



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: June 15, 2021

TO: Christine Daniel, City Manager

FROM: Mary Grace Houlihan, 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 With Caltrans To Receive Grant Funds To Construct The Emery Street Hydrodynamic Separator Project, And 2) Accept And Appropriate Funding From Caltrans For This Project In An Amount of Six Hundred Eighty Thousand Dollars; CEQA Determination: Exempt Pursuant to CEQA Guideline 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 six hundred eighty thousand dollars (\$680,000).

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, all cities were required to reduce the amount of trash discharging from their storm drain system by 80 percent by 2019 from baseline trash levels established in 2009. A new MRP term is approaching, and it is anticipated that this requirement will be for a 90% reduction by 2023 and a 100% reduction by 2025, with fewer offsets available. 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 has achieved the 2019 requirement of an 80 percent reduction with an 88% reduction credit through street sweeping, litter cleanups, city can management, and storm drain inlet trash capture devices, but with the anticipated removal of credits for source control (in Emeryville's case, 10% credit for a polystyrene ban and a plastic bag ban), the City will need to take substantial action to reduce trash discharges to meet the 2023 and 2025 requirements.

Achieving the remaining 22 percent reduction becomes increasingly difficult and costly as many of the easier 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 has been working with Caltrans on identifying a site for an FTC device that will address the City's highest volume of trash street areas as well as filter flows from the Caltrans right of way. A site has been identified near Emery Street 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, as well as providing capture for historic PCBs and mercury sediments, also regulated under the MRP, before they reach the Bay. The drainage area to be served by the proposed unit is estimated at 81 acres: 43 in Emeryville, 34 in Oakland, and approximately 4 in Caltrans right of way. The acreage in Emeryville includes virtually all of the City's right of way classified as having "very high" trash levels.

The Emery 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 a low long-term operation and maintenance cost. Vacuuming out the accumulated debris once or twice per year keep these devices operational.

To take advantage of the Caltrans funding and pursuant to California Streets and Highways Code Sections 114 and 130, the City and Caltrans will enter into a Cooperative Agreement for improvements to the State Highway System as a watershed stakeholder within the City's jurisdiction Caltrans' Cooperative Implementation Agreement (CIA) provides capital and support funding for planning, design, environmental studies, right of way acquisition (easement only) and construction of stormwater treatment facilities.(Exhibit A)

By entering into a CIA with Caltrans, Caltrans will provide \$680,000 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 Emery Street FTC unit, the project is estimated to be constructed in Fiscal Year 2022-23.

FISCAL IMPACT

CIP Project #18475009 is partially funded to design and construct FTC units that will meet the requirements of the MRP. The proposed funding from Caltrans will be added to the project budget to fully fund the design and construction of the Emery Street FTC. 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 2023-24.

Existing Funding:

Project	Fund	Amount
18475009	475	\$530,000

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

Project	Fund	Amount
18475009	254	\$680,000

Total project costs for the Emery Street FTC unit are estimated to be between \$750,000-\$1,000,000. This cost includes consultant fees, construction costs and staff costs. As the design develops, the project costs can be better estimated. Remaining project budget would be applied to the construction of a second FTC unit in the area of LaCoste Street. City Staff is working with Caltrans on future funding to construct the second unit.

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 with Caltrans will provide the City additional funds needed to construct FTC units 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:**



Christine Daniel, City Manager

ATTACHMENTS

- Exhibit A – Draft Cooperative Implementation Agreement (CIA) with Caltrans and
Exhibit B – Project Description/Scope of Work
- Draft Resolution