

**California Regional Water Quality Control Board
San Francisco Bay Region**

RESPONSE TO WRITTEN COMMENTS

On the Tentative Order for
East Bay Municipal Utility District Wet Weather Facilities
Alameda County

The Regional Water Board received a written comment from the East Bay Municipal Utility District on a tentative order distributed for public comment on January 10, 2025. The comment is summarized below in *italics* (paraphrased for brevity) and followed by a staff response. For the full content and context of the comment, please refer to the comment letter. To request a copy of the comment letter, see the contact information provided in Fact Sheet section 7.7 of the Revised Tentative Order.

Revisions are shown with ~~strikethrough~~ for deletions and underline for additions.

Comment

The East Bay Municipal Utility District requests that the Fact Sheet reflect the updated status of the Joint Powers Agreement between the District and the East Bay satellite collection systems. This proposed language reflects the current governance and regional coordination efforts on inflow and infiltration issues.

Response

We agree and added the following language to Fact Sheet section 2.5.6:

Joint Powers Agreement. To address inflow and infiltration problems in the East Bay Communities' wastewater collection systems, on February 13, 1979, the East Bay Communities and the Discharger entered into a Joint Powers Agreement under which the Discharger served as administrative lead agency to conduct the East Bay Inflow and Infiltration Study. The Joint Powers Agreement was amended on January 17, 1986, to designate the Discharger as the lead agency during the initial five-year implementation phase of the East Bay Inflow and Infiltration Study recommendations. The amended Joint Powers Agreement also delegated authority to the Discharger to apply for and administer grant funds, to award contracts for mutually agreed upon wet weather programs, and to perform other related tasks. Programs developed under the Joint Powers Agreement were directed by a Technical Advisory Board composed of one voting representative from each of the East Bay Communities and the Discharger. In addition, one non-voting staff member of the Regional Water Board, the State Water Board, and U.S. EPA were invited to participate.

On April 17, 2019, the Discharger and the cities of Alameda, Albany, Berkeley, Emeryville, and Piedmont, and the Stege Sanitary District, formed the Collection Systems Technical Advisory Committee to continue

to address inflow and infiltration in the East Bay Communities' wastewater collection systems. The committee replaced and superseded the Joint Powers Agreement and helps member agencies (1) coordinate on engineering, consulting, and legal services for the development, preparation and implementation of studies, reports and projects to address regulatory requirements; (2) jointly fund efforts related to the regional system for wastewater collection and transmission, which may include payment for the East Bay Communities' fats, oils and grease (FOG) services and agreed upon professional consultant services; and (3) facilitate information flow among the agencies, including the filing of joint reports.