge that is above the North Fork American River

3. Financing and operating implications of current and future industrial and commercial connections is absent.

By failing to identify or acknowledge their presence in the city, the staff report and Board action as presently proposed would unintentionally contribute to the continued location of unregulated existing and new businesses on the Colfax sewer system (a) that are of the types known to impact POTW operations, (b) that also do not appear to be paying sewer hook up and operation fees commensurate with their actual or potential discharges into the sewer system, and, (c) which potential to contribute to financing the project is not addressed at this time. For example, several Colfax industries seem to be subject to National Categorical Industrial Pretreatment standards.

Two major printers are in the City, Tully-Wihr Print to Digital Solutions which has global reach, and GKM Corporation, one of the largest printers in Northern California. A Fall 2010 street survey also found over 70 industrial and related businesses, including two machine shops, two

vehicle body repair/paint shops, seven vehicle mechanical repair facilities, and so on. On July 13, 2010, the Board of Supervisors approved the Local Multi-Hazard Mitigation Plan for Placer County, that is required in order for the county to remain eligible for federal disaster mitigation funding. Annex B of the Plan, for the City of Colfax, is attached, and lists the Waste Water Treatment Plant and the 75-foot sewer dam among the City's key emergency assets. The assessment roll review in Annex B, Table B.2 lists 27 industrial properties and 121 commercial properties. As a matter of disaster planning, Annex B policies that are from the Colfax General Plan require that, "The City shall encourage pre-treatment of commercial and industrial wastes prior to their entering community collection and treatment systems." Policy 7.9.4.3. See our April 22, 2011, letter to the regional board and its attachments.

The report and documents are incomplete to the extent that they do not identify by year during the life of the existing POTW population figures and housing, commercial and industrial development permit issuance.

4. The conditions must proactively identify and manage the steps, projects, costs and funding necessary to finish I&I control and management.

Page 4 of the FPA does not outline the necessary steps and resources to correct I&I, and appears to ratify the city doing nothing when it reads, "A lateral replacement program, as required by the 2009 settlement agreement, is currently in the planning phase and will be implemented as funding is available." It would be error for the state and regional water boards to limit their authority including their authority on I&I needs based on the settlement, one to which they are not a party. The steps and number of years to completion of necessary projects must be identified.

5. The Board, in approving funding needs to address failure of all or part of the project including its components.

The proposal contains too much uncertainty and lack of accountability for the Board and city.

6. The staff report omits relevant regulatory context.

The city's apparent need for an Industrial Pretreatment Program is not addressed. Nor is the need for and status of development of a storm water program: the city's storm water enters the North Fork American River through the same ravine and at the same location as the discharges from the sewer operation. Indeed, we believe it is likely that sewage leaks out of the sewer system and becomes storm water. I first encountered this point-of-entry to the river when I noticed the stench as I hiked the river bank on September 25, 1999 and walked over the area of entry.

In sum, the ongoing pollution of the river and Auburn State Recreation Area by Colfax is completely unacceptable and the proposals do not take the necessary steps to bring it to an end. We appreciate this opportunity to comment.

Sincerely,
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