



# TOWN OF FAIRFAX

## STAFF REPORT

July 18, 2018

**TO:** Mayor and Town Council

**FROM:** Michele Gardner, Town Clerk *MG*

**SUBJECT:** Authorize Mayor to send letter to San Francisco Bay Regional Water Quality Control Board urging they take action to ensure Caltrans keeps the highways free of litter to protect the health of the Bay

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### RECOMMENDATION

Authorize Mayor to send letter

### DISCUSSION

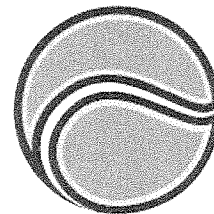
Mayor Lacques requested this item be added to the agenda. Marin Clean Highways is a non-profit group that has asked Marin's local governments each to send a letter urging the San Francisco Bay Regional Water Quality Control Board to take enforcement action against Caltrans for failing to clean Bay Area roadways and allowing trash to flow unabated into local creeks and the Bay. Please see their request (attached) for more details. The proposed letter (also attached) was prepared by Marin Clean Highways.

### FISCAL IMPACT

n/a

### ATTACHMENTS

- A. Marin Clean Highways request
- B. Proposed letter



Marin Clean Highways

Vicky Dehnert, Director  
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San Rafael, CA 94903  
marincleanhighways@gmail.com

June 6, 2018

Marin County Mayors and Councilmembers  
Via email

Dear Marin Mayor and Councilmembers,

I'm contacting you today to request your signature on the following letter urging the Regional Water Quality Control Board to take enforcement action against Caltrans for failing to clean Bay Area roadways and allowing trash to flow unabated into local creeks and the Bay.

As you know, my organization has been involved with addressing the litter issue in Marin for several years. While we have achieved some success, the bottom line is Caltrans does not allow highway adoption in most of southern Marin, and they committed to cleaning our roads quarterly, at best. (See photo on following page).

Caltrans has been in violation of clean water requirements for several years and has yet to provide a plan for coming into compliance and preventing trash from polluting the Bay. Trash on Caltrans highways and state roads also makes its way into city and county storm drains, which increases the burden on our local agencies to comply with their own trash reduction requirements. Over 8,000 Save The Bay supporters have signed our petition directed at the Water Board ([www.savesfbay.org/caltrans](http://www.savesfbay.org/caltrans)), and the issue has also garnered recent media attention; please see the attached San Francisco Chronicle op-ed from our Executive Director David Lewis.

Will you join Save The Bay, Marin Clean Highways and others in calling upon the Water Board to require Caltrans to clean its roadways immediately? Please consider this opportunity to bring much-needed change to Marin County roads by signing and forwarding the following Water Board letter.

Sincerely,

*Vicky Dehnert*

ATTACHMENT A

DRAFT

San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

July \_\_, 2018

**Re: Trash on Bay Area Caltrans roads**

Dear Chair Young and Board members,

As local, county, state and congressional elected officials representing the Bay Area, we urge the San Francisco Bay Regional Water Quality Control Board to take immediate enforcement action against Caltrans for failing to implement trash control measures and protect the Bay from roadway pollution. The agency has been in violation of its stormwater permit requirements for several years, and still does not have a credible plan for reducing trash in our region, despite the Board's December 2016 Notice of Violation (NOV).

On the Bay Area's roads, Caltrans' failure is all too visible. Litter on Bay Area freeways and state roads continues to pile up, blow and flow through storm drains into creeks and San Francisco Bay, where it poisons fish and wildlife, smothers wetland habitat, and defaces the shoreline. Caltrans' neglect also places a heavy burden on our cities to clean up trash that originates on Caltrans roads. Once trash from state roads enters a storm drain or creek, the cost to remove it shifts from Caltrans to local jurisdictions already striving to meet their own trash reduction requirements.

While Caltrans has partnered with a handful of Bay Area communities to prevent and clean up trash, the agency needs to do much more to address its pervasive trash problem. We urge the Board to require the following immediately in an enforcement order to Caltrans:

- Install trash capture devices in "very high" and "high" trash generation areas wherever feasible;
- Increase frequency of trash removal; and
- Collaborate with municipalities and local agencies to implement these solutions.

As we work to protect the Bay Area and California from rollbacks of federal environmental protections, you must ensure that Caltrans obeys the law and complies with the Clean Water Act. You should require the agency to clean up trashy roads, install full trash capture devices in the most littered areas, and pursue appropriate penalties for its many years of permit violations.

Sincerely,

ATTACHMENT B