

California Department of Transportation

Division of Environmental Analysis
SACRAMENTO, CA 94273-0001
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November 28, 2023

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San Francisco Regional Water Board

Subject: Caltrans Grant Funding Commitment - Oakland Trash Capture Projects

Caltrans is fully committed to funding the City of Oakland regional partnership projects that will provide multi-pollutant removal of Trash, Polychlorinated Biphenyls, and Mercury from stormwater before discharging to the San Francisco Bay.

The City of Oakland is subject to the San Francisco Bay Regional Water Quality Control Board's (Water Board's) Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP). Under the updated MRP, known as MRP 3.0, Bay Area cities within the MRP jurisdiction must reduce the amount of trash discharging from their storm drainage systems by 100 percent by June 30, 2025.

Caltrans is required to prevent the discharge of trash from 8,910 acres in accordance with the San Francisco Bay Water Board issued trash discharge Cease and Desist Order (CDO) (No. R2-2019-0007 as amended by R2-2021-0030) by 2026. Further, Caltrans is required to reduce PCB and Mercury loading from 2,970 acres of ROW tributary to the San Francisco Bay in accordance with Attachment D of the Caltrans NPDES Permit (Order 2022-0033-DWQ).

Caltrans and Oakland entered into two agreements whereby the City of Oakland committed to design, advertise, award, and administer two regional partnership project contracts for Hydrodynamic Separators that treat both Caltrans and Oakland stormwater runoff. Given the significant water quality benefit of the Mandela trash capture project, and that it serves an economically challenged area of the city, San Francisco Bay Water Board agreed to grant Caltrans 127 acres of Alternative Compliance Credit (ACC) to substantiate the Caltrans investment relative to compliance generation.

Caltrans will claim the ACCs toward the 2024 CDO trash control compliance benchmark for Caltrans areas where there are no feasible on or off right-of-way trash controls, as allowed by the CDO.

The following table describes the minimum funding gap commitment that will be needed, and that Caltrans will authorize, to align with the engineer’s estimate. Additional funds may be needed should bids exceed the engineer’s estimate. Caltrans is committed to work with the City of Oakland for any additional funding that may be needed to award the two contracts.

Project	Caltrans Capital & Support Funding to Date	Oakland Capital Cost Estimate to Advertise	Caltrans Minimum Funding Gap Commitment
Mandela HDS ¹ D43CIAOAK0001 Project 1006066	\$4,805,185	\$3,994,650	\$87,833
Cary HDS ² D43CIAOAK0002 Project 1006466	\$3,200,000	\$3,185,930	\$786,145
Total	\$8,005,185	\$7,180,580	\$873,978

1. Mandela Ave Cooperative Implementation Agreement (CIA) executed on June 4, 2021 and amended for additional funding on July 1, 2023.
2. Cary Ave CIA executed on June 24, 2022.

The following table outlines the environmental benefits to San Francisco Bay.

Project	Oakland Trash, Compliance Credits (Acres)	Caltrans Trash, Compliance Credits (Acres)
Mandela HDS D43CIAOAK0001 Project 1006066	610	16 <u>+127 ACC</u> 143
Cary HDS D43CIAOAK0002 Project 1006466	739	38
Total	1,349	181

The Caltrans NPDES Permit allows an acreage credit of three times the credit recognized for Caltrans funded regional partnership projects that reduce PCB and Mercury loading in old industrial areas. Caltrans and Oakland will work with the San Francisco Bay Water Board individually to determine appropriate PCB and mercury reduction crediting toward their respective stormwater NPDES permit requirements based on the land uses within the treatment shed and removal efficiencies of the installed devices.

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Caltrans is dedicated to working alongside our regulatory, environmental advocacy, and municipal partners to deliver structural control projects that protect and restore water quality.

Sincerely,

Elizabeth A. Doohar

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