APRIL 2016

Citizen Enforcement and Sanitary Sewer Overflows in California

ONLINE SUPPLEMENT B:
CITIZEN ENFORCEMENT INFORMATION SUMMARIES

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Wheeler Water Institute | Center for Law, Energy & the Environment
UC Berkeley School of Law
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<td>Description</td>
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<tr>
<td>ACL</td>
<td>Administrative civil liability</td>
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<td>ADR</td>
<td>Alternative dispute resolution</td>
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<td>AO</td>
<td>EPA administrative order</td>
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<td>Board</td>
<td>State or Regional Board (see below)</td>
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<td>C.D. Cal.</td>
<td>United States District Court for the Central District of California</td>
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<td>Cleanup and abatement order</td>
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<td>CCTV</td>
<td>Closed-circuit television</td>
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<td>CDO</td>
<td>Cease and desist order</td>
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<td>CIWQS</td>
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<td>CWA</td>
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<td>E.D. Cal.</td>
<td>United States District Court for the Eastern District of California</td>
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<td>EBMUD</td>
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<td>ENE</td>
<td>Early neutral evaluation</td>
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<td>EPA</td>
<td>U.S. Environmental Protection Agency</td>
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<tr>
<td>FOG</td>
<td>Fats, oils, and grease</td>
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<td>gal</td>
<td>Gallons</td>
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<td>mi</td>
<td>Miles</td>
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<td>MS4</td>
<td>Municipal separate storm sewer system</td>
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<td>N.D. Cal.</td>
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<td>NOI</td>
<td>Notice of intent to sue</td>
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<td>NPDES</td>
<td>National Pollutant Discharge Elimination System</td>
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<td>POTW</td>
<td>Publicly owned treatment works</td>
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<td>S.D. Cal.</td>
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<td>SEP</td>
<td>Supplemental environmental project</td>
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<td>Spill rate</td>
<td>SSOs per 100 miles of collection system per year</td>
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<td>Spill volume rate</td>
<td>SSO volume (in gallons) per 1,000 people served per year</td>
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<td>SSO</td>
<td>Sanitary sewer overflow</td>
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<td>CIWQS online SSO database</td>
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<td>Statewide Permit</td>
<td>Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, State Board Order No. 2006-0003-DWQ</td>
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<td>US DOJ</td>
<td>U.S. Department of Justice</td>
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<td>WDRs</td>
<td>Waste Discharge Requirements</td>
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I. Explanation of information contained in summaries

A. Agency information

For each targeted collection system agency, we provide the following information, derived from legal documents (for citizen enforcement actions, see Chapter 5 of the main report) or the SSO Database (for the remaining items) see Chapter 8.A and B of the main report). Where applicable, more than 1 collection system is included for a collection system agency.

- **Citizen enforcement actions** — Lawsuits, pre-litigation settlements, and outstanding NOIs through June 2015
- **Region** — Regional Water Quality Control Board region for collection system
- **WDID** — Collection system waste discharger identification number
- **Annual O&M budget** — Annual collection system operation and maintenance budget, as of June 8, 2015
- **Annual capital expenditure budget** — Annual collection system capital expenditure budget, as of June 8, 2015
- **Population served** — As of June 8, 2015
- **System length** — Total miles of sewer (mains + laterals) included in the collection system, as of June 8, 2015 (total miles of laterals included is shown in parentheses)
- **Lateral connection(s)** — Number of service lateral connections to the sanitary sewer system, as of June 8, 2015
- **Water crossing(s)** — Number of locations where a sewer main crosses over or under a surface water body, as of June 8, 2015
- **Total # SSOs** — Total number of SSOs reported to the SSO Database from the date reporting was first required by the Statewide Permit through October 31, 2015 (total number of SSOs reported as reaching surface water is shown in parentheses)
- **Total SSO volume** — Total volume of SSOs, in gallons, reported to the SSO Database from the date reporting was first required by the Statewide Permit through October 31, 2015 (total volume of SSOs reported as reaching surface water is shown in parentheses)
- **Overall spill rate** — Total number of SSOs reported from the date reporting was first required by the Statewide Permit through October 31, 2015, per 100 miles per year (spill rate for SSOs reported as reaching surface water is shown in parentheses)
- **Overall spill volume rate** — Total volume of SSOs reported from the date reporting was first required by the Statewide Permit through October 31, 2015, per 1,000 people served per year (spill volume rate for SSOs reported as reaching surface water is shown in parentheses)

B. Chart

The chart graphically displays 5 forms of data plotted through time. The label for each year is centered on January 1. SSO data and spill rate calculations are described in Chapter 8.A and B of the main report.

1. **SSO occurrence** — The band resembling a barcode at the top of each chart is a “rug plot” that displays a thin line for each SSO reported to the SSO database between the time reporting was first required for the system and December 18, 2015. It provides a quick visual overview of the change in SSO frequency over time.

2. **Monthly variation in spill rate** — The panel below the rug plot charts changes in monthly spill rate (presented in units of SSOs per 100 miles of collection system per year) from the time reporting was first required for the system through October 2015. *NOTE*: The scale varies from figure to figure.

3. **SSO volume** — Each point in the main panel represents the volume of an SSO reported to the SSO database between the time reporting was first required for the system and December 18, 2015. Brown diamonds (♦) denote SSOs identified as reaching surface water in the SSO database (Category 1 SSOs). Black circles (•) denote Category 2 and Category 3 SSOs. (See Chapter 2.B.1.c of the main report.) *NOTES*: The scale varies substantially from figure to figure. Some figures with 1 or 2 very large spills are shown with truncated axes (scaled for easier viewing of the remaining volume variation). In these cases, off-scale SSOs are indicated with text and arrows.
4. **Precipitation** — To provide context for understanding wet weather’s potential influence on inflow and infiltration into the collection system, the blue curve in the main panel represents smoothed local precipitation data. Precipitation data were downloaded from Daymet using the Single Pixel Extraction Tool. *Single Pixel Extraction Tool, Daymet, [http://daymet.ornl.gov/singlepixel.html](http://daymet.ornl.gov/singlepixel.html) (last visited July 28, 2015).* For each targeted collection system, we used the latitude and longitude of an SSO event to extract daily precipitation data for that point for the period from January 1, 2007, to December 31, 2014. Precipitation data were plotted using local polynomial regression fitting (loess curve). This creates a smoothed visualization of precipitation by season, but does not show the magnitude of wet-weather events on a daily basis. *NOTE: The scale is constant from figure to figure, allowing direct comparison of precipitation between charts.*

5. **Citizen and government enforcement dates** — The following are indicated in the main panel, as applicable:
   - NOI and supplemental NOI dates, through June 2015
   - Filing dates for complaints and amended complaints, through June 2015
   - Effective dates of settlement agreements / consent decrees, through June 2015
   - Settlement agreement / consent decree duration, determined through June 2015
   - Termination dates of settlement agreements / consent decrees, determined through June 2015
   - Effective dates of formal government enforcement actions related to SSOs (see Chapter 7 of the main report)

   *NOTE: Dates for developments after June 2015 are not reflected in the chart.*

C. **Time line of citizen and government enforcement action(s)**

Below the charts, we include time lines of SSO-related citizen and government enforcement actions we identified from approximately 1990 through June 2015. The actions are color-coded as follows:

- **Purple text** — NOIs and supplemental NOIs, through June 2015
- **Orange text** — Complaints and amended complaints, through June 2015
- **Red text** — Effective dates of settlement agreements / consent decrees, through June 2015
- **Brown text** — Termination dates of settlement agreements / consent decrees, determined through June 2015
- **Green text** — Court orders, through June 2015
- **Blue text** — Effective dates of formal government enforcement actions related to SSOs, through June 2015
- **Black text** — Other actions by the parties
- **Gray text** — Non-enforcement actions by regulators

*NOTE: We include developments reflected in the Bloomberg Law Litigation & Dockets database (see Chapter 5.A.1 of the main report) that occurred after June 2015 for those enforcement actions that remained unresolved at that time. These developments are highlighted in yellow.*

D. **Injunctive settlement terms and monetary payments**

Below the time lines, we list the subcategories of settlement terms included in each settlement agreement and the amount for each of the 5 main categories and total for monetary payments. (See Chapter 6 of the main report.)
II. Citizen enforcement information summaries

A. Government-initiated enforcement actions with citizen intervenors (by collection system agency)

1. East Bay Municipal Utility District

Lawsuit: United States of America, People of the State of California ex rel., California State Water Resources Control Board, San Francisco Bay Regional Water Quality Control Board v. East Bay Municipal Utility District; No. 3:09-cv-00186 (N.D. Cal.); Citizen intervenors: San Francisco Baykeeper and Our Children’s Earth Foundation

Region: 2  
Annual O&M budget: $2,345,000  
Population served: 650,000  
Lateral connection(s): 0  
Total # SSOS: 8 (6 reaching surface water)  
Overall spill rate: 2.5 (1.9) SSOs/100 mi/yr

WDID: 2SSO10131  
Annual capital expenditure budget: $7,900,000  
System length: 38 mi (0 mi laterals)  
Water crossing(s): 11  
Total SSO volume: 273,040 gal (266,620 gal reaching surface water)  
Overall spill volume rate: 49 (48) gal/1000 capita/yr
TIME LINE

8/19/1992 CDO R2-1992-0096 (re: wet weather facilities)
9/13/2006 ACL Complaint R2-2006-0028 (re: 10.6 million gallon SSO from wet weather facility on 12/18/2005; $314,000; $286,000 suspended pending completion of SEP)
5/1/2007 The State Board determined that discharges from the District’s wet weather facilities needed to comply with CWA standards for sewage treatment facilities and told the Regional Board to issue new permit consistent with this determination. (Order WQ 2007-004)
1/9/2009 Stipulated order for preliminary relief signed by parties
1/14/2009 Regional Board issued new NPDES permit prohibiting discharges from the WWFs (R2-2009-0004)
1/15/2009 Complaint filed by government plaintiffs (re: 4 SSOs to waters of the United States, wet weather facility discharge and effluent limitation violations, and treatment plant effluent limitation violations)
1/20/2009 CDO R2-2009-0005 (re: wet weather facilities)
1/27/2009 Notice of lodging of stipulated order for preliminary relief published in Federal Register (comments were accepted until 2/27/2009); it included measures the District must take to begin curtailing discharges from its wet weather facilities
2/5/2009 MOTION to intervene, by San Francisco Baykeeper and Our Children’s Earth Foundation
2/25/2009 ORDER vacating stipulated order for preliminary relief (due to outstanding comment period)
3/4/2009 ORDER granting motion to intervene
6/24/2009 UNOPPOSED MOTION to enter stipulated order for preliminary relief; stipulation and proposed order amending stipulated order for preliminary relief
6/29/2009 ORDER granting stipulation amending stipulated order for preliminary relief
7/22/2009 ORDER granting unopposed motion to enter stipulated order for preliminary relief
7/22/2009 EFFECTIVE DATE of stipulated order for preliminary relief
2/9/2010 The District adopted a Regional Sewer Lateral Ordinance that (1) set standards for the performance of upper sewer laterals, (2) established requirements for the testing of sewer laterals, and (3) established requirements for the repair or rehabilitation of defective sewer laterals to eliminate Infiltration.
7/19/2010 ACL Complaint R2-2010-0068 (settled in R2-2011-0025)
9/12/2011 NOTICE of nonmaterial modification to stipulated order for preliminary relief

In common with satellite collection systems case (3:09-cv-05684) due to consolidation:
5/20/2013 STIPULATION AND ORDER consolidating related cases (this case + the satellite collection systems case)
11/15/2013 Case referred to magistrate judge for settlement
7/20/2014 Final consent decree signed by parties
9/9/2014 CONSENT MOTION to approve consent judgment
9/22/2014 FINAL CONSENT DECREED ORDER
9/22/2014 TERMINATION DATE of Stipulated Orders for Preliminary Relief
9/22/2014 EFFECTIVE DATE of Final Consent Decree
12/15/2036 EXPECTED TERMINATION DATE of Final Consent Decree (approximate)

Injunctive settlement terms
- Field inspection
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Private sewer lateral inspection / replacement ordinance
- Private sewer lateral public education
- Provisions related to non-SSO claims

Monetary payments
- Attorneys’ fees and other costs $280,000
- Settlement compliance monitoring $30,000
- SEP payments -
- Private sewer lateral grant / loan program -
- Civil penalties $201,600
- TOTAL $511,600
2. East Bay Municipal Utility District's 7 satellite collection systems

**Lawsuit:** United States of America v. City of Alameda, City of Albany, City of Berkeley, City of Emeryville, City of Oakland, City of Piedmont & Stege Sanitary District; No. 3:09-cv-05684 (N.D. Cal.); **Citizen intervenor:** San Francisco Baykeeper

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<th>City Name</th>
<th>Annual O&amp;M budget</th>
<th>Population served</th>
<th>Lateral connection(s)</th>
<th>Total # SSOs</th>
<th>Overall spill rate</th>
<th>Region</th>
<th>WDID</th>
<th>Annual capital expenditure budget</th>
<th>System length</th>
<th>Water crossing(s)</th>
<th>Total SSO volume</th>
<th>Overall spill volume rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Alameda</td>
<td>$3,100,000</td>
<td>76,419</td>
<td>18,510</td>
<td>57 (19 reaching surface water)</td>
<td>5.0 (1.7) SSOs/100 mi/yr</td>
<td>2</td>
<td>2SSO10087</td>
<td>$9,100,000</td>
<td>135 mi (1 mi laterals)</td>
<td>0</td>
<td>15,133 gal (2,949 gal reaching surface water)</td>
<td>23 (4.5) gal/1000 capita/yr</td>
</tr>
<tr>
<td>City of Albany</td>
<td>$1,155,000</td>
<td>18,500</td>
<td>4,600</td>
<td>192 (10 reaching surface water)</td>
<td>49 (2.6) SSOs/100 mi/yr</td>
<td>2</td>
<td>2SSO10088</td>
<td>$1,500,000</td>
<td>46 mi (14 mi laterals)</td>
<td>0</td>
<td>13,269 gal (1,251 gal reaching surface water)</td>
<td>84 (8.0) gal/1000 capita/yr</td>
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<tr>
<td>City of Berkeley</td>
<td>$4,680,000</td>
<td>112,580</td>
<td>31,600</td>
<td>223 (97 reaching surface water)</td>
<td>6.8 (3.0) SSOs/100 mi/yr</td>
<td>2</td>
<td>2SSO10096</td>
<td>$7,700,000</td>
<td>384.6 mi (130 mi laterals)</td>
<td>33</td>
<td>90,669 gal (68,525 gal reaching surface water)</td>
<td>95 (72) gal/1000 capita/yr</td>
</tr>
<tr>
<td>City of Emeryville</td>
<td>$838,383</td>
<td>10,335</td>
<td>1,100</td>
<td>6 (6 reaching surface water)</td>
<td>4.5 (4.5) SSOs/100 mi/yr</td>
<td>2</td>
<td>2SSO10133</td>
<td>$1,000,000</td>
<td>15.7 mi (0 mi laterals)</td>
<td>1</td>
<td>8,760 gal (8,760 gal reaching surface water)</td>
<td>100 (100) gal/1000 capita/yr</td>
</tr>
<tr>
<td>City of Oakland</td>
<td>$21,200,000</td>
<td>400,000</td>
<td>101,000</td>
<td>1,096 (201 reaching surface water)</td>
<td>14 (2.6) SSOs/100 mi/yr</td>
<td>2</td>
<td>2SSO11204</td>
<td>$18,000,000</td>
<td>920.2 mi (0 mi laterals)</td>
<td>2</td>
<td>1,675,122 gal (913,279 gal reaching surface water)</td>
<td>493 (269) gal/1000 capita/yr</td>
</tr>
<tr>
<td>City of Piedmont</td>
<td>$504,000</td>
<td>11,000</td>
<td>3,875</td>
<td>38 (9 reaching surface water)</td>
<td>8.8 (2.1) SSOs/100 mi/yr</td>
<td>2</td>
<td>2SSO10166</td>
<td>$648,000</td>
<td>50.9 mi (0 mi laterals)</td>
<td>8</td>
<td>25,158 gal (7,922 gal reaching surface water)</td>
<td>269 (85) gal/1000 capita/yr</td>
</tr>
<tr>
<td>Stege Sanitary District</td>
<td>$2,543,260</td>
<td>33,000</td>
<td>13,000</td>
<td>129 (29 reaching surface water)</td>
<td>10 (2.3) SSOs/100 mi/yr</td>
<td>2</td>
<td>2SSO10198</td>
<td>$1,948,200</td>
<td>148 mi (0 mi laterals)</td>
<td>0</td>
<td>69,890 gal (55,984 gal reaching surface water)</td>
<td>249 (200) gal/1000 capita/yr</td>
</tr>
</tbody>
</table>
City of Alameda

City of Albany

Citizen Enforcement and Sanitary Sewer Overflows in California

BERKELEY LAW | WHEELER WATER INSTITUTE AT CLEE
Citizen Enforcement and Sanitary Sewer Overflows in California

City of Berkeley

City of Emeryville

SSO volume (gallons)

Precipitation (mm / day)

Spill rate

(# of SSOs / 100 mi / year)
City of Oakland

City of Piedmont

Spill rate
(
num SSOs / 100 mi / year)

SSO volume (gallons)

Precipitation (mm / day)

(loess curve)
TIME LINE

3/17/2004 The Regional Board issued NPDES permits to East Bay Municipal Utility District’s 7 satellite collection systems
10/5/2009 NOI: City of Berkeley, by Our Children’s Earth Foundation
10/7/2009 NOIs: City of Alameda, City of Albany, by Our Children’s Earth Foundation
10/9/2009 NOIs: City of Oakland, City of Piedmont, by Our Children’s Earth Foundation
11/18/2009 The Regional Board reissued NPDES permits to East Bay Municipal Utility District’s 7 satellite collection systems, prohibiting them from causing or contributing to discharges from the District’s wet weather facilities.
12/3/2009 Complaint filed by United States (re: SSOs to surface waters and SSO-related violations of NPDES permits)
12/22/2009 MOTION to intervene by San Francisco Baykeeper
12/23/2009 ORDER relating this case and 3:09-cv-00186 (v. East Bay Municipal Utility District (EBMUD))
1/22/2010 ORDER granting motion to intervene
1/28/2010 Intervenor complaint filed (re: SSOs and related violations of NPDES permits, violations of regional MS4 permit)
8/27/2010 STIPULATION AND ORDER to withdraw intervention opposition, accept service, and limit claims in intervention
3/8/2011 Stipulated order for preliminary relief signed by the parties
3/15/2011 1st amended complaint by United States
3/15/2011 NOTICE of lodging of proposed stipulated order for preliminary relief
8/4/2011 UNOPPOSED MOTION to enter stipulated order for preliminary relief
9/6/2011 STIPULATION AND ORDER for preliminary relief
9/6/2011 EFFECTIVE DATE of stipulation and order for preliminary relief

In common with EBMUD case (3:09-cv-00186):
5/20/2013 STIPULATION AND ORDER consolidating related cases
11/15/2013 Case referred to magistrate judge for settlement
7/20/2014 Final consent decree signed by the parties
9/9/2014 CONSENT MOTION to approve the consent judgment
9/22/2014 FINAL CONSENT DECREE ORDER
9/22/2014 TERMINATION DATE of Stipulated Orders for Preliminary Relief
9/22/2014 EFFECTIVE DATE of Final Consent Decree
12/15/2036 EXPECTED TERMINATION DATE of Final Consent Decree (approximate)
<table>
<thead>
<tr>
<th>Injunctive settlement terms</th>
<th>Monetary payments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following varied from system to system:</td>
<td>Same as for East Bay Municipal Utility District (A.1, above)</td>
</tr>
<tr>
<td>· Computerized maintenance management system (CMMS)</td>
<td></td>
</tr>
<tr>
<td>· Geographic information systems (GIS)</td>
<td></td>
</tr>
<tr>
<td>· System inventory (mapping and gathering attribute data)</td>
<td></td>
</tr>
<tr>
<td>· Field inspection</td>
<td></td>
</tr>
<tr>
<td>· Condition rating / assessment</td>
<td></td>
</tr>
<tr>
<td>· Flow monitoring / metering</td>
<td></td>
</tr>
<tr>
<td>· Hydraulic and hydrologic modeling / analysis</td>
<td></td>
</tr>
<tr>
<td>· Collection system cleaning</td>
<td></td>
</tr>
<tr>
<td>· Enhanced / hot-spot cleaning</td>
<td></td>
</tr>
<tr>
<td>· Root control program</td>
<td></td>
</tr>
<tr>
<td>· Cleaning quality assurance / quality control</td>
<td></td>
</tr>
<tr>
<td>· Repair, rehabilitation, and replacement, as part of an asset management program</td>
<td></td>
</tr>
<tr>
<td>· Capital improvement projects and/or planning</td>
<td></td>
</tr>
<tr>
<td>· Staffing</td>
<td></td>
</tr>
<tr>
<td>· New FOG ordinance or program</td>
<td></td>
</tr>
<tr>
<td>· Identification / removal of inappropriate connections (inflow reduction)</td>
<td></td>
</tr>
<tr>
<td>· SSO response protocol development / updating</td>
<td></td>
</tr>
<tr>
<td>· Enhanced SSO event recording / reporting</td>
<td></td>
</tr>
<tr>
<td>· SSO cleanup / remediation</td>
<td></td>
</tr>
<tr>
<td>· Private sewer lateral inspection / replacement ordinance</td>
<td></td>
</tr>
<tr>
<td>· Private sewer lateral SSO response and/or maintenance</td>
<td></td>
</tr>
</tbody>
</table>
B. Citizen-initiated enforcement actions (by collection system agency)

1. City of American Canyon

Lawsuit: *Northern California River Watch v. City of American Canyon; No. 3:12-cv-04600 (N.D. Cal.)*

Region: 2
Annual O&M budget: $407,631
Annual capital expenditure budget: $917,000
Population served: 19,454
System length: 53.5 mi (26 mi laterals)
Lateral connection(s): 4,600
Water crossing(s): 5
Total # SSOs: 13 (2 reaching surface water)
Overall spill rate: 2.9 (0.4) SSOs/100 mi/yr
Overall spill volume rate: 341 (76) gal/1000 capita/yr

---

**TIME LINE**

- **5/1/2012** NOI (re: 8 reported SSOs, continuous exfiltration, and monitoring / reporting violations from 5/1/2007 to 5/1/2012)
- **6/11/2012** Meeting of counsel and City staff
- **8/31/2012** Complaint filed
- **11/29/2012** Answer filed
- **1/2/2013** STIPULATION AND ORDER SELECTING ADR PROCESS
- **2/25/2013** ENE session held; case settled
- **2/28/2013** ORDER of dismissal (based on “[t]he Court having been advised that the parties have agreed to a settlement of this case,” with the caveat that the court would vacate the order if any party certified within 60 days that “the agreed consideration for said settlement has not been delivered over”)
- **4/26/2013** NOTICE by plaintiff requesting that the court vacate the Order of Dismissal (because the defendant had not yet executed the settlement agreement)
- **4/26/2013** EFFECTIVE DATE of settlement agreement (date signed by parties)
- **4/30/2013** NOTICE by plaintiff withdrawing the request to vacate the Order of Dismissal
- **4/26/2018** EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)
2. City of Antioch

Pre-litigation settlement: Northern California River Watch + City of Antioch (2013)

- Region: 5
- Annual O&M budget: $3,366,896
- Population served: 106,455
- Lateral connection(s): 31,040
- Total # SSOS: 361 (7 reaching surface water)
- Overall spill rate: 9.0 (0.2) SSOs/100 mi/yr

City of Antioch

![Graph showing Spill rate and SSO volume over time]

Monetary payments

- Attorneys’ fees and other costs: $35,000
- Settlement compliance monitoring:
- SEP payments:
- Private sewer lateral grant / loan program: $50,000
- Civil penalties:
- TOTAL: $85,000

Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- SSO event impact evaluation
- Private sewer lateral grant / loan program

City of Antioch

![Graph showing Spill rate and SSO volume over time]

- Annual capital expenditure budget: $1,300,000
- System length: 493.8 mi (176.3 mi laterals)
- Water crossing(s): 36
- Total SSO volume: 666,032 gal (21,893 gal reaching surface water)
- Overall spill volume rate: 766 (25) gal/1000 capita/yr

City of Antioch

![Graph showing Spill rate and SSO volume over time]
### Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- Private sewer lateral inspection / replacement ordinance

### Monetary payments

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$35,000</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>-</td>
</tr>
<tr>
<td>SEP payments</td>
<td>-</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$35,000</strong></td>
</tr>
</tbody>
</table>
3. City of Arcata

Pre-litigation settlement: Northern California River Watch + City of Arcata (2010)

Region: 1
Annual O&M budget: $750,000
Population served: 16,000
Lateral connection(s): 5,420
Total # SSOs: 107 (39 reaching surface water)
Overall spill rate: 13.4 (4.9) SSOs/100 mi/yr

WDID: 1SSO10001
Annual capital expenditure budget: $250,000
System length: 94 mi (31 mi laterals)
Water crossing(s): 3
Total SSO volume: 81,148 gal (47,744 gal reaching surface water)
Overall spill volume rate: 597 (351) gal/1000 capita/yr

**City of Arcata**

![Graph showing City of Arcata's SSO events and precipitation]

**TIME LINE**

- **7/30/2007**: ACL Complaint R1-2007-0064 (settled in R1-2008-0048)
- **6/16/2008**: ACL Order R1-2008-0048 adopted (re: 17 SSOs, from 6/22/2004 to 3/31/2007; $104,000; $50,500 suspended pending completion of SEP (culvert replacement and habitat restoration) and two collection system projects (Pickwick containment project and manhole rehabilitation)
- **8/3/2009**: NOI (re: 125 SSOs, continuous exfiltration, effluent limitations violations, pretreatment program violations, and monitoring / reporting violations from 8/1/2004 to 8/1/2009)
- **2/9/2010**: EFFECTIVE DATE of settlement agreement (date signed by parties)
- **5/19/2010**: ACL Complaint R1-2010-0056 (re: 5 SSOs from, 10/10/2007 to 2/26/2009, and other issues)
- **2/9/2015**: TERMINATION DATE of settlement agreement (unless collection system activities were completed sooner)

**Injunctive settlement terms**
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO cleanup / remediation
- Private sewer lateral inspection / replacement ordinance

**Monetary payments**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$30,000</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>-</td>
</tr>
<tr>
<td>SEP payments</td>
<td>-</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$30,000</strong></td>
</tr>
</tbody>
</table>
4. City of Beaumont

**Outstanding NOI:** From California River Watch (2014), still outstanding as of March 2016

**Region:** 8  
**Annual O&M budget:** $3,110,000  
**Population served:** 35,000  
**Lateral connection(s):** 11,179  
**Total # SSOs:** 30 (10 reaching surface water)  
**Overall spill rate:** 2.1 (0.7) SSOs/100 mi/yr

**WDID:** 8SSO10543  
**Annual capital expenditure budget:** $3,000,000  
**System length:** 163 mi (0 mi laterals)  
**Water crossing(s):** 28  
**Total SSO volume:** 427,622 gal (224,910 gal reaching surface water)  
**Overall spill volume rate:** 1,384 (728) gal/1000 capita/yr

**City of Beaumont**

**Spill rate**  
(# of SSOs/100 mi/year)

**SSO volume (gallons)**

**Precipitation (mm/day)**

**Spill rate**  
(# of SSOs/100 mi/year)

**TIME LINE**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/19/2009</td>
<td>ACL Complaint R8-2009-0068 (settled in R8-2010-0022)</td>
</tr>
<tr>
<td>4/15/2010</td>
<td>ACL Complaint R8-2010-0007 (settled in R8-2010-0022)</td>
</tr>
<tr>
<td>7/2/2010</td>
<td>ACL Order R8-2010-0022 adopted (re: 9 SSOs from Mar. to Sept. 2009 and Dec. 2009, totaling ~ 534,700 gal to surface waters; $210,900, $105,450 suspended pending completion of SEP; UC Riverside researchers to detect septic system waste in the Beaumont Groundwater Management Zone using chemical and isotopic tracers)</td>
</tr>
<tr>
<td>12/12/2014</td>
<td>NOI (re: 13 SSOs (including 221,160 gal reaching surface water), exfiltration, effluent limitations violations, and monitoring / reporting violations from 12/11/2009 to 12/11/2014)</td>
</tr>
</tbody>
</table>
5. City of Benicia

Pre-litigation settlement: Northern California River Watch + City of Benicia (2012)

Injunctive settlement terms:
- Field inspection
- Condition rating / assessment
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- Private sewer lateral inspection / replacement ordinance

Monetary payments:
- Attorneys’ fees and other costs: $45,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $45,000

TIME LINE

6/4/2012 NOI (re: 74 SSOs (including 13,276 gal reaching surface water), continuous exfiltration, and monitoring / reporting violations, from 6/1/2007 to 6/1/2012)

10/5/2012 EFFECTIVE DATE of settlement agreement (date signed by parties)

10/15/2017 EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)
6. Blue Lake Wastewater Treatment Facility

**Outstanding NOI:** From California River Watch (2011), still outstanding as of March 2016

- **Region:** 1
- **Annual O&M budget:** $77,000
- **Population served:** 1,255
- **Lateral connection(s):** 500
- **Total # SSOs:** 2 (1 reaching surface water)
- **Overall spill rate:** 6.7 (3.4) SSOs/100 mi/yr

<table>
<thead>
<tr>
<th>WDID: 1SSO11752</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Annual capital expenditure budget:</strong> $120,000</td>
</tr>
<tr>
<td><strong>System length:</strong> 3.5 mi (0.5 mi laterals)</td>
</tr>
<tr>
<td><strong>Water crossing(s):</strong> 4</td>
</tr>
<tr>
<td><strong>Total SSO volume:</strong> 1,000 gal (500 gal reaching surface water)</td>
</tr>
<tr>
<td><strong>Overall spill volume rate:</strong> 94 (47) gal/1000 capita/yr</td>
</tr>
</tbody>
</table>

**TIME LINE**

4/4/2011  NOI (re: continuous discharges from percolation ponds to the Mad River via underground hydrologic connections without an NPDES permit, SSOs, and continuous exfiltration, from 4/2/2006 to 4/2/2011)
7. Bodega Bay Public Utility District

Pre-litigation settlement: Northern California River Watch + Bodega Bay Public Utility District (2012)

- Region: 1
- Annual O&M budget: $2,616,500
- Population served: 2,625
- Lateral connection(s): 1,006
- Total # SSOs: 6 (1 reaching surface water)
- Overall spill rate: 4.2 (0.7) SSOs/100 mi/yr

WDID: 1SSO10003
- Annual capital expenditure budget: $200,000
- System length: 17 mi (0 mi laterals)
- Water crossing(s): 0
- Total SSO volume: 3,280 gal (1,000 gal reaching surface water)
- Overall spill volume rate: 147 (45) gal/1000 capita/yr

**Bodega Bay Public Utility District**

![Graph showing SSO volume and precipitation](image)

**TIME LINE**

- **2/11/2011** NOI (CWA, re: 250 SSOs, continuous exfiltration, continuous discharges from hydrologically connect storage ponds to water of the United States, storage pond overflows, and runoff from spray disposal, from 2/1/2006 to 2/1/2011)
- **2/11/2011** NOI (Endangered Species Act, re: dewatering and pollution of critical habitat resulting in take of endangered salmonids)
- **2/23/2011** NOI (Safe Drinking Water Act, re: failure to meet drinking water standards (Maximum Contaminant Levels) for iron and manganese)
- **2/23/2011** NOI (California Coastal Act, re: failure to comply with permitting requirements for development)
- **1/9/2012** EFFECTIVE DATE of settlement agreement (date signed by parties)
- **1/9/2017** EXPECTED TERMINATION DATE of settlement agreement

**Injunctive settlement terms**

- Field inspection
- Hydraulic and hydrologic modeling / analysis
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- SSO event volume estimation improvements
- SSO cleanup / remediation
- Provisions related to non-SSO claims

**Monetary payments**

- Attorneys’ fees and other costs $45,000
- Settlement compliance monitoring -
- SEP payments -
- Private sewer lateral grant / loan program -
- Civil penalties -
- **TOTAL** $45,000
8. Brooktrails Township Community Services District

Pre-litigation settlement: Northern California River Watch + Brooktrails Township Community Services District (2011)

Region: 1
Annual O&M budget: $1,275,843
Population served: 3,047
Lateral connection(s): 1,325
Total # SSOs: 62 (8 reaching surface water)
Overall spill rate: 10.4 (1.3) SSOs/100 mi/yr

WDID: 1SSO11441
Annual capital expenditure budget: $30,000
System length: 70 mi (15 mi laterals)
Water crossing(s): 2
Total SSO volume: 22,453 gal (13,899 gal reaching surface water)
Overall spill volume rate: 867 (537) gal/1000 capita/yr

**Injunctive settlement terms**
- Flow monitoring / metering
- Training
- Water quality monitoring / study, related to SSOs
- Private sewer lateral inspection / replacement ordinance
- **SEP**: $10,000 smart manholes; $10,000 ($2,500/yr x 4 years) for sub-consultant for annual environmental compliance audit, training session, and smart manhole location assistance

**Monetary payments**
- Attorneys’ fees and other costs: $19,000
- Settlement compliance monitoring: -
- SEP payments: $20,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- **TOTAL**: $39,000

**TIME LINE**

10/1/2010 NOI (re: 115 SSOs (37 reported), continuous exfiltration, and failure to report SSOs, from 10/1/2005 to 10/1/2010)
2/15/2011 EFFECTIVE DATE of settlement agreement (date signed by parties)
2/15/2015 TERMINATION DATE of settlement agreement
9. City of Burlingame

**Lawsuit:** San Francisco Baykeeper v. City of Burlingame & Veolia Water North America Operating Services; No. 4:08-cv-00895 (N.D. Cal.)

**Region:** 2  
**Annual O&M budget:** $4,122,007  
**Population served:** 28,158  
**Lateral connection(s):** 8,486  
**Total # SSOs:** 344 (17 reaching surface water)  
**Overall spill rate:** 34 (1.7) SSOs/100 mi/yr  
**WDID:** 2SSO10099  
**Annual capital expenditure budget:** $3,000,000  
**System length:** 118.4 mi (31 mi laterals)  
**Water crossing(s):** 4  
**Total SSO volume:** 126,081 gal (107,000 gal reaching surface water)  
**Overall spill volume rate:** 527 (447) gal/1000 capita/yr

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**TIME LINE**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/22/2007</td>
<td>NOI (re: 198 SSOs (including at least 17 to the MS4, in violation of MS4 permit), discharge of inadequately treated sewage (bypass), and monitoring / reporting violations, from 10/22/2002 to 10/22/2007)</td>
</tr>
<tr>
<td>11/19/2007</td>
<td>Supplemental NOI</td>
</tr>
<tr>
<td>2/11/2008</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>6/30/2008</td>
<td>ORDER referring case to magistrate judge for settlement</td>
</tr>
<tr>
<td>7/11/2008</td>
<td>2nd supplemental NOI (to Veolia only)</td>
</tr>
<tr>
<td>8/20/2008</td>
<td>Consent decree signed by parties</td>
</tr>
<tr>
<td>8/20/2008</td>
<td>NOTICE of tentative settlement agreement, by plaintiff</td>
</tr>
<tr>
<td>9/11/2008</td>
<td>US DOJ letter (stating that agreement is under review)</td>
</tr>
<tr>
<td>10/3/2008</td>
<td>US DOJ letter (CONVEYING NO OBJECTION)</td>
</tr>
<tr>
<td>10/3/2008</td>
<td>NOTICE of completion of review period and request for entry of settlement, by plaintiff</td>
</tr>
<tr>
<td>10/6/2008</td>
<td>ORDER granting request for entry of settlement and consent decree</td>
</tr>
<tr>
<td>10/6/2008</td>
<td>EFFECTIVE DATE of consent decree</td>
</tr>
<tr>
<td>10/6/2018</td>
<td>EXPECTED TERMINATION DATE of consent decree</td>
</tr>
</tbody>
</table>
10. Burlingame Hills Sewer Maintenance District

**Lawsuit:** San Francisco Baykeeper v. San Mateo County & Burlingame Hills Sewer Maintenance District; No. 3:08-cv-03951 (N.D. Cal.)

<table>
<thead>
<tr>
<th>Region</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual O&amp;M budget</td>
<td>$612,742</td>
</tr>
<tr>
<td>WDID</td>
<td>2SSO10224</td>
</tr>
<tr>
<td>Annual capital expenditure budget</td>
<td>$0</td>
</tr>
<tr>
<td>Population served</td>
<td>2,556</td>
</tr>
<tr>
<td>System length</td>
<td>6.7 mi (0 mi laterals)</td>
</tr>
<tr>
<td>Lateral connection(s)</td>
<td>423</td>
</tr>
<tr>
<td>Water crossing(s)</td>
<td>8</td>
</tr>
<tr>
<td>Total # SSOs</td>
<td>42 (16 reaching surface water)</td>
</tr>
<tr>
<td>Total SSO volume</td>
<td>32,326 gal (25,923 gal reaching surface water)</td>
</tr>
<tr>
<td>Overall spill rate</td>
<td>74 (28) SSOs/100 mi/yr</td>
</tr>
<tr>
<td>Overall spill volume rate</td>
<td>1,488 (1,193) gal/1000 capita/yr</td>
</tr>
</tbody>
</table>

**Injunctive settlement terms**
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach
- Inspection after SSOs
- Private sewer lateral SSO response and/or maintenance
- Provisions related to non-SSO claims
- **SEP:** $250,000 for activities that will benefit the San Francisco Bay-Delta watershed

**Monetary payments**
- Attorneys’ fees and other costs | $175,000 |
- Settlement compliance monitoring | $50,000 |
- SEP payments | $250,000 |
- Private sewer lateral grant / loan program | - |
- Civil penalties | - |
- **TOTAL** | **$475,000** |
11. City of Carlsbad

**Lawsuit:** California River Watch v. City of Carlsbad; No. 3:14-cv-02812 (S.D. Cal.)

**Region:** 9  
**WDID:** 9SSO11209

**Annual O&M budget:** $12,401,071  
**Annual capital expenditure budget:** $64,751,255

**Population served:** 69,420  
**System length:** 286.8 mi (0 mi laterals)

**Lateral connection(s):** 22,000  
**Water crossing(s):** 2

**Total # SSOs:** 63 (15 reaching surface water)  
**Total SSO volume:** 7,659,249 gal (7,367,031 gal reaching surface water)

**Overall spill rate:** 2.5 (0.6) SSOs/100 mi/yr  
**Overall spill volume rate:** 12,496 (12,019) gal/1000 capita/yr

---

**Injunctive settlement terms**

- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Spill rate performance levels set
- Corrective action plan (if spill rate performance levels not met)
- FOG education and outreach
- FOG program evaluation / updating
- Private sewer lateral inspection / replacement ordinance
- Private sewer lateral public education
- Other private sewer lateral program

**SEPs:** $7,500 for projects that will benefit the San Francisco Bay-Delta watershed; $7,500 towards defendant’s public education efforts

**Monetary payments**

- Attorneys’ fees and other costs $50,000
- Settlement compliance monitoring $9,000
- SEP payments $15,000
- Private sewer lateral grant / loan program -
- Civil penalties -
- **TOTAL** $74,000

---

**TIME LINE**

- **6/5/2008** NOI (re: 30 SSOs (including at least 3 to the MS4, in violation of MS4 permit), contribution to City of Burlingame’s need to bypass during wet weather, and monitoring / reporting violations, from 6/5/2003 to 6/5/2008)
- **8/19/2008** Complaint filed
- **11/12/2008** Answer filed
- **11/20/2008** Amended answer filed
- **1/15/2009** Case referred to mediation
- **2/11/2009** Case referred to magistrate judge for settlement
- **5/7/2009** Consent decree signed by parties
- **5/7/2009** NOTICE of tentative settlement, by plaintiff
- **6/21/2009** EFFECTIVE DATE of consent decree (45th day after US DOJ receipt)
- **6/25/2009** US DOJ letter (no objection, but “somewhat concerned about the fairly general description of the SEP”)
- **6/25/2009** Proposed order consent decree, by plaintiff
- **6/21/2015** EXPECTED TERMINATION DATE of consent decree
**City of Carlsbad**

**TIME LINE**

- **9/10/2008** ACL Order R9-2008-0072 (re: 7.3 million gal SSO from 3/31/2007 to 4/3/2007; $1,095,000; $895,000 suspended pending completion of SEP (habitat restoration projects))
- **7/31/2014** NOI (re: 21 SSOs (including 37,550 gal to surface water), continuous exfiltration, and monitoring / reporting violations, from 7/21/2009 to 7/21/2014)
- **11/25/2014** Complaint filed
- **2/25/2015** EFFECTIVE DATE of settlement agreement (date signed by parties)
- **4/13/2015** US DOJ statement of interest and comments on proposed settlement agreement
- **4/14/2015** ORDER granting joint motion to dismiss action with prejudice
- **2/25/2020** EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)

**Injunctive settlement terms**

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Identification / removal of inappropriate connections (inflow reduction)
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- SSO event impact evaluation
- Private sewer lateral grant/ loan program

**Monetary payments**

- Attorneys’ fees and other costs $35,000
- Settlement compliance monitoring -
- SEP payments -
- Private sewer lateral grant / loan program $250,000
- Civil penalties -
- TOTAL $285,000
12. Central Contra Costa Sanitary District

Pre-litigation settlement: California River Watch + Central Contra Costa Sanitary District (2014)

- Region: 2
- Annual O&M budget: $19,017,983
- Population served: 456,200
- Lateral connection(s): 113,000
- WDID: 2SSO10105
- Annual capital expenditure budget: $12,217,000
- System length: 1,518 mi (0 mi laterals)
- Water crossing(s): 156
- Total # SSOs: 443 (37 reaching surface water)
- Total SSO volume: 242,232 gal (112,926 gal reaching surface water)
- Overall spill rate: 3.4 (0.3) SSOs/100 mi/yr
- Overall spill volume rate: 63 (29) gal/1000 capita/yr

Central Contra Costa Sanitary District

TIME LINE

- 7/7/1998 ACL (re: ~1 million gallon SSO to surface water on 2/12/1998; $55,700)
- 5/3/2005 ACL Complaint R2-2004-0098 (re: 28 SSOs totaling ~ 271,000 gallons to surface waters; $165,000; $155,000 suspended pending completion of SEP)
- 4/4/2013 NOI (re: 250 SSOs (including 37,156 gal to surface water), continuous exfiltration, and monitoring / reporting violations, from 4/1/2008 to 4/1/2013)
- 1/16/2014 EFFECTIVE DATE of settlement agreement (date signed by parties)
- 1/16/2020 EXPECTED TERMINATION DATE of settlement agreement

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- SSO event impact evaluation
- Water quality monitoring / study, related to SSOs
- SEP: $10,000 to Walnut Creek Watershed Council for water-quality related projects

Monetary payments
- Attorneys’ fees and other costs: $45,000
- Settlement compliance monitoring: -
- SEP payments: $10,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $55,000
13. Coachella Valley Water District

Pre-litigation settlement: California River Watch + Coachella Valley Water District (2015)

Region: 7  WDID: 7SSO10535
Annual O&M budget: $3,321,203  Annual capital expenditure budget: $37,583,575
Population served: 270,686  System length: 1,242 mi (0 mi laterals)
Lateral connection(s): 90,344  Water crossing(s): 5
Total # SSOs: 66 (13 reaching surface water)  Total SSO volume: 1,989,454 gal (1,281,415 gal reaching surface water)
Overall spill rate: 0.7 (0.1) SSOs/100 mi/yr  Overall spill volume rate: 900 (580) gal/1000 capita/yr

TIME LINE

2/13/2001  ACL Complaint R7-2001-016 (superceded by R7-2001-093)
2/13/2001  ACL Complaint R7-2001-017 (superceded by R7-2001-091)
2/23/2001 ACL Complaint R7-2001-091 (re: Nov. 2000 SSO totaling 59,400 gal; $57,000; $50,000 suspended pending completion of SEP)
2/23/2001  ACL Complaint R7-2001-093 (re: Dec. 2000 SSO totaling 25,000 gal; $33,000; $30,000 suspended pending completion of project)
2/13/2001  CAOs R7-2001-0092 and R7-2001-0094
2/3/2011  Investigation Order R7-2011-0027 (re: Dec. 2010 SSO totaling 621,977 gal to surface water; $77,742, $38,371 suspended pending completion of enhanced compliance action (trunk sewer rehab))
12/26/2013  ACL Complaint R7-2013-0079 (settled in R7-2014-0050)
6/26/2014 ACL Order No. R7-2014-0050 (re: Dec. 2010 SSO totaling 621,977 gal to surface water; $77,742, $38,371 suspended pending completion of enhanced compliance action (trunk sewer rehab))
11/4/2014  NOI (re: 42 SSOs (including 1,276,915 gal to surface waters / stormwater channels), continuous exfiltration, monitoring / reporting violations, and effluent limitations violations from 11/1/2009 to 11/1/2014)
3/17/2015 EFFECTIVE DATE of settlement agreement (date signed by parties)
3/17/2019 EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)
Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation

Monetary payments
- Attorneys’ fees and other costs $50,000
- Settlement compliance monitoring -
- SEP payments -
- Private sewer lateral grant / loan program -
- Civil penalties -
- TOTAL $50,000

14. Covelo Community Services District

Lawsuit: Northern California River Watch v. Covelo Community Services District; No. 3:01-cv-03737 (N.D. Cal.)

Region: 1
Annual O&M budget: $197,606
Population served: 410
Lateral connection(s): 235
Total # SSOs: 9 (1 reaching surface water)
Overall spill rate: 20 (2.3) SSOs/100 mi/yr

Covelo Community Services District

![Graph showing SSO volume and spill rate over time]
15. City of Crescent City

**Lawsuit:**  *Northern California River Watch v. City of Crescent City; No. 3:01-cv-02973 (N.D. Cal.)*

<table>
<thead>
<tr>
<th>Region</th>
<th>Annual O&amp;M budget</th>
<th>Population served</th>
<th>Lateral connection(s)</th>
<th>Total # SSOs</th>
<th>Overall spill rate</th>
<th>WDID</th>
<th>Annual capital expenditure budget</th>
<th>System length</th>
<th>Water crossing(s)</th>
<th>Total SSO volume</th>
<th>Overall spill volume rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$240,000</td>
<td>5,500</td>
<td>1,500</td>
<td>1 (1 reaching surface water)</td>
<td>0.5 (0.5) SSOs/100 mi/yr</td>
<td>1SSO10022</td>
<td>$20,000</td>
<td>22.7 mi (9 mi laterals)</td>
<td>1</td>
<td>500 gal (150 gal reaching surface water)</td>
<td>11 (3.2) gal/1000 capita/yr</td>
</tr>
</tbody>
</table>
TIME LINE

4/3/2001 NOI (re: 130 SSOs, treatment plant bypasses, effluent limitations violations, receiving water limitations violations, and monitoring / reporting violations from 4/1/1996 to 4/1/2001)
8/1/2001 Complaint filed
10/12/2001 MOTION to dismiss
10/15/2001 MOTION to dismiss for lack of subject matter jurisdiction (deficient NOI + government enforcement (CDOs re: wastewater treatment facility, including elimination of groundwater infiltration)
11/28/2001 ORDER denying motion to dismiss and motion to dismiss for lack of jurisdiction
11/28/2001 Case referred to Mediation
11/30/2001 Case referred to Magistrate Judge for Settlement
12/18/2001 Answer filed
2/20/2002 Clerk's notice appointing early neutral evaluator (ENE)
4/19/2002 Early neutral evaluation session held; case fully settled
7/12/2002 Consent decree signed by parties
7/25/2002 US DOJ letter
9/5/2002 US DOJ letter(s)
9/25/2002 EFFECTIVE DATE of consent decree (date entered)
9/25/2005 TERMINATION DATE of consent decree

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Staffing
- Water quality monitoring / study, related to SSOs
- Provisions related to non-SSO claims
- SEP: $10,000 for compliance audit

Monetary payments
- Attorneys’ fees and other costs: $25,000
- Settlement compliance monitoring: -
- SEP payments: $10,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $35,000
16. Cupertino Sanitary District

Pre-litigation settlement: Northern California River Watch + Cupertino Sanitary District (2012)

**Region:** 2  
**Annual O&M budget:** $9,000,000  
**Population served:** 59,244  
**Lateral connection(s):** 1,000  
**Total # SSOs:** 121 (12 reaching surface water)  
**Overall spill rate:** 4.9 (0.5) SSOs/100 mi/yr  
**Annual capital expenditure budget:** $1,500,000  
**System length:** 289 mi (82 mi laterals)  
**Water crossing(s):** 12  
**Total SSO volume:** 84,108 gal (15,014 gal reaching surface water)  
**Overall spill volume rate:** 167 (30) gal/1000 capita/yr

**TIME LINE**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/2/2012</td>
<td>NOI (CWA, re: 69 SSOs (including 2,515 gal to surface water), continuous exfiltration, and monitoring / reporting violations, from 6/23/2007 to 6/23/2012)</td>
</tr>
<tr>
<td>7/2/2012</td>
<td>NOI (Resource Conservation and Recovery Act, re: SSOs / exfiltration to soil and groundwater)</td>
</tr>
<tr>
<td>8/21/2012</td>
<td>Counsel met</td>
</tr>
<tr>
<td>10/9/2012</td>
<td>EFFECTIVE DATE of settlement agreement (date signed by parties)</td>
</tr>
<tr>
<td>10/9/2019</td>
<td>EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)</td>
</tr>
</tbody>
</table>

**Injunctive settlement terms**

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- Private sewer lateral grant/ loan program
- Other private sewer lateral program

**Monetary payments**

- Attorneys’ fees and other costs $30,000
- Settlement compliance monitoring -
- SEP payments -
- Private sewer lateral grant / loan program $55,000
- Civil penalties -
- **TOTAL** $85,000
17. Delta Diablo Sanitation District

Pre-litigation settlement: Northern California River Watch + Delta Diablo Sanitation District (2013)

| Region: 2 | WDID: 2SSO10127 |
| Annual O&M budget: $575,000 | Annual capital expenditure budget: $1,300,000 |
| Population served: 190,567 | System length: 71 mi (0 mi laterals) |
| Lateral connection(s): 5,309 | Water crossing(s): 64 |
| Total # SSOs: 29 (7 reaching surface water) | Total SSO volume: 208,238 gal (48,400 gal reaching surface water) |
| Overall spill rate: 4.8 (1.2) SSOs/100 mi/yr | Overall spill volume rate: 129 (30) gal/1000 capita/yr |

**TIME LINE**

1/3/2013 NOI (re: 13+ SSOs (including 1,450 gal to surface water), continuous exfiltration, pretreatment program violations, and monitoring / reporting violations, from 1/1/2008 to 1/1/2013)

6/17/2013 EFFECTIVE DATE of settlement agreement (date signed by parties)

3/7/2014 Rose Foundation letter regarding SEP disbursements

6/17/2021 EXPECTED TERMINATION DATE of settlement agreement

**Injunctive settlement terms**

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation

**Monetary payments**

- SEPs: $35,000 to San Francisco Bay Marine Science Institute for water quality monitoring and education programs; $15,000 for water quality-related grant projects implemented within Pittsburg, Antioch, and Bay Point

<table>
<thead>
<tr>
<th>Monetary payments</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys' fees and other costs</td>
<td>$30,000</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>-</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$50,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$80,000</strong></td>
</tr>
</tbody>
</table>
18. Eastern Municipal Water District (2 collection systems)

Lawsuit: California River Watch v. Eastern Municipal Water District; No. 5:15-cv-01079 (C.D. Cal.), ongoing as of the end of June 2015; subsequently dismissed on the parties’ stipulation

Region: 8
Annual O&M budget: $3,197,366
Population served: 570,400
Lateral connection(s): 100,379
Total # SSOs: 41 (16 reaching surface water)
Overall spill rate: 0.4 (0.2) SSOs/100 mi/yr

WDID: 8SSO10617 (Eastern Municipal Water District Collection System)
Annual capital expenditure budget: $18,369,727
System length: 1,144 (0 mi laterals)
Water crossing(s): 1
Total SSO volume: 1,353,923 gal (195,139 gal reaching surface water)
Overall spill volume rate: 269 (39) gal/1000 capita/yr;

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Eastern Municipal Water District (Eastern Municipal Water District Collection System)

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Region: 9
Annual O&M budget: $1,258,444
Population served: 214,700
Lateral connection(s): 55,049
Total # SSOs: 32 (13 reaching surface water)
Overall spill rate: 0.7 (0.3) SSOs/100 mi/yr

WDID: 9SSO10706 (Temecula Valley Regional Collection System)
Annual capital expenditure budget: $25,722,055
System length: 504 mi (0 mi laterals)
Water crossing(s): 1
Total SSO volume: 417,717 gal (52,480 gal reaching surface water)
Overall spill volume rate: 220 (28) gal/1000 capita/yr;
**TIME LINE**

12/12/2007 ACL Order R9-2007-0217 (re: 1,07 million gallon SSO from ruptured force main on 11/14/2006; $53,500)
7/23/2010  ACL Complaint (settled in R9-2011-0010)
1/12/2011  ACL Order R9-2011-0010 (Non-SSO, but SSO related: 1,600,000 gal discharge of raw sewage from the Temecula Valley Regional Water Reclamation Facility headworks in Dec. 2009; $353,200)
1/28/2015  NOI (re: 43 SSOs (including 212,920 gal reaching surface water), continuous exfiltration, effluent limitations violations, and monitoring / reporting violations, from 1/21/2010 to 1/21/2015)
6/2/2015   Complaint filed


**SSO volume (gallons)**

**Spill rate**

[# of SSOs / 100 mi / year]

**Precipitation (mm / day)**

**Eastern Municipal Water District (Temecula Valley Regional Collection System)**


**0 5 10 15**

**0 10 20 30 40 50 60 70 80 90 100**

**0 50,000 100,000 150,000 200,000 250,000 300,000**

**0 3 6 9 12 15**

**Spill rate**

(Stipulation to continue briefing and hearing schedule re Rule 12(b)(1) Motion)

**JUDGMENT entered in favor of the defendant (entry of proposed stipulated judgment)**

8/31/2015  Supplemental NOI
8/31/2015  1st amended complaint filed (removing claims re: exfiltration and effluent limitations violations)
9/23/2015  Answer to 1st amended complaint and jury demand filed
11/30/2015 2nd amended complaint filed (narrowing claims to Eastern Municipal Water District Collection System)
12/14/2015 Scheduling conference: court granted defendant’s request to file a Rule 12(b)(1) motion to dismiss based on lack of Article III standing, and stayed discovery on other issues.
12/31/2016  Answer to 2ns amended complaint filed
12/12/2016 Stipulation to continue briefing and hearing schedule re Rule 12(b)(1) Motion
1/21/2016  Parties served their initial disclosures
2/2 & 2/3/2016 Defendant served deposition notices/subpoenas concerning Article III standing
2/4/2016  Plaintiff served written responses to defendant’s first set of written discovery
2/8/2016  Parties met and conferred by telephone to address discovery issues and deposition scheduling
2/9/2016  Plaintiff informed defendant it wished to voluntarily dismiss the action
2/16/2016 ORDER continuing briefing and hearing schedule re Rule 12(b)(1) Motion
3/17/2016  Stipulation for judgment of dismissal in favor of the defendant
3/22/2016  JUDGMENT entered in favor of the defendant (entry of proposed stipulated judgment)
19. El Dorado Irrigation District (2 collection systems)

Lawsuit: California Sportfishing Protection Alliance v. El Dorado Irrigation District, No. 2:10-cv-00235 (E.D. Cal.)

Region: 5
Annual O&M budget: $2,800,000
Population served: 30,500
Lateral connection(s): 9,366
Total SSOs: 152 (17 reaching surface water)
Overall spill rate: 5.3 (0.6) SSOs/100 mi/yr

WDID: 5SSO10923 (Deer Creek Collection System)
Annual capital expenditure budget: $4,200,000
System length: 348.9 (71.5 mi laterals)
Water crossing(s): 0
Total SSO volume: 42,444 gal (24,055 gal reaching surface water)
Overall spill volume rate: 171 (97) gal/1000 capita/yr

El Dorado Irrigation District (Deer Creek Collection System)

Region: 5
Annual O&M budget: $2,800,000
Population served: 30,200
Lateral connection(s): 11,002
Total SSOs: 66 (14 reaching surface water)
Overall spill rate: 2.2 (0.5) SSOs/100 mi/yr

WDID: 5SSO10941 (El Dorado Hills Collection System)
Annual capital expenditure budget: $4,200,000
System length: 369 mi (63 mi laterals)
Water crossing(s): 0
Total SSO volume: 38,341 gal (8,655 gal reaching surface water)
Overall spill volume rate: 156 (35) gal/1000 capita/yr
TIME LINE

**10/27/2009**  
NOI (re: 233+86 SSOs, effluent limitations violations, receiving water limitations violations, monitoring / reporting violations, etc., from 10/27/2004 to 10/27/2009)

**1/8/2010**  
Writ Notice letter (re: intent to seek a peremptory Writ of Mandate ordering the District to comply with the Statewide Permit and Master Reclamation Permit)

**1/28/2010**  
Complaint filed

**5/25/2010**  
Settlement agreement signed by parties

**7/12/2010**  
US DOJ letter (no objection)

**7/29/2010**  
STIPULATION and ORDER dismissing claims and retaining jurisdiction over the parties through 3/1/16, as qualified in settlement agreement, for sole purpose of enforcing compliance with this order (including settlement agreement)

**7/29/2010**  
EFFECTIVE DATE of settlement agreement

**1/11/2012**  
EARLY TERMINATION of settlement agreement (see Chapter 9.C.1 of the main report for more)

### Injunctive settlement terms
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- Provisions related to non-SSO claims
- SEP: $120,000 for American River Conservancy proposal for Pine Hill Preserve

### Monetary payments
- Attorneys’ fees and other costs: $120,000
- Settlement compliance monitoring: $10,000
- SEP payments: $120,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $250,000
## 20. City of Eureka

**Lawsuit:**  California River Watch v. City of Eureka; No. 3:14-cv-01253 (N.D. Cal.)

| Region: | 1 |
| Annual O&M budget: | $1,592,537 |
| Population served: | 50,000 |
| Lateral connection(s): | 9,600 |
| Total # SSOs: | 36 (26 reaching surface water) |
| Overall spill rate: | 2.4 (1.7) SSOs/100 mi/yr |

| WDID: | 1SSO0014 |
| Annual capital expenditure budget: | $400,000 |
| System length: | 175 mi (45 mi laterals) |
| Water crossing(s): | 3 |
| Total SSO volume: | 153,774 gal (138,828 gal reaching surface water) |
| Overall spill volume rate: | 362 (327) gal/1000 capita/yr |

### City of Eureka

![Graph showing City of Eureka's SSO volume and precipitation over years](image)

- Spill rate: 
  - # of SSOs/100 mi/year

- SSO volume (gallons): 
  - 0–100,000

- Precipitation (mm/day): 
  - 0–15

The graph illustrates the relationship between precipitation and SSO events, highlighting years with notable spill rates and volumes.
TIME LINE

8/22/2006  ACL Complaint R1-2006-0091 (settled in R1-2007-0021)
4/26/2007  ACL Order R1-2007-0021 (re: 29 SSOs totaling > 200,000 gal; $100,000, $57,500 suspended pending completion of sewer/pump station project)
6/12/2008  ACL Order R1-2008-0049 (re: 5 SSOs totaling ~ 98,000 gal and effluent limitations violations from 4/1/2004 to 1/31/2008; $72,000, $46,000 suspended pending completion of sewer project and 2 SEPs for dioxin forum and regional stormwater hotline)
10/6/2009  ACL Complaint R1-2009-0113 (re: 8 SSOs totaling ~ 60 gal to receiving waters, effluent limitations violations, and unauthorized treated wastewater discharge from 2/1/2008 to 7/23/2009; no penalty assessed for SSOs)
5/24/2013  ACL Complaint R1-2013-0037 (settled in R1-2014-0012)
6/28/2013  NOI (re: 20 SSOs, continuous exfiltration, effluent discharge violations, effluent limitations violations, biosolids management violations, and monitoring / reporting violations, from 7/24/2009 to 6/10/2013)
3/18/2014  Complaint filed
4/10/2014  Answer filed
4/22/2014  ACL Order R1-2014-0012 (re: 1 SSO totaling ~ 90,000 gal to surface water in March 2012; $89,122, $42,761 suspended pending completion of SEP (watershed education programs at zoo)
6/9/2014  Case referred to mediation
7/2/2014  Mediator appointed
10/13/2014  Mediation session; case not settled
1/7/2015  Mediation session; case settled
1/9/2015  EFFECTIVE DATE of settlement agreement (date signed by parties)
1/12/2015  STANDBY ORDER OF DISMISSAL
1/14/2015  NOTICE of Settlement and of Pending Review by US DOJ
3/2/2015  US DOJ letter (no objection)
3/3/2015  Stipulation for dismissal
1/9/2025  EXPECTED TERMINATION DATE of settlement agreement

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Repair, rehabilitation, and replacement, as part of an asset management program
- SEP: $15,000 for “monitoring manhole covers”

Monetary payments
- Attorneys’ fees and other costs $45,000
- Settlement compliance monitoring -
- SEP payments $15,000
- Private sewer lateral grant / loan program -
- Civil penalties -
- TOTAL $60,000
21. City of Fort Bragg, Municipal Improvement District No. 1

Lawsuit: Northern California River Watch v. Fort Bragg Municipal Improvement District No. 1 & City of Fort Bragg; No. 3:02-cv-00128 (N.D. Cal.)

Region: 1
Annual O&M budget: $3,500,000
Population served: 7,273
Lateral connection(s): 2,888
Total # SSOs: 35 (13 reaching surface water)
Overall spill rate: 11.6 (4.3) SSOs/100 mi/yr

WDID: 1SSO1467
Annual capital expenditure budget: $843,000
System length: 35.6 mi (8 mi laterals)
Water crossing(s): 2
Total SSO volume: 18,029 gal (13,886 gal reaching surface water)
Overall spill volume rate: 292 (225) gal/1000 capita/yr
Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- New FOG ordinance or program
- FOG-related inspections
- FOG ordinance enforcement
- Private sewer lateral public education
- Odor control program
- Provisions related to non-SSO claims

- SEPs: $35,000 to establish City of Fort Bragg Clean Water Education Fund for education about the environmental values and processes of the local watershed; $5,000 for pre-chlorination analysis

Monetary payments

- Attorneys’ fees and other costs: $25,000
- Settlement compliance monitoring: -
- SEP payments: $40,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $65,000
22. City of Fortuna

Lawsuit: Northern California River Watch v. City of Fortuna; No. 3:00-cv-03318 (N.D. Cal.)

Region: 1  
Annual O&M budget: $320,000  
Population served: 11,695  
Lateral connection(s): 5,000

WDID: 1SSO10031  
Annual capital expenditure budget: $1,397,000  
System length: 47 mi (3 mi laterals)  
Water crossing(s): 0

Total # SSOs: 28 (20 reaching surface water)  
Overall spill rate: 7.0 (5.0) SSOs/100 mi/yr

Total SSO volume: 510,012 gal (205,853 gal reaching surface water)  
Overall spill volume rate: 5,130 (2,071) gal/1000 capita/yr

City of Fortuna

![Graph showing Spill rate and SSO volume over years with precipitation data]
TIME LINE


9/13/2000  Complaint filed

12/14/2000  MOTION to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6)

1/19/2001  MINUTE ORDER denying motion to dismiss; parties agreed to be referred to court mediation through ADR program

2/1/2001  Answer filed

3/2/2001  Parties selected private mediation

7/7/2001  Consent decree signed by parties (NOTE: We only found a non-final version of the document)

9/10/2001  US DOJ letter

9/25/2001  ORDER for Consent Decree; dismissing case

9/25/2001  EFFECTIVE DATE of consent decree (date signed by court)

9/26/2001  US DOJ letter correcting earlier letter

10/5/2001  UNOPPOSED MOTION by United States for time in which to determine whether to seek additional relief

10/10/2001  ORDER granting motion for time in which to determine whether to seek additional relief

12/19/2001  Brief by defendant in opposition to motion to vacate entry of consent decree and order further negotiations

12/20/2001  Opposition by plaintiff to motion to vacate entry of consent decree and order further negotiations

1/8/2002  Letter from defendant’s counsel to judge: acknowledging that the consent decree is not binding on any other governmental entity

1/10/2002  Notice of withdrawal by Amicus Curiae United States of motion to vacate entry of consent decree

9/25/2006  TERMINATION DATE of consent decree

4/10/2008  ACL Complaint R1-2008-0046 (settled in R1-2009-0041)

7/23/2009  ACL Order R1-2009-0041 (re: effluent limitations violations and 5 SSOs from 7/1/2005 to 12/31/2007; $58,000; $36,500 suspended pending completion of SEP (developing policies, procedures, and education materials to promote use of low impact development))

NOTE: The only documents we were able to examine were the NOI, the complaint, and a non-final version of the consent decree. All other information was gleaned from the case docket.

Injunctive settlement terms

· Capital improvement projects and/or planning
· SEP: $75,000 to the Communities for Clean Water Institute for identifying pollution sources through research, education and testing programs in the Eel River Watershed

Monetary payments

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$100,000</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>-</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$75,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$175,000</td>
</tr>
</tbody>
</table>

23. City of Garden Grove

Lawsuit: Orange County Coastkeeper v. City of Garden Grove, Garden Grove Sanitary District Public Improvement Corporation & Garden Grove Sanitary District; No. 8:05-cv-00066 (C.D. Cal.)

Region: 8
Annual O&M budget: $6,628,300
Population served: 173,953
Lateral connection(s): 37,100
Total # SSOs: 35 (0 reaching surface water)
Overall spill rate: 1.2 (0) SSOs/100 mi/yr

WDID: 8SSO10574
Annual capital expenditure budget: $3,500,000
System length: 320 mi (0 mi laterals)
Water crossing(s): 0
Total SSO volume: 10,257 gal (0 gal reaching surface water)
Overall spill volume rate: 6.7 (0) gal/1000 capita/yr
**Citizen Enforcement and Sanitary Sewer Overflows in California**

**TIME LINE**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/7/2004</td>
<td>NOI</td>
</tr>
<tr>
<td>1/18/2005</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>9/1/2005</td>
<td>1st Amended complaint filed</td>
</tr>
<tr>
<td>12/14/2005</td>
<td>MINUTE ORDER: The representatives of the parties reached an agreement as to all outstanding issues in the case. The settlement agreement must be submitted to the City Council of the City of Garden Grove for approval. The next meeting of the Council is set for 1/10/05. Counsel shall notify this Court’s Deputy Clerk on 1/11/05 whether the agreement was approved or rejected. If the agreement is rejected, the parties shall also notify the Court whether an additional settlement conference is necessary.</td>
</tr>
<tr>
<td>1/25/2006</td>
<td>Settlement agreement signed by parties</td>
</tr>
<tr>
<td>1/27/2006</td>
<td>STIPULATION AND ORDER of dismissal and settlement agreement (entered 1/30/2006) (mentioning that 45 day review period is over)</td>
</tr>
<tr>
<td>1/30/2006</td>
<td>EFFECTIVE DATE of settlement agreement (date entered)</td>
</tr>
<tr>
<td>1/30/2016</td>
<td>EXPECTED TERMINATION DATE of settlement agreement</td>
</tr>
</tbody>
</table>

**NOTE:** The only document we were able to examine was the settlement agreement. All other information was gleaned from the case docket.

**Injunctive settlement terms**

- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Specific repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- Training
- FOG-related inspections
- FOG ordinance enforcement
- Inspection after SSOs
- Private sewer lateral grant/ loan program
- Private sewer lateral inspection / replacement ordinance

**Monetary payments**

- Attorneys’ fees and other costs $163,000
- Settlement compliance monitoring -
- SEP payments -
- Private sewer lateral grant / loan program $180,000
- Civil penalties -
- TOTAL $343,000
24. City of Grass Valley

Pre-litigation settlement: California River Watch + City of Grass Valley (2014)

Region: 5  
Annual O&M budget: $4,095,998  
Population served: 12,500  
Annual capital expenditure budget: $2,070,500  
Lateral connection(s): 4,341  
System length: 64.2 mi (0 mi laterals)  
Total # SSOs: 68 (25 reaching surface water)  
Water crossing(s): 41  
Overall spill rate: 13.0 (4.8) SSOs/100 mi/yr  
Total SSO volume: 116,352 gal (103,277 gal reaching surface water)  
Overall spill volume rate: 1,140 (1,012) gal/1000 capita/yr

TIME LINE

7/6/2012  ACL Complaint R5-2012-0537 (settle in R5-2012-0566)
12/4/2012  ACL Order R5-2012-0566 (re: 2 SSOs in October 2011 and 3 in March 2012, totaling 71,510 gal; $110,850, half suspended pending completing of enhanced compliance action = purchase of new vacuum truck)
11/14/2013  NOI (re: 27 SSOs, continuous exfiltration, and monitoring / reporting violations, from 11/14/2008 to 11/14/2013)
1/29/2014  EFFECTIVE DATE of settlement agreement (date signed by parties)
1/20/2015  ACL Order R5-2015-0505 (Stipulated, no complaint issued) (re: 15 SSOs totaling 27,154 gal from Dec. 2009 to Jan. 2014; $209,000; half suspended pending private sewer lateral rehabilitation program SEP)
2/27/2015  ACL Order R5-2015-0505 adopted
12/31/2022 EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)
25. City of Healdsburg

Pre-litigation settlement: Northern California River Watch + City of Healdsburg (2012)
Lawsuit: Northern California River Watch v. City of Healdsburg; No. 3:01-cv-04686 (N.D. Cal.)

Region: 1
Annual O&M budget: $5,872,000
Population served: 11,541
Lateral connection(s): 4,548
Total # SSOs: 56 (6 reaching surface water)
Overall spill rate: 6.0 (0.6) SSOs/100 mi/yr

WDID: 1SSO10037
Annual capital expenditure budget: $2,210,000
System length: 109.9 mi (53.5 mi laterals)
Water crossing(s): 2
Total SSO volume: 5,934 gal (2,574 gal reaching surface water)
Overall spill volume rate: 61 (26) gal/1000 capita/yr

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- SSO event impact evaluation
- Private sewer lateral inspection / replacement ordinance
- Provisions related to non-SSO claims

Monetary payments
Attorneys’ fees and other costs $30,000
Settlement compliance monitoring -
SEP payments -
Private sewer lateral grant / loan program -
Civil penalties -
TOTAL $30,000
TIME LINE

10/24/1996  ACL R1-1996-0085 (re: 120,000 gallon spill of untreated wastewater on 2/20/1996)

Lawsuit (Docket No. 3:01-cv-04686):

9/17/2001  NOI (re: SSOs and treated effluent discharges from allegedly hydrologically connected disposal pond, from 10/1/1996 to 10/1/2001)

12/4/2001  Complaint filed

2/26/2002  Answer filed

3/21/2002  Case referred to Magistrate Judge for settlement

9/27/2002  ORDER relating this case and 3:02-cv-03249 (Northern California River Watch v. Syar Industries; re: industrial stormwater runoff to Basalt Pond from Syar’s gravel processing plant)

10/3/2002  MOTION by City to consolidate case 3:02-cv-03249 with this case

10/9/2002  ORDER granting motion to consolidate cases

10/17/2002  STIPULATION AND ORDER consolidating related cases

12/12/2002  MOTION to dismiss, by Syar Industries, Inc.


4/10/2003  ORDER FOLLOWING SETTLEMENT CONFERENCE. At today’s settlement conference, the parties reached a settlement of the claims between plaintiff Northern California River Watch and defendant Syar Industries, Inc. (“Syar”). Plaintiff and Syar will file a proposed consent decree resolving those claims no later than May 9, 2003. The parties also reached a partial settlement of the claims between plaintiff and defendant City of Healdsburg. The parties settled the claim pertaining to the collection system (but not the claims directly related to the Basalt Pond), subject to City Council approval. No later than May 9, 2003, defense counsel . . . and the City of Healdsburg’s Public Works Director will present the proposed partial settlement to the Healdsburg City Council for approval, and will recommend that the Council approve it. (signed 4/9/2003; entered 4/11/2003)

4/16/2003  Amended complaint

7/3/2003  STIPULATION AND ORDER DISMISSING COLLECTION SYSTEM CLAIMS. The parties STIPULATE that all of the Collection System Claims shall be dismissed with prejudice. The only claims to be litigated in this action are River Watch’s claim relating to the Basalt Pond. (signed 6/30/03; entered: 07/08/2003)

7/24/2003  MOTION for declaratory relief and partial summary adjudication as to liability, by plaintiff

9/11/2003  MOTION for summary judgment, or in the alternative, for summary adjudication, by City

11/4/2003  ORDER granting partial summary judgment for plaintiff on certain issues and denying the parties’ cross motions for summary judgment as to whether Basalt Pond is a navigable water of the United States.

12/17 to 12/22/2003  Bench trial held

1/23/2004  FINDINGS OF FACT AND CONCLUSIONS OF LAW & REMEDIAL ORDER AFTER BENCH TRIAL: Defendant Healdsburg is ordered to take immediate steps to obtain an NPDES permit & will be Enjoined from making any further discharges into Basalt Pond without an NPDES permit effective 4/22/04, or effective upon such later date Healdsburg can show on noticed motion is the earliest practicable date for obtaining such a permit. A hearing will be held at 8:00 a.m. on 2/26/04 to determine the extent of any penalties, each side to submit briefs 10 calendar days before. (signed 1/23/2004; entered: 01/29/2004)

2/20/2004  Notice of appeal by City of Healdsburg

3/2/2004  ORDER Regarding Civil Penalties: The penalty is $20,000,00.00.

3/8/2004  JUDGMENT in favor of Plaintiff against Defendant. A Penalty of $20,000,00 is imposed.

4/14/2004  STIPULATION AND ORDER Regarding Plaintiff’s Claim for Costs and Attorney’s Fees

4/27/2004  ORDER by Judge William Alsup Conditionally granting unopposed Motion to Alter Judgment

8/10/2006  9th Circuit FILED OPINION- Judgment of District Court affirmed (opinion withdrawn following Rappanos)

8/6/2007  9th Circuit FILED ORDER AND OPINION: The opinion filed 8/10/06, slip opinion 9299, & appearing at 457 F:3d 1023 (9th Cir. 2006) is withdrawn, & a new opinion is filed in its stead --> 496 F:3d 993 (9th Cir. 2007)

10/24/2007  9th Circuit FILED ORDER: Plaintiff-Appellee was awarded fees in the amount of $180,000 pursuant to the stipulation of the parties filed 9/24/07, which the court hereby approves.

11/16/2007  Notice of petition for certiorari filed with Supreme Court

1/8/2008  AMENDED STIPULATION AND ORDER regarding P’s claim for costs and attorney’s fees ($480,000)

2/19/2008  Certiorari denied

12/12/2008  ACL Complaint R1-2008-0124 (re: effluent limitations violations and 6 SSO from 11/30/2004 to 4/30/2008; recommending no penalty be assessed for SSOs) (on 1/21/2010 ACL Order R1-2010-0005 settled the complaint for $369,000, $192,000 suspended pending completion of SEP (preparing plans and specifications for a recycled water distribution system), and did not mention SSOs)

Pre-litigation settlement:

8/18/2011  NOI (not available)

9/28/2011  Counsel met to discuss allegations and claims

1/13/2012  EFFECTIVE DATE of settlement agreement (date signed by parties)

1/13/2027  TERMINATION DATE of settlement agreement (unless terminated early)
## Injunctive settlement terms (lawsuit)
- ? (settlement unavailable)

## Monetary payments (lawsuit)
- Attorneys' fees and other costs: $660,000+
- Settlement compliance monitoring: ?
- SEP payments: ?
- Private sewer lateral grant / loan program: ?
- Civil penalties: $20,000
- **TOTAL**: $660,000+

## Injunctive settlement terms (pre-litigation settlement)
- Field inspection
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO cleanup / remediation
- Private sewer lateral inspection / replacement ordinance
- SEP: $15,000 to benefit water quality in Foss Creek and/or the Russian River or any tributaries

## Monetary payments (pre-litigation settlement)
- Attorneys' fees and other costs: $35,000
- Settlement compliance monitoring -
- SEP payments: $15,000
- Private sewer lateral grant / loan program -
- Civil penalties -
- **TOTAL**: $50,000

### 26. Town of Hillsborough

**Lawsuit:** San Francisco Baykeeper v. Town of Hillsborough; No. 3:08-cv-03760 (N.D. Cal.)

**Region:** 2  
**Annual O&M budget:** $5,880,276  
**Population served:** 11,016  
**Lateral connection(s):** 3,900  
**Total # SSOs:** 221 (110 reaching surface water)  
**Overall spill rate:** 27 (13) SSOs/100 mi/yr

**WDID:** 2SSO10142  
**Annual capital expenditure budget:** $13,405,644  
**System length:** 98.1 mi (0 mi laterals)  
**Water crossing(s):** 30  
**Total SSO volume:** 5,240,526 gal (3,798,556 gal reaching surface water)  
**Overall spill volume rate:** 55,960 (40,562) gal/1000 capita/yr
TIME LINE

6/5/2008 NOI (re: at least 85 SSOs (including 11 to the MS4), contribution to City of Burlingame’s need to bypass during wet weather, and monitoring / reporting violations, from 6/5/2003 to 6/5/2008)

8/6/2008 Complaint filed

9/16/2008 ACL Complaint R2-2008-0066 (settled in R2-2009-0014)

10/14/2008 MOTION to dismiss (for lack of subject matter jurisdiction, based on insufficient NOI)

12/5/2008 ORDER denying motion to dismiss

12/22/2008 Answer filed

2/12/2009 Case referred to magistrate judge for settlement

3/11/2009 ACL Order R2-2009-0014 (re: 89 SSOs from 1/1/2003 to 1/15/2009; $405,000; $225,000 suspended pending completion of SEP (Private Lateral Inspection and Rehabilitation Program))

3/11/2009 CDO R2-2009-0020

7/15/2009 Settlement agreement signed by parties

8/11/2009 NOTICE of commencement of mandatory 45-day review period

9/4/2009 US DOJ letter (no objection)

9/4/2009 STIPULATION to dismiss claims with prejudice and proposed order

9/4/2009 STIPULATION AND ORDER

9/14/2009 EFFECTIVE DATE of settlement agreement

9/14/2014 TERMINATION DATE of settlement agreement

Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Cleaning quality assurance / quality control
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach

- FOG program evaluation / updating
- Private sewer lateral grant/ loan program
- Private sewer lateral inspection / replacement ordinance
- SEPs: $15,000 for compliance monitoring; $25,000 for projects that benefit San Francisco Bay-Delta Watershed

Monetary payments

Attorneys’ fees and other costs $200,000
Settlement compliance monitoring $15,000
SEP payments $25,000
Private sewer lateral grant / loan program $25,000
Civil penalties -
TOTAL $265,000
27. City of Laguna Beach

Lawsuit: California River Watch v. City of Laguna Beach; No. 8:14-cv-01659 (C.D. Cal.), ongoing as of the end of June 2015; subsequently settled

Region: 9
Annual O&M budget: $3,064,100
Population served: 18,000
Lateral connection(s): 6,650
Total # SSOs: 85 (11 reaching surface water)
Overall spill rate: 10.1 (1.3) SSOs/100 mi/yr

WDID: 9SSO10653
Annual capital expenditure budget: $2,695,000
System length: 95 mi (0 mi laterals)
Water crossing(s): 0
Total SSO volume: 818,204 gal (714,000 gal reaching surface water)
Overall spill volume rate: 5,148 (4,493) gal/1000 capita/yr
28. Lake County Sanitation District (2 collection systems)

**Lawsuit:** Northern California River Watch v. Lake County Sanitation District (Northwest and Southeast Regional Wastewater Systems); No. 3:03-cv-04552 (N.D. Cal.)

**Region:** 5
**Annual O&M budget:** $2,156,777
**Population served:** 9,564
**Lateral connection(s):** 4,507
**Total # SSOs:** 16 (4 reaching surface water)
**Overall spill rate:** 1.9 (0.5) SSOs/100 mi/yr

**WDID:** 5SSO11015 (Northwest Regional Wastewater System)
**Annual capital expenditure budget:** $143,521
**System length:** 102 mi (17 mi laterals)
**Water crossing(s):** 2
**Total SSO volume:** 24,107 gal (8,752 gal reaching surface water)
**Overall spill volume rate:** 309 (112) gal/1000 capita/yr

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**10/22/2015** Notice of settlement and pending agency review filed by plaintiff

**10/22/2015** ORDER dismissing case, with the right to reopen by 12/18/2015 if settlement is not consummated

**12/10/2015** Statement of interest of United States and comments on proposed consent decree (expressing concerns that “the injunctive relief . . . is conditioned upon (i) Defendant’s rate payers approving an adequate sewer-fee increase in 2020, (ii) Defendant obtaining a $10-million dollar low-interest loan by the end of the current fiscal year, and (iii) Defendant’s retention of discretion to re-direct the funding required for this injunctive relief to other needed projects” but concluding that, because “much of the injunctive relief sought by Plaintiffs already formed part of Defendant’s ten-year Capital Improvement Plan . . . it is not inappropriate that the conditions of the Capital Improvement Plan might also apply to the injunctive relief agreed to under the proposed consent decree,” and offering no objection)

**12/16/2015** ORDER of entry of consent decree

**6/16/2023** TERMINATION DATE of settlement agreement
Region: 5
Annual O&M budget: $4,461,351
Population served: 18,601
Lateral connection(s): 7450
Total # SSOs: 53 (24 reaching surface water)
Overall spill rate: 4.5 (2.0) SSOs/100 mi/yr

WDID: 5SSO11055 (Southeast Regional Wastewater System)
Annual capital expenditure budget: $990,593
System length: 145 mi (33 mi laterals)
Water crossing(s): 98
Total SSO volume: 124,747 gal (94,104 gal reaching surface water)
Overall spill volume rate: 821 (620) gal/1000 capita/yr

Lake County Sanitation District (Southeast Regional Wastewater System)

<table>
<thead>
<tr>
<th>TIME LINE</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/22/1991 CDO R5-1991-0084 for the Southeast Regional Wastewater System (re: SSOs, treatment plant expansion)</td>
</tr>
<tr>
<td>2/25/1994 CDO R5-1994-0064 for the Northwest Regional Wastewater System (re: discharges of treated effluent from storage ponds and SSOs to surface waters in violation of WDRs)</td>
</tr>
<tr>
<td>4/10/2002 ACL Complaint R5-2002-0506 for the Northwest Regional Wastewater System (re: Jan. 10–11, 2002, SSO totaling ~800,000 gal)</td>
</tr>
<tr>
<td>8/7/2002 ACL Settlement of R5-2002-0506 ($150,000)</td>
</tr>
<tr>
<td>10/8/2003 Complaint filed</td>
</tr>
<tr>
<td>11/19/2003 Stipulation to dismiss Lobergs</td>
</tr>
<tr>
<td>12/15/2003 1st Amended complaint</td>
</tr>
<tr>
<td>12/19/2003 MOTION to dismiss for lack of jurisdiction (Federal Rule of Civil Procedure 12)</td>
</tr>
<tr>
<td>3/29/2004 ORDER granting in part (re claims not based on collection system stoppages and overflows, storage reservoir overflows, and storage pond overflows that are identified in the records cited in NOI, including state claims) and denying in part Motion to Dismiss for Lack of Jurisdiction (entered 03/29/2004)</td>
</tr>
<tr>
<td>4/8/2004 Answer filed</td>
</tr>
</tbody>
</table>
Injunctive settlement terms

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Collection system cleaning
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- FOG education and outreach
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- SSO event impact evaluation
- Water quality monitoring / study, related to SSOs
- Private sewer lateral public education
- Water conservation program
- Provisions related to non-SSO claims
- SEP: $40,000 for healthy waterways study

Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Attorneys’ fees and other costs</td>
<td>$65,000</td>
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<td>Settlement compliance monitoring</td>
<td>-</td>
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<td>SEP payments</td>
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<td>Private sewer lateral grant / loan program</td>
<td>-</td>
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<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$105,000</strong></td>
</tr>
</tbody>
</table>
29. Leucadia Wastewater District

Pre-litigation settlement: California River Watch + Leucadia Wastewater District (2014)

Region: 9
Annual O&M budget: $5,760,000
Population served: 60,000
Lateral connection(s): 20,365
Total # SSOs: 18 (9 reaching surface water)
Overall spill rate: 0.9 (0.5) SSOs/100 mi/yr

WDID: 9SSO11210
Annual capital expenditure budget: $6,920,000
System length: 216.67 mi (0 mi laterals)
Total SSO volume: 114,629 gal (79,230 gal reaching surface water)
Overall spill volume rate: 216 (150) gal/1000 capita/yr

**TIME LINE**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
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<tbody>
<tr>
<td>8/21/2014</td>
<td>NOI (re: 10+ SSOs (including 75,630 gal reaching surface water), continuous exfiltration, and monitoring / reporting violations, from 8/17/2009 to 8/17/2014)</td>
</tr>
<tr>
<td>11/13/2014</td>
<td>EFFECTIVE DATE of settlement agreement (date signed by parties)</td>
</tr>
<tr>
<td>11/13/2018</td>
<td>EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)</td>
</tr>
</tbody>
</table>

**Injunctive settlement terms**
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Collection system cleaning
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- SSO event impact evaluation
- Water quality monitoring / study, related to SSOs
- Private sewer lateral grant / loan program
- **SEP:** $10,000 to monitor and analyze background water quality in Batiquitos Lagoon

**Monetary payments**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys' fees and other costs</td>
<td>$35,000</td>
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<tr>
<td>Settlement compliance monitoring</td>
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<td>SEP payments</td>
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<td>Private sewer lateral grant / loan program</td>
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<td>Civil penalties</td>
<td>-</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$445,000</strong></td>
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</table>

Leucadia Wastewater District

TIME LINE

8/21/2014 NOI (re: 10+ SSOs (including 75,630 gal reaching surface water), continuous exfiltration, and monitoring / reporting violations, from 8/17/2009 to 8/17/2014)
11/13/2014 EFFECTIVE DATE of settlement agreement (date signed by parties)
11/13/2018 EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)
30. City of Los Angeles (2 collection systems)

**Lawsuit:** Santa Monica Baykeeper v. City of Los Angeles; No. 2:98-cv-09039 (C.D. Cal.)

**Region:** 4
**Annual O&M budget:** $28,165,129
**Population served:** 4,000,000
**Lateral connection(s):** 559,817
**Total # SSOs:** 1,265 (113 reaching surface water)
**Overall spill rate:** 2.4 (0.2) SSOs/100 mi/yr
**Annual capital expenditure budget:** $70,696,062
**System length:** 6,086 mi (0 mi laterals)
**Water crossing(s):** 1
**Total SSO volume:** 1,601,326 gal (669,882 gal reaching surface water)
**Overall spill volume rate:** 45 (19) gal/1000 capita/yr

![Graph of City of Los Angeles (Hyperion Collection System)](image)

**Region:** 4
**Annual O&M budget:** $481,296
**Population served:** 75,932
**Lateral connection(s):** 12,074
**Total # SSOs:** 17 (1 reaching surface water)
**Overall spill rate:** 1.9 (0.1) SSOs/100 mi/yr
**Annual capital expenditure budget:** $1,208,083
**System length:** 104 mi (0 mi laterals)
**Water crossing(s):** 0
**Total SSO volume:** 2,858 gal (51 gal reaching surface water)
**Overall spill volume rate:** 4.3 (0.1) gal/1000 capita/yr
City of Los Angeles (LA City Bureau of Sanitation Collection System)

TIME LINE

1/26/1998  ACL Order R4-1998-0002 for Hyperion Wastewater Treatment Plant (re: 2 SSOs totaling 150,000 gallons on 4/28/97 & 11/5/97; $150,000)

7/7/1998  NOI (likely re: SSOs, including to MS4, other; document unavailable to confirm)

9/14/1998  CDO R4-1998-0073 for Hyperion Wastewater Treatment Plant (re: discharges of raw sewage from sanitary sewers; required dewatering feasibility study for Eagle Rock area, revised spill response and reporting procedures, construction of various relief / interceptor sewers)

9/30/1998  ACL Complaint R4-1998-0076 for Hyperion (re: SSOs in 1993, 1994, 1995, and 1998; $850,000; $650,000 suspended pending completion of SEPs)

11/9/1998  Complaint filed in this case (document unavailable, but the 7/5/2001 complaint in intervention states that Baykeeper alleged "discharges in violation of the City’s NPDES permits")

8/11/1999  ACL Complaint R4-1999-0061 for Hyperion Wastewater Treatment Plant (re: 1,200,000 gallons of SSOs during Y2K test that mistakenly closed gate controlling pipeline transfer 6/16/1999 to 6/17/1999; $22,810)

2/6/2001  ORDER consolidating case 2:01-cv-00191 with this case

3/2/2001  MOTION to intervene by Baldwin Hills Village Garden Homes Association, Baldwin Hills Village Garden Homes Association, United Homeowners Association, Village Green Owners Association, and Concerned Citizens of South Central Los Angeles

7/3/2001  ORDER referring litigation for mediation

7/5/2001  ORDER granting motion to intervene

7/5/2001  Complaint in intervention filed (re: SSOs, creation of nuisance odors in violation of NPDES permit)

4/12/2002  MOTION for relief from mediation order, by United States
Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Repair, rehabilitation, and replacement, as part of an asset management program
- Specific Repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- FOG-related inspections
- FOG ordinance enforcement
- FOG program evaluation / updating
- Odor control program
- Provisions related to non-SSO claims
- SEPs: $8.5 million for 5 (or more) specified projects: (1) North Atwater Creek Restoration and Water Quality Enhancement Project, (2) South Los Angeles Storm Water Treatment Project at 54th and Avalon Streets, (3) Hazard Creek and Wetlands Restoration Program, (4) Inner Cabrillo Beach Pollution Control and Water Circulation Enhancement Project, and (5) Downtown Los Angeles Storm Drain Low-Flow Diversion Project. Consent decree modifications substituted Garvanza Park Water Quality Enhancement BMP Project for Hazard and Inner Cabrillo Beach projects and amended the list of additional SEPs

Monetary payments

- Attorneys’ fees and other costs $2,096,745
- Settlement compliance monitoring -
- SEP payments $8,500,000
- Private sewer lateral grant / loan program -
- Civil penalties $800,000
- TOTAL $11,396,745
31. Sanitary District No. 1 of Marin County (Ross Valley Sanitary District)

**Lawsuit:** Garril Page v. Sanitary District No. 1 of Marin County; No. 3:05-cv-04358 (N.D. Cal.)

**Pre-litigation settlement:** Northern California River Watch + Sanitary District No. 1 of Marin County (2009)

- **Region:** 2
- **Annual O&M budget:** $14,465,937
- **Population served:** 55,000
- **System length:** 203.5 mi [0 mi laterals]
- **Lateral connection(s):** 15,323
- **Annual capital expenditure budget:** $21,944,453
- **Water crossing(s):** 260
- **Total # SSOs:** 302 (97 reaching surface water)
- **Total SSO volume:** 3,579,967 gal (2,878,557 gal reaching surface water)
- **Overall spill rate:** 18 (5.6) SSOs/100 mi/yr
- **Overall spill volume rate:** 7,657 (6,157) gal/1000 capita/yr

Marin County Sanitary District No. 1 (a.k.a. Ross Valley Sanitary District)
TIME LINE

Page Lawsuit (Docket No. 3:05-cv-04358):

12/20/2004  NOI (re: SSOs from 2000 to 2004; claims included violations of the CWA, negligence / negligence per se, and nuisance)
10/4/2005  District adopted a proposal for Program Management Services - Sewer System Assessment and Capital Project Planning prepared by RMC Water and Environment (Sewer System Assessment)
10/25/2005  Complaint filed
1/30/2006  Answer filed
2/3/2006  STIPULATION AND ORDER SELECTING ADR PROCESS
2/23/2006  Consent decree signed by parties
4/24/2006  CONSENT DECREE AND ORDER
4/24/2006  EFFECTIVE DATE of consent decree
7/14/2006  ACL Complaint R2-2006-0034 (re: 12/31/2005 SSO totaling 472,600 gal to creek due to pump station failure; $78,000; $62,000 suspended pending completion of SEP)

CRW Pre-litigation settlement: (no documents available)

?/7/?2007  NOI (re: SSOs (?); document not available)
9/30/2009  EFFECTIVE DATE of settlement agreement (date signed by parties), according to CRW website (document not available)
6/20/2012  ACL Order R2-2012-0055 (Stipulated, no complaint issued) (re: SSOs, discharging 2,555,535 gallons to surface waters, from Jan. 1, 2008 to Apr. 21, 2011; $1,539,100; $482,380 suspended pending completion of SEP (private sewer lateral replacement incentive program))
5/13/2013  CDO R2-2013-0020
4/24/2016  TERMINATION DATE of Page consent decree
??/7/20??  TERMINATION DATE of CRW Pre-litigation settlement agreement (document not available)

Injunctive settlement terms (Page lawsuit)

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Staffing
- New FOG ordinance or program
- FOG education and outreach
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- Water quality monitoring / study, related to SSOs
- Other private sewer lateral program
- SEP: $20,000 for healthy waterways study

Monetary payments (Page lawsuit)

- Attorneys’ fees and other costs $90,000
- Settlement compliance monitoring -
- SEP payments $20,000
- Private sewer lateral grant / loan program -
- Civil penalties -
- TOTAL $110,000
32. Sanitary District No. 5 of Marin County

Pre-litigation settlement: Northern California River Watch + Sanitary District No. 5 of Marin County (2009)

Region: 2  
Annual O&M budget: $270,000  
Population served: 9,500  
Annual capital expenditure budget: $270,000  
System length: 38 mi (0 mi laterals)  
Lateral connection(s): 2,800  
Water crossing(s): 2  
Total # SSOs: 116 (27 reaching surface water)  
Total SSO volume: 32,224 gal (12,708 gal reaching surface water)  
Population served: 9,500  
System length: 38 mi (0 mi laterals)  
Lateral connection(s): 2,800  
Water crossing(s): 2  
Total # SSOs: 116 (27 reaching surface water)  
Total SSO volume: 32,224 gal (12,708 gal reaching surface water)

Marin County Sanitary District No. 5

TIME LINE

1/27/2009  NOI (re: 125 SSOs, continuous exfiltration, treatment plant bypass, and monitoring / reporting violations, from 1/1/2004 to 1/1/2009)
3/25/2009  Initial settlement conference
8/30/2009  EFFECTIVE DATE of settlement agreement (date signed by parties)
8/30/2016  TERMINATION DATE of settlement agreement

Injunctive settlement terms
- Field inspection
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO cleanup / remediation
- Private sewer lateral inspection / replacement ordinance
- Other private sewer lateral program
- Odor control program

Monetary payments
- Attorneys’ fees and other costs  $17,000
- Settlement compliance monitoring  -
- SEP payments  -
- Private sewer lateral grant / loan program  -
- Civil penalties  -

TOTAL  $17,000
33. City of Millbrae

Lawsuit: San Francisco Baykeeper v. City of Millbrae; No. 4:09-cv-05675 (N.D. Cal.)

Region: 2  
Annual O&M budget: $640,000  
Population served: 20,718  
Lateral connection(s): 6,500  
Total # SSOs: 275 (48 reaching surface water)  
Annual capital expenditure budget: $544,000  
System length: 67 mi (11 mi laterals)  
Total SSO volume: 90,016 gal (81,435 gal reaching surface water)  
Overall spill rate: 48 (8.4) SSOs/100 mi/yr  
Overall spill volume rate: 511 (462) gal/1000 capita/yr

TIME LINE

9/30/2009 NOI (re: 344 SSOs (including 196 to the MS4), violations of MS4 permit, and monitoring / reporting violations, from 9/30/2004 to 9/30/2009)  
12/2/2009 Complaint filed  
2/22/2010 Answer filed  
4/1/2010 Case referred to magistrate judge for settlement  
6/29/2010 Consent decree signed by parties  
6/29/2010 Joint letter informing court that parties have reached an agreement  
10/19/2010 US DOJ letter (no objection)  
10/20/2010 NOTICE of completion of review period on proposed settlement and proposed consent decree order  
10/22/2010 EFFECTIVE DATE of consent decree (end of 45-day review period)  
11/11/2010 STIPULATION requesting that magistrate judge retain jurisdiction over consent decree and proposed order  
11/15/2010 CONSENT DECREES AND ORDER DISMISSING CASE with prejudice (entered 11/16/2010)  
11/15/2010 STIPULATION AND ORDER that magistrate judge retain jurisdiction over consent decree (entered 11/16/2010)  
11/23/2010 STIPULATION and Proposed Order Regarding Effective Date of Consent Decree and Deadlines in Consent Decree  
12/26/2012 Rose Foundation letter on distribution of funds  
10/22/2016 EXPECTED TERMINATION DATE of consent decree
Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Cleaning quality assurance / quality control
- Repair, rehabilitation, and replacement, as part of an asset management program
- Specific Repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- New FOG ordinance or program
- FOG education and outreach
- FOG ordinance enforcement
- Private sewer lateral inspection / replacement ordinance
- Private sewer lateral SSO response and/or maintenance (by agency)
- SEPs: $300,000 for activities that will benefit the San Francisco Bay or its tributaries; $75,000 for low-impact development projects

Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
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<td>Attorneys’ fees and other costs</td>
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<td>Civil penalties</td>
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<td><strong>TOTAL</strong></td>
<td><strong>$745,000</strong></td>
</tr>
</tbody>
</table>

34. City of Modesto

**Lawsuit:** California Sportfishing Protection Alliance v. City of Modesto; No. 1:12-cv-02027 (E.D. Cal.)

**Region:** 5

- Annual O&M budget: $4,363,284
- Population served: 203,085
- Lateral connection(s): 59,903
- Total # SSOs: 347 (37 reaching surface water)
- Overall spill rate: 6.6 (0.7) SSOs/100 mi/yr

**WDID:** 5SSO11001

- Annual capital expenditure budget: $15,325,487
- System length: 646.6 mi (0 mi laterals)
- Water crossing(s): 50
- Total SSO volume: 230,589 gal (52,035 gal reaching surface water)
- Overall spill volume rate: 139 (31) gal/1000 capita/yr

City of Modesto

[Graph showing spill rate and SSO volume over time]
### TIME LINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/19/2005</td>
<td>ACL Complaint R5-2005-0539 (re: Oct. 2004 SSO totaling 1,198,314 gal to surface water; $152,000)</td>
</tr>
<tr>
<td>7/11/2012</td>
<td>NOI (re: 310 SSOs (including 279 to the MS4 and 242,068 gal reaching surface water), violation of MS4 permit, and monitoring / reporting violations, from 10/15/2007 to 7/2012)</td>
</tr>
<tr>
<td>10/5/2012</td>
<td>Writ notice letter</td>
</tr>
<tr>
<td>12/13/2012</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>8/23/2013</td>
<td>MINUTE ORDER: The parties filed a joint scheduling report 17 on 8/22/2013, advising the Court that the parties have been engaged in settlement discussions and have reached a settlement in this case, and anticipate this matter will be placed on the City Council’s agenda on or before 9/24/2013</td>
</tr>
<tr>
<td>10/1/2013</td>
<td>MINUTE ORDER: The parties filed a joint scheduling report 19 on 10/1/2013, advising the Court that the City was unable to place this matter on its agenda for consideration of the settlement by the City Council for its September 24, 2013, meeting. The parties anticipate this matter will be placed on the City Council’s agenda for approval on or before its October 22, 2013, meeting</td>
</tr>
<tr>
<td>11/13/2013</td>
<td>Settlement agreement signed by parties</td>
</tr>
<tr>
<td>11/22/2013</td>
<td>NOTICE of settlement and commencement of mandatory 45-day review period by federal agencies (by defendant)</td>
</tr>
<tr>
<td>12/23/2012</td>
<td>US DOJ letter (no objection)</td>
</tr>
<tr>
<td>12/24/2013</td>
<td>STIPULATION of dismissal; proposed order granting dismissal</td>
</tr>
<tr>
<td>12/27/2013</td>
<td>ORDER on Stipulation to Dismiss Plaintiff’s Claims; GRANTING Dismissal (entered 12/30/2013)</td>
</tr>
<tr>
<td>12/30/2013</td>
<td>EFFECTIVE DATE of settlement agreement (date entered)</td>
</tr>
<tr>
<td>5/31/2017</td>
<td>EXPECTED TERMINATION DATE of settlement agreement (unless extended)</td>
</tr>
</tbody>
</table>

#### Injunctive settlement terms

- Field inspection
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- **SEP**: $65,000 for activities designed to improve and/or protect water quality in the San Joaquin River, Stanislaus River, Tuolumne River, and their downstream waters

#### Monetary payments

<table>
<thead>
<tr>
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<td>Attorneys’ fees and other costs</td>
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<tr>
<td>Private sewer lateral grant / loan program</td>
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<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$167,500</strong></td>
</tr>
</tbody>
</table>

### 35. Novato Sanitary District

**Pre-litigation settlement**: Northern California River Watch + Novato Sanitary District (2008)

- **Region**: 2
- **Annual O&M budget**: $2,087,624
- **Population served**: 56,000
- **Lateral connection(s)**: 23,186
- **Total # SSOs**: 157 (59 reaching surface water)
- **Overall spill rate**: 8.1 (3.0) SSOs/100 mi/yr
- **WDID**: 2SSO10162
- **Annual capital expenditure budget**: $3,082,185
- **System length**: 229.3 mi (0 mi laterals)
- **Water crossing(s)**: 65
- **Total SSO volume**: 603,204 gal (537,136 gal reaching surface water)
- **Overall spill volume rate**: 1,267 (1,128) gal/1000 capita/yr
**TIME LINE**

1/29/2008  NOI (re: 500 SSOs, continuous exfiltration, effluent limitations violations, and monitoring / reporting violations, from 1/1/2003 to 1/1/2008)

2/29/2008  Initial settlement conference (discussion of “District’s strategic plans for a new treatment facility and other measures to abate Clean Water Act violations and bring the District’s operations into substantial compliance with applicable regulations”)

11/17/2008  EFFECTIVE DATE of settlement agreement (date signed by parties)

9/15/2010  ACL Complaint R2-2010-0102 (settled in R2-2012-0011)

10/16/2012  ACL Order R2-2012-0011 (re: 22 SSOs from 9/24/2007 to 2/28/2010; $344,000; $140,138 suspended pending completion of 2 SEPs (wetland enhancement and marsh monitoring)

11/17/2013  TERMINATION DATE of settlement agreement

---

**Injunctive settlement terms**

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Repair, rehabilitation, and replacement, as part of an asset management program
- Private sewer lateral grant / loan program
- Private sewer lateral inspection / replacement ordinance
- Other private sewer lateral program
- Provisions related to non-SSO claims

**Monetary payments**

- Attorneys’ fees and other costs  $50,000
- Settlement compliance monitoring -
- SEP payments -
- Private sewer lateral grant / loan program $50,000
- Civil penalties -
- **TOTAL** $100,000
36. City of Oakland

**Lawsuit:**  *Millmont Homeowners Association v. City of Oakland & DeSilva Gates Construction, LLP;* No. 3:06-cv-03955 (N.D. Cal.)

**Lawsuit:**  *United States of America v. City of Alameda, City of Albany, City of Berkeley, City of Emeryville, City of Oakland, City of Piedmont & Stege Sanitary District;* No. 3:09-cv-05684 (N.D. Cal.)

- **Region:** 2
- **WDID:** 2SSO11204
- **Annual O&M budget:** $21,200,000
- **Annual capital expenditure budget:** $18,000,000
- **Population served:** 400,000
- **System length:** 920.2 mi (0 mi laterals)
- **Water crossing(s):** 2
- **Lateral connection(s):** 101,000
- **Total # SSOs:** 1,096 (201 reaching surface water)
- **Total SSO volume:** 1,675,122 gal (913,279 gal reaching surface water)
- **Overall spill rate:** 14 (2.6) SSOs/100 mi/yr
- **Overall spill volume rate:** 493 (269) gal/1000 capita/yr

**TIME LINE**

**Millmont lawsuit (Docket No. 3:06-cv-03955):** (overlaps with below)

- **3/28/2006** NOI (re: SSOs (?), etc.: not available)
- **6/26/2006** Complaint filed (re: SSOs from 12/8/2009 to 12/8/2014, CWA claims based on construction activities, City’s stormwater discharges to Chimes Creek)
- **11/10/2006** City filed notice of completion of repairs on the sanitary sewer along Chimes Creek
- **7/24/2007** ORDER referring case to magistrate judge for settlement conference
- **10/3/2008** Consent decree signed by parties
- **10/17/2008** MOTION for order approving proposed consent decree (by plaintiff)
- **11/25/2008** US DOJ letter (no objection)
- **12/5/2008** CONSENT DECREE ORDER signed, filed, and entered
Injunctive settlement terms (Millsmont lawsuit)
- Provisions related to non-SSO claims

Monetary payments (Millsmont lawsuit)

<table>
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<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
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<td>Settlement compliance monitoring</td>
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<td>Private sewer lateral grant / loan program</td>
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<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$25,000</strong></td>
</tr>
</tbody>
</table>
37. Occidental County Sanitation District (Sonoma County Water Agency)

Outstanding NOI: John & Pauline Loades (2010), still outstanding as of March 2016

Lawsuit: Northern California River Watch v. Sonoma County Water Agency, Occidental County Sanitation District; No. 3:97-cv-02962 (N.D. Cal.)

Region: 1
Annual O&M budget: $308,649
Population served: 610
Lateral connection(s): 71
Total # SSOs: 4 (2 reaching surface water)
Overall spill rate: 17 (8.7) SSOs/100 mi/yr

Occidental County Sanitation District

Annual capital expenditure budget: $100,000
System length: 2.7 mi (0.2 mi laterals)
Water crossing(s): 0
Total SSO volume: 506 gal (216 gal reaching surface water)
Overall spill volume rate: 98 (42) gal/1000 capita/yr

TIME LINE

CRW lawsuit (Docket No. 3:97-cv-02962): (no documents available)

7/7/1997 NOI (re: SSOs (?), etc.)
8/12/1997 Complaint filed
10/2/1997 MOTION to dismiss (basis not known)
1/26/1998 ORDER relating this case and 3:97-cv-04263 (Northern California River Watch v. Sonoma Valley County Sanitation District)
2/5/1998 ORDER granting in part and denying in part defendants’ motion to dismiss (basis not known)
3/5/1998 ORDER denying plaintiff’s motion for leave to file motion for reconsideration (basis not known)
7/7/1998 1st Amended complaint
10/2/1998 ORDER dismissing case without prejudice; 30-day conditional dismissal (entered 10/2/1998)

Loades NOI:

2/17/2010 NOI (re: 90 SSOs, continuous exfiltration, treated water discharge violations, effluent limitations violations, expired permit, and monitoring / reporting violations, from 2/5/2005 to 2/5/2010)
38. City of Pacific Grove

Lawsuit: Ecological Rights Foundation v. City of Pacific Grove; No. 5:03-cv-02612 (N.D. Cal.)

Region: 3
Annual O&M budget: $1,303,010
Population served: 15,041
Lateral connection(s): 5,961
Total # SSOs: 55 (9 reaching surface water)
Overall spill rate: 11 (1.8) SSOs/100 mi/yr

City of Pacific Grove

TIME LINE

2000  ACL (re: 70,000 gal spill on 1/12/2000; $70,000)
6/4/2003  Complaint filed
8/28/2003  Answer filed
9/24/2003  ORDER re stipulation to dismiss Unfair Competition Act claims
10/21/2003  Case referred to ENE
10/31/2003  MOTION by plaintiff for summary judgment
3/22/2004  Proposed consent decree signed by parties
3/23/2004  NOTICE of settlement and STIPULATION of dismissal
5/18/2004  NOTICE of expiration of 45-day review period by plaintiff
6/3/2004  EFFECTIVE DATE of consent decree (date entered)
4/7/2006  Amendment to consent decree signed by parties (re: CIP, manhole inspection, etc., written evaluation of whether
City has funds for full compliance with Decree with recommendations for funding measures, semi-annual
compliance reports; $50k for compliance monitoring; additional $40k to private sewer lateral fund in lieu of
stipulated penalties)
7/18/2006  ORDER AND STIPULATION ENTERING AMENDMENT TO CONSENT DECREE
6/2/2014  TERMINATION DATE of consent decree
Injunctive settlement terms

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system clearing
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Staffing
- Training
- Spill rate performance levels set
- FOG education and outreach
- FOG-related inspections
- SSO response protocol development / updating
- Private sewer lateral grant / loan program
- SEP: $50,000 for Save Our Shores Monterey Bay Environment Enhancement Projects

Monetary payments

- Attorneys’ fees and other costs $300,000
- Settlement compliance monitoring $70,000
- SEP payments $40,000
- Private sewer lateral grant / loan program $250,000
- Civil penalties $-
- TOTAL $660,000

39. City of Pacifica

Lawsuit: Our Children’s Earth Foundation v. City of Pacifica; No. 3:09-cv-05201 (N.D. Cal.)

Region: 2
Annual O&M budget: $2,755,150
Population served: 40,000
Lateral connection(s): 12,000
Total SSOs: 131 (20 reaching surface water)
Overall spill rate: 15 (2.3) SSOs/100 mi/yr

WDID: 2SSO10100
Annual capital expenditure budget: $3,932,500
System length: 100.2 mi (0 mi laterals)
Water crossing(s): 3
Total SSO volume: 470,645 gal (449,487 gal reaching surface water)
Overall spill volume rate: 1,384 (1,322) gal/1000 capita/yr

City of Pacifica
TIME LINE

1/29/2003 ACL Order
5/30/2007 ACL Complaint R2-2007-0016 (re: 253,000 gallon SSO at pump station undergoing repairs; $190,000)
8/24/2009 NOI (re: 105 SSOs (including to the MS4), violations of MS4 permit, and effluent limitations violations, from 8/24/2004 to 8/24/2009)
10/23/2009 ACL Complaint R2-2009-0075 (settled in R2-2011-0022)
11/3/2009 Complaint filed
1/4/2010 Answer filed
2/2/2010 ORDER referring case to mediation
4/25/2011 ACL Order R2-2011-0022 (re: SSOs and bypass from 12/27/2004 to 6/23/2009; $1,700,000; $820,000 suspended pending private sewer lateral program, creek restoration SEPs)
5/5/2011 Consent decree signed by parties
5/11/2011 Letter re lodging of consent decree
5/12/2011 CDO R2-2011-0031
5/23/2011 NOTICE of US DOJ’s receipt of proposed consent decree
6/24/2011 US DOJ letter (no objection)
6/28/2011 Letter seeking entry of consent decree
6/29/2011 CONSENT DECREE ORDER
6/29/2011 EFFECTIVE DATE of consent decree
6/30/2011 ORDER dismissing complaint
2/14/2013 CDO Amendment R2-2013-0005
6/29/2021 EXPECTED TERMINATION DATE of consent decree (unless terminated early)

Injunctive settlement terms

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Staffing
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG-related inspections
- Identification / removal of inappropriate connections (inflow reduction)
- Private sewer lateral grant / loan program
- Private sewer lateral public education
- Private sewer lateral SSO response and/or maintenance (by agency)
- Other private sewer lateral program
- SEPs: $170,000 for creek restoration project; $5,000 to Pacifica’s Environmental Family ("PEF") for Cleaner Pacifica, Healthier Oceans - Ocean Stewardship Program

Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$112,500</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>$35,000</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$175,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>$650,000</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$972,500</strong></td>
</tr>
</tbody>
</table>


### 40. City of Petaluma

**Pre-litigation settlement:** Northern California River Watch + City of Petaluma (2004)

<table>
<thead>
<tr>
<th>Region</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual O&amp;M budget</td>
<td>$1,626,000</td>
</tr>
<tr>
<td>Population served</td>
<td>57,941</td>
</tr>
<tr>
<td>Lateral connection(s)</td>
<td>18,706</td>
</tr>
<tr>
<td>Total # SSOs</td>
<td>31 (27 reaching surface water)</td>
</tr>
<tr>
<td>Overall spill rate</td>
<td>1.9 (1.6) SSOs/100 mi/yr</td>
</tr>
<tr>
<td>WDID:</td>
<td>2SSO10165</td>
</tr>
<tr>
<td>Annual capital expenditure budget</td>
<td>$8,993,000</td>
</tr>
<tr>
<td>System length</td>
<td>195 mi (0 mi laterals)</td>
</tr>
<tr>
<td>Water crossing(s)</td>
<td>10</td>
</tr>
<tr>
<td>Total SSO volume</td>
<td>809,965 gal (808,680 gal reaching surface water)</td>
</tr>
<tr>
<td>Overall spill volume rate</td>
<td>1,644 (1,642) gal/1000 capita/yr</td>
</tr>
</tbody>
</table>

#### TIME LINE

- **5/24/2004** NOI (re: SSOs, continuous exfiltration, excessive irrigation violations, leakage violations from oxidation ponds hydrologically connected to the Petaluma River, and monitoring / reporting violations, from 5/24/1999 to 5/24/2004)
- **10/18/2004** EFFECTIVE DATE of settlement agreement signed by parties
- **10/18/2009** TERMINATION DATE of settlement agreement

#### Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Water quality monitoring / study, related to SSOs
- Private sewer lateral grant / loan program
- Water conservation program
- Provisions related to non-SSO claims

#### Monetary payments
- SEP: Up to $35,000 for healthy waterways study
- Attorneys’ fees and other costs | $50,000
- Settlement compliance monitoring -
- SEP payments | $35,000
- Private sewer lateral grant / loan program | $150,000
- Civil penalties -
- **TOTAL** | **$235,000**
41. City of Red Bluff

Pre-litigation settlement: California River Watch + City of Red Bluff (2014)

- **Region:** 5
- **Annual O&M budget:** $450,735
- **Population served:** 13,500
- **Lateral connection(s):** 4,300
- **Total # SSOs:** 56 (26 reaching surface water)
- **Annual O&M budget:** $450,735
- **Annual capital expenditure budget:** $721,273
- **Population served:** 13,500
- **System length:** 81 mi (0 mi laterals)
- **Total SSO volume:** 105,876 gal (69,001 gal reaching surface water)
- **Overall spill rate:** 8.5 (3.9) SSOs/100 mi/yr
- **Overall spill volume rate:** 961 (626) gal/1000 capita/yr

**TIME LINE**

- **4/11/2014** NOI (re: SSOs (?), etc.; document unavailable)
- **10/16/2014** EFFECTIVE DATE of settlement agreement (date signed by parties)
- **12/31/2019** EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)

**Injunctive settlement terms**

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Root control program
- New FOG ordinance or program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO cleanup / remediation

**Monetary payments**

- Attorneys’ fees and other costs: $35,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- **TOTAL:** $35,000
42. City of Redding

**Lawsuit:** California Sportfishing Protection Alliance v. City of Redding; No. 2:12-cv-01884 (E.D. Cal.)

- **Region:** 5
- **Annual O&M budget:** $2,844,810
- **Population served:** 91,000
- **Lateral connection(s):** 37,678
- **Total # SSOs:** 111 (28 reaching surface water)
- **Overall spill rate:** 3.1 (0.8) SSOs/100 mi/yr

**City of Redding**

<table>
<thead>
<tr>
<th>Year</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/19/2009</td>
<td>ACL Complaint R5-2009-0519 (settled in R5-2009-0549)</td>
</tr>
<tr>
<td>10/15/2009</td>
<td>ACL Order R5-2009-0549 (re: Oct. 2007 SSOs totaling at least 22,000 gal from elevated trunk line in poor repair; $77,500; $37,500 suspended pending completion of SEP (remove invasive weeds from Jenny Creek))</td>
</tr>
<tr>
<td>2/15/2011</td>
<td>NOV (re: SSOs addressed in R5-2012-0112)</td>
</tr>
<tr>
<td>4/13/2012</td>
<td>NOV (re: SSOs addressed in R5-2012-0112)</td>
</tr>
<tr>
<td>5/7/2012</td>
<td>NOI (re: 78 SSOs (including 41 to the MS4 and 324,025 gal reaching surface water), from 9/3/2007 to 5/7/2012)</td>
</tr>
<tr>
<td>7/17/2012</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>8/7/2012</td>
<td>ACL Order R5-2012-0112 stipulated to (No complaint, but NOVs, re: SSO violations) (re: 76 SSOs between Sept. 2007 and May 2012 and other violations; $1.45 million; $800,000 suspended pending completion of SEP (private sewer lateral replacement program))</td>
</tr>
<tr>
<td>11/21/2012</td>
<td>Answer filed</td>
</tr>
<tr>
<td>12/6/2012</td>
<td>ACL Order R5-2012-0112 adopted</td>
</tr>
<tr>
<td>5/12/2013</td>
<td>Consent decree signed by parties</td>
</tr>
<tr>
<td>5/15/2013</td>
<td>NOTICE of Tentative Settlement and Commencement of Mandatory 45-Day Review Period by Federal Agencies (by plaintiff)</td>
</tr>
<tr>
<td>6/29/2013</td>
<td>US DOJ letter (no objection)</td>
</tr>
<tr>
<td>6/29/2013</td>
<td>EFFECTIVE DATE of consent decree</td>
</tr>
<tr>
<td>7/8/2013</td>
<td>NOTICE of settlement and end of mandatory 45-day review; request for entry of proposed consent decree and proposed order to vacate status conference</td>
</tr>
<tr>
<td>7/9/2013</td>
<td>CONSENT DECREE ORDER</td>
</tr>
<tr>
<td>6/29/2015</td>
<td>EXPECTED TERMINATION DATE of consent decree</td>
</tr>
</tbody>
</table>
Injunctive settlement terms

- Field inspection
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Specific Repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- SEP: $45,000 for activities that will benefit the Sacramento River and its tributaries

Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$75,000</td>
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<tr>
<td>Settlement compliance monitoring</td>
<td>-</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$45,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$120,000</strong></td>
</tr>
</tbody>
</table>

---

43. City of Richmond

**Lawsuit:** Baykeeper & West County Toxics Coalition v. City of Richmond, West County Wastewater District, Veolia Water North America Operating Services, West County Agency (JPA); No. 3:05-cv-03829 (N.D. Cal.)

**Region:** 2  
**WDID:** 2SSO10170

**Annual O&M budget:** $4,330,861  
**Annual capital expenditure budget:** $16,000,000

**Population served:** 68,280  
**System length:** 199.2 mi (0 mi laterals)

**Lateral connection(s):** 19,609  
**Water crossing(s):** 0

**Total # SSOs:** 325 (156 reaching surface water)  
**Total SSO volume:** 48,836,681 gal (48,632,212 gal reaching surface water)

**Overall spill rate:** 19.2 (9.2) SSOs/100 mi/yr  
**Overall spill volume rate:** 84,136 (83,784) gal/1000 capita/yr

**City of Richmond**

![Graph showing precipitation and SSO volume over time](image-url)
### TIME LINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/14/2005</td>
<td>NOI (re: 1,068 SSOs (including to the MS4), MS4 permit violations, treated wastewater discharge violations, monitoring / reporting violations, etc., from 7/2000 to 7/2005)</td>
</tr>
<tr>
<td>9/22/2005</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>2/14/2006</td>
<td>Answer</td>
</tr>
<tr>
<td>3/17/2006</td>
<td>Case referred to mediation</td>
</tr>
<tr>
<td>6/28/2006</td>
<td>Mediation session held; case partially settled; 1st settlement agreement signed by parties (settled all claims against West County Agency and claims 8, 9, 15, 16, and 17 against all remaining defendants (relating to effluent limitations violations), paragraphs 64 and 65, and all references to biosolids; included SEP: $80,000 for activities benefiting watersheds in the City and/or the District or the area of San Francisco Bay seaward of this area)</td>
</tr>
<tr>
<td>7/5/2006</td>
<td>STIPULATION AND ORDER for partial dismissal of claims</td>
</tr>
<tr>
<td>7/20/2006</td>
<td>Second mediation session held; settled in principle; mediation process continues</td>
</tr>
<tr>
<td>8/4/2006</td>
<td>US DOJ letter (currently reviewing)</td>
</tr>
<tr>
<td>8/21/2006</td>
<td>Notice of comments of United States</td>
</tr>
<tr>
<td>10/18/2006</td>
<td>Second settlement agreement signed by parties</td>
</tr>
<tr>
<td>11/2/2006</td>
<td>US DOJ letter (currently reviewing)</td>
</tr>
<tr>
<td>12/8/2006</td>
<td>US DOJ letter (no objection)</td>
</tr>
<tr>
<td>12/8/2006</td>
<td>STIPULATION AND ORDER dismissing case pursuant to settlement</td>
</tr>
<tr>
<td>12/9/2006</td>
<td>EFFECTIVE DATE of final settlement agreement (45th day of review)</td>
</tr>
<tr>
<td>9/26/2014</td>
<td>Amendment to Settlement agreement signed by parties</td>
</tr>
<tr>
<td>10/30/2014</td>
<td>ORDER granting stipulation to amend settlement agreement (extending deadline and termination date)</td>
</tr>
<tr>
<td>12/9/2017</td>
<td>EXPECTED TERMINATION DATE of final settlement agreement</td>
</tr>
</tbody>
</table>

### Injunctive settlement terms

- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- New FOG ordinance or program
- FOG education and outreach
- FOG-related inspections
- FOG program evaluation / updating
- Identification / removal of inappropriate connections (inflow reduction)
- Enhanced SSO event recording / reporting
- Private sewer lateral grant / loan program
- Provisions related to non-SSO claims
- SEPs: $80,000 for activities that benefit watersheds located in the City of Richmond and/or West County Wastewater District or the area of San Francisco Bay seaward of this area; $325,000 for activities to enhance water quality in the San Francisco Bay Area (Richmond); $20,000 to East Brother Light Station for desalination equipment (Richmond); up to $311,000 for Sewer Rate Increase Assistance Program (Richmond)

### Monetary payments

- Attorneys’ fees and other costs: $595,000
- Settlement compliance monitoring: $100,000
- SEP payments: $736,000
- Private sewer lateral grant / loan program: $3,500,000
- Civil penalties: -
- TOTAL: $4,931,000

### 44. City of Rohnert Park

**Pre-litigation settlement:** Northern California River Watch with City of Rohnert Park (2006)

**Region:** 1
**Annual O&M budget:** $9,910,886
**Population served:** 40,794
**Lateral connection(s):** 8,427
**Total # SSOs:** 8 (2 reaching surface water)
**Overall spill rate:** 0.7 (0.2) SSOs/100 mi/yr

**WDID:** 1SSO100016
**Annual capital expenditure budget:** $2,277,077
**System length:** 137.7 mi (39.9 mi laterals)
**Water crossing(s):** 12
**Total SSO volume:** 948 gal (241 gal reaching surface water)
**Overall spill volume rate:** 2.7 (0.7) gal/1000 capita/yr
45. Russian River County Sanitation District (Sonoma County Water Agency)

Lawsuit: Northern California River Watch v. Sonoma County Water Agency, Sonoma County Board of Supervisors, Russian River County Sanitation District & Does 1-10 inclusive; No. 3:06-cv-04182 (N.D. Cal.)

Region: 1  
Annual O&M budget: $980,262  
Population served: 7,305  
Lateral connection(s): 2,467  
Total # SSOs: 12 (5 reaching surface water)  
Overall spill rate: 3.1 (1.3) SSOs/100 mi/yr

WDID: 1SSO10067  
Annual capital expenditure budget: $450,000  
System length: 45.7 mi (5.7 mi laterals)  
Water crossing(s): 7  
Total SSO volume: 135,684 gal (133,154 gal reaching surface water)  
Overall spill volume rate: 2,185 (2,144) gal/1000 capita/yr

Injunctive settlement terms
- Geographic information systems (GIS)  
- System inventory (mapping and gathering attribute data)  
- Field inspection  
- SSO response protocol development / updating  
- Water quality monitoring / study, related to SSOs  
- Private sewer lateral inspection / replacement ordinance

Monetary payments
- Attorneys’ fees and other costs $40,000  
- Settlement compliance monitoring -  
- SEP payments -  
- Private sewer lateral grant / loan program -  
- Civil penalties -  
- TOTAL $40,000
TIME LINE

- 7/22/1999  ACL Complaint R1-1999-0052 (re: 99,000 gallon SSO in 4/1999; $50,000; $45,000 suspended pending completion of SEP (drafting and implementation of comprehensive spill response and notification plan))
- 3/10/2006  NOI (re: 150 SSOs, continuous exfiltration, effluent limitations violations, receiving water limitations violations, monitoring / reporting violations, etc., from 3/1/2001 to 3/1/2006)
- 7/6/2006  Complaint filed
- 7/17/2006  Complaint filed
- 9/2/2006  Settlement agreement signed by parties (same as for 3:05-cv-03749; re Sonoma Valley County Sanitation District)
- 10/31/2006  CONSENT DECREE AND ORDER (signed 10/30/2006; filed/entered 10/31/2006)
- 10/31/2006  EFFECTIVE DATE of consent decree (date entered) (same as for 3:05-cv-03749; re Sonoma Valley County Sanitation District)
- 11/14/2007  ACL Complaint R1-2007-0101 (settled in R1-2008-0045)
- 6/12/2008  ACL Order R1-2008-0045 (re: 4 SSOs and other violations, from 10/1/2004 to 5/31/2007; $99,000; $68,000 suspended pending completion of project (upgrade treatment facility disinfection from chlorine to UV light))
- 1/14/2010  ACL Complaint R1-2010-0011 (settled in R1-2011-0009)
- 4/19/2011  ACL Order R1-2011-0009 (re: 2 SSOs and other violations, from 6/1/2007 to 5/31/2009; $57,000; $51,000 suspended pending completion of project (upgrade treatment facility disinfection from chlorine to UV light))
- 10/31/2014  TERMINATION DATE of consent decree (same as for 3:05-cv-03749; re Sonoma Valley County Sanitation District)

Injunctive settlement terms
- See Sonoma Valley County Sanitation District (B.61, below)

Monetary payments
- See Sonoma Valley County Sanitation District (B.61, below)
46. City of Sacramento

**Lawsuit:** California Sportfishing Protection Alliance v. City of Sacramento: No. 2:11-cv-00601 (E.D. Cal.)

- **Region:** 5
- **Annual O&M budget:** $5,088,605
- **Population served:** 180,124
- **Lateral connection(s):** 53,935
- **Total # SSOs:** 521 (5 reaching surface water)
- **Annual capital expenditure budget:** $911,734
- **System length:** 551 mi (0 mi laterals)
- **Water crossing(s):** 63
- **Total SSO volume:** 57,511 gal (1,495 gal reaching surface water)
- **Overall spill rate:** 12 (0.1) SSOs/100 mi/yr
- **Overall spill volume rate:** 29 (1.0) gal/1000 capita/yr

**TIME LINE**

- **12/29/2010** NOI (re: 364 SSOs (including 323 to the MS4 or directly to surface water), violations of the MS4 permit, and monitoring / reporting violations, from 12/29/2005 to 12/29/2010)
- **3/3/2011** Complaint filed
- **8/25/2011** Answer filed
- **11/10/2011** Consent decree signed by parties
- **11/22/2011** NOTICE of commencement of mandatory 45-day review of proposed consent decree by US EPA and US DOJ
- **12/28/2011** US DOJ letter (no objection)
- **12/29/2011** EFFECTIVE DATE of consent decree (45th day after US DOJ receipt)
- **1/3/2012** NOTICE of SETTLEMENT and request for entry of proposed consent decree; proposed order for entry of consent decree (by plaintiff)
- **1/9/2012** ORDER for CONSENT DECREE, dismissing case, retaining jurisdiction for sole purpose of enforcing compliance with decree
- **12/31/2017** EXPECTED TERMINATION DATE of consent decree
Injunctive settlement terms
- Computerized maintenance management system (CMMS)
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Cleaning quality assurance / quality control
- Repair, rehabilitation, and replacement, as part of an asset management program
- Specific Repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- Staffing
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach
- FOG-related inspections
- FOG ordinance enforcement
- FOG program evaluation / updating
- Inspection after SSOs
- SEP: $110,000 for environmental project activities in the Sacramento region that will benefit the American River and/or Sacramento River watersheds

Monetary payments
- Attorneys’ fees and other costs: $135,000
- Settlement compliance monitoring: $50,000
- SEP payments: $110,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $295,000

47. Sacramento Area Sewer District

Lawsuit: California Sportfishing Protection Alliance v. Sacramento Area Sewer District & County of Sacramento; No. 2:11-cv-00575 (E.D. Cal.)

Region: 5
Annual O&M budget: $124,149,984
Population served: 1,170,000
Lateral connection(s): 290,446
System length: 4,463 mi (1,384 mi laterals)
Water crossing(s): 1,089
Total # SSOs: 12,003 (140 reaching surface water)
Overall spill rate: 33.0 SSOs/100 mi/yr

WDID: 5SSO10912
Annual capital expenditure budget: $33,738,964
Total SSO volume: 1,784,738 gal (1,475,294 gal reaching surface water)
Overall spill volume rate: 187 (154) gal/1000 capita/yr

Sacramento Area Sewer District

Injunctive settlement terms

Monetary payments

TOTAL $295,000

Attorneys’ fees and other costs
Settlement compliance monitoring
SEP payments
Private sewer lateral grant / loan program
Civil penalties

TOTAL $295,000
## TIME LINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/2/2008</td>
<td>ACL Complaint R5-2008-0545 (re: 27 SSOs from Nov. 2006 to Apr. 2008 totaling 855,832 gal to surface waters; $201,000)</td>
</tr>
<tr>
<td>12/29/2010</td>
<td>NOI (re: 6,119 SSOs [including 1,770 to the MS4 or directly to surface water], violations of the MS4 permit, and monitoring / reporting violations, from 12/29/2005 to 12/29/2010)</td>
</tr>
<tr>
<td>3/1/2011</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>8/25/2011</td>
<td>Answers filed by defendants</td>
</tr>
<tr>
<td>1/18/2012</td>
<td>EFFECTIVE DATE of consent decree (date signed by parties)</td>
</tr>
<tr>
<td>3/9/2012</td>
<td>CONSENT DECREE AND ORDER dismissing case with prejudice</td>
</tr>
<tr>
<td>7/18/2018</td>
<td>EXPECTED TERMINATION DATE of consent decree</td>
</tr>
</tbody>
</table>

## Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Cleaning quality assurance / quality control
- Repair, rehabilitation, and replacement, as part of an asset management program
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG program evaluation / updating
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event-related water quality sampling / testing
- Inspection after SSOs
- Private sewer lateral inspection / replacement ordinance
- **SEP:** $350,000 for environmental project activities that will benefit the Sacramento-San Joaquin River Delta and its watershed

## Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$250,000</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>$60,000</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$350,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>$ -</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$660,000</strong></td>
</tr>
</tbody>
</table>
48. Salton Community Services District (2 collection systems)

Pre-litigation settlement: California River Watch + Salton Community Services District (2015)

Region: 7
Annual O&M budget: $506,167
Population served: 1,207
Lateral connection(s): 918
Total # SSOs: 3 (1 reaching surface water)
Overall spill rate: 0.6 (0.2) SSOs/100 mi/yr

WDID: 7SSO10524 (Desert Shores Collection System)
Annual capital expenditure budget: $36,300
System length: 64 mi (0 mi laterals)
Water crossing(s): 0
Total SSO volume: 9,700 gal (150 gal reaching surface water)
Overall spill volume rate: 984 (15) gal/1000 capita/yr

Population served: 4,303
System length: 306 mi (0 mi laterals)
Lateral connection(s): 1,862
Water crossing(s): 0
Total # SSOs: 24 (1 reaching surface water)
Overall spill rate: 1.0 (0.0) SSOs/100 mi/yr

Region: 7
Annual O&M budget: $1,027,571
Population served: 1,207
Lateral connection(s): 918
Total # SSOs: 3 (1 reaching surface water)
Overall spill rate: 0.6 (0.2) SSOs/100 mi/yr

WDID: 7SSO10538 (Salton City Oxidation Basin Collection System)
Annual capital expenditure budget: $73,700
System length: 306 mi (0 mi laterals)
Water crossing(s): 0
Total SSO volume: 259,750 gal (1,500 gal reaching surface water)
Overall spill volume rate: 7,394 (43) gal/1000 capita/yr
### TIME LINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/3/2014</td>
<td>ACL Complaint R7-2014-0062 (settled in R7-2015-0017)</td>
</tr>
<tr>
<td>11/4/2014</td>
<td>NOI (re: 22 SSOs, continuous exfiltration, monitoring / reporting violations, from 10/14/2009 to 10/14/2014)</td>
</tr>
<tr>
<td>3/3/2015</td>
<td>Settlement agreement signed by parties</td>
</tr>
<tr>
<td>3/12/2015</td>
<td>ACL Order R7-2015-0017 for Salton City Oxidation Basin CS (re: 1 SSO in Nov. 2011 totaling ~200,000 gal; $19,810; $9,405 suspended pending enhanced compliance project (purchase and installation of SmartCover and SmartFloe Monitoring Systems))</td>
</tr>
<tr>
<td>4/17/2015</td>
<td>EFFECTIVE DATE of settlement agreement (45th day after US DOJ receipt)</td>
</tr>
<tr>
<td>4/17/2020</td>
<td>EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)</td>
</tr>
</tbody>
</table>

### Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- SSO event impact evaluation
- Private sewer lateral inspection / replacement ordinance

### Monetary payments
- Attorneys’ fees and other costs: $25,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- **TOTAL**: $25,000
49. City of San Bruno

**Lawsuit:** San Francisco Baykeeper v. City of San Bruno; No. 3:10-cv-00753 (N.D. Cal.)

| Region: 2 | WDID: SSO10176 |
| Annual O&M budget: $8,184,913 | Annual capital expenditure budget: $6,845,630 |
| Population served: 40,165 | System length: 89 mi (0 mi laterals) |
| Lateral connection(s): 11,000 | Water crossing(s): 0 |
| Total # SSOs: 226 (50 reaching surface water) | Total SSO volume: 1,767,791 gal (1,642,552 gal reaching surface water) |
| Overall spill rate: 30 (6.6) SSOs/100 mi/yr | Overall spill volume rate: 5,177 (4,811) gal/1000 capita/yr |

**City of San Bruno**

![Graph showing precipitation and SSO volume over time]

**TIME LINE**

12/19/2009 NOI (re: 149 SSOs (including 58 to the MS4 or directly to surface water), MS4 permit violations, and monitoring / reporting violations, from 12/19/2004 to 12/19/2009)

2/16/2010 ACL Complaint R2-2010-0004 (settled by R2-2011-0044)

2/23/2010 Complaint filed

5/3/2010 Answer filed

6/2/2010 STIPULATION AND ORDER referring case to mediation

9/8/2010 Mediation session held; case partially settled

7/1/2011 ACL Order R2-2011-0044 (re:148 SSOS, 1,953,225 gallons discharged and not recovered, from 12/1/2004 to 12/31/2009; $621,100; $295,550 suspended pending SEPs (Private Sewer Lateral Grant Program and Marine Mammal Center project))

7/29/2011 Consent decree signed by parties

8/1/2011 Proposed order; proposed consent decree

9/25/2011 EFFECTIVE DATE of consent decree (45th day after US DOJ receipt)

9/29/2011 US DOJ letter (no objection)

11/14/2011 Letter from Marine Mammal Center re final SEP report

9/25/2021 EXPECTED TERMINATION DATE of consent decree
50. City of San Carlos

**Lawsuit:** San Francisco Baykeeper v. City of San Carlos; No. 4:09-cv-05677 (N.D. Cal.)

- **Region:** 2
- **Annual O&M budget:** $20,776,710
- **Population served:** 29,387
- **Lateral connection(s):** 11,000
- **Total # SSOs:** 334 (29 reaching surface water)
- **Overall spill rate:** 29 (2.6) SSOs/100 mi/yr

**WDID:** 2SSO10177

**Annual capital expenditure budget:** $7,128,868

**System length:** 133.5 mi (28 mi laterals)

**Water crossing(s):** 6

**Total SSO volume:** 103,855 gal (68,837 gal reaching surface water)

**Overall spill volume rate:** 416 (276) gal/1000 capita/yr

**Injunctive settlement terms**

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Repair, rehabilitation, and replacement, as part of an asset management program
- Specific Repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)

- FOG education and outreach
- FOG-related inspections
- FOG ordinance enforcement
- FOG program evaluation / updating
- Private sewer lateral inspection / replacement ordinance

**SEPs:** $95,928 for Marine Mammal Center project; $50,000 for activities that will benefit the San Francisco Bay or its tributaries

**Monetary payments**

- Attorneys’ fees and other costs: $131,000
- Settlement compliance monitoring: $90,000
- SEP payments: $145,928
- Private sewer lateral grant / loan program: $199,622
- Civil penalties: -

**TOTAL:** $566,550

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**City of San Carlos**
51. City of San Diego

**Lawsuit:** San Diego Baykeeper, Surfrider Foundation, San Diego Regional Water Quality Control Board, People of the State of California & United States of America v. City of San Diego; No. 3:01-cv-00550 (S.D. Cal.)

### Monitoring and Reporting

**Region:** 9
**Annual O&M budget:** $41,180,000
**Population served:** 2,186,810
**Lateral connection(s):** 267,237
**Total # SSOs:** 453 (168 reaching surface water)
**Overall spill rate:** 1.6 (0.6) SSOs/100 mi/yr

**WDID:** 9SSO10658
**Annual capital expenditure budget:** $72,200,000
**System length:** 3,147 mi (0 mi laterals)
**Water crossing(s):** 1
**Total SSO volume:** 3,916,602 gal (3,316,343 gal reaching surface water)
**Overall spill volume rate:** 203 (172) gal/1000 capita/yr

### Injunctive Settlement Terms

- Computerized maintenance management system (CMMS)
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Cleaning quality assurance / quality control
- Capital improvement projects and/or planning
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach
- FOG ordinance enforcement
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- Private sewer lateral inspection / replacement ordinance
- SEP: $200,000 for activities that will benefit the San Francisco Bay or its tributaries

### Monetary Payments

- Attorneys’ fees and other costs: $95,000
- Settlement compliance monitoring: $55,000
- SEP payments: $200,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- **TOTAL:** $350,000
**Citizen Enforcement and Sanitary Sewer Overflows in California**

**BERKELEY LAW | WHEELER WATER INSTITUTE AT CLEE**

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**TIME LINE**

1986  CDO
1987  ACL Orders
1993  ACL Order

10/11/2000  ACL Order R9-2000-0103 (re: 34 million gal SSO from 2/21/2000 to 3/2/2000; $3.4699 million; $2.043 million suspended pending completion of SEPs (San Diego River nutrient study and restoration master plan; restoration of Adobe Falls Open Space Park; beach valuation project; Alvarado Canyon mitigation; Storm drain sediment trap at Famosa Slough; Restoration of Chaparral Canyon Area; and Mission Bay water quality survey))
10/30/2000  NOI (re: SSOs (including to the MS4), violations of MS4 permit, and monitoring / reporting violations, from 12/14/1996 to 3/29/2001)
3/29/2001  Complaint filed by citizen plaintiffs
4/19/2001  ACL Complaint R9-2001-0099 (settled in R9-2001-0174)
10/10/2001  ACL Order R9-2001-0174 (re: 1,500,000 gal SSO in 2/2001, $1.589 million; $1.1 million suspended pending completion of SEPs (Mission Bay epidemiology study; funds for Mission Bay Contaminant Dispersion Study))
10/15/2001  Motion to dismiss, or to bifurcate and stay
10/16/2001  Mayor and City Council raised sewer service rates
4/5/2002  EPA finding of violation and order No. CWA-309-9-02-17(withdrawn upon entry of 1st partial consent decree on 9/13/2005) (1,535 SSOs from 1997 to 2001)
9/5/2002  Stipulation and ORDER withdrawing motion to dismiss without prejudice and staying proceedings for 90 days
2/7/2003  Answer filed
7/9/2003  Complaint filed by United States in 3:03-cv-1349
9/3/2003  Stipulation and ORDER consolidating with cases 3:03-cv-1349 (United States v. City of San Diego) and 3:03-cv-1381 (State v. City of San Diego)
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/28/2005</td>
<td>1st partial consent decree signed by parties</td>
</tr>
<tr>
<td>5/3/2005</td>
<td>Notice of lodging of 1st partial consent decree, by United States</td>
</tr>
<tr>
<td>7/14/2005</td>
<td>Motion for order to enter partial consent decree (nunc pro tunc to 7/8/05), by United States</td>
</tr>
<tr>
<td>6/30/2006</td>
<td>1st partial consent decree expired</td>
</tr>
<tr>
<td>8/14/2006</td>
<td>2nd partial consent decree signed by parties</td>
</tr>
<tr>
<td>8/15/2006</td>
<td>Notice of lodging of 2nd partial consent decree by United States</td>
</tr>
<tr>
<td>1/23/2007</td>
<td>ORDER entering 2nd Partial Consent Decree</td>
</tr>
<tr>
<td>2/26/2007</td>
<td>Mayor and City Council approved sewer rate increase</td>
</tr>
<tr>
<td>6/30/2007</td>
<td>2nd partial consent decree expired</td>
</tr>
<tr>
<td>7/30/2007</td>
<td>Final consent decree signed by parties</td>
</tr>
<tr>
<td>7/31/2007</td>
<td>Notice of lodging of final consent decree by United States</td>
</tr>
<tr>
<td>10/9/2007</td>
<td>Final consent decree signed by court (entered 10/12/2007)</td>
</tr>
<tr>
<td>10/29/2007</td>
<td>EFFECTIVE DATE of Final consent decree (date entered)</td>
</tr>
<tr>
<td>7/22/2009</td>
<td>ACL Complaint R9-2009-0042 (settled in R9-2009-0172)</td>
</tr>
<tr>
<td>11/18/2009</td>
<td>ACL Order R9-2009-0172 (re: 381,185 gallon SSO in 8/2007; $680,278; $60,000 suspended pending payment to Santa Fe Irrigation District to reimburse costs of obtaining replacement water while Lake was closed)</td>
</tr>
<tr>
<td>5/8/2013</td>
<td>ACL Order R9-2013-0032 (re: &gt; 2.4 million gallon of SSOs in 9/2011; $1,245,414; half suspended pending completion of enhanced compliance project (purchase and installation of backup generators))</td>
</tr>
<tr>
<td>7/1/2013</td>
<td>TERMINATION DATE of consent decree (if City met requirements)</td>
</tr>
</tbody>
</table>

### Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Root control program
- Repair, rehabilitation, and replacement, as part of an asset management program
- Specific Repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- Staffing
- Spill rate performance levels set
- FOG education and outreach
- FOG-related inspections
- FOG ordinance enforcement
- Enhanced SSO event recording / reporting
- Water quality monitoring / study, related to SSOs
- Private sewer lateral SSO response and/or maintenance (by agency)
- **SEP:** $250,000 for Pacific Beach Point Study

### Monetary payments
- Attorneys' fees and other costs: $419,923
- Settlement compliance monitoring: $20,000
- SEP payments: $250,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- **TOTAL:** $689,923

### 52. City of San Jose

**Lawsuit:** Northern California River Watch v. City of San Jose; No. 3:12-cv-01624 (N.D. Cal.)

**Lawsuit:** San Francisco Baykeeper v. City of San Jose, San Jose Department of Transportation, San Jose Public Works Department, San Jose Environmental Services Department; No. 5:15-cv-00642 (N.D. Cal.), ongoing as of March 2016

<table>
<thead>
<tr>
<th>Region</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual O&amp;M budget</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>Population served</td>
<td>1,000,536</td>
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<tr>
<td>Lateral connection(s)</td>
<td>251,000</td>
</tr>
<tr>
<td>Total # SSOs</td>
<td>1,428 (89 reaching surface water)</td>
</tr>
<tr>
<td>Overall spill rate</td>
<td>7.3 (0.5) SSOs/100 mi/yr</td>
</tr>
<tr>
<td><strong>WDID:</strong></td>
<td><strong>2SSO10179</strong></td>
</tr>
<tr>
<td><strong>Annual capital expenditure budget:</strong></td>
<td>$15,000,000</td>
</tr>
<tr>
<td><strong>System length:</strong></td>
<td>2.307 mi (0 mi laterals)</td>
</tr>
<tr>
<td><strong>Water crossing(s):</strong></td>
<td>0</td>
</tr>
<tr>
<td><strong>Total SSO volume:</strong></td>
<td>764,628 gal (199,561 gal reaching surface water)</td>
</tr>
<tr>
<td><strong>Overall spill volume rate:</strong></td>
<td>90 (24) gal/1000 capita/yr</td>
</tr>
</tbody>
</table>
Injunctive settlement terms (CRW lawsuit)
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event impact evaluation

Monetary payments (CRW lawsuit)
- Attorneys' fees and other costs: $150,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: $300,000
- Civil penalties: -
- TOTAL: $450,000

Private sewer lateral grant / loan program
53. Santa Ana Watershed Project Authority

**Outstanding NOI:** California River Watch (2015), still outstanding as of March 2016

| Region: 8 | WDID: SSSO10603 |
| Annual O&M budget: $12,353,368 | Annual capital expenditure budget: $5,968,663 |
| Population served: 3,415,953 | System length: 71.9 mi (0 mi laterals) |
| Lateral connection(s): 35 | Water crossing(s): 28 |
| Total # SSOs: 56 (10 reaching surface water) | Total SSO volume: 1,030,278 gal (224,618 gal reaching surface water) |
| Overall spill rate: 8.8 (1.6) SSOs/100 mi/yr | Overall spill volume rate: 34 (7.4) gal/1000 capita/yr |

**TIME LINE**

4/16/2015  NOI (re: 36 SSOs (including 223,833 gal reaching surface water), continuous exfiltration, monitoring / reporting violations, and nuisance, from 4/15/2010 to 4/15/2015)

54. City of Santa Barbara

**Lawsuit(s):** Santa Barbara Channel keeper v. City of Santa Barbara; No. 2:11-cv-03624 (C.D. Cal.)

| Region: 3 | WDID: SSSO10265 |
| Annual O&M budget: $3,312,000 | Annual capital expenditure budget: $2,000,000 |
| Population served: 95,000 | System length: 261 mi (0 mi laterals) |
| Lateral connection(s): 222,275 | Water crossing(s): 173 |
| Total # SSOs: 205 (34 reaching surface water) | Total SSO volume: 70,107 gal (30,329 gal reaching surface water) |
| Overall spill rate: 9.2 (1.5) SSOs/100 mi/yr | Overall spill volume rate: 87 (38) gal/1000 capita/yr |
### TIME LINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/24/2011</td>
<td>NOI (re: 171 SSOs (including 57 to the MS4), MS4 permit violations, and monitoring / reporting violations, from 2/24/2006 to 2/24/2011)</td>
</tr>
<tr>
<td>4/27/2011</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>9/12/2011</td>
<td>Answer filed</td>
</tr>
<tr>
<td>10/21/2011</td>
<td>Case referred to magistrate judge for settlement</td>
</tr>
<tr>
<td>10/25/2011</td>
<td>Supplemental NOI (added mention of exfiltration to the MS4)</td>
</tr>
<tr>
<td>3/22/2012</td>
<td>Consent decree signed by parties</td>
</tr>
<tr>
<td>3/22/2012</td>
<td>NOTICE of tentative settlement</td>
</tr>
<tr>
<td>5/10/2012</td>
<td>US DOJ statement of interest (no objection)</td>
</tr>
<tr>
<td>5/10/2012</td>
<td>NOTICE of lodging of proposed consent decree and end of 45-day federal agency review period</td>
</tr>
<tr>
<td>5/14/2012</td>
<td>CONSENT DEGREE ORDER</td>
</tr>
<tr>
<td>5/14/2012</td>
<td>EFFECTIVE DATE of consent decree</td>
</tr>
<tr>
<td>3/31/2017</td>
<td>EXPECTED TERMINATION DATE of consent decree (unless terminated early)</td>
</tr>
</tbody>
</table>

### Injunctive settlement terms

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG program evaluation / updating
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO cleanup / remediation
- Inspection after SSOs
- Water quality monitoring / study, related to SSOs
- SEP: $125,000 for Santa Barbara Green Living Co-op Low Impact Development Program

### Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$337,500</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>$65,000</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$125,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$527,500</strong></td>
</tr>
</tbody>
</table>
55. City of Santa Clara

Lawsuit(s): Northern California River Watch v. City of Santa Clara & Does 1–10; No. 3:12-cv-05974 (N.D. Cal.)

Region: 2
Annual O&M budget: $18,716,000
Population served: 118,000
Lateral connection(s): 26,195
Total # SSOs: 36 (5 reaching surface water)
Overall spill rate: 1.6 (0.2) SSOs/100 mi/yr

City of Santa Clara

Annual capital expenditure budget: $13,830,000
System length: 272 mi (0 mi laterals)
Total SSO volume: 32,571 gal (14,171 gal reaching surface water)
Overall spill volume rate: 33 (14) gal/1000 capita/yr

TIME LINE

7/17/2012 NOI (re: 25 SSOs, continuous exfiltration, and monitoring / reporting violations, from 7/7/2007 to 7/7/2012)
11/21/2012 Complaint filed
3/21/2013 EFFECTIVE DATE of settlement agreement (date signed by parties)
3/22/2013 NOTICE of Settlement and of Pending Review by US DOJ
3/25/2013 ORDER of dismissal
5/6/2013 US DOJ letter (no objection)
3/21/2021 EXPECTED TERMINATION DATE of settlement agreement

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- Private sewer lateral inspection / replacement ordinance

Monetary payments
- Attorneys’ fees and other costs: $50,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $50,000
56. County Sanitation District No. 2-3 of Santa Clara

Lawsuit: Northern California River Watch v. County Sanitation District No. 2-3 of Santa Clara; No. 3:12-cv-02375 (N.D. Cal.)

Region: 2
Annual O&M budget: $2,300,000
Population served: 19,257
Lateral connection(s): 4,500
Total # SSOs: 113 (14 reaching surface water)
Overall spill rate: 20 (2.5) SSOs/100 mi/yr

Annual capital expenditure budget: $530,000
System length: 67.1 mi (21 mi laterals)
Water crossing(s): 0
Total SSO volume: 174,238 gal (117,600 gal reaching surface water)
Overall spill volume rate: 1,064 (718) gal/1000 capita/yr

Santa Clara County Sanitation District No. 2–3

TIME LINE

1/23/2012 NOI (CWA, re: 125 SSOs, continuous exfiltration, and monitoring / reporting violations, from 1/9/2007 to 1/9/2012)
1/23/2012 NOIs (Resource Conservation and Recovery Act, re: SSOs and exfiltration)
5/9/2012 Counsel met
5/10/2012 Complaint filed
8/29/2012 EFFECTIVE DATE of settlement agreement (date signed by parties)
10/15/2012 US DOJ letter
10/15/2012 Notice of voluntary dismissal of action with prejudice by plaintiff
8/29/2022 EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- Private sewer lateral grant / loan program

Monetary payments
- Attorneys’ fees and other costs: $50,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: $55,000
- Civil penalties: -
- TOTAL: $105,000
57. City of Santa Rosa

Lawsuit: Northern California River Watch v. City of Santa Rosa; No. 3:04-cv-04195 (N.D. Cal.)
Lawsuit: California River Watch v. City of Santa Rosa; No. 3:15-cv-02349 (N.D. Cal.), ongoing as of March 2016

<table>
<thead>
<tr>
<th>Region</th>
<th>1</th>
<th>WDID:</th>
<th>1SSO11491</th>
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</thead>
<tbody>
<tr>
<td>Annual O&amp;M budget</td>
<td>$10,129,572</td>
<td>Annual capital expenditure budget</td>
<td>$12,012,682</td>
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<tr>
<td>Population served</td>
<td>170,236</td>
<td>System length</td>
<td>570.6 mi (0 mi laterals)</td>
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<tr>
<td>Lateral connection(s)</td>
<td>49,572</td>
<td>Water crossing(s)</td>
<td>13</td>
</tr>
<tr>
<td>Total # SSOs</td>
<td>37 (13 reaching surface water)</td>
<td>Total SSO volume</td>
<td>59,591 gal (40,269 gal reaching surface water)</td>
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<tr>
<td>Overall spill rate</td>
<td>0.8 (0.3) SSOs/100 mi/yr</td>
<td>Overall spill volume rate</td>
<td>41 (28) gal/1000 capita/yr</td>
</tr>
</tbody>
</table>

City of Santa Rosa

- Spill rate
  - (# of SSOs / 100 mi / year)
- SSO volume (gallons)
  - 0 to 15,000
- Precipitation (mm / day)
  - 0 to 15

![Graph showing SSOs and precipitation over time for City of Santa Rosa](image-url)
TIME LINE

5/2/2002  ACL Complaint R1-2002-0053 (re: various violations, including "spills," from Apr. 2000 to June 2001; $12,350)

CRW lawsuit #1 (Docket No. 3:04-cv-04195):

7/15/2004  NOI (re: SSOs, exfiltration, treated wastewater storage pond leakage and other discharges, reclaimed water irrigation runoff, receiving water limitations violations, and monitoring / reporting requirements, from 7/15/2002 to 7/15/2004)

9/13/2004  ACL Complaint R1-2004-0083 (re: various violations from 7/1/2001 to 6/30/2004; said it addressed specific allegations from the NOI, including SSOs, asked City for more info. on general NOI allegations; $37,850

10/4/2004  Complaint filed

1/5/2005  Answer filed

2/18/2005  Case referred to early neutral evaluation (ENE)

4/15/2005  Supplemental NOI (? document not available)

5/12/2005  ENE Session held on 5/12/2005, case partially settled, no follow up contemplated

5/7/2005  Partial settlement agreement signed by parties (?)

6/2/2005  Stipulation to dismiss with prejudice claims concerning SSOs

6/2/2005  ORDER approving stipulated dismissal with prejudice of claims concerning SSOs

10/11/2005  EFFECTIVE DATE of settlement agreement (date signed by parties)

11/21/2005  ORDER approving stipulated dismissal with prejudice of all claims


6/14/2007  ACL Order R1-2007-0038 (re: various violations, including 22 SSOs from 8/2/2004 to 12/31/2006; $194,500; $104,750 suspended pending completion of 2 projects (flood protection wall around south electrical load center, pharmaceutical outreach program))

5/26/2010  ACL Complaint R1-2010-0057 (settled in R1-2010-0075)

10/28/2010  ACL Order R1-2010-0075 (re: various violations, including 3 SSOs from 1/1/2007 to 2/28/2010; $72,750; $36,375 suspended pending completion of SEP (extend Safe Medicine Disposal Pilot Program))

10/11/2014  TERMINATION DATE of settlement agreement

CRW lawsuit #2 (Docket No. 3:15-cv-02349):

1/21/2015  NOI (re: 17 SSOs (including 36,826 gal reaching surface water), continuous exfiltration, effluent limitations violations, receiving water limitations violations, treated water discharge violations, monitoring / reporting violations, and nuisance, from 1/1/2010 to 2/22/2015)

5/27/2015  Complaint filed

5/27/2015  Case assigned to Magistrate Judge

2/5/2016  NOTICE by City of settlement; parties have reached settlement of all claims and are in the process of finalizing an agreement that will be presented to the City Council for approval within 30 days

3/2/2016  ORDER reassigning case to U.S. District Court Judge

Injunctive settlement terms (lawsuit #1)

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Private sewer lateral inspection / replacement ordinance
- Provisions related to non-SSO claims
- SEP: $250,000 for environmental or educational projects that focus on nutrient removal, revegetation and/or restoration in the Laguna de Santa Rosa and its tributaries

Monetary payments (lawsuit #1)

Attorneys’ fees and other costs $175,000
Settlement compliance monitoring -
SEP payments $250,000
Private sewer lateral grant / loan program -
Civil penalties -
TOTAL $425,000
58. City of Sausalito

**Lawsuit(s):** Northern California River Watch v. City of Sausalito; No. 3:08-cv-01966 (N.D. Cal.)

| Region | 2 |
| Annual O&M budget | $1,812,479 |
| Population served | 7,037 |
| Lateral connection(s) | 4,534 |
| Total # SSOs | 80 (27 reaching surface water) |
| Total SSO volume | 216,045 gal (134,472 gal reaching surface water) |
| Annual O&M budget | $1,812,479 |
| Annual capital expenditure budget | $997,246 |
| System length | 26 mi (0 mi laterals) |
| Water crossing(s) | 0 |
| Overall spill rate | 36.2 (12.2) SSOs/100 mi/yr |
| Overall spill volume rate | 3,612 (2,248) gal/1000 capita/yr |

**TIME LINE**

8/16/2007 NOI (CWA, re: 50 SSOs and continuous exfiltration, from 12/1/2004 to 5/2/2007)
8/20/2007 NOI (Resource Conservation and Recovery Act, re: SSOs and exfiltration)
10/5/2007 Initial settlement conference (with Sausalito-Marin City Sanitary District and its satellites: City, Tamalpais Community Service District, and Golden Gate National Park Service)
4/10/2008 EPA Administrative Order, Docket CWA-309(a)-08-031 against City, District, and Tamalpais Community Service District (re: SSOs from 12/1/2004 to 2/2008)
4/15/2008 Complaint filed
7/8/2008 STIPULATION AND ORDER referring case to mediation
7/30/2008 Answer filed
10/8/2008 Mediation session; case fully settled
12/3/2008 EFFECTIVE DATE of settlement agreement (date signed by parties)
1/21/2009 Stipulation of dismissal with prejudice; proposed order
1/22/2009 STIPULATION AND ORDER dismissing case (entered 1/27/2009)
1/21/2010 ACL Complaint R2-2009-0057 (2 SSOs, discharging 31,045 gallons to surface water in July 2008; $75,000)
12/3/2015 EXPECTED TERMINATION DATE of consent decree
### 59. Sausalito-Marin City Sanitary District

**Lawsuit:** Northern California River Watch v. Sausalito-Marin City Sanitary District; No. 3:08-cv-02097 (N.D. Cal.)

- **Region:** 2
- **Annual O&M budget:** $250,000
- **Population served:** 18,000
- **Lateral connection(s):** 2,400
- **Total # SSOs:** 15 (9 reaching surface water)
- **Overall spill rate:** 16 (9.6) SSOs/100 mi/yr
- **Annual capital expenditure budget:** $2,350,000
- **System length:** 11 mi (0 mi laterals)
- **Water crossing(s):** 2
- **Total SSO volume:** 134,524 gal (124,711 gal reaching surface water)
- **Overall spill volume rate:** 879 (815) gal/1000 capita/yr

#### Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Hydraulic and hydrologic modelling / analysis
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Private sewer lateral grant / loan program
- Private sewer lateral inspection / replacement ordinance
- Other private sewer lateral program
- Provisions related to non-SSO claims

#### Monetary payments
- **Attorneys’ fees and other costs:** $45,000
- **Settlement compliance monitoring:** -
- **SEP payments:** -
- **Private sewer lateral grant / loan program:** $100,000
- **Civil penalties:** -
- **TOTAL:** $145,000

---

**SSO Volume vs. Precipitation**

- **SSO volume (gallons)**
- **Precipitation (mm / day)**

**Combined Graph:**

- Sausalito–Marin City Sanitary District
- Spill rate
- SSO volume (gallons)
- Precipitation (mm / day)

---

**Injunctive settlement terms**

- Field inspection
- Condition rating / assessment
- Hydraulic and hydrologic modelling / analysis
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Private sewer lateral grant / loan program
- Private sewer lateral inspection / replacement ordinance
- Other private sewer lateral program
- Provisions related to non-SSO claims

**Monetary payments**

- **Attorneys’ fees and other costs:** $45,000
- **Settlement compliance monitoring:** -
- **SEP payments:** -
- **Private sewer lateral grant / loan program:** $100,000
- **Civil penalties:** -
- **TOTAL:** $145,000
Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Private sewer lateral grant / loan program
- Private sewer lateral inspection / replacement ordinance
- Other private sewer lateral program
- Provisions related to non-SSO claims
- SEP: $40,000 for sanitary sewer / MS4 cross-contamination study

Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$60,000</td>
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<tr>
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<td>SEP payments</td>
<td>$40,000</td>
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<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
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<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$100,000</strong></td>
</tr>
</tbody>
</table>
60. City of Sebastopol

**Outstanding NOI:** Northern California River Watch (2010), still outstanding as of March 2016

- **Region:** 1
- **Annual O&M budget:** $335,500
- **Population served:** 7,750
- **Lateral connection(s):** 2,800
- **Total # SSOs:** 25 (13 reaching surface water)
- **Overall spill rate:** 6.9 (3.6) SSOs/100 mi/yr
- **WDID:** 1SS010017
- **Annual capital expenditure budget:** $345,000
- **System length:** 42.8 mi (10.5 mi laterals)
- **Water crossing(s):** 5
- **Total SSO volume:** 187,318 gal (176,105 gal reaching surface water)
- **Overall spill volume rate:** 2,843 (2,673) gal/1000 capita/yr

**City of Sebastaplo**

**TIME LINE**

- **8/14/2007** ACL Complaint R1-2007-0068 (settled in R1-2008-0004)
- **3/6/2008** ACL Order R1-2008-0004 (re: 2 SSOs in Jan 2006 and Apr. 2007, totaling ~ 7,000,000 gal to surface water; $50,000, $32,500 suspended pending completion of pump project)
- **2/25/2010** NOI (re: 13+ SSOs (including 165,975 gal reaching surface water), continuous exfiltration, and monitoring /reporting violations, from 2/15/2005 to 2/15/2010)
- **9/9/2010** ACL Complaint R1-2010-0081 (re: Jan. 2010 spill totalling 142,500 gal to surface water; $390,131)
61. Sonoma Valley County Sanitation District (Sonoma County Water Agency)

Lawsuit: Northern California River Watch v. Sonoma County Water Agency, Sonoma Valley County Sanitation District & Sonoma County; No. 3:97-cv-04263 (N.D. Cal.)
Lawsuit: Northern California River Watch v. Sonoma County Water Agency & Sonoma Valley County Sanitation District; No. 3:05-cv-03749 (N.D. Cal.)
Lawsuit: California River Watch v. Sonoma County Water Agency & Sonoma Valley County Sanitation District, No. 3:15-cv-01283 (N.D. Cal.), ongoing at end of June 2015; subsequently settled

Region: 2  
WDID: 2SSO10196  
Annual O&M budget: $3,361,288  
Annual capital expenditure budget: $2,670,000  
Population served: 44,706  
System length: 159.1 mi (24.1 mi laterals)  
Lateral connection(s): 10,208  
Water crossing(s): 6  
Total # SSOs: 108 (82 reaching surface water)  
Total SSO volume: 1,387,051 gal (1,380,601 gal reaching surface water)  
Overall spill rate: 8.0 (6.1) SSOs/100 mi/yr  
Overall spill volume rate: 3,650 (3,633) gal/1000 capita/yr

TIME LINE

CRW lawsuit #1 (Docket No. 3:97-cv-04263): (initial NOI, complaint, and 1st amended complaint unavailable)
9/16/1997 NOI (not available; see supplemental NOI)
11/24/1997 Complaint filed
1/16/1998 ORDER relating this case and 3:97-cv-02962
2/6/1998 ACL Order (738,000 gal SSOs, and effluent limitations violations, from 1/1994 to 7/1997; $83,000; $75,000 suspended pending completion of SEPs for anadromous fish passage and agricultural stormwater management)
2/9/1999 NOV (re: 25,800 gal SSOs and effluent limitation violations)
3/2/1998 MOTION to dismiss
4/20/1998 ORDER denying motion to dismiss case as to injunctive and declaratory relief, granting as to civil penalties
4/27/1998 1st Amended complaint filed
7/9/1998 2nd Amended complaint filed (seeking civil penalties for permit violations from 7/1997 through date of trial)
10/27/1998 MOTION to bifurcate liability from penalties, by plaintiff
11/2/1998 MOTION to dismiss 2nd amended complaint, by defendant
12/14/1998 ORDER denying plaintiff’s motion to bifurcate liability from penalties
CRW lawsuit #3 (Docket No. 3:15-cv-01283):

12/16/1998 ORDER (published) denying motion to dismiss 2nd amended complaint; clarifying that 4/20/1998 order refers only to the period covered by the ACL
1/4/1999 MOTION for partial summary judgment (on liability), by plaintiff
1/11/1999 Answer filed
1/15/1999 Supplemental NOI (added allegations from 8/1997 to 10/1998 re: SSOs, treatment plant bypass, effluent limitations violations, receiving water limitations violations, and monitoring / reporting violations)
2/10/1999 ORDER relating this case and 3:98-cv-04762
5/10/1999 ORDER granting plaintiff’s motion for partial summary judgment on liability with respect to effluent limitations violations explicitly indicated in self-monitoring reports + alleged violations of permit’s monitoring and reporting requirements (except defendant’s failure to increase testing after violation)
7/30/1999 MINUTES: Parties are close to completing settlement.
10/8/1999 MINUTES: Dismissal papers to be signed and filed by 11/12/99.
12/17/1999 ORDER dismissing case without prejudice; 90-day conditional dismissal.
1/14/2000 MOTION for attorney fees and costs, by plaintiff
2/28/1999 ORDER granting plaintiff’s motion for attorney fees and costs ($124,856.99 attorneys fees; $10,234.02 costs)
3/7/2000 Certification of parties’ failure to finalize settlement (by plaintiff)
3/9/2000 ORDER: The parties must file a stipulated dismissal by 4/14/00, or the case shall be restored to calendar
4/13/2000 Settlement Agreement signed by parties
4/13/2000 Stipulation of dismissal filed
4/14/2000 EFFECTIVE DATE of settlement agreement
4/14/2001 TERMINATION DATE of settlement agreement
3/6/2006 ORDER relating this case and 3:05-cv-03749

CRW lawsuit #2 (Docket No. 3:05-cv-03749):

9/7/2004 NOI - sent to Sonoma County Water Agency (re: SSOs, continuous exfiltration, effluent limitations violations, reclamation project limitations, and monitoring / reporting violations, from 9/7/1999 to 9/7/2004)
9/16/2005 Complaint filed
9/30/2005 Supplemental NOI - sent to Sonoma County Water Agency and the District
12/16/2005 1st Amended complaint
2/17/2006 MOTIONS to dismiss for failure to join an indispensable party, lack of jurisdiction
3/14/2006 ORDER referring case to private ADR
3/21/2006 2nd Supplemental NOI (to Agency, District, and addressed also to “Does”) (same as for 3:06-cv-04182)
6/27/2006 ORDER finding motion to dismiss for failure to join an indispensable party moot, denying without prejudice motion to dismiss for lack of jurisdiction
6/29/2006 2nd Amended complaint (added contract claim)
7/17/2006 ORDER relating 3:05-cv-03749 with 06-cv-04182
9/12/2006 Settlement agreement signed by parties
10/30/2006 CONSENT DECREE AND ORDER (filed and entered 10/31/2006)
10/31/2006 EFFECTIVE DATE of consent decree (date entered) (same as for 3:06-cv-04182; re Russian River County Sanitation District)
11/14/2006 US DOJ letter (no objection)
7/5/2010 ACL Complaint R2-2010-0093 (settled in R2-2011-0021)
4/25/2011 ACL Order R2-2011-0021 (re: 41 SSOs, totaling 958,785 gallons discharged, from 5/2/2007 to 7/31/2010; $383,000; $183,250 suspended pending completion of SEP (habitat enhancement project for Fryer Creek))
10/31/2014 TERMINATION DATE of consent decree (same as for 3:06-cv-04182; re Russian River County Sanitation District)

CRW lawsuit #3 (Docket No. 3:15-cv-01283):

1/13/2015 NOI (re: 53 SSOs, continuous exfiltration, effluent limitations violations, and monitoring / reporting violations, from 12/8/2009 to 12/8/2014)
3/13/2015 ACL Order R2-2015-1008 (Stipulated, no complaint issued) (re: 52 SSOs, etc. from 8/1/2010 to 1/31/2015; $732,300; $365,000 suspended pending completion of SEP (private sewer lateral replacement incentive program, Ash Creek erosion control and riparian restoration))
3/15/2015 Tentative CDO (SSOs, ongoing; listing 52 SSOs including 39 capacity-related SSOs from 8/1/2010 to 1/31/2015)
3/19/2015 Complaint filed
6/15/2015 CDO No. R2-2015-0032

8/17/2015 EFFECTIVE DATE of settlement agreement (date signed by parties)
8/18/2015 NOTICE of settlement and pending review by US DOJ and US EPA, by plaintiff
10/1/2015 US DOJ letter (no objection)
10/2/2015 NOTICE of voluntary dismissal with prejudice, by plaintiff
10/7/2015 ORDER dismissing case
2/17/2023 TERMINATION DATE of consent decree
### Injunctive settlement terms (lawsuit #1)

- Enhanced SSO event recording / reporting
- Provisions related to non-SSO claims
- **SEP:** $83,000 for watershed restoration, remediation, habitat protection, or watershed educational projects that directly benefit the Sonoma Valley watershed

### Monetary payments (lawsuit #1)

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
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<tr>
<td>Settlement compliance monitoring</td>
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<td>SEP payments</td>
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<tr>
<td>Private sewer lateral grant / loan program</td>
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<tr>
<td>Civil penalties</td>
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</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$218,091</strong></td>
</tr>
</tbody>
</table>

### Injunctive settlement terms (lawsuit #2)

- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Condition rating / assessment
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- New FOG ordinance or program
- SSO response protocol development / updating
- Water quality monitoring / study, related to SSOs
- Private sewer lateral inspection / replacement ordinance
- Provisions related to non-SSO claims
- **SEP:** $75,000 for collection system study addressing exfiltration affecting water bodies from California collection systems

### Monetary payments (lawsuit #2)

<table>
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<td>Private sewer lateral grant / loan program</td>
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<td>Civil penalties</td>
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</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$225,000</strong></td>
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</table>

### 62. City of South San Francisco

**Lawsuit(s):** San Francisco Baykeeper v. City of South San Francisco, No. 4:10-cv-00921 (N.D. Cal.)

<table>
<thead>
<tr>
<th>Region</th>
<th>Annual O&amp;M budget</th>
<th>Population served</th>
<th>Lateral connection(s)</th>
<th>Total # SSOs</th>
<th>Overall spill rate</th>
<th>Total SSO volume</th>
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<tbody>
<tr>
<td>2</td>
<td>$22,600,000</td>
<td>65,000</td>
<td>15,000</td>
<td>124 (19 reaching surface water)</td>
<td>7.4 (1.1) SSOs/100 mi/yr</td>
<td>68,598 gal (42,016 gal reaching surface water)</td>
<td>2SSO10115</td>
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</table>

**Annual capital expenditure budget:** $10,900,000

**System length:** 196.8 mi (42 mi laterals)

**Water crossing(s):** 9

**Total SSO volume:** 68,598 gal (42,016 gal reaching surface water)

**Overall spill volume rate:** 124 (76) gal/1000 capita/yr
Injunctive settlement terms

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach
- FOG-related inspections
- FOG ordinance enforcement

- FOG program evaluation / updating
- Private sewer lateral inspection / replacement ordinance
- Private sewer lateral SSO response and/or maintenance (by agency)
- SEP: $150,000 to secure significant environmental benefits to the watersheds and ocean waters in and adjacent to South San Francisco

Monetary payments

- Attorneys’ fees and other costs: $186,000
- Settlement compliance monitoring: $60,000
- SEP payments: $150,000
- Private sewer lateral grant / loan program: $300,000
- Civil penalties: -
- TOTAL: $696,000
63. City of Stockton

**Lawsuit:** California Sportfishing Protection Alliance v. City of Stockton; No. 2:08-cv-02184 (E.D. Cal.)

**Lawsuit:** Coalition for a Sustainable Delta, Belridge Water Storage District, Berrenda Mesa Water District, Cawelo Water District, North of the River Municipal Water District, Wheeler Ridge-Maricopa Water Storage District & Dee Dillon v. City of Stockton & San Joaquin County; No. 2:09-cv-00466 (E.D. Cal.), stayed as of the end of June 2015; subsequently settled

**Outstanding NOI:** California River Watch (2013), still outstanding as of March 2016

- **Region:** 5
- **WDID:** SSO11433
- **Annual O&M budget:** $11,411,385
- **Population served:** 291,707
- **Lateral connection(s):** 83,541
- **Total # SSOS:** 1,453 (34 reaching surface water)
- **System length:** 1,468.30 mi (554 mi laterals)
- **Annual capital expenditure budget:** $14,816,700
- **Water crossing(s):** 108
- **Total SSO volume:** 483,486 gal (195,569 gal reaching surface water)
- **Population served:** 291,707
- **System length:** 1,468.30 mi (554 mi laterals)
- **Lateral connection(s):** 83,541
- **Total # SSOS:** 1,453 (34 reaching surface water)
- **Annual O&M budget:** $11,411,385
- **Population served:** 291,707
- **Lateral connection(s):** 83,541
- **Total # SSOS:** 1,453 (34 reaching surface water)
- **System length:** 1,468.30 mi (554 mi laterals)
- **Annual capital expenditure budget:** $14,816,700
- **Water crossing(s):** 108
- **Total SSO volume:** 483,486 gal (195,569 gal reaching surface water)
- **Overall spill rate:** 12.1 (0.3) SSOs/100 mi/yr
- **Overall spill volume rate:** 203 (82) gal/1000 capita/yr

**CSPA lawsuit (Docket No. 2:08-cv-02184):** (overlaps with CfSD lawsuit)

- **7/1/2008** NOI (not available)
- **9/16/2008** Complaint filed (declaratory and injunctive relief and civil penalties) (re: 1,530 SSOS, from 7/16/2003 to 7/1/2008)
- **9/17/2008** Plaintiff’s Letter re intent to seek peremptory writ of mandate
- **10/13/2008** Supplemental NOI (not available)
- **10/30/2008** 1st Amended complaint (adding petition for writ of mandate re state claims)
- **3/6/2009** Answer
- **3/16/2009** ORDER relating with case 2:09-cv-466 (Coalition for a Sustainable Delta case)


### Injunctive settlement terms (CSPA lawsuit)

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Cleaning quality assurance / quality control
- Repair, rehabilitation, and replacement, as part of an asset management program
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach
- FOG-related inspections
- FOG ordinance enforcement
- FOG program evaluation / updating
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO cleanup / remediation
- Inspection after SSOs
- Private sewer lateral inspection / replacement ordinance
- SEP: $300,000 for activities that will benefit Sacramento-San Joaquin River Delta and watershed

### Monetary payments (CSPA lawsuit)

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$250,000</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>$15,000</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$300,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$565,000</td>
</tr>
</tbody>
</table>

---

**CfSD lawsuit (Docket No. 2:08-cv-02184):** (overlaps with CSPA lawsuit)

- **10/17/2008**
  - NOI (re: CWA violations (various MS4 permit violations, including SSOs as non-stormwater discharges), Endangered Species Act Violations, from 2/2004 to 2/2009)

- **2/18/2009**
  - Complaint filed

- **3/16/2009**
  - ORDER relating with case 2:08-cv-2184 (CSPA v. Stockton)

- **4/16/2009**
  - Answer filed (by City)

- **4/16/2009**
  - MOTION to dismiss for lack of jurisdiction (by County) based on inadequate notice and lack of standing

- **4/30/2009**
  - Defendant filed 3rd Party Complaint against OMI/Thames Water Stockton, Inc.

- **5/12/2009**
  - ORDER unrelating with case 2:08-cv-2184 (entered 5/13/2009)

- **8/20/2009**
  - ORDER denying D’s motion to dismiss for lack of subject matter jurisdiction (Fed. R. Civ. Pro. 12(b)(1)) (entered 8/21/2009) 2009 BL 293109

- **9/9/2009**
  - Answer filed (by County)

- **11/30/2009**
  - ORDER denying motion for reconsideration of order denying motion to dismiss (entered 12/1/2009)

- **12/30/2009**
  - Party update per NOTICE of voluntary dismissal by D of OMI/Thames Water Stockton, Inc. -- OMI terminated

- **2/22/2011**
  - STIPULATION and ORDER -- all proceedings in this action are STAYED; all dates set in the 87 Stipulation and Order are VACATED; the parties shall file a status report by 08/17/11 to inform the Court of the progress towards final settlement. (entered 2/23/2011)

- **2/3/2012**
  - ORDER signed by Judge John A. Mendez on 2/3/12 ORDERING a status report will be submitted on or before March 30, 2012 (entered 2/6/2012)

- **7/10/2012**
  - NOTICE OF AUTOMATIC STAY re Bankruptcy filing by City of Stockton

- **8/20/2015**
  - Settlement agreement signed by parties

- **9/17/2015**
  - Stipulation of dismissal with prejudice by plaintiffs

- **9/17/2015**
  - ORDER re retention of jurisdiction to enforce terms of the settlement agreement

- **9/17/2015**
  - EFFECTIVE DATE of consent decree

- **12/1/2015**
  - EXPECTED TERMINATION DATE of consent decree

**CRW NOI:** (overlaps with CSPA lawsuit)

- **12/5/2013**
  - NOI (re: 83 SSOs (including 64,800 gal reaching surface water), continuous eXfiltration, effluent limitations violations, and monitoring / reporting violations, from 12/5/2008 to 12/5/2013)
64. Tuolumne Utilities District

Lawsuit(s): California Sportfishing Protection Alliance v. Tuolumne Utilities District; No. 1:12-cv-01051 (E.D. Cal.)

Region: 5
Annual O&M budget: $4,801,724
Population served: 16,490
Lateral connection(s): 5,500
Total # SSOs: 160 (35 reaching surface water)
Overall spill rate: 10.3 (2.3) SSOs/100 mi/yr

WDID: 5SSO10771
Annual capital expenditure budget: $670,000
System length: 189.7 mi (50 mi laterals)
Water crossing(s): 57
Total SSO volume: 188,047 gal (110,000 gal reaching surface water)
Overall spill volume rate: 1,397 (817) gal/1000 capita/yr

TIME LINE

4/26/2012 NOI (re: 132 SSOs (including 22 reaching surface water), effluent limitations violations, and monitoring / reporting violations, from 6/26/2007 to 6/26/2012)
6/26/2012 Complaint filed
11/16/2012 Answer filed
4/15/2013 Consent decree signed by parties
4/22/2013 NOTICE of Tentative Settlement and Commencement of the Mandatory 45-Day Review Period by Federal Agencies
5/30/2013 US DOJ letter (no objection)
5/31/2013 EFFECTIVE DATE of consent decree (45th day after US DOJ receipt)
6/3/2013 NOTICE of End of 45-day Review and Request to Enter Consent Decree; Proposed order
6/4/2013 CONSENT DEGREE signed and entered
5/31/2021 EXPECTED TERMINATION DATE of consent decree
65. U.S. Marine Corps Base Camp Pendleton

Lawsuit: San Diego Baykeeper, Surfrider Foundation, American Canoe Association & Divers Against Polluters v. U.S. Department of Defense, et al. (U.S. Marine Corps Base Camp Pendleton); No. 3:02-cv-00499 (S.D. Cal.)

Lawsuit: San Diego Coastkeeper v. U.S. Department of Defense, et al. (U.S. Marine Corps Base Camp Pendleton); No. 3:11-cv-00816 (S.D. Cal.)

Region: 9
WDID: SSSO10710
Annual O&M budget: $6,300,000
Population served: 55,000
Lateral connection(s): 4,700
Total # SSOs: 162 (23 reaching surface water)
Overall spill rate: 9.0 (1.3) SSOs/100 mi/yr

Annual capital expenditure budget: $5,500,000
System length: 203 mi (49 mi laterals)
Water crossing(s): 6
Total SSO volume: 484,833 gal (210,148 gal reaching surface water)
Overall spill volume rate: 998 (433) gal/1000 capita/yr

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Cleaning quality assurance / quality control
- Repair, rehabilitation, and replacement, as part of an asset management program
- Capital improvement projects and/or planning
- Training
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach
- FOG-related inspections
- FOG ordinance enforcement
- FOG program evaluation / updating
- Provisions related to non-SSO claims
- SEP: $140,000 for activities that will benefit the Sacramento-San Joaquin River Delta and its watershed

Monetary payments
- Attorneys’ fees and other costs: $150,000
- Settlement compliance monitoring: $50,000
- SEP payments: $140,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $340,000
### TIME LINE

**SDCk et al. lawsuit #1 (Docket No. 3:02-cv-00499):**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/17/2001</td>
<td>NOI (re: 35 SSOs, effluent limitations violations, and monitoring / reporting violations, from 8/1/1996 to 11/17/2001)</td>
</tr>
<tr>
<td>3/15/2002</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>9/11/2002</td>
<td>Answer filed</td>
</tr>
<tr>
<td>3/16/2003</td>
<td>Notice of lodging of proposed consent decree (by defendants)</td>
</tr>
<tr>
<td>6/12/2003</td>
<td>Advisory of Federal Register Notice (by defendants)</td>
</tr>
<tr>
<td>7/29/2003</td>
<td>Consent decree signed by parties</td>
</tr>
<tr>
<td>8/6/2003</td>
<td>ORDER entering consent decree; United States shall pay reasonable attys fees and costs; Parties will attempt to reach agreement as to amount to be paid; If they are unable to do so, Plaintiffs may file an application for recovery of reasonable fees and costs w/in 90 days after the Effective Date; terminating case (signed 8/6/2003; entered 8/7/2003)</td>
</tr>
<tr>
<td>8/7/2003</td>
<td>EFFECTIVE DATE of consent decree</td>
</tr>
<tr>
<td>2/7/2005</td>
<td>Joint motion for Incorporation of Compliance of Schedule into Section V.B.2 of the Consent Decree</td>
</tr>
<tr>
<td>2/16/2005</td>
<td>ORDER re Joint Motion for Incorporation of Compliance of Schedule into Section V.B.2 of the Consent Decree (entered 2/19/2005)</td>
</tr>
<tr>
<td>4/5/2005</td>
<td>Notification of Spill Reduction Goal Achievement and Termination of Section V.A. of the Consent Decree by defendants (entered 4/6/2005) (terminating SSO section of Consent Decree)</td>
</tr>
<tr>
<td>3/8/2010</td>
<td>Motion to dismiss case with prejudice and terminate consent decree by defendants</td>
</tr>
<tr>
<td>5/6/2010</td>
<td>ORDER granting motion to dismiss and terminate consent decree</td>
</tr>
<tr>
<td>5/6/2010</td>
<td>TERMINATION DATE of consent decree</td>
</tr>
<tr>
<td>6/24/2010</td>
<td>Motion for entry of judgment by Baykeeper</td>
</tr>
<tr>
<td>6/24/2010</td>
<td>CLERK’S JUDGMENT. IT IS SO ORDERED AND ADJUDGED that judgment is in favor of Defendants against Plaintiffs. Court grants Defendants’ motion to dismiss, terminates the Consent Decree, and dismisses this action with prejudice. Court retains limited jurisdiction to consider the issue of expert witness fees and attorney fees, should the parties not be able to resolve the question themselves. Case is closed.</td>
</tr>
<tr>
<td>7/6/2010</td>
<td>Motion for Attorney Fees, Expert Witness Fees and Other Expenses by Divers Against Polluters</td>
</tr>
<tr>
<td>8/9/2010</td>
<td>ORDER granting in part and denying in part Plaintiff Divers Against Polluters’ Motion for Attorney Fees, Expert Witness Fees and Other Expenses. Plaintiff is entitled to recover $6,371.56 in fees.</td>
</tr>
<tr>
<td>8/18/2010</td>
<td>ORDER for Entry of Amended Judgment by plaintiffs</td>
</tr>
<tr>
<td>8/24/2010</td>
<td>ORDER granting in part and denying in part Plaintiffs’ 57 Motion for Entry of Amended Judgment; denying Defendants’ 59 Motion for Reconsideration re 55 Order on Motion for Attorney Fees. Court grants in part Plaintiffs’ Motion for Entry of Amended Judgment to extent it seeks to amend judgment to include the $6,371.57 previously awarded to Plaintiff Divers Against Polluters. Clerk shall enter judgment accordingly.</td>
</tr>
</tbody>
</table>

**SDCk et al. lawsuit #2 (Docket No. 3:11-cv-00816):**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>12/20/2010</td>
<td>NOI (re: 92 SSOs (including 22 reaching surface water and &gt; 400,000 gal reaching surface water), effluent limitations violations, sewage sludge and reclaimed wastewater spills, and monitoring / reporting violations, from 11/2006 to 11/2010)</td>
</tr>
<tr>
<td>4/18/2011</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>11/14/2011</td>
<td>Answer filed</td>
</tr>
<tr>
<td>5/11/2012</td>
<td>JOINT MOTION to bifurcate liability from remedy</td>
</tr>
<tr>
<td>5/14/2012</td>
<td>ORDER granting motion for bifurcation (entered 5/15/2012)</td>
</tr>
<tr>
<td>1/30/2013</td>
<td>MOTION to stay pending finalization of proposed settlement (unopposed), by defendant</td>
</tr>
<tr>
<td>2/5/2013</td>
<td>ORDER granting motion to extend stay pending US DOJ review and consideration of proposed consent decree</td>
</tr>
<tr>
<td>2/15/2013</td>
<td>Consent decree signed by parties</td>
</tr>
<tr>
<td>2/15/2013</td>
<td>JOINT MOTION for signature and entry of proposed consent decree</td>
</tr>
<tr>
<td>3/8/2013</td>
<td>NOTICE of filing of amended proposed consent decree for court’s consideration and signature</td>
</tr>
<tr>
<td>3/8/2013</td>
<td>EFFECTIVE DATE of consent decree</td>
</tr>
<tr>
<td>5/3/2013</td>
<td>JOINT MOTION for extension of time to file for costs and fees</td>
</tr>
<tr>
<td>1/23/2014</td>
<td>NOTICE, by defendant, that the fee issue has been resolved</td>
</tr>
<tr>
<td>2/15/2018</td>
<td>EXPECTED TERMINATION DATE consent decree (unless extended or terminated early)</td>
</tr>
</tbody>
</table>
### Injunctive settlement terms (lawsuit #1)
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- Provisions related to non-SSO claims

### Monetary payments (lawsuit #1)
- Attorneys' fees and other costs: $6372+
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- **TOTAL**: $6372+

### Injunctive settlement terms (lawsuit #2)
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)

### Monetary payments (lawsuit #2)
- Attorneys' fees and other costs: ?
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- **TOTAL**: ?

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### 66. City of Ukiah

**Lawsuit:** Northern California River Watch v. City of Ukiah; No. 4:04-cv-01529 (N.D. Cal.)

**Lawsuit:** Northern California River Watch v. City of Ukiah & Ukiah Valley Sanitation District; No. 4:04-cv-04518 (N.D. Cal.)

**Region:** 1  
**WDID:** 1SSO10074

**Annual O&M budget:** $608,188  
**Annual capital expenditure budget:** $1,416,770

**Population served:** 16,500  
**System length:** 44 mi (0 mi laterals)

**Lateral connection(s):** 5,642  
**Water crossing(s):** 18

**Total # SSOs:** 28 (9 reaching surface water)  
**Total SSO volume:** 3,878 gal (1,688 gal reaching surface water)

**Overall spill rate:** 7.5 (2.4) SSOs/100 mi/yr  
**Overall spill volume rate:** 28 (12) gal/1000 capita/yr
### TIME LINE

**CRW lawsuit #1 (Docket No. 4:04-cv-01529):**

- **1/15/2003**  NOI (not available)
- **4/20/2004**  Complaint filed (refers to NOI for details of violations)
- **7/12/2004**  Motion to dismiss for lack of jurisdiction and failure to state a claim
- **7/16/2004**  Notice of voluntary dismissal without prejudice by plaintiff

**CRW lawsuit #2 (Docket No. 4:04-cv-04518) (with co-defendant Ukiah Valley Sanitation District):**

- **8/13/2004**  NOI - to City of Ukiah (re: SSOs, continuous exfiltration, treated wastewater discharge violations, and monitoring / reporting violations, from 8/13/1999 to 8/13/2004)
- **10/26/2004**  Complaint filed
- **12/2/2004**  1st Amended complaint
- **12/6/2004**  ORDER relating cases 4:04-cv-04518 and 4:04-cv-01529
- **3/14/2005**  ORDER referring case to magistrate judge for settlement
- **3/18/2005**  MOTION to dismiss 3rd claim for relief (re storage pond discharges)
- **4/13/2005**  Supplemental NOI - to Ukiah Valley Sanitation District, a satellite collection system (re: SSOs and exfiltration, from 4/13/2000 to 4/13/2005)
- **4/22/2005**  ORDER denying motion to dismiss third claim for relief (re storage pond discharges)
- **6/23/2005**  2nd Amended complaint
- **7/7/2005**  Answer filed
- **11/21/2005**  Consent decree signed by parties
- **12/23/2005**  US DOJ letter (no objection)
- **1/13/2006**  CONSENT DECREED AND ORDER
- **1/13/2006**  EFFECTIVE DATE of consent decree
- **1/17/2006**  ORDER closing case
5/22/2007  Stipulation for modification of consent decree (to allow City and District additional time to develop an alternative private sewer lateral inspection and repair program)

5/30/2007  ORDER approving stipulation for modification of consent decree

10/25/2007  Stipulation for modification (to reflect new alternative private sewer lateral inspection and repair programs), pending US DOJ notice

10/29/2007  STIPULATION AND ORDER re request to modify consent decree (to reflect new alternative private sewer lateral inspection and repair programs), pending US DOJ notice

12/7/2007  US DOJ letter (no objection)

12/19/2007  STIPULATION AND ORDER modifying consent decree

8/3/2010  ACL Complaint R1-2010-0070 for City (settled in R1-2011-0109)

1/13/2011  TERMINATION DATE of consent decree

12/14/2011  ACL Order R1-2011-0109 for City (re: various violations, including 14 SSOs from 1/1/2007 to 5/31/2010; $130,768; $60,134 suspended pending completion of enhanced compliance project (manhole rehabilitation

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**Injunctive settlement terms (lawsuit #2)**

- Field inspection
- Condition rating / assessment
- Identification / removal of inappropriate connections (inflow reduction)
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO cleanup / remediation
- SSO event impact evaluation
- Water quality monitoring / study, related to SSOs

**Monetary payments (lawsuit #2)**

- Attorneys’ fees and other costs $45,000
- Settlement compliance monitoring -
- SEP payments $35,000
- Private sewer lateral grant / loan program -
- Civil penalties -

**TOTAL** $80,000
67. Ukiah Valley Sanitation District

**Lawsuit:** Northern California River Watch v. City of Ukiah & Ukiah Valley Sanitation District; No. 4:04-cv-04518 (N.D. Cal.)

- **Region:** 1
- **Annual O&M budget:** $608,188
- **Population served:** 5,000
- **Lateral connection(s):** 4,971
- **Total # SSOs:** 4 (3 reaching surface water)
- **Overall spill rate:** 1.1 (0.8) SSOs/100 mi/yr

- **WDID:** 1SSO11454
- **Annual capital expenditure budget:** $0
- **System length:** 44 mi (0 mi laterals)
- **Water crossing(s):** 20
- **Total SSO volume:** 1,800 gal (1,100 gal reaching surface water)
- **Overall spill volume rate:** 42 (26) gal/1000 capita/yr

![Graph of Ukiah Valley Sanitation District](image)
**TIME LINE**

- **8/13/2004**
  - NOI - to City of Ukiah (re: SSOs, continuous exfiltration, treated wastewater discharge violations, and monitoring / reporting violations, from 8/13/1999 to 8/13/2004)

- **10/26/2004**
  - Complaint filed

- **12/2/2004**
  - 1st Amended complaint

- **12/6/2004**
  - ORDER relating cases 4:04-cv-04518 and 4:04-cv-01529

- **3/14/2005**
  - ORDER referring case to magistrate judge for settlement

- **3/18/2005**
  - MOTION to dismiss 3rd claim for relief (re storage pond discharges)

- **4/13/2005**
  - Supplemental NOI - to Ukiah Valley Sanitation District, a satellite collection system (re: SSOs and exfiltration, from 4/13/2000 to 4/13/2005)

- **4/22/2005**
  - ORDER denying motion to dismiss third claim for relief (re storage pond discharges)

- **6/23/2005**
  - 2nd Amended complaint

- **7/7/2005**
  - Answer filed

- **11/21/2005**
  - Consent decree signed by parties

- **12/23/2005**
  - US DOJ letter (no objection)

- **1/13/2006**
  - CONSENT DECREE AND ORDER

- **1/13/2006**
  - EFFECTIVE DATE of consent decree

- **1/17/2006**
  - ORDER closing case

- **5/22/2007**
  - Stipulation for modification of consent decree (to allow City and District additional time to develop an alternative private sewer lateral inspection and repair program)

- **5/30/2007**
  - ORDER approving stipulation for modification of consent decree

- **10/25/2007**
  - Stipulation for modification (to reflect new alternative private sewer lateral inspection and repair programs), pending US DOJ notice

- **10/29/2007**
  - STIPULATION AND ORDER re request to modify consent decree (to reflect new alternative private sewer lateral inspection and repair programs), pending US DOJ notice

- **12/7/2007**
  - US DOJ letter (no objection)

- **12/19/2007**
  - STIPULATION AND ORDER modifying consent decree

- **1/13/2011**
  - TERMINATION DATE of consent decree

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**Injunctive settlement terms**

- See City of Ukiah (B.66, above)

**Monetary payments**

- See City of Ukiah (B.66, above)
68. Vallejo Sanitation and Flood Control District

Lawsuit(s): San Francisco Baykeeper v. Vallejo Sanitation and Flood Control District, No. 2:96-cv-01554 (E.D. Cal.)

Region: 2
Annual O&M budget: $5,134,445
Population served: 123,000
Lateral connection(s): 37,684
Total # SSOs: 252 (26 reaching surface water)
Overall spill rate: 5.0 (0.5) SSOs/100 mi/yr

Annual capital expenditure budget: $2,000,000
System length: 590 mi (165 mi laterals)
Water crossing(s): 11
Total SSO volume: 119,569 gal (45,522 gal reaching surface water)
Overall spill volume rate: 114 (44) gal/1000 capita/yr

SSO volume (gallons)

Precipitation (mm / day)

Vallejo Sanitation and Flood Control District

Spill rate

(# of SSOs / 100 mi / year)
TIME LINE

4/16/1996  NOI (re: SSOs, treatment plant bypasses, effluent limitations violations, and monitoring / reporting violations, from 4/17/1991 to 7/1996
8/29/1996  Complaint filed
1/2/1997  Answer filed
7/31/1997  MOTION for summary judgment by defendant
12/15/1997  ORDER denying D’s motion for summary judgment as to Baykeeper (because triable issues of fact existed as to whether Baykeeper had standing), granting as to Lozeau (Baykeeper’s Executive Director)
1/23/1998  MOTION for summary judgment by plaintiff
2/13/1998  1st Amended complaint filed (not available)
2/27/1998  Answer to 1st amended complaint filed
2/27/1998  CROSS-MOTION for partial summary judgment by defendant
5/28/1998  ORDER granting plaintiff’s motion for summary judgment on liability (defendant liable for violating terms of NPDES permit), but declining to decide the # of days of violation based on current briefing
11/13/1998  MOTION to dismiss civil penalties claims
3/1/1999  ORDER denying motion to dismiss (holding plaintiff had standing to seek civil penalties) (36 F. Supp. 2d 1214)
5/18/1999  Settlement agreement signed by parties
6/9/1999  JUDGMENT on liability in favor of plaintiff; approving and incorporating settlement agreement
6/9/1999  EFFECTIVE DATE of settlement agreement
9/13/1999  MOTION for attorney fees by plaintiff
9/28/2000  MEMORANDUM, Opinion and Order granting plaintiff’s motion for fees and costs; directing clerk to enter judgment for $1,035,948.28 against defendant and in favor of plaintiff
10/16/2000  STIPULATION AND ORDER re attorney fees and costs (no appeal; plaintiff waives interest from date of judgment, etc.)
8/18/2009  TERMINATION DATE of settlement agreement

Injunctive settlement terms

- Hydraulic and hydrologic modeling / analysis
- SEPs: $650,000 to Mitigation Fund (established with Solano County Farmlands and Open Space Foundation) for Lynch Canyon restoration projects and Vallejo Swett Ranch purchase

Monetary payments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$1,035,948</td>
</tr>
<tr>
<td>Settlement compliance monitoring</td>
<td>-</td>
</tr>
<tr>
<td>SEP payments</td>
<td>$650,000</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,685,948</td>
</tr>
</tbody>
</table>
69. City of Ventura (City of San Buenaventura)

Lawsuit: Wishtoyo Foundation / Ventura Coastkeeper v. City of San Buenaventura (Ventura); No. 2:10-cv-02072 (C.D. Cal.)

**Region:** 4  
**Annual O&M budget:** $4,797,808  
**Population served:** 106,000  
**Lateral connection(s):** 30,000  
**WDID:** 4SSO11367  
**Annual capital expenditure budget:** $19,152,000  
**System length:** 300 mi (0 mi laterals)  
**Water crossing(s):** 1  
**Total SSO volume:** 32,844 gal (9,164 gal reaching surface water)  
**Total # SSOs:** 82 (19 reaching surface water)  
**Overall spill rate:** 3.1 (0.7) SSOs/100 mi/yr  
**Overall spill volume rate:** 35 (9.8) gal/1000 capita/yr
TIME LINE

9/29/2000  ACL Complaint R4-2000-0122
1/10/2006  Settlement - Court Order
4/4/2008  Heal the Bay filed Administrative Petition for Review, No. A-1927(a), with the State Water Resources Control Board, challenging the Regional Board's adoption of the NPDES Permit permitting discharges of tertiary treated effluent from the Ventura Water Reclamation Facility to wildlife/polishing ponds and then to the Estuary
1/5/2010  NOI (re: 35+ SSOs (including 8 reaching the MS4 or directly to surface water), effluent limitations violations, from 1/5/2005 to 1/5/2010)
3/23/2010  Complaint filed
11/16/2010  SSO Consent Decree signed by parties
11/17/2010  Proposed SSO Consent Decree and stipulated dismissal
11/21/2010  ORDER re SSO Consent Decree and stipulated dismissal; changes made by the court; dismissing Claims for relief III through V with prejudice (entered 11/23/2010)
1/1/2011  EFFECTIVE DATE of SSO consent decree (45th day after US DOJ receipt)
1/20/2011  US DOJ statement of interest and comments on proposed consent decree (no objection, although court entered the decree prematurely)
1/30/2012  Tertiary Treated Flows Consent Decree signed by parties
2/3/2012  NOTICE of lodging of proposed Tertiary Treated Flows consent decree and stipulated dismissal order
2/3/2012  NOTICE of lodging of proposed stipulation and request for limited intervention of Heal the Bay, Inc.
2/7/2012  NOTICE of US DOJ 45-day comment deadline for proposed tertiary treated flows consent decree
3/19/2012  US DOJ statement of interest and comments on proposed consent judgment (no objection)
3/21/2012  NOTICE of withdrawal of 4/4/2008 administrative petition and dismissal of administrative claims with prejudice (as required by Tertiary Treated Flows Consent Decree)
3/30/2012  ORDER granting Heal the Bay, Inc. the status of plaintiff-intervenor; its participation in the litigation shall be limited to the remedies stage solely for purposes of participation in the Tertiary Treated Flows Consent Decree that shall be the basis for the settlement and dismissal with prejudice of all Claims remaining
3/30/2012  TERTIARY TREATED FLOWS CONSENT DEGREE AND STIPULATED DISMISSAL
3/30/2012  DISMISSAL ORDER: Dismissing all remaining claims for relief (I and II)
1/1/2021  EXPECTED TERMINATION DATE of SSO consent decree (unless terminated earlier)

Injunctive settlement terms

- Computerized maintenance management system (CMMS)
- Geographic information systems (GIS)
- System inventory (mapping and gathering attribute data)
- Field inspection
- Condition rating / assessment
- Flow monitoring / metering
- Hydraulic and hydrologic modeling / analysis
- Collection system cleaning
- Enhanced / hot-spot cleaning
- Root control program
- Cleaning quality assurance / quality control
- Repair, rehabilitation, and replacement, as part of an asset management program
- Specific Repair, rehabilitation, and replacement projects identified in agreement
- Capital improvement projects and/or planning
- Staffing
- Spill rate performance levels set
- Corrective action plan (if performance levels not met)
- FOG education and outreach
- FOG-related inspections
- FOG ordinance enforcement
- FOG program evaluation / updating

- SSO response protocol development / updating
- SSO event volume estimation improvements
- SSO cleanup / remediation
- SSO event impact evaluation
- Private sewer lateral inspection / replacement ordinance
- Provisions related to non-SSO claims

Monetary payments

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$170,000</td>
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<tr>
<td>Settlement compliance monitoring</td>
<td>$60,000</td>
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<tr>
<td>SEP payments</td>
<td>-</td>
</tr>
<tr>
<td>Private sewer lateral grant / loan program</td>
<td>-</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$230,000</strong></td>
</tr>
</tbody>
</table>
70. West Bay Sanitary District

**Lawsuit(s):** San Francisco Baykeeper v. West Bay Sanitary District; No. 3:09-cv-05676 (N.D. Cal.)

**Region:** 2  
**Annual O&M budget:** $7,444,252  
**Population served:** 55,000  
**Lateral connection(s):** 19,141  
**Total # SSOs:** 242 (19 reaching surface water)  
**Overall spill rate:** 14 (1.1) SSOs/100 mi/yr

**WDID:** 2SSO10215  
**Annual capital expenditure budget:** $5,212,500  
**System length:** 210 mi (0 mi laterals)  
**Water crossing(s):** 23  
**Total SSO volume:** 43,510 gal (14,622 gal reaching surface water)  
**Overall spill volume rate:** 93 (31) gal/1000 capita/yr

---

**West Bay Sanitary District**

*Graph showing spill rate and SSO volume over time.*
### TIME LINE

- **9/28/2009**: NOI (re: 286 SSOs (including 162 to the MS4 or directly to surface water) and monitoring / reporting violations, from 9/28/2004 to 9/28/2009)
- **12/2/2009**: Complaint filed
- **3/3/2010**: Answer filed
- **3/11/2010**: ORDER referring case to mediation (signed 3/10/2010)
- **6/22/2010**: Mediation session; case partially settled; mediation continuing
- **11/16/2010**: Stipulation to dismiss second cause of action (Failure to Comply with Mandatory Duties under the SSO WDR and the Porter-Cologne Act)
- **11/17/2010**: MOTION for judgment on the pleadings, by defendant
- **11/18/2010**: ORDER re stipulation to dismiss second cause of action
- **1/12/2011**: ORDER granting in part and denying in part defendant’s motion for judgment on the pleadings; declining to exercise supplemental jurisdiction over local ordinance claim (Claim III) (Order 2011 BL 7030, signed 1/11/2011)
- **3/12/2011**: MOTION for partial summary judgment, by plaintiff
- **3/10/2011**: Notice by defendant of new authority
- **5/23/2011**: ORDER granting in part and denying in part plaintiff’s motion for partial summary judgment with respect to 68 alleged SSOs, defendant’s objections to plaintiff’s evidence in support of motion (791 F. Supp. 2d 719) (granting summary judgment with respect to 20 of 23 SSOs that discharged pollutants directly into surface waters, and 1 of 45 SSOs that discharged from an MS4 into surface waters for a total of 26 days)
- **8/12/2011**: MOTION for attorney fees, by plaintiff
- **12/1/2011**: ORDER partially granting plaintiff’s motion for interim award of attorney’s fees and costs ($435,621.37: based on grant of partial summary judgment)
- **12/14/2011**: ORDER requiring payment of plaintiff’s interim fees and costs award
- **12/19/2011**: STIPULATION AND ORDER referring case to magistrate judge
- **1/10/2012**: Settlement conference held; case settled
- **1/12/2012**: EFFECTIVE DATE of settlement agreement (date stipulation and settlement agreement signed by parties)
- **2/27/2012**: US DOJ letter (no objection)
- **3/2/2012**: Stipulated dismissal; proposed order
- **3/7/2012**: STIPULATION AND ORDER of dismissal re Notice of voluntary dismissal filed by plaintiff
- **3/7/2012**: TERMINATION DATE of settlement agreement

### Injunctive settlement terms

- **SEP**: $50,000 of attorneys’ fees dedicated to improving water quality in the San Francisco Bay/San Joaquin Bay Delta Estuary

### Monetary payments

- Attorneys’ fees and other costs: $1,349,000
- Settlement compliance monitoring: -
- SEP payments: $50,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $1,399,000

### 71. West County Wastewater District

**Lawsuit**: Baykeeper & West County Toxics Coalition v. City of Richmond, West County Wastewater District, Veolia Water North America Operating Services & West County Agency (JPA); No. 3:05-cv-03829 (N.D. Cal.)

- **Region**: 2
- **Annual O&M budget**: $2,100,000
- **Population served**: 93,000
- **Lateral connection(s)**: 25,550
- **Total # SSOs**: 118 (51 reaching surface water)
- **Overall spill rate**: 5.5 (2.4) SSOs/100 mi/yr
- **WDID**: 2SSO10216
- **Annual capital expenditure budget**: $19,500,000
- **System length**: 254.5 mi (0 mi laterals)
- **Water crossing(s)**: 98
- **Total SSO volume**: 215,819 gal (146,692 gal reaching surface water)
- **Overall spill volume rate**: 273 (186) gal/1000 capita/yr
TIME LINE

7/14/2005  NOI (re: 1,068 SSOs (including to the MS4), MS4 permit violations, treated wastewater discharge violations, and monitoring / reporting violations, etc., from 7/2000 to 7/2005)

9/22/2005  Complaint filed

2/14/2006  Answer

3/17/2006  Case referred to mediation

6/28/2006  Mediation session held; case partially settled; 1st settlement agreement signed by parties (settled all claims against West County Agency and claims 8, 9, 15, 16, and 17 against all remaining defendants (relating to effluent limitations violations), paragraphs 64 and 65, and all references to biosolids)

7/5/2006  STIPULATION AND ORDER for partial dismissal of claims

7/20/2006  Second mediation session held; settled in principle; mediation process continues

8/4/2006  US DOJ letter (currently reviewing)

8/21/2006  Notice of comments of United States

10/18/2006  Second settlement agreement signed by parties

11/2/2006  US DOJ letter (currently reviewing)

12/8/2006  US DOJ letter (no objection)

12/8/2006  STIPULATION AND ORDER dismissing case pursuant to settlement

12/9/2006  EFFECTIVE DATE of final settlement agreement (45th day of review)


9/26/2014  Amendment to Settlement agreement signed by parties

10/30/2014  ORDER granting stipulation to amend settlement agreement (extending deadline and termination date)

12/9/2017  EXPECTED TERMINATION DATE of final settlement agreement

Injunctive settlement terms
· See City of Richmond (B.43, above)

Monetary payments
· See City of Richmond (B.43, above)
72. West Valley Sanitation District

Lawsuit(s): Northern California River Watch v. West Valley Sanitation District; No. 3:12-cv-03486 (N.D. Cal.)

Region: 2
Annual O&M budget: $7,196,217
Population served: 109,400
Lateral connection(s): 44,735
Total # SSOs: 242 (33 reaching surface water)
Overall spill rate: 4.6 (0.6) SSOs/100 mi/yr

WDID: 2SSO10217
Annual capital expenditure budget: $4,677,000
System length: 625.5 mi (210 mi laterals)
Water crossing(s): 258
Total SSO volume: 73,284 gal (28,679 gal reaching surface water)
Overall spill volume rate: 79 (31) gal/1000 capita/yr

TIME LINE

3/1/2012 NOI (CWA, re: 166+ SSOs (including 16,240 gal reaching surface water), continuous exfiltration, and monitoring / reporting violations, from 2/27/2007 to 2/27/2012)
3/1/2012 NOI (Resource Conservation and Recovery Act, re: SSOs and exfiltration)
5/23/2012 Counsel met
7/3/2012 Complaint filed
8/29/2012 EFFECTIVE DATE of settlement agreement (date signed by parties)
10/23/2012 US DOJ letter (no objection)
10/24/2012 NOTICE of voluntary dismissal of entire action with prejudice by plaintiff
8/29/2022 EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)

Injunctive settlement terms
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Repair, rehabilitation, and replacement, as part of an asset management program
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation

Monetary payments
- Attorneys’ fees and other costs: $50,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: $55,000
- Civil penalties: -
- TOTAL: $105,000
73. City of Whittier

**Outstanding NOI:** From California River Watch (2015), as of the end of June 2015; lawsuit, *California River Watch v. City of Whittier*, No. 2:15-cv-06392 (C.D. Cal) subsequently filed and settled, pending US DOJ review as of March 2016

<table>
<thead>
<tr>
<th>Region</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual O&amp;M budget</td>
<td>$1,477,537</td>
</tr>
<tr>
<td>Population served</td>
<td>87,000</td>
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<tr>
<td>Lateral connection(s)</td>
<td>21,107</td>
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<tr>
<td>Total # SSOs</td>
<td>250 (78 reaching surface water)</td>
</tr>
<tr>
<td>Overall spill rate</td>
<td>15 (4.5) SSOs/100 mi/yr</td>
</tr>
</tbody>
</table>

**City of Whittier**

**WID:** 4SSO10443

**Annual capital expenditure budget:** $2,000,000

**System length:** 194.2 mi (0 mi laterals)

**Water crossing(s):** 0

**Total SSO volume:** 70,802 gal (26,983 gal reaching surface water)

**Overall spill volume rate:** 92 (35) gal/1000 capita/yr

---

**TIME LINE**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/8/2015</td>
<td>NOI (re: 136 SSOs (including 22,812 gal reaching surface water), continuous exfiltration, MS4 permit violations, monitoring / reporting violations, and nuisance, from 6/23/2010 to 4/7/2015)</td>
</tr>
<tr>
<td>8/21/2015</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>3/8/2016</td>
<td>Settlement signed by parties</td>
</tr>
<tr>
<td>3/8/2016</td>
<td>NOTICE of settlement and pending review by US DOJ, by plaintiff (a copy of the settlement was not included with the filing)</td>
</tr>
<tr>
<td>3/9/2016</td>
<td>ORDER to show cause, in writing, by 5/9/2016, why settlement has not been finalized; court will discharge the order upon the filing of a dismissal that complies with Federal Rule of Civil Procedure 41</td>
</tr>
</tbody>
</table>
74. City of Willits

**Lawsuit:** Northern California River Watch v. City of Willits; No. 3:02-cv-00609 (N.D. Cal.)
**Lawsuit:** California River Watch v. City of Willits; No. 3:13-cv-03395 (N.D. Cal.)

- **Region:** 1
- **Annual O&M budget:** $490,501
- **Population served:** 5,000
- **Lateral connection(s):** 2,381
- **Total # SSOs:** 18 (1 reaching surface water)
- **Overall spill rate:** 5.1 (0.3) SSOs/100 mi/yr
- **WDID:** 1SSO10018
- **Annual capital expenditure budget:** $0
- **System length:** 41.7 mi (18.4 mi laterals)
- **Water crossing(s):** 9
- **Total SSO volume:** 1,475 gal (47 gal reaching surface water)
- **Overall spill volume rate:** 35 (1.1) gal/1000 capita/yr

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**TIME LINE**

**CRW lawsuit #1 (Docket No. 3:02-cv-00609):**
- **8/3/2001** NOI (not available)
- **2/4/2002** Complaint filed (not available)
- **4/16/2002** Answer filed
- **6/7/2002** Case referred to mediation
- **7/29/2002** Mediator appointed
- **8/30/2002** Supplemental NOI (re: treated effluent discharge violations, effluent limitations violations, monitoring / reporting violations, etc., from 9/1/1997 to 9/1/2002)
- **12/12/2002** Consent Decree signed by parties (required City to undertake a "creek/sewer line study")
- **1/15/2003** US DOJ letter
- **1/30/2003** US DOJ letter
- **2/6/2003** EFFECTIVE DATE of consent decree (date entered)
- **2/6/2003** Letter re statement of fees and costs from Jack Silver (entered 2/12/2003)
- **2/6/2008** TERMINATION DATE of consent decree
### CRW lawsuit #2 (Docket No. 3:13-cv-03395):

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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</thead>
<tbody>
<tr>
<td>5/10/2013</td>
<td>NOI (re: 2+ SSOs, continuous exfiltration, and monitoring / reporting violations, from 5/10/2011 to 5/10/2013)</td>
</tr>
<tr>
<td>6/20/2013</td>
<td>Supplemental NOI</td>
</tr>
<tr>
<td>7/22/2013</td>
<td>Complaint filed</td>
</tr>
<tr>
<td>9/3/2013</td>
<td>Amended complaint filed</td>
</tr>
<tr>
<td>9/9/2013</td>
<td>Motion to intervene by Brooktrails Township Community Services District</td>
</tr>
<tr>
<td>9/26/2013</td>
<td>Answer filed</td>
</tr>
<tr>
<td>10/17/2013</td>
<td>ORDER denying Brooktrails’ motion to intervene</td>
</tr>
<tr>
<td>11/21/2013</td>
<td>ORDER granting stipulation selecting mediation; ORDER referring case to mediation</td>
</tr>
<tr>
<td>12/30/2013</td>
<td>Steven Weissman appointed mediator</td>
</tr>
<tr>
<td>6/5/2014</td>
<td>EFFECTIVE DATE of settlement agreement (date signed by parties)</td>
</tr>
<tr>
<td>6/20/2014</td>
<td>STIPULATION WITH PROPOSED ORDER For Dismissal by plaintiff</td>
</tr>
<tr>
<td>6/25/2014</td>
<td>US DOJ received copy of proposed consent decree from Brooktrails</td>
</tr>
<tr>
<td>6/27/2014</td>
<td>NOTICE of Withdrawal of 48 Stipulation for Dismissal by plaintiff</td>
</tr>
<tr>
<td>8/10/2014</td>
<td>US DOJ letter (no objection; but received copy from Brooktrails, not parties)</td>
</tr>
<tr>
<td>8/11/2014</td>
<td>STIPULATION For Dismissal With Prejudice WITH [PROPOSED] ORDER</td>
</tr>
<tr>
<td>8/28/2014</td>
<td>ORDER DISMISSING CASE WITH PREJUDICE (addressing res judicata concerns) (entered 8/29/2014)</td>
</tr>
<tr>
<td>6/5/2020</td>
<td>EXPECTED TERMINATION DATE of settlement agreement</td>
</tr>
</tbody>
</table>

### Injunctive settlement terms (lawsuit #1)
- Water quality monitoring / study, related to SSOs
- Provisions related to non-SSO claims
- SEPs: $10,000 for NPDES permit compliance audit; $6,000 for creek-sewer line study

### Monetary payments (lawsuit #1)
- Attorneys’ fees and other costs: $40,000
- Settlement compliance monitoring: -
- SEP payments: $16,000
- Private sewer lateral grant / loan program: -
- Civil penalties: -
- TOTAL: $56,000

### Injunctive settlement terms (lawsuit #2)
- Field inspection
- Condition rating / assessment
- Collection system cleaning
- Private sewer lateral grant/ loan program
- Provisions related to non-SSO claims

### Monetary payments (lawsuit #2)
- Attorneys’ fees and other costs: $60,000
- Settlement compliance monitoring: -
- SEP payments: -
- Private sewer lateral grant / loan program: $35,000
- Civil penalties: -
- TOTAL: $95,000

### 75. Town of Windsor

Pre-litigation settlement: California River Watch with Town of Windsor (2014)

| Region: 1 | Annual O&M budget: $707,287 |
| Annual capital expenditure budget: $873,500 |
| Population served: 28,569 | System length: 92.3 mi (0 mi laterals) |
| Lateral connection(s): 8,250 | Water crossing(s): 0 |
| Total # SSOs: 17 (7 reaching surface water) | Total SSO volume: 14,758 gal (4,317 gal reaching surface water) |
| Overall spill rate: 2.2 (0.9) SSOs/100 mi/yr | Overall spill volume rate: 61 (18) gal/1000 capita/yr |
TIME LINE

4/12/2013  NOI (re: 20 SSOs (including 5,272 gal reaching surface water), continuous exfiltration, and monitoring / reporting violations, from 4/10/2008 to 4/10/2013)

6/11/2013  Counsel met

2/6/2014  EFFECTIVE DATE of settlement agreement (date signed by parties)

2/6/2024  EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)

Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- Collection system cleaning
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO event volume estimation improvements
- SSO event-related water quality sampling / testing
- SSO cleanup / remediation
- Water quality monitoring / study, related to SSOs
- Private sewer lateral grant / loan program
- Private sewer lateral inspection / replacement ordinance
- Other private sewer lateral program
- Provisions related to non-SSO claims
- SEP: $11,600 to cover plaintiff’s costs of sampling and analyzing surface water in the vicinity of defendant’s facility

Monetary payments

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys’ fees and other costs</td>
<td>$45,000</td>
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<tr>
<td>Settlement compliance monitoring</td>
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<tr>
<td>SEP payments</td>
<td>$11,600</td>
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<tr>
<td>Private sewer lateral grant / loan program</td>
<td>$30,000</td>
</tr>
<tr>
<td>Civil penalties</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$86,600</td>
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</tbody>
</table>
76. City of Yreka

**Lawsuit:** Northern California River Watch v. City of Yreka; No. 3:12-cv-05872 (N.D. Cal.)

- **Region:** 1
- **Annual O&M budget:** $1,302,982
- **Population served:** 7,500
- **Lateral connection(s):** 2,788
- **Total # SSOs:** 50 (18 reaching surface water)
- **Overall spill rate:** 12 (4.3) SSOs/100 mi/yr

- **WDID:** 1SS010086
- **Annual capital expenditure budget:** $4,653,570
- **System length:** 49.8 mi (0 mi laterals)
- **Water crossing(s):** 6
- **Total SSO volume:** 49,196 gal (39,983 gal reaching surface water)
- **Overall spill volume rate:** 772 (627) gal/1000 capita/yr

---

![Graph of City of Yreka SSOs and precipitation](image-url)
TIME LINE

5/22/2008  ACL Complaint R1-2008-0059 (settled in R1-2008-0101)
10/23/2008  ACL Order R1-2008-0101 (re: 9 SSOs from 5/15/2003 to 4/30/2008, etc.; $36,500; $25,750 suspended pending completion of project (upgrade collection system))
8/17/2009  ACL Complaint R1-2009-0055 (settled in R1-2010-0008)
3/25/2010  ACL Order R1-2010-0008 (re: 10 SSOs from 6/16/2008 to 3/31/2009; $20,685; $15,685 suspended pending completion of sewer line repair project; $20,685; $15,685 suspended pending completion of project (upgrade collection system along Yama Street))
2/23/2012  NOI (re: 45 SSOs, continuous exfiltration, continuous percolation pond discharges to interconnected surface water, and monitoring / reporting violations, from 10/26/2006 to 2/15/2012)
6/27/2012  Tolling agreement executed (90-day stay of litigation)
9/25/2012  Site visit of wastewater treatment facility by counsel for plaintiff
10/12/2012  Supplemental NOI
11/15/2012  Complaint filed
1/7/2013  Amended complaint
2/25/2013  EFFECTIVE DATE of settlement agreement (date signed by parties)
4/5/2013  US DOJ letter (no objection)
4/8/2013  NOTICE of voluntary dismissal of entire action with prejudice by plaintiff
2/25/2023  EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)

Injunctive settlement terms

· Field inspection
· Condition rating / assessment
· Collection system cleaning
· Repair, rehabilitation, and replacement, as part of an asset management program
· SSO response protocol development / updating
· Enhanced SSO event recording / reporting
· SSO event volume estimation improvements
· SSO event-related water quality sampling / testing
· SSO cleanup / remediation
· Private sewer lateral inspection / replacement ordinance
· Provisions related to non-SSO claims
· SEP: $5,000 for facility audit

Monetary payments

Attorneys’ fees and other costs  $35,000
Settlement compliance monitoring -
SEP payments $5,000
Private sewer lateral grant / loan program -
Civil penalties -
TOTAL  $40,000