

**SAVE THE AMERICAN RIVER ASSOCIATION, INC.**

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May 8, 2006



Robert Schneider, Chair  
Central Valley Region  
California Regional Water Quality Control Board  
11020 Sun Center Drive, #200  
Sacramento CA 95670-6114

Dear Chairman:

During April 2006, for a period of 17 days, the City of Colfax's sewage treatment facility dumped or spilled untreated or partial treated human sewage into Smuther's Ravine Creek. This Creek in turn flows into Bunch Creek which then flows to the North Fork of the American River. This spill has come to the attention of Save the American River Association (SARA). SARA also understands that there is a long history of such dumping / spilling at this facility.

SARA is a grass roots organization, established in 1961 to promote the protection, conservation and restoration of the lands, waters and fish and wildlife resources of the Lower American River. SARA however, is concerned with any activity in the American River Watershed that could impact public trust resources, uses and values. Of extreme concern is the water quality required for safe drinking water, water contact recreation, for wildlife and for conserving, protecting and restoring our native fish resources such as rainbow trout, Chinook salmon and steelhead and their habitat components upon which each species depends. Aquatic species introduced to the area also would benefit.

SARA understands that the City of Colfax has violated its National Discharge Pollution Elimination System (NDPES) permit on numerous (100s) occasions. SARA also understands that fines at \$3,000.00 per day now total \$50,000.00 to \$400,000.00. SARA also understands that there are several witnesses who have seen the mess in the respective creeks and are willing to testify to that fact. SARA is also aware that staff of the Regional Board is aware of past permit violations.

The City of Colfax is aware of the problem, but has not made the effort to upgrade the present facility to meet the State discharge standards. If the City of Colfax did make the effort, that effort has not been sufficient to stop the dumping / spilling untreated or partially treated human waste products into State waters. In addition hook-ups continue to be added to the City of Colfax sewage system which already has serious capacity and management problems and which will no doubt exacerbate the situation.

SARA believes that even with the above normal runoff this spring, dilution is not the solution to the City of Colfax's sewage treatment problem. Discharge standards are to be enforced at point of discharge, not a few miles downstream or in the Auburn State Recreation Area. The NDPES permit is the people's permission to discharge treated effluent that meet water quality standards. A purpose of the permit system is to assure that public health and public trust resources, uses and values of the affected lands and waters are protected.

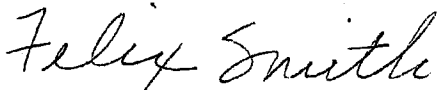
Presently public and private interests downstream of the Colfax treatment plant have been degraded as a social cost of the failure of the City of Colfax to expand and modernize its treatment plant. The odor of sewage and chlorine wafting through California's mixed coniferous forest or the sight of human solids and wastes does not make for an attractive outdoor experience.

SARA therefore recommends:

1. There must be an immediate moratorium instituted on any new commercial or residential sewage hook-ups until the City of Colfax treatment facility is brought up to an acceptable public health and safety standard and a new NDPES permit is properly conditioned and issued.
2. Levy the cumulated fines, with up to 50 percent of the fine monies used to clean and restore the affected reaches of Smuther's Ravine and Bunch Creeks.
3. A program be designed for cleaning and restoring the integrity of Smuther's Ravine and Bunch Creeks and their riparian lands and vegetations to pre-spill conditions.
4. In the future all spills are to be reported to the Regional Board and to downstream city and county Public Health Departments, and to water districts that utilize their rights to American River water for domestic purposes.
5. A monitoring program be established for the Smuther's Ravine Creek and Bunch Creek downstream to the confluence of the North Fork of the American River. Some of the parameters to be monitored include various water quality (including residual chlorine), aquatic invertebrates (insects, species and life forms, and estimate biomass), benthic invertebrates (snails, worms species and life forms and estimate biomass), vertebrate species (fish, amphibians, reptiles, etc.) with age classes identified. Identify terrestrial mammals and birds using Smuther's Ravine and Bunch Creeks and adjacent lands through out the year. Identify all plant life (woody and herbaceous plants and mosses) within the riparian zone.

This City of Colfax sewage spill issue has gone on entirely too long. Action must be taken to protect the greater public interest of the water, uses, resources and values of the American River Basin.

Sincerely,



Felix Smith  
Board Chair, Water Issues  
Save the American River Association (SARA)

Cc: Alan D. Wade, President, SARA  
Warren Truitt, VP, SARA  
Board of Supervisors, Placer County  
Placer County Department of Public Health