



## News from: City of Oakland

### FOR IMMEDIATE RELEASE

July 28, 2014

## Oakland and Other East Bay Agencies Reach Clean Water Agreement with U.S. Environmental Protection Agency to Protect San Francisco Bay, Local Creeks, Parks and Shorelines

*Oakland, CA* — The City of Oakland, the East Bay Municipal Utility District (EBMUD), and six other East Bay cities have reached an agreement with the U.S. Environmental Protection Agency (EPA) that will significantly update aging sewer infrastructure to prevent sewage overflows and spills into the San Francisco Bay.

#### Media Contacts:

City Attorney's Office  
Alex Katz  
(510) 238-3148

[akatz@oaklandcityattorney.org](mailto:akatz@oaklandcityattorney.org)

Oakland Public Works  
Kristine Shaff  
(510) 238-2966

[kshaff@oaklandnet.com](mailto:kshaff@oaklandnet.com)

The agreement in the form of a Federal Consent Decree with the EPA resolves a lawsuit the EPA and the California State Water Resources Control Board filed against eight East Bay agencies in 2009 to prevent spills into the Bay and local overflows throughout the East Bay region. Oakland and all other parties worked cooperatively to reach an agreement that will protect creeks, parks, shorelines and public health in the East Bay region.

The parties to the agreement include Oakland, EBMUD, the Stege Sanitary District (covering Kensington and parts of El Cerrito), and the cities of Albany, Alameda, Berkeley, Emeryville, and Piedmont.

The Consent Decree was lodged today by the EPA in the U.S. District Court, Northern District of California.

During periods of heavy rainfall, flows have often exceeded the capacity of EBMUD's sewage treatment plant, discharging partially treated sewage into the Bay. Even during normal operations, thousands of miles of aging sewage pipes in Oakland and other cities clog due to grease, roots, and other obstructions, resulting in local overflows of raw sewage. Some of these pipes are more than a century old.

“Although the vehicle for these negotiations was a lawsuit, all parties worked cooperatively to reach our common goal of providing greater protections of the health and welfare of our environment and the citizens of the East Bay,” Oakland City Attorney Barbara J. Parker said. “This agreement does not simply increase repairs to our sewer infrastructure. It also creates jobs, makes Oakland a greener community and helps to secure environmental justice for East Bay residents.”

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Prior to the 2009 lawsuit, Oakland had complied with all EPA regulatory enforcement actions and had begun the work to complete hundreds of millions of dollars in improvements the EPA and State Water Board ordered in the 1980s. Since that time, Oakland, EBMUD, and the neighboring cities have worked together to fix leaky sewer pipes and build wet weather facilities to prevent heavy storms from causing raw sewage overflows into the Bay.

Oakland alone has spent approximately \$300 million to improve its collections system and reduce flows. These joint efforts were successful in reducing discharges of sewage to the Bay. However, the three EBMUD wet weather facilities were unable to meet today's tougher standards for wastewater secondary treatment.

Under terms of the deal, Oakland is expected to spend up to an additional \$13 million each year on sewer infrastructure above the \$52 million it is spending annually now to repair and upgrade the City's sewer system. The agreement also includes payment of a one-time civil penalty of \$850,000 to the EPA. All other defendants also are paying civil penalties.

The work in Oakland will be funded by sewer service fee increases the City Council adopted in 2010, so the agreement's additional spending requirements will not cause budget deficits or service cuts in other areas.

"Thanks to long-range planning, the City has the resources for this extra work and has already budgeted for it," Interim City Administrator Henry Gardner said. "Making this significant investment now will reduce the financial and environmental costs that otherwise would be far greater in the long run."

Under the 22-year term of the Consent Decree, Oakland will be responsible for upgrading 13 miles of sewers per year and substantially increasing regular sewer inspection and maintenance. The agreement also includes an investigation program to identify and disconnect potential direct storm water connections or other sources of major inflow during storms.

The agreement also continues the requirement that private sewer laterals, a major source of flow during storms, be inspected and rehabilitated upon the sale of property or remodeling work that exceeds \$100,000. According to computer modeling, private sewer laterals are responsible for 56 percent of all inflow and infiltration that needs to be corrected to prevent wet weather facility discharges to the Bay.

"We are all connected to the sewer system – residents, businesses, and the City alike," Oakland Public Works Director Brooke A. Levin said. "We all share the same goals, which are to protect the Bay and our communities, and keep them healthy."

For more information, please visit

<http://www2.oaklandnet.com/Government/o/PWA/s/Sewer/ConsentDecree/index.htm>.

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