



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: September 20, 2016

Subject: Approve a contract with Dubin Environmental Consulting for preparation of a hydromodification management technical report

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 Anthony Dubin (dba Dubin Environmental Consulting), in an amount not to exceed \$160,000 for preparation of a Hydromodification Management technical report necessary to comply with federal and state stormwater rules, for the period September 20, 2016 through June 30, 2019, Countywide. Project No. 6X7641.

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:

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/20/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
Supervisor
Karen Mitchoff, District IV
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: September 20, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Fan Ventura, (925)
313-2194

cc:

The Contra Costa Clean Water Program (the “CCCWP”) consists

BACKGROUND: (CONT'D)

of Contra Costa County, its 19 incorporated cities/towns, and the Contra Costa County Flood Control and Water Conservation District (hereinafter 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 (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 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 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.

A 2003 permit amendment required the CCCWP to prepare a Hydrograph Modification (HM) Management Plan (“Plan”), which the CCCWP developed by 2005. After working with San Francisco Bay Regional Water Quality Control Board (“Water Board”) staff, the Water Board approved the Plan in mid-2006. The Plan included requirements for monitoring of some bioretention facilities, and for calibration and validation of the HM model used to calculate the bioretention sizing factors. The model calibration and validation study was conducted during fiscal years 2011-12 and 2012-13. The Water Board is now requiring additional HM work to meet the new requirements in the reissued Municipal Regional Permit. These requirements include a technical report due with the 2017 Annual Report.

CCCWP has worked with Tony Dubin on development of the Plan, the HM model calibration and validation study, as well as negotiation efforts with Water Board staff. His work has been excellent thus far. Due to his qualifications and experience, CCCWP wishes to obtain his services for this ongoing work.

CCCWP staff, on behalf of the Permittees, respectfully requests approval of this Contract with Dubin Environmental Consulting through June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

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

CHILDREN'S IMPACT STATEMENT:

