Clean Water Act
Consent Decree
Community Engagement

Georgia State University College of Law
Choyce Garcia and James Wickens
Agenda

• Overview of Task
• Overview of Consent Decree
• Community Background
• Community Engagement
Overview

• Gaining a better understanding of the consent decree and its amendments.
• Helping the Proctor Creek Stewardship Council understand the timeline of events that were required under the consent decree and its amendments.
• Coordinating with the Proctor Creek Stewardship Council along with the EPA to help better understand the extension of the first amended consent decree.
The EPA, EPD, and the Upper Chattahoochee Riverkeeper sued the City of Atlanta for violation of the Clean Water Act (33 U.S.C. § 1251 et seq.).

The consent decree was put in place as a settlement to the lawsuit. The consent decree commits the city to an accelerated program of remediation activities.

- Specifically, the consent decree directed the City of Atlanta to develop and implement a solution that would end water quality violations by 2007.
Consent Decree: Timeline

• 1998 – Consent Decree was signed in September to settle the lawsuit and end water quality violations from combined sewer overflows (CSOs) by 2007.

• 1999 – First Amended Consent Decree (FACD) was signed in December to deal with water quality violations from sanitary sewer overflows (SSOs).

• 2003 – Amendment to the FACD to allow substitution of certain projects required under the FACD

• 2012 – Second Amendment to the FACD extending deadlines.
Consent Decree: Combined Sewer Systems

- CSO Example
Consent Decree: Sanitary Sewer Overflows

What are “SSOs”?
Community:
English Avenue and Vine City

• English Avenue and Vine City are two closely-related historic neighborhoods located just west of the Arena District in downtown Atlanta.

• Once a center of the Civil Rights movement, the area was hard hit by the effects of suburbanization and the foreclosure crisis.
Community:
English Avenue and Vine City
The Vine City and English Avenue neighborhoods are on the lowest priority level for the SSO Consent Decree Remedial Projects (deadline extended to 2026, 2027).

Different areas of the city were grouped together and work is to be completed on a “worst-comes-first” model: By prioritizing by remediation need, the City can use its resources more effectively and target specific and comprehensive consecutive remedial projects.

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Community

Perception

• Acknowledge the Difference in Points of View
  • To residents of Vine City, the Consent Decree extension seems to indicate no sense of emergency from the City’s point of view;
    • The City explains the extension on budgetary grounds.
  • Meanwhile, the residents of Vine City experience what they perceive as emergency conditions every time the city receives substantial rainfall.
Engagement: Improving Communication

- Relate to communities as equals/partners in the process
  - Best practice is to avoid relating to community as an obstacle to be managed.

- Routine Involvement
  - Procter Creek Stewardship Council monthly meetings
  - Ask questions as well as observe
    - Engage in the process-as-partnership
    - Minimize adversarial dynamics
Engagement: Improving Communication

- Empathize
  - Underserved communities have historically been the object of “study”; as such, there is significant potential for “us/them” dynamics.
  - Residents begin to feel more like lab rats than partners in change.

- Tailor Engagement Methods to the Target Community
  - For example, take advantage of community centers such as churches or recreational centers.
  - Engage as if guests in the community.
Engagement: Improving Communication

• Acknowledge Community’s Historically Adversarial Relationship with Government.
  • Start from a point of mindfulness of:
    • Community suspicion that government is acting in its best interest.
    • Community’s history as de facto object of study.
    • Community’s perception of its own disenfranchisement by and disconnection from the mainstream that the government represents.

• Involve Communities in Fundamental, Meaningful Ways
  • For example, work to fill development jobs from within the community.
  • Avoid inadvertent paternalism.
Questions?