



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: June 21, 2016

Subject: Approve a Contract with Dan Cloak Environmental Consulting for FY 2016-17

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract with Dan Cloak Environmental Consulting, for the period of July 1, 2016 to June 30, 2017, in an amount not to exceed \$160,000, for assistance in complying with mandated federal and state stormwater rules contained in National Pollutant Discharge Elimination System Permits issued by the San Francisco Bay and Central Valley Regional Water Quality Control Boards, Countywide. Project No. 7519-6X7645

**FISCAL IMPACT:**

The cost is estimated to be \$160,000; and, shall be funded by stormwater utility fee assessments collected by the Cities/Towns and County, proportional to their respective populations.

**BACKGROUND:**

The Contra Costa Clean Water Program (the "CCCWP") consists of Contra Costa County, its nineteen (19) incorporated cities/towns and the Contra Costa County Flood Control and

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/21/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: Candace Andersen, District II  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

ABSENT: John Gioia, District I  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 21, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Tom Dalziel (925)  
313-2392

cc:

Water Conservation District (hereinafter

## BACKGROUND: (CONT'D)

referred to collectively as "Permittees"). The CCCWP was established in 1991 through a Program Agreement in response to the 1987 amendments to the federal Clean Water Act (the "CWA"), which established a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System ("NPDES") Permit Program. The United States Environmental Protection Agency (the "USEPA") published final rules implementing the 1987 CWA amendments in November 1990. The rules mandate that Permittees obtain and implement stormwater permits designed to reduce and eliminate the discharge of pollutants into and from Municipal Separate Storm Sewer Systems (the "MS4s") they own and operate. Through the CCCWP, Permittees conduct many of the mandated activities collectively (referred to as "Group Activities"), such as water quality monitoring, special studies, and public education. The roles and responsibilities of the CCCWP and Permittees are outlined in the Program Agreement, which was last updated and adopted by all Permittees in June 2010.

Dan Cloak Environmental Consulting is recognized statewide as a leader in the field of post-construction stormwater management. He has performed well in providing technical and project management services to the CCCWP since FY 2010-11. Dan Cloak Environmental Consulting is uniquely qualified to provide continued support of the CCCWP's compliance programs related to the new and redevelopment permit requirements (i.e. C.3). In order to help continue maintaining permit compliance, CCCWP staff, on behalf of the Permittees, requests approval of this contract.

In order to help continue to maintain permit compliance, CCCWP staff, on behalf of the Permittees, respectfully requests approval of this contract with Dan Cloak Environmental Consulting for a one year period (i.e., July 1, 2016- June 30, 2017).

## CONSEQUENCE OF NEGATIVE ACTION:

If the Contract amendment with Dan Cloak Environmental Consulting is not approved, the CCCWP would not be able to fulfill the permit mandates, and municipalities could be found in non-compliance with the NPDES permits issued by the Water Boards. Fines totaling \$10,000 per day and \$10 per gallon of stormwater discharge could potentially be imposed.