



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



August 5, 2014

Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Electronic Submission: commentletters@waterboards.ca.gov

Subject: Comment Letter – Proposed Trash Amendments

Ms. Townsend and Members of the Board:

The City of Folsom (City) appreciates this opportunity to comment on the subject Draft Amendments to Statewide Water Quality Control Plans to Control Trash (Proposed Trash Amendments) developed by the State Water Resources Control Board in June 2014. The City is one of seven permittees within the Sacramento Stormwater Quality Partnership (Partnership). The Partnership is covered by the Sacramento Areawide Phase I NPDES Municipal Stormwater Permit No. CAS082597; Order No. R5-2008-0142 issued by the Central Valley Regional Water Quality Control Board (Regional Water Board). The permittees include Sacramento County and the cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt and Rancho Cordova.

The City, along with many others, requested an extension on the review and comment period. We understand the extension was not approved, so with limited time the following are our 3 key comments:

- 1. Funding:** The State of California needs to provide a source of funding for Cities to comply with the Proposed Trash Amendments. The City does not have a drainage fee/utility and as such, 100% of stormwater management program costs are funded by the General Fund and impact fees. Prop 218 currently precludes the City from establishing a fee for stormwater management activities therefor increased costs must be taken from budgets for other programs and services (General Fund). This is not the time to put such an administrative burden on cities and cities cannot afford to comply with these unfunded mandates. To put this into context, the City is currently only able to budget approximately \$200,000 per year on storm drain improvement projects. The capital cost to meet the Proposed Trash Amendment requirements will require approximately an additional \$200,000 per year. Likewise, the City is currently only able to budget approximately \$400,000 per year for storm drain system maintenance activities and street cleaning activities. The increased maintenance cost to meet the Proposed Trash Amendment requirements will require approximately an additional \$650,000 per year by the tenth year of the program. The City recognizes the water quality benefits of reducing trash, however the costs to comply exceeds our funding capability. The State must assist with funding for these requirements.

2. **Trash as a pollutant of concern:** The Partnership has worked extensively with the Regional Water Board since 1990 to develop and implement programs that focus on Sacramento's "Target Pollutants" in stormwater runoff. Trash has not been identified as a "Target Pollutant" (pollutant of concern) for our local waterways. However we continue to implement many BMP's that inherently reduce trash from entering our waterways, our resource allocation is prioritized by what has been determined to be "target pollutants" in the Sacramento area. Our current participation in the Regional Water Boards stakeholder process to develop a Regional MS4 Permit involves the development of a permit that allows stormwater programs to invest resources where they will provide the best return. Due to the significant cost to comply with the Proposed Trash Amendments, as currently written, we are concerned that much of our limited resources will be taken away from current efforts to reduce our target pollutants, to implementing trash removal BMP's in many areas that are not generating significant amounts of trash. We recommend that the Proposed Trash Amendments allow cities to evaluate areas in question and provide the Regional Water Boards with the authority to approve an area exemption if the City has demonstrated that the area in question generates trash at rates that are significantly lower than estimated for the priority land use listed. We are confident that many of the "priority land uses" within our City are not high trash generators. The City partners with Sacramento Area Creeks Council each year to host a volunteer based creek cleanup event. With 100-150 volunteers each year, there are more volunteers than there is trash to be collected citywide, and as a result we have expanded the program to include invasive plant removal just so our volunteers have meaningful work.
3. **Other comments:** We support the comments offered on the Proposed Trash Amendments by the California Stormwater Quality Association (CASQA) and the Statewide Stormwater Coalition (SSC).

In closing, with cities budgets and staff sizes shrinking, this plan provides an enormous burden that our city simply cannot afford and the requirements are suggested for a problem that does not exist in our jurisdiction. We strongly urge the State Water Board staff to reconsider its approach and work with stakeholders to produce a revised draft that allows flexibility to evaluate the applicability of these requirements in a given area, and to also assist with the development of a funding mechanism.

Thank you for providing this opportunity to comment.

Sincerely,



David E. Miller, AICP
City of Folsom
Public Works/Community Development Director

c: Alta Tura, Sacramento Area Creeks Council
Dana Booth, County of Sacramento
Sherill Huun, City of Sacramento
Chris Fallbeck, City of Citrus Heights
Fernando Duenas, City of Elk Grove
Sarah Staley, City of Folsom
Bill Forrest, City of Galt
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