



DATE: March 9, 2026
TO: Council Sustainability Committee
FROM: Director of Public Works
SUBJECT: Compliance with Stormwater Trash Reduction Requirements – Information and Discussion

RECOMMENDATION

That the Council Sustainability Committee (CSC) reviews and comments on this report.

SUMMARY

This report provides a summary of the City’s implementation and compliance with the trash reduction mandate in the Municipal Regional Stormwater Permit (MRP) 3.0. Chapter C.10 of the MRP includes the requirement to reduce all trash from entering waterways from the City’s storm drain system by July 1, 2025. The City achieved 100% compliance with all C.10 requirements before the July 1, 2025, due date. This report presents a final update of the City’s work to comply with C.10.

FISCAL IMPACT

Stormwater compliance and activities have no impact on the General Fund or Measure C.

The City’s compliance with the MRP is managed by Water Pollution Source Control (WPSC) staff within the Public Works & Utilities Department and is funded by the Stormwater Fund. Staff’s efforts to secure EPA grant funds (\$800,000), used-oil state grant funds (\$10,000-\$30,000 renewed yearly), and Caltrans funds (\$4 million) for trash capture device installation and maintenance have significantly reduced the impact of MRP compliance on the Stormwater Fund. Successful grant applications and collaboration with Caltrans as a partner have been innovative tools to fund efforts to comply with the MRP.

BACKGROUND

The National Pollution Discharge Elimination System (NPDES) program was established in 1972 by the Federal Clean Water Act (CWA). The NPDES program was amended in 1986 to regulate stormwater runoff and established a permitting structure for municipal discharge

to the waters of the state. From 1990 to 2009 each municipality in the Bay Area was regulated under countywide stormwater permits with individual requirements specific to each county. On October 14, 2009, the first regional stormwater permit, the MRP, was adopted by the San Francisco Bay Regional Water Quality Control Board (Water Board). The MRP regulated municipalities within the counties of Alameda, Contra Costa, Santa Clara, San Mateo as well as the cities of Fairfield, Suisun, and Vallejo and the Vallejo Sanitation and Flood Control District. Municipalities and local agencies included in the MRP are referred to as ‘Permittees’.

The first MRP, adopted on October 14, 2009, was adopted as a five-year permit and administratively extended through December 2015. The permit was revised and MRP 2.0 was adopted on November 19, 2015, and became effective on January 1, 2016. MRP 2.0 was to expire on June 30, 2021, but was extended through July 1, 2022. MRP 3.0 was adopted on July 1, 2022, and is set to expire July 1, 2027. This report focuses on Provision C.10 of the MRP which mandates trash reduction within the City’s storm drain system.

Staff has presented several reports regarding the MRP’s stormwater regulations to the CSC for input on regulatory changes, requirements, and specifically trash reduction requirements. Staff presented to the CSC on January 11, 2021,¹ to provide a summary of proposed changes to the MRP 2.0 at that time. On January 10, 2022,² staff reported to the CSC on the requirements in MRP 2.0 to regulate properties that discharge stormwater directly to the City’s storm drain system, the recommended approach to address the requirements, and proposed amendments to the City’s Stormwater Management and Urban Runoff Control ordinance (Chapter 11, Article 5 of the Municipal Code).

On March 14, 2022,³ staff provided an update on the draft MRP 3.0, and on March 13, 2023,⁴ staff presented the amended Stormwater Management and Urban Runoff Control ordinance to enable enforcement of trash requirements on private properties to comply with MRP 3.0. The CSC voted unanimously to recommend adoption of the ordinance and on April 11, 2023,⁵ the City Council adopted the amended ordinance. On January 8, 2024,⁶ staff provided the last update outlining next steps for final compliance actions that staff planned to meet the 100% trash reduction requirement by July 1, 2025.

DISCUSSION

The mandate for trash reduction in the MRP 3.0 is 100% removal of trash from the Permittee’s stormwater system, which the City achieved before the due date of July 1, 2025. Overall, 50% of Alameda County municipalities met the 100% compliance due date. Many had approved long-term plans that satisfied the Water Board as next steps to achieve compliance in a timely matter with approved schedules. Two municipalities did not achieve approval and received cease and desist letters of enforcement from the Water Board.

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4747799&GUID=B38B37E9-09C5-47B9-881D-B3FD7450E9BF&Options=&Search=>

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=5374350&GUID=DDFCFD4C-97BB-45B3-80A0-D93A23E07F9E&Options=&Search=>

³ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5523059&GUID=7112B7B8-AC21-4EC5-9289-D35DC0FCDE01&Options=&Search=>

⁴ <https://hayward.legistar.com/LegislationDetail.aspx?ID=6058171&GUID=CF24A795-A3B2-418F-A4FD-0C97B2C40222&Options=&Search=>

⁵ <https://hayward.legistar.com/LegislationDetail.aspx?ID=6124946&GUID=265D462B-7AAA-4BFA-87FD-AF3B6BA89FD1&Options=&Search=>

⁶ <https://hayward.legistar.com/LegislationDetail.aspx?ID=6465956&GUID=7A332CE2-FE35-4856-8AE7-C313D4630494&Options=&Search=>

Staff has been working for many years to eliminate trash from impacting the City's storm drain system and the San Francisco Bay. In 2012, the City installed its first continuous deflective system (CDS) unit⁷ on Tennyson at Tyrrell Avenue as well as 80 small trash capture devices in storm drain inlets. The sections below outline City actions to remove trash from stormwater systems.

EPA Grant – In 2016, the City was awarded a competitive grant from the Environmental Protection Agency's (EPA) Water Quality Improvement Fund in the amount of \$800,000 to reduce trash from its storm drain system. The project included the installation of two CDS devices to filter trash from stormwater and an outreach program to 1st-12th grade students within the Hayward Unified School District as well as charter and private schools within the City's jurisdiction. The outreach portion of the project was a newly developed trash reduction educational program where students learned about the impacts of trash on waterways and wildlife by attending field trips, conducting scientific experiments, and understanding trash reduction in their own City by witnessing a CDS unit installation within their City's stormwater infrastructure.

In 2017, the first CDS unit funded by the EPA grant was installed on Patrick Avenue and treats 160 acres of residential and commercial areas, including high and medium trash generating zones on Hayward's trash map (see Figure 1). In 2016 through 2019 the educational outreach program was implemented and all programs for the 1st-12th grade were completed. Over 1,200 students from 10 schools participated in the program. More than 100 students participated in the high school program at the time the CDS unit was installed and witnessed the installation in the field as part of the trash reduction education. The City produced a video⁸ showcasing the event. The final CDS unit funded by the EPA grant was installed on Cotter Way in October 2022, and treats a drainage area of 138 acres.

The EPA grant also funded many small trash capture devices⁹ throughout the City and four large connector pipe screens to filter trash in two creek locations. Both creek locations are tributaries of the Sulphur Creek Watershed and the screens filter drainage from more than 700 acres before the tributaries combine to discharge to the San Francisco Bay. The City installed 359 small devices resulting in an additional 23.7% trash reduction. The remaining large areas were treated by two large trash capture projects funded through a cooperative agreement with Caltrans.

Cooperative Agreement with Caltrans – The City was one of the first municipalities to enter into an agreement with Caltrans to install large trash capture devices to treat both City and Caltrans acreage. On April 20, 2021,¹⁰ the City Council authorized a cooperative implementation agreement. Through the agreement, Caltrans funded two CDS units. One at Tennyson and I-880 was completed in the fall of 2023 and one on Arf Avenue was completed in 2025. Approximately 831 acres are treated by these two projects with a reduction of approximately 19%.

⁷ Short video showing installation of a CDS unit: https://www.youtube.com/watch?v=NaVIT_Kl0mQ

⁸ <https://www.hayward-ca.gov/your-government/departments/utilities-environmental-services/youth-trash-capture-and-watershed-education-project>

⁹ Picture of a small trash capture device: <https://remfilters.com/products/drop-inlet-filter/>

¹⁰ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4916428&GUID=5A8A9657-693A-48B0-9D7F-7E207950AC98&Options=&Search=>

Small Devices – In addition to the large infrastructure funded by the EPA grant and Caltrans, the City has installed 629 small devices in storm drain inlets in areas with high and medium trash generation since 2012.

Private Land Drainage Areas – MRP 3.0 requires that private properties that are directly plumbed to the City’s stormwater pipes, bypassing the City’s storm drain inlets, must also meet the trash reduction requirements – either through full trash capture or another equivalent method. The stormwater ordinance was amended in April 2023 to enable staff to require full trash capture for private land drainage area (PLDA) properties. The City has devoted considerable resources to determine and verify all direct discharge private properties. During 2021 – 2023 staff completed a survey with field verification to locate all PLDA properties. The City has a total of 196 PLDAs for which staff completed trash assessments. Of the total, 69 have a medium or higher trash generation.

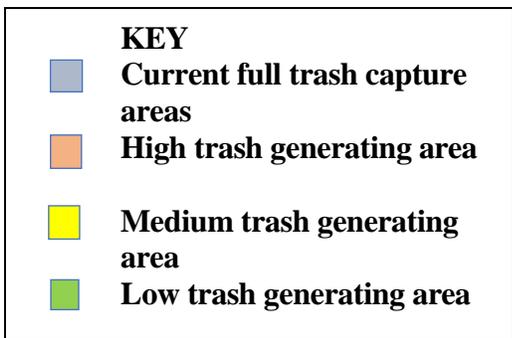
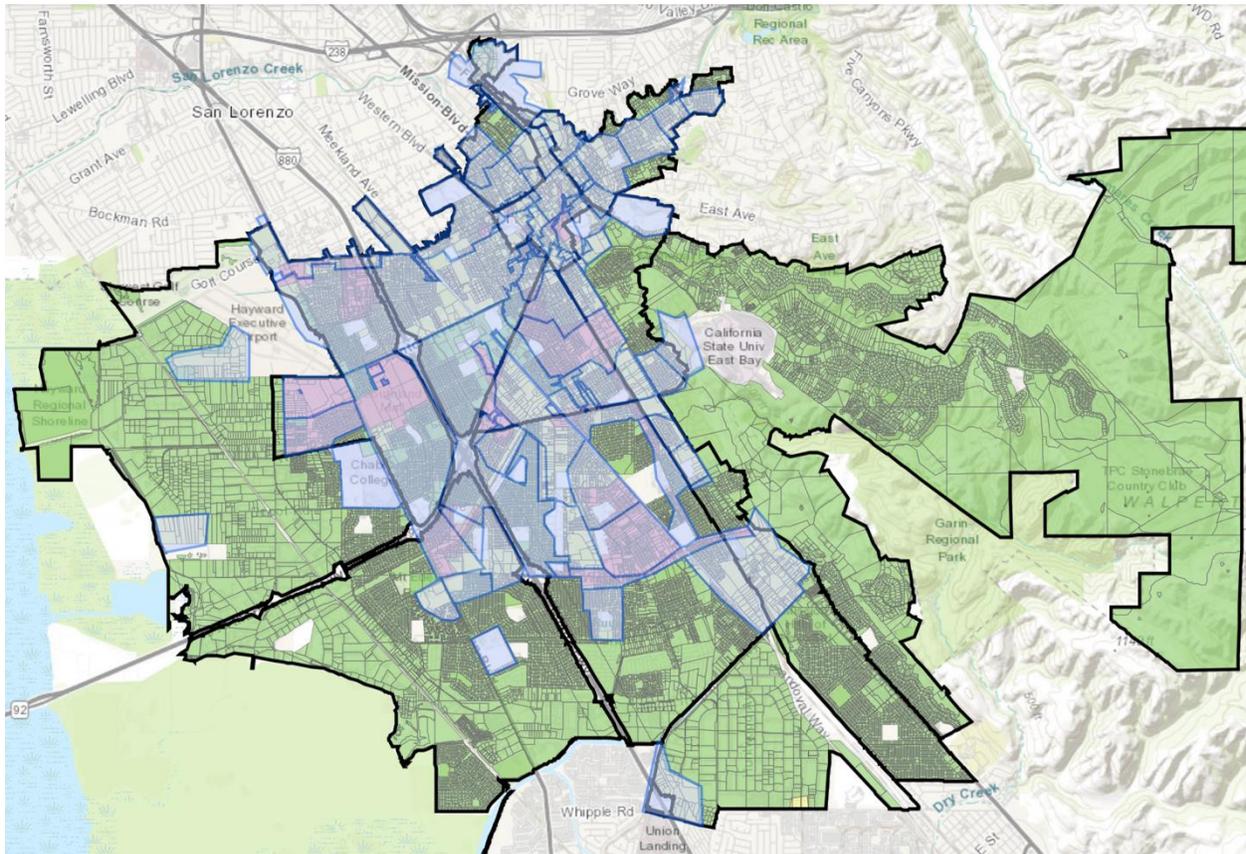
From March 2024 to April 2025, the 69 properties were re-inspected for trash compliance. Best management practices were discussed with property owners and trash concerns were mitigated through inspection and enforcement actions. Full trash capture devices are only be required if, after multiple inspections and discussions with property owners, other methods such as manual litter collection do not yield satisfactory results. Only one property was required to install full trash capture devices.

In total, as shown in Table 1, the City currently treats 4,220 acres with full trash capture devices and Figure 1 illustrates the full trash capture areas.

Table 1: Summary of Full Trash Capture Areas

Trash Capture Type/Program	Total Number of Devices	Area Treated (Acres)	Percentage of Trash Reduction
Connector Pipe Screens	629	2,386	36%
Channel Screens	4	939	25%
Hydrodynamic Separators (Public)	6	1,271	37%
Hydrodynamic Separators (Private)	25	23	N/A (private land)
subtotal	615	4,219	98%
PLDA Program	4	1	2%
Total	619	4,220	100%

Figure 1. Existing Areas Treated by Full Trash Capture Devices



ECONOMIC IMPACT

Compliance with MRP Provision C.10 has and will continue to result in costs to some Hayward businesses as compliance with trash reduction results in increased monitoring, trash pickup, and possibly installation of full trash capture facilities as determined through stormwater inspection and follow up for compliance. The cost of installing a full trash capture device depends on the shape and size of the storm drain inlets, number of inlets, and size of drainage area. The cost of a single device can range from a few hundred to thousands of dollars.

STRATEGIC ROADMAP

This agenda item relates to the Strategic Priority of *Improve Infrastructure*, but does not directly relate to the implementation of any identified projects.

SUSTAINABILITY FEATURES

Preventing pollution from entering the storm drain system will benefit Haywards's aquatic ecosystems and the health of the San Francisco Bay and will help to create a clean and green community for Hayward residents and businesses.

PUBLIC CONTACT

No public contact was made for this item.

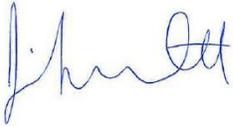
NEXT STEPS

Staff will continue to oversee the maintenance of all City-owned full trash capture devices (both large and small in the City's inventory). Maintenance includes annual cleanings for the large devices and twice a year cleanings for the small devices. All devices are inspected frequently for clogging and damage as well as repair/replacement if needed. Staff will also check PLDA properties periodically to ensure compliance with C.10 trash reduction requirements and oversee any full trash capture operation and maintenance agreements, including the annual report requirement for maintaining those devices.

Prepared by: Elisa Wilfong, Water Pollution Control Administrator
Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:

A handwritten signature in blue ink, appearing to read "Jennifer Ott". The signature is fluid and cursive, with the first name "Jennifer" and the last name "Ott" clearly distinguishable.

Jennifer Ott, City Manager