



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** November 5, 2024

**TO:** Pedro Jimenez, Acting City Manager

**FROM:** Mohamed Alaoui, Public Works Director

**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager Or Designee To 1) Enter Into A Cooperative Implementation Agreement Amendment With Caltrans To Receive Grant Funds To Construct The Powell Street Hydrodynamic Separator Project, And 2) Accept And Appropriate Funding From Caltrans For This Project In An Amount Up To Two Million Dollars (\$2,000,000). CEQA Determination: Exempt Pursuant To CEQA Guidelines Section 15301**

### RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled resolution authorizing the City Manager or Designee to 1) enter into a cooperative implementation agreement (CIA) with Caltrans to construct a full trash capture hydrodynamic separator serving both Emeryville and Caltrans rights-of-way, and to 2) accept and appropriate funding from Caltrans for this project in an amount of up to two million dollars (\$2,000,000).

### BACKGROUND

The City of Emeryville is subject to the San Francisco Bay Regional Water Quality Control Board's (Water Board) National Pollutant Discharge Elimination System (NPDES), Municipal Regional Stormwater Discharge Permit (MRP). Under the current MRP (3.0), all cities were required to reduce the amount of trash discharging from their storm drain system by 100% by July, 2025 from baseline trash levels established in 2009. Meeting the trash reduction requirements set forth by the Water Board in the City's MRP requires a significant financial investment. The City approved and partially funded two capital improvement projects: Additional Storm Drain Inlet Trash Capture Devices (CIP #18475008) and Large Trash Separator in Storm Drain Line (CIP # 18475009) to meet the requirements of the MRP. The City met the 2023 requirement of a 90% reduction through street sweeping, litter cleanups, city can management, storm drain inlet trash capture devices, and offsets for our local polystyrene ban and plastic bag ban. Those offsets are no longer allowable in MRP 3.0, but Emeryville achieved the 2023 requirement of a 90% reduction by installing a hydrodynamic separator on MacArthur Boulevard in spring 2023 with partial funding from Caltrans in the amount of \$679,110 and CIP funding of \$131,765. The City will need to take substantial action to reduce trash discharges to meet the 2025 requirements.

Achieving the remaining 10% reduction becomes increasingly difficult and costly as many of the projects and programs that provide reduction credit have already been implemented. The City has limited funds for implementing projects that meet these

regulatory requirements and is therefore seeking opportunities for collaborations or grants that will help defray these costs. Caltrans is also subject to a separate, but similar NPDES permit that requires them to reduce trash in their right of way areas and has implemented a program to partner with local agencies to construct full trash capture devices (FTC) to meet the trash capture requirements of the RWQCB permits.

## **DISCUSSION**

Caltrans has implemented a program to fund full trash capture devices (FTC) that are installed and maintained by local agencies and treat flow that includes Caltrans drainage. City staff and Caltrans worked well together to get the device on MacArthur installed and have been working together to identify additional sites for an FTC device that will address the City's street areas as well as filter flows from Caltrans' right of way. A site has been identified near the corner of Powell Street and Frontage Road for placement of an FTC unit. Placement of a unit in this area will provide trash capture reduction credit in an area of mutual benefit. The drainage area to be served by the proposed unit is estimated at 124 acres: 95 in Emeryville, 20 in Oakland, and approximately 9 in Caltrans right of way.

The Powell Street project is proposed to utilize a hydrodynamic separator type FTC, which is a buried vault in the storm drain line that separates out and captures any trash larger than 5 millimeters. These devices are not only highly effective at trash removal but are also cost effective. While these units have a high initial capital cost, they have low long-term operational and maintenance costs. Vacuuming out the accumulated a few times per year keep these devices operational.

Caltrans is a watershed stakeholder for stormwater projects within the City's jurisdiction. To take advantage of the Caltrans funding and pursuant to California Streets and Highways Code Sections 114 and 130, the City and Caltrans entered into a Cooperative Implementation Agreement (CIA) in 2021 (Exhibit A). Caltrans' CIA provides capital and support funding for planning, design, environmental studies, right of way acquisition (easement only) and construction of stormwater treatment facilities. That agreement provided \$680,000 in funding for an HDS device the City subsequently installed on MacArthur Boulevard. For the Powell Street project, Caltrans and the City will add Amendment 1 to that agreement to provide funding for a second HDS unit, to be located near the intersection of Powell Street and Frontage Road (Exhibit B).

This CIA Amendment with Caltrans will provide the City with up to \$2,000,000 of capital funding for the design and construction costs of the proposed device. Should the City Council authorize the City Manager to enter into the CIA with Caltrans for the Powell Street FTC unit, the project is estimated to be constructed in Fiscal Year 2025-26.

**FISCAL IMPACT**

CIP Project #24475011 is set up in anticipation of receiving Caltrans funding for the design and construction of FTC units that will meet the requirements of the MRP. The City will initially fund the work with General Capital Funds, with subsequent reimbursement from Caltrans. Annual operations and maintenance costs for the unit are estimated at approximately \$1,200 per year and would be required to be included in annual operating budgets starting in Fiscal year 2026-27.

New Funding to be received through Caltrans Grant and appropriated into project:

Project	Fund	Amount
24254014	254	Up to \$2,000,000

Total project costs for the Powell Street FTC unit are estimated to be between \$1,750,000 and \$2,000,000. This cost includes design, consultant fees, construction costs and staff costs.

**STAFF COMMUNICATION WITH THE PUBLIC**

None.

**CEQA DETERMINATION**

The project is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301 (Alteration/Minor Addition to Existing Facilities) because it is a minor alteration project to an existing, publicly owned utility involving negligible or no expansion of an existing use.

**CONCLUSION**

Authorization of the CIA Amendment with Caltrans will provide the City with additional funds needed to construct an FTC unit required to meet the RWQCB regulatory requirements for Full Trash Capture as defined in the MRP.

**PREPARED BY:** Nancy Humphrey, Environmental Programs Supervisor

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



---

Pedro Jimenez, Acting City Manager

**ATTACHMENTS**

- Attachment A – Cooperative Implementation Agreement (CIA)
- Draft Resolution
  - Exhibit A – Amendment 1 to Cooperative Implementation Agreement