



APRIL 2016

Citizen Enforcement and Sanitary Sewer Overflows in California

ONLINE SUPPLEMENT B: CITIZEN ENFORCEMENT INFORMATION SUMMARIES

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ABBREVIATIONS AND ACRONYMS USED IN THIS SUPPLEMENT

ACL	Administrative civil liability
ADR	Alternative dispute resolution
AO	EPA administrative order
Board	State or Regional Board (see below)
C.D. Cal.	United States District Court for the Central District of California
CAO	Cleanup and abatement order
CCTV	Closed-circuit television
CDO	Cease and desist order
CIWQS	California Integrated Water Quality System
CWA	Clean Water Act
E.D. Cal.	United States District Court for the Eastern District of California
EBMUD	East Bay Municipal Utility District
ENE	Early neutral evaluation
EPA	U.S. Environmental Protection Agency
FOG	Fats, oils, and grease
gal	Gallons
mi	Miles
MS4	Municipal separate storm sewer system
N.D. Cal.	United States District Court for the Northern District of California
NOI	Notice of intent to sue
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly owned treatment works
re	Regarding
Region 1	North Coast Regional Water Quality Control Board region
Region 2	San Francisco Regional Water Quality Control Board region
Region 3	Central Coast Regional Water Quality Control Board region
Region 4	Los Angeles Regional Water Quality Control Board region
Region 5	Central Valley Regional Water Quality Control Board region
Region 6	Lahontan Regional Water Quality Control Board region
Region 7	Colorado River Regional Water Quality Control Board region
Region 8	Santa Ana Regional Water Quality Control Board region
Region 9	San Diego Regional Water Quality Control Board region
Regional Board	One of the Regional Water Quality Control Boards
S.D. Cal.	United States District Court for the Southern District of California
SEP	Supplemental environmental project
Spill rate	SSOs per 100 miles of collection system per year
Spill volume rate	SSO volume (in gallons) per 1,000 people served per year
SSO	Sanitary sewer overflow
SSO database	CIWQS online SSO database
State Board	State Water Resources Control Board
Statewide Permit	Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, State Board Order No. 2006-0003-DWQ
US DOJ	U.S. Department of Justice
WDRs	Waste Discharge Requirements
yr	Year

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> (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

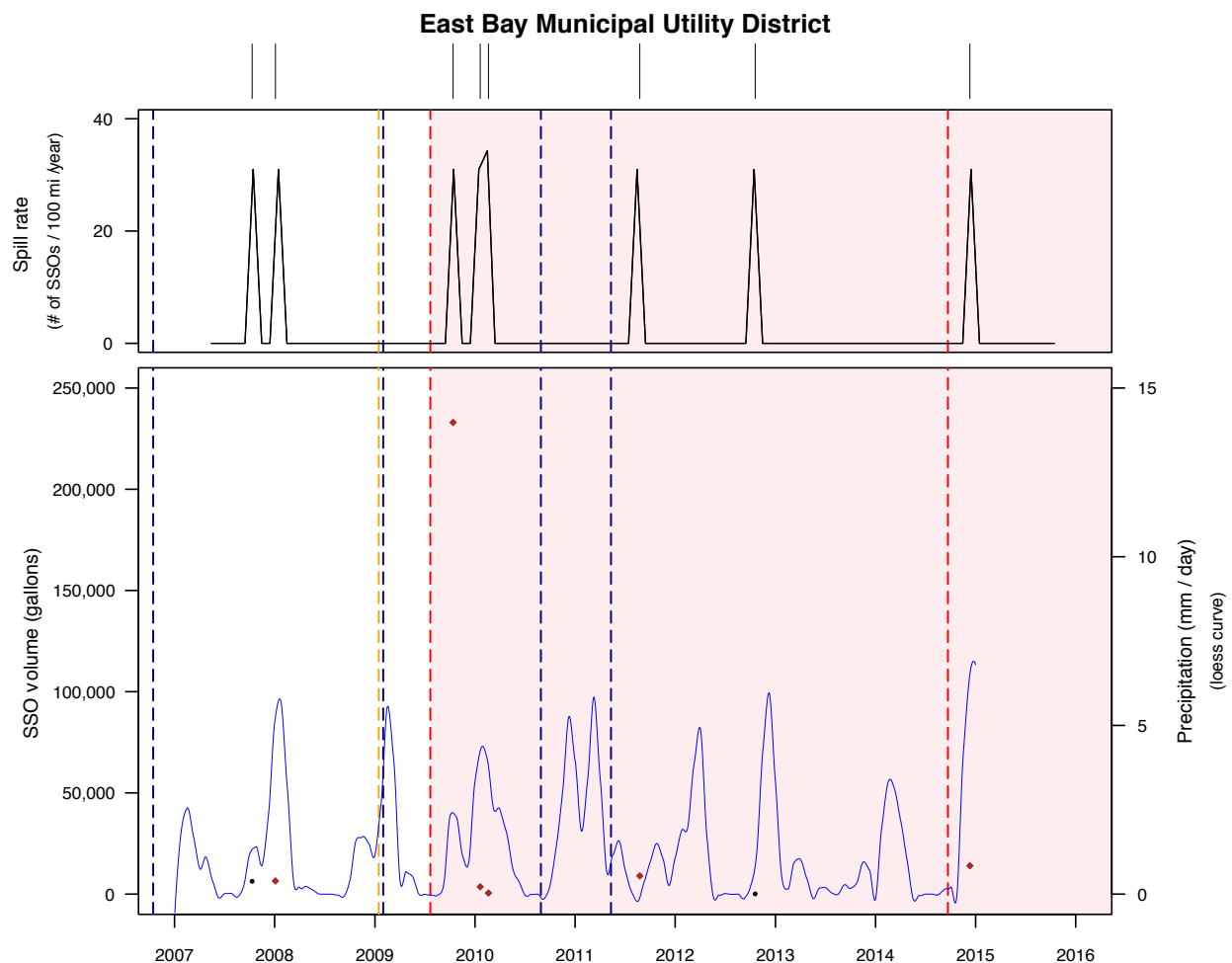
Annual capital expenditure budget: \$7,900,000

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)
1/15/2009	Proposed stipulated order for preliminary relief lodged
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
2/9/2009	STIPULATION AND ORDER FOR PRELIMINARY RELIEF (entered 2/11/2009)
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
12/23/2009	ORDER relating this case and 3:09-cv-05684 (v. Satellite Collection System Agencies)
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)
5/12/2011	ACL Order R2-2011-0025 (re: SSOs from wet weather facilities on 2/17/2009 and 10/13/2009; \$209,851)
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 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)

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

City of Alameda

Annual O&M budget: \$3,100,000
Population served: 76,419
Lateral connection(s): 18,510
Total # SSOs: 57 (19 reaching surface water)
Overall spill rate: 5.0 (1.7) SSOs/100 mi/yr

Region: 2 **WDID:** 2SSO10087

Annual capital expenditure budget: \$9,100,000
System length: 135 mi (1 mi laterals)
Water crossing(s): 0
Total SSO volume: 15,133 gal (2,949 gal reaching surface water)
Overall spill volume rate: 23 (4.5) gal/1000 capita/yr

City of Albany

Annual O&M budget: \$1,155,000
Population served: 18,500
Lateral connection(s): 4,600
Total # SSOs: 192 (10 reaching surface water)
Overall spill rate: 49 (2.6) SSOs/100 mi/yr

Region: 2 **WDID:** 2SSO10088

Annual capital expenditure budget: \$1,500,000
System length: 46 mi (14 mi laterals)
Water crossing(s): 0
Total SSO volume: 13,269 gal (1,251 gal reaching surface water)
Overall spill volume rate: 84 (8.0) gal/1000 capita/yr

City of Berkeley

Annual O&M budget: \$4,680,000
Population served: 112,580
Lateral connection(s): 31,600
Total # SSOs: 223 (97 reaching surface water)
Overall spill rate: 6.8 (3.0) SSOs/100 mi/yr

Region: 2 **WDID:** 2SSO10096

Annual capital expenditure budget: \$7,700,000
System length: 384.6 mi (130 mi laterals)
Water crossing(s): 33
Total SSO volume: 90,669 gal (68,525 gal reaching surface water)
Overall spill volume rate: 95 (72) gal/1000 capita/yr

City of Emeryville

Annual O&M budget: \$838,383
Population served: 10,335
Lateral connection(s): 1,100
Total # SSOs: 6 (6 reaching surface water)
Overall spill rate: 4.5 (4.5) SSOs/100 mi/yr

Region: 2 **WDID:** 2SSO10133

Annual capital expenditure budget: \$1,000,000
System length: 15.7 mi (0 mi laterals)
Water crossing(s): 1
Total SSO volume: 8,760 gal (8,760 gal reaching surface water)
Overall spill volume rate: 100 (100) gal/1000 capita/yr

City of Oakland *(See also separate case)*

Annual O&M budget: \$21,200,000
Population served: 400,000
Lateral connection(s): 101,000
Total # SSOs: 1,096 (201 reaching surface water)
Overall spill rate: 14 (2.6) SSOs/100 mi/yr

Region: 2 **WDID:** 2SSO11204

Annual capital expenditure budget: \$18,000,000
System length: 920.2 mi (0 mi laterals)
Water crossing(s): 2
Total SSO volume: 1,675,122 gal (913,279 gal reaching surface water)
Overall spill volume rate: 493 (269) gal/1000 capita/yr

City of Piedmont

Annual O&M budget: \$904,000
Population served: 11,000
Lateral connection(s): 3,875
Total # SSOs: 38 (9 reaching surface water)
Overall spill rate: 8.8 (2.1) SSOs/100 mi/yr

Region: 2 **WDID:** 2SSO10166

Annual capital expenditure budget: \$648,000
System length: 50.9 mi (0 mi laterals)
Water crossing(s): 8
Total SSO volume: 25,158 gal (7,922 gal reaching surface water)
Overall spill volume rate: 269 (85) gal/1000 capita/yr

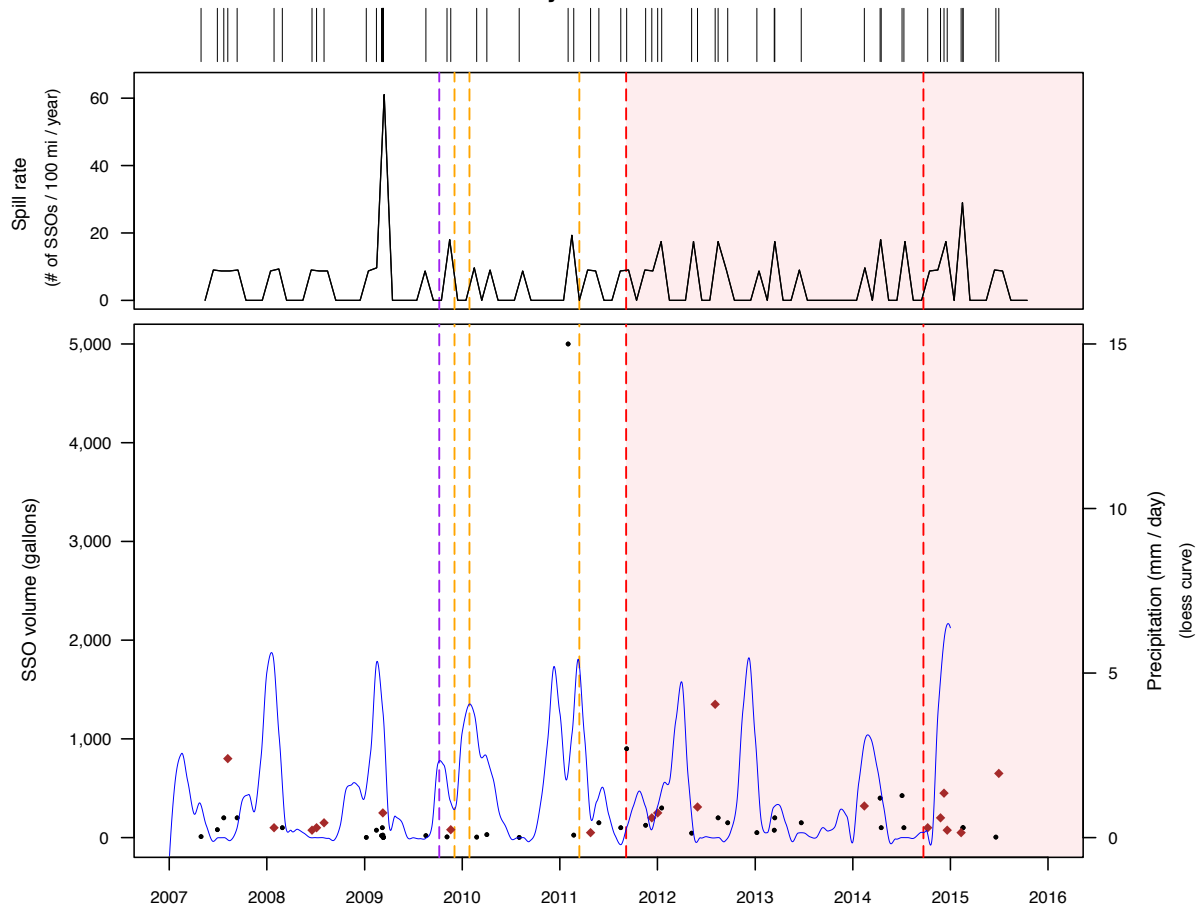
Stege Sanitary District

Annual O&M budget: \$2,543,260
Population served: 33,000
Lateral connection(s): 13,000
Total # SSOs: 129 (29 reaching surface water)
Overall spill rate: 10 (2.3) SSOs/100 mi/yr

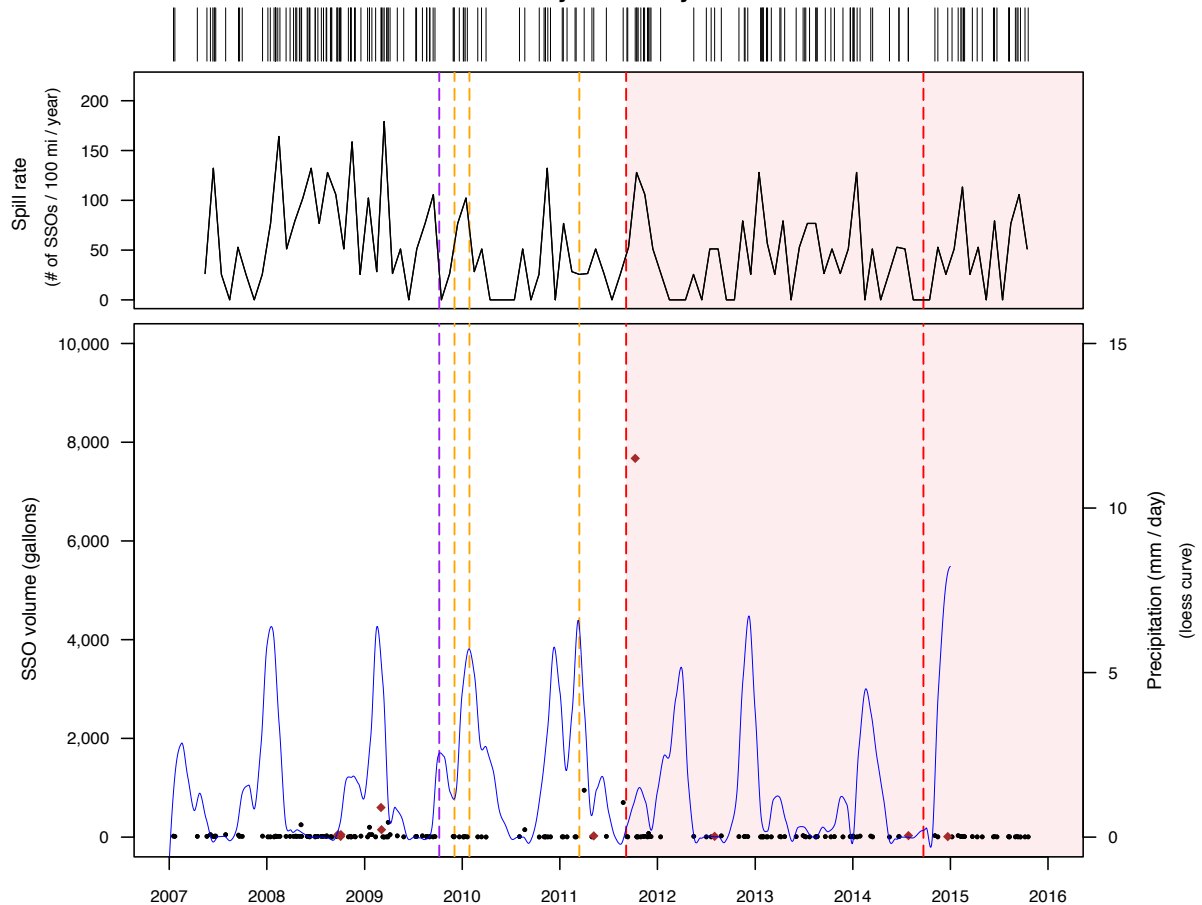
Region: 2 **WDID:** 2SSO10198

Annual capital expenditure budget: \$1,948,200
System length: 148 mi (0 mi laterals)
Water crossing(s): 0
Total SSO volume: 69,890 gal (55,984 gal reaching surface water)
Overall spill volume rate: 249 (200) gal/1000 capita/yr

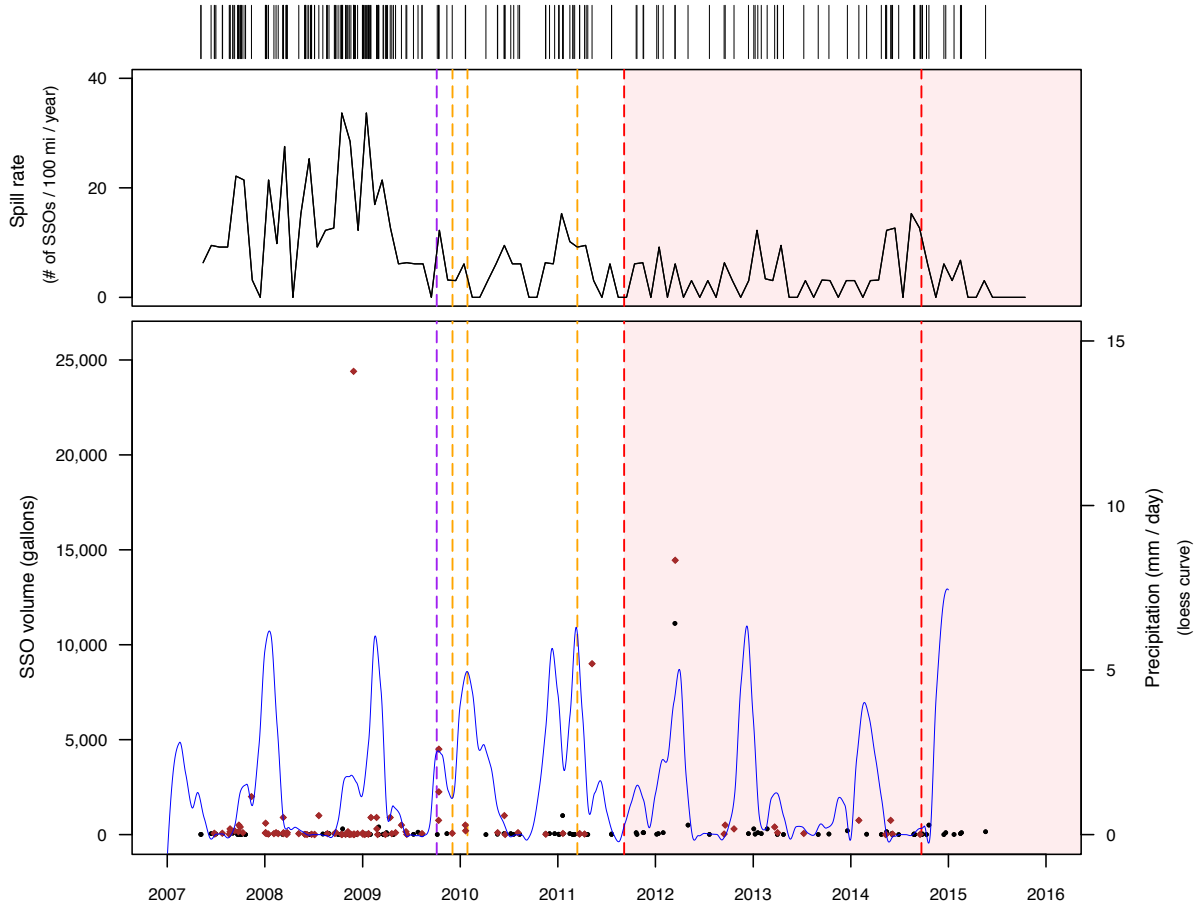
City of Alameda



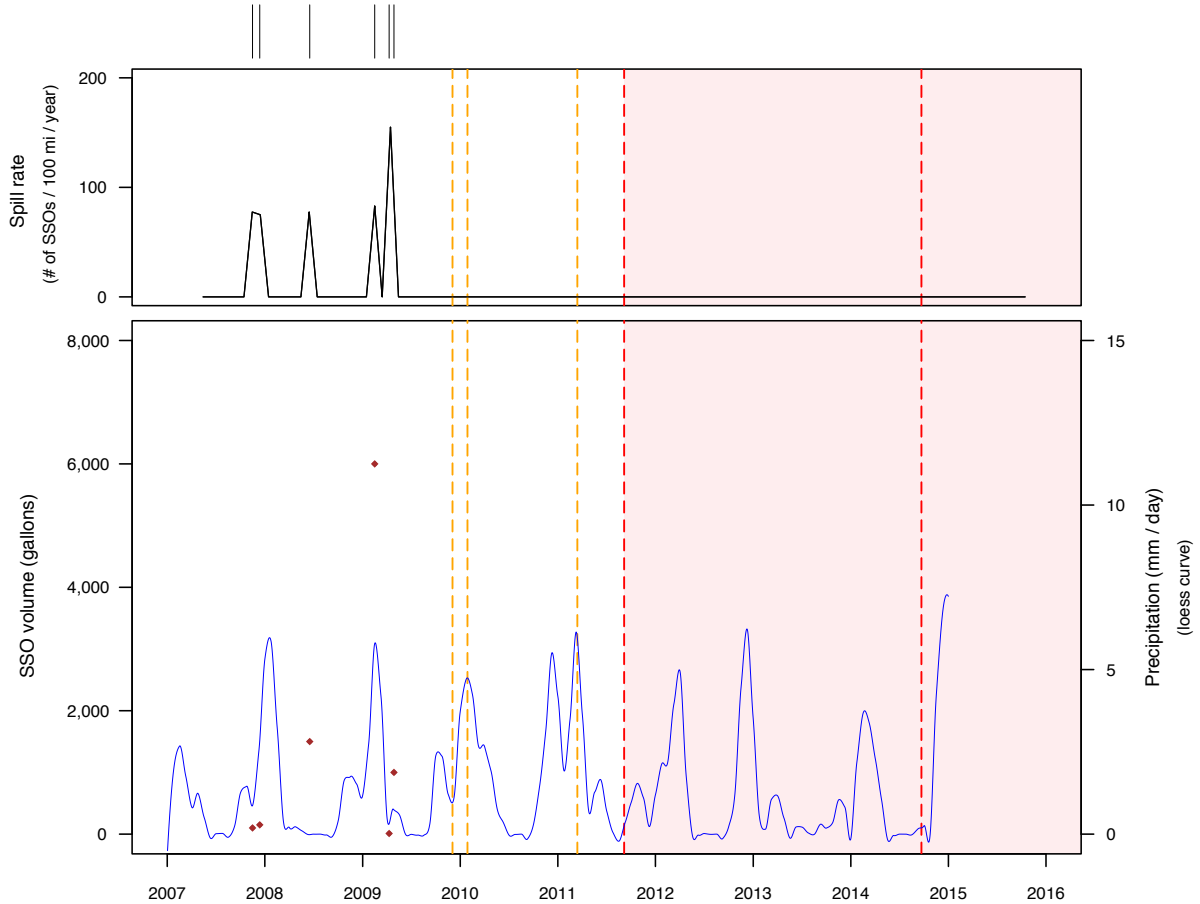
City of Albany



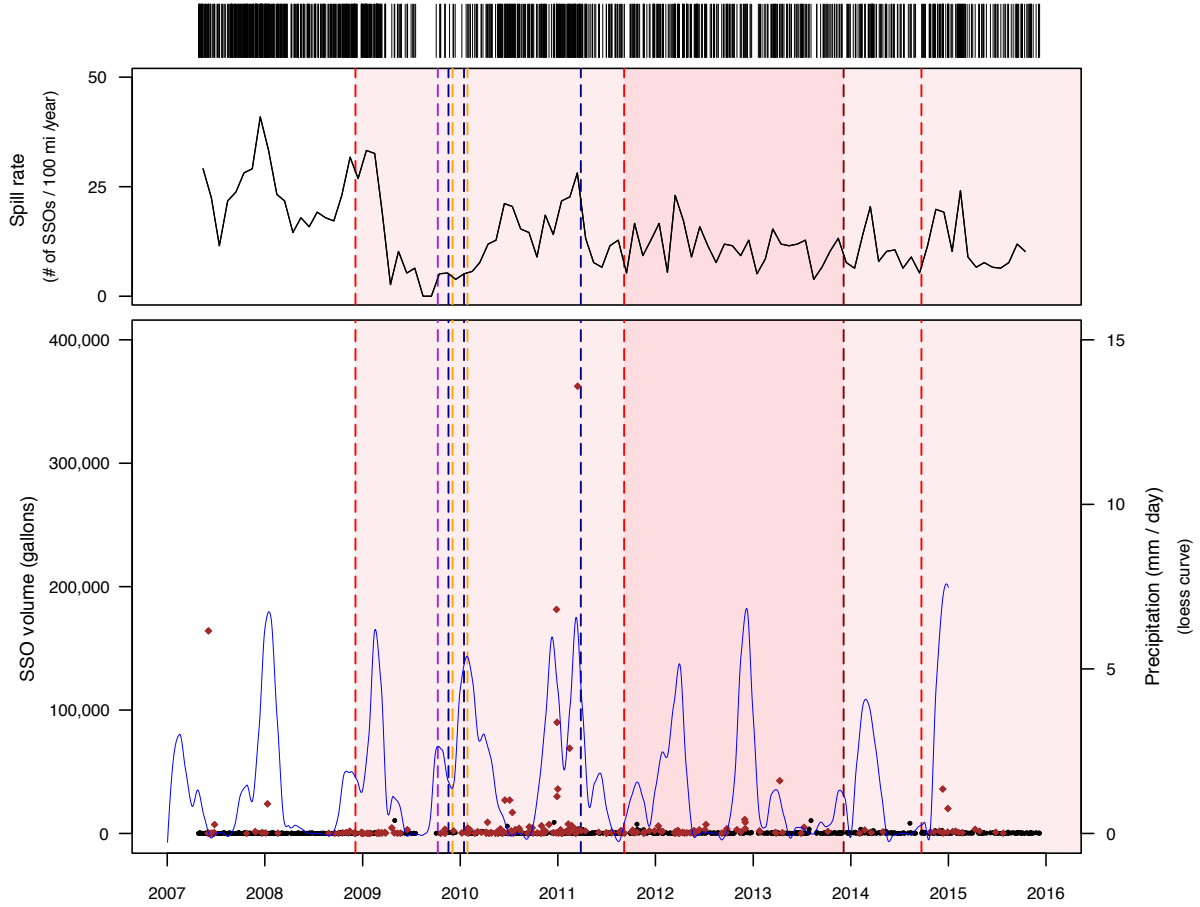
City of Berkeley



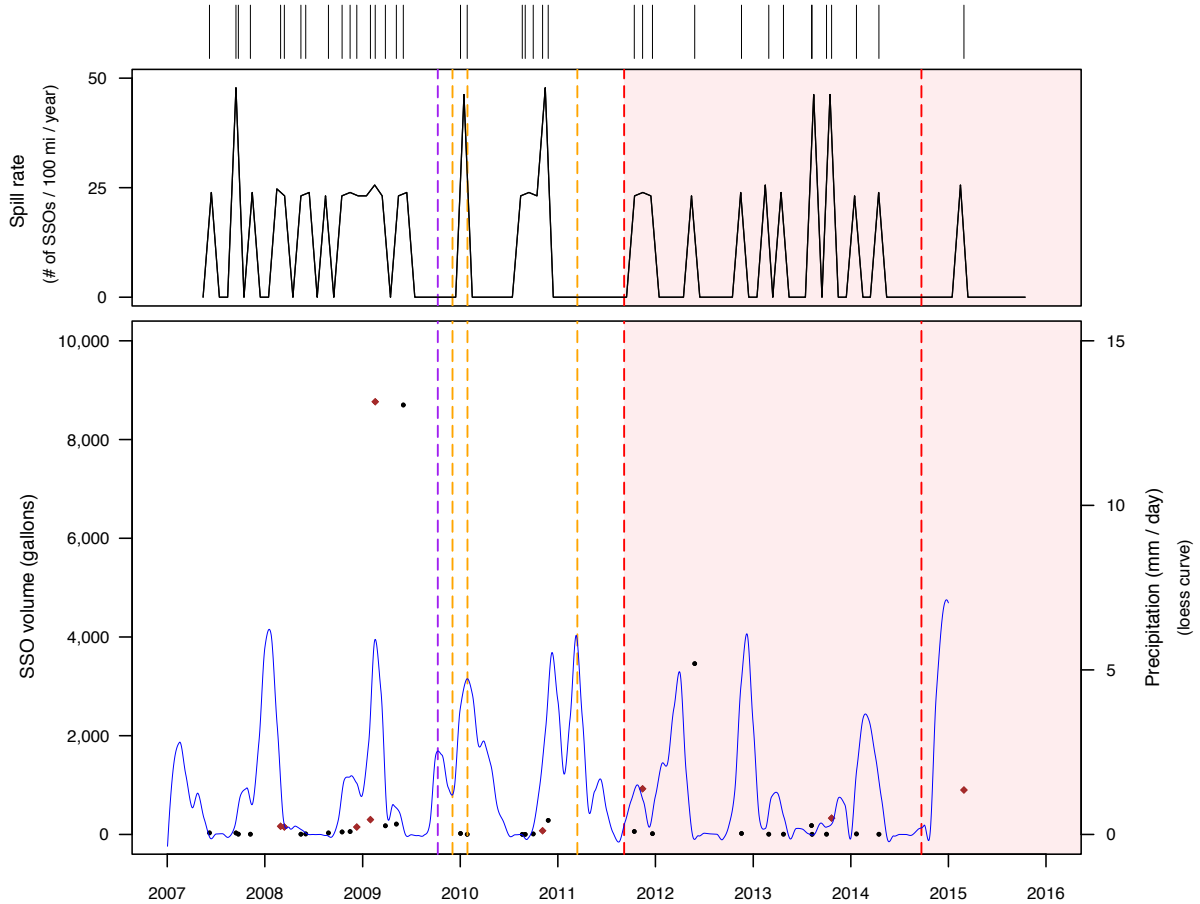
City of Emeryville



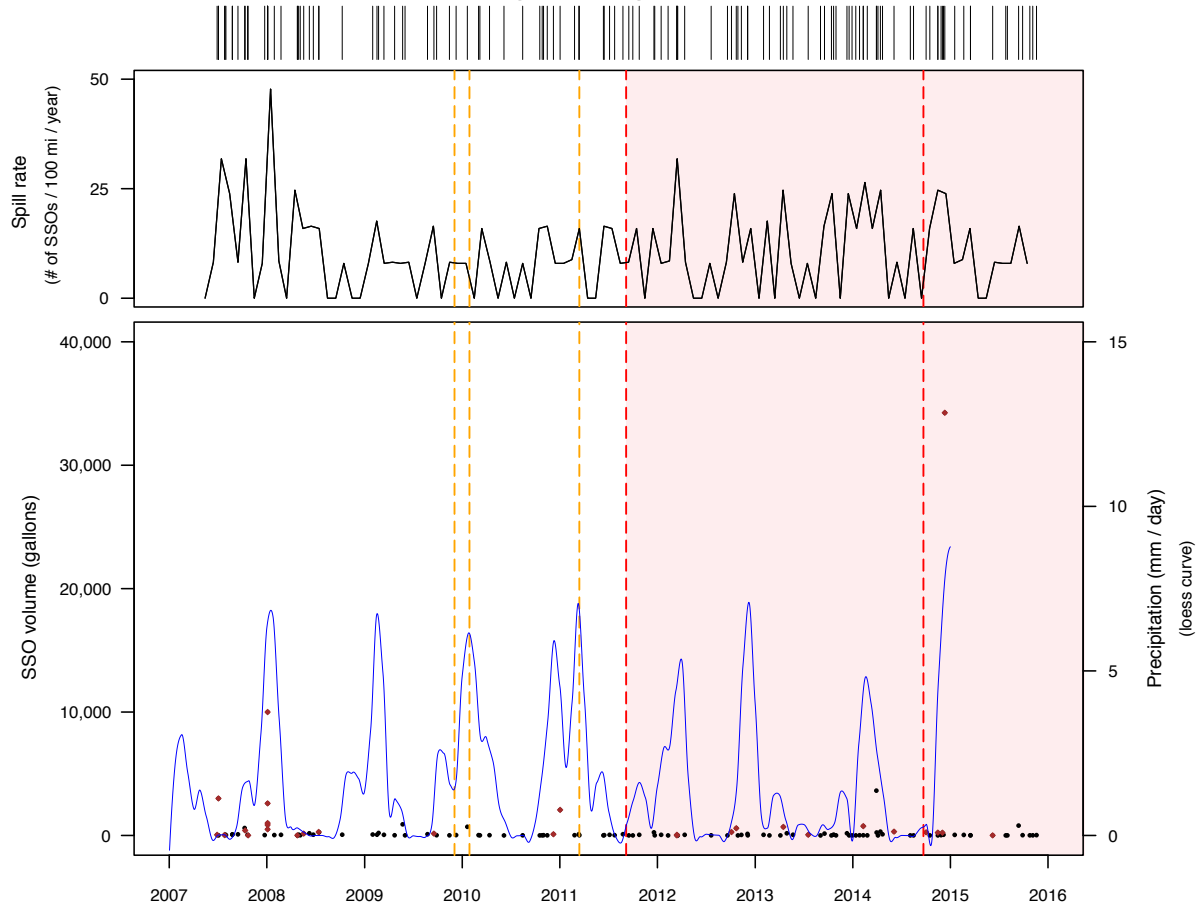
City of Oakland



City of Piedmont



Stege Sanitary District



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)

Injunctive settlement terms

The following varied from system to system:

- 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
- Capital improvement projects and/or planning
- Staffing
- New FOG ordinance or program
- Identification / removal of inappropriate connections (inflow reduction)
- SSO response protocol development / updating
- Enhanced SSO event recording / reporting
- SSO cleanup / remediation
- Private sewer lateral inspection / replacement ordinance
- Private sewer lateral SSO response and/or maintenance

Monetary payments

Same as for East Bay Municipal Utility District (**A.1**, above)

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

Population served: 19,454

Lateral connection(s): 4,600

Total # SSOs: 13 (2 reaching surface water)

Overall spill rate: 2.9 (0.4) SSOs/100 mi/yr

WDID: 2SSO10091

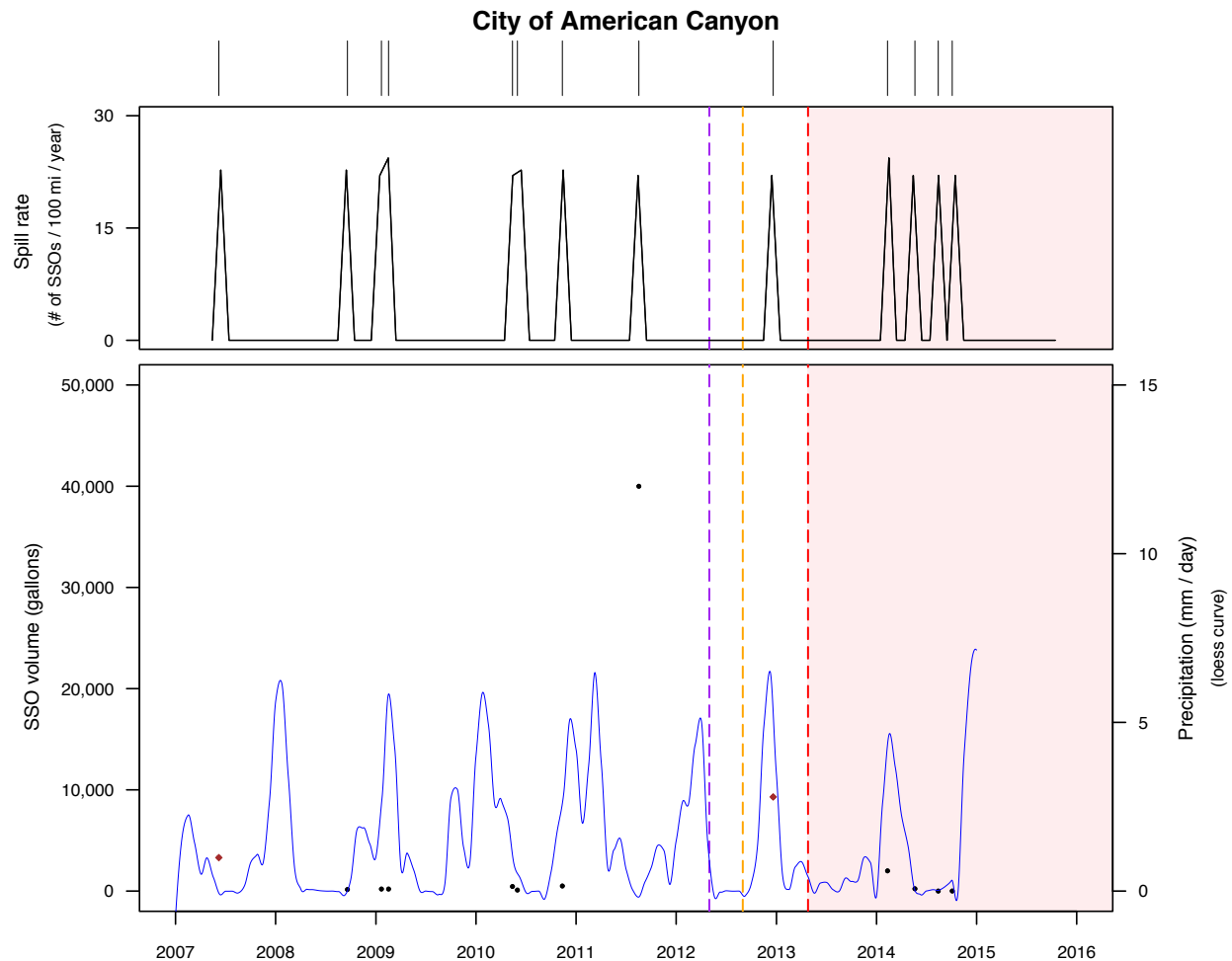
Annual capital expenditure budget: \$917,000

System length: 53.5 mi (26 mi laterals)

Water crossing(s): 5

Total SSO volume: 56,426 gal (12,600 gal reaching surface water)

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
- 12/11/2012** STIPULATION AND ORDER SELECTING ADR PROCESS
- 1/2/2013** Supplemental NOI (adding notice of effluent limitations violations for chlorine residual and ammonia)
- 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)

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

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

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

WDID: 5SSO10890

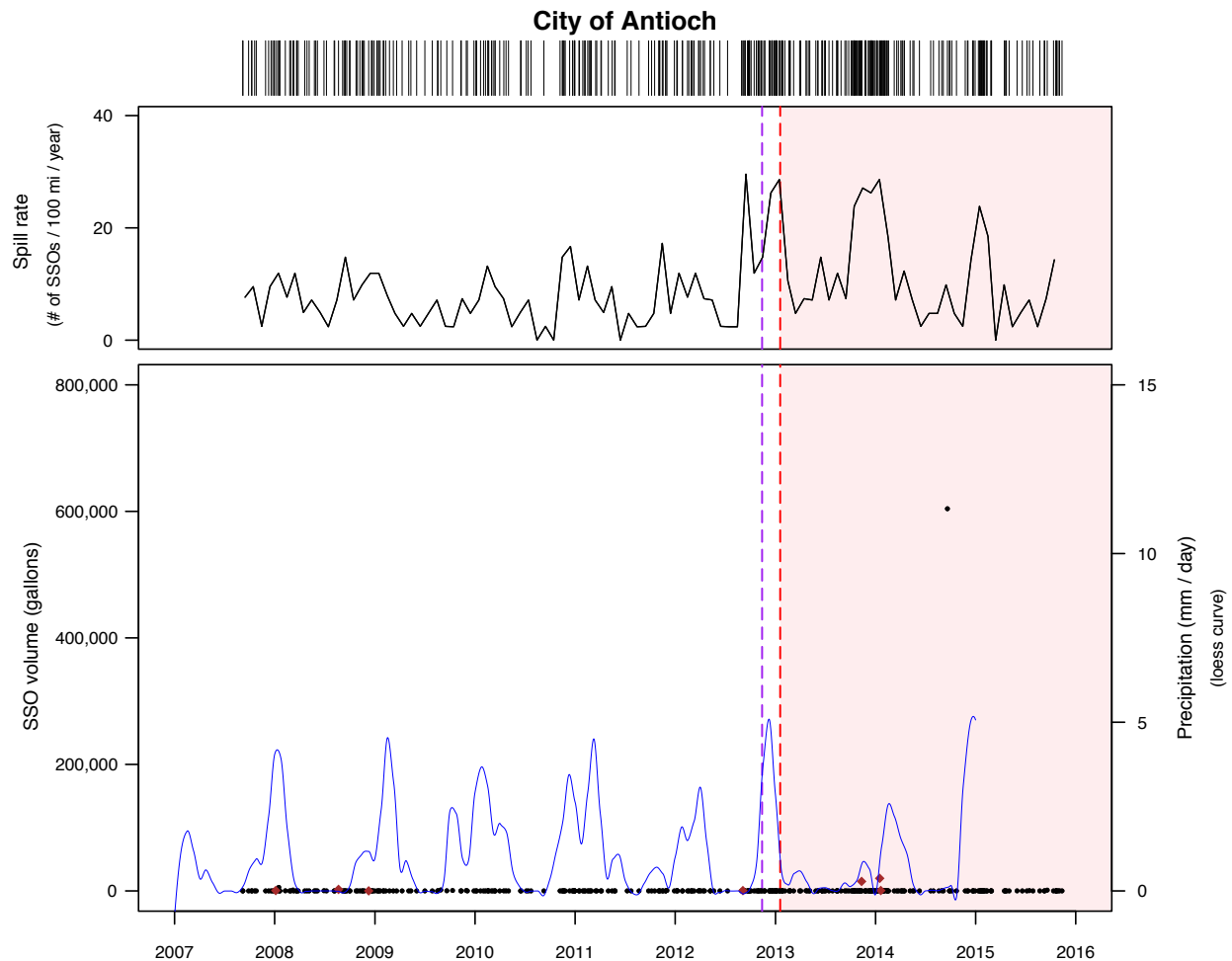
Annual capital expenditure budget: \$1,300,000

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



TIME LINE

- 11/13/2012** NOI (re: 163 SSOs (including 1,266 gal reaching surface water), continuous exfiltration, and reporting violations from 10/27/2007 to 10/27/2012)
- 1/18/2013** EFFECTIVE DATE of settlement agreement (date signed by parties)
- 12/31/2022** 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
- Private sewer lateral inspection / replacement ordinance

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

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

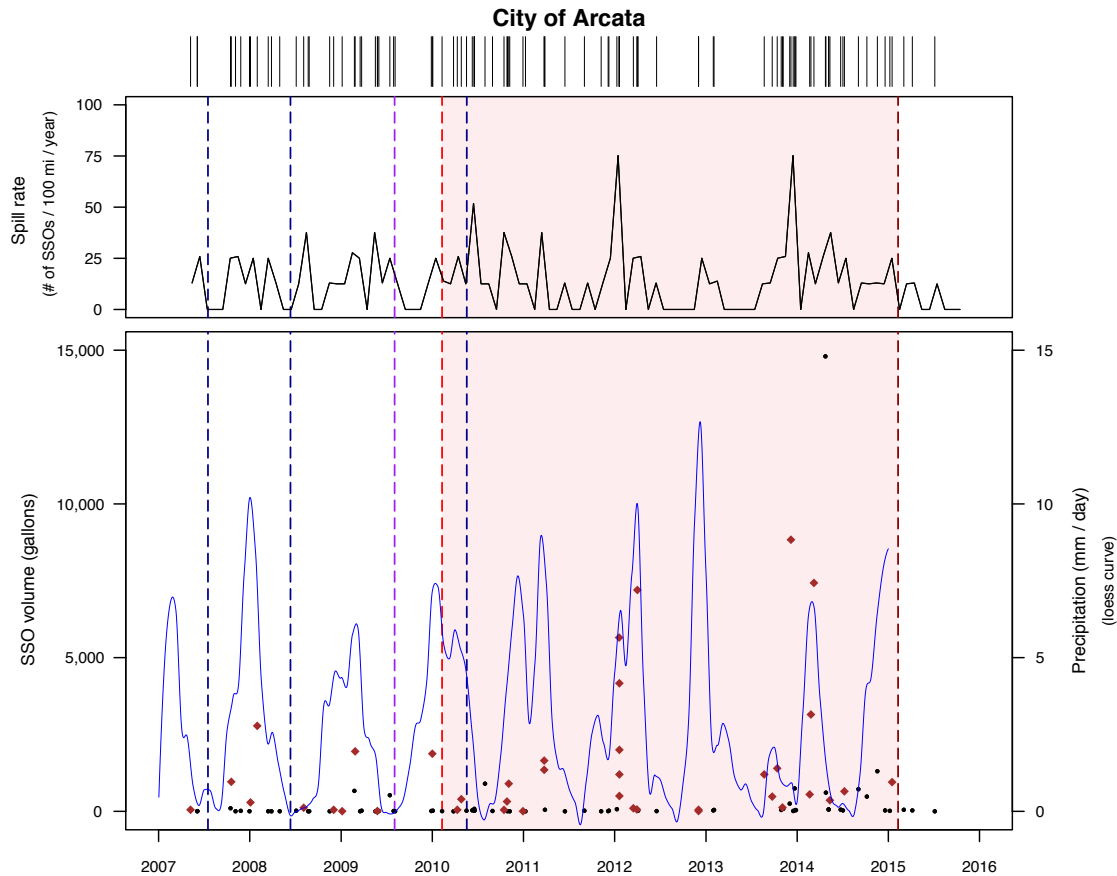
Annual capital expenditure budget: \$250,000

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



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

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

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

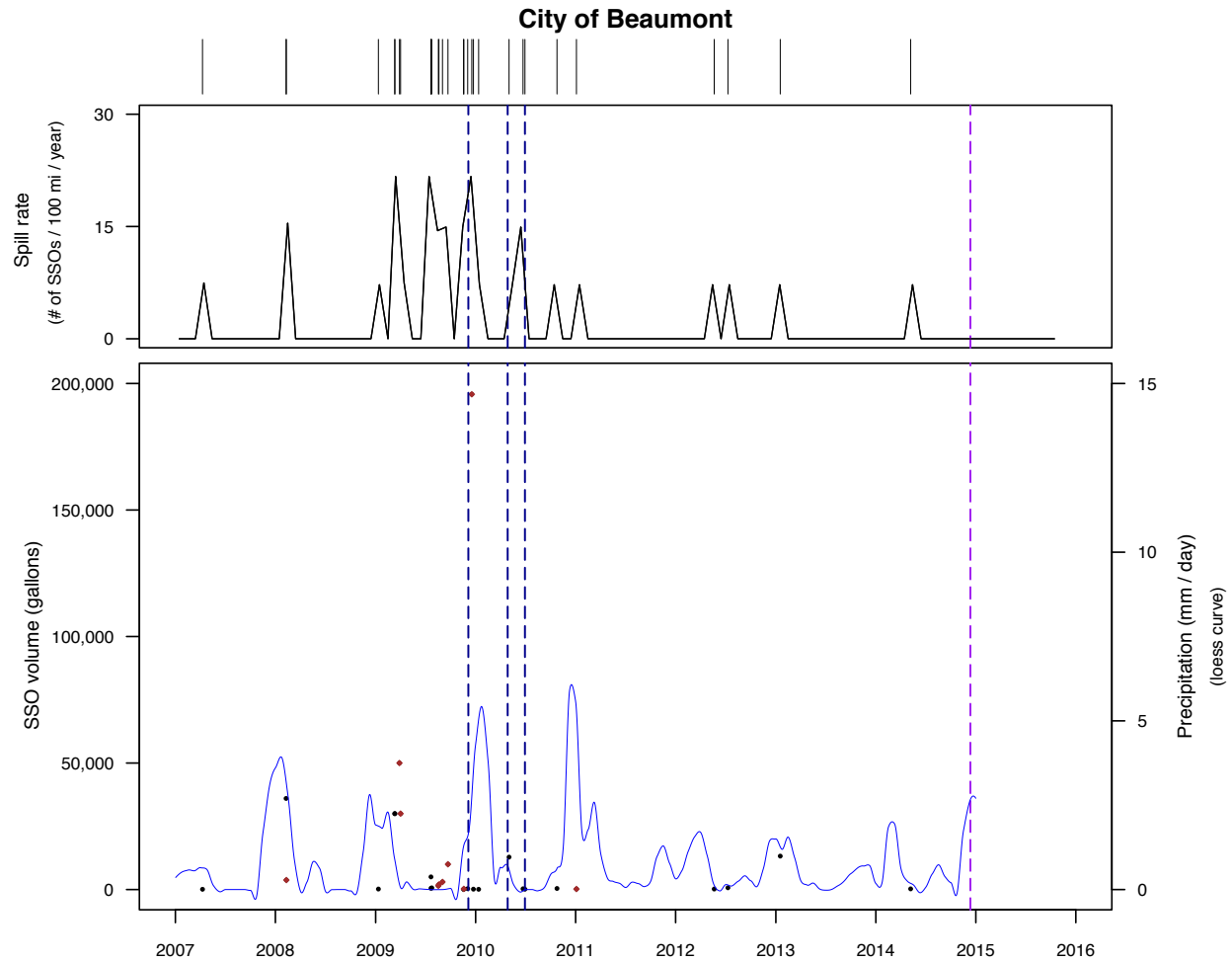
Annual capital expenditure budget: \$3,000,000

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



TIME LINE

- 11/19/2009** ACL Complaint R8-2009-0068 (settled in R8-2010-0022)
- 4/15/2010** ACL Complaint R8-2010-0007 (settled in R8-2010-0022)
- 7/2/2010** 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)
- 12/12/2014** 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)

5. City of Benicia

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

Region: 2

Annual O&M budget: \$1,157,920

Population served: 27,978

Lateral connection(s): 9,268

Total # SSOs: 134 (18 reaching surface water)

Overall spill rate: 6.9 (0.9) SSOs/100 mi/yr

WDID: 2SSO10095

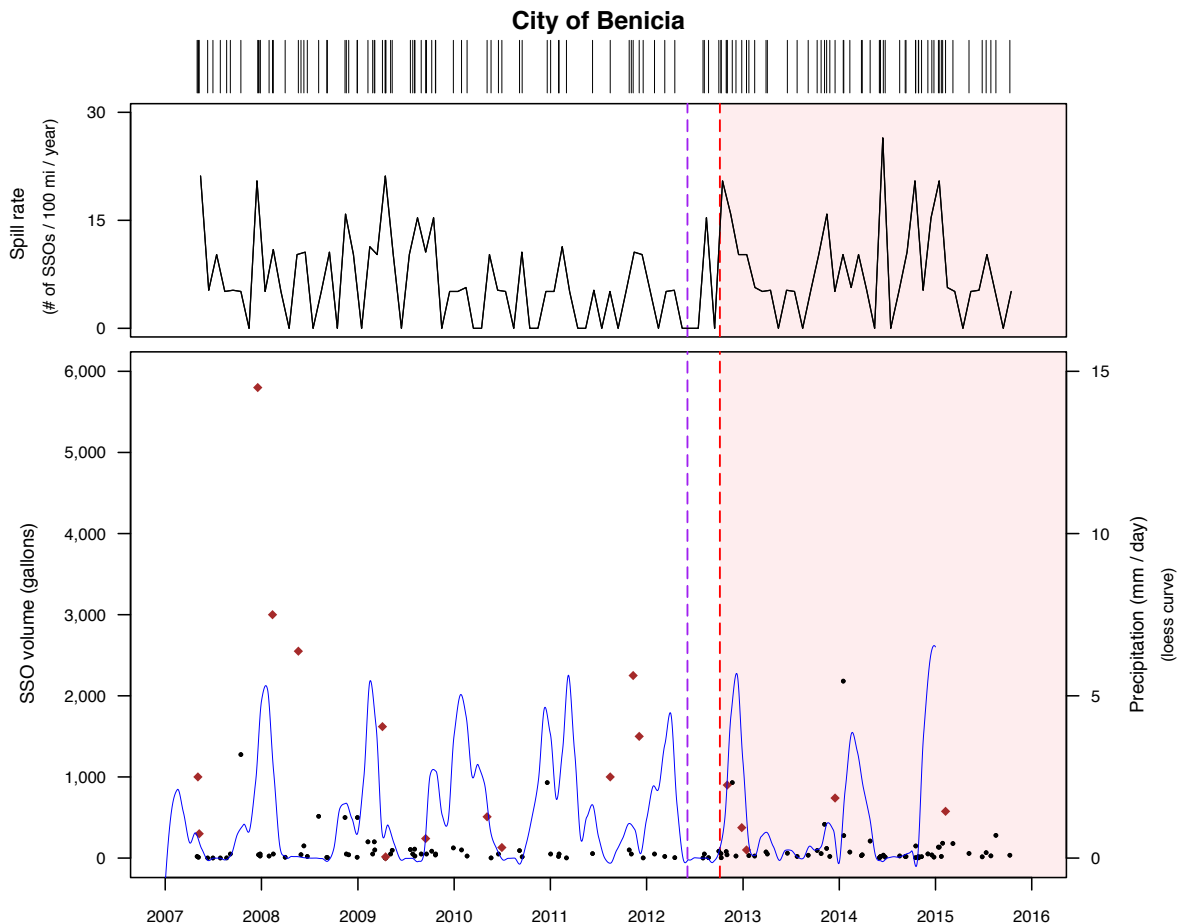
Annual capital expenditure budget: \$150,000

System length: 230 mi (80 mi laterals)

Water crossing(s): 0

Total SSO volume: 35,669 gal (15,378 gal reaching surface water)

Overall spill volume rate: 150 (65) gal/1000 capita/yr



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)

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

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

WDID: 1SSO11752

Annual capital expenditure budget: \$120,000

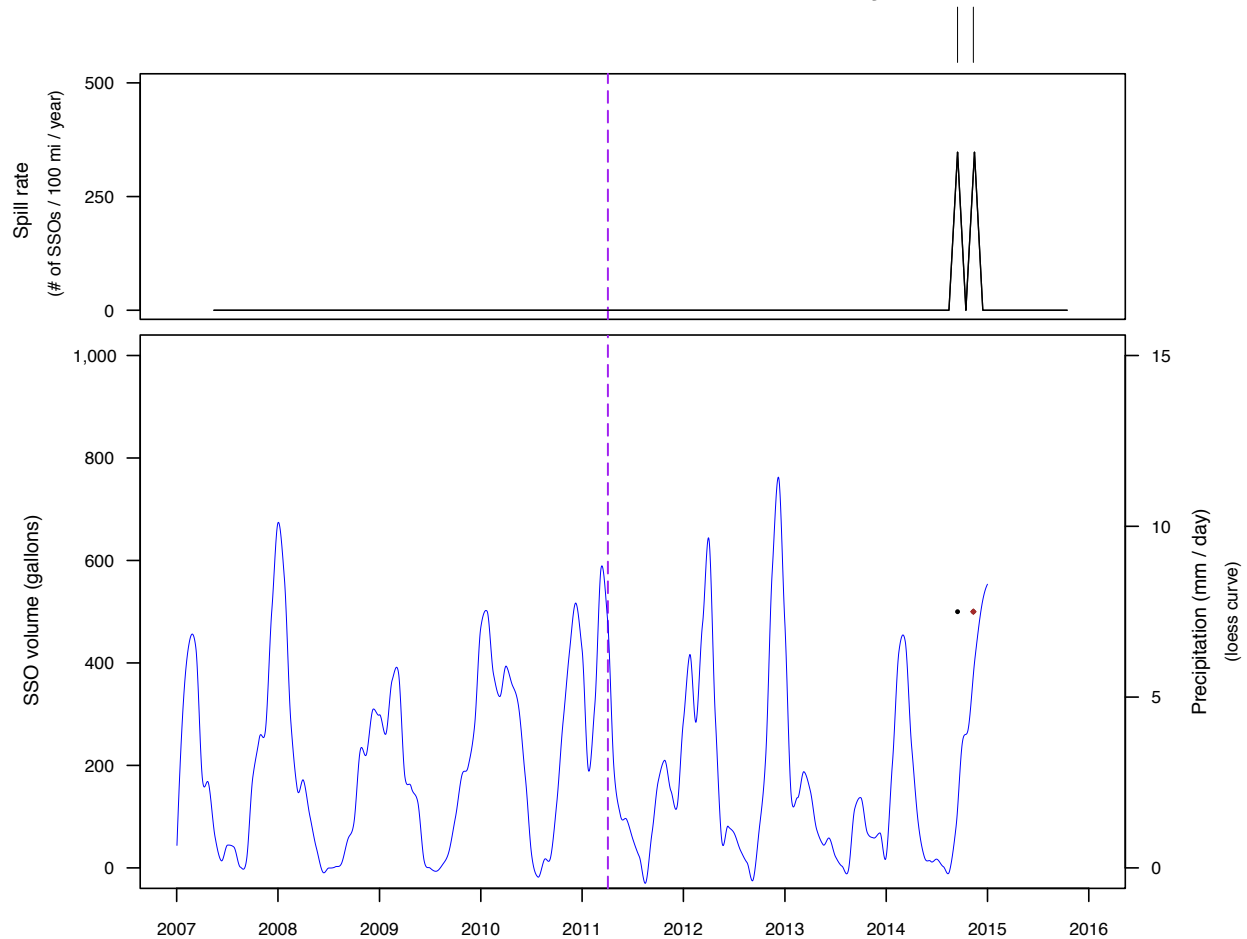
System length: 3.5 mi (0.5 mi laterals)

Water crossing(s): 4

Total SSO volume: 1,000 gal (500 gal reaching surface water)

Overall spill volume rate: 94 (47) gal/1000 capita/yr

Blue Lake Wastewater Treatment Facility



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

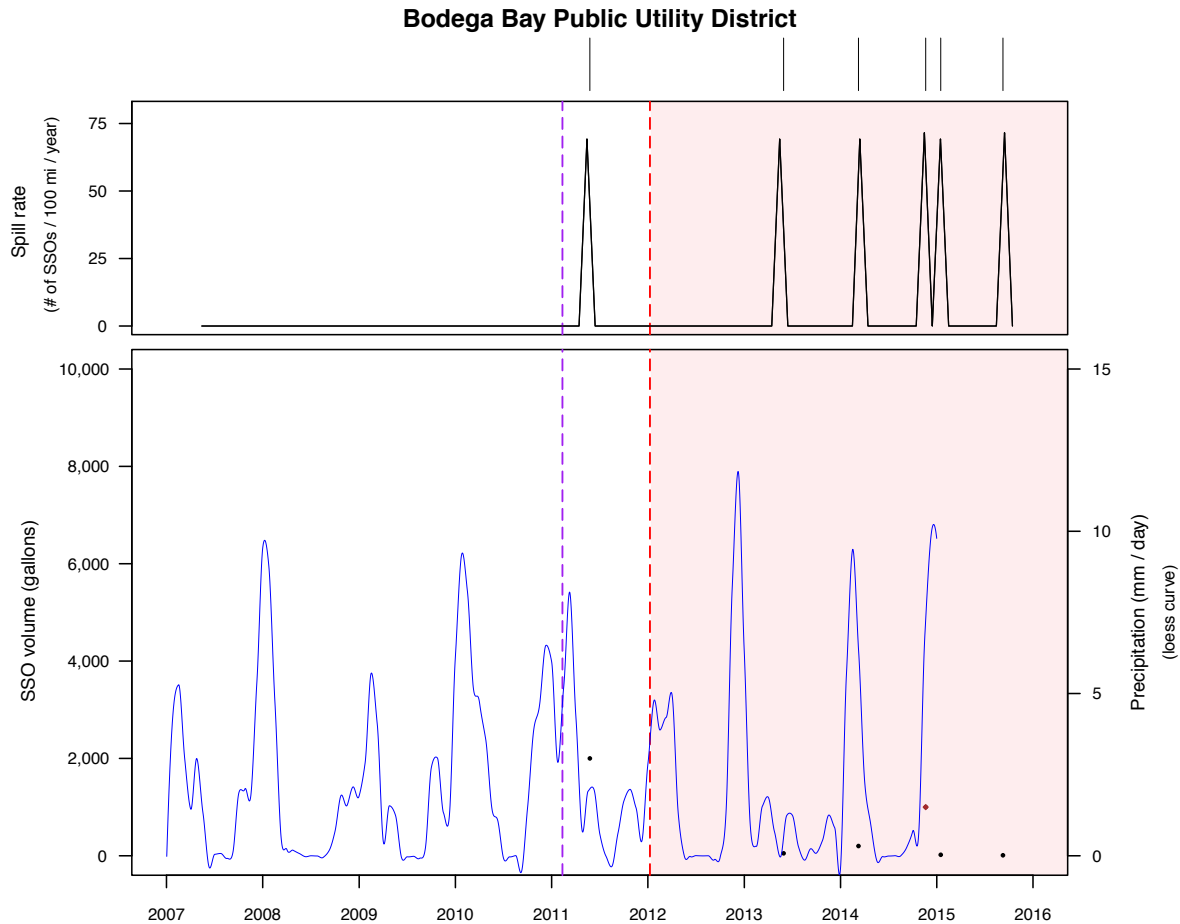
Annual capital expenditure budget: \$200,000

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



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

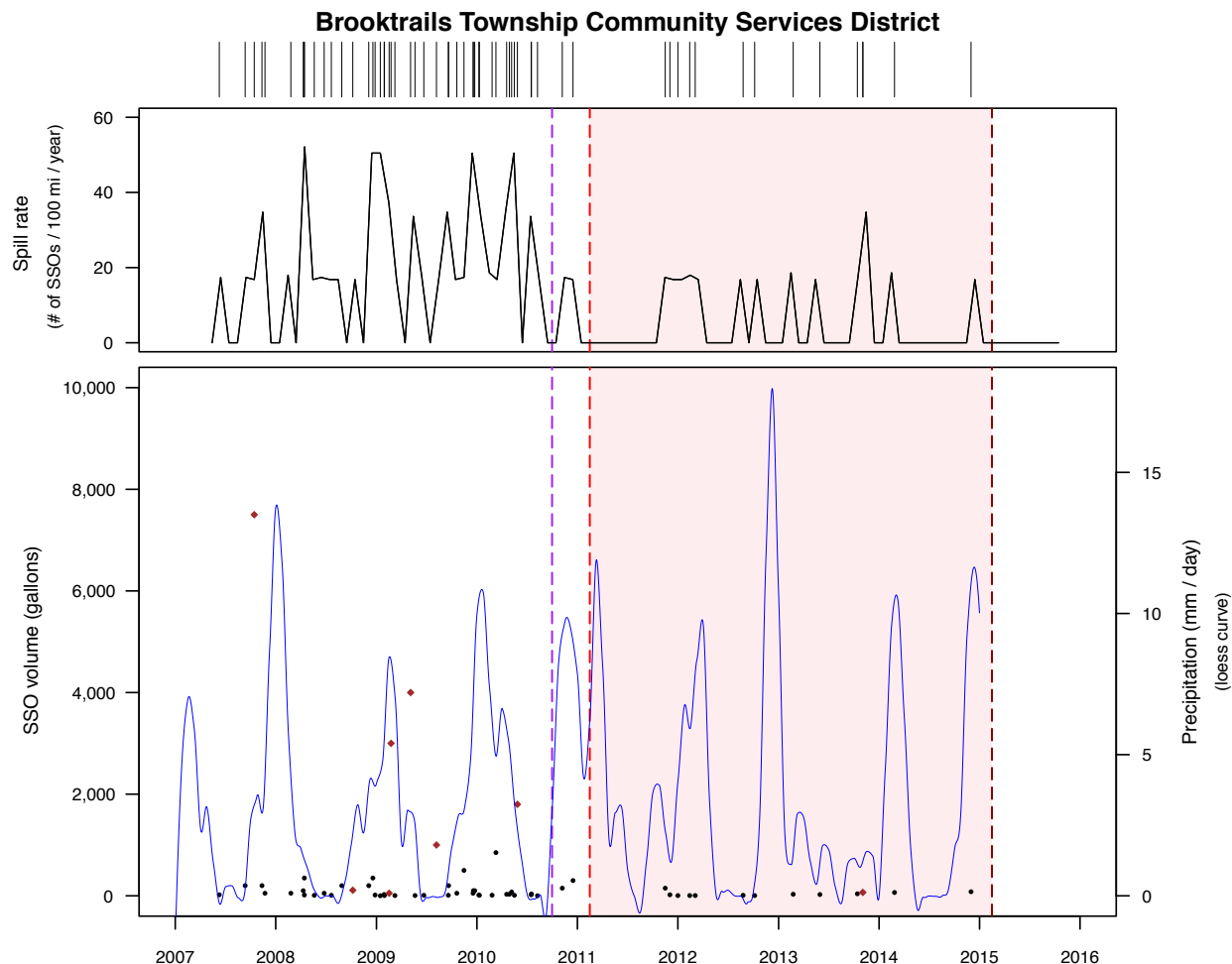
Annual capital expenditure budget: \$30,000

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



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

Injunctive settlement terms

- Flow monitoring / metering
- Training
- Water quality monitoring / study, related to SSOs
- Private sewer lateral inspection / replacement ordinance
- **SEPs:** \$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

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

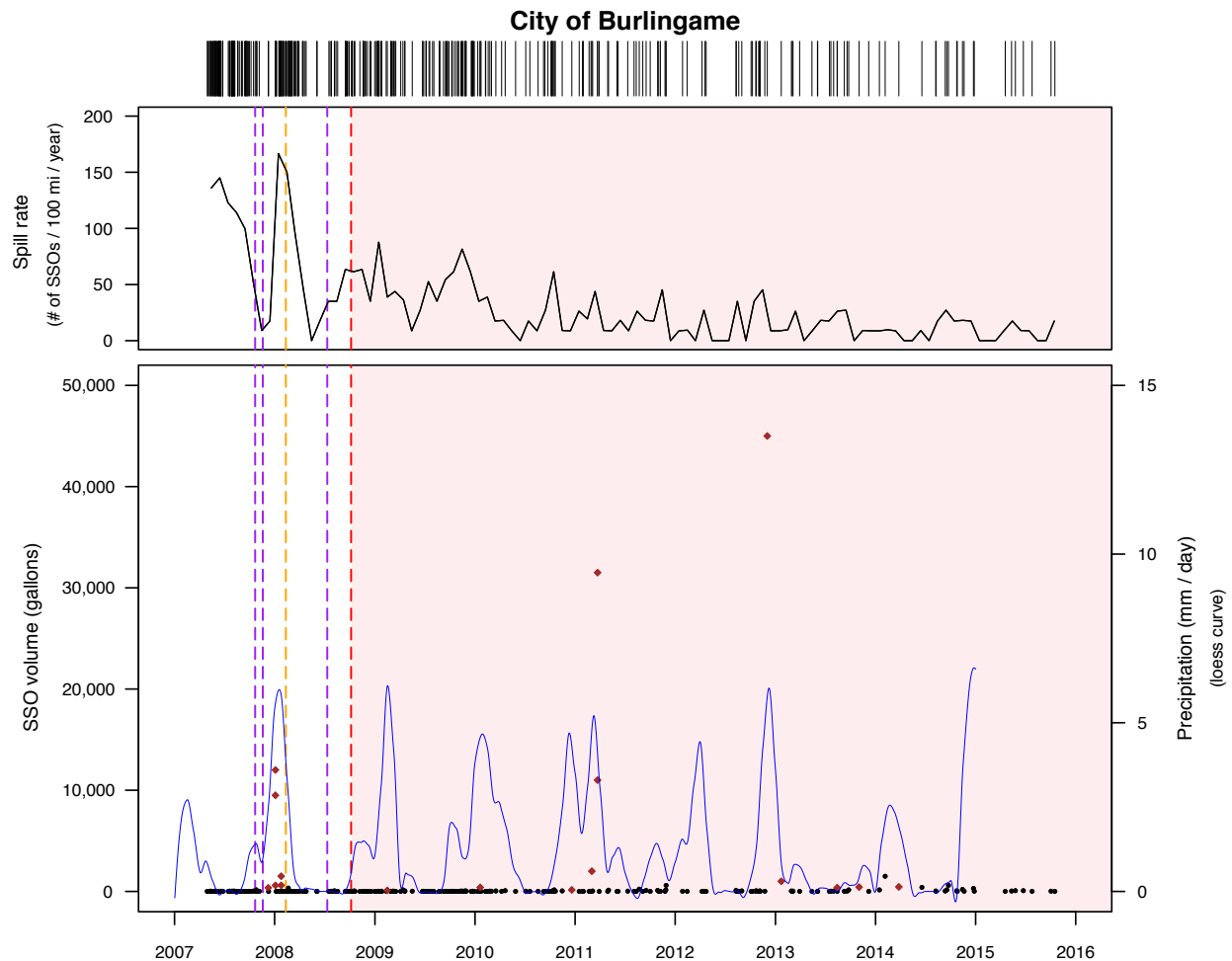
Annual capital expenditure budget: \$3,000,000

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



TIME LINE

- 10/22/2007** 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)
- 11/19/2007** Supplemental NOI
- 2/11/2008** Complaint filed
- 6/30/2008** ORDER referring case to magistrate judge for settlement
- 7/11/2008** 2nd supplemental NOI (to Veolia only)
- 8/20/2008** Consent decree signed by parties
- 8/20/2008** NOTICE of tentative settlement agreement, by plaintiff
- 9/11/2008** US DOJ letter (stating that agreement is under review)
- 10/3/2008** US DOJ letter (conveying no objection)
- 10/3/2008** NOTICE of completion of review period and request for entry of settlement, by plaintiff
- 10/6/2008** ORDER granting request for entry of settlement and consent decree
- 10/6/2008** EFFECTIVE DATE of consent decree
- 10/6/2018** 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
- 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

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.)

Region: 2

Annual O&M budget: \$612,742

Population served: 2,556

Lateral connection(s): 423

Total # SSOs: 42 (16 reaching surface water)

Overall spill rate: 74 (28) SSOs/100 mi/yr

WDID: 2SSO10224

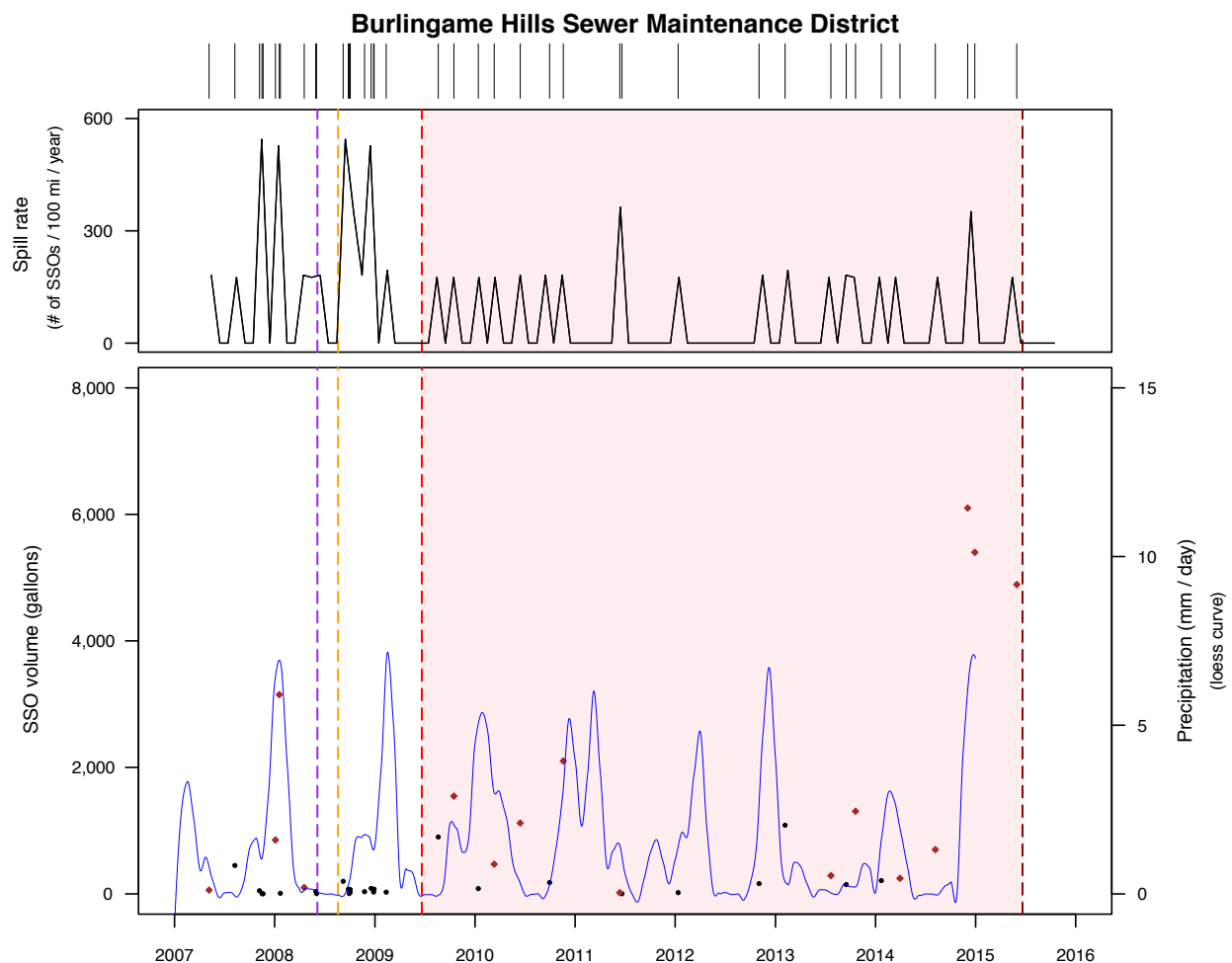
Annual capital expenditure budget: \$0

System length: 6.7 mi (0 mi laterals)

Water crossing(s): 8

Total SSO volume: 32,326 gal (25,923 gal reaching surface water)

Overall spill volume rate: 1,488 (1,193) gal/1000 capita/yr



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
6/25/2009	ORDER RE CONSENT DECREE (filed and entered 6/26/2009)
6/21/2015	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
- 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

11. City of Carlsbad

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

Region: 9

Annual O&M budget: \$12,401,071

Population served: 69,420

Lateral connection(s): 22,000

Total # SSOs: 63 (15 reaching surface water)

Overall spill rate: 2.5 (0.6) SSOs/100 mi/yr

WDID: 9SSO11209

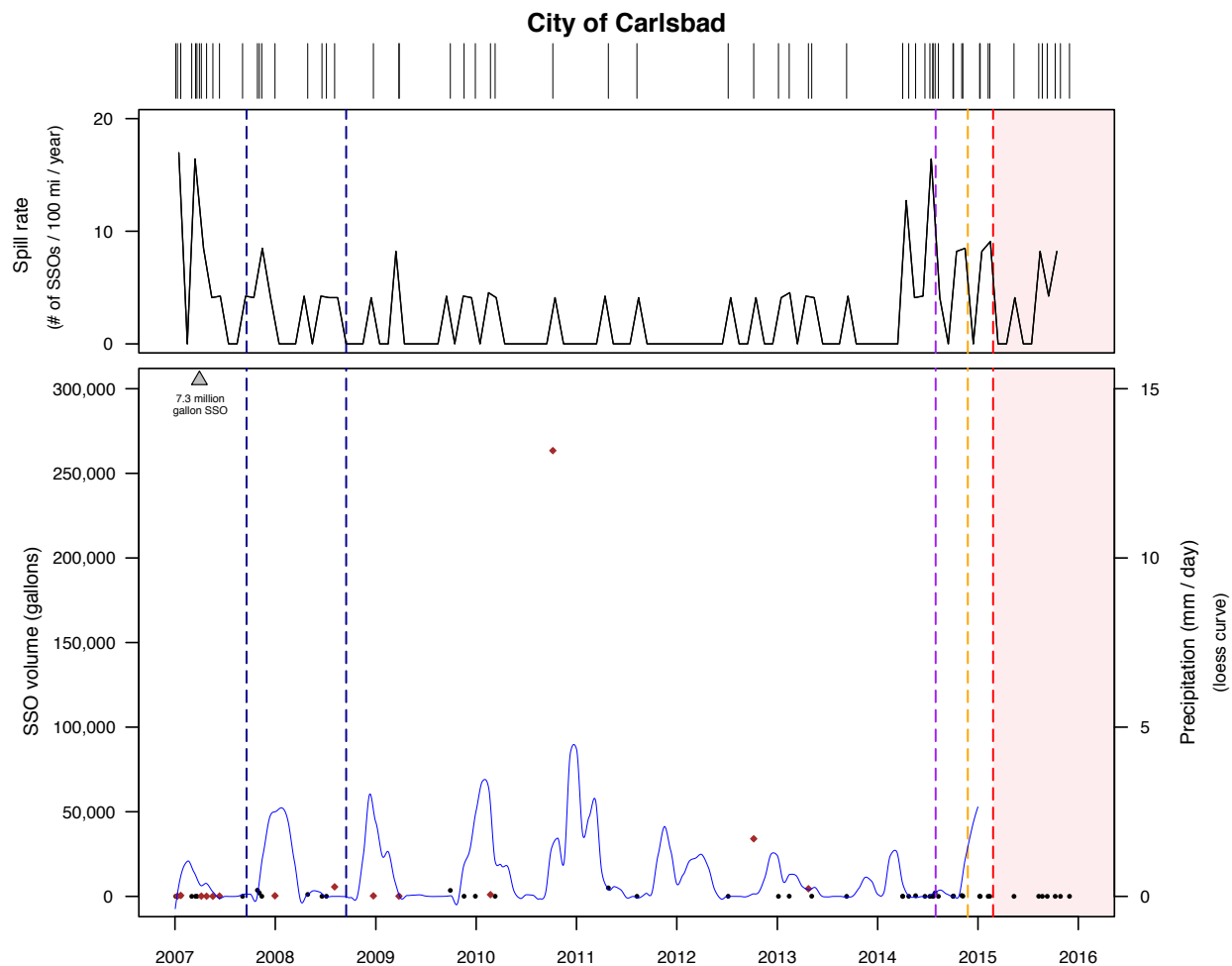
Annual capital expenditure budget: \$64,751,255

System length: 286.8 mi (0 mi laterals)

Water crossing(s): 2

Total SSO volume: 7,659,249 gal (7,367,031 gal reaching surface water)

Overall spill volume rate: 12,496 (12,019) gal/1000 capita/yr



TIME LINE

- 9/12/2007** ACL Complaint R9-2007-0099 (settled in R9-2008-0072)
- 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

Total # SSOs: 443 (37 reaching surface water)

Overall spill rate: 3.4 (0.3) SSOs/100 mi/yr

WDID: 2SSO10105

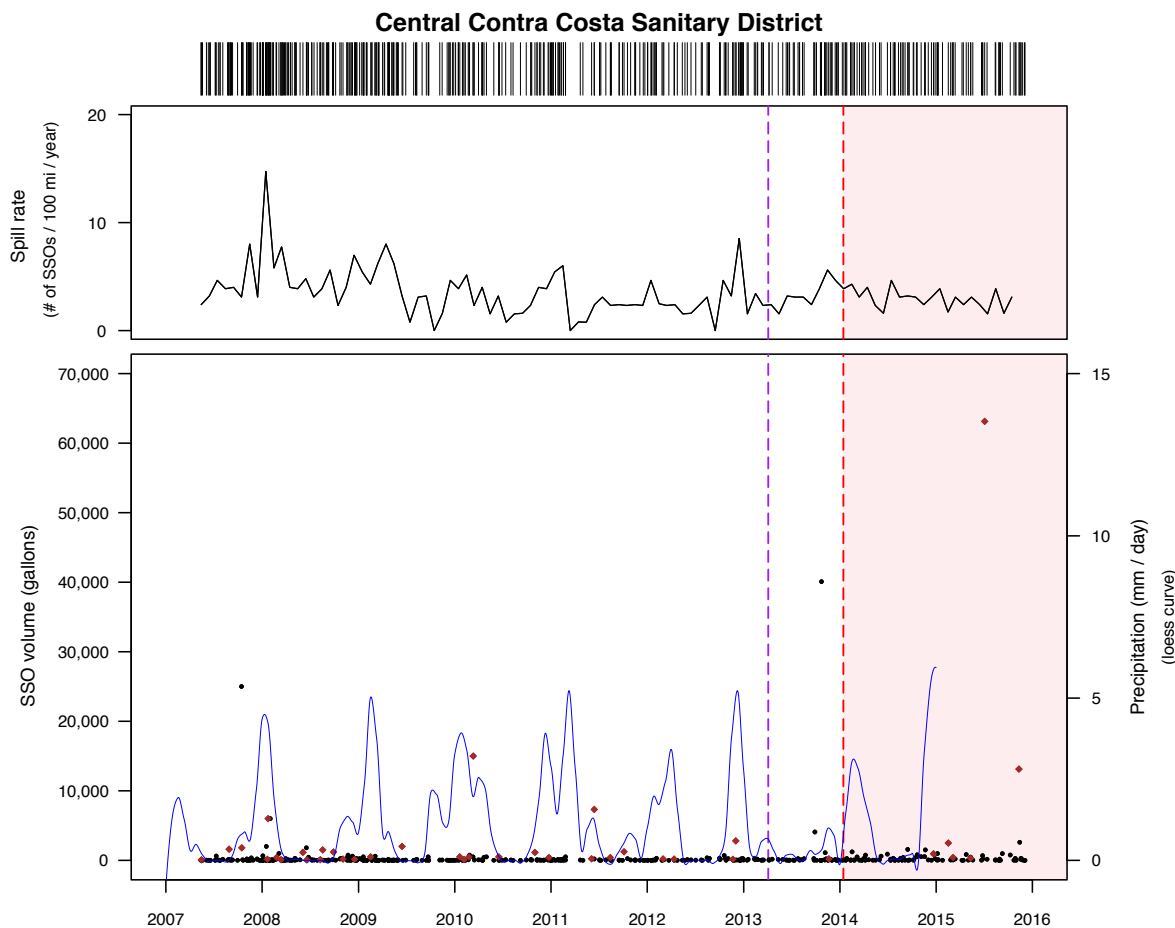
Annual capital expenditure budget: \$12,217,000

System length: 1,518 mi (0 mi laterals)

Water crossing(s): 156

Total SSO volume: 242,232 gal (112,926 gal reaching surface water)

Overall spill volume rate: 63 (29) gal/1000 capita/yr



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

Annual O&M budget: \$3,321,203

Population served: 270,686

Lateral connection(s): 90,344

Total # SSOs: 66 (13 reaching surface water)

Overall spill rate: 0.7 (0.1) SSOs/100 mi/yr

WDID: 7SSO10535

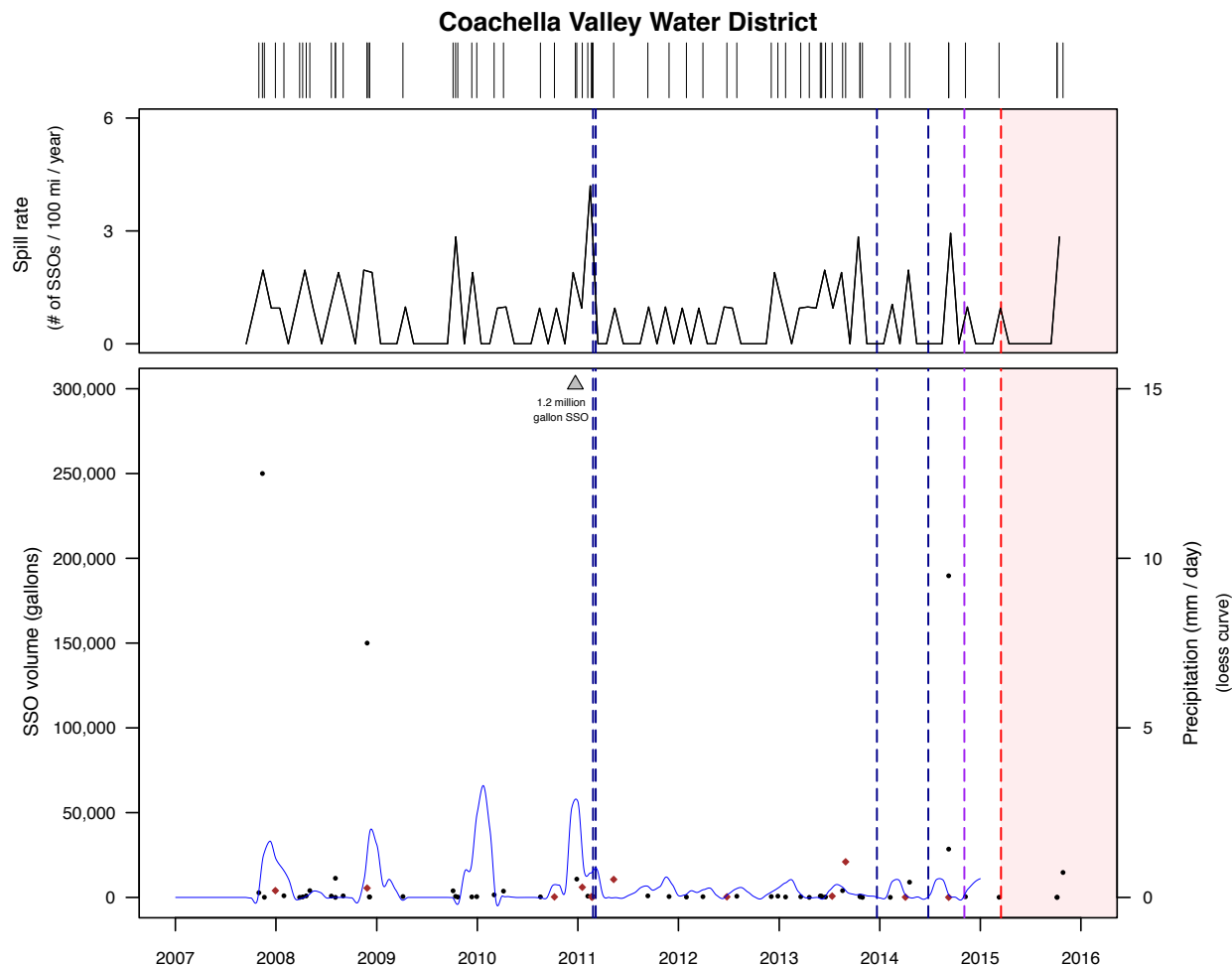
Annual capital expenditure budget: \$37,583,575

System length: 1,242 mi (0 mi laterals)

Water crossing(s): 5

Total SSO volume: 1,989,454 gal (1,281,415 gal reaching surface water)

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 (see below))
- 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

WDID: 1SSO10021

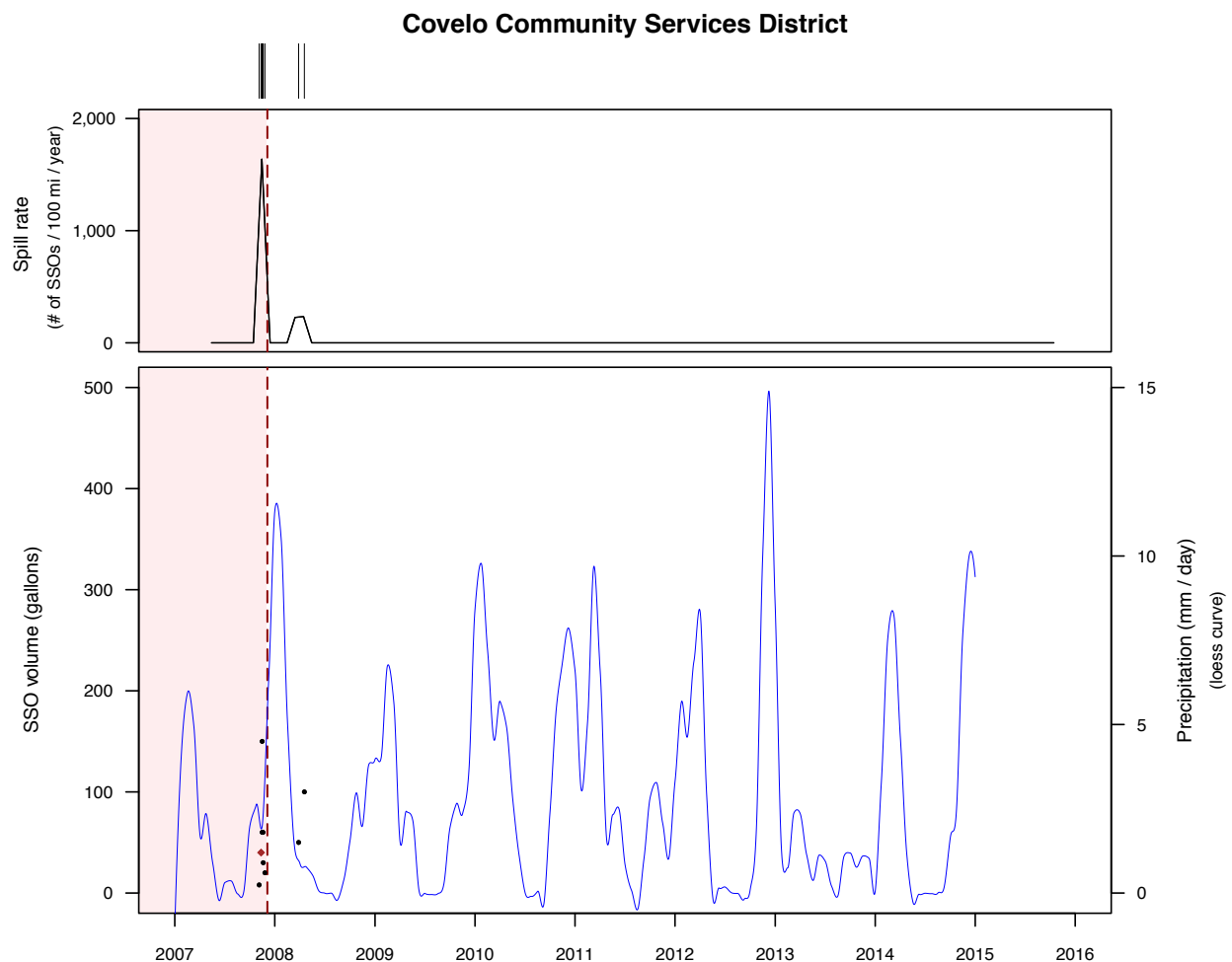
Annual capital expenditure budget: \$6,850

System length: 5.2 mi (1 mi laterals)

Water crossing(s): 1

Total SSO volume: 518 (1) gal (1 gal reaching surface water)

Overall spill volume rate: 149 (0.3) gal/1000 capita/yr



TIME LINE

7/6/2001	NOI (re: 52 SSOs, treatment plant bypasses, effluent limitations violations, receiving water limitations violations, solids disposal violations, and monitoring / reporting violations, from 7/1/1996 to 7/1/2001)
10/3/2001	Complaint filed
1/8/2002	Case reassigned to Magistrate Judge
2/8/2002	Case referred to mediation
3/19/2002	Mediator appointed
9/12/2002	Letter informing mediator that parties have stipulated to a Consent Decree
9/19/2002	Certificate of service of consent decree by defendant
10/16/2002	US DOJ letter
11/12/2002	US DOJ letter
11/13/2002	US DOJ letter
11/26/2002	US DOJ letter
11/27/2002	Consent decree signed by parties
12/3/2002	CONSENT DECREE AND ORDER dismissing case (entered 12/5/2002)
12/5/2002	EFFECTIVE DATE of consent decree (date entered)
12/5/2007	TERMINATION DATE of consent decree

Injunctive settlement terms

- Hydraulic and hydrologic modeling / analysis
- Water quality monitoring / study, related to SSOs
- Payments: \$660; \$0; \$1,500; \$0; \$0; \$2,160
- **SEP:** Up to \$1500 for compliance audit

Monetary payments

Attorneys' fees and other costs	\$660
Settlement compliance monitoring	-
SEP payments	\$1,500
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$2,160

15. City of Crescent City

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

Region: 1

Annual O&M budget: \$240,000

Population served: 5,500

Lateral connection(s): 1,500

Total # SSOs: 1 (1 reaching surface water)

Overall spill rate: 0.5 (0.5) SSOs/100 mi/yr

WDID: 1SSO10022

Annual capital expenditure budget: \$20,000

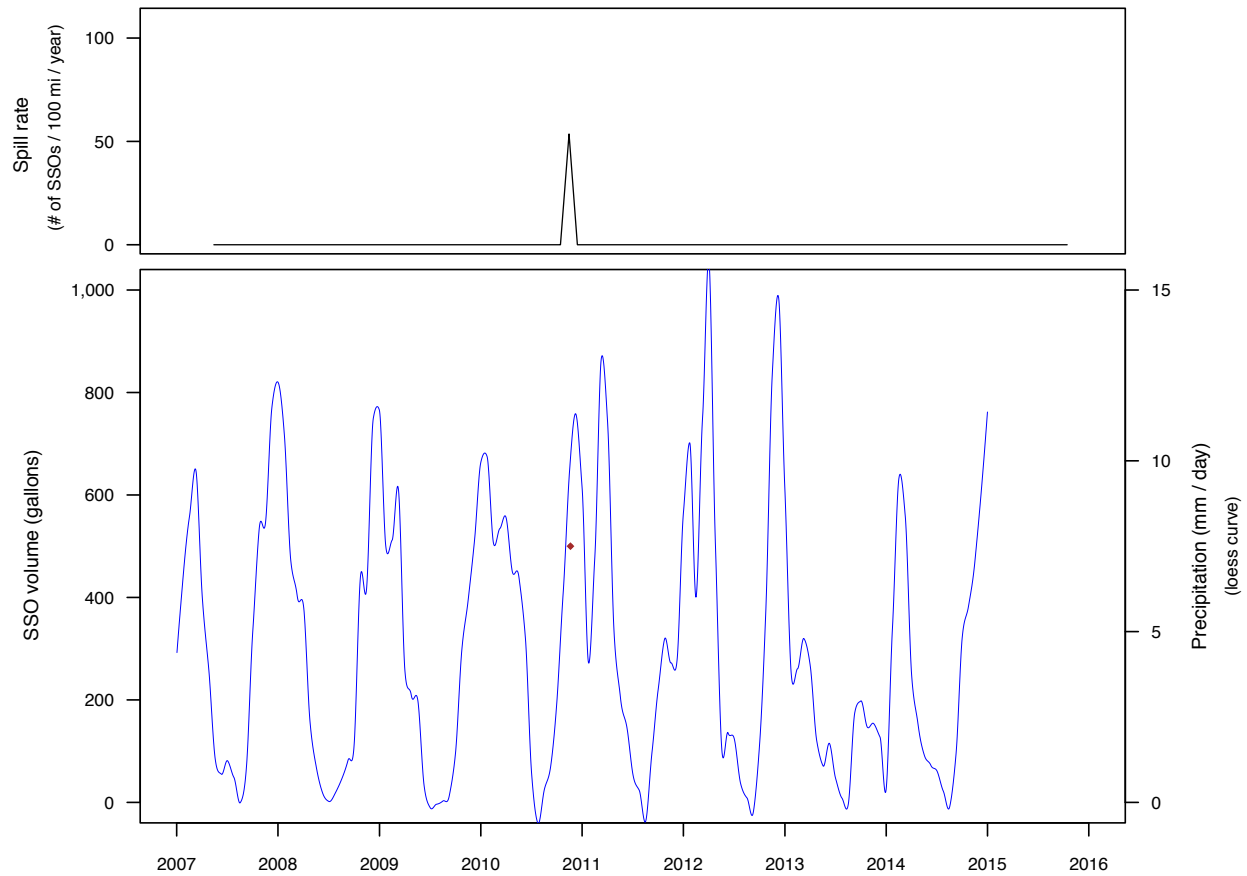
System length: 22.7 mi (9 mi laterals)

Water crossing(s): 1

Total SSO volume: 500 gal (150 gal reaching surface water)

Overall spill volume rate: 11 (3.2) gal/1000 capita/yr

City of Crescent City



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)
- 9/12/2002** CONSENT JUDGMENT (entered on 9/25/2002)
- 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

WDID: 2SSO10125

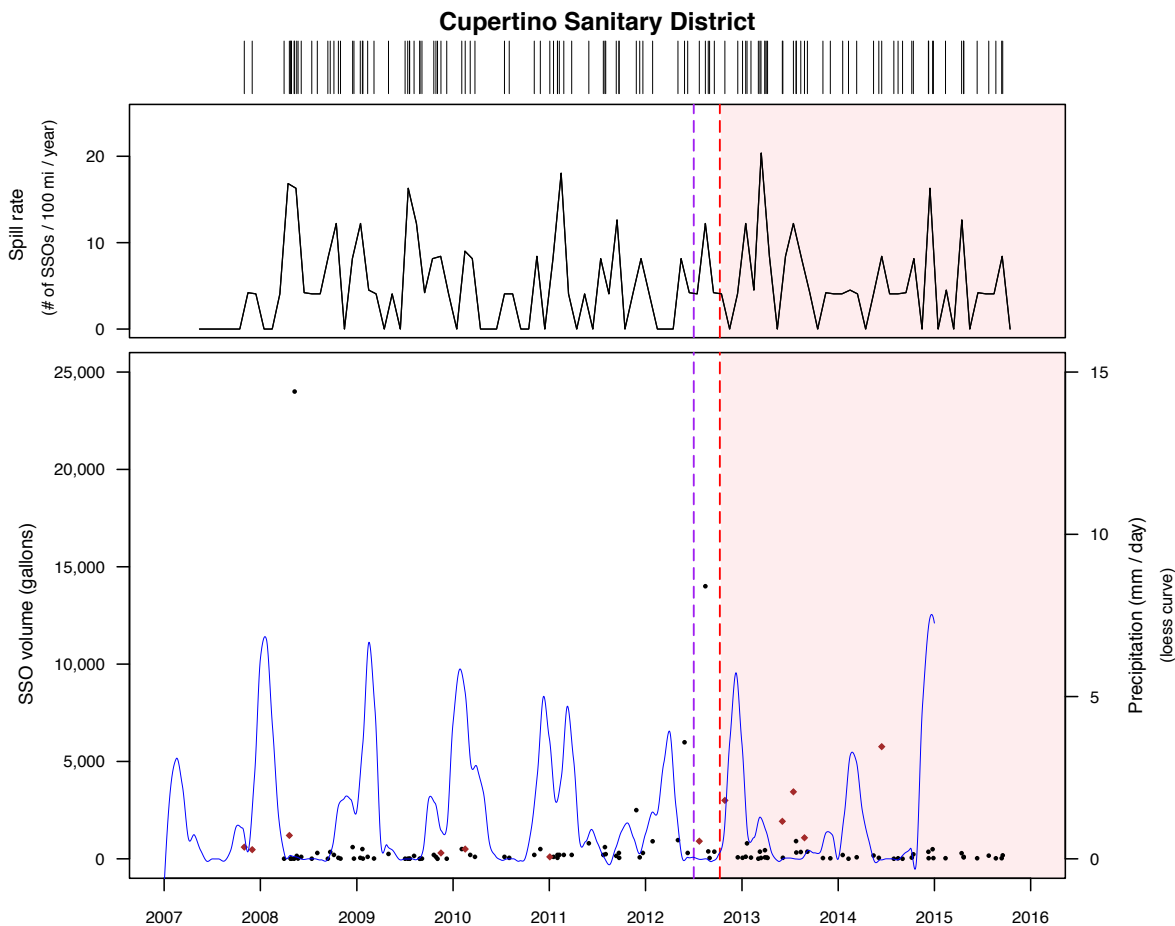
Annual capital expenditure budget: \$1,500,000

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

- 7/2/2012** 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)
- 7/2/2012** NOI (Resource Conservation and Recovery Act, re: SSOs / exfiltration to soil and groundwater)
- 8/21/2012** Counsel met
- 10/9/2012** **EFFECTIVE DATE** of settlement agreement (date signed by parties)
- 10/9/2019** **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

- 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

Annual O&M budget: \$575,000

Population served: 190,567

Lateral connection(s): 5,309

Total # SSOs: 29 (7 reaching surface water)

Overall spill rate: 4.8 (1.2) SSOs/100 mi/yr

WDID: 2SSO10127

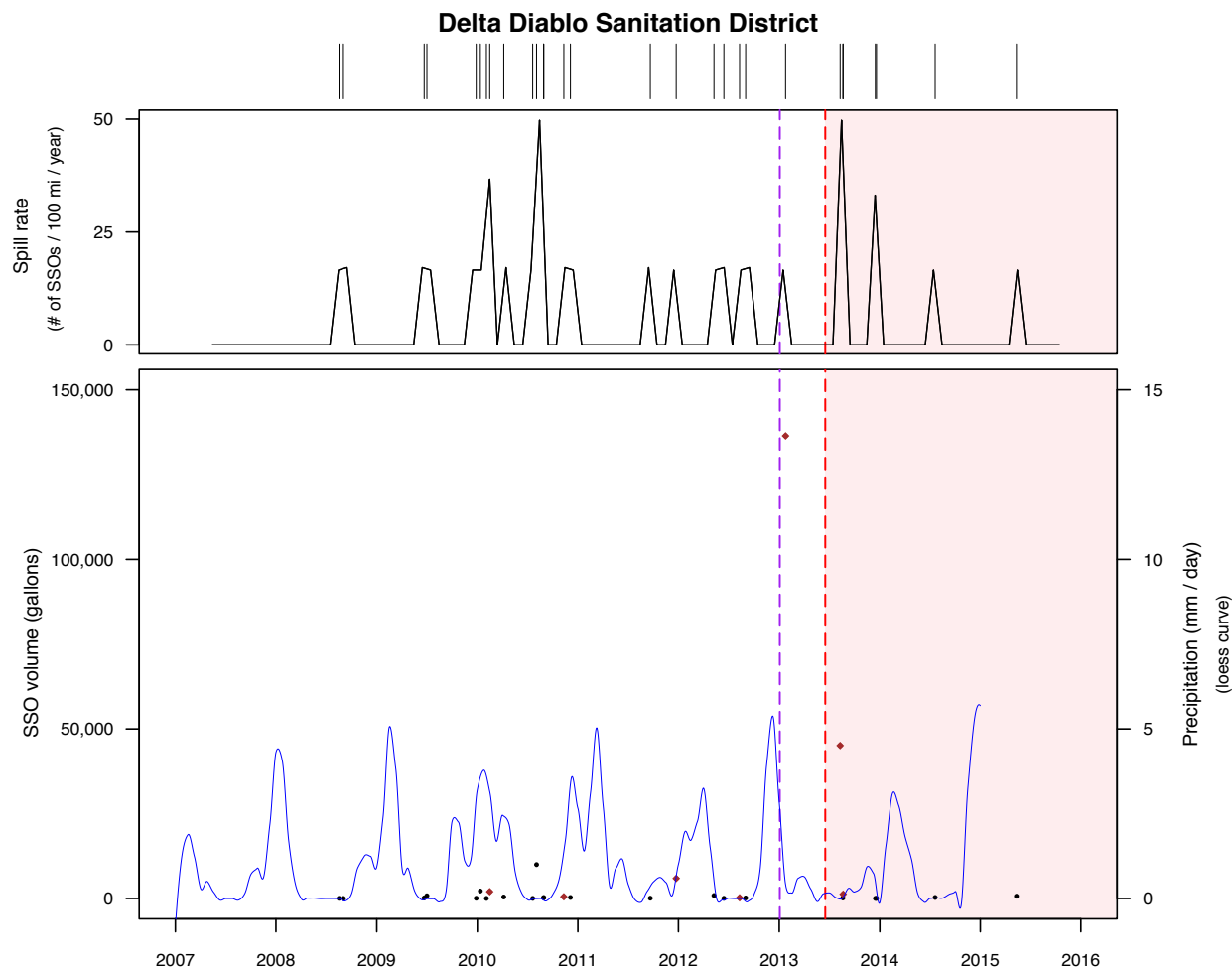
Annual capital expenditure budget: \$1,300,000

System length: 71 mi (0 mi laterals)

Water crossing(s): 64

Total SSO volume: 208,238 gal (48,400 gal reaching surface water)

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

- **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 Pittsburgh, Antioch, and Bay Point

Monetary payments

Attorneys' fees and other costs	\$30,000
Settlement compliance monitoring	-
SEP payments	\$50,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$80,000

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

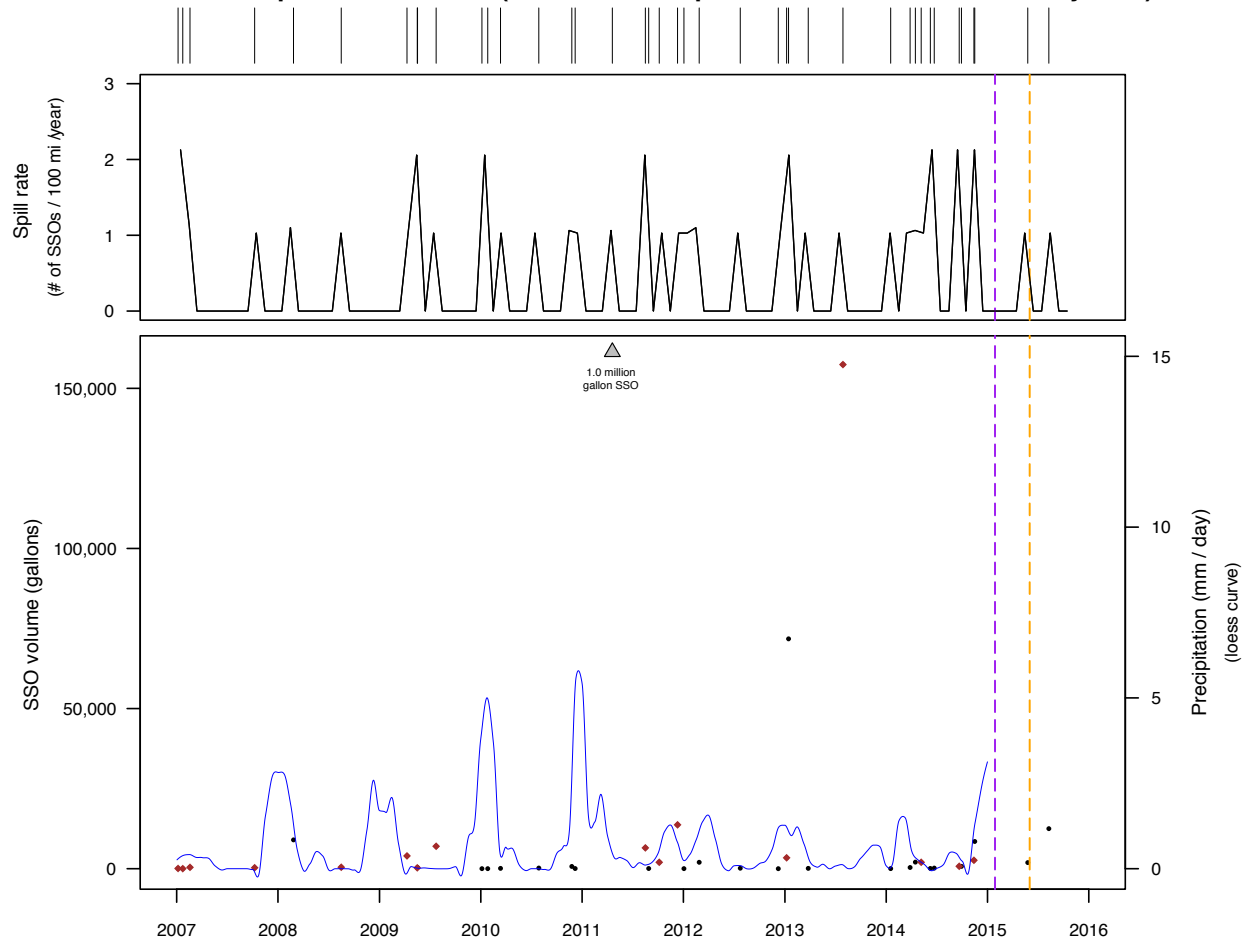
System length: 1,144 (0 mi laterals)

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;

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



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

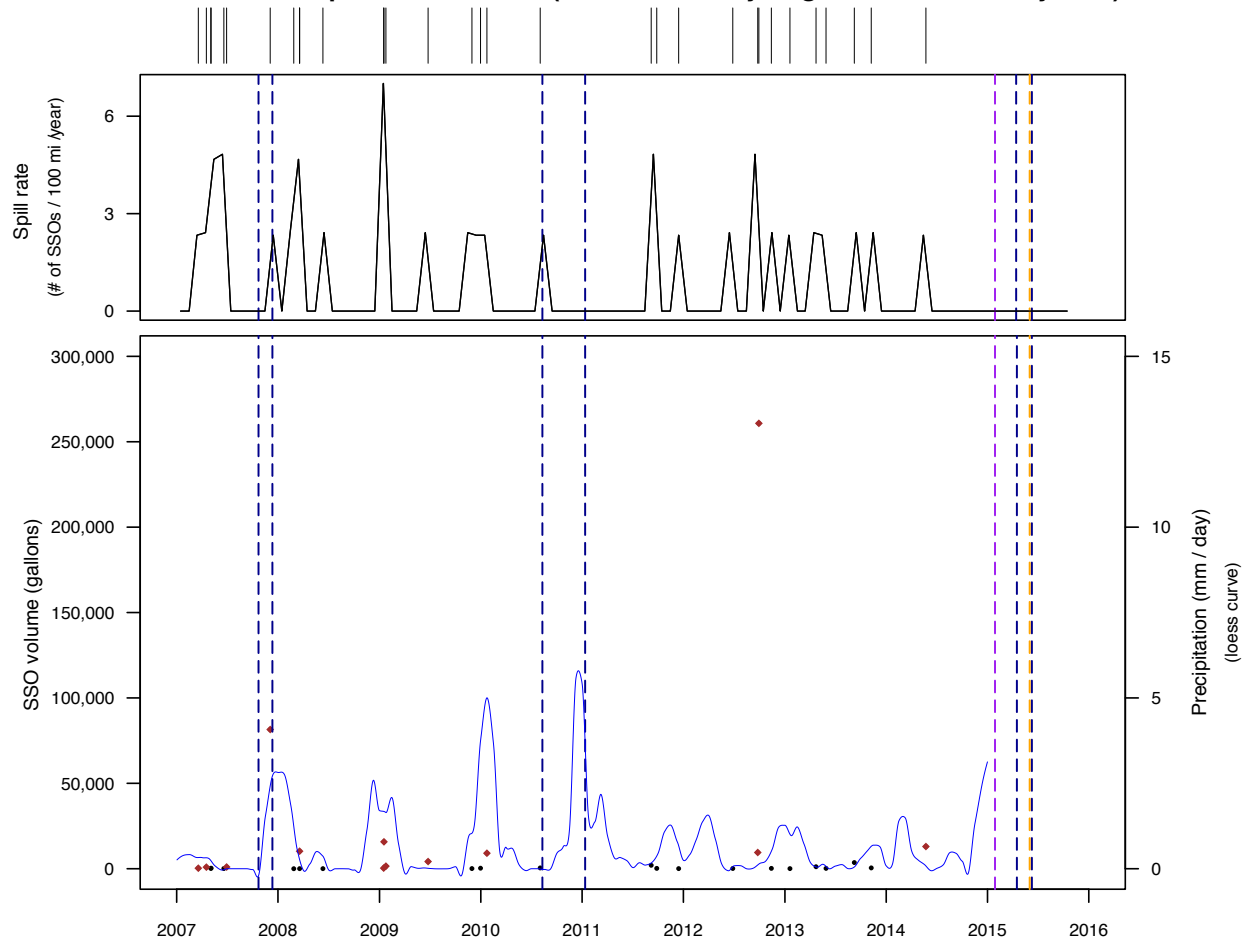
System length: 504 mi (0 mi laterals)

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

Eastern Municipal Water District (Temecula Valley Regional Collection System)



TIME LINE

- 10/17/2007** ACL Complaint R9-2007-0096 (settled in R9-2007-0217)
- 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)
- 4/25/2015** ACL Order R9-2015-0048 (Stipulated, no complaint issued) (re: 1 SSO, of between 3,829 and 132,663 gallons, reaching surface water lasting from 9/29/2012 to 1/3/2013; \$110,624)
- 6/2/2015** Complaint filed
- 6/3/2015** ACL Order No. R9-2015-0048 adopted

- 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 2nd 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)

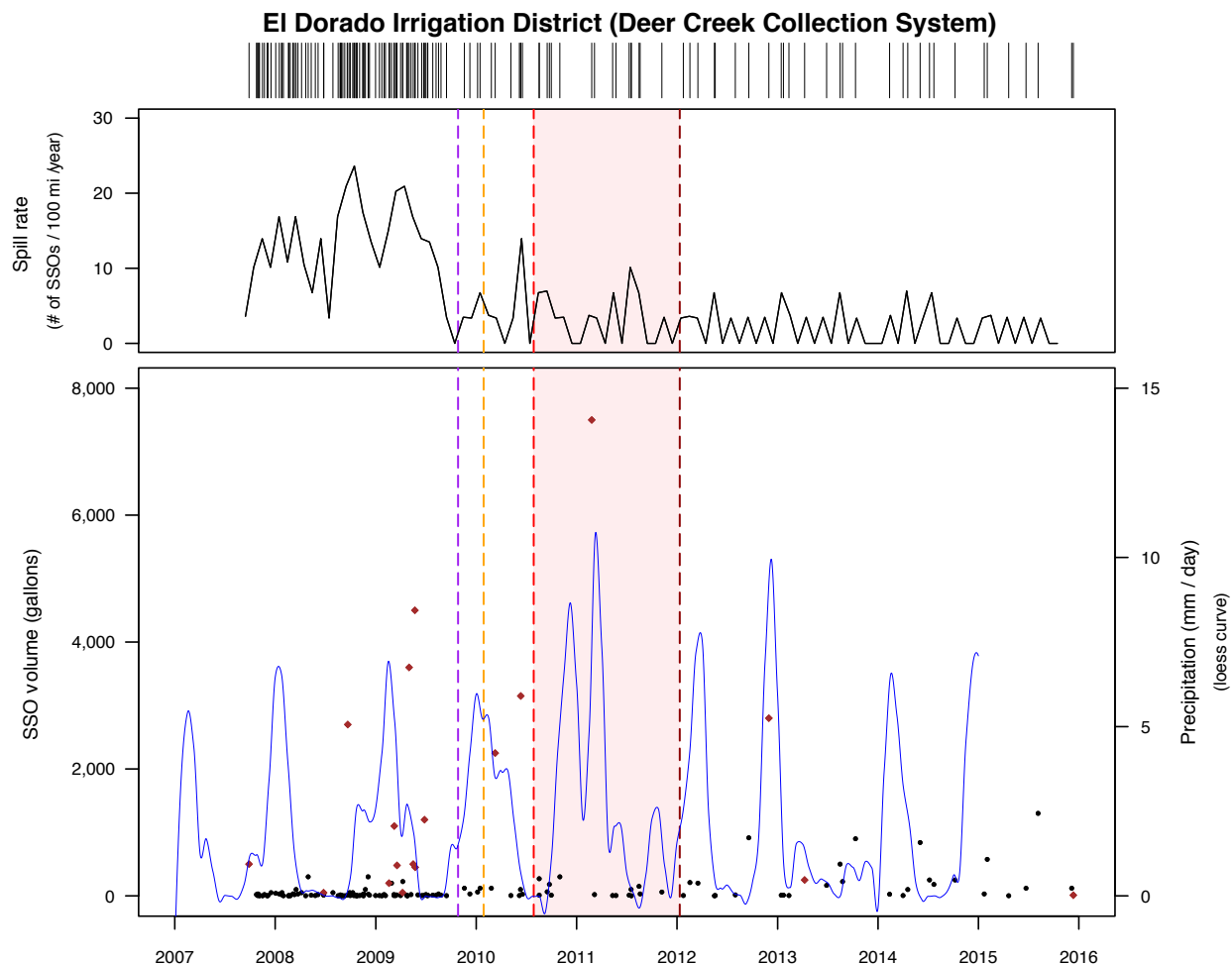
Annual capital expenditure budget: \$4,200,000

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



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

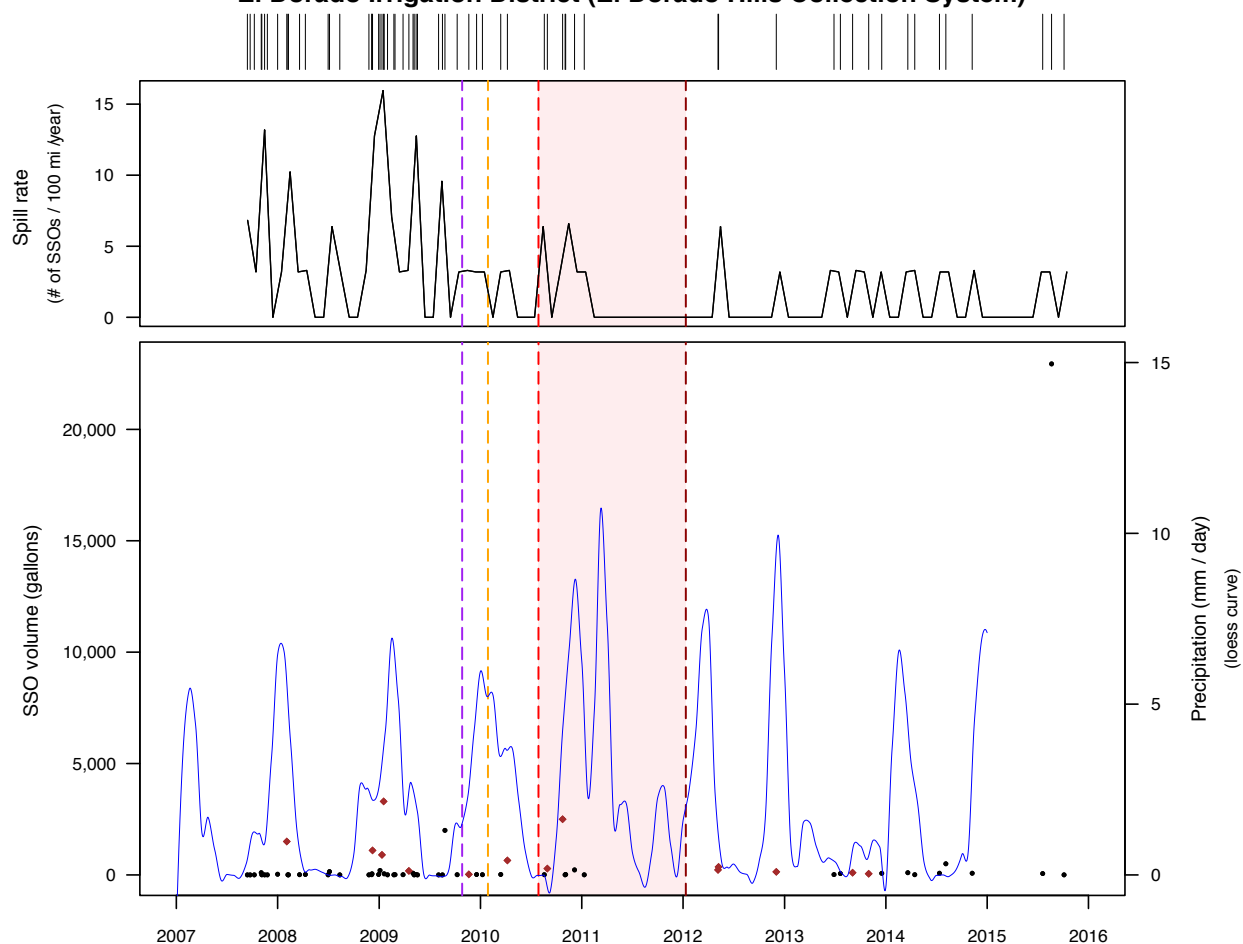
System length: 369 mi (63 mi laterals)

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

El Dorado Irrigation District (El Dorado Hills Collection System)



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: 1SSO10014

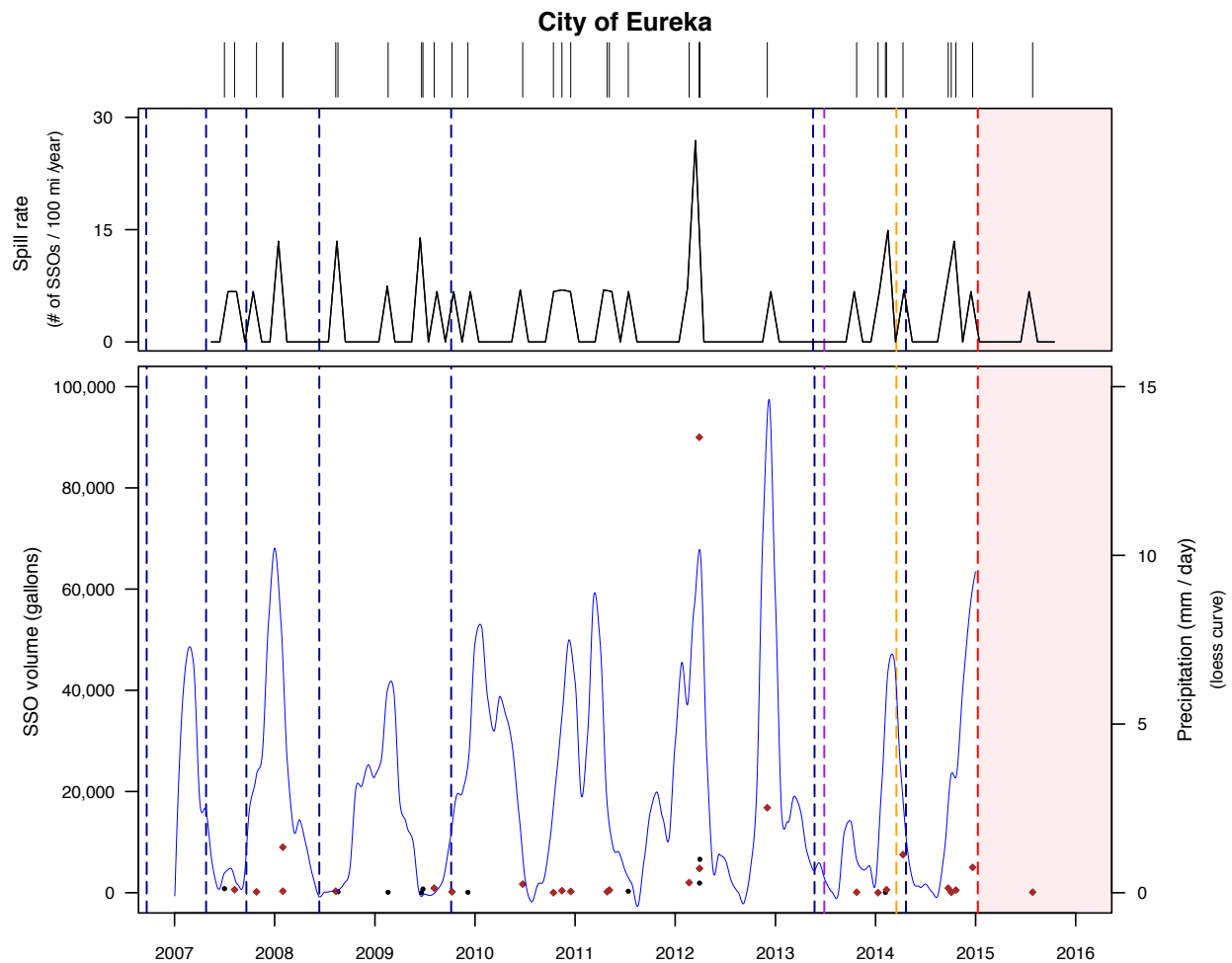
Annual capital expenditure budget: \$400,000

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



TIME LINE

11/17/2004	ACL Complaint R1-2004-0112 (re: effluent limitations violations and 43 SSOs (39 to surface waters) from 2/1998 to 3/2004; \$44,150 assessed)
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)
8/6/2007	ACL Complaint R1-2007-0066 (settled in R1-2008-0049)
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: 1SSO11467

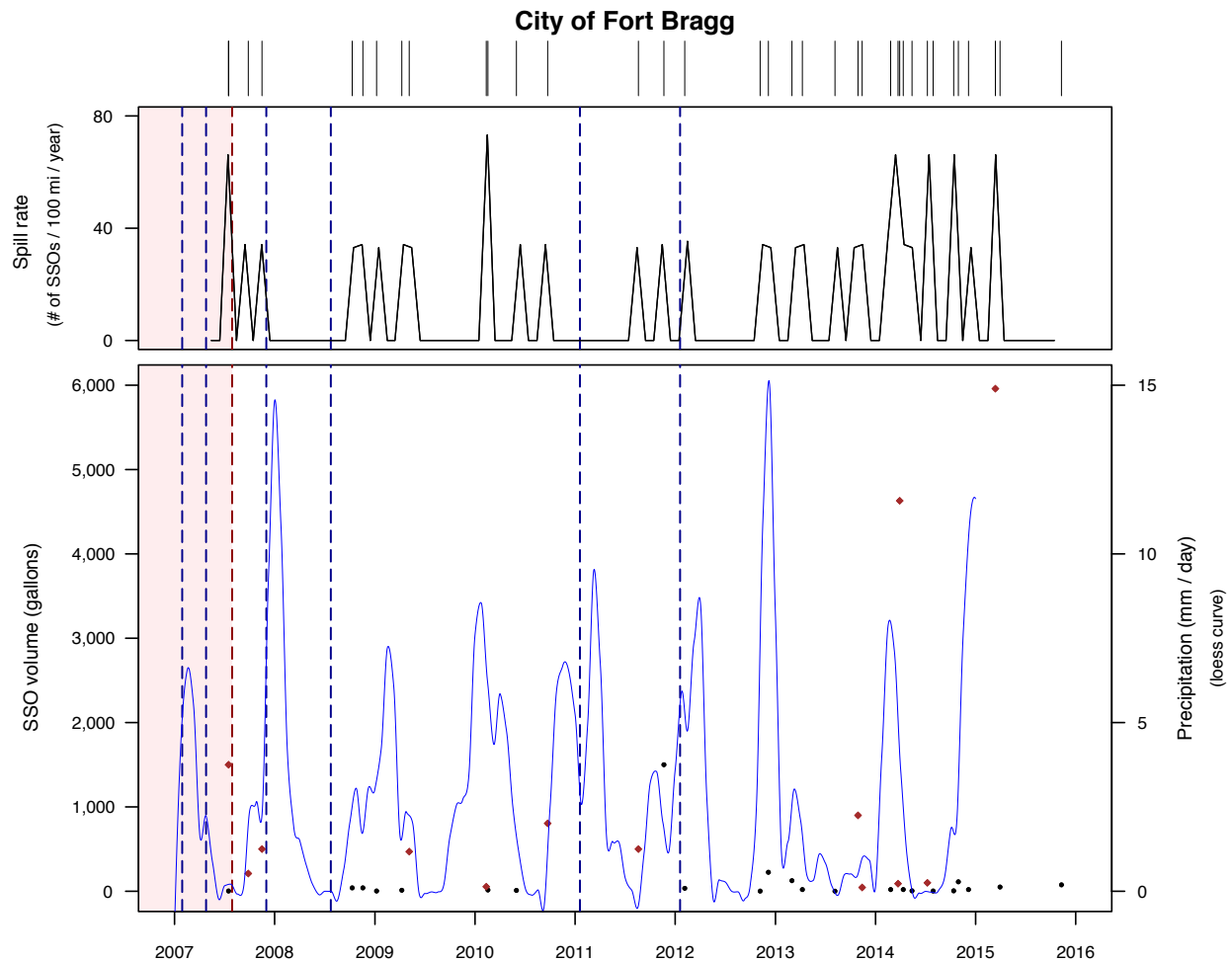
Annual capital expenditure budget: \$843,000

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



TIME LINE

2/5/2001	NOI (re: 125 SSOs, treatment plant bypasses, effluent limitations violations, receiving water limitations violations, monitoring / reporting violations, etc., from 2/1/1996 to 2/1/2001)
5/29/2001	Tolling agreement (Agreement to Stay Filing of Litigation) signed
6/11/2001	2nd tolling agreement signed
1/9/2002	Complaint filed
3/11/2002	Answer
3/20/2002	Stipulation selecting ADR process
4/3/2002	Stipulation and Order selecting ADR process
5/7/2002	Consent decree signed by parties
7/29/2002	Consent decree and order (date signed)
7/30/2002	EFFECTIVE DATE of consent decree (date entered)
1/29/2007	CAO R1-2007-0011 (re: SSOs from Pudding Creek Force Main in 6/2006)
4/26/2007	CDO R1-2007-0015 (re: SSOs from Pudding Creek Force Main; permanently repair or replace)
7/30/2007	TERMINATION DATE of consent decree
11/16/2007	ACL Complaint R1-2007-0102 (settled in R1-2008-0070)
7/24/2008	ACL Order R1-2008-0070 (re: effluent limitations violations and 23 SSOs from 1/1/2003 to 10/31/2007; \$56,000; \$35,500 suspended pending completion of project (adding alarm system with leak detection to Pudding Creek Force Main bridge span))
1/14/2011	ACL Complaint R1-2011-0013 (settled in R1-2012-0009)
1/19/2012	ACL Order R1-2012-0009 (re: effluent limitations violations release of unchlorinated effluent, and 3 SSOs from 11/1/2007 to 10/31/2010; \$39,069; \$13,660 suspended pending completion of SEP (develop and secure bluff-top coastal trail))
1/19/2012	Order R1-2012-0006, rescinding CDO R1-2007-0015

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

Total # SSOs: 28 (20 reaching surface water)

Overall spill rate: 7.0 (5.0) SSOs/100 mi/yr

WDID: 1SSO10031

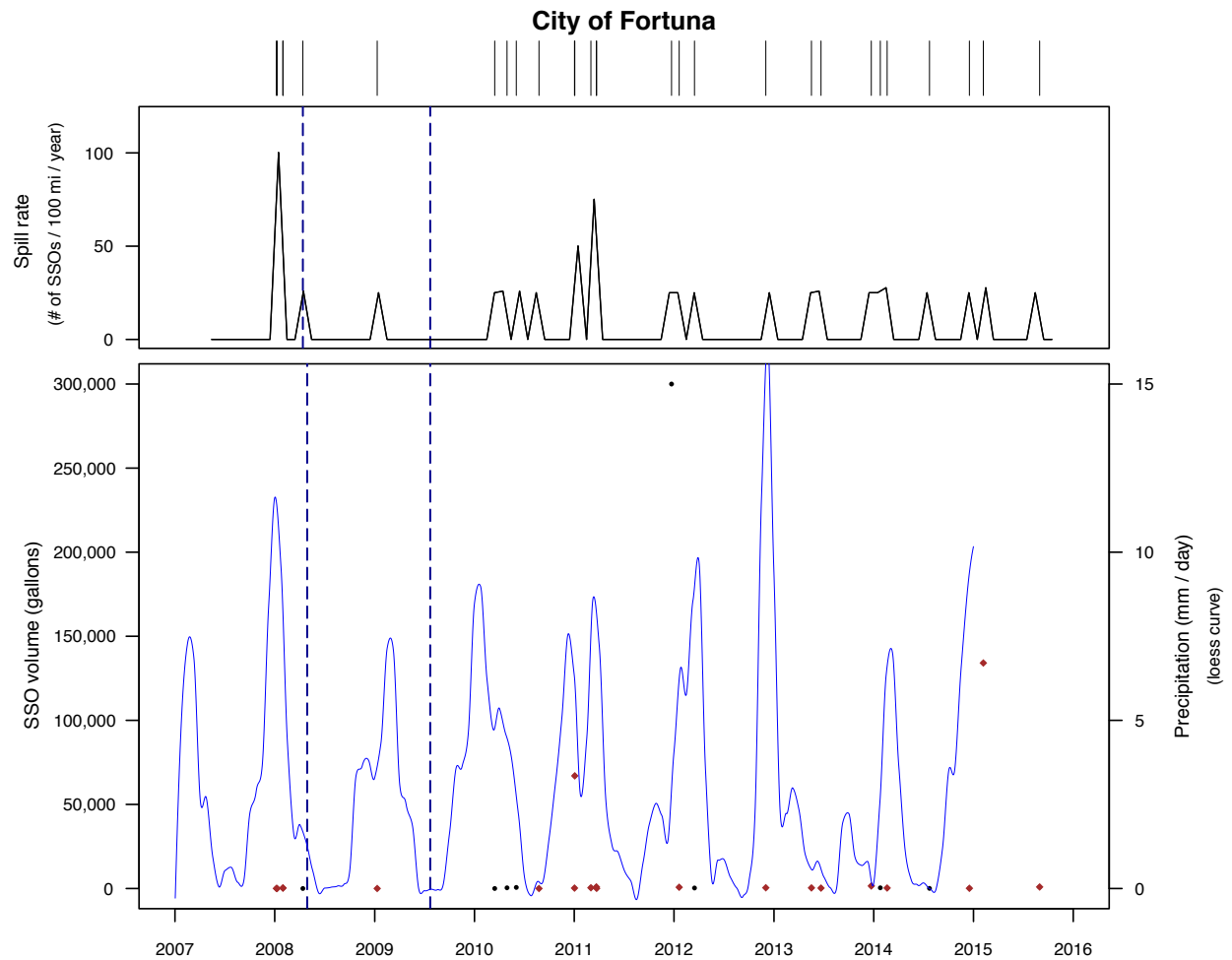
Annual capital expenditure budget: \$1,397,000

System length: 47 mi (3 mi laterals)

Water crossing(s): 0

Total SSO volume: 510,012 gal (205,853 gal reaching surface water)

Overall spill volume rate: 5,130 (2,071) gal/1000 capita/yr



TIME LINE

6/30/2000	NOI (re: 105 SSOs, treatment plant bypasses, discharges of non-disinfected wastewater, effluent limitations violations, receiving water limitations violations, monitoring / reporting violations, etc., from 5/1995 to 6/2000)
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
10/22/2001	MOTION by United States to vacate entry of consent decree and order further negotiations
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

Attorneys' fees and other costs	\$100,000
Settlement compliance monitoring	-
SEP payments	\$75,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$175,000

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

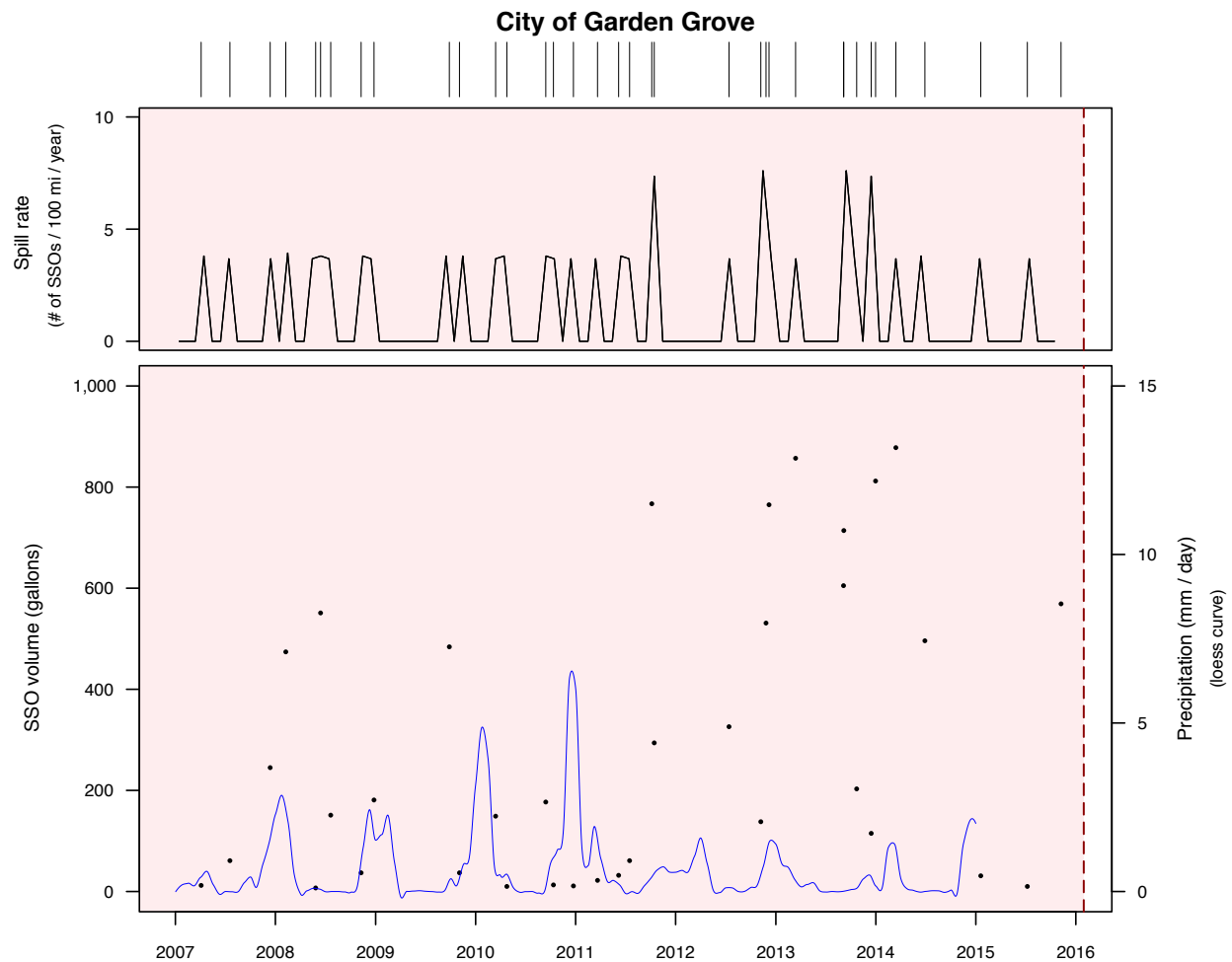
Annual capital expenditure budget: \$3,500,000

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



TIME LINE

- ??/2004** NOI
- 1/18/2005** Complaint filed
- 9/1/2005** 1st Amended complaint filed
- 12/14/2005** 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.
- 1/25/2006** Settlement agreement signed by parties
- 1/27/2006** STIPULATION AND ORDER of dismissal and settlement agreement (entered 1/30/2006) (mentioning that 45 day review period is over)
- 1/30/2006** EFFECTIVE DATE of settlement agreement (date entered)
- 1/30/2016** EXPECTED TERMINATION DATE of settlement agreement

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

Lateral connection(s): 4,341

Total # SSOs: 68 (25 reaching surface water)

Overall spill rate: 13.0 (4.8) SSOs/100 mi/yr

WDID: 5SSO10958

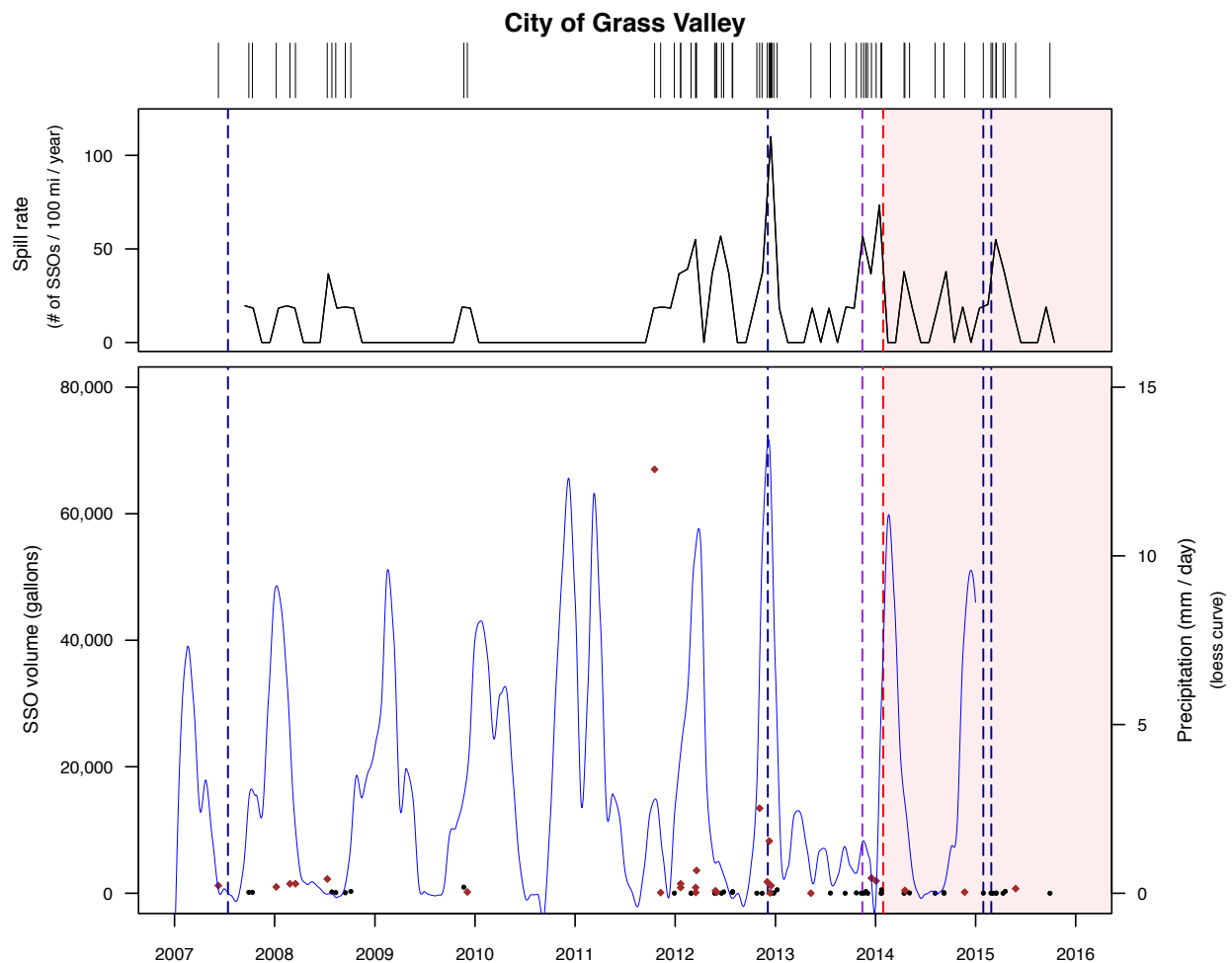
Annual capital expenditure budget: \$2,070,500

System length: 64.2 mi (0 mi laterals)

Water crossing(s): 41

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)**

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

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

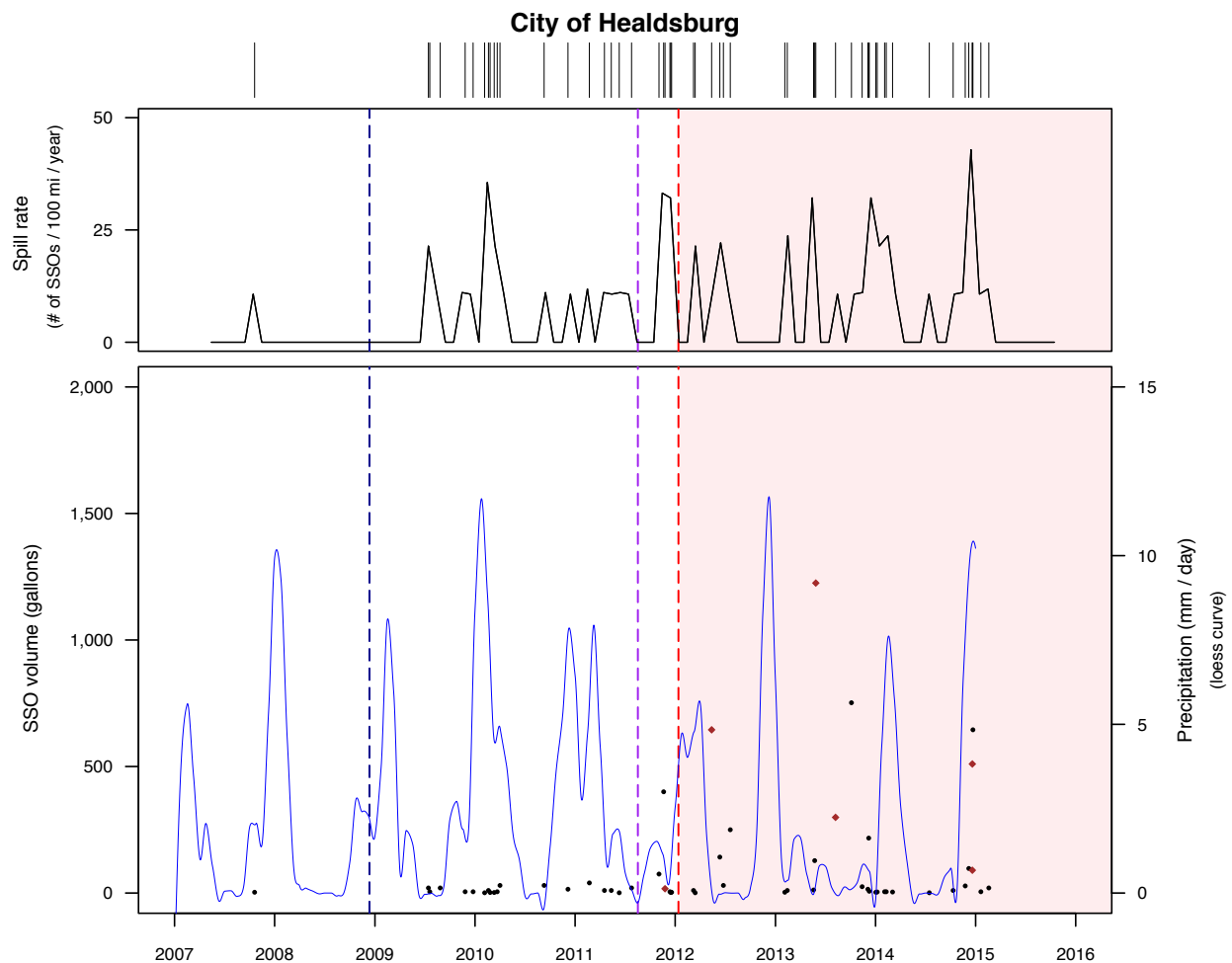
Annual capital expenditure budget: \$2,210,000

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



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.

1/10/2003 ORDER granting in part and denying in part defendant Syar Industries, Inc., motion to dismiss.

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.

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

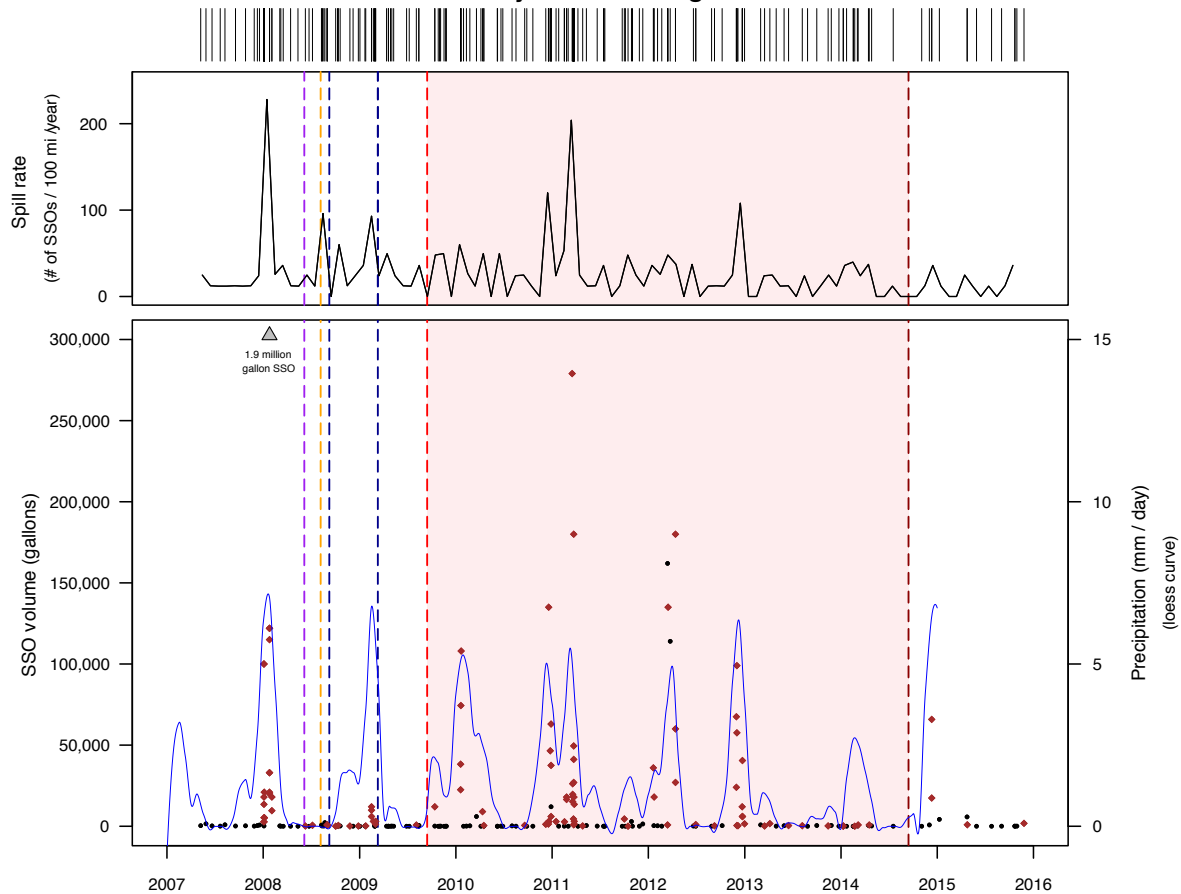
System length: 98.1 mi (0 mi laterals)

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

City of Hillsborough



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

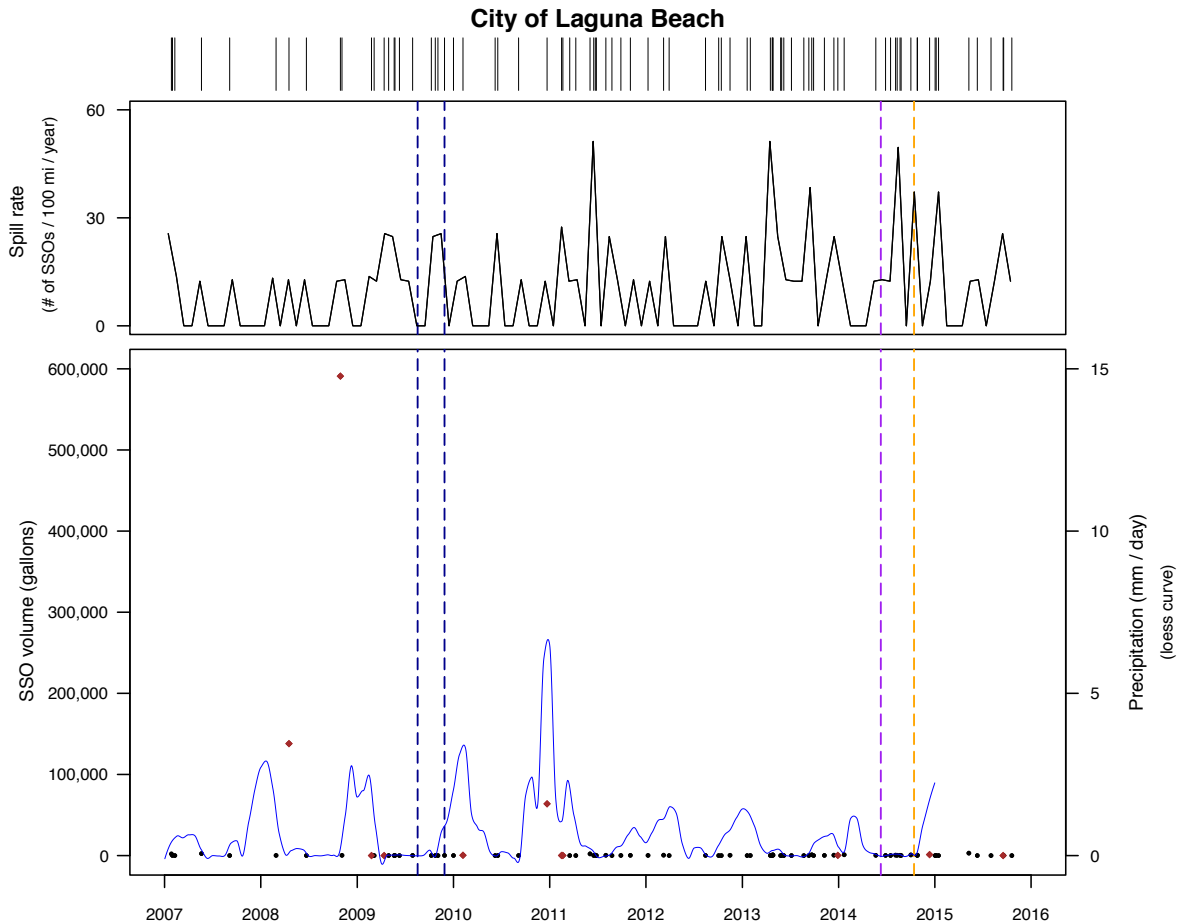
Annual capital expenditure budget: \$2,695,000

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



TIME LINE

- 3/23/1998** CAO R9-1998-0042
- 7/20/2000** ACL Complaint R9-2000-0151 (settled in R9-2000-0158)
- 8/30/2000** ACL Order R9-2000-0158 (re: 8 SSOs that resulted in closures of coastal waters for 29 days; \$60,000)
- 8/28/2009** ACL Complaint R9-2009-0040 (settled in R9-2009-0168)
- 11/18/2009** ACL Order R9-2009-0168 (re: 590,000 gal SSO from lift station on 10/29/2008; \$70,680)
- 6/10/2014** NOI (43 SSOs (including 64,848 gal reaching surface waters), continuous exfiltration, monitoring / reporting violations, from 6/10/2009 to 6/10/2014)
- 10/14/2014** Complaint filed
- 1/21/2015** MOTION to dismiss case (due to deficient notice, standing, failure to state a claim)
- 1/27/2015** Joint request for ADR
- 3/20/2015** ORDER granting in part (re exfiltration: due to NOI's failure to provide sufficient information about exfiltration allegations) and denying in part (re SSOs) defendant's motion to dismiss
- 4/6/2015** Answer filed
- 4/10/2015** 2nd NOI
- 7/1/2015** 3rd NOI
- 7/29, 9/9, and 9/25/2015** Settlement conferences held before Magistrate Judge

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

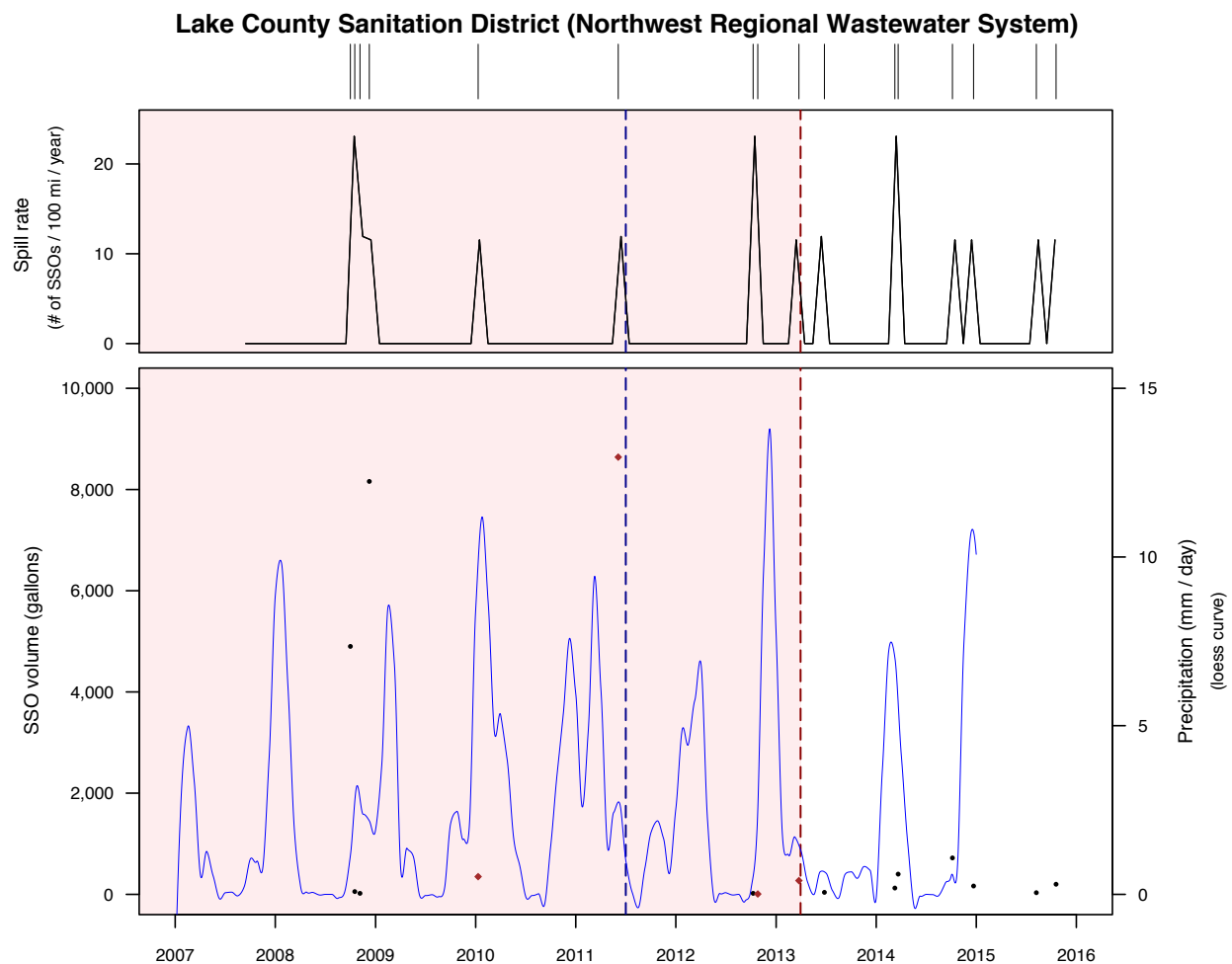
12/16/2015 EFFECTIVE DATE of settlement agreement

6/16/2023 TERMINATION DATE of settlement agreement

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.)

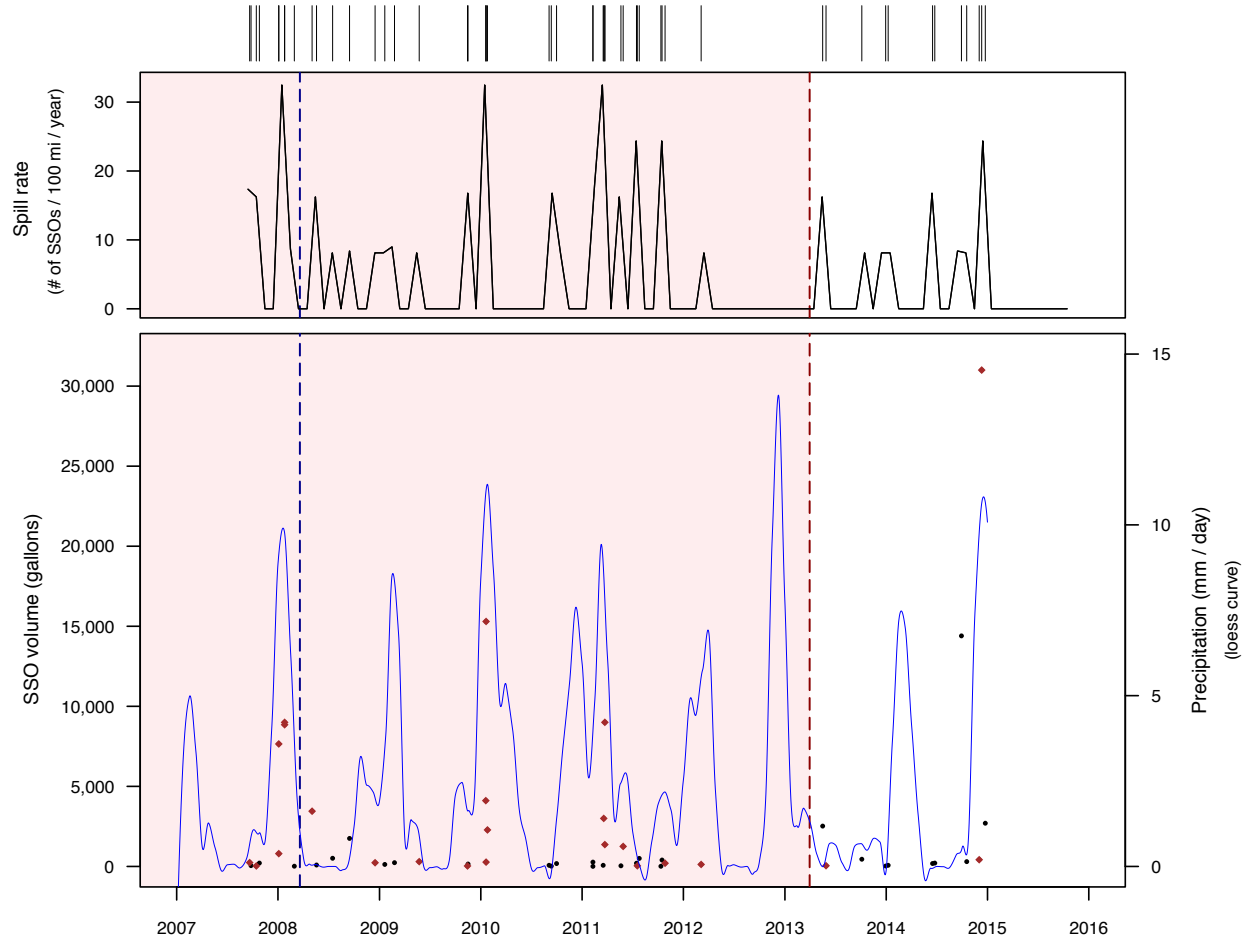
Region: 5	WDID: 5SSO11015 (Northwest Regional Wastewater System)
Annual O&M budget: \$2,156,777	Annual capital expenditure budget: \$143,521
Population served: 9,564	System length: 102 mi (17 mi laterals)
Lateral connection(s): 4,507	Water crossing(s): 2
Total # SSOs: 16 (4 reaching surface water)	Total SSO volume: 24,107 gal (8,752 gal reaching surface water)
Overall spill rate: 1.9 (0.5) SSOs/100 mi/yr	Overall spill volume rate: 309 (112) gal/1000 capita/yr



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)



TIME LINE

- 3/22/1991** CDO R5-1991-0084 for the Southeast Regional Wastewater System (re: SSOs, treatment plant expansion)
- 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)
- 1/28/2000** CDO R5-1991-0084 rescinded
- 4/10/2002** ACL Complaint R5-2002-0506 for the Northwest Regional Wastewater System (re: Jan. 10–11, 2002, SSO totaling ~800,000 gal)
- 8/7/2002** ACL Settlement of R5-2002-0506 (\$150,000)
- 3/14/2003** CDO R5-2003-0040 for the Northwest Regional Wastewater System (replaced CDO R5-1994-0064)
- 5/30/2003** NOI (re: SSOs and treated effluent overflows from storage reservoirs from 5/30/1998 to 5/30/2003)
- 10/8/2003** Complaint filed
- 11/19/2003** Stipulation to dismiss Lobergs
- 11/20/2003** ORDER granting stipulation to dismiss Lobergs (entered 11/21/2003)
- 12/15/2003** 1st Amended complaint
- 12/19/2003** MOTION to dismiss for lack of jurisdiction (Federal Rule of Civil Procedure 12)
- 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)
- 4/8/2004** Answer filed

5/14/2004	Notice by plaintiff of request for clarification (re: dismissal of claims "with prejudice")
6/7/2004	ACL complaint R5-2004-0521 for the Southeast Regional Wastewater System (re: SSOs totaling 860,680 gal and 383,790 gal of treated wastewater spills from Mar. 2002 to Apr. 2004)
8/2/2004	ORDER REOPENING CASE: matter was inadvertently closed (entered 8/4/2004)
9/1/2004	AMENDED ORDER re Motion to Dismiss (entered 09/02/2004) (changing dismissal "with prejudice" to dismissal "without prejudice")
9/7/2004	Case referred to Magistrate Judge for settlement purposes and to mediation
2/2/2005	Settlement Agreement signed by parties
2/4/2005	ORDER granting Settlement Agreement (filed 2/7/2005; entered 2/9/2005)
2/4/2005	EFFECTIVE DATE of settlement agreement
2/8/2005	ACL Settlement of R5-2004-0521 for the Southeast Regional Wastewater System (\$210,000)
2/8/2005	CAO R5-2005-0704 for the Southeast Regional Wastewater System (re: SSOs)
2/15/2005	ORDER granting stipulation of dismissal filed by P (entered 2/16/2005)
3/20/2008	ACL Complaint R5-2008-0515 for the Southeast Regional Wastewater System (re: SSOs totaling 197,819 gal from Feb. 2005 to Jan. 2008)
6/10/2011	CDO R5-2003-0040 for the Northwest Regional Wastewater System rescinded
3/31/2013	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
- 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

Attorneys' fees and other costs	\$65,000
Settlement compliance monitoring	-
SEP payments	\$40,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$105,000

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

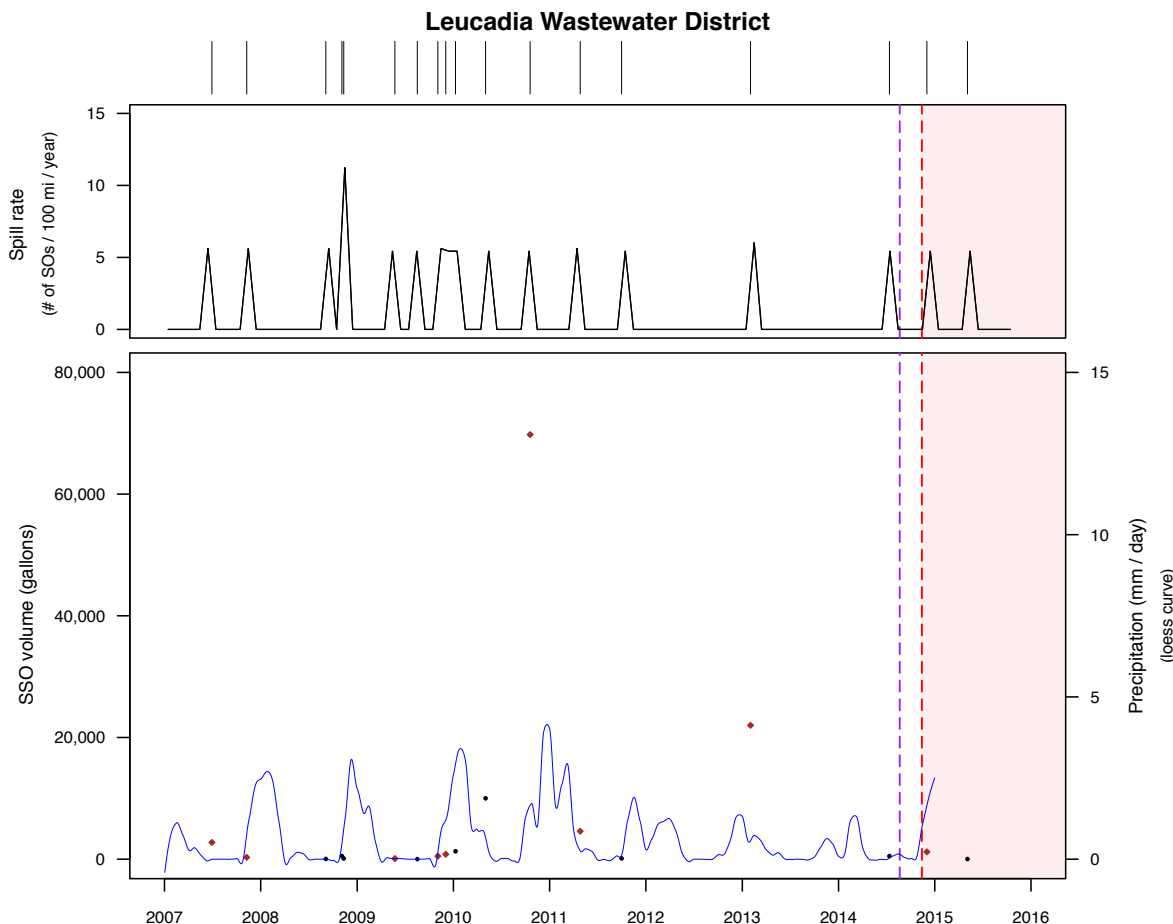
Annual capital expenditure budget: \$6,920,000

System length: 216.67 mi (0 mi laterals)

Water crossing(s): 9

Total SSO volume: 114,629 gal (79,230 gal reaching surface water)

Overall spill volume rate: 216 (150) gal/1000 capita/yr



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)

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

Attorneys' fees and other costs	\$35,000
Settlement compliance monitoring	-
SEP payments	\$10,000
Private sewer lateral grant / loan program	\$400,000
Civil penalties	-
TOTAL	\$445,000

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

WDID: 4SSO10450 (Hyperion Collection System)

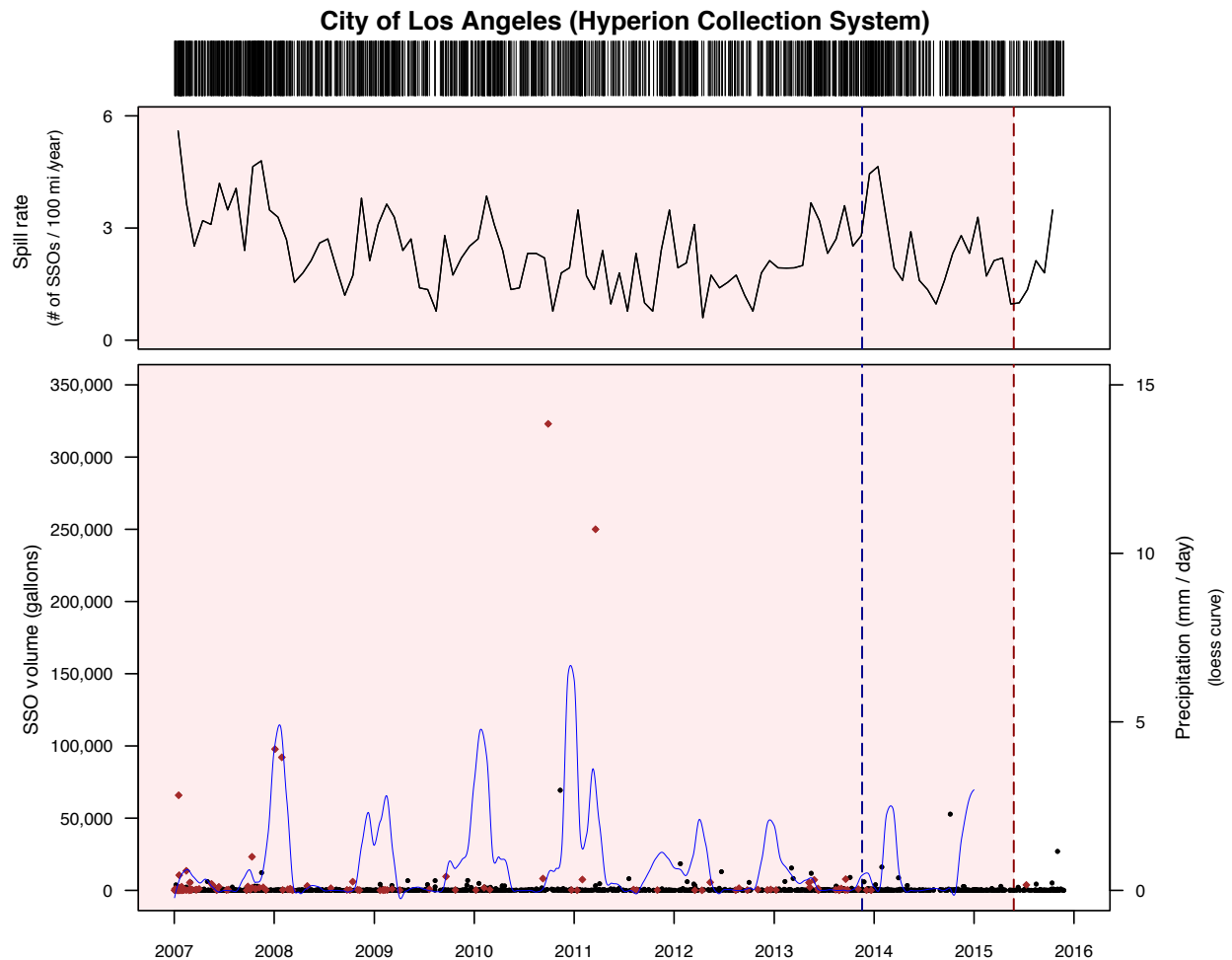
Annual capital expenditure budget: \$70,696,062

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



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

WDID: 4SSO10502 (LA City Bureau of Sanitation Collection System)

Annual capital expenditure budget: \$1,208,083

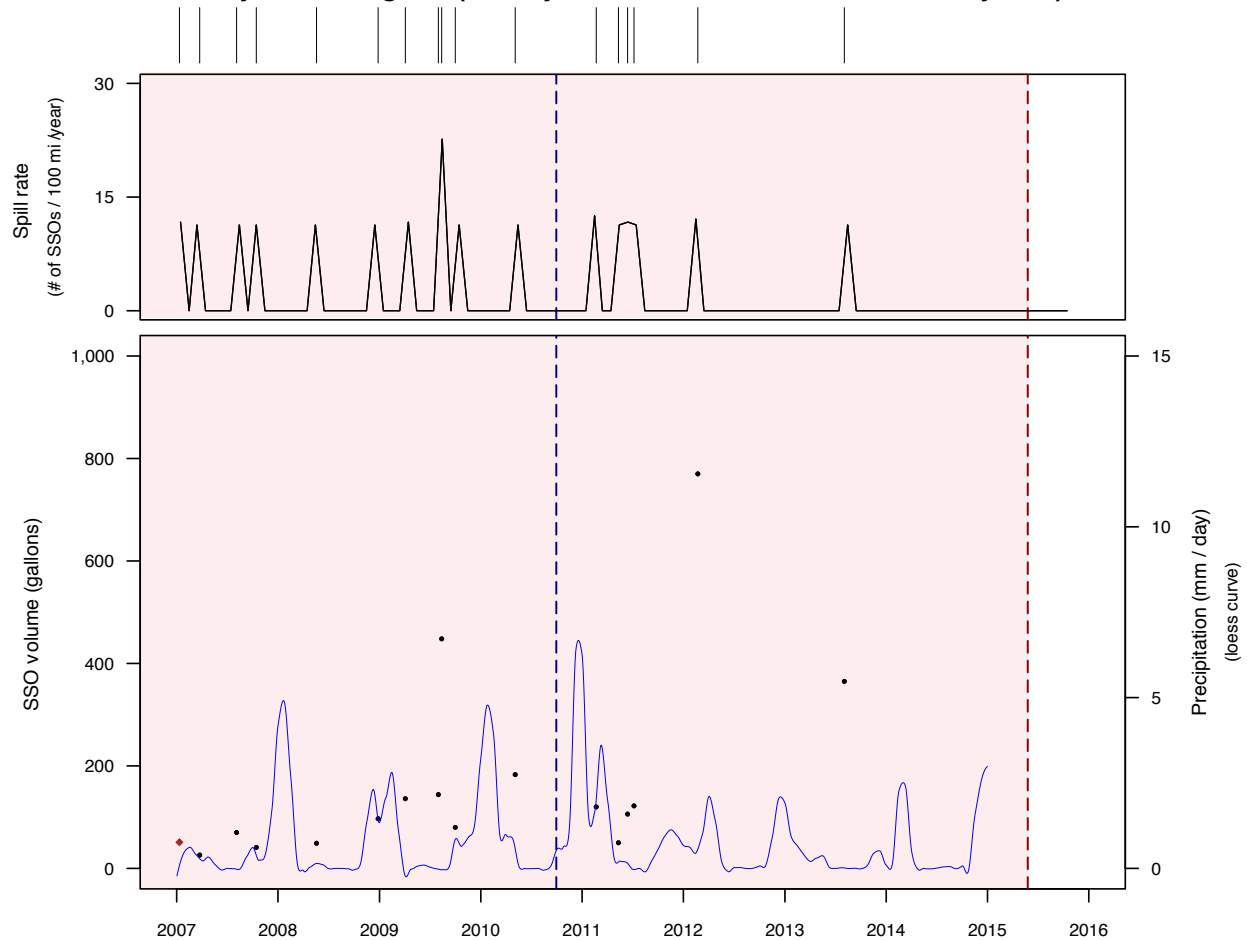
System length: 104 mi (0; 0 mi laterals)

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)
- 2/3/1999** MOTION to dismiss, or in the alternative, to stay
- 8/25/1999** ORDER granting motion to stay
- 8/31/2000** CDO R4-2000-0128 for Hyperion Wastewater Treatment Plant (re: 44 million gallons SSOs from 2/3/1998 to 5/23/1998)
- 1/8/2001** Complaint filed in 2:01-cv-00191 (*United States, People of the State of California, and Los Angeles Regional Water Quality Control Board v. City of Los Angeles*)
- 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

6/7/2002	ORDER returning case for reassignment and granting motion for relief from mediation order
9/2/2002	MOTIONS to dismiss complaints
10/7/2002	MOTION for partial summary judgment, by United States
11/12/2002	Answers filed to all complaints
12/23/2002	ORDER granting United States' motion for partial summary judgment
2/5/2003	ORDER denying motion to dismiss citizen plaintiff's complaint, denying in part motion to dismiss government plaintiffs' complaint, and denying motion to dismiss intervenor plaintiffs' complaint
2/17/2004	MOTION for partial summary judgment, by citizen plaintiff, for failure to monitor SSOs
7/9/2004	MOTION for partial summary judgment for failure to monitor SSOs withdrawn
7/27/2004	Settlement Agreement signed by all parties to the consolidated cases
10/28/2004	SETTLEMENT AGREEMENT AND FINAL ORDER UPON CONSENT
10/28/2004	EFFECTIVE DATE of settlement agreement (date signed by court)
8/20/2009	1st Modification to Settlement Agreement and Final Order signed by parties
11/10/2009	ORDER granting motion for modification to Settlement Agreement and Final Order
9/30/2010	CAO R4-2010-0176 for LA City Bureau of Sanitation CS (re: SSO)
11/21/2010	2nd Modification to Settlement Agreement signed by parties
12/2/2010	Notice of 2nd Modification to Settlement Agreement filed by United States (no related order because the change is not considered "material")
11/18/2013	ACL Order R4-2013-0017 for Hyperion CS (No complaint issued) (re: Sept. 28–29, 2010 SSO; \$45,000; \$22,500 suspended pending SEP (Heal the Bay's "Beach Water Quality BMP Efficacy Study"))
1/3/2014	ORDER granting motion for 3rd modification to Settlement Agreement and Final Order (entered 1/6/2014)
5/19/2015	JOINT MOTION for order for termination of settlement agreement
5/26/2015	ORDER granting joint motion to terminate settlement agreement
5/26/2015	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
- 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

Lateral connection(s): 15,323

Total # SSOs: 302 (97 reaching surface water)

Overall spill rate: 18 (5.6) SSOs/100 mi/yr

WDID: 2SSO10172

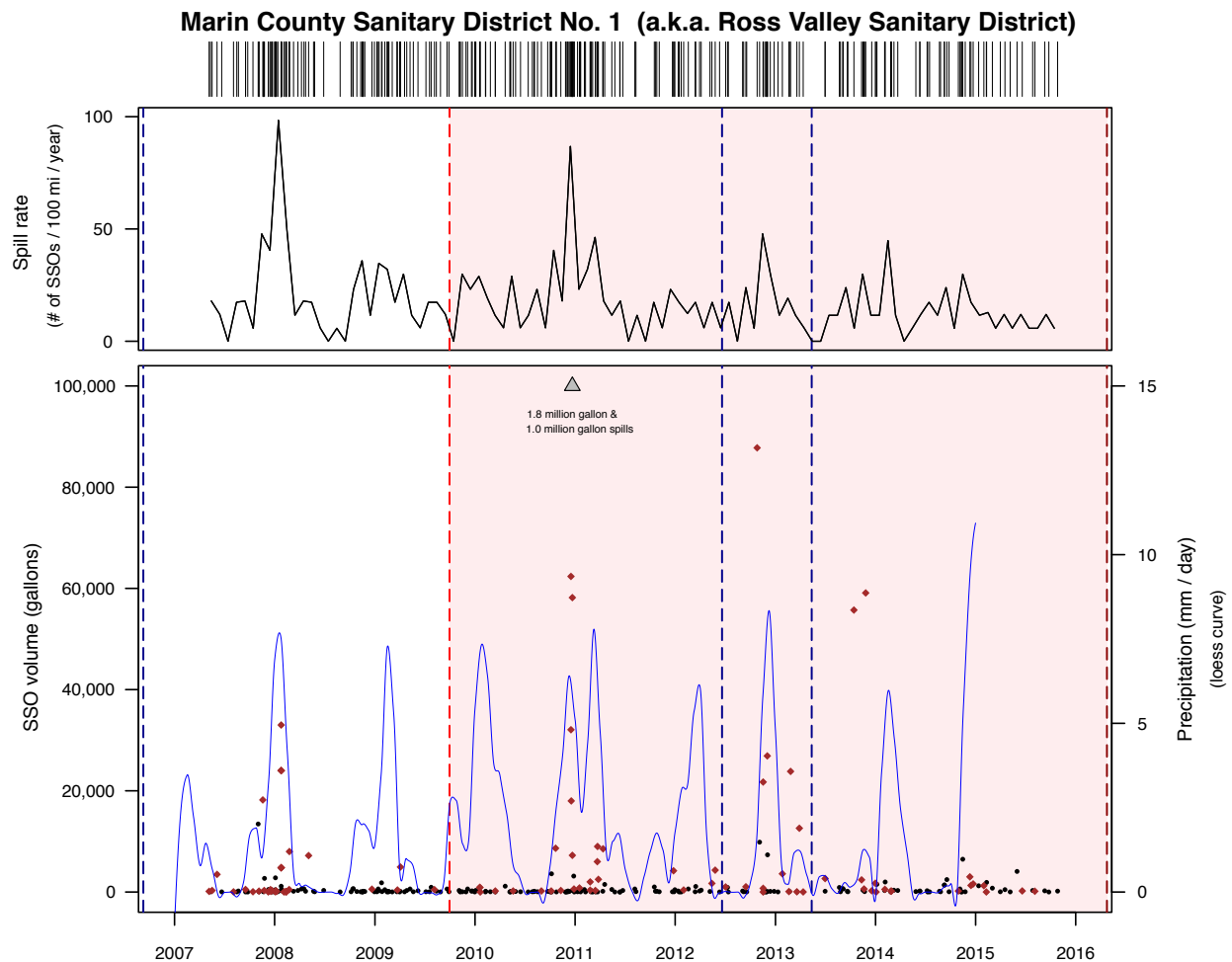
Annual capital expenditure budget: \$21,944,453

System length: 203.5 mi (0 mi laterals)

Water crossing(s): 260

Total SSO volume: 3,579,967 gal (2,878,557 gal reaching surface water)

Overall spill volume rate: 7,657 (6,157) gal/1000 capita/yr



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)

?/?/200?	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))
7/2012	District manager resigned and fled the country (Marin County Civil Grand Jury, The Scoop on Marin County Sewer Systems: Part I 16 (2014), available at http://www.marincounty.org/~media/files/departments/gj/reports-responses/2013/sewerscoop.pdf .)
5/13/2013	CDO R2-2013-0020
4/24/2016	TERMINATION DATE of Page consent decree
?/?/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

Lateral connection(s): 2,800

Total # SSOs: 116 (27 reaching surface water)

Overall spill rate: 36 (8.4) SSOs/100 mi/yr

WDID: 2SSO10151

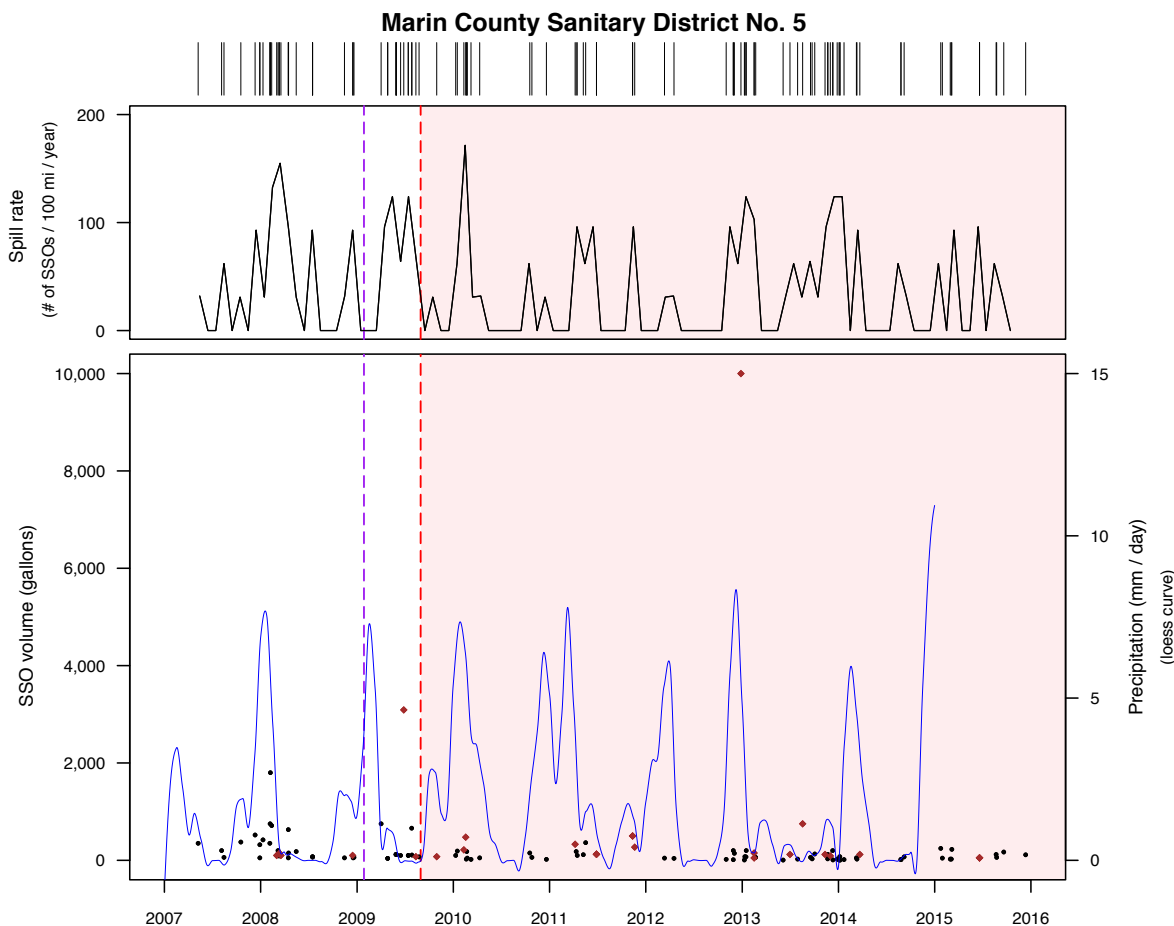
Annual capital expenditure budget: \$270,000

System length: 38 mi (0 mi laterals)

Water crossing(s): 2

Total SSO volume: 32,224 gal (12,708 gal reaching surface water)

Overall spill volume rate: 399 (157) gal/1000 capita/yr



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)

Overall spill rate: 48 (8.4) SSOs/100 mi/yr

WDID: 2SSO10155

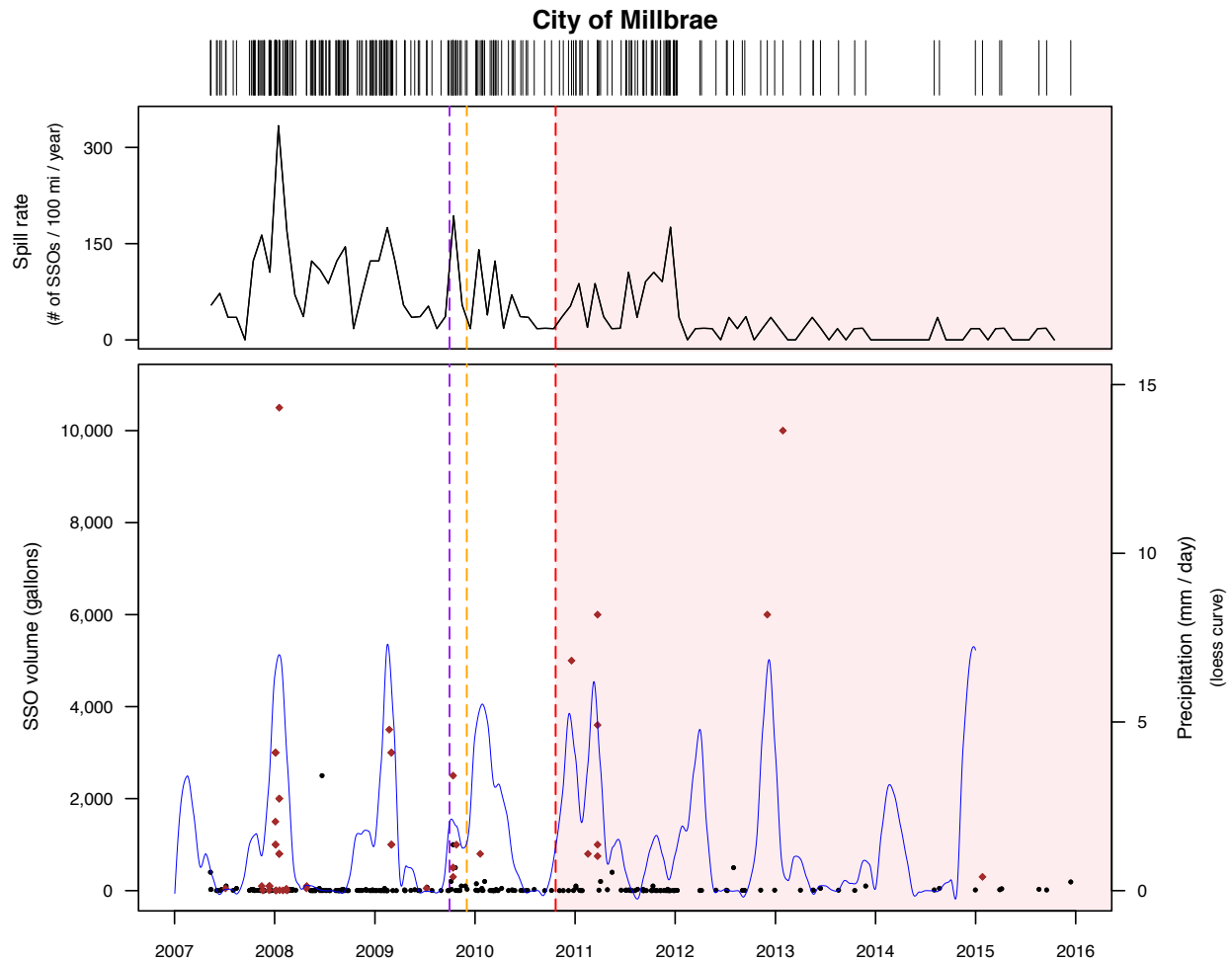
Annual capital expenditure budget: \$544,000

System length: 67 mi (11 mi laterals)

Water crossing(s): 0

Total SSO volume: 90,016 gal (81,435 gal reaching surface water)

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)
- 11/10/2010** STIPULATION requesting that magistrate judge retain jurisdiction over consent decree and proposed order
- 11/15/2010** CONSENT DECREE 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

Attorneys' fees and other costs	\$200,000
Settlement compliance monitoring	\$20,000
SEP payments	\$375,000
Private sewer lateral grant / loan program	\$150,000
Civil penalties	-
TOTAL	\$745,000

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

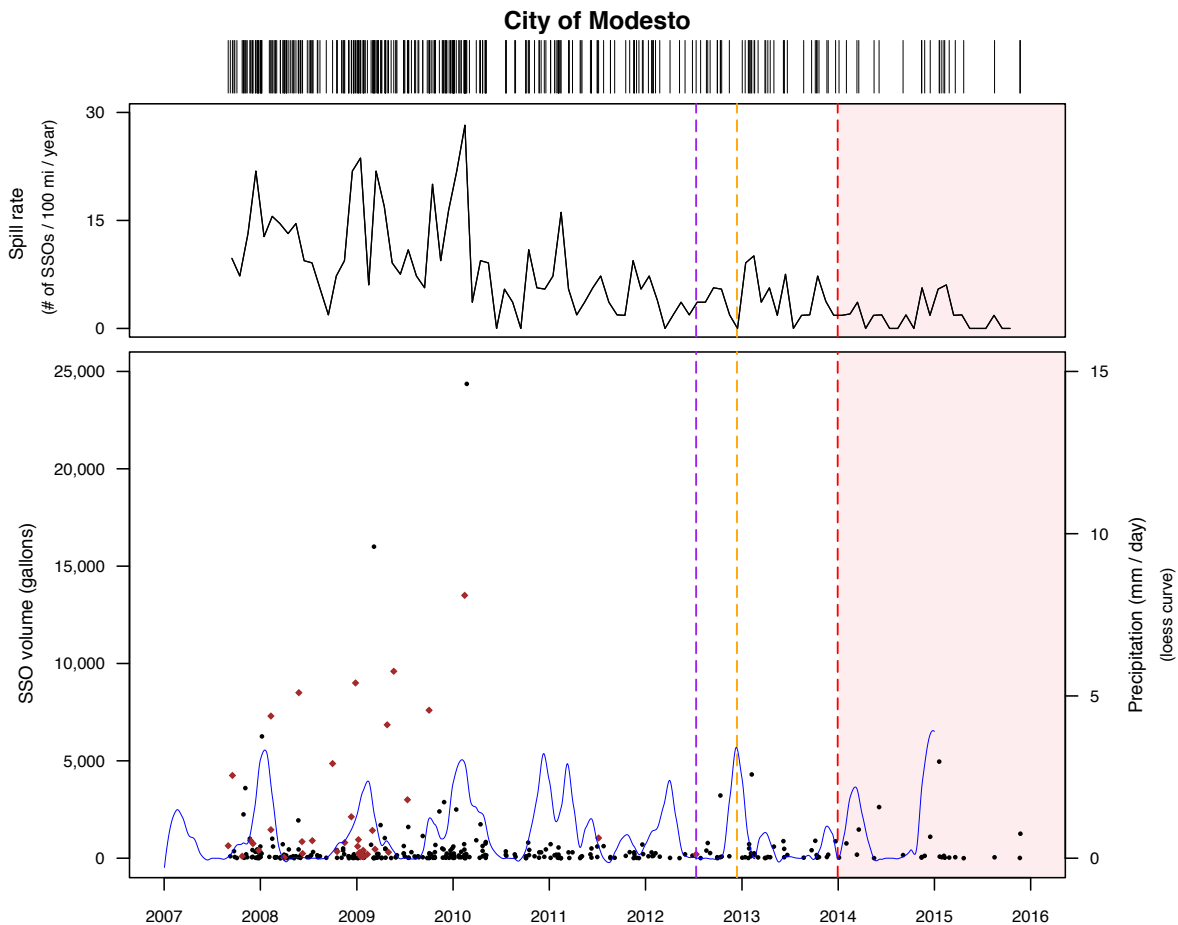
Annual capital expenditure budget: \$15,325,487

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



TIME LINE

12/19/2005	ACL Complaint R5-2005-0539 (re: Oct. 2004 SSO totaling 1,198,314 gal to surface water; \$152,000)
7/11/2012	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)
10/5/2012	Writ notice letter
12/13/2012	Complaint filed
8/23/2013	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
10/1/2013	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
11/13/2013	Settlement agreement signed by parties
11/22/2013	NOTICE of settlement and commencement of mandatory 45-day review period by federal agencies (by defendant)
12/23/2012	US DOJ letter (no objection)
12/24/2013	STIPULATION of dismissal; proposed order granting dismissal
12/27/2013	ORDER on Stipulation to Dismiss Plaintiff's Claims; GRANTING Dismissal (entered 12/30/2013)
12/30/2013	EFFECTIVE DATE of settlement agreement (date entered)
5/31/2017	EXPECTED TERMINATION DATE of settlement agreement (unless extended)

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

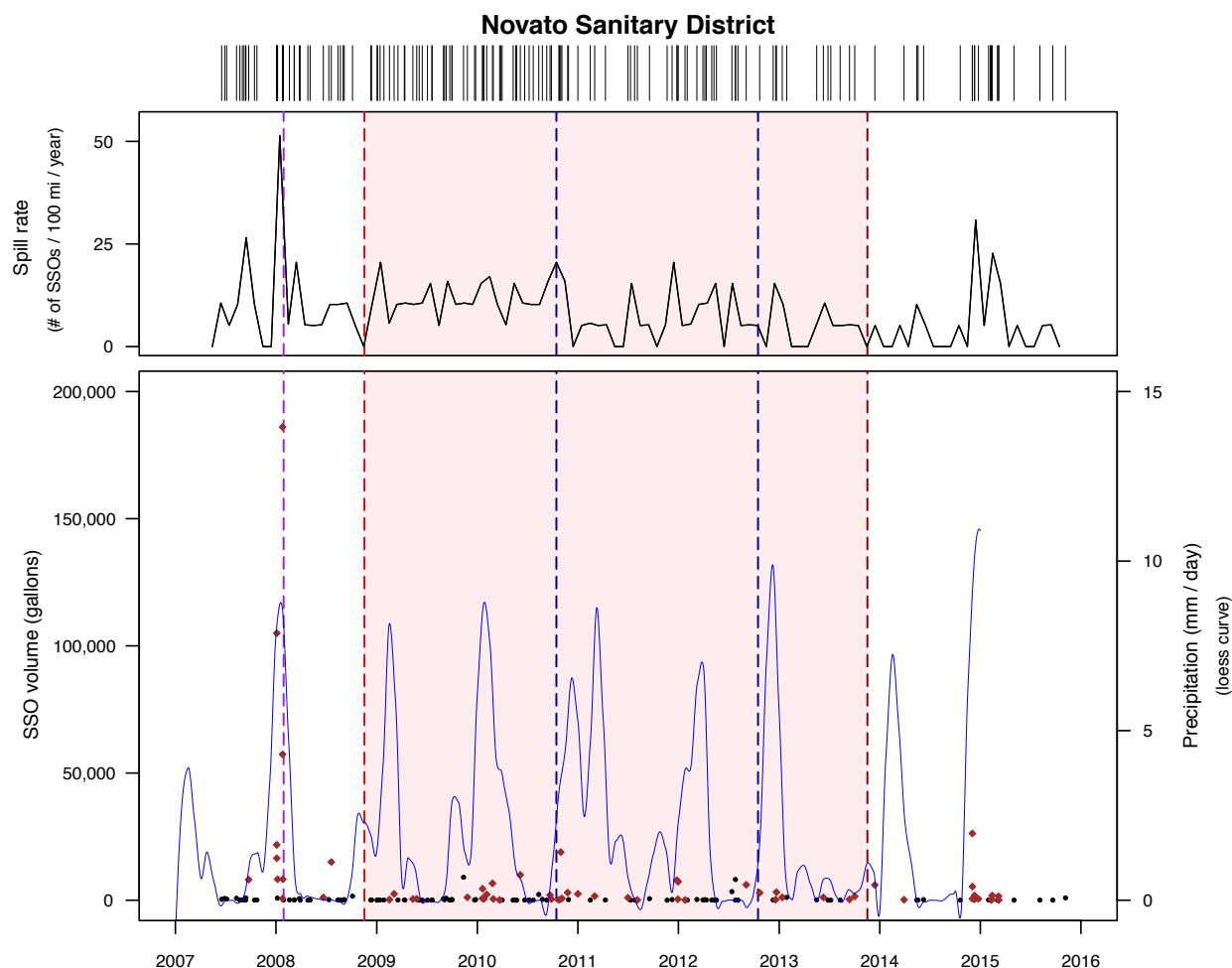
Monetary payments

Attorneys' fees and other costs	\$96,500
Settlement compliance monitoring	\$6,000
SEP payments	\$65,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$167,500

35. Novato Sanitary District

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

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

Annual O&M budget: \$21,200,000

Population served: 400,000

Lateral connection(s): 101,000

Total # SSOs: 1,096 (201 reaching surface water)

Overall spill rate: 14 (2.6) SSOs/100 mi/yr

WDID: 2SSO11204

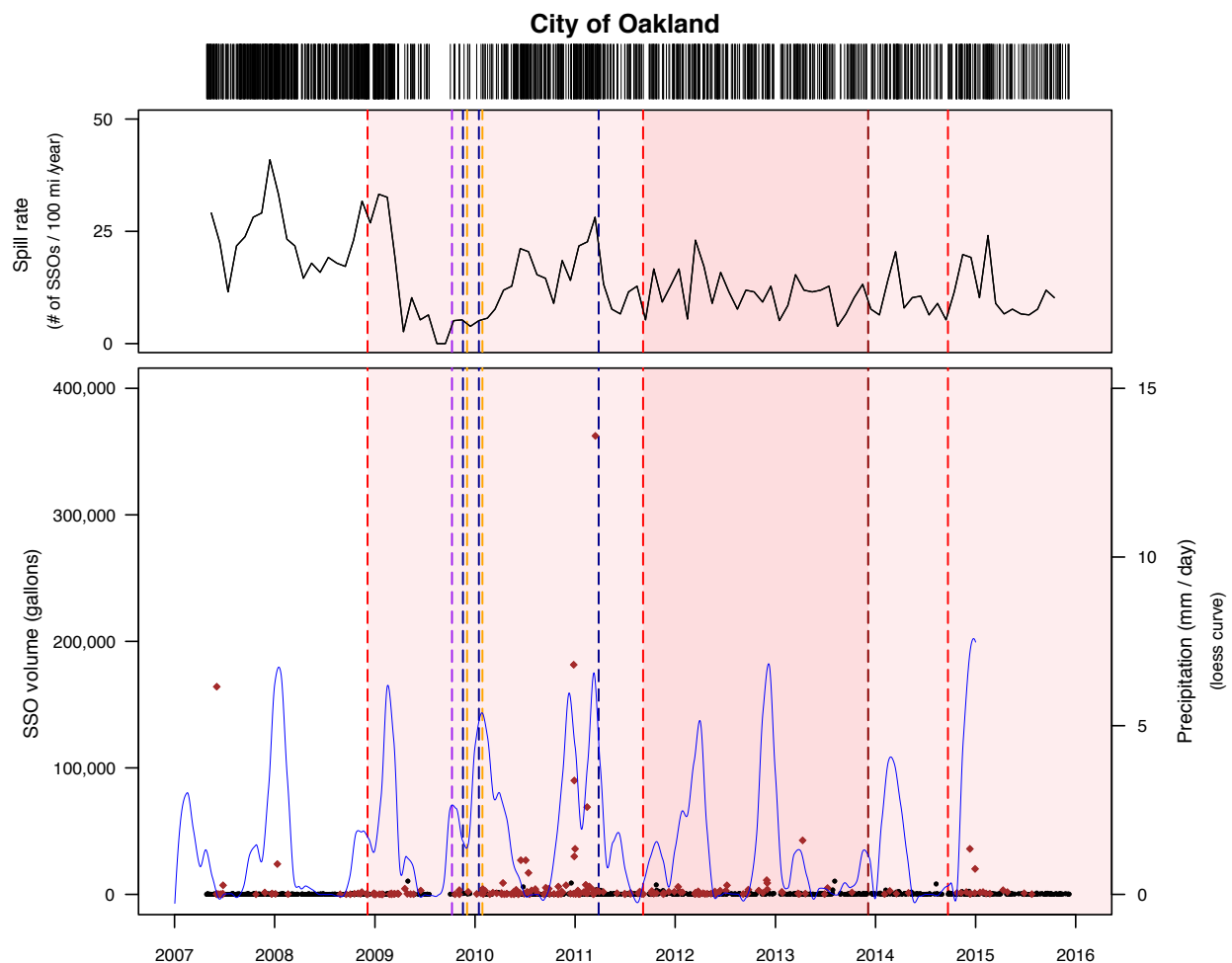
Annual capital expenditure budget: \$18,000,000

System length: 920.2 mi (0 mi laterals)

Water crossing(s): 2

Total SSO volume: 1,675,122 gal (913,279 gal reaching surface water)

Overall spill volume rate: 493 (269) gal/1000 capita/yr



TIME LINE

[Millsmont 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

12/5/2008 EFFECTIVE DATE of consent decree

12/10/2008 STIPULATION REGARDING EXECUTION OF CONSENT DECREE

12/12/2008 STIPULATION REGARDING EXECUTION OF CONSENT DECREE; ORDER THEREON

10/23/2009 Status report, by plaintiff

11/18/2009 CDO R2-2009-0087 (re: SSOs as EBMUD satellite, amending CDO No. 93-134)

1/26/2010 ACL Complaint R2-2009-0078 (settled in R2-2011-0014)

4/13/2010 2nd status report, by defendant

1/3/2011 3rd status report, by plaintiff

3/28/2011 ACL Order R2-2011-0014 (re: 11 SSOs totalling 42,175 gal to surface waters, 3 discharges of chlorinate water to creeks while flushing SSOs, 6 failures to notify of SSOs within 2 hours, 7 failures to timely submit final certified SSO reports, 6 failures to accurately report SSO start times and volumes, and 1 failure to accurately report SSO flow rate and volume from 5/2009 to 7/16/2010; \$280,000; \$125,000 suspended pending SEP (Oakland Firehouse Biotreatment Retrofit Project))

6/21/2012 4th status report, by both

12/5/2013 5th status report, by both

12/5/2013 TERMINATION DATE of consent decree

United States EBMUD Satellites lawsuit (Docket No. 3:09-cv-05684): (overlaps with above)

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.

11/18/2009 CDO (see above)

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

1/26/2010 ACL Complaint (see above)

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

3/28/2011 ACL Order (see above)

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 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)

Injunctive settlement terms (Millsmont lawsuit)

- Provisions related to non-SSO claims

Monetary payments (Millsmont lawsuit)

Attorneys' fees and other costs	\$25,000
Settlement compliance monitoring	-
SEP payments	-
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$25,000

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

WDID: 1SSO10064

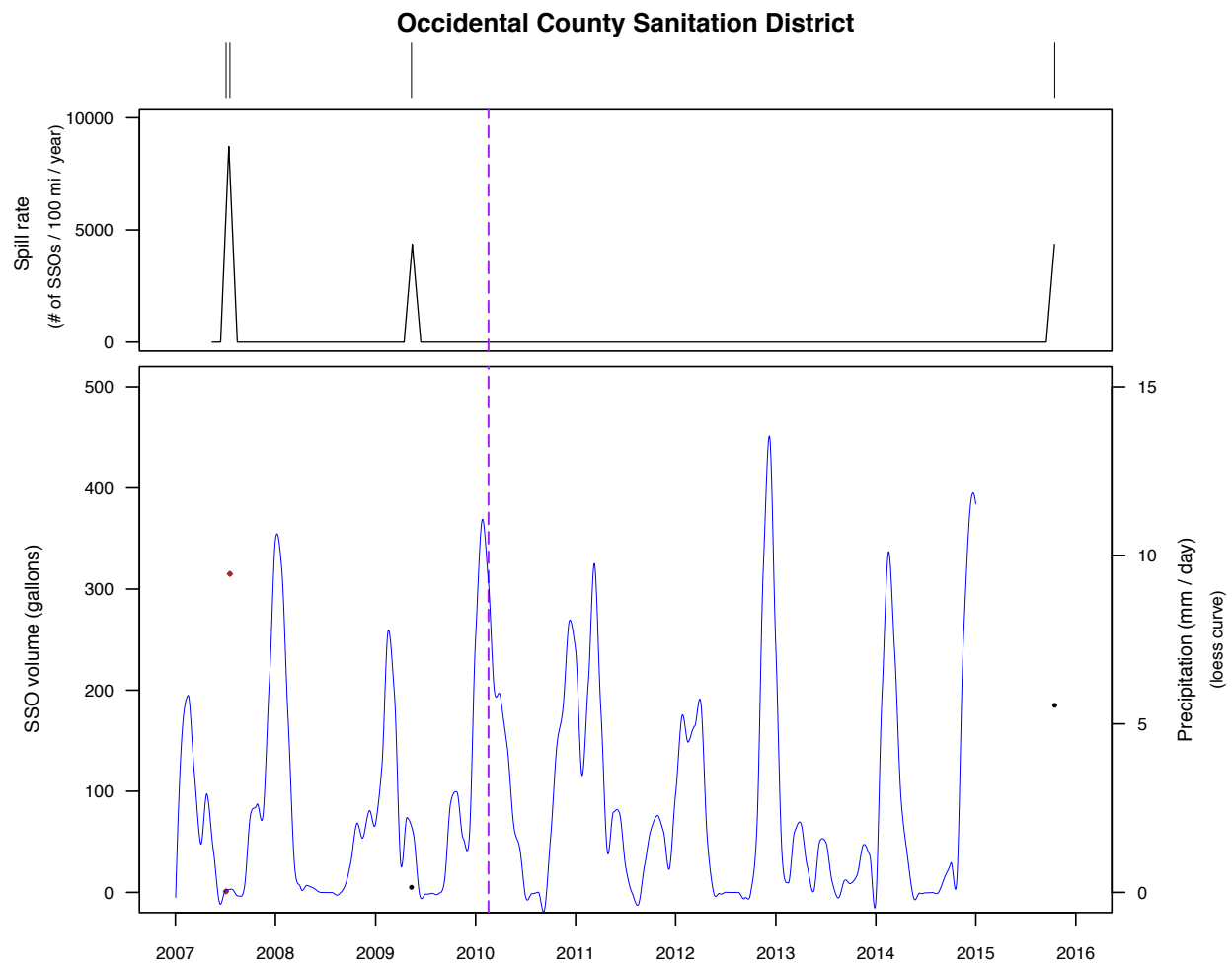
Annual capital expenditure budget: \$100,000

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

WDID: 3SSO11609

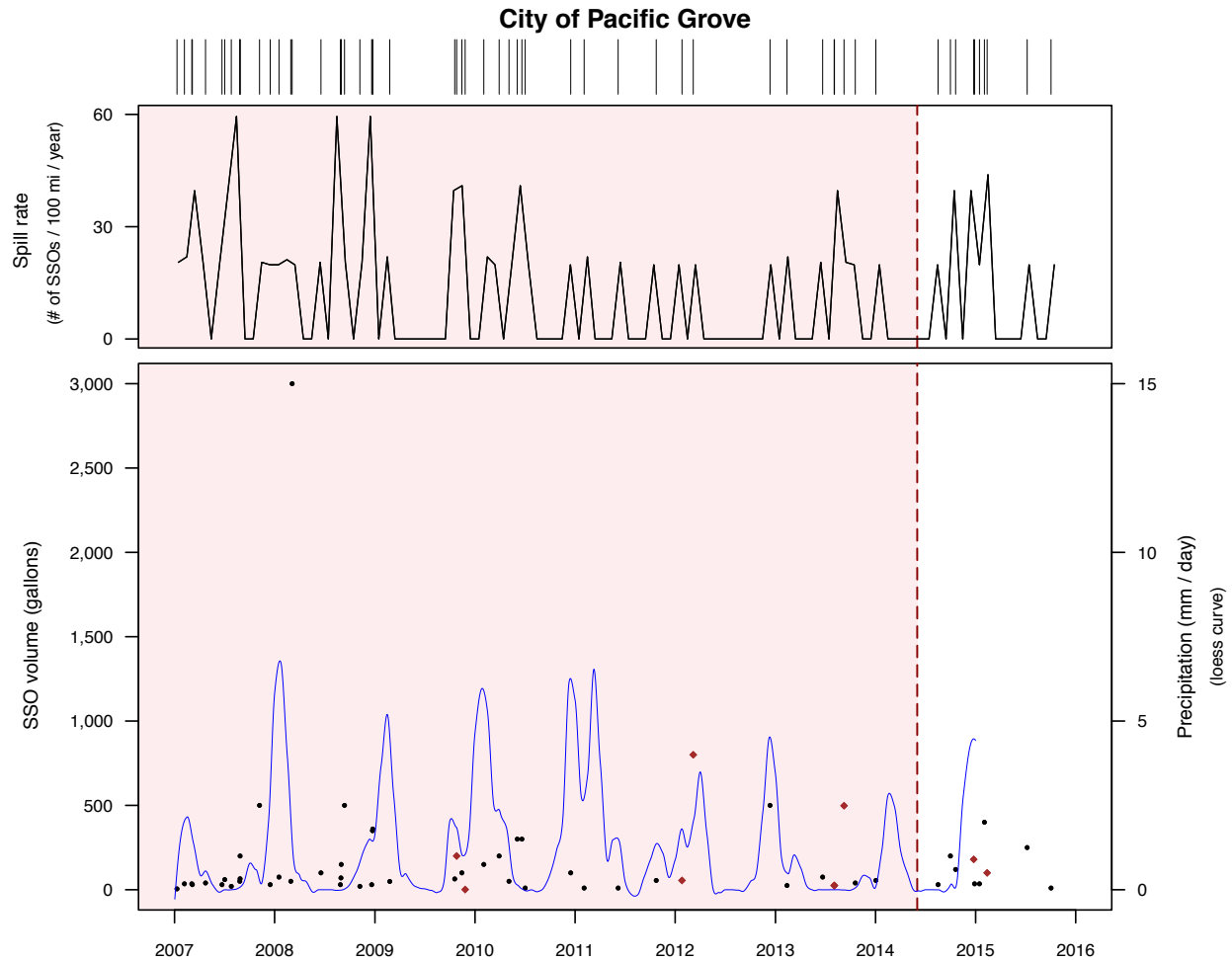
Annual capital expenditure budget: \$2,500,000

System length: 59.4 mi (0 mi laterals)

Water crossing(s): 0

Total SSO volume: 10,747 gal (1,269 gal reaching surface water)

Overall spill volume rate: 84 (10) gal/1000 capita/yr



TIME LINE

- 2000** ACL (re: 70,000 gal spill on 1/12/2000; \$70,000)
- 3/26/2003** NOI (re: 59 SSOs to MS4, from 3/26/1998 to 3/26/2003)
- 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
- 6/2/2004** STIPULATED DISMISSAL; ORDER; CONSENT DECREE (entered 6/3/2004)
- 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 cleaning
- 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

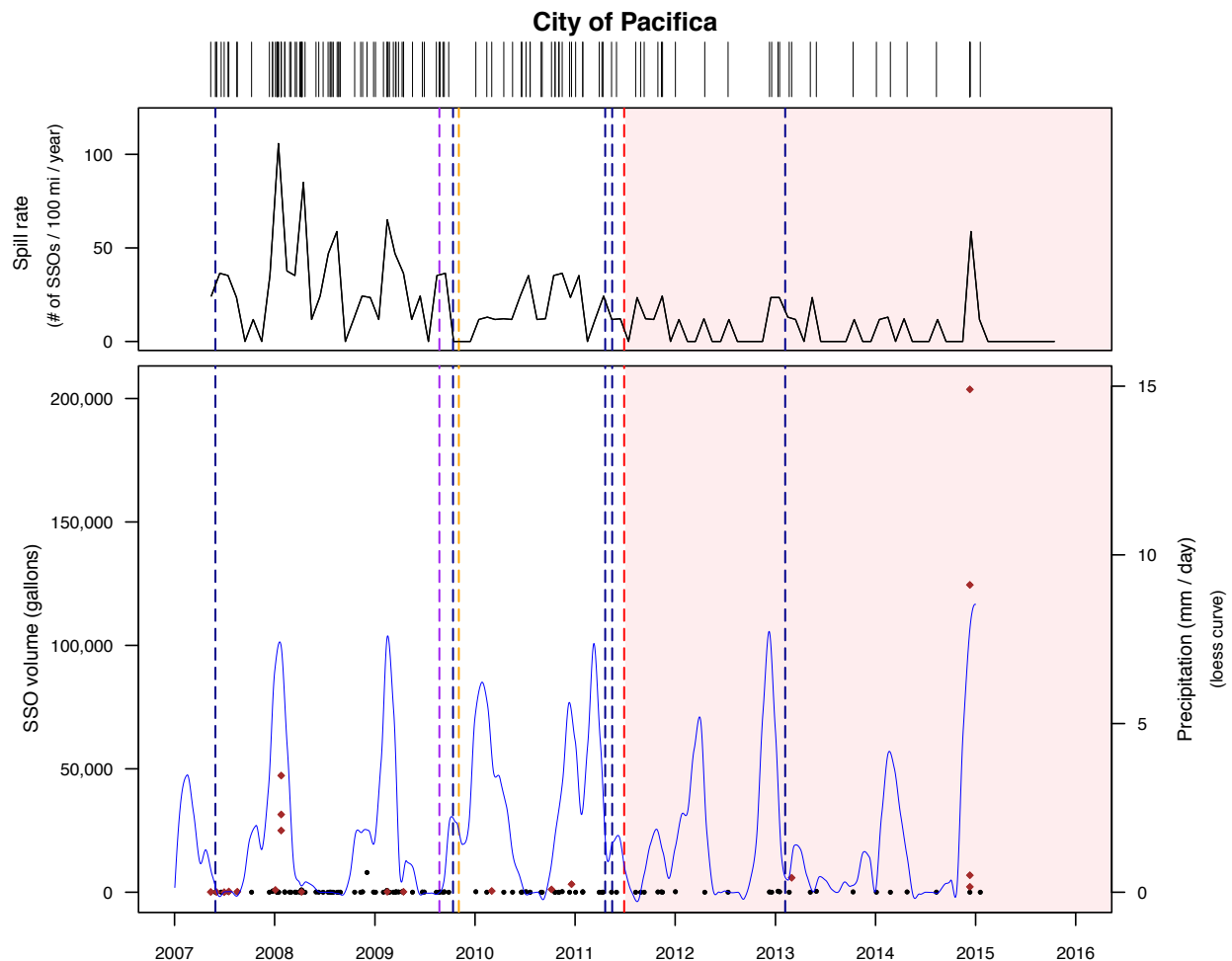
Annual capital expenditure budget: \$3,932,500

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



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
6/29/2011	Proposed order to dismiss complaint
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

Attorneys' fees and other costs	\$112,500
Settlement compliance monitoring	\$35,000
SEP payments	\$175,000
Private sewer lateral grant / loan program	\$650,000
Civil penalties	-
TOTAL	\$972,500

40. City of Petaluma

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

Region: 2

Annual O&M budget: \$1,626,000

Population served: 57,941

Lateral connection(s): 18,706

Total # SSOs: 31 (27 reaching surface water)

Overall spill rate: 1.9 (1.6) SSOs/100 mi/yr

WDID: 2SSO10165

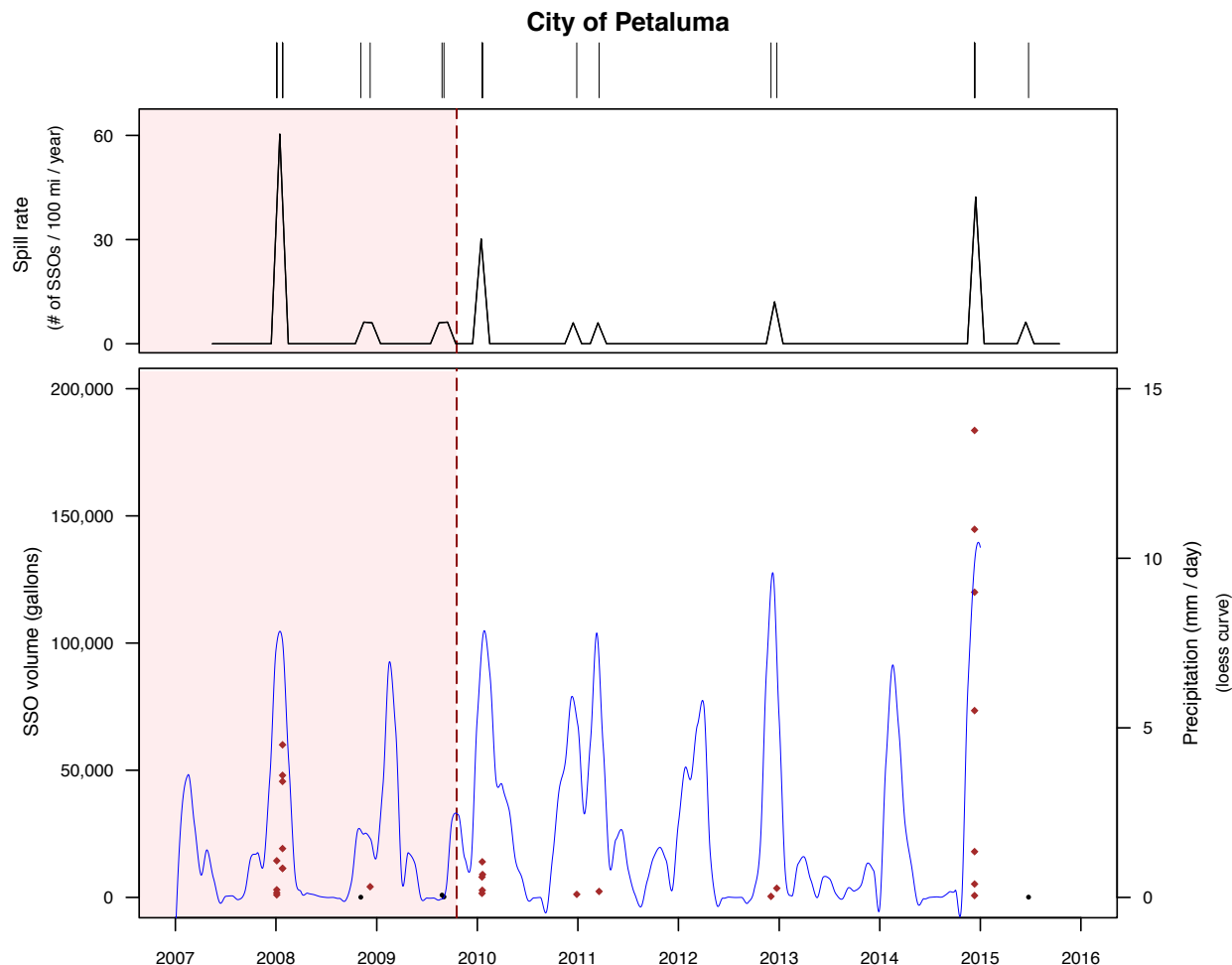
Annual capital expenditure budget: \$8,993,000

System length: 195 mi (0 mi laterals)

Water crossing(s): 10

Total SSO volume: 809,965 gal (808,680 gal reaching surface water)

Overall spill volume rate: 1,644 (1,642) gal/1000 capita/yr



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

- **SEP:** Up to \$35,000 for healthy waterways study

Monetary payments

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)

Overall spill rate: 8.5 (3.9) SSOs/100 mi/yr

WDID: 5SSO10845

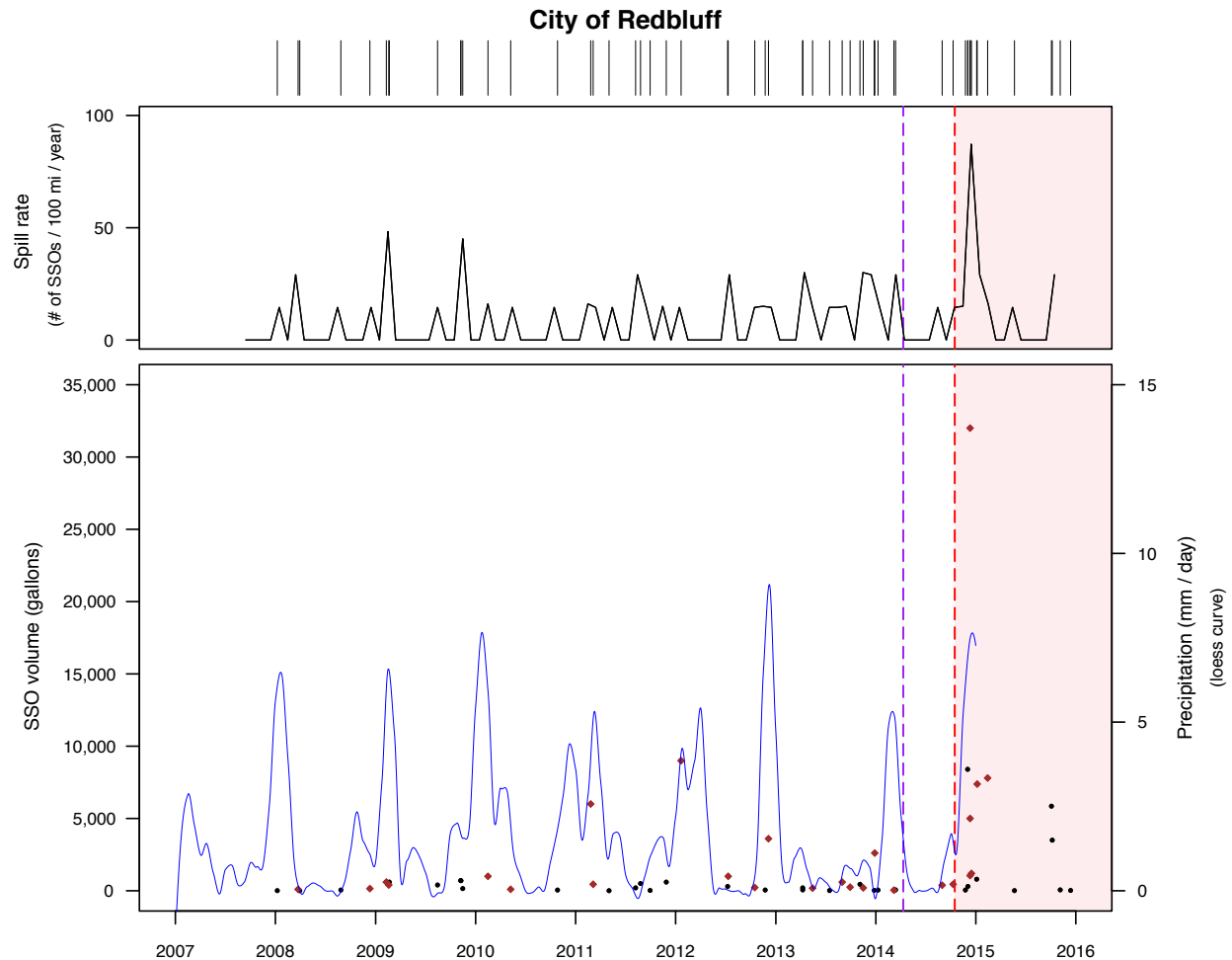
Annual capital expenditure budget: \$721,273

System length: 81 mi (0 mi laterals)

Water crossing(s): 3

Total SSO volume: 105,876 gal (69,001 gal reaching surface water)

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

WDID: 5SSO10801

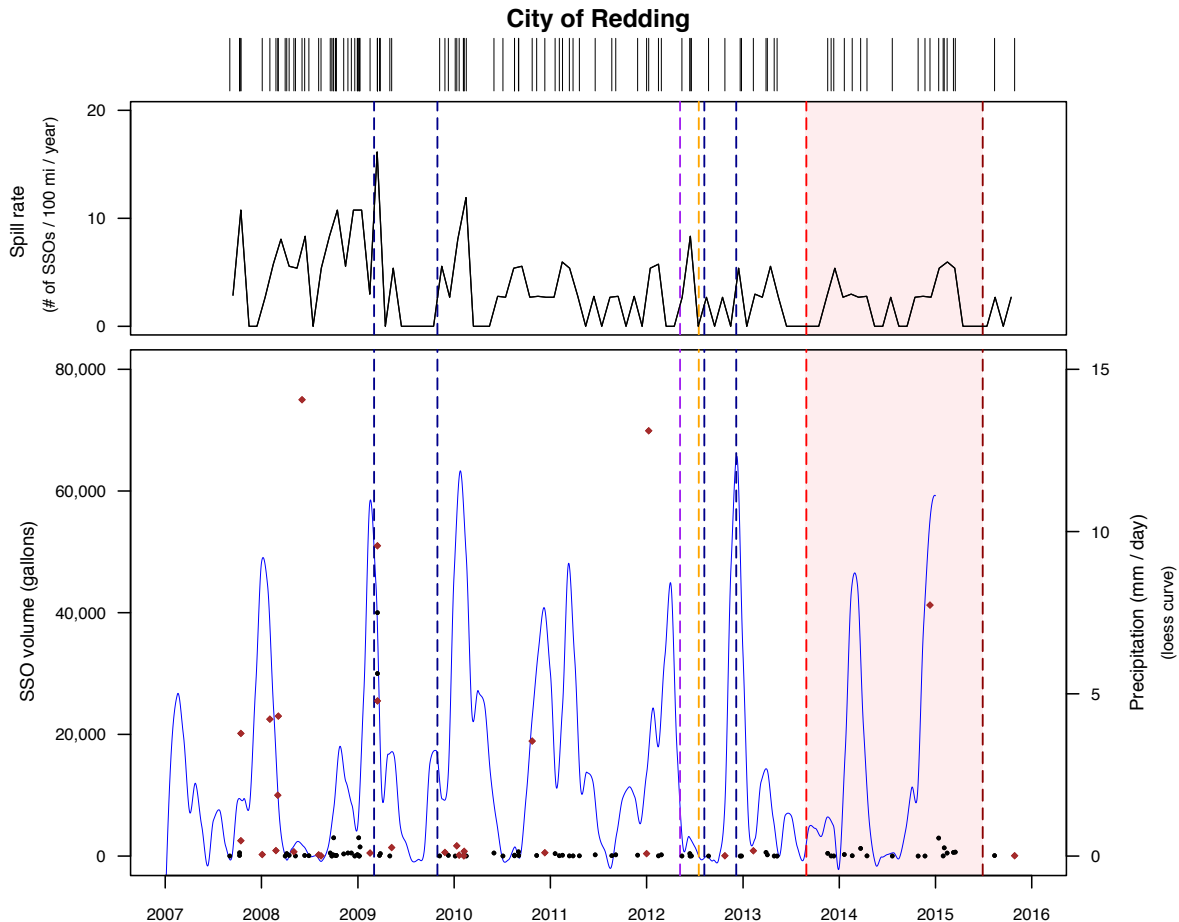
Annual capital expenditure budget: \$15,242,740

System length: 437.6 mi (0 mi laterals)

Water crossing(s): 18

Total SSO volume: 463,852 gal (365,741 gal reaching surface water)

Overall spill volume rate: 624 (492) gal/1000 capita/yr



TIME LINE

- 3/19/2009** ACL Complaint R5-2009-0519 (settled in R5-2009-0549)
- 10/15/2009** 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))
- 2/15/2011** NOV (re: SSOs addressed in R5-2012-0112)
- 4/13/2012** NOV (re: SSOs addressed in R5-2012-0112)
- 5/7/2012** NOI (re: 78 SSOs (including 41 to the MS4 and 324,025 gal reaching surface water), from 9/3/2007 to 5/7/2012)
- 7/17/2012** Complaint filed
- 8/7/2012** 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))
- 11/21/2012** Answer filed
- 12/6/2012** ACL Order R5-2012-0112 adopted
- 5/12/2013** Consent decree signed by parties
- 5/15/2013** NOTICE of Tentative Settlement and Commencement of Mandatory 45-Day Review Period by Federal Agencies (by plaintiff)
- 6/29/2013** US DOJ letter (no objection)
- 6/29/2013** EFFECTIVE DATE of consent decree
- 7/8/2013** NOTICE of settlement and end of mandatory 45-day review; request for entry of proposed consent decree and proposed order to vacate status conference
- 7/9/2013** CONSENT DECREE ORDER
- 6/29/2015** EXPECTED TERMINATION DATE of consent decree

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

Attorneys' fees and other costs	\$75,000
Settlement compliance monitoring	-
SEP payments	\$45,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$120,000

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

Annual O&M budget: \$4,330,861

Population served: 68,280

Lateral connection(s): 19,609

Total # SSOs: 325 (156 reaching surface water)

Overall spill rate: 19.2 (9.2) SSOs/100 mi/yr

WDID: 2SSO10170

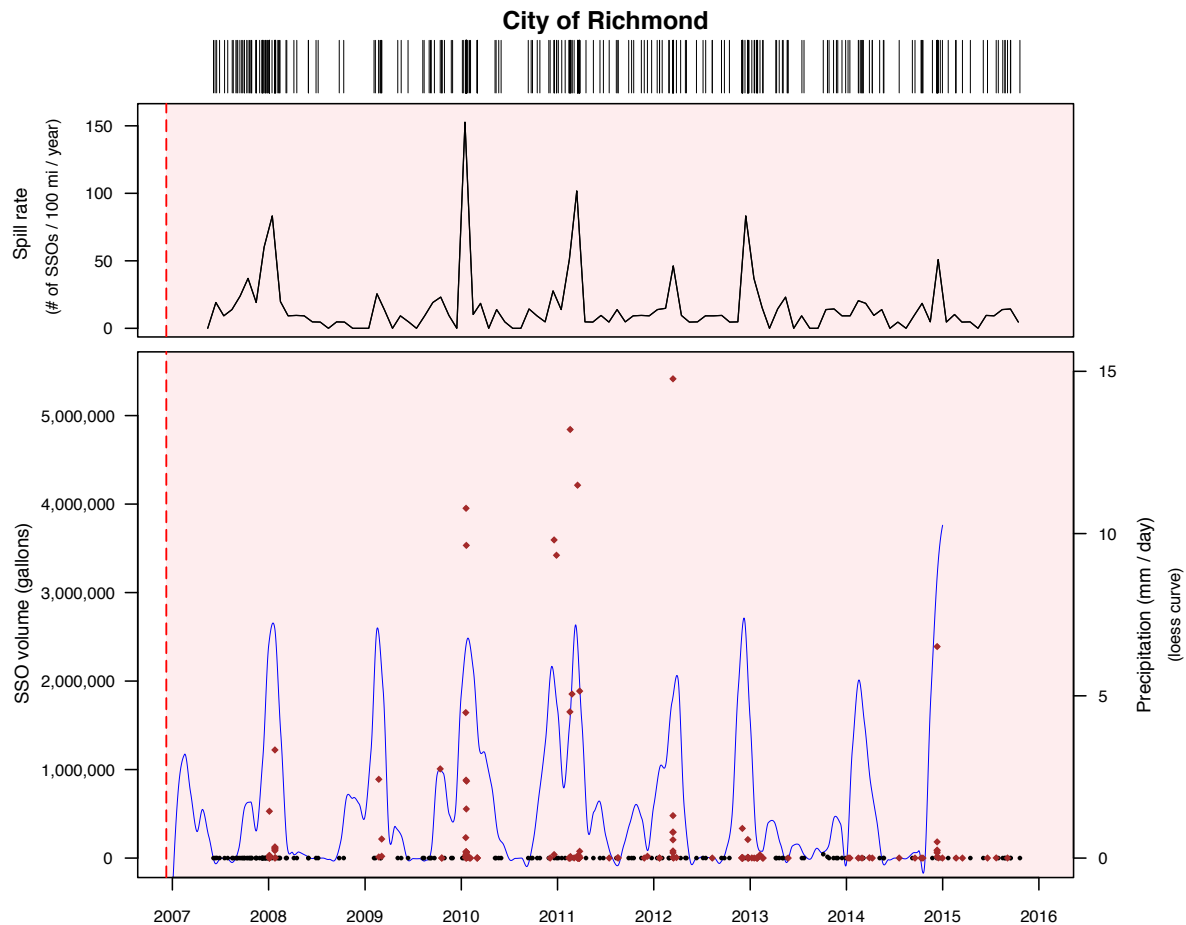
Annual capital expenditure budget: \$16,000,000

System length: 199.2 mi (0 mi laterals)

Water crossing(s): 0

Total SSO volume: 48,836,681 gal (48,632,212 gal reaching surface water)

Overall spill volume rate: 84,136 (83,784) 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; 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)
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)
2/3/2011	Letter from Rose Foundation on disbursement of funds (entered 2/9/2011)
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

- 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: 1SSO10016

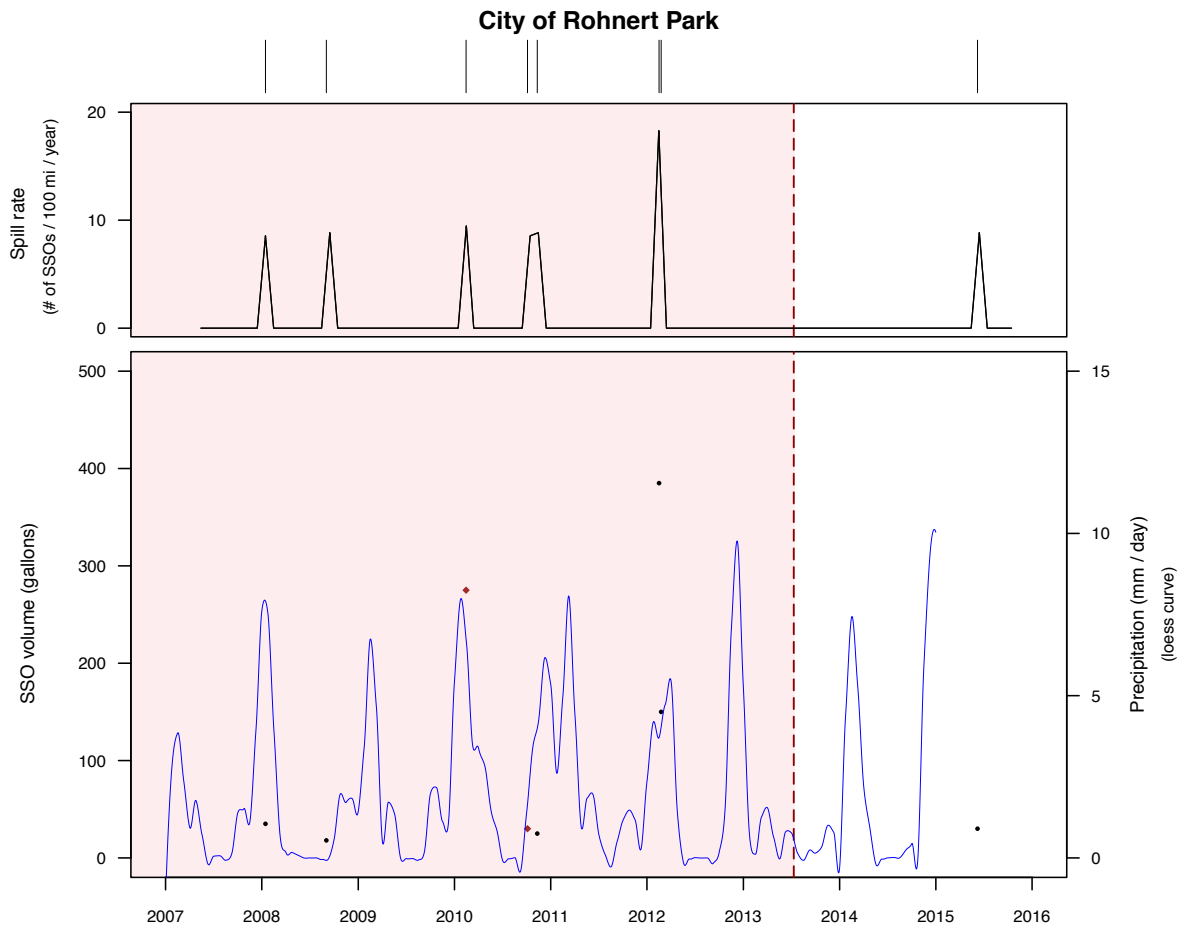
Annual capital expenditure budget: \$2,277,077

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



TIME LINE

6/6/2005	NOI (re: SSOs (?), etc.; document not available)
11/10/2005	Supplemental NOI (document not available)
5/15/2006	Mediation; execution of a stipulation for settlement and term sheet
7/11/2006	EFFECTIVE DATE of settlement agreement, memorializing 5/15/2006 agreement (date signed by parties)
7/11/2013	TERMINATION DATE of settlement agreement

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

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

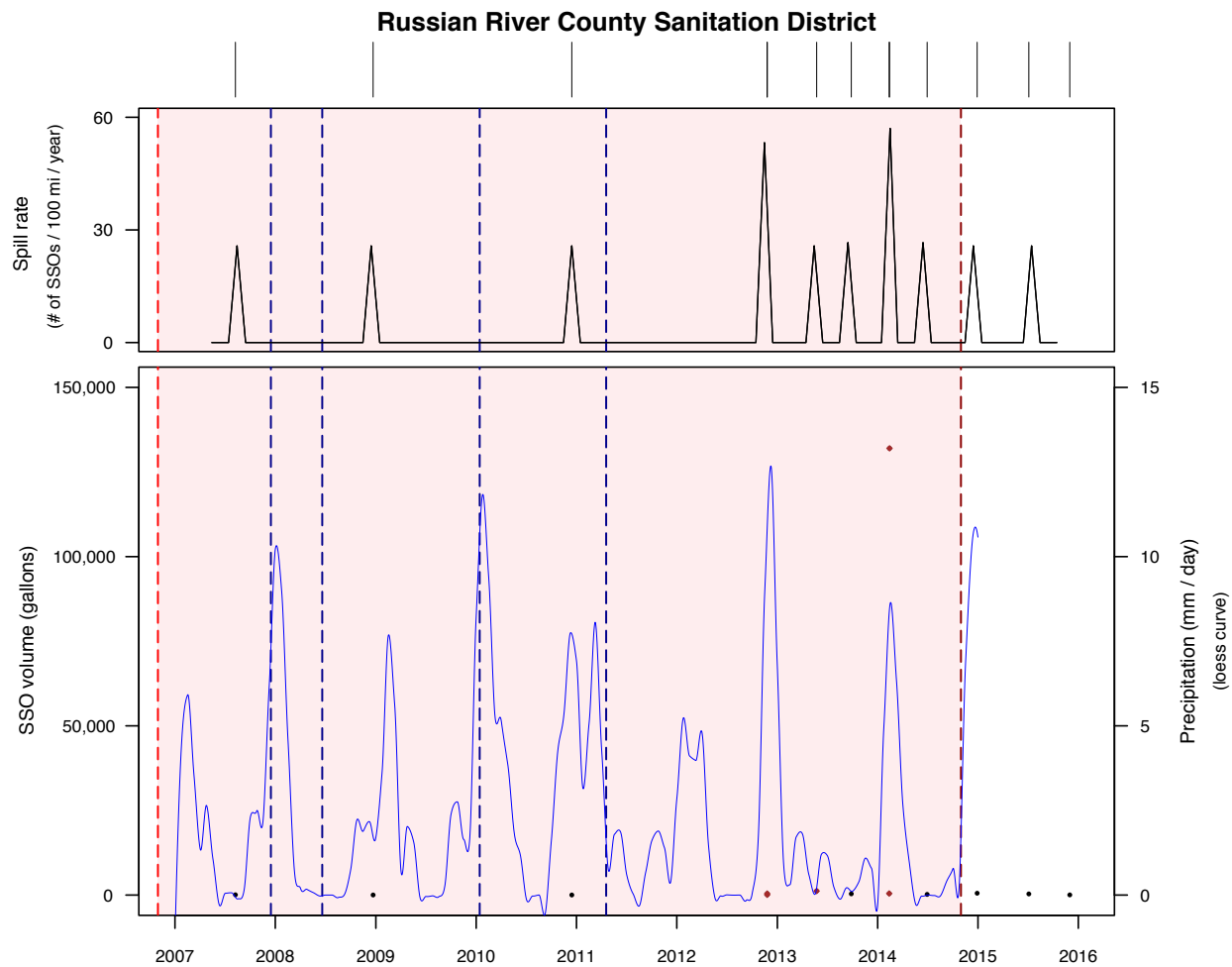
Annual capital expenditure budget: \$450,000

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



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** ORDER relating with case 05-cv-03749
- 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)

Overall spill rate: 12 (0.1) SSOs/100 mi/yr

WDID: 5SSO10901

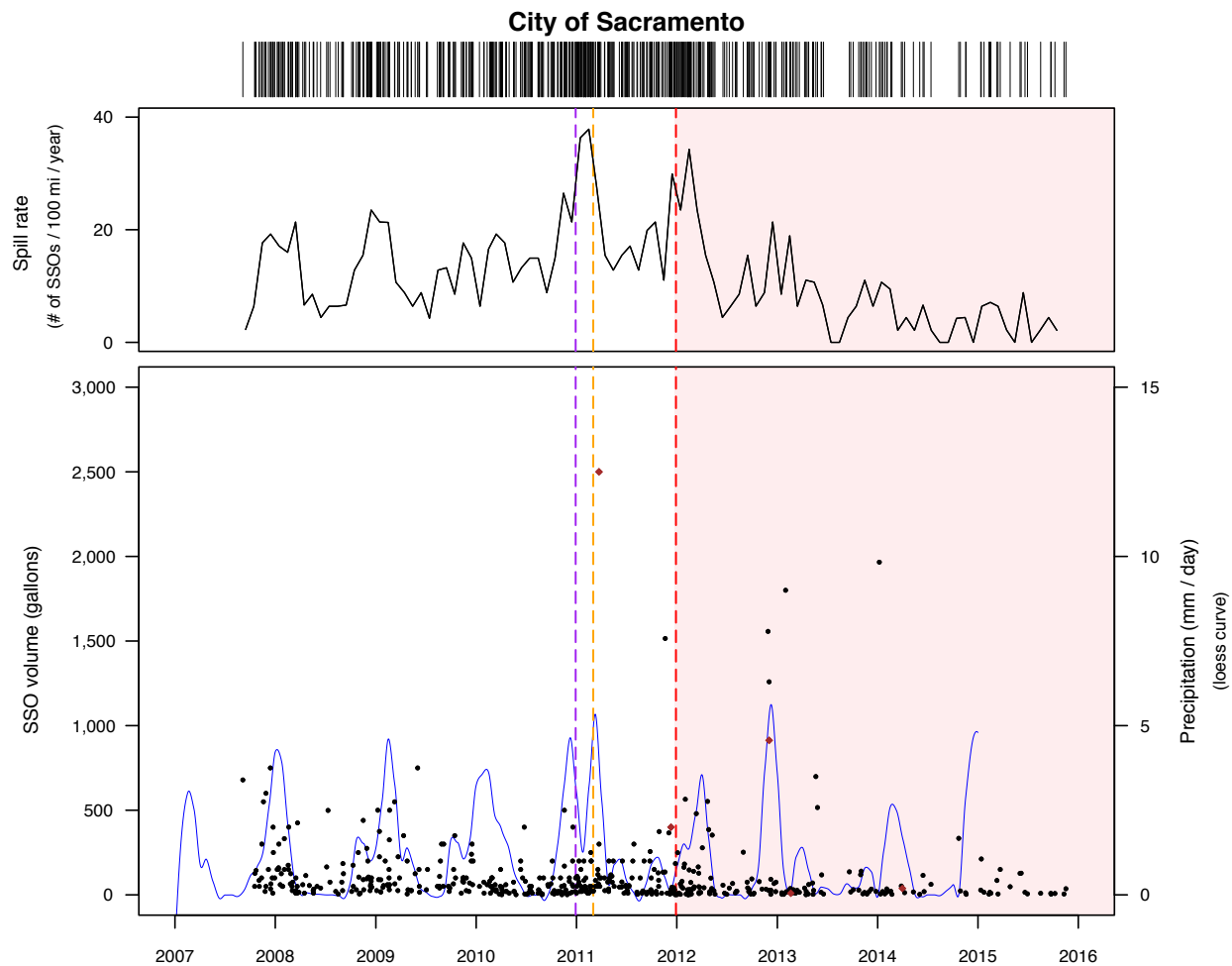
Annual capital expenditure budget: \$911,734

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 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
- 4/7/2011** ORDER relating with case 2:11-cv-00575 (CSPA v. Sacramento Area Sewer District) (entered 4/8/2011)
- 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

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

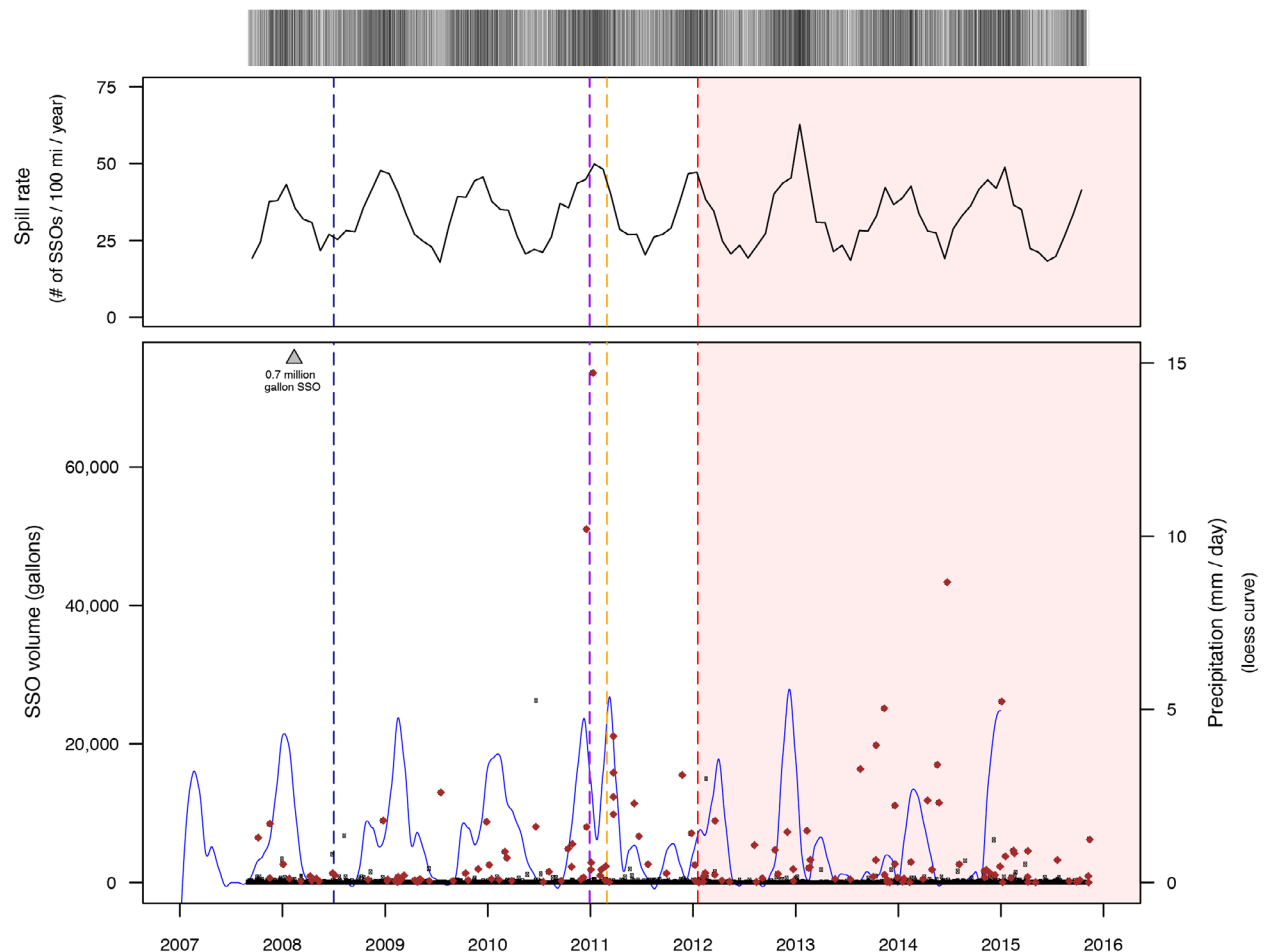
System length: 4,463 mi (1,384 mi laterals)

Water crossing(s): 1,089

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



TIME LINE

7/2/2008	ACL Complaint R5-2008-0545 (re: 27 SSOs from Nov. 2006 to Apr. 2008 totaling 855,832 gal to surface waters; \$201,000)
12/29/2010	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)
3/1/2011	Complaint filed
4/7/2011	ORDER related with case 2:11-cv-0601 (CSPA v. City of Sacramento) (entered 4/8/2011)
8/25/2011	Answers filed by defendants
1/18/2012	EFFECTIVE DATE of consent decree (date signed by parties)
3/5/2012	US DOJ letter (no objection)
3/9/2012	CONSENT DECREE AND ORDER dismissing case with prejudice
7/18/2018	EXPECTED TERMINATION DATE of consent decree

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

Attorneys' fees and other costs	\$250,000
Settlement compliance monitoring	\$60,000
SEP payments	\$350,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$660,000

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)

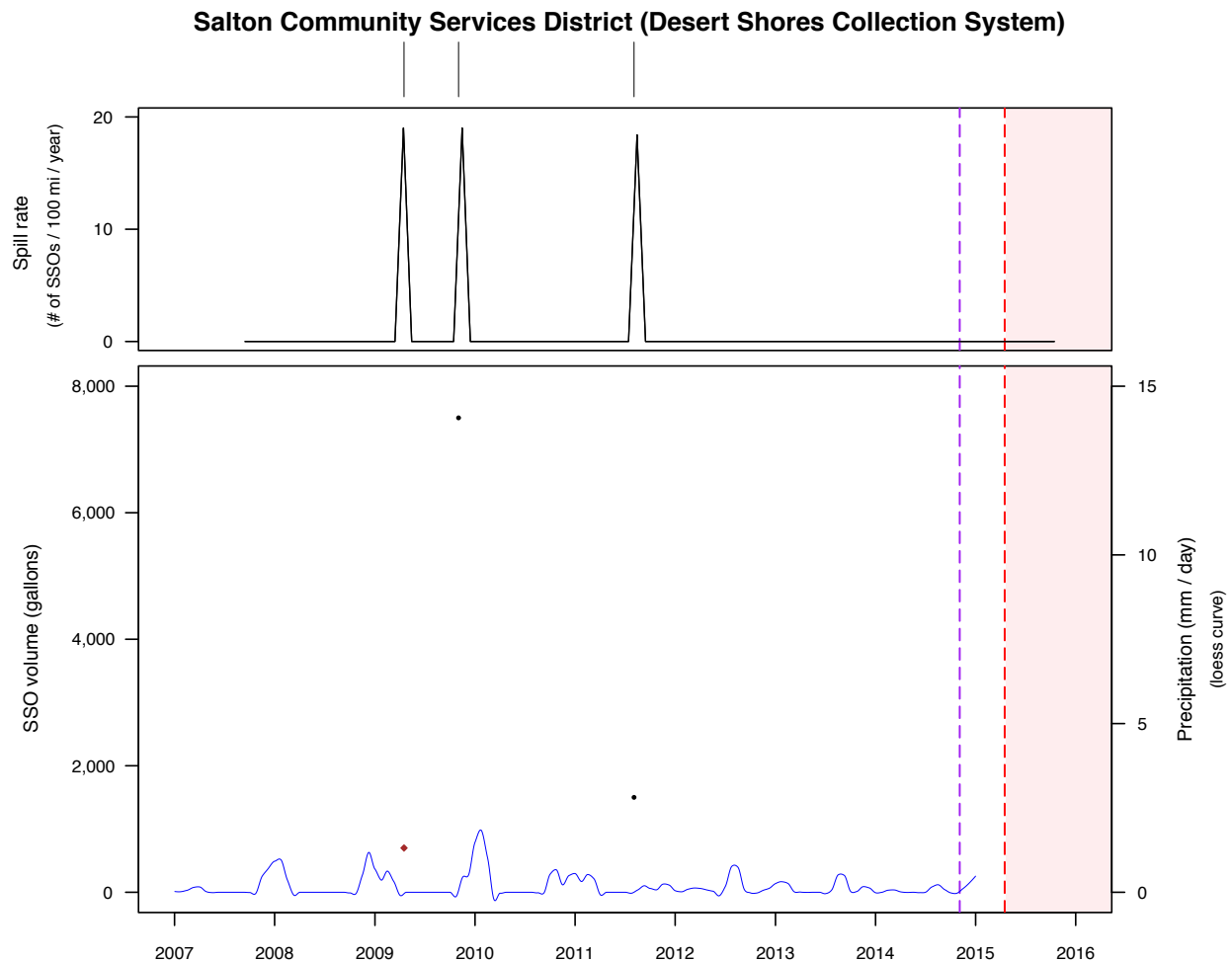
Annual capital expenditure budget: \$36,300

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



Region: 7

Annual O&M budget: \$1,027,571

Population served: 4,303

Lateral connection(s): 1,862

Total # SSOs: 24 (1 reaching surface water)

Overall spill rate: 1.0 (0.0) SSOs/100 mi/yr

WDID: 7SSO10538 (Salton City Oxidation Basin Collection System)

Annual capital expenditure budget: \$73,700

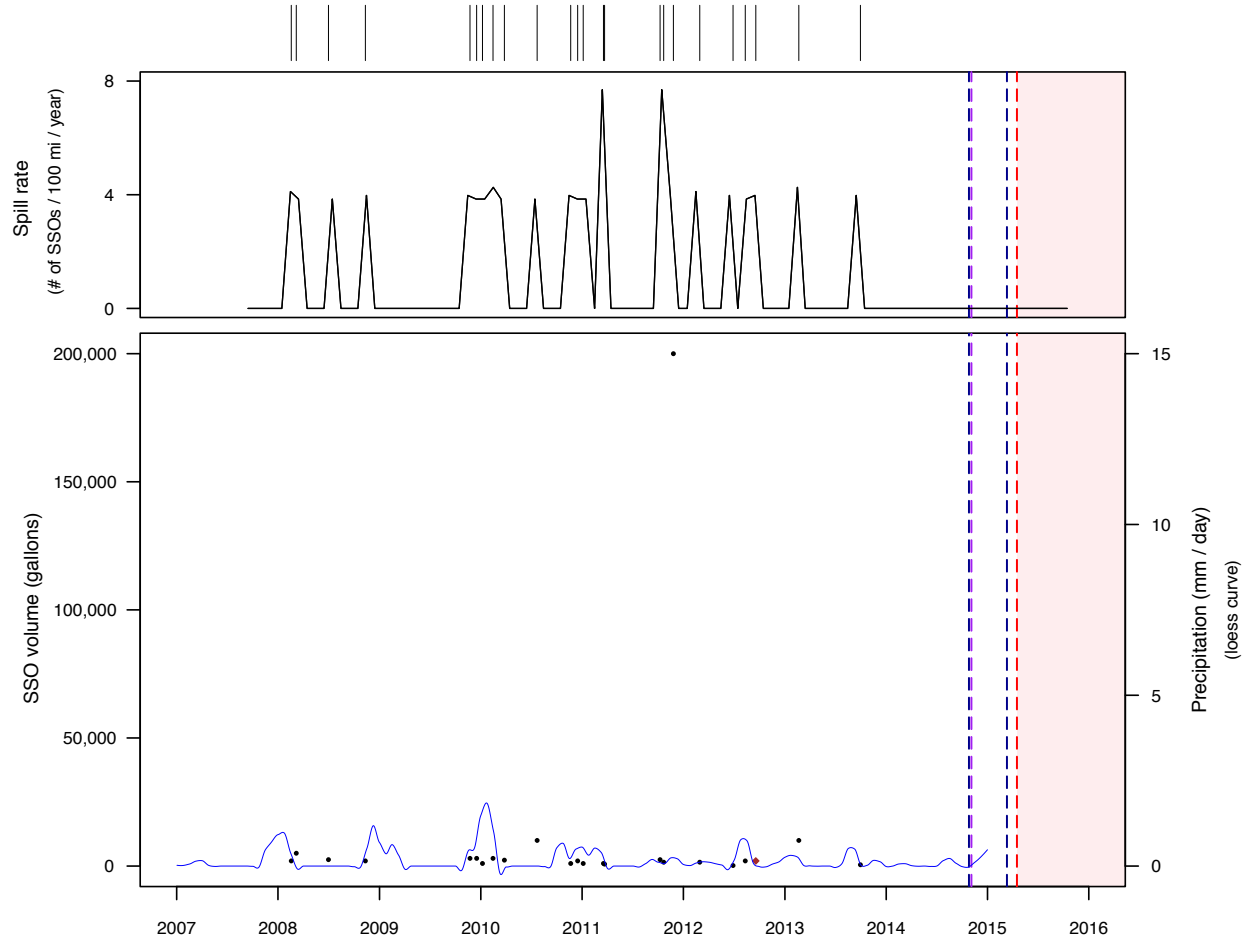
System length: 306 mi (0 mi laterals)

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

Salton Community Services District (Salton City Oxidation Basin Collection System)



TIME LINE

- 11/3/2014** ACL Complaint R7-2014-0062 (settled in R7-2015-0017)
- 11/4/2014** NOI (re: 22 SSOs, continuous exfiltration, monitoring / reporting violations, from 10/14/2009 to 10/14/2014)
- 3/3/2015** Settlement agreement signed by parties
- 3/12/2015** 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 SmartFlo Monitoring Systems))
- 4/17/2015** EFFECTIVE DATE of settlement agreement (45th day after US DOJ receipt)
- 4/17/2020** EXPECTED TERMINATION DATE of settlement agreement (unless terminated early)

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

Annual O&M budget: \$8,184,913

Population served: 40,165

Lateral connection(s): 11,000

Total # SSOs: 226 (50 reaching surface water)

Overall spill rate: 30 (6.6) SSOs/100 mi/yr

WDID: 2SSO10176

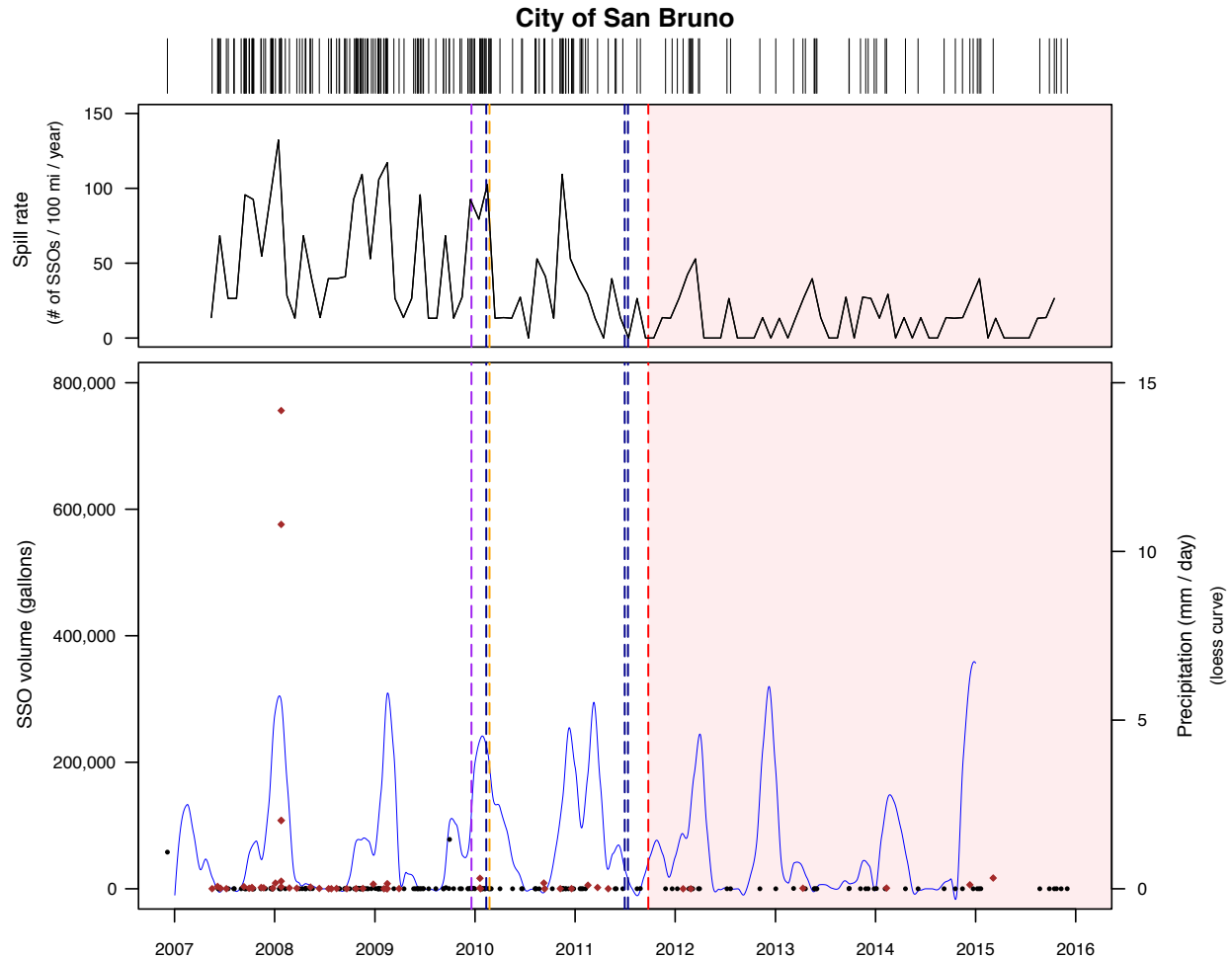
Annual capital expenditure budget: \$6,845,630

System length: 89 mi (0 mi laterals)

Water crossing(s): 0

Total SSO volume: 1,767,791 gal (1,642,552 gal reaching surface water)

Overall spill volume rate: 5,177 (4,811) gal/1000 capita/yr



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))
- 7/13/2011** CDO R2-2011-0051
- 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)
- 9/26/2011** US DOJ letter (no objection)
- 9/27/2011** Letter from plaintiff requesting entry of consent decree
- 9/27/2011** CONSENT DECREE signed, filed, and entered
- 11/14/2011** Letter from Marine Mammal Center re final SEP report
- 9/25/2021** EXPECTED TERMINATION DATE of consent decree

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

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

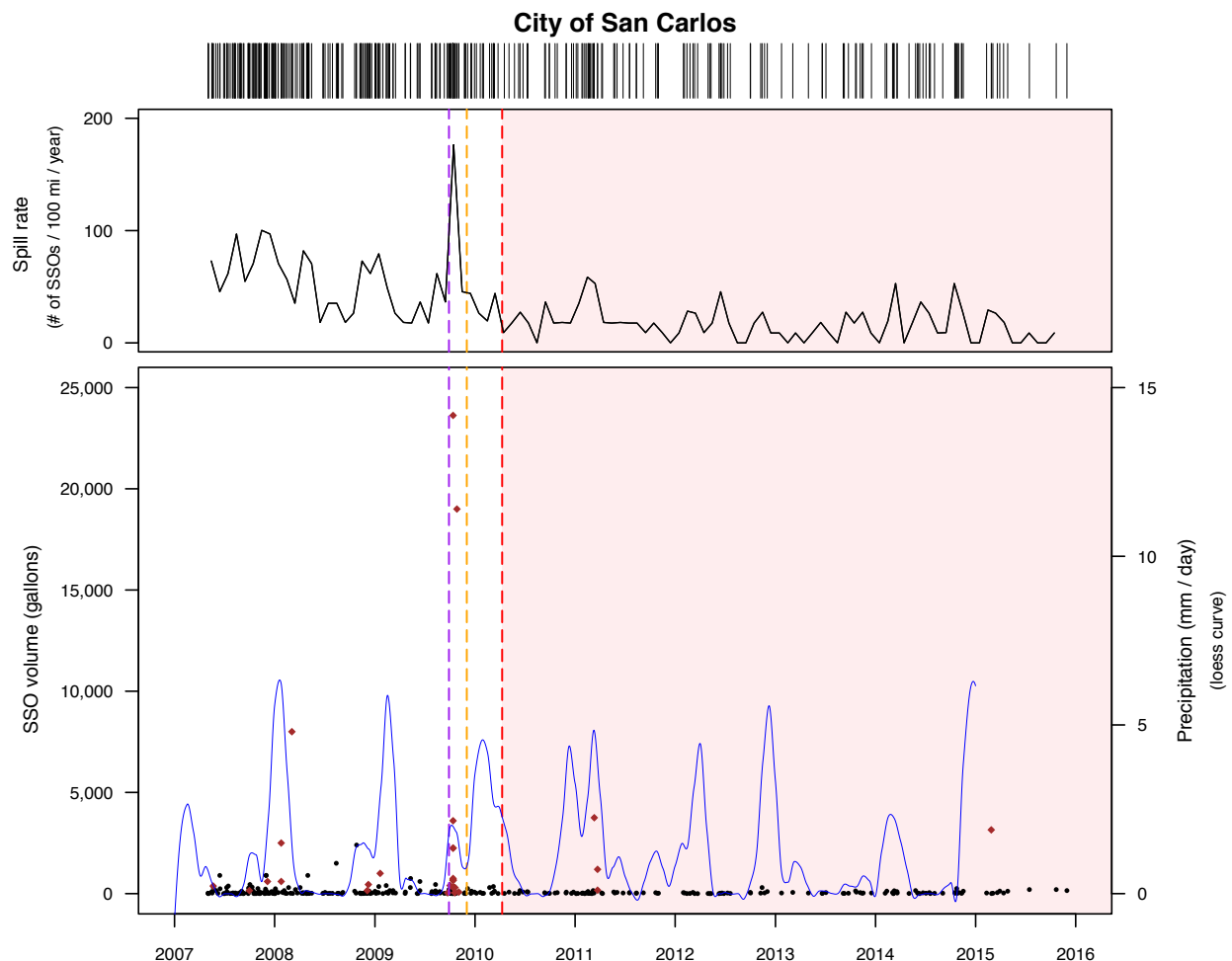
Annual capital expenditure budget: \$7,128,868

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



TIME LINE

9/28/2009	NOI; writ notice letter (re: 289 SSOs (including 87 to the MS4 or directly to surface water), MS4 permit violations, monitoring / reporting violations, etc., from 9/28/2004 to 9/28/2009)
12/2/2009	Complaint filed
2/24/2010	Consent decree signed by parties
2/24/2010	NOTICE of Tentative Settlement and of 45-Day Review Period
2/26/2010	ORDER CONDITIONALLY DISMISSING CASE with Prejudice
4/1/2010	US DOJ letter (no objections)
4/10/2010	EFFECTIVE DATE of consent decree (45th day after US DOJ receipt)
4/12/2010	NOTICE of Completion of Review Period on Proposed Settlement; Proposed Consent Decree Order
4/19/2010	CONSENT DECREE ORDER dismissing action with prejudice
10/18/2010	STIPULATION re Consent Decree (to substitute PACP defect codes for Sanitary Sewer Assessment defect codes) (signed by parties 10/12/2010)
2/9/2011	Rose Foundation letter on disbursement of funds
4/10/2017	EXPECTED TERMINATION DATE of consent decree

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

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.)

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

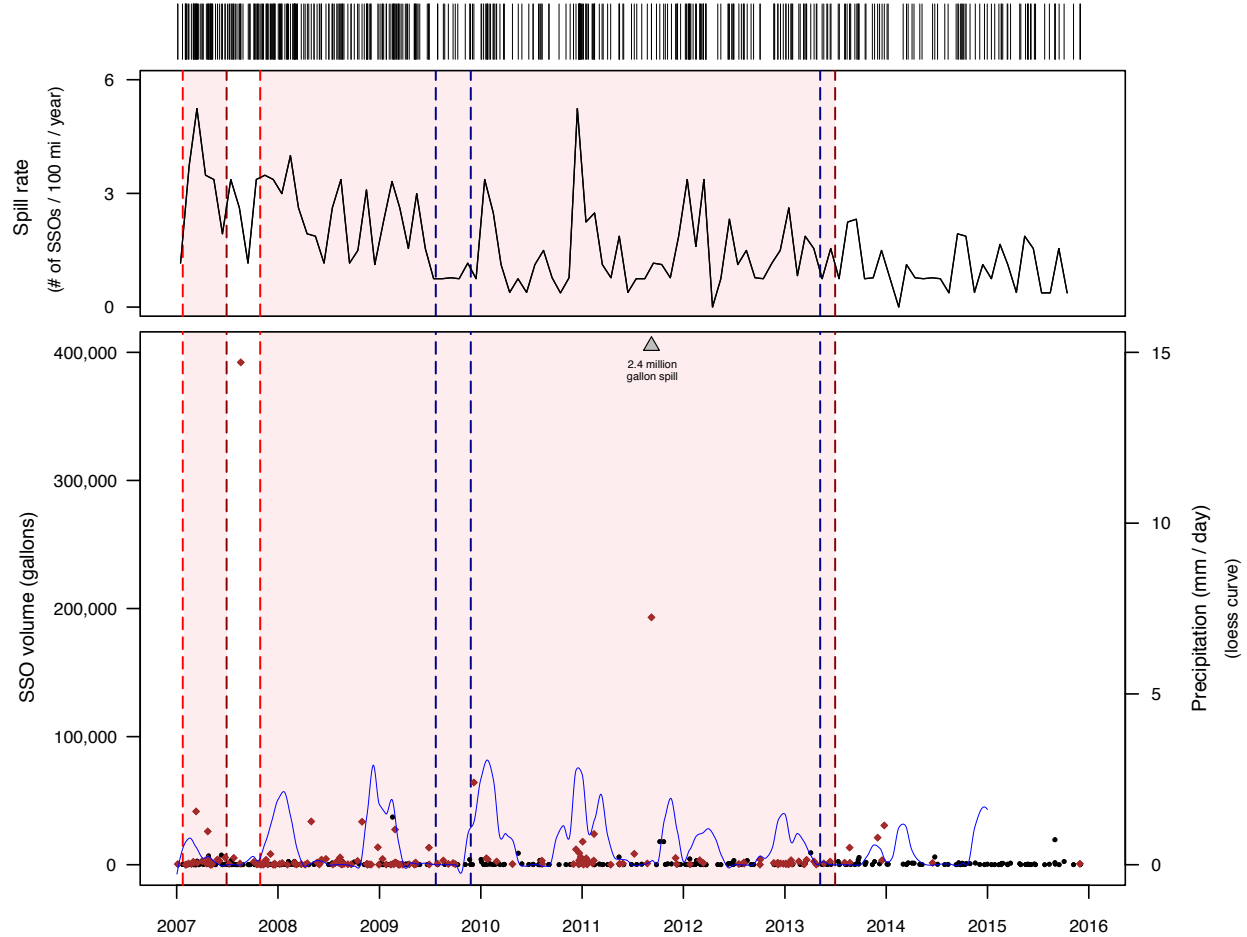
System length: 3,147 mi (0 mi laterals)

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

City of San Diego



TIME LINE

- 1986** CDO
- 1987** ACL Orders
- 1993** ACL Order
- 7/27/1988 to 6/6/1997**, United States v. City of San Diego, 3:88-cv-1101 (for illegal discharges through 12/13/1996)
- 5/22/2000** ACL Complaint R9-2000-0075 (settled in R9-2000-0103)
- 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
- 7/11/2003** Complaint filed by State of California in 3:03-cv-1381
- 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)

4/28/2005	1st partial consent decree signed by parties
5/3/2005	Notice of lodging of 1st partial consent decree, by United States
7/14/2005	Motion for order to enter partial consent decree (nunc pro tunc to 7/8/05), by United States
9/13/2005	ORDER Entering Partial Consent Decree (entered 9/19/2005)
6/30/2006	1st partial consent decree expired
8/14/2006	2nd partial consent decree signed by parties
8/15/2006	Notice of lodging of 2nd partial consent decree by United States
1/23/2007	ORDER entering 2nd Partial Consent Decree
2/26/2007	Mayor and City Council approved sewer rate increase
6/30/2007	2nd partial consent decree expired
7/30/2007	Final consent decree signed by parties
7/31/2007	Notice of lodging of final consent decree by United States
10/9/2007	Final consent decree signed by court (entered 10/12/2007)
10/17/2007	ORDER: ordering Parties and Counsel to appear for Final Execution of the Settlement Consent Decree on 10/29/2007
10/29/2007	EFFECTIVE DATE of Final consent decree (date entered)
7/22/2009	ACL Complaint R9-2009-0042 (settled in R9-2009-0172)
11/18/2009	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))
5/8/2013	ACL Order R9-2013-0032 (re: > 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))
7/1/2013	TERMINATION DATE of consent decree (if City met requirements)

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**

Region: 2

Annual O&M budget: \$11,000,000

Population served: 1,000,536

Lateral connection(s): 251,000

Total # SSOs: 1,428 (89 reaching surface water)

Overall spill rate: 7.3 (0.5) SSOs/100 mi/yr

WDID: 2SSO10179

Annual capital expenditure budget: \$15,000,000

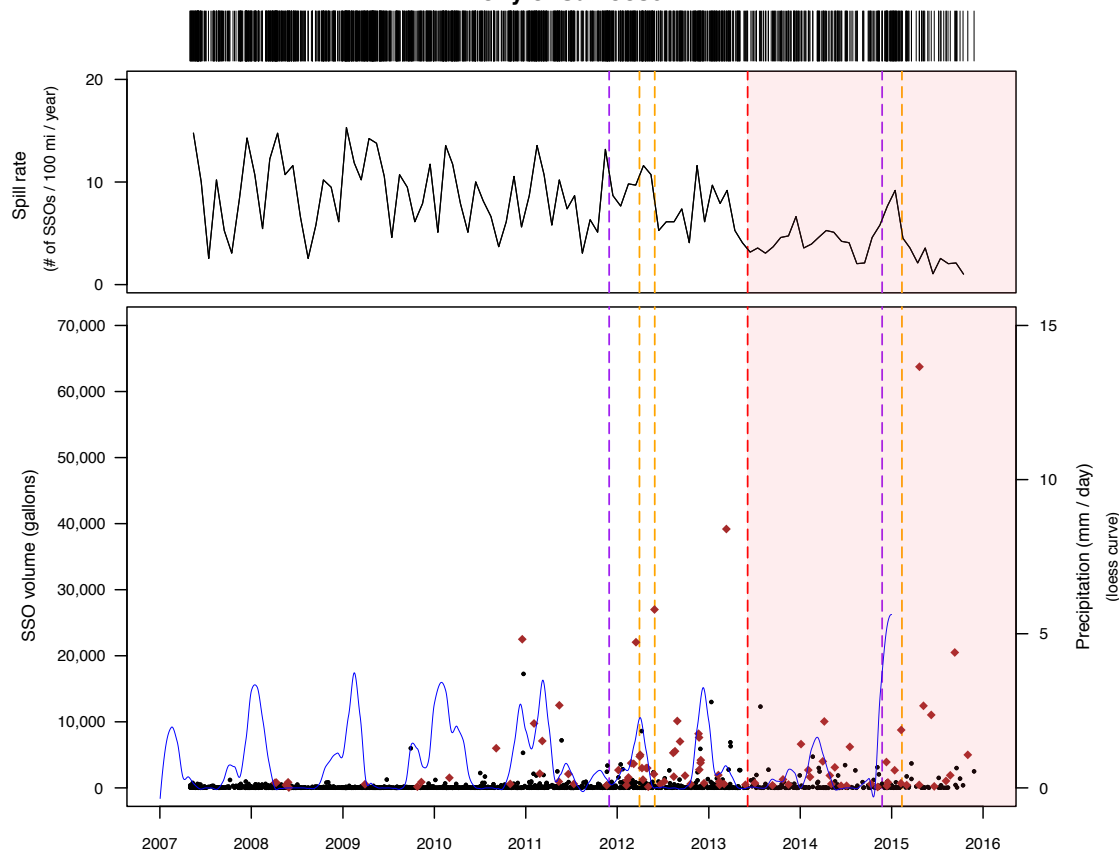
System length: 2,307 mi (0 mi laterals)

Water crossing(s): 0

Total SSO volume: 764,628 gal (199,561 gal reaching surface water)

Overall spill volume rate: 90 (24) gal/1000 capita/yr

City of San Jose



TIME LINE

CRW lawsuit (Docket No. 3:12-cv-01624):

- 11/30/2011** NOI (re: 185 SSOs, continuous exfiltration, chronic toxicity standard violations, and monitoring / reporting violations, from 11/15/2006 to 11/15/2011)
- 3/30/2012** Complaint filed
- 5/30/2012** 1st amended complaint
- 8/3/2012** Answer filed
- 8/31/2012** STIPULATION AND ORDER REFERRING CASE to Early Neutral Evaluation
- 9/20/2012** ORDER granting Stipulation to refer case to Magistrate Judge for all further proceedings
- 9/21/2012** ORDER reassigning case to Magistrate Judge *** NOTE: Docket not up-to-date (ends 9/22/2012) ***
- 4/19/2013** Proposed consent decree signed by parties
- 6/5/2013** Consent Decree signed by judge and entered
- 6/5/2013** EFFECTIVE DATE of consent decree

SFBk lawsuit (Docket No. 5:15-cv-00642):

- 11/24/2014** NOI (re: various MS4 permit violations (including 566 SSOs to the MS4), and monitoring / reporting violations, from 11/24/2009 to 11/24/2014)
- 2/11/2015** Complaint filed (re: MS4 permit violations, mentioning SSOs and exfiltration as non-stormwater discharges)
- 2/11/2015** Case assigned to Magistrate Judge
- 3/26/2015** ORDER reassigning case to U.S. District Court judge
- 5/27/2015** Answer filed

8/2015 to 3/2016 8 Settlement conferences held before Magistrate Judge (not yet settled)

6/5/2023 EXPECTED TERMINATION DATE of CRW consent decree (unless terminated early)

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

- Private sewer lateral grant/ loan program

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

53. Santa Ana Watershed Project Authority

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

Region: 8

Annual O&M budget: \$12,353,368

Population served: 3,415,953

Lateral connection(s): 35

Total # SSOs: 56 (10 reaching surface water)

Overall spill rate: 8.8 (1.6) SSOs/100 mi/yr

WDID: 8SSO10603

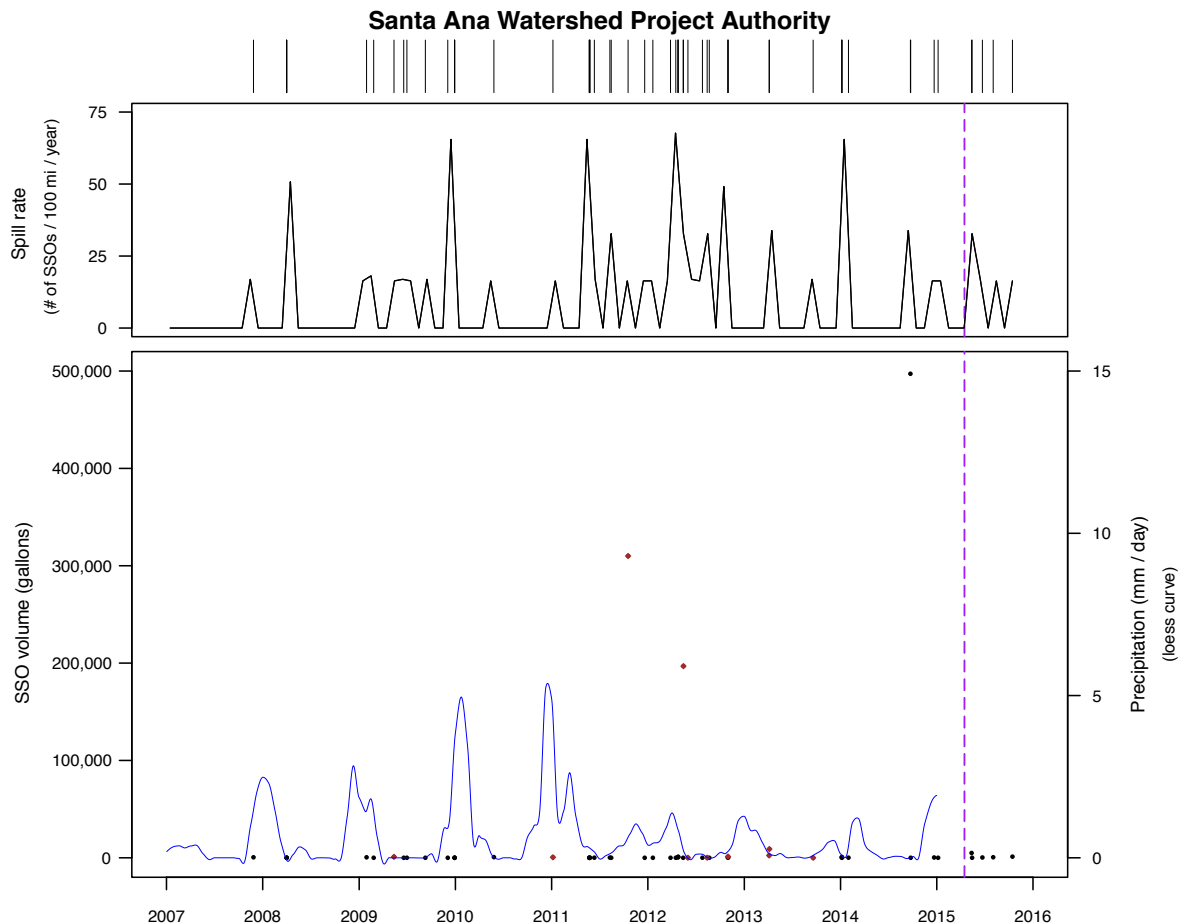
Annual capital expenditure budget: \$5,968,663

System length: 71.9 mi (0 mi laterals)

Water crossing(s): 28

Total SSO volume: 1,030,278 gal (224,618 gal reaching surface water)

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

Annual O&M budget: \$3,312,000

Population served: 95,000

Lateral connection(s): 222,275

Total # SSOs: 205 (34 reaching surface water)

Overall spill rate: 9.2 (1.5) SSOs/100 mi/yr

WDID: 3SSO10265

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

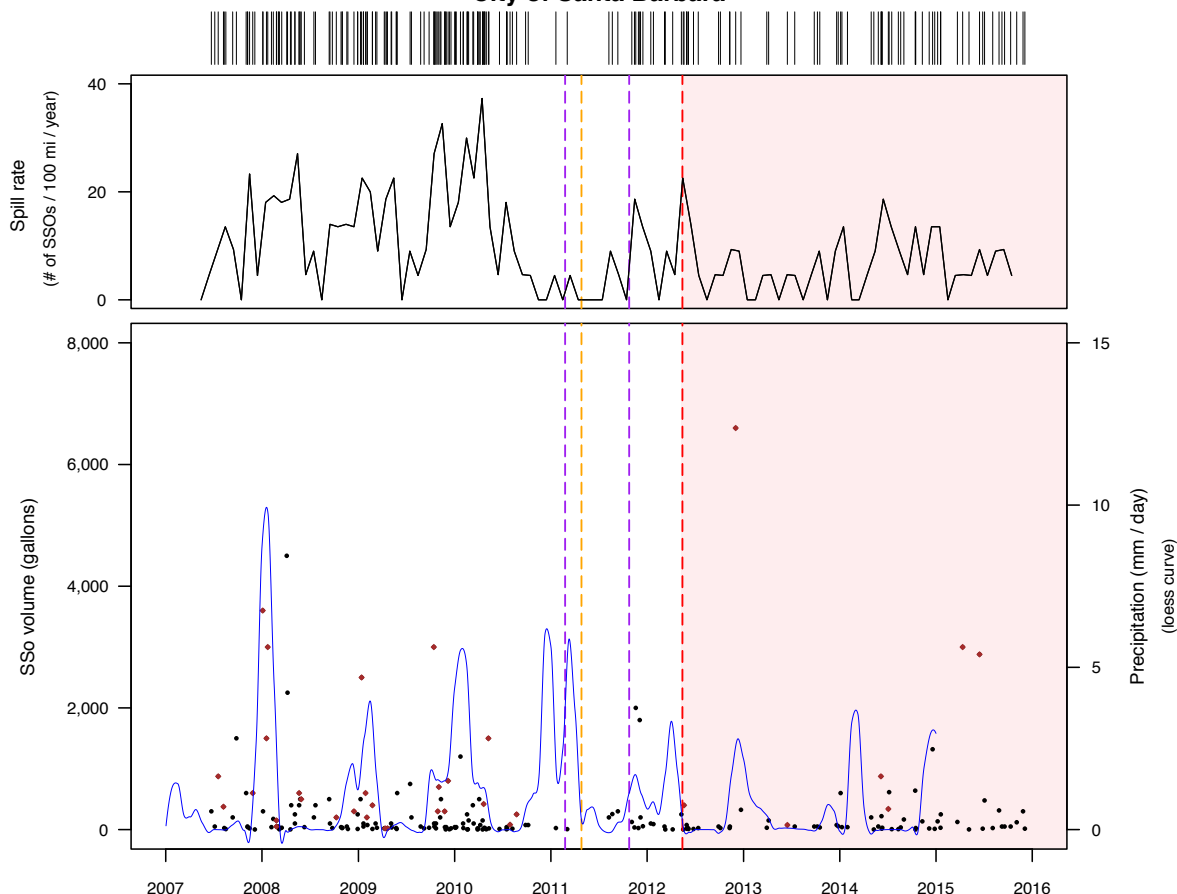
System length: 261 mi (0 mi laterals)

Water crossing(s): 173

Total SSO volume: 70,107 gal (30,329 gal reaching surface water)

Overall spill volume rate: 87 (38) gal/1000 capita/yr

City of Santa Barbara



TIME LINE

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

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

Attorneys' fees and other costs	\$337,500
Settlement compliance monitoring	\$65,000
SEP payments	\$125,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$527,500

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

WDID: 2SSO10187

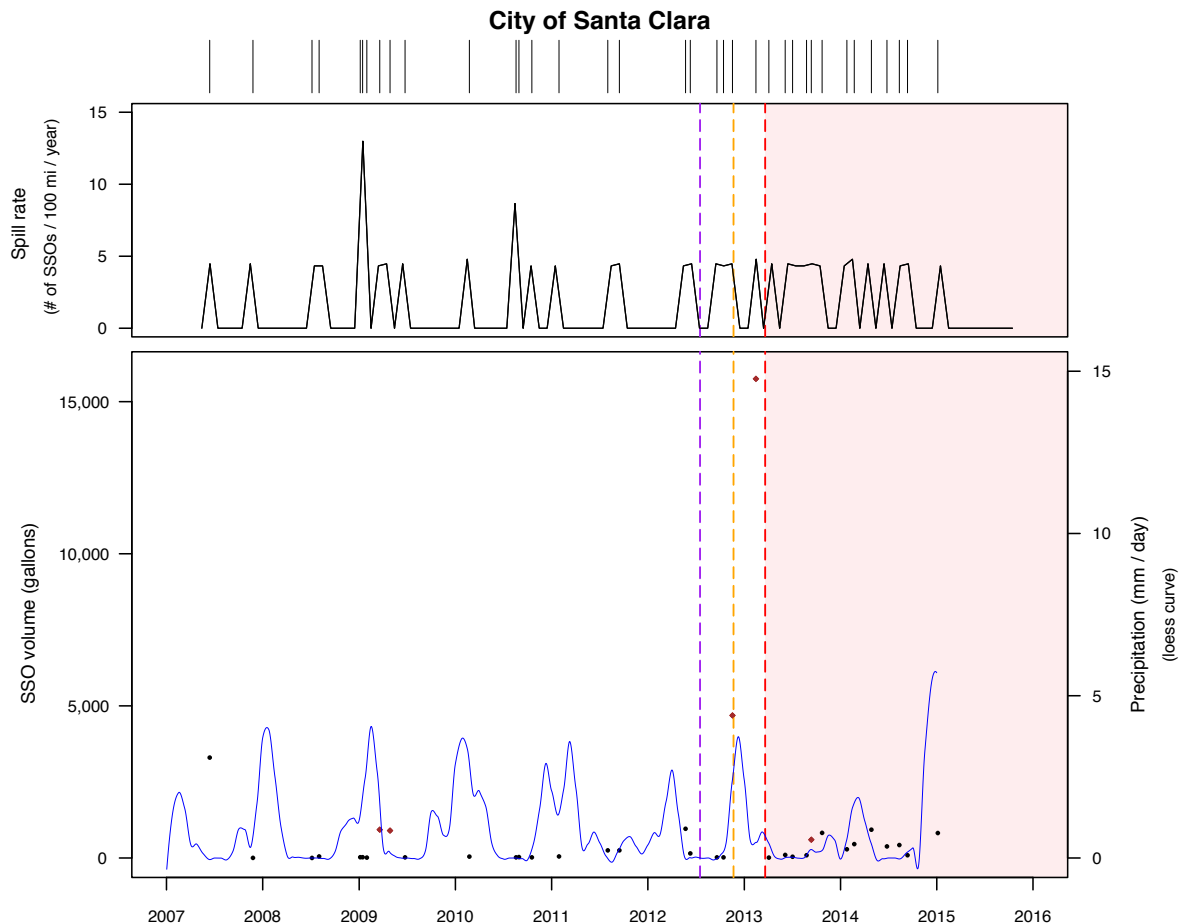
Annual capital expenditure budget: \$13,830,000

System length: 272 mi (0 mi laterals)

Water crossing(s): 21

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

WDID: 2SSO10123

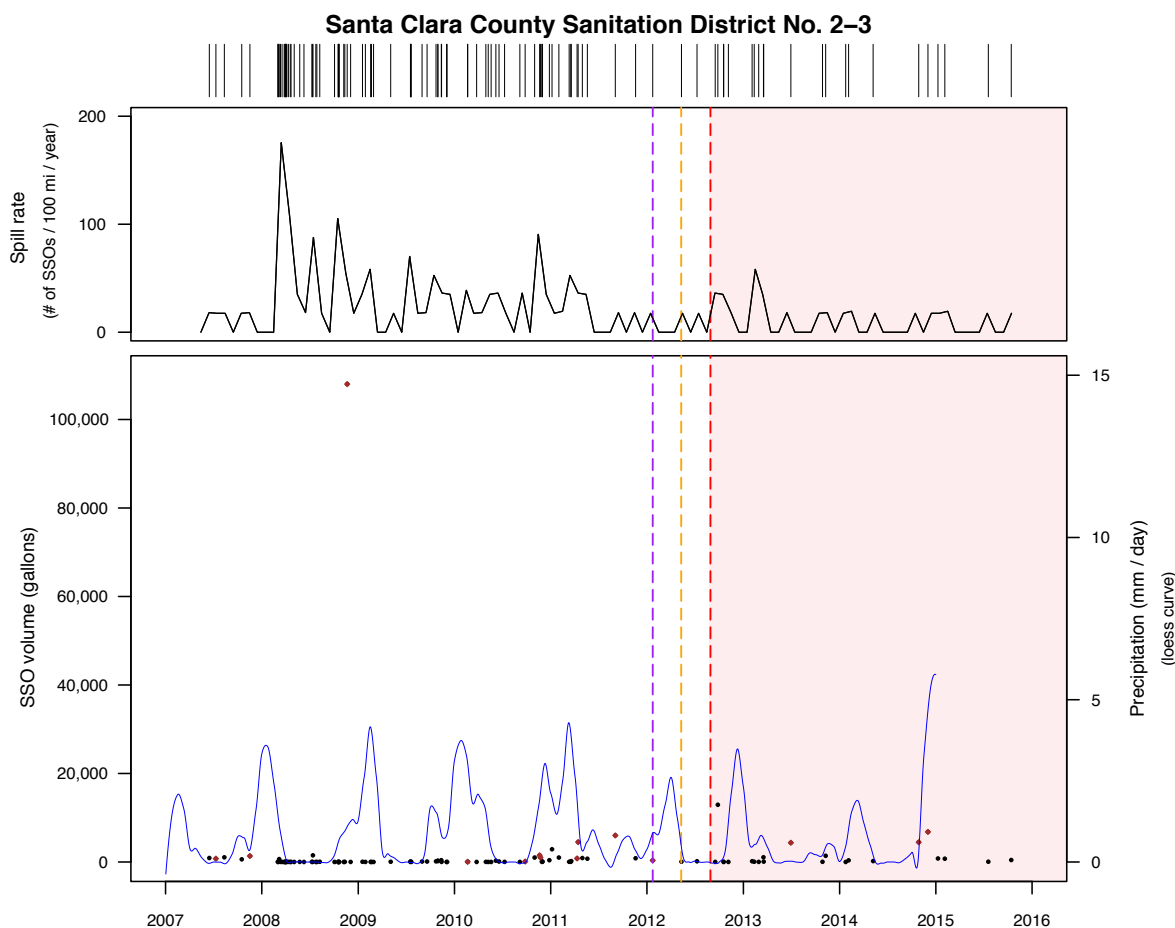
Annual capital expenditure budget: \$530,000

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



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

Region: 1

Annual O&M budget: \$10,129,572

Population served: 170,236

Lateral connection(s): 49,572

Total # SSOs: 37 (13 reaching surface water)

Overall spill rate: 0.8 (0.3) SSOs/100 mi/yr

WDID: 1SSO11491

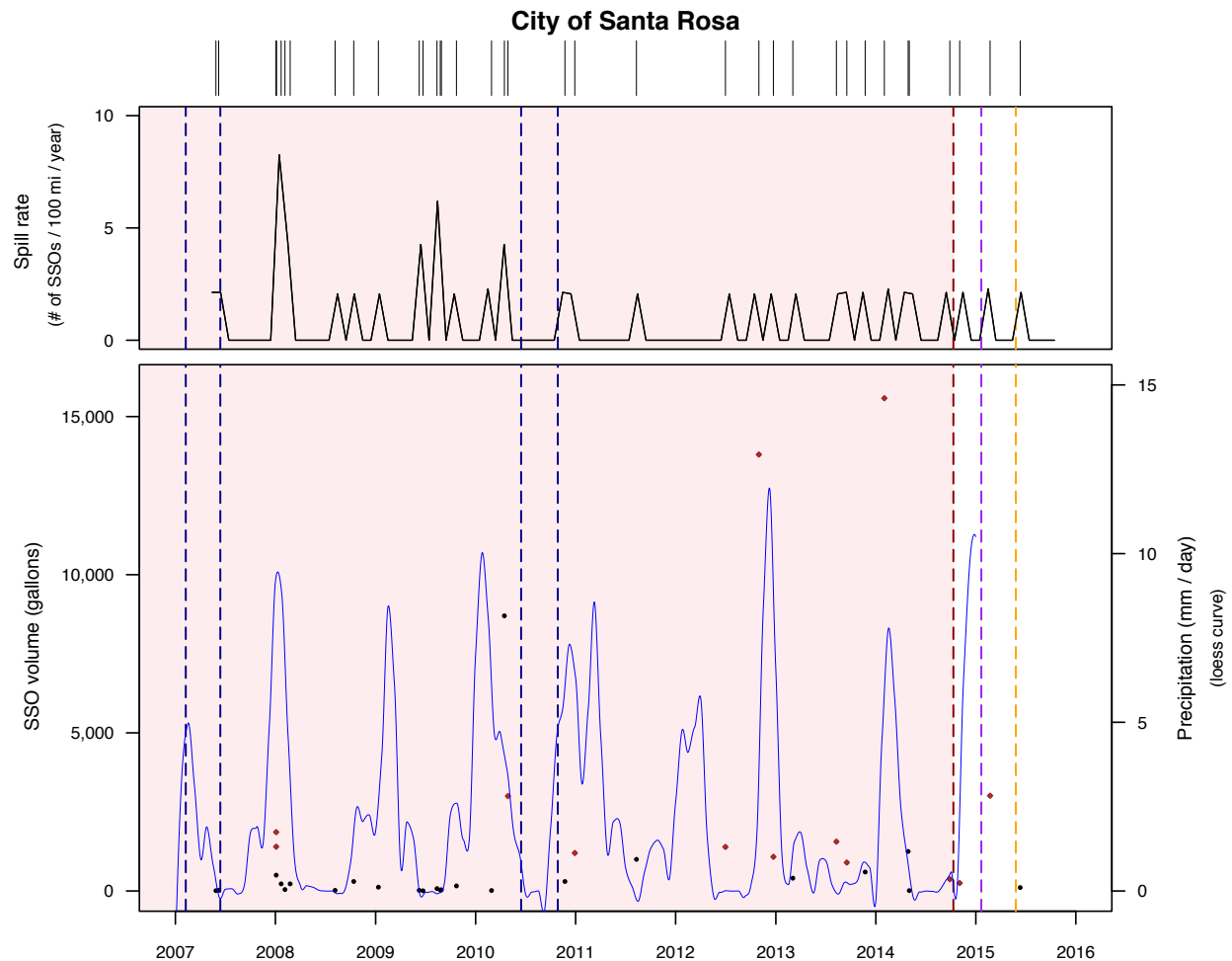
Annual capital expenditure budget: \$12,012,682

System length: 570.6 mi (0 mi laterals)

Water crossing(s): 13

Total SSO volume: 59,591 gal (40,269 gal reaching surface water)

Overall spill volume rate: 41 (28) gal/1000 capita/yr



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/?/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

2/1/2007 ACL Complaint R1-2007-0012 (settled in R1-2007-0038)

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)

Overall spill rate: 36.2 (12.2) SSOs/100 mi/yr

WDID: 2SSO10114

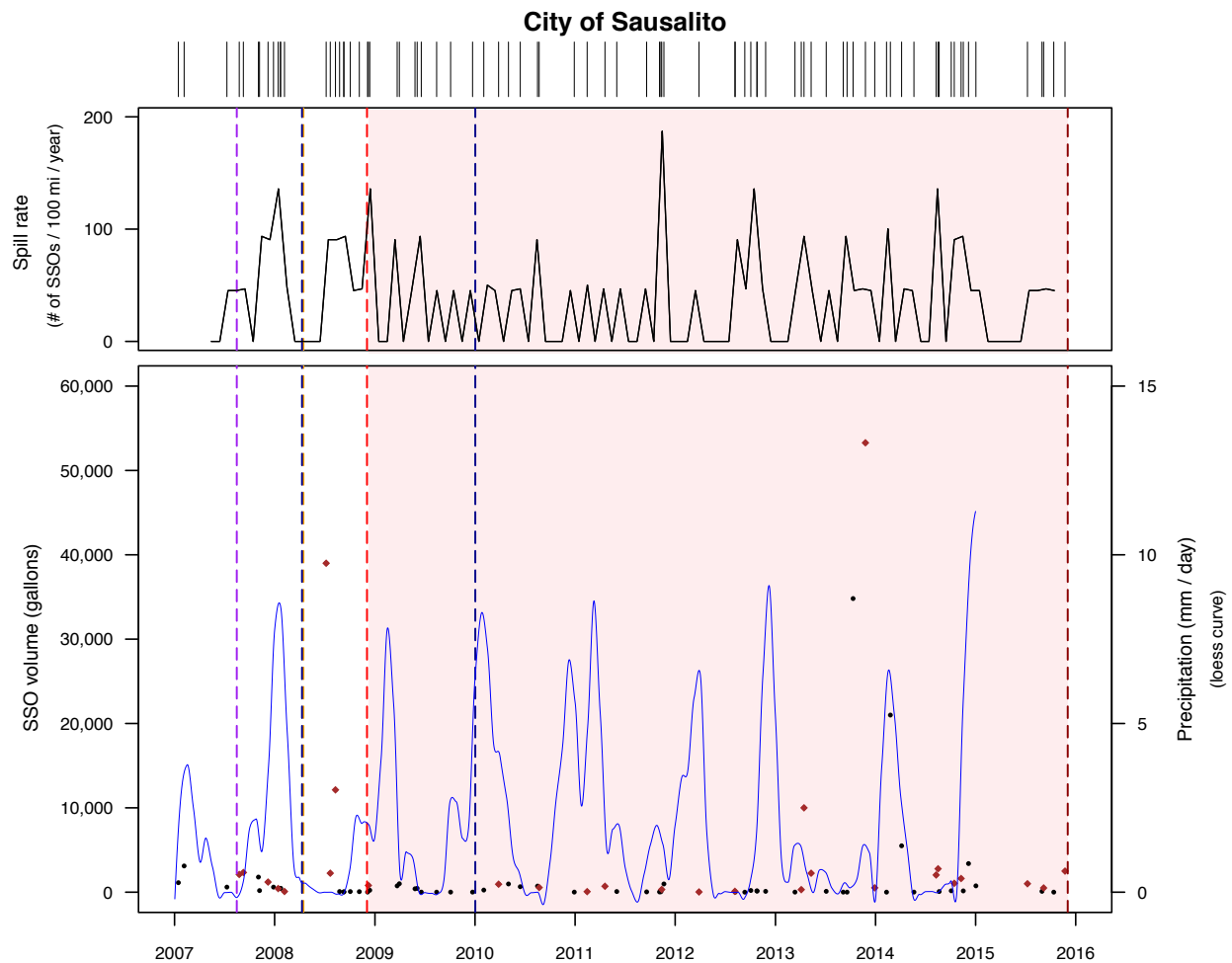
Annual capital expenditure budget: \$997,246

System length: 26 mi (0 mi laterals)

Water crossing(s): 0

Total SSO volume: 216,045 gal (134,472 gal reaching surface water)

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

Injunctive settlement terms

- Field inspection
- Condition rating / assessment
- 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

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

59. Sausalito-Marín City Sanitary District

Lawsuit: *Northern California River Watch v. Sausalito-Marín 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

WDID: 2SSO10189

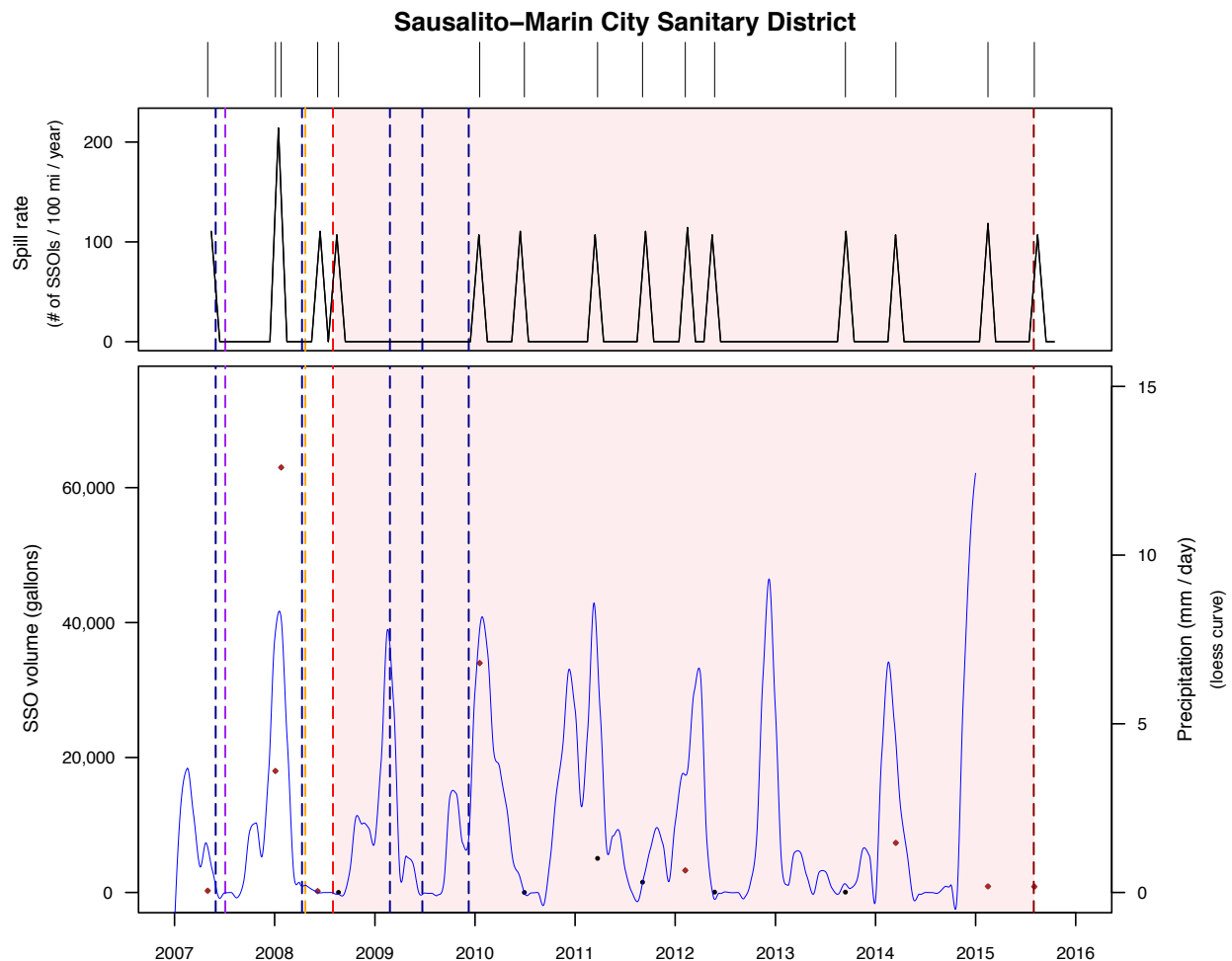
Annual capital expenditure budget: \$2,350,000

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



TIME LINE

5/31/2007	EPA Administrative Order, Docket CWA 309(a)-07-009 (re: SSOs, bypasses, effluent limitations violations, etc.; SSOs from 12/2004 and 11/2006)
7/5/2007	NOI (re: 125 SSOs, continuous exfiltration, effluent limitations violations, and monitoring / reporting violations, from 7/1/2002 to 7/1/2007)
10/5/2007	Initial settlement conference (with satellites: City, Tamalpais CSD, and Golden Gate National Park Service)
4/10/2008	EPA Administrative Order, Docket CWA-309(a)-08-031 against City, District, and Tamalpais CD (re: SSOs from 12/1/2004 to 2/2008)
4/22/2008	Complaint filed
7/21/2008	NOTICE of settlement (mentions not needing court approval, continuing jurisdiction of the Court or review/ approval by US DOJ)
8/1/2008	EFFECTIVE DATE of settlement agreement (date signed by parties)
8/15/2008	Stipulation of dismissal with prejudice; proposed order
8/18/2008	STIPULATION AND ORDER dismissing case
2/23/2009	CAO R2-2009-0010 (for 2/2009 SSO, 720,000 gallons to San Francisco Bay)
6/11/2009	ACL Complaint R2-2009-0043 (settled in R2-2009-0090)
12/9/2009	ACL Order R2-2009-0090 (re: 8/10/2008 SSO and unauthorized discharges of partially treated wastewater from treatment plant; \$258,000; \$119,000 suspended pending completion of SEP (Marine Mammal Center seal rehabilitation ponds))
8/1/2015	EXPECTED TERMINATION DATE of settlement agreement

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

Attorneys' fees and other costs	\$60,000
Settlement compliance monitoring	-
SEP payments	\$40,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$100,000

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: 1SSO10017

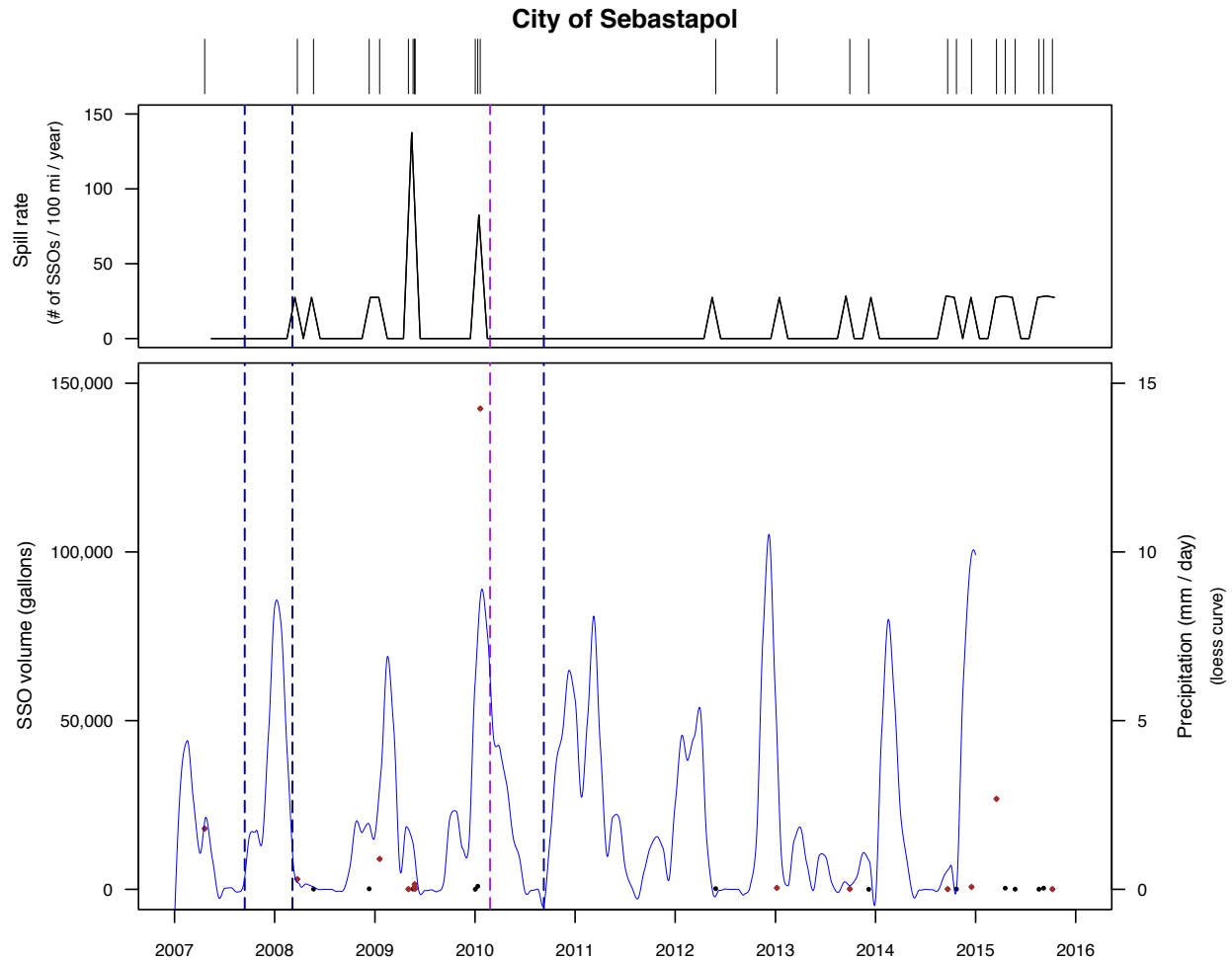
Annual capital expenditure budget: \$345,000

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



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

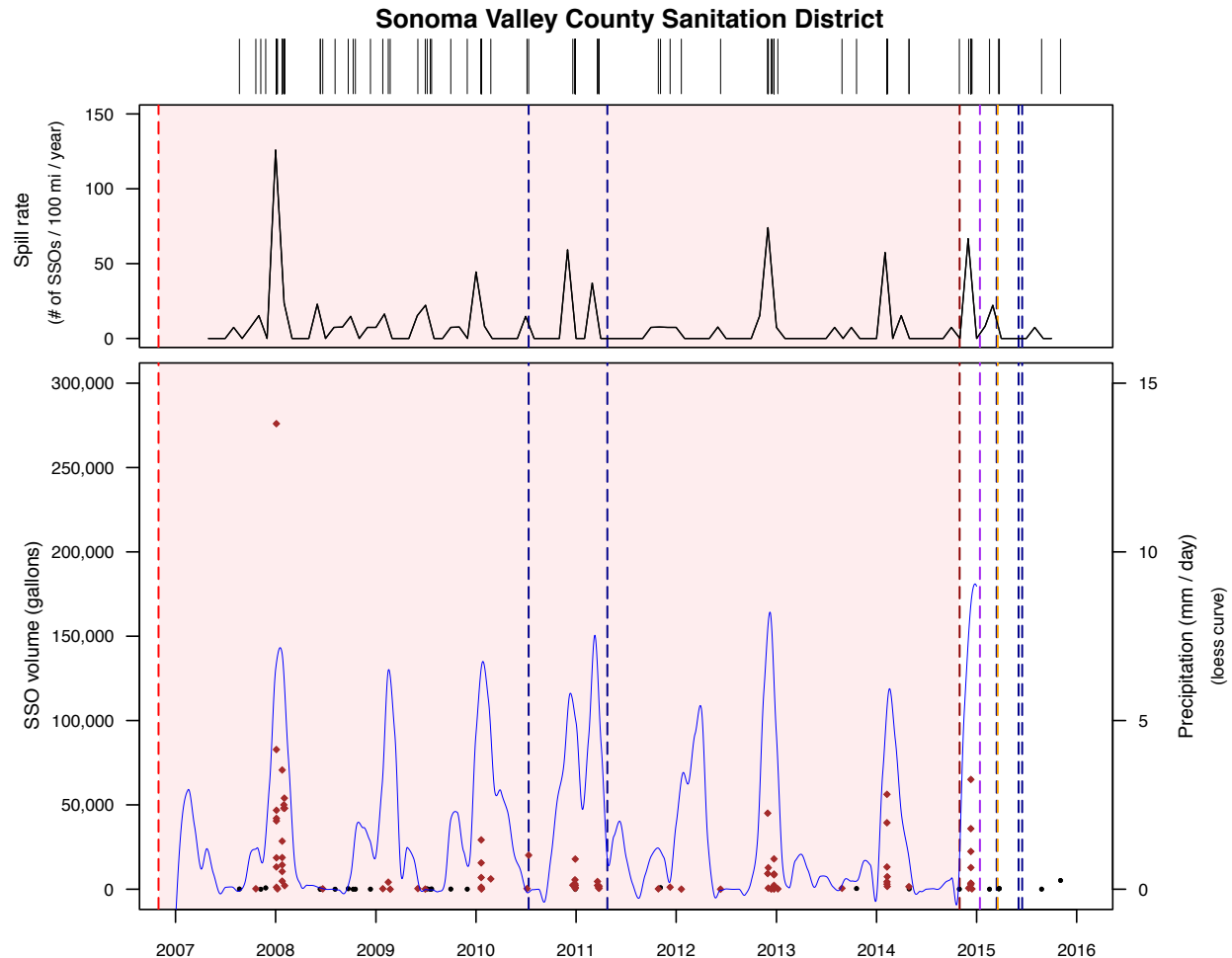
Water crossing(s): 6

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)

11/14/1997 ACL complaint R2-1997-0126 (settled on 2/6/1998)

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

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

4/29/1999 NOV (re: 355,680 gal SSOs during 2/1999)

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 STIPULATION and ORDER dismissing case with prejudice pursuant to Settlement Agreement (entered 4/17/2000)

4/14/2000 EFFECTIVE DATE of settlement agreement

4/14/2001 TERMINATION DATE of settlement agreement

7/10/2001 ACL Complaint R2-2001-0020A (re: effluent limitations violations and SSOs totaling 271,200 gal in 2/2000, 5/30/2000, and 12/12/2000; \$160,500; \$68,500 suspended pending completion of SEP (Historical Hydrology and Ecology of Lower Non-tidal Sonoma Valley))

3/06/2006 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

3/6/2006 ORDER relating 3:05-cv-03749 and 3:97-cv-04263

3/14/2006 ORDER referring case to private ADR

3/21/2006 2nd Supplemental NOI (to Agency, District, and addressed also to "Does")

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; \$365,00 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

6/4/2015 ACL Order R2-2015-1008 adopted

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)

Attorneys' fees and other costs	\$135,091
Settlement compliance monitoring	-
SEP payments	\$83,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$218,091

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)

Attorneys' fees and other costs	\$150,000
Settlement compliance monitoring	-
SEP payments	\$75,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$225,000

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.)

Region: 2

Annual O&M budget: \$22,600,000

Population served: 65,000

Lateral connection(s): 15,000

Total # SSOs: 124 (19 reaching surface water)

Overall spill rate: 7.4 (1.1) SSOs/100 mi/yr

WDID: 2SSO10115

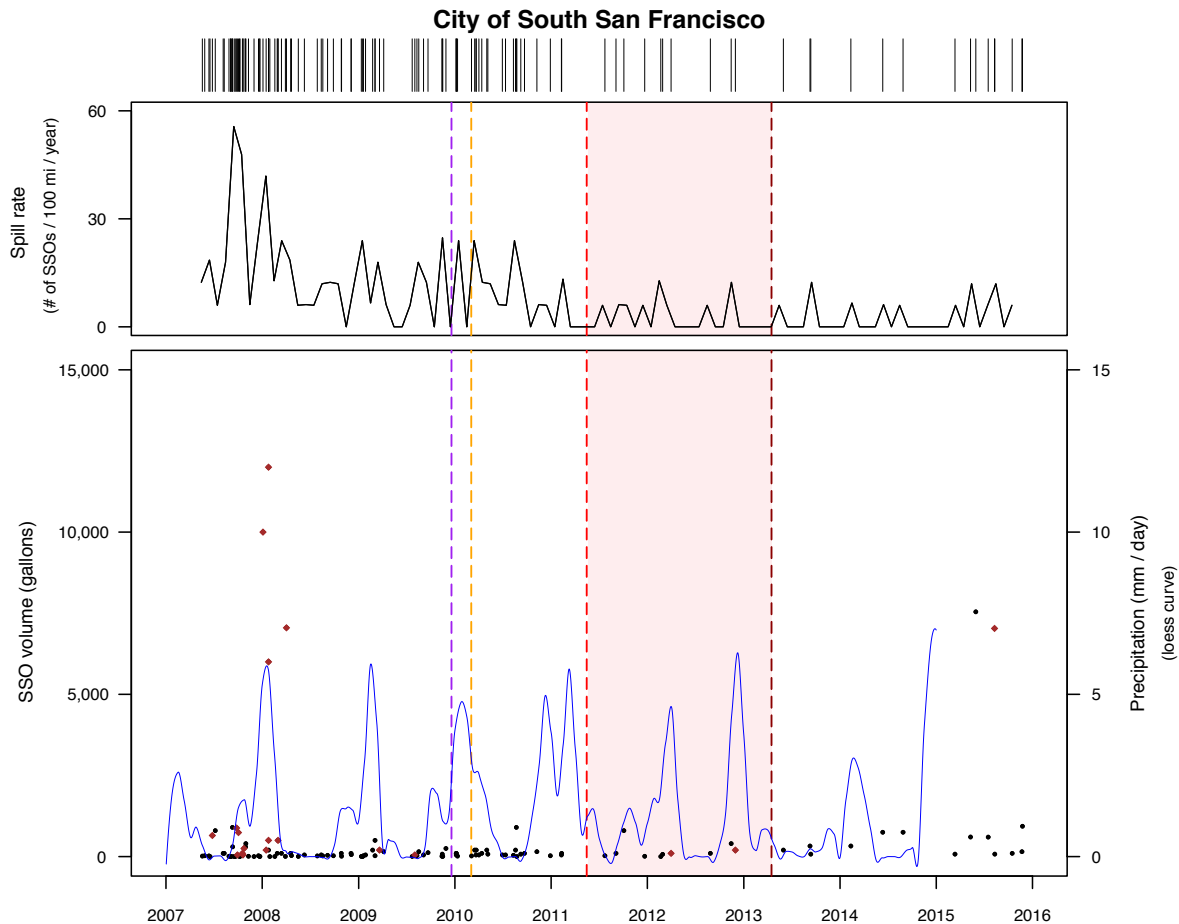
Annual capital expenditure budget: \$10,900,000

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



TIME LINE

8/20/1997	CDO R2-1997-0104
4/17/2006	ACL Complaint R2-2006-0012 (re: 147 SSOs totaling > 1.9 million gallons, from 5/1/2003 to 3/1/2006; \$516,000; \$484,000 suspended pending completion of SEPs (private sewer lateral grants, education, and outreach; update Stormwater and Sewer Science curriculum to include infiltration and inflow; perform flow monitoring twice yearly)
12/19/2009	NOI (re: > 100 SSOs (including > 50 to the MS4 or directly to surface waters), and MS4 permit violations, from 12/19/2004 to 12/19/2009)
3/4/2010	Complaint filed
5/7/2010	Answer filed
6/2/2010	STIPULATION AND ORDER referring case to mediation
3/15/2011	Consent decree signed by parties
3/17/2011	Letter re entering Consent Decree; proposed consent decree order
5/12/2011	US DOJ letter (no objection)
5/13/2011	CONSENT DECREE ORDER (entered 5/16/2011)
5/16/2011	EFFECTIVE DATE of consent decree (date entered)
7/12/2012	STATUS REPORT from Rose Foundation
4/5/2013	JOINT MOTION for termination of consent decree
4/16/2013	ORDER granting joint motion for termination of consent decree
4/16/2013	EARLY TERMINATION of consent decree

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: 5SSO11433

Annual O&M budget: \$11,411,385

Population served: 291,707

Lateral connection(s): 83,541

Total # SSOs: 1,453 (34 reaching surface water)

Overall spill rate: 12.1 (0.3) SSOs/100 mi/yr

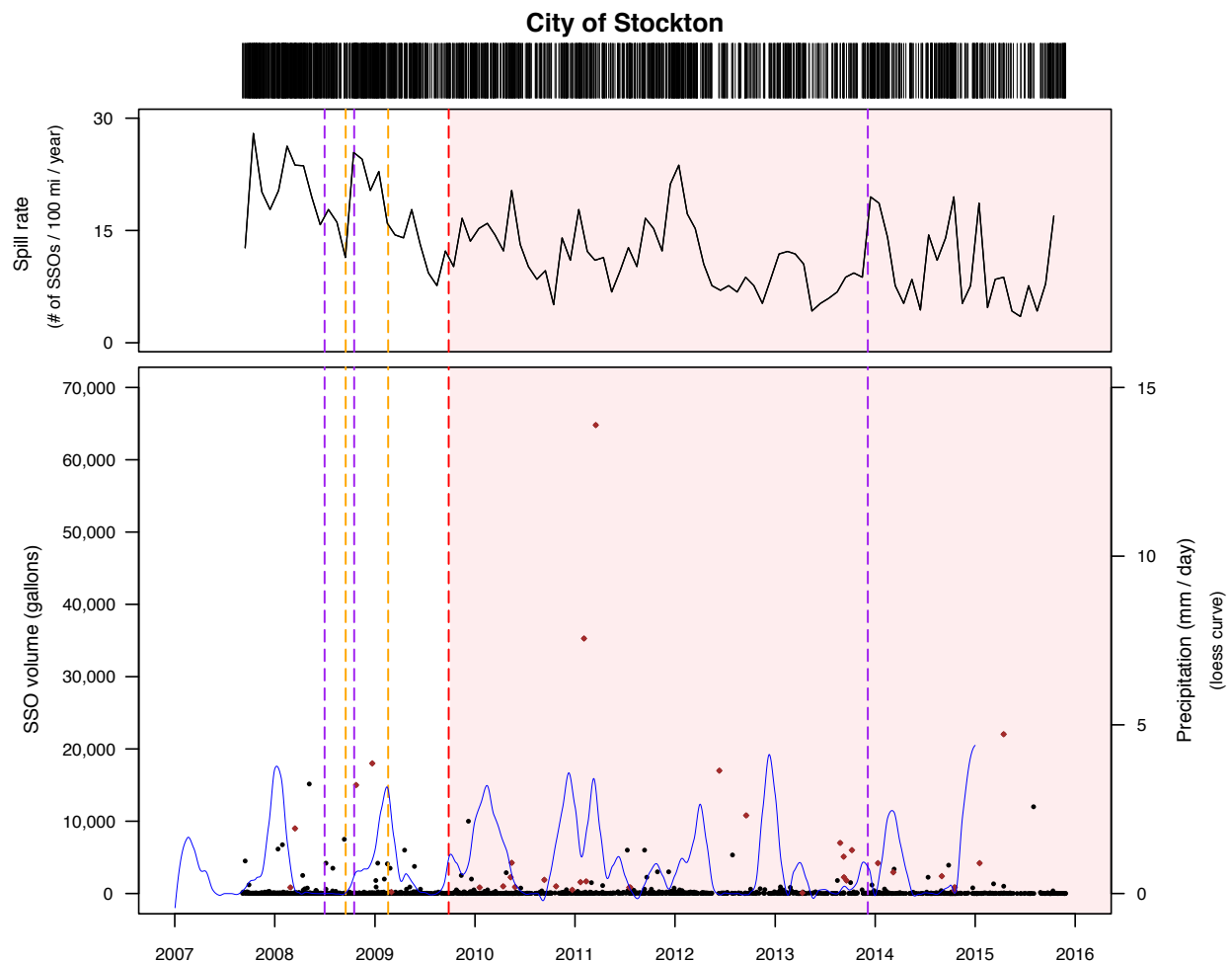
Annual capital expenditure budget: \$14,816,700

System length: 1,468.30 mi (554 mi laterals)

Water crossing(s): 108

Total SSO volume: 483,486 gal (195,569 gal reaching surface water)

Overall spill volume rate: 203 (82) gal/1000 capita/yr



TIME LINE

[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)

3/16/2009 Defendant filed 3rd party complaint against OMI/Thames Water Stockton, Inc.
5/11/2009 MINUTES -- Parties represent that the case has settled, and that they will be filing a proposed consent decree
5/12/2009 ORDER requiring parties to provide court with proposed consent decree or status update within 4 weeks (entered 5/13/2009)
5/13/2009 ORDER unrelating case 2:09-cv-466
6/17/2009 ORDER -- the parties have informed the court that settlement is imminent, submit notice of tentative settlement or further report by 6/26/2009
7/9/2009 ORDER -- Pursuant to the parties' request, the parties SHALL file, no later than July 17, 2009, either a notice of settlement or a status report explaining why the City Council did not approve the settlement.
8/4/2009 Consent decree signed by parties
9/25/2009 US DOJ letter (concern that mitigation payment could be used to fund lobbying)
9/27/2009 EFFECTIVE DATE of consent decree (45 days after US DOJ receipt)
9/30/2009 ORDER approving and entering consent decree (over US DOJ's limited objection re Mitigation payment) (entered 10/1/2009)
7/10/2012 NOTICE of automatic stay by City (re bankruptcy)
9/27/2016 EXPECTED TERMINATION DATE of consent decree (unless SSO Reduction Performance Standard not met)

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)
2/25/2010 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
12/1/2018 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)

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)

Attorneys' fees and other costs	\$250,000
Settlement compliance monitoring	\$15,000
SEP payments	\$300,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$565,000

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

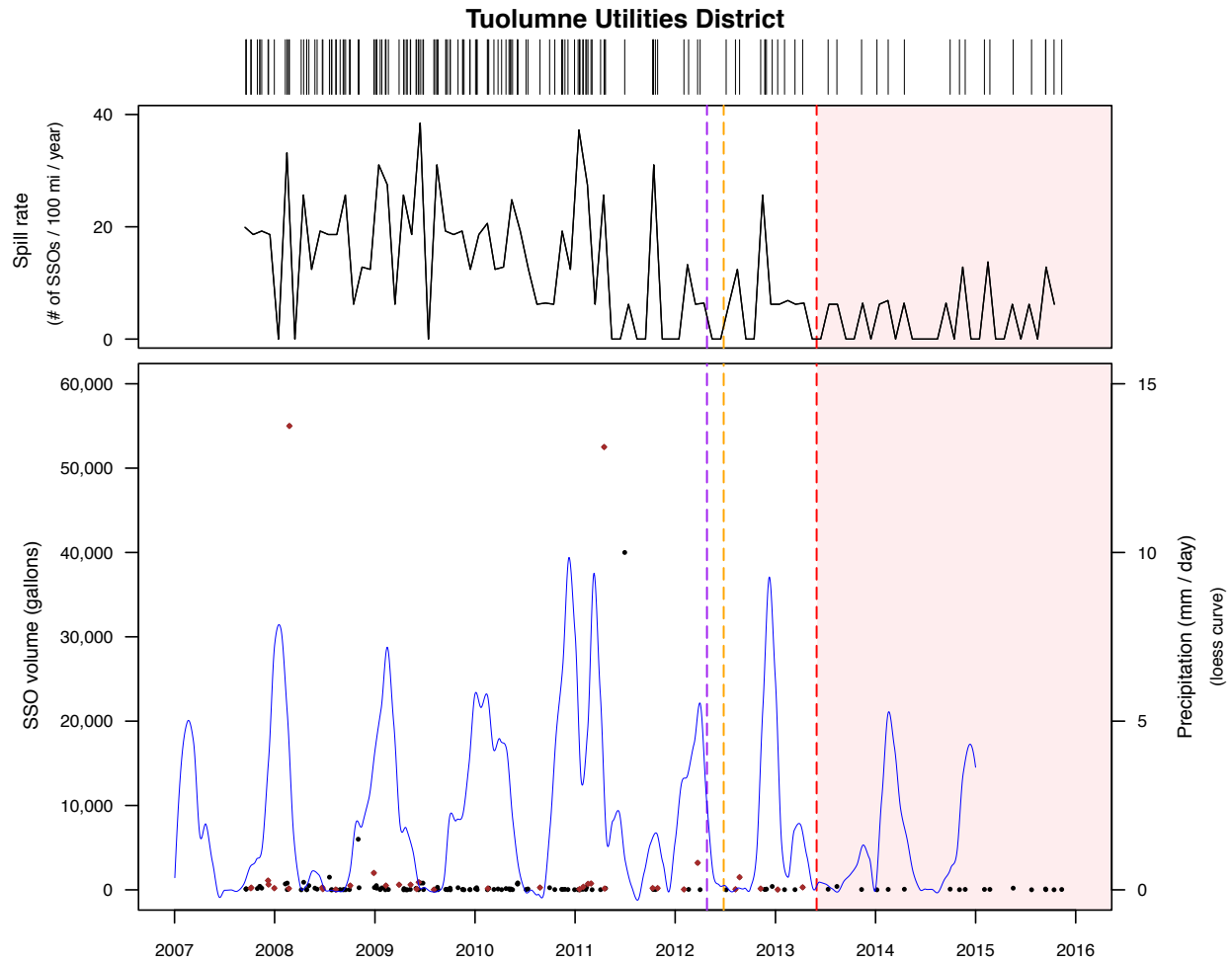
Annual capital expenditure budget: \$670,000

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 DECREE signed and entered
- 5/31/2021** EXPECTED TERMINATION DATE of consent decree

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

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:** 9SSO10710

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

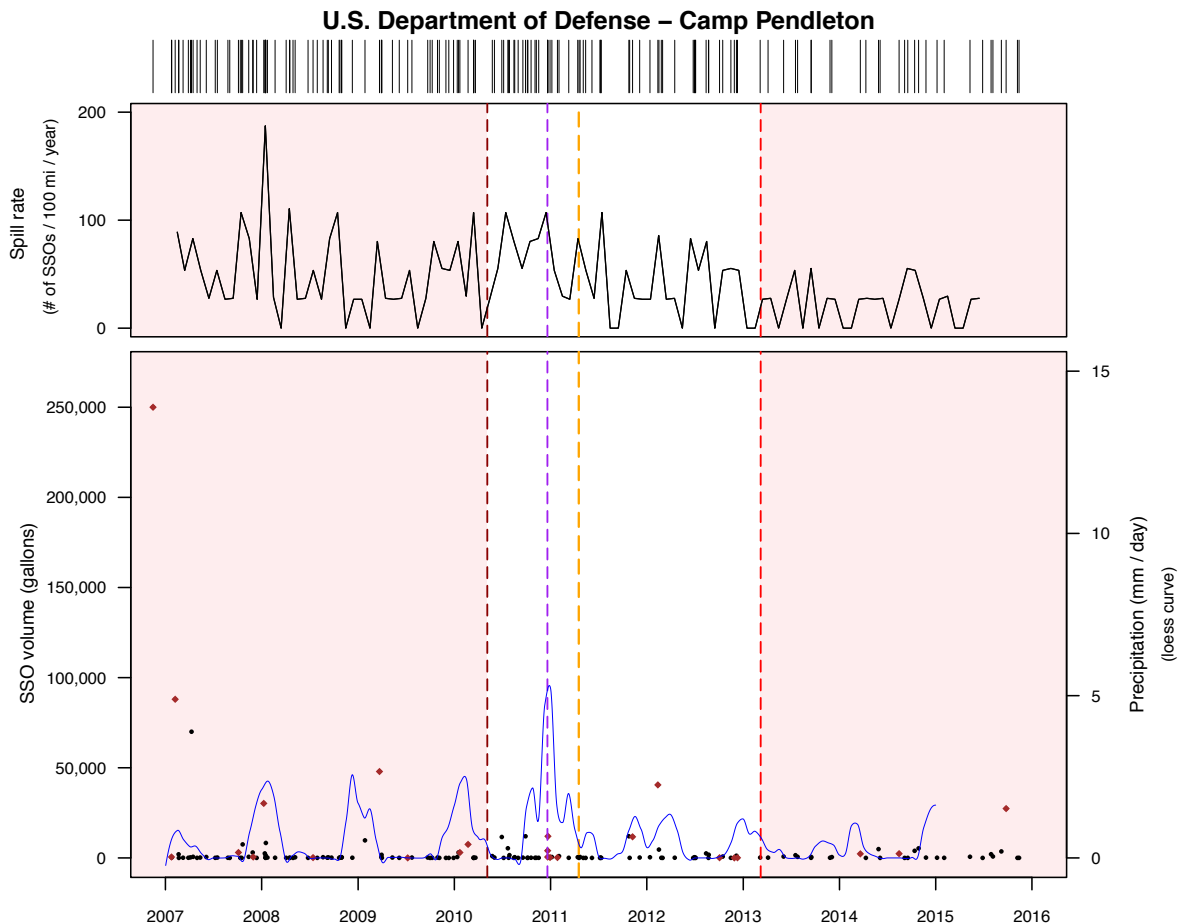
Annual capital expenditure budget: \$5,500,000

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



TIME LINE

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

- 11/17/2001** NOI (re: 35 SSOs, effluent limitations violations, and monitoring / reporting violations, from 8/1/1996 to 11/17/2001)
- 3/15/2002** Complaint filed
- 9/11/2002** Answer filed
- 3/16/2003** Notice of lodging of proposed consent decree (by defendants)
- 6/12/2003** Advisory of Federal Register Notice (by defendants)
- 7/29/2003** Consent decree signed by parties
- 8/4/2003** Joint motion for entry of consent decree (nunc pro tunc 7/31/2003)
- 8/6/2003** 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)
- 8/7/2003** EFFECTIVE DATE of consent decree
- 2/7/2005** Joint motion for Incorporation of Compliance of Schedule into Section V.B.2 of the Consent Decree
- 2/16/2005** ORDER re Joint Motion for Incorporation of Compliance of Schedule into Section V.B.2 of the Consent Decree (entered 2/18/2005)
- 4/5/2005** 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**)
- 3/8/2010** Motion to dismiss case with prejudice and terminate consent decree by defendants
- 5/6/2010** ORDER granting motion to dismiss and terminate consent decree
- 5/6/2010** TERMINATION DATE of consent decree
- 6/24/2010** Motion for entry of judgment by Baykeeper
- 6/24/2010** 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.
- 7/6/2010** Motion for Attorney Fees, Expert Witness Fees and Other Expenses by Divers Against Polluters
- 8/9/2010** 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.
- 8/18/2010** MOTION for Entry of Amended Judgment by plaintiffs
- 8/24/2010** 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.

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

- 12/20/2010** NOI (re: 92 SSOs (including 22 reaching surface water and > 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)
- 4/18/2011** Complaint filed
- 11/14/2011** Answer filed
- 5/11/2012** JOINT MOTION to bifurcate liability from remedy
- 5/14/2012** ORDER granting motion for bifurcation (entered 5/15/2012)
- 1/30/2013** MOTION to stay pending finalization of proposed settlement (unopposed), by defendant
- 2/5/2013** ORDER granting motion to extend stay pending US DOJ review and consideration of proposed consent decree
- 2/15/2013** Consent decree signed by parties
- 2/15/2013** JOINT MOTION for signature and entry of proposed consent decree
- 3/8/2013** NOTICE of filing of amended proposed consent decree for court's consideration and signature
- 3/8/2013** CONSENT DECREE ORDER (entered 3/11/2013)
- 3/8/2013** EFFECTIVE DATE of consent decree
- 5/3/2013** JOINT MOTION for extension of time to file for costs and fees
- 1/23/2014** NOTICE, by defendant, that the fee issue has been resolved
- 2/15/2018** EXPECTED TERMINATION DATE consent decree (unless extended or terminated early)

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	?

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

Annual O&M budget: \$608,188

Population served: 16,500

Lateral connection(s): 5,642

Total # SSOs: 28 (9 reaching surface water)

Overall spill rate: 7.5 (2.4) SSOs/100 mi/yr

WDID: 1SSO10074

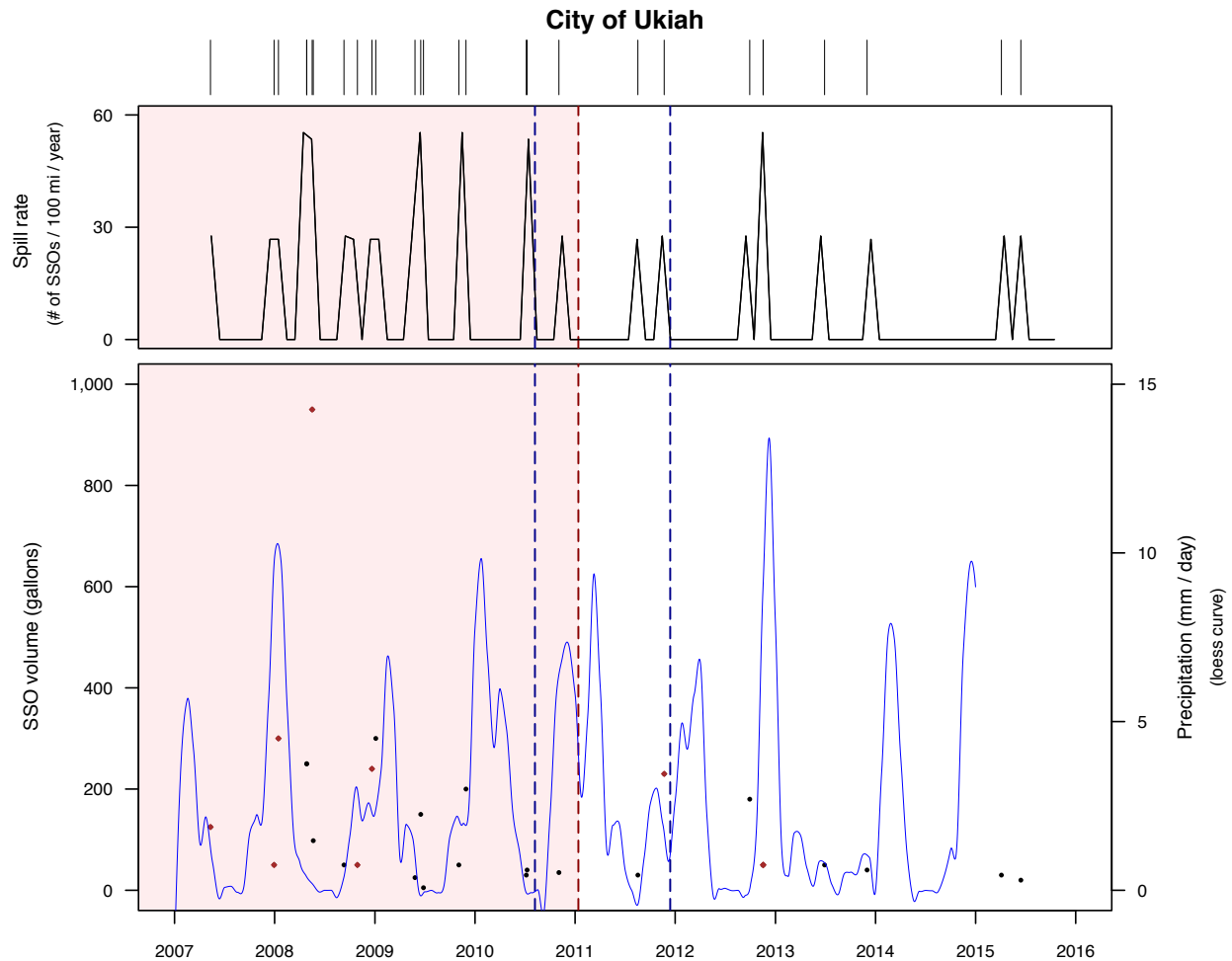
Annual capital expenditure budget: \$1,416,770

System length: 44 mi (0 mi laterals)

Water crossing(s): 18

Total SSO volume: 3,878 gal (1,688 gal reaching surface water)

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 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
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

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

- Private sewer lateral inspection / replacement ordinance
- Provisions related to non-SSO claims
- **SEP:** \$35,000 for healthy watershed human marker study

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

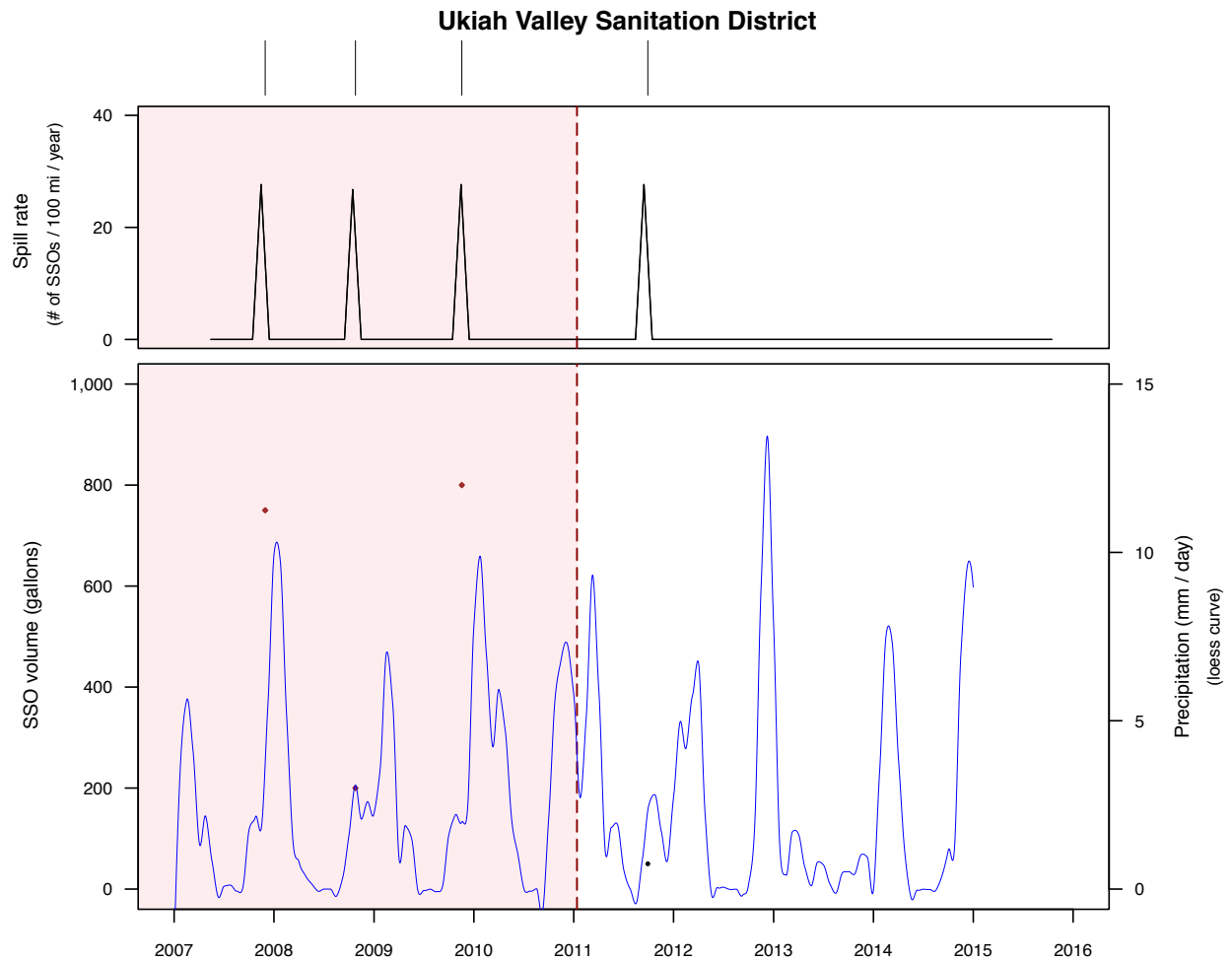
Annual capital expenditure budget: \$0

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



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

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

WDID: 2SSO10212

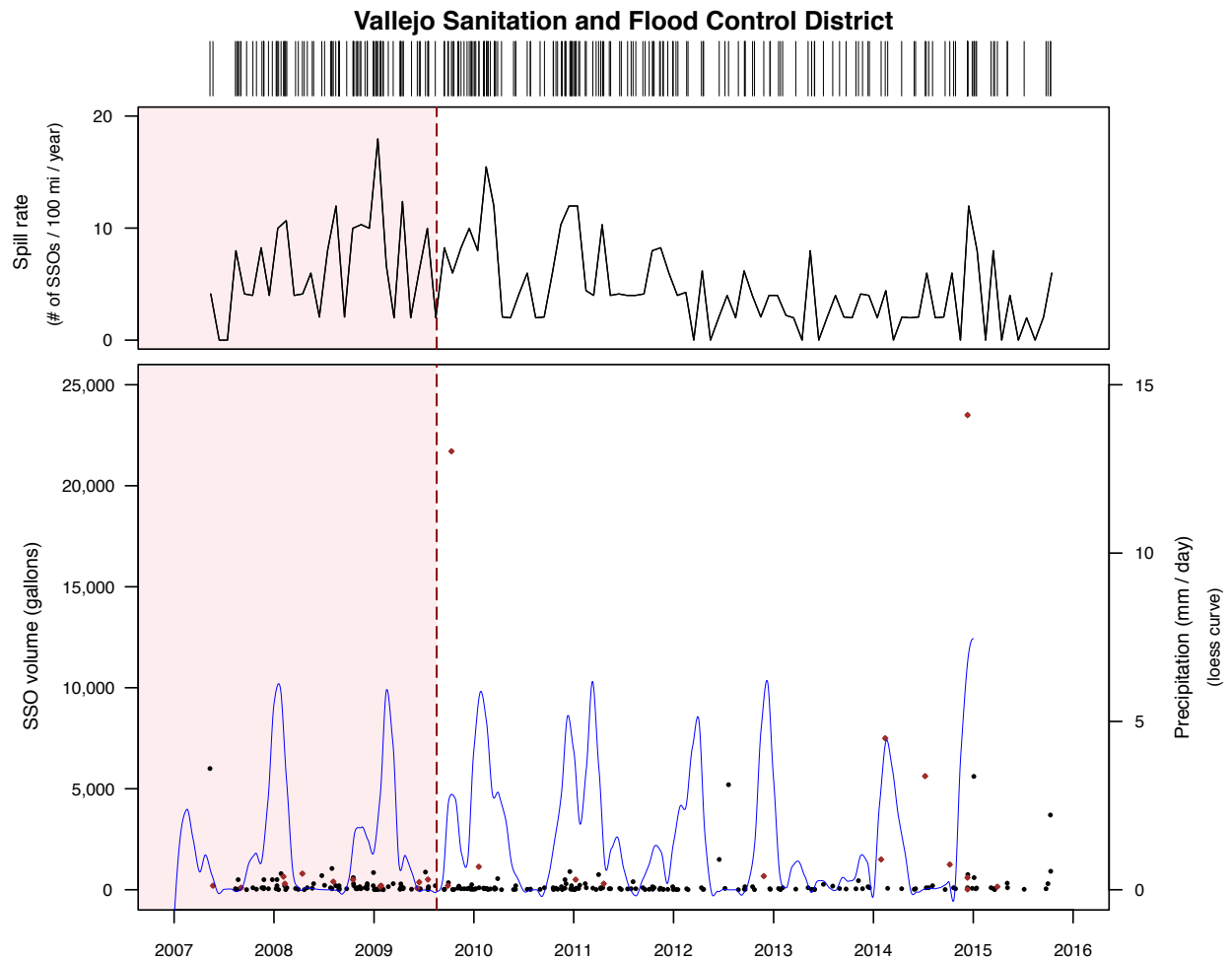
Annual capital expenditure budget: \$2,000,000

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



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

Attorneys' fees and other costs	\$1,035,948
Settlement compliance monitoring	-
SEP payments	\$650,000
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$1,685,948

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

Total # SSOs: 82 (19 reaching surface water)

Overall spill rate: 3.1 (0.7) SSOs/100 mi/yr

WDID: 4SSO11367

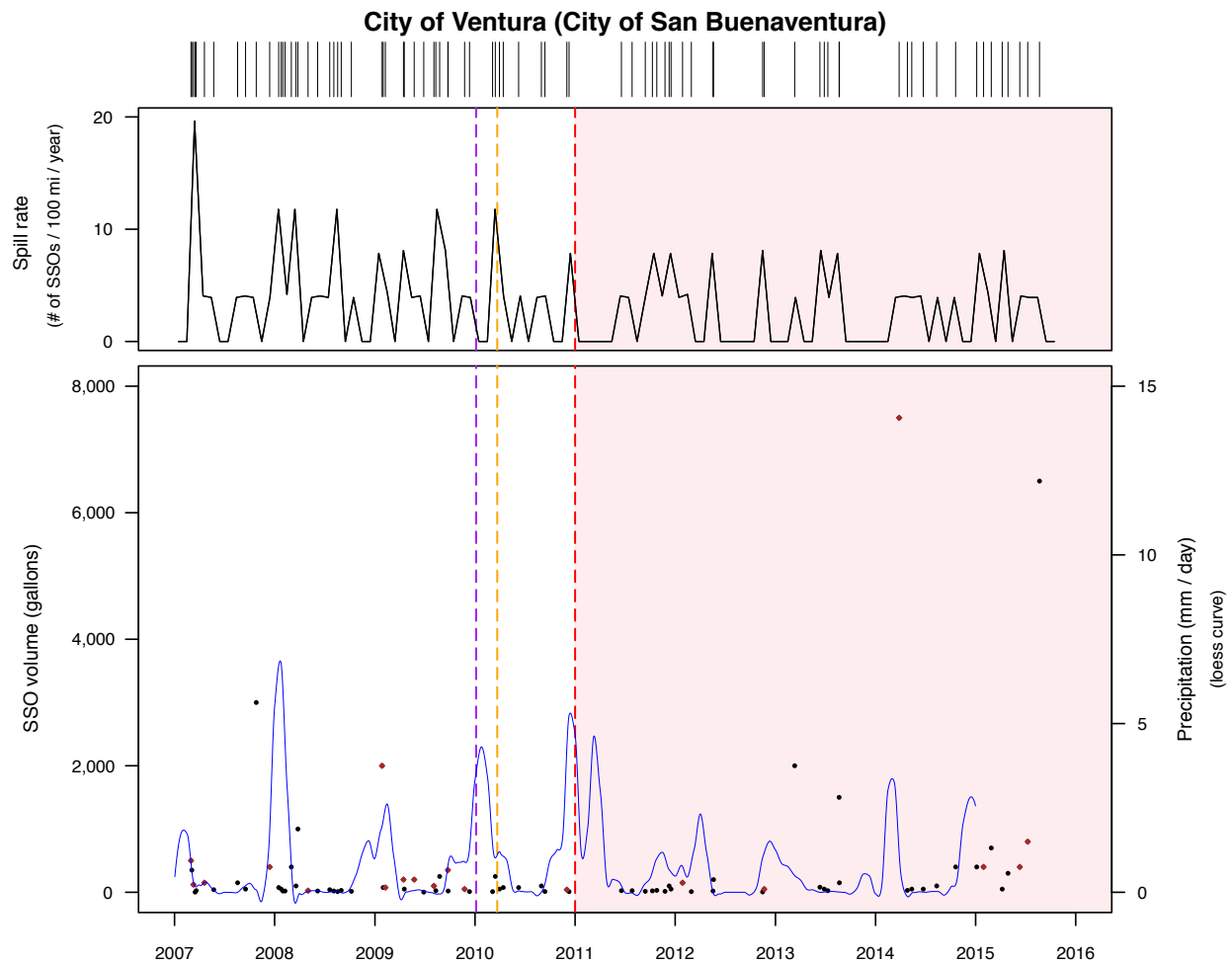
Annual capital expenditure budget: \$19,152,000

System length: 300 mi (0 mi laterals)

Water crossing(s): 1

Total SSO volume: 32,844 gal (9,164 gal reaching surface water)

Overall spill volume rate: 35 (9.8) gal/1000 capita/yr



TIME LINE

9/29/2000	ACL Complaint R4-2000-0122
3/20/2001	ACL Complaint R4-2000-0122R (revised) (re: discharge of secondary treated effluent, effluent limitations violations, and at least 267,400 gallons SSOs from 1/10/1998 to 5/27/2000; \$129,858)
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)
3/27/2012	Request for grant of intervention and entry of consent decree, by plaintiff
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 DECREE 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

Attorneys' fees and other costs	\$170,000
Settlement compliance monitoring	\$60,000
SEP payments	-
Private sewer lateral grant / loan program	-
Civil penalties	-
TOTAL	\$230,000

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

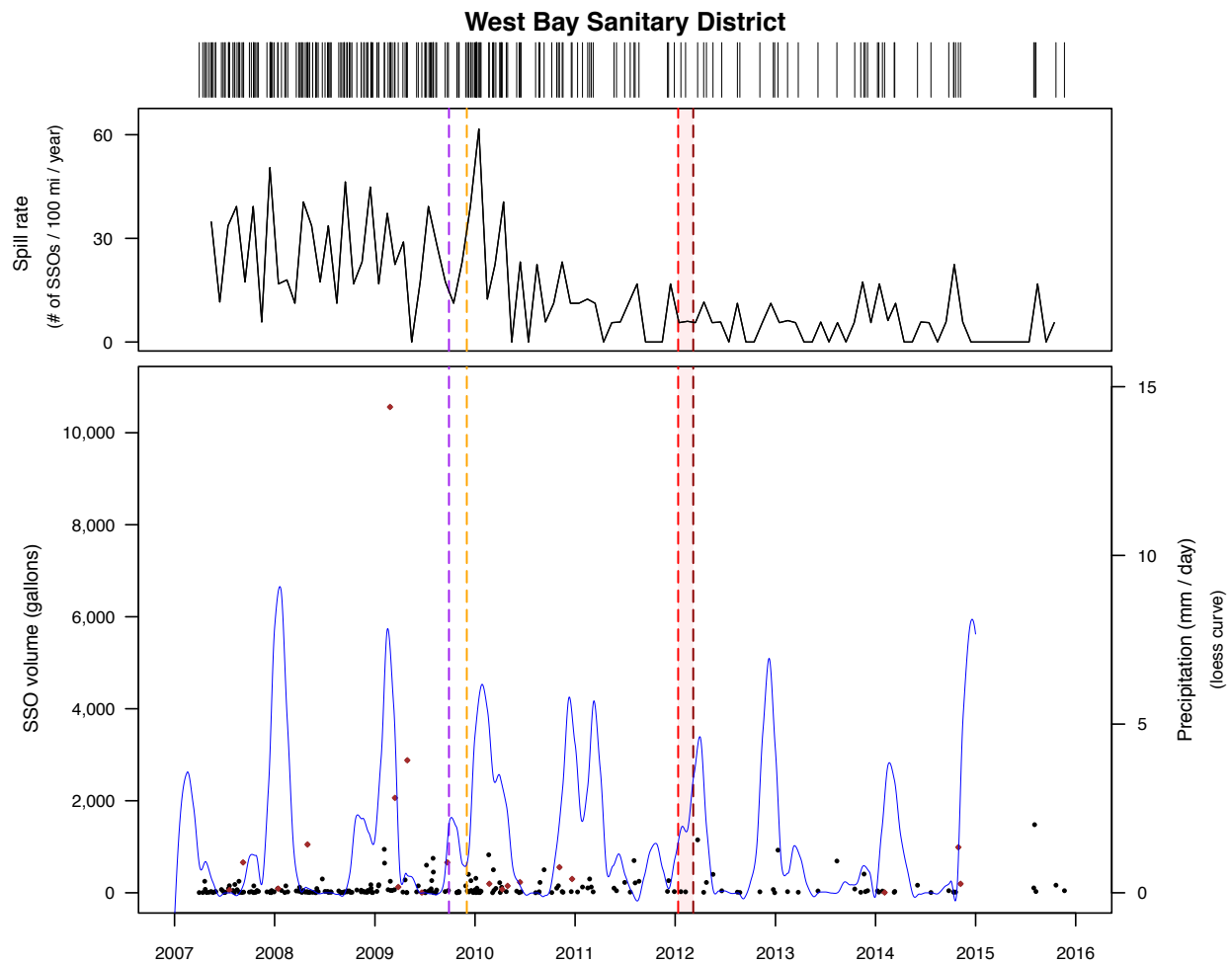
Annual capital expenditure budget: \$5,212,500

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



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
12/15/2010	Amicus Curiae Letter by CASA (dated 12/13/2010)
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)
1/31/2011	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

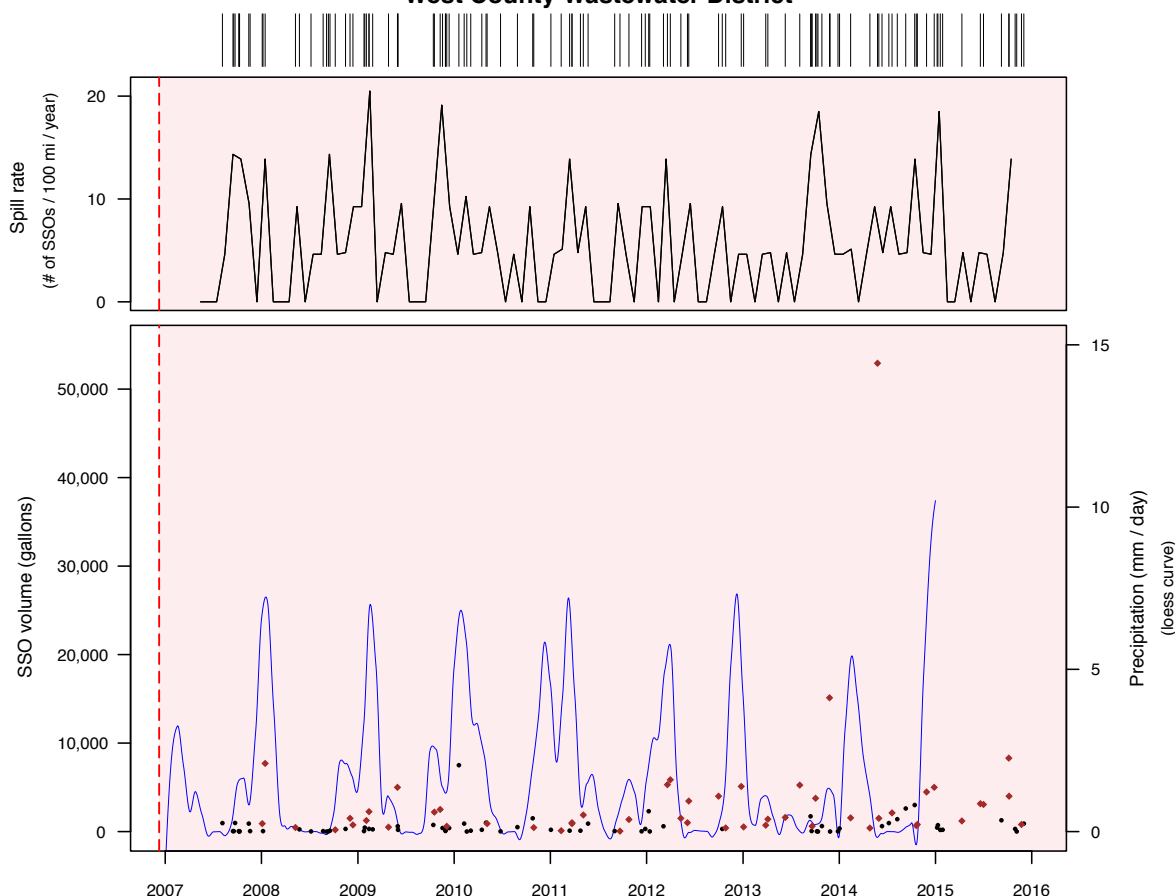
System length: 254.5 mi (0 mi laterals)

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

West County Wastewater District



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)
2/3/2011	Letter from Rose Foundation on disbursement of funds (entered 2/9/2011)
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

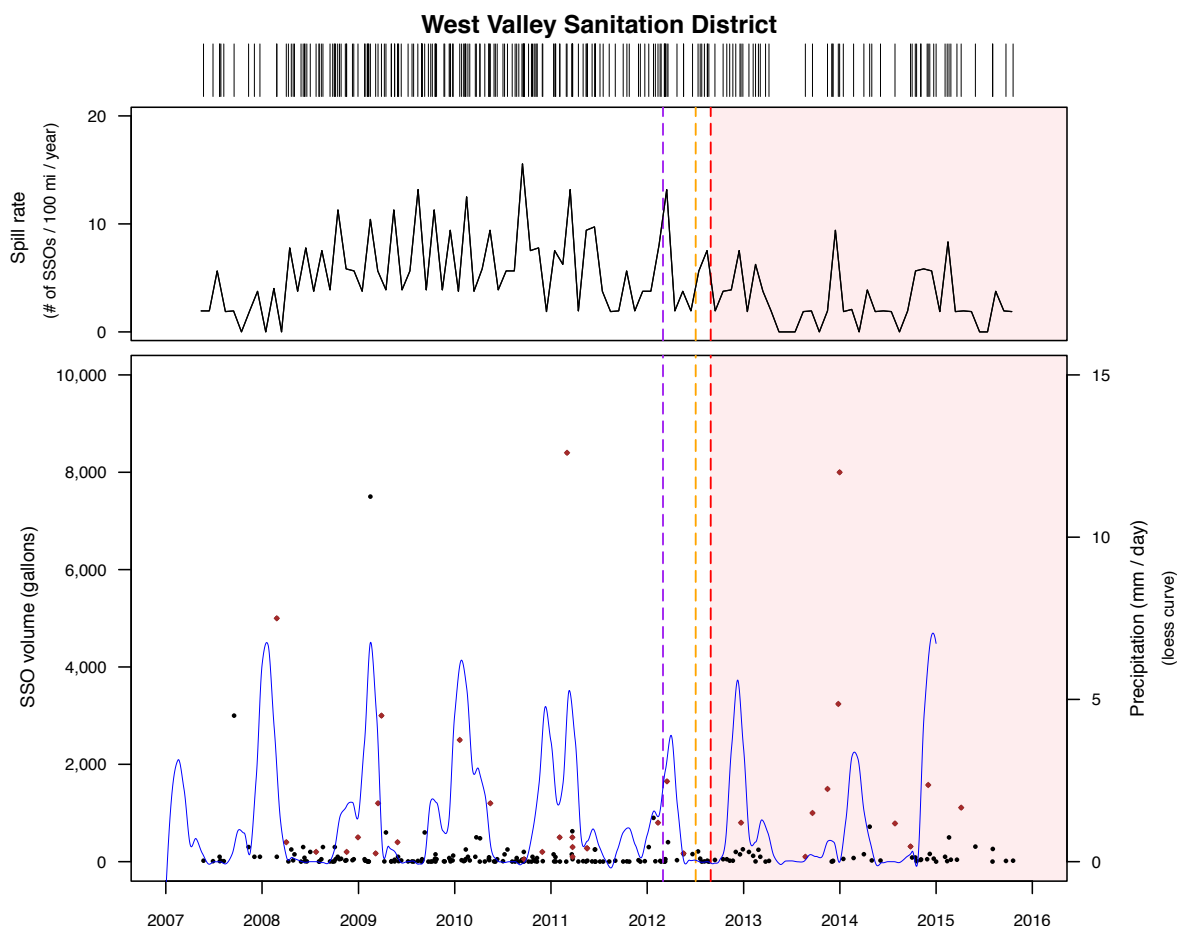
Annual capital expenditure budget: \$4,677,000

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

- 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

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

Region: 4

Annual O&M budget: \$1,477,537

Population served: 87,000

Lateral connection(s): 21,107

Total # SSOs: 250 (78 reaching surface water)

Overall spill rate: 15 (4.5) SSOs/100 mi/yr

WDID: 4SSO10443

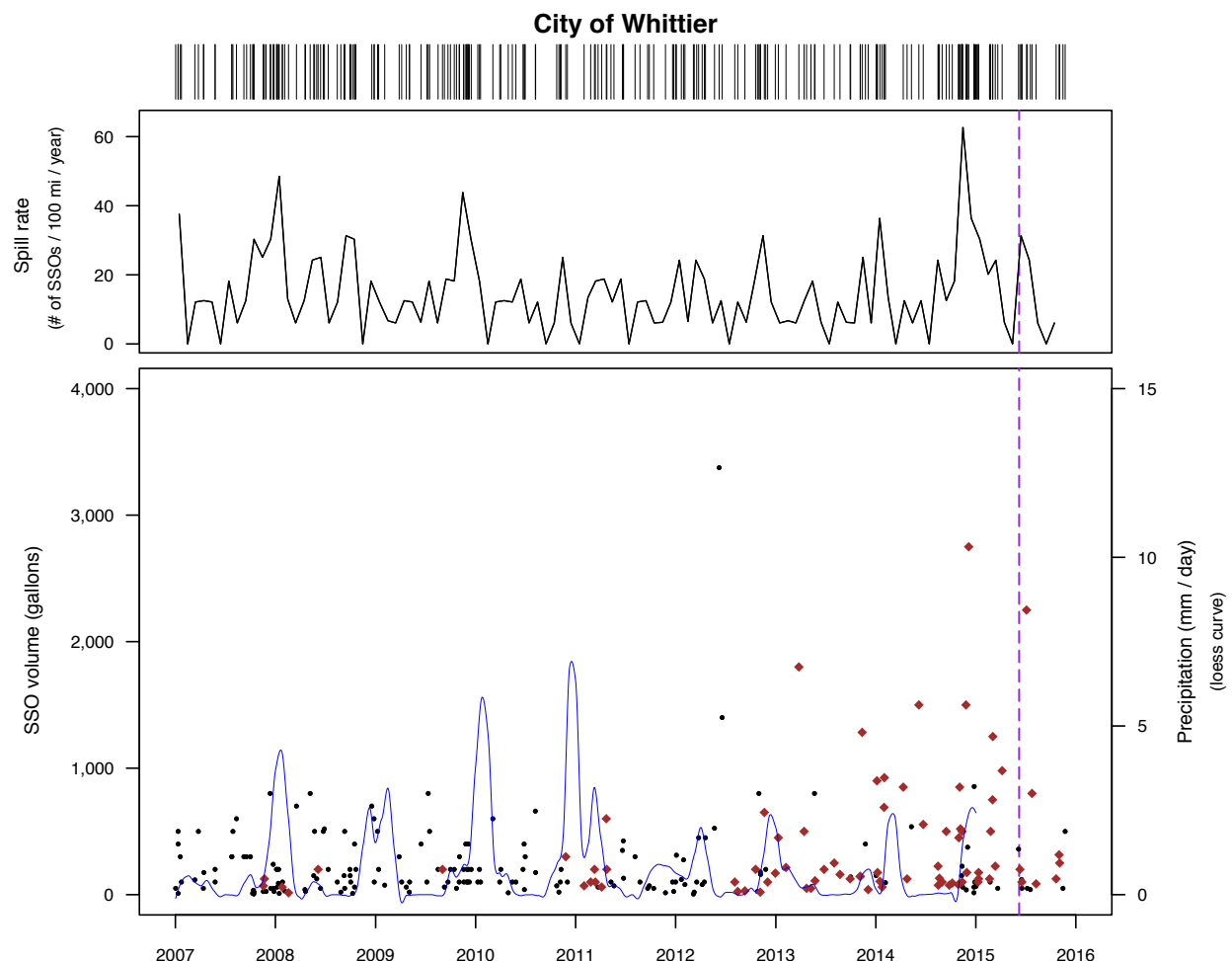
Annual capital expenditure budget: \$2,000,000

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

6/8/2015 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)

8/21/2015 Complaint filed

3/8/2016 Settlement signed by parties

3/8/2016 NOTICE of settlement and pending review by US DOJ, by plaintiff (a copy of the settlement was not included with the filing)

3/9/2016 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

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

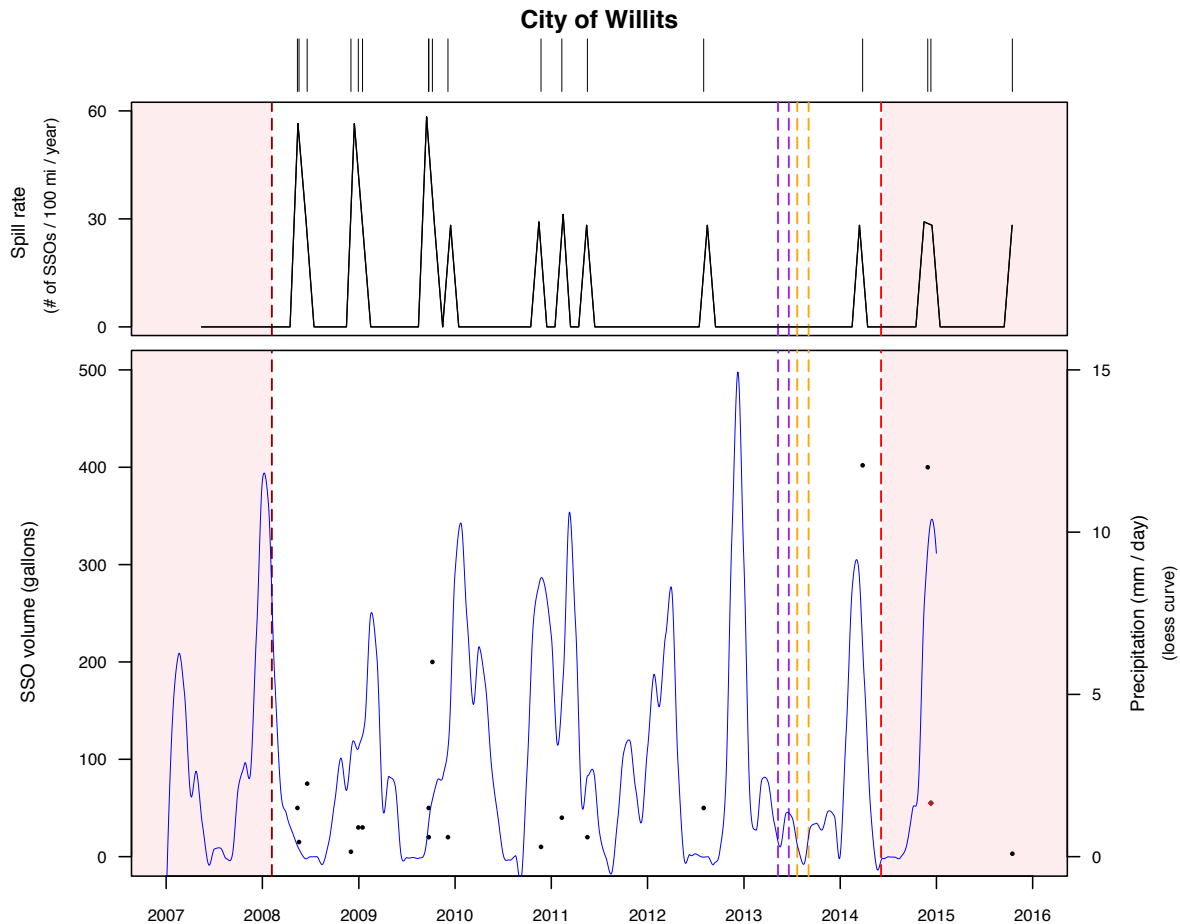
Annual capital expenditure budget: \$0

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



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
- 2/3/2003** CONSENT DECREE AND ORDER dismissing case (entered 2/6/2003)
- 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):

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

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

Population served: 28,569

Lateral connection(s): 8,250

Total # SSOs: 17 (7 reaching surface water)

Overall spill rate: 2.2 (0.9) SSOs/100 mi/yr

WDID: 1SSO10085

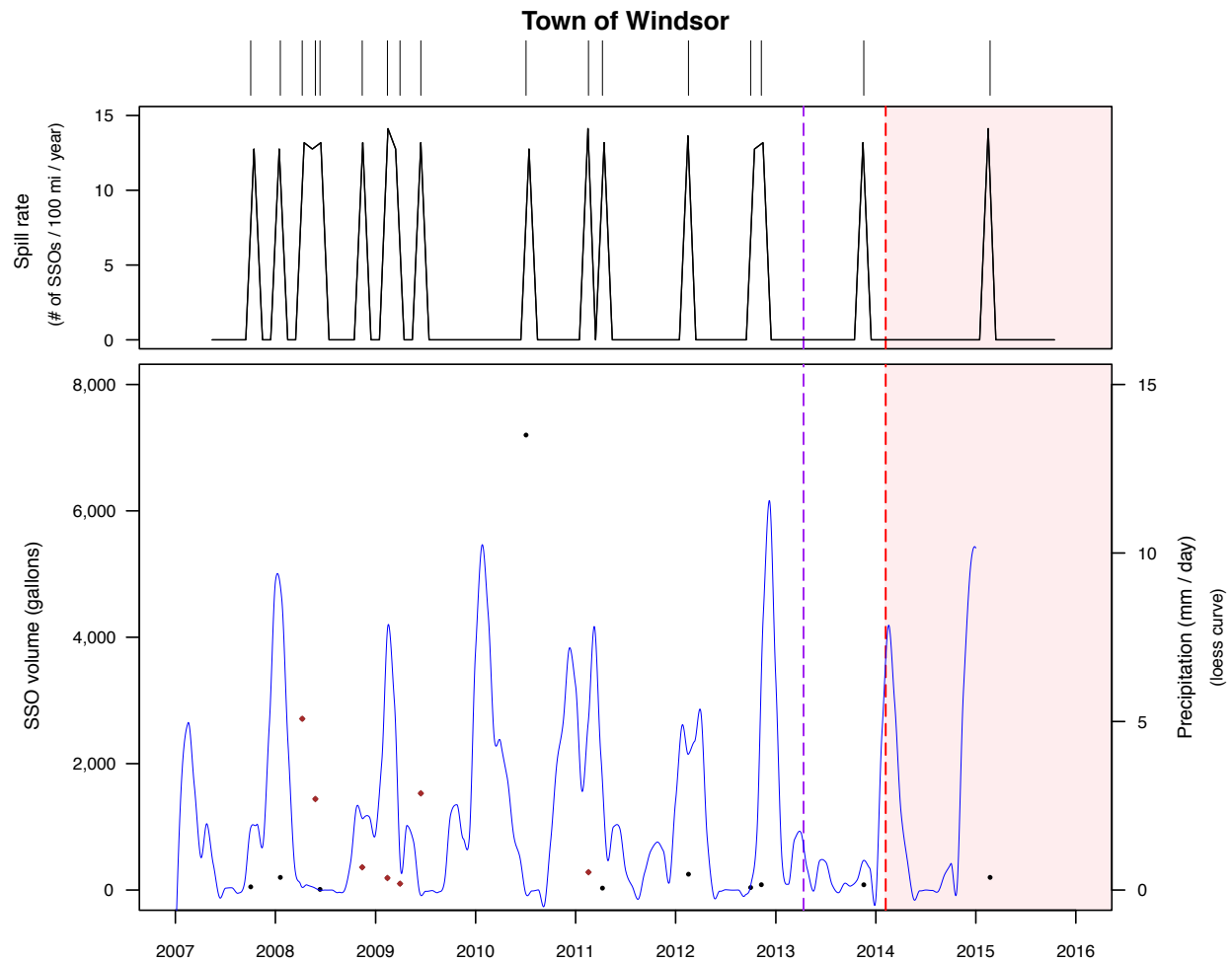
Annual capital expenditure budget: \$873,500

System length: 92.3 mi (0 mi laterals)

Water crossing(s): 0

Total SSO volume: 14,758 gal (4,317 gal reaching surface water)

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

Attorneys' fees and other costs	\$45,000
Settlement compliance monitoring	-
SEP payments	\$11,600
Private sewer lateral grant / loan program	\$30,000
Civil penalties	-
TOTAL	\$86,600

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: 1SSO10086

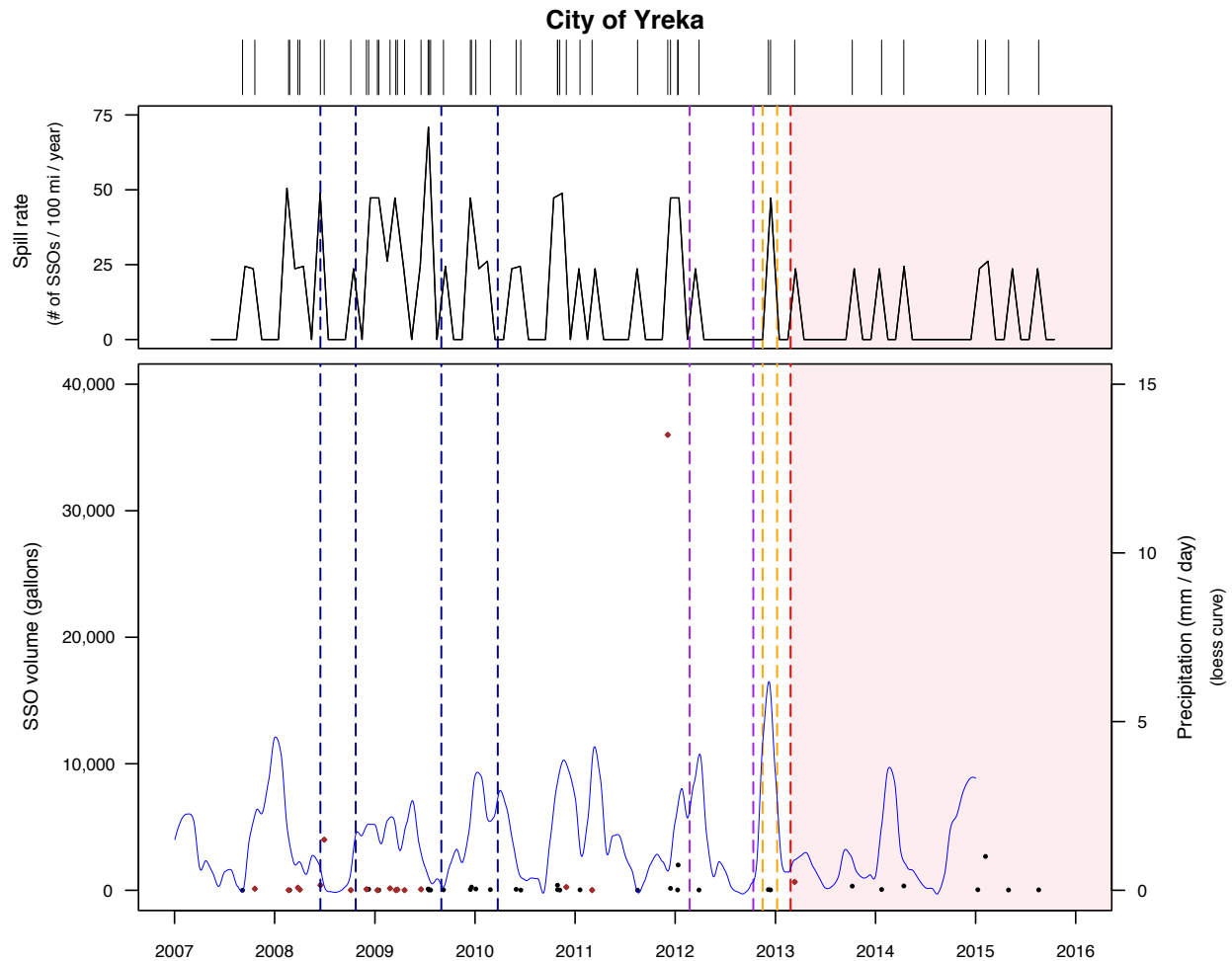
Annual capital expenditure budget: \$4,653,570

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



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