



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 1, 2022

Subject: APPROVE a Contract Amendment with Dan Cloak (d/b/a Dan Cloak Environmental Consulting) for NPDES Technical Assistance.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract amendment with Dan Cloak (d/b/a Dan Cloak Environmental Consulting), to increase the payment limit by \$42,000 to a new payment limit of \$802,000 and extend the term from April 18, 2022 through December 31, 2022, to provide technical assistance in order to maintain compliance with the National Pollutant Discharge Elimination System Permit (NPDES), Countywide. This contract is necessary to comply with federal and state stormwater rules. Project No. 7519-6X7645.

**FISCAL IMPACT:**

The cost is estimated to be \$802,000, and shall be funded by stormwater utility fee assessments collected by the Cities/Towns and County, proportional to their respective populations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/01/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V 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: February 1, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Karin Graves,  
925-313-2042

cc:

## BACKGROUND:

The Contra Costa Clean Water Program (the “CCCWP”) consists 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 (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 Contra Costa Clean Water Program Agreement, which was last updated and adopted by all Permittees in June 2010. The current San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049 (“Permit”), was issued in November of 2015.

Dan Cloak Environmental Consulting is recognized statewide as a leader in the field of post-construction stormwater management. 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, including, but not limited to, green infrastructure planning and implementation. In order to continue ongoing permit compliance activities, CCCWP staff, on behalf of the Permittees, respectfully request approval of this contract amendment with Dan Cloak (d/b/a Dan Cloak Environmental Consulting) to add \$42,000 and extend the term from April 18, 2022 through December 31, 2022.

## CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the CCCWP, 19 Cities and Towns, Contra Costa County, and the Flood Control District will be unable to meet the NPDES Permit requirements set forth by the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049.