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Bruce H. Wolfe, Executive Officer
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

February 10, 2014

Ms. Pamela Creedon, Executive Officer
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Dear Mr. Wolfe and Ms. Creedon:

Enclosed is the 2012 - 2013 Annual Report for the City of Clayton, which is required by and in accordance with Provision C.16 in National Pollutant Discharge Elimination System (NPDES) Permit Number CAS612008 issued by the San Francisco Bay Regional Water Quality Control Board and/or by Provision C.13 in NPDES Permit Number CA0083313 issued by the Central Valley Regional Water Quality Control Board. As previously communicated by various emails to your offices this report was not able to be filed by the original deadline due to staff shortages and other higher priority projects with the remaining staff. Staff had sent periodic emails during this time outlying the progress/status and issues related to the time extensions. Our last email communicated that the report would be filed by February 10, 2014 to which we received a confirmation email in return. We thank you for your patience during this time.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibly of fine and imprisonment for knowing violations.

Sincerely,

Gary A. Napper,
City Manager

Enclosure

ATTACHMENT B

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Section 1 – Permittee Information

Background Information				
Permittee Name:	City of Clayton			
Population:	10,996			
NPDES Permit No.:	CAS612008 (San Francisco Bay RWQCB Permit)			
Order Number:	R2-2009-0074 (San Francisco Bay RWQCB)			
Reporting Time Period (month/year):	July 2012 through June 2013			
Name of the Responsible Authority:	Gary Napper	Title:	City Manager	
Mailing Address:	6000 Heritage Trail			
City:	Clayton	Zip Code:	94517	County: Contra Costa
Telephone Number:	925-673-7300	Fax Number:	925-672-4917	925-672-4917
E-mail Address:	gnapper@ci.clayton.ca.us			
Name of the Designated Stormwater Management Program Contact (if different from above):	Laura Hoffmeister	Title:	Assistant to the City Manager	
Department:	Administration			
Mailing Address:	6000 Heritage Trail			
City:	Clayton	Zip Code:	94517	County: Contra Costa
Telephone Number:	925-673-7308	Fax Number:	925-672-4917	
E-mail Address:	LHoffmesiter@ci.clayton.ca.us			

Section 2 - Provision C.2 Reporting Municipal Operations

Program Highlights and Evaluation

Highlight/summarize activities for reporting year:

Summary:

The City of Clayton monitored and received updates from the Contra Costa Clean Water Program's (CCCWP's) Municipal Operations Committee/Work Group, and the BASMAA Municipal Operations Committee. Refer to the C.2 Municipal Operations section of the CCCWP's FY 12-13 Annual Report for a description of activities implemented at the countywide and/or regional level and on our behalf.

The City does not have a full service maintenance department. The City has only 5 full time maintenance staff which are responsible for 2 million square feet of landscaping and irrigation; 500 acres of open space; 50 acres of parks and irrigation; 2 children playgrounds/equipment; 3 ball fields; 2 soccer fields; 25 miles of trails; 84 miles of street markings; 50 miles of underground drainage; 20 miles of major roadway sidewalks; 10 miles of creeks; 650 catch basins (inlets); 15 miles of "v" ditches; 2000 street signs; 500 street lights; 110,000 sq. ft. of public buildings; and 75,000 square feet of public parking lots. Services for pavement repair, sewer and signal lights are contracted out. Water supply and fire protection services are provided by other public agencies. The city uses a maintenance staff supervisor as the field contact person (Mark Janney 925-763-7327) and the Assistant to the City Manager (Laura Hoffmeister, 925-673-7308) as the primary program manager for the entire permit, including Municipal Maintenance.

Street Cleaning/Sweeping

Monthly sweeping was done during FY 12/13 on all city streets, which is about 82 curblane miles. (annually this equates to 1764 curb lane miles swept) A total of 110 tons (or 407 cubic yards) of material were collected by the City sweeping contractor.

In addition three city street areas, about 15 curblane miles, which are part of a truck route to a nearby gravel quarry in the County are swept at a minimum of a weekly basis by the Quarry (CeMex formerly Lodestar RMC Quarry), and often during the summer busy season are swept two to three times a week to prevent quarry dust and sediment from reaching storm drains. This would average about 1950 curb lane miles per year. There are no quantitative statistics of the Quarry sweeper as part of the route is in the County (unincorporated) and it is under contract by a private business (rock quarry) that is located outside the City's jurisdiction. The quantitative data is for the City monthly sweeper and is extrapolated for the Quarry based on the average amount of material picked up per mile by the City sweeper of in FY 12/13 of .23 cubic yards per mile. This would equate to about 120 tons or 448 cubic yard collected of additional materials collected.

The company uses a broom assist vacuum sweeper which has been effective for our mostly residential community with its leaf fall from its street trees and dust and sediments from the gutter. The quarry uses a broom/brush sweeper as the material targeted by them is gravel and larger sediment particles along the quarry truck accesses.

Drainage Inlet Cleaning

Every City storm drain (catch basin) and culverts were inspected and cleaned (approximately 650) and approximately 5 cubic yards of sediment was removed. The remainder was leaves and a bit of litter/trash consisting of a few plastic bottles, some paper, and cans. Additionally, less sediment was removed due to a decreased amount of rainfall this year.

Creek cleaning of the 10 miles of creeks were walked and inspected and cleaned by the City Maintenance staff consisted of about 80 cubic yards of landscape materials, mostly woody brush, branches, and some tree limbs. There was some scattered wood debris from kids making bicycle ramps and jumps, some paper, a few plastic bottles and cans.

V-ditch cleaning:

The City maintenance staff walked and inspected and cleaned 15 miles of v-ditches in the open space areas including those near to residential development areas. A total of 7 cubic yards of dirt and weeds were removed from the V-ditches, they did not have or find any litter materials.

New Zealand Mud Snail Policy:

In September 19, 2012 there was a new administrative written Standard Operation Procedures (SOP) for addressing maintenance issues related to the potential threat of New Zealand Mud Snail. The information was transmitted to the Maintenance Supervisor who then provided the information to the maintenance staff. The information was reviewed on September 27, 2012 with the staff and acknowledged in writing of receiving the policy. The City maintenance staff does not allow its volunteers that it directly oversees (wie: work alternative program) go into the creek. Seasonal staff as they arrive are provided the information before being allowed to work in the creek areas.

(See Attachment C 2)

C.2.a. ► Street and Road Repair and Maintenance

Place a **Y** in the boxes next to activities where applicable BMPs were implemented. If not applicable, type **NA** in the box and provide an explanation in the comments section below. Place an **N** in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.

X	Control of debris and waste materials during road and parking lot installation, repaving or repair maintenance activities from polluting stormwater
X	Control of concrete slurry and wastewater, asphalt, pavement cutting, and other street and road maintenance materials and wastewater from discharging to storm drains from work sites.
X	Sweeping and/or vacuuming and other dry methods to remove debris, concrete, or sediment residues from work sites upon completion of work.

Comments: **In addition to BMP controls for specific road and maintenance projects above all public streets are swept once a month via a contract with a street sweeping company. A private sweeping company also sweeps certain city roads related to rock quarry truck route, the quarry (CeMex Quarry – formerly Lodestar Quarry). This rock quarry is not located within the City Limits it is located in the unincorporated area; however portions of their truck route are within the City of Clayton. The City maintenance staff does not conduct road pavement repair projects. These projects are contracted out and the contractor specification documents include reference to needing to have and comply with appropriate BMP's including those listed above. The City Engineer is responsible for inspection of the contractors work to ensure appropriate BMPS are being implemented.**

C.2.b. ► Sidewalk/Plaza Maintenance and Pavement Washing

Place a **Y** in the boxes next to activities where applicable BMPs were implemented. If not applicable, type **NA** in the box and provide an explanation in the comments section below. Place an **N** in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.

X	Control of wash water from pavement washing, mobile cleaning, pressure wash operations at parking lots, garages, trash areas, gas station fueling areas, and sidewalk and plaza cleaning activities from polluting stormwater
X	Implementation of the BASMAA Mobile Surface Cleaner Program BMPs

Comments: **The City only has a few small public surface parking lots, we do not pressure wash these. The City does not have any gas station fueling areas. We have two public plaza areas that are periodically pressure washed and all wash water is plain water only and is directed to landscape areas per the BASMAA Mobile Surface Cleaner Program BMPs.**

C.2.c. ► Bridge and Structure Maintenance and Graffiti Removal

Place a **Y** in the boxes next to activities where applicable BMPs were implemented. If not applicable, type **NA** in the box and provide an explanation in the comments section below. Place an **N** in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.

X	Control of discharges from bridge and structural maintenance activities directly over water or into storm drains
X	Control of discharges from graffiti removal activities
X	Proper disposal for wastes generated from bridge and structure maintenance and graffiti removal activities
X	Implementation of the BASMAA Mobile Surface Cleaner Program BMPs for graffiti removal
X	Employee training on proper capture and disposal methods for wastes generated from bridge and structural maintenance and graffiti removal activities.
X	Contract specifications requiring proper capture and disposal methods for wastes generated from bridge and structural maintenance and graffiti removal activities.

Comments: **All graffiti removal is done with direct applied solvent with rags and wiped with cloths. In some rare occurrence the City will paint over the graffiti. The city does not have any bridges. Graffiti is very minimal and rarely occurs and not a problem in the City of Clayton.**

C.2.d. ► Stormwater Pump Stations

Does your municipality own stormwater pump stations: Yes No

If your answer is **No** then skip to **C.2.e.**

Complete the following table for dry weather DO monitoring and inspection data for pump stations¹ (add more rows for additional pump stations). If a pump station is exempt from DO monitoring, explain why it is exempt.

Pump Station Name and Location	First inspection Dry Weather DO Data		Second inspection Dry Weather DO Data	
	Date	mg/L	Date	mg/L

Summarize corrective actions as needed for DO monitoring at or below 3 mg/L. Attach inspection records of additional DO monitoring for corrective actions:

Summary:

 Attachments:

Complete the following table for wet weather inspection data for pump stations (add more rows for additional pump stations):

Pump Station Name and Location	Date (2x/year required)	Presence of Trash (Cubic Yards)	Presence of Odor (Yes or No)	Presence of Color (Yes or No)	Presence of Turbidity (Yes or No)	Presence of Floating Hydrocarbons (Yes or No)

¹ DO monitoring is exempted where all discharge from a pump station remains in a stormwater collection system or infiltrates into a dry creek immediately downstream.

C.2.e. ► Rural Public Works Construction and Maintenance			
Does your municipality own/maintain rural ² roads:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If your answer is No then skip to C.2.f.			
Place a Y in the boxes next to activities where applicable BMPs were implemented. If not applicable, type NA in the box and provide an explanation in the comments section below. Place an N in the boxes next to activities where applicable BMPs were not implemented for one or more of these activities during the reporting fiscal year, then in the comments section below provide an explanation of when BMPs were not implemented and the corrective actions taken.			
<input type="checkbox"/>	Control of road-related erosion and sediment transport from road design, construction, maintenance, and repairs in rural areas		
<input type="checkbox"/>	Identification and prioritization of rural road maintenance based on soil erosion potential, slope steepness, and stream habitat resources		
<input type="checkbox"/>	No impact to creek functions including migratory fish passage during construction of roads and culverts		
<input type="checkbox"/>	Inspection of rural roads for structural integrity and prevention of impact on water quality		
<input type="checkbox"/>	Maintenance of rural roads adjacent to streams and riparian habitat to reduce erosion, replace damaging shotgun culverts and excessive erosion		
<input type="checkbox"/>	Re-grading of unpaved rural roads to slope outward where consistent with road engineering safety standards, and installation of water bars as appropriate		
<input type="checkbox"/>	Inclusion of measures to reduce erosion, provide fish passage, and maintain natural stream geomorphology when replacing culverts or design of new culverts or bridge crossings		
Comments including listing increased maintenance in priority areas:			

² Rural means any watershed or portion thereof that is developed with large lot home-sites, such as one acre or larger, or with primarily agricultural, grazing or open space uses.

C.2.f. ► Corporation Yard BMP Implementation			
Place an X in the boxes below that apply to your corporations yard(s):			
<input type="checkbox"/>	We do not have a corporation yard		
<input type="checkbox"/>	Our corporation yard is a filed NOI facility and regulated by the California State Industrial Stormwater NPDES General Permit		
<input checked="" type="checkbox"/>	We have a Stormwater Pollution Prevention Plan (SWPPP) for the Corporation Yard(s)		
Place an X in the boxes below next to implemented SWPPP BMPs to indicate that these BMPs were implemented in applicable instances. If not applicable, type NA in the box. If one or more of the BMPs were not adequately implemented during the reporting fiscal year then indicate so and explain in the comments section below:			
<input checked="" type="checkbox"/>	Control of pollutant discharges to storm drains such as wash waters from cleaning vehicles and equipment		
<input checked="" type="checkbox"/>	Routine inspection prior to the rainy seasons of corporation yard(s) to ensure non-stormwater discharges have not entered the storm drain system		
<input checked="" type="checkbox"/>	Containment of all vehicle and equipment wash areas through plumbing to sanitary or another collection method		
<input checked="" type="checkbox"/>	Use of dry cleanup methods when cleaning debris and spills from corporation yard(s) or collection of all wash water and disposing of wash water to sanitary or other location where it does not impact surface or groundwater when wet cleanup methods are used		
<input checked="" type="checkbox"/>	Cover and/or berm outdoor storage areas containing waste pollutants		
<p>Comments: The Corp yard SWPPP is in process of being updated and a new document will be part of the FY 13/14 report and submitted at that time. The City had previously conducted its inspections Annual prior to the rainy season of October 15th. However based upon comments received January 8, 2013, from the Water Boards review of the 11-12 Annual Report it is now requested that we conduct prior to September 30th the timing has been done annually in each Annual Report Cycle however with the FY 13-14 Annual Report we will adjust our inspection timing so that it is done at the end of August per our letter of January 28, 2013 to the Water Board staff Because the notice from the SF Water Board staff was received in January 2013, it was too late to adjust for FY 12/13. However we note that was no rain until October 21, 2012, after our inspection of October 5, 2012. We have included the last two prior FY inspections on our reporting table for ease of looking at the history and determining any trends that would need attention. We have not identified any trends or issues. See Attachment C 2 f.</p>			
If you have a corporation yard(s) that is not an NOI facility , complete the following table for inspection results for your corporation yard(s) or attach a summary including the following information:			
Corporation Yard Name	Inspection Date (1x/year required)	Inspection Findings/Results	Follow-up Actions
Clayton Maintenance Yard	October 5, 2012 (FY 12-13)	All BMPs working fine. Tarps are starting to degrade, need to order additional replacement tarps to cover equipment and bins.	Ordered replacement tarps.

Clayton Maintenance Yard	October 7, 2011 (FY 11-12)	All BMP's working fine. Covers, straw waddles and sandbags for stockpiles are beginning to degrade need replacing. Unused and obsolete equipment and stockpile to be removed.	Removed 120 cy of unused dirt stockpile; covered remaining stockpiles with new covers and straw waddles & new sandbags. Removed misc and obsolete equipment - completed 10/28/11
Clayton Maintenance Yard	February 23, 2011 (FY 10-11)	All BMPs working fine – minor house keeping items being attended to – recovering of stockpile materials, removal of unused vehicle. Vehicle is not leaking fluids and area around vehicle is checked regularly so no issues.	Unused vehicle will be taken to auction house . Continue to inspect vehicle to ensure no leaks until removed- removal expected by 10/30/11. Stockpile covers were replaced on 3/4/11; Unused vehicles were removed

Section 3 - Provision C.3 Reporting New Development and Redevelopment

C.3.b.v.(2)(a) ► Green Streets Status Report

(All projects to be completed by December 1, 2014)

On an annual basis (if applicable), report on the status of any pilot green street projects within your jurisdiction. For each completed project, report the capital costs, operation and maintenance costs, legal and procedural arrangements in place to address operation and maintenance and its associated costs, and the sustainable landscape measures incorporated in the project including, if relevant, the score from the Bay-Friendly Landscape Scorecard.

Summary:

There are no green streets projects built or planned within our jurisdiction. The City is built out city with newer infrastructure there does not appear to be any foreseeable future opportunity for retrofitting existing improvements. However please refer to the C.3 New Development and Redevelopment section of the CCCWP's FY 12-13 Annual Report which includes a description of activities conducted at the countywide or regional level.

C.3.b.v.(2)(c) ► Summary of Green Street Projects Completed by January 1, 2013

(For FY 12-13 Annual Report only) Provide a summary of all green street projects completed by January 1, 2013.

Summary:

BASMAA has prepared a regional summary of all green street pilot projects. The Green Street Pilot Project Summary Report is being submitted by BASMAA, on behalf of the MRP permittees, in BASMAA's MRP FY 12-13 Regional Supplement – New Development and Redevelopment. The Green Streets Pilot Project Summary Report contains all of the required elements listed in Provision C.3.b.v.(2)(c) for all green street projects completed by January 1, 2013, as well as information on projects not yet completed.

C.3.b.v.(1) ► Regulated Projects Reporting

There were no regulated projects approved in the FY 12/13 reporting period. The City of Clayton did deem one project (Silver Oak Estates) complete for permit entitlement processing in May 2013. This will be our first regulated project. This project is in the process of undergoing the CEQA compliance Environmental Review and will require public hearings for tentative map, design review. It is expected that the public hearing

processes will begin in April 2014. This is an in fill residential project of apx. 14 acres consisting of 53 attached single family (townhomes) and 7 detached single family homes, near Mt. Diablo Creek. The total density is 4 units per acre. The project draft Stormwater Control Plan complies with City Ordinance 444 and C3 Guidebook 6th Ed.

The prior Clayton Community Church project noted during the FY 11/12 Annual Report, filed and received deemed complete application, then started the environmental review process (it had proposed 100% C3 LID); however withdrew their application and sold the property. No new development application has been submitted.

See Table C.3.b.v.(1)

C.3.e.v. ► Alternative or In-Lieu Compliance with Provision C.3.c.

(For FY 11-12 Annual Report and each Annual Report thereafter)
 Is your agency choosing to require 100% LID treatment onsite for all Regulated Projects and not allow alternative compliance under Provision C.3.e.?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Comments (optional):

The City of Clayton stormwater ordinance was updated on April 2, 2013 by Ordinance 444 (previous Ordinance 379 was repealed in its entirety and replaced by the new Ordinance 444). The update was to address some clean up items since adoption of the MRP, and is consistent with the sample updated Ordinance that the program developed. As with the prior Ordinance the current Ordinance 444 requires every application for a development project to be accompanied by a stormwater control plan that meets the criteria in the most recent version of the CCCWP Stormwater C.3 Guidebook as well as the current NPDES permit and any subsequent amendments, reissuance or successor thereafter. The Guidebook is ongoingly updated to incorporate the requirements of Provision C.3.e. See the New Development and Redevelopment section of the CCCWP's FY 2012-2013 Annual Report for details. (The new Ordinance is included as Attachment C3e)

C.3.e.vi ► Special Projects Reporting

1. Has your agency received, but not yet granted final discretionary approval of, a development permit application for a project that has been identified as a potential Special Project based on criteria listed in MRP Provision C.3.e.ii(2) for any of the three categories of Special Projects (Categories A, B or C)?		Yes	X	No
2. Has your agency granted final discretionary approval of a project identified as a Special Project in the March 15, 2013 report? If yes, include the project in both the C.3.b.v.(1) Table, and the C.3.e.vi. Table.		Yes	X	No
If you answered "Yes" to either question, 1) Complete Table C.3.e.vi . below. 2) Attach narrative discussion of 100% LID Feasibility or Infeasibility for each project.				

C.3.h.iv. ► Installed Stormwater Treatment Systems Operation and Maintenance Verification Inspection Program Reporting

<p>There City does not have any regulated projects (those approved prior to December 1, 2011) however the City has early projects that have included LID approaches although were not required to implement the LID requirement. These projects are being included on the listing for purposes of providing the information to appropriate vector control agency only, and to demonstrate that the City of Clayton has had projects implement measures prior to when required under the permit thus demonstrating our efforts to comply with the objectives of the Clean Water Program and the Water Board as it relates to reducing impervious pavement runoff impacts into waterways. Even though not required these early projects have O&M plans and are all inspected annually by the City.</p> <p>See attached table C.3.h.iv</p>
<p>(2) On an annual basis, provide a discussion of the inspection findings for the year and any common problems encountered with various types of treatment systems and/or HM controls. This discussion should include a general comparison to the inspection findings from the previous year.</p>
<p>Summary: Note that projects approved prior to December 1, 2011 were not required to fully implement the LID requirement in Provision C.3.c.i. The City of Clayton did not have nor approve any regulated project during the FY 12/13 reporting period. There are no Regulated Projects within the City of Clayton and there are not any stormwater treatments or HM controls have that have been built yet for Regulated Projects within the City of Clayton. For any future regulated projects the City will conduct annual O&M Program verification compliance inspection.</p>

The City has 5 private and one public non-regulated projects that have LID with O&M Programs that include self-inspection by owners/operators—However the City has always done its own annual inspection and continues to do so even for all these non-regulated projects. They are monitored and tracked by the City but are not included in this report as regulated projects since they pre-date the specific reporting requirement. Even though these are non-regulated and thus not reportable projects the City is including this information only to more fully provide information on our efforts to address stormwater runoff.

Non reportable (non-regulated) private projects:

The City has five private projects approved prior to December 1, 2011 as “early projects” they include LID The early projects are:

- CVS Pharmacy (formally Longs Drugs) 16,000 sq. ft. ;
- Flora Square Retail/Office 7,000 sq. ft. ;
- Mitchell Creek Place residential 9-lot small lot infill ;
- Pine Hollow Estates single family residential subdivision 8-lot.
- Diablo Pointe/Diablo Estates subdivision 24 lot single family residential; however this project has not been completed and is only about 90% completed at the end of this reporting period. Its subdivision map, and house design plans were originally approved in 2004; with re-approval in 2010. In June 2011 additional approvals were granted for modified building design, variances and lot line adjustments. This project has a Benefit Assessment District that the City uses the funds to monitor compliance with the O&M.
- Oak Creek Canyon a 5 lot single family detached large lot subdivision was originally approved in 2003 (with application deemed complete in July 2002) and was thought to have an expired subdivision map. However it was recently determined that the tentative map is still valid pursuant to State legislation which extended the time of certain locally approved subdivision maps. The project however has not recorded a final map nor obtained approvals for the layout and design of the homes. It is therefore likely that this project will need to comply with the current C3 LID and submit appropriate O&M plans/documents as part of its remaining discretionary approvals; and may need to do this prior to filing a final map. Because this is new information the City Attorney and City Engineer have not had an opportunity to determine specifically what requirements will apply. Staff has met with the developer and outlined the issues and reference to the C3 6th Ed. The developer may not be able to provide on lot bio planters due to soil and slope conditions, and therefore may pursue modifying the previously planned siltation and detention basin to comply with C3 for all project runoff. To date staff has not received any updated materials from the developer.

There is one early private project that have received project approval but are not yet under construction that also include LID: Creekside Terrace a 7,000 sq. ft. mixed use retail/residential project that was approved in October 2011.

- The, Clayton Community Church project included last year as suspended in processing by the applicant has now been withdrawn at its current location and the property sold. No new development application has been submitted.

Non-reportable (non-regulated) public project:

- Clayton Community Park Parking Lot Expansion, received approval in March 2011, and began construction in June 2011, and completed construction in December 28, 2011. This project included LID and has an O&M Program.

There have not been any significant problems identified to date as part of the O&M Program and inspections. Minor issues identified to date have been some overgrown landscape vegetation, some sediment filling of LID's and some plant die off. In all cases either the private maintenance corrected the issue as part of regular maintenance or if identified by City annual inspection, correction letter/notice of violations sent to responsible party with deadline to correct. City then conducted a follow up inspection and found the corrections were completed and no further action or follow up was needed. (See Attachment C3 h)

CVS & Flora Square 7/16/12; and 8/2012 for LID maintenance issues

The City identified through its annual inspections two sites that had LID maintenance issues that needed to be corrected. There was one small residential home remodel site that also did not obtain proper permits prior to construction and also had begun installation of non-compliant drainage system. All items were corrected in response to City formal violation or stop work notifications and re-inspections confirmed the compliance. All we in compliance within 10-30 days of receiving notification.

CVS Location: This violation was regarding a narrow cobble strip with plants, per SWCP. The Plants were dead, and the cobbles were not covering the entire planter. The Building Maintenance Co. was notified and our City Inspector worked with CVS representative to resolve this issue. The dead plants were replaced.

Flora Square Location: This violation was a result of a routine inspection of the above ground filtration planters at the front of the office building. All plants were dead and the filter mix was insufficient. Owner was contacted and this issue was resolved with replanting within a timely manner.

(3) On an annual basis, provide a discussion of the effectiveness of the O&M Program and any proposed changes to improve the O&M Program (e.g., changes in prioritization plan or frequency of O&M inspections, other changes to improve effectiveness program).

Summary:

To date the O&M Program seems to be working well. No major issues have been identified to date. No changes to our inspection program are planned. Because we have so few LID projects, all are currently being inspected annually by the City. In addition the Homeowners Assn., or site management, is responsible for ongoing inspections and maintenance throughout the year. The City receives their report as well as conducts its own annual verification inspection. During the City annual inspection if deficiencies are identified the responsible party is contacted by mail and a correction notice with deadline to complete issued. The City conducts follow up inspection to verify corrections and compliance. To date projects that have had deficiencies have responded to the letter and corrected the deficiencies at the time of the City follow up inspection.

(4) During the reporting year, did your agency:					
• Inspect all newly installed stormwater treatment systems and HM controls within 45 days of installation?	X	Yes		No	Not applicable. No new facilities were installed.
• Inspect at least 20 percent of the total number of installed stormwater treatment systems or HM controls? ³	X	Yes		No	Not applicable. No treatment measures
• Inspect at least 20 percent of the total number of installed vault-based systems?	X	Yes		No	Not applicable. No vault systems.
If you answered "No" to any of the questions above, please explain:					

C.3.i. ► Required Site Design Measures for Small Projects and Detached Single Family Home Projects

On an annual basis, discuss the implementation of the requirements of Provision C.3.i, including ordinance revisions, permit conditions, development of standard specifications and/or guidance materials, and staff training.

Summary:

The Contra Costa Clean Water Program adopted a December 1, 2012 addendum to the *Stormwater C.3 Guidebook, 6th Edition*. The addendum, "Preparing a Stormwater Control Plan for a Small Land Development Project," includes step-by-step instructions, a project data form, and standard specifications for runoff reduction measures. The City of Clayton's stormwater ordinance (Ordinance 444) adopted April 2013, requires that applications for development approvals for projects subject to the permit's new development requirements include a Stormwater Control Plan meeting the criteria in the most recent version of the *Stormwater C.3 Guidebook*.

³ If there is only 1 treatment measure in the jurisdiction, the agency must inspect it every year.

C.3.b.v.(1) ► Regulated Projects Reporting Table (part 1) – Projects Approved During the Fiscal Year Reporting Period

Project Name Project No.	Project Location ¹⁰ , Street Address	Name of Developer	Project Phase No. ¹¹	Project Type & Description ¹²	Project Watershed ¹³	Total Site Area (Acres)	Total Area of Land Disturbed (Acres)	Total New Impervious Surface Area (ft ²) ¹⁴	Total Replaced Impervious Surface Area (ft ²) ¹⁵	Total Pre- Project Impervious Surface Area ¹⁶ (ft ²)	Total Post- Project Impervious Surface Area ¹⁷ (ft ²)
Private Projects											
None	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Public Projects											
None	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Comments: During the reporting period of FY 12/13 the City of Clayton did not have any regulated projects approved.											

¹⁰ Include cross streets

¹¹ If a project is being constructed in phases, indicate the phase number and use a separate row entry for each phase. If not, enter "NA".

¹² Project Type is the type of development (i.e., new and/or redevelopment). Example descriptions of development are: 5-story office building, residential with 160 single-family homes with five 4-story buildings to contain 200 condominiums, 100 unit 2-story shopping mall, mixed use retail and residential development (apartments), industrial warehouse.

¹³ State the watershed(s) in which the Regulated Project is located. Downstream watershed(s) may be included, but this is optional.

¹⁴ All impervious surfaces added to any area of the site that was previously existing pervious surface.

¹⁵ All impervious surfaces added to any area of the site that was previously existing impervious surface.

¹⁶ For redevelopment projects, state the pre-project impervious surface area.

¹⁷ For redevelopment projects, state the post-project impervious surface area.

C.3.b.v.(1) ► Regulated Projects Reporting Table (part 2) – Projects Approved During the Fiscal Year Reporting Period (private projects)

Project Name Project No.	Application Deemed Complete Date ¹⁸	Application Final Approval Date ¹⁹	Source Control Measures ²⁰	Site Design Measures ²¹	Treatment Systems Approved ²²	Type of Operation & Maintenance Responsibility Mechanism ²³	Hydraulic Sizing Criteria ²⁴	Alternative Compliance Measures ^{25/26}	Alternative Certification ²⁷	HM Controls ^{28/29}
Private Projects										
None	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Comments:
During the reporting period of FY 12/13 the City of Clayton did not have any regulated projects approved.

¹⁸ For private projects, state project application deemed complete date. If the project did not go through discretionary review, report the building permit issuance date.

¹⁹ For private projects, state project application final discretionary approval date. If the project did not go through discretionary review, report the building permit issuance date.

²⁰ List source control measures approved for the project. Examples include: properly designed trash storage areas; storm drain stenciling or signage; efficient landscape irrigation systems; etc.

²¹ List site design measures approved for the project. Examples include: minimize impervious surfaces; conserve natural areas, including existing trees or other vegetation, and soils; construct sidewalks, walkways, and/or patios with permeable surfaces, etc.

²² List all approved stormwater treatment system(s) to be installed onsite or at a joint stormwater treatment facility (e.g., flow through planter, bioretention facility, infiltration basin, etc.).

²³ List the legal mechanism(s) (e.g., O&M agreement with private landowner; O&M agreement with homeowners' association; O&M by public entity, etc...) that have been or will be used to assign responsibility for the maintenance of the post-construction stormwater treatment systems.

²⁴ See Provision C.3.d.i. "Numeric Sizing Criteria for Stormwater Treatment Systems" for list of hydraulic sizing design criteria. Enter the corresponding provision number of the appropriate criterion (i.e., 1.a., 1.b., 2.a., 2.b., 2.c., or 3).

²⁵ For Alternative Compliance at an offsite location in accordance with Provision C.3.e.i.(1), on a separate page, give a discussion of the alternative compliance site including the information specified in Provision C.3.b.v.(1)(m)(i) for the offsite project.

²⁶ For Alternative Compliance by paying in-lieu fees in accordance with Provision C.3.e.i.(2), on a separate page, provide the information specified in Provision C.3.b.v.(1)(m)(ii) for the Regional Project.

²⁷ Note whether a third party was used to certify the project design complies with Provision C.3.d.

²⁸ If HM control is not required, state why not.

²⁹ If HM control is required, state control method used (e.g., method to design and size device(s) or method(s) used to meet the HM Standard, and description of device(s) or method(s) used, such as detention basin(s), bioretention unit(s), regional detention basin, or in-stream control).

C.3.b.v.(1) ► Regulated Projects Reporting Table (part 2) – Projects Approved During the Fiscal Year Reporting Period (public projects)

Project Name Project No.	Approval Date ³⁰	Date Construction Scheduled to Begin	Source Control Measures ³¹	Site Design Measures ³²	Treatment Systems Approved ³³	Operation & Maintenance Responsibility Mechanism ³⁴	Hydraulic Sizing Criteria ³⁵	Alternative Compliance Measures ^{36/37}	Alternative Certification ³⁸	HM Controls ^{39/40}
Public Projects										
None	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Comments:
During the reporting period of FY 12/13 the City of Clayton did not have any regulated projects approved.

³⁰ For public projects, enter the plans and specifications approval date.

³¹ List source control measures approved for the project. Examples include: properly designed trash storage areas; storm drain stenciling or signage; efficient landscape irrigation systems; etc.

³² List site design measures approved for the project. Examples include: minimize impervious surfaces; conserve natural areas, including existing trees or other vegetation, and soils; construct sidewalks, walkways, and/or patios with permeable surfaces, etc.

³³ List all approved stormwater treatment system(s) to be installed onsite or at a joint stormwater treatment facility (e.g., flow through planter, bioretention facility, infiltration basin, etc.).

³⁴ List the legal mechanism(s) (e.g., maintenance plan for O&M by public entity, etc...) that have been or will be used to assign responsibility for the maintenance of the post-construction stormwater treatment systems.

³⁵ See Provision C.3.d.i. "Numeric Sizing Criteria for Stormwater Treatment Systems" for list of hydraulic sizing design criteria. Enter the corresponding provision number of the appropriate criterion (i.e., 1.a., 1.b., 2.a., 2.b., 2.c., or 3).

³⁶ For Alternative Compliance at an offsite location in accordance with Provision C.3.e.i.(1), on a separate page, give a discussion of the alternative compliance site including the information specified in Provision C.3.b.v.(1)(m)(i) for the offsite project.

³⁷ For Alternative Compliance by paying in-lieu fees in accordance with Provision C.3.e.i.(2), on a separate page, provide the information specified in Provision C.3.b.v.(1)(m)(ii) for the Regional Project.

³⁸ Note whether a third party was used to certify the project design complies with Provision C.3.d.

³⁹ If HM control is not required, state why not.

⁴⁰ If HM control is required, state control method used (e.g., method to design and size device(s) or method(s) used to meet the HM Standard, and description of device(s) or method(s) used, such as detention basin(s), bioretention unit(s), regional detention basin, or in-stream control).

C.3.h.iv. ► Table of Installed Stormwater Treatment Systems Operation and Maintenance Verification Inspection Program Reporting

There City of Clayton does not have any regulated projects (those approved prior to December 1, 2011) however the City has early projects that have included LID approaches although were not required to implement the LID requirement.

These projects are non-regulated and non-reportable but are being included on the listing for purposes of providing the information to appropriate vector control agency only, and to demonstrate that the City of Clayton has had projects implement measures prior to when required under the permit thus demonstrating our efforts to comply with the objectives of the Clean Water Program and the Water Board as it relates to reducing impervious pavement runoff impacts into waterways. Even though not required these early projects have O&M plans and are all inspected annually by the City.

Name of Facility/Site Inspected	Address of Facility/Site Inspected	Newly Installed? (YES/NO) ⁴¹	Party Responsible ⁴² For Maintenance	Date of Inspection	Type of Inspection ⁴³	Type of Treatment/HM Control(s) Inspected ⁴⁴	Inspection Findings or Results ⁴⁵	Enforcement Action Taken ⁴⁶	Comments/Follow-up
CVS Pharmacy	Center Street (16,000 sq ft single story commercial building; City conducts annual inspection; private maintenance)	No Installed apx. 2006	CVS and Endashian LLC (lessor; and property owner)	7/16/2012; 8/10/2012	Annual; Follow Up	Filtration Planters/Bio-Retention Planters / Flo-Through Planters On-Site	Missing plants in one planter area that parking lot drains into	Written letter of correction as Notice of Violation	Follow up inspection of 8/10/12 determined compliance (plants replanted) - NOV rescinded
Flora Square	Center/Oak Street (7,000 sq foot 2 story retail/office building; city conducts annual inspection; private maintenance)	No Installed apx. 2009	Dave Thomas NUCP Clayton LLC (property owner)	7/16/2012; 8/17/2012	Annual; Follow Up	Filtration Planters/Bio-Retention Planters On- Site	Dead plants in planter raised planter box that building roof drains into	Written letter of correction as Notice of Violation	Follow up inspection on 8/17/12 verified compliance (missing plants replaced) -NOV rescinded
Mitchell Creek Place	High Street	No Installed apx. 2009	HOA	7/16/2012	Annual	Filtration Planters/Bio-Retention Planters On-Site	Satisfactory, clear of debris, no litter all vegetation healthy and properly trimmed; in compliance with plans	None	None
Pine Hollow Estates	Pardi Place 8 lot single family subdivision; city conducts annual	No Installed apx. 2008	HOA	7/16/2012	Annual	Filtration Planters/Bio-Retention Planters	Satisfactory, clear of debris, no litter all vegetation healthy and properly trimmed; in compliance with plans	None	None

⁴¹ Indicate "YES" if the facility was installed within the reporting period, or "NO" if installed during a previous fiscal year.

⁴² State the responsible operator for installed stormwater treatment systems and HM controls.

⁴³ State the type of inspection (e.g., 45-day, routine or scheduled, follow-up, etc.).

⁴⁴ State the type(s) of treatment systems inspected (e.g., bioretention facility, flow-through planter, infiltration basin, etc...) and the type(s) of HM controls inspected, and indicate whether the treatment system is an onsite, joint, or offsite system.

⁴⁵ State the inspection findings or results (e.g., proper installation, improper installation, proper O&M, immediate maintenance needed, etc.).

⁴⁶ State the enforcement action(s) taken, if any.

C.3.h.iv. ► Table of Installed Stormwater Treatment Systems Operation and Maintenance Verification Inspection Program Reporting

There City of Clayton does not have any regulated projects (those approved prior to December 1, 2011) however the City has early projects that have included LID approaches although were not required to implement the LID requirement.

These projects are non-regulated and non-reportable but are being included on the listing for purposes of providing the information to appropriate vector control agency only, and to demonstrate that the City of Clayton has had projects implement measures prior to when required under the permit thus demonstrating our efforts to comply with the objectives of the Clean Water Program and the Water Board as it relates to reducing impervious pavement runoff impacts into waterways. Even though not required these early projects have O&M plans and are all inspected annually by the City.

Name of Facility/Site Inspected	Address of Facility/Site Inspected	Newly Installed? (YES/NO) ⁴¹	Party Responsible ⁴² For Maintenance	Date of Inspection	Type of Inspection ⁴³	Type of Treatment/HM Control(s) Inspected ⁴⁴	Inspection Findings or Results ⁴⁵	Enforcement Action Taken ⁴⁶	Comments/Follow-up
	inspection; private HOA and homeowner does maintenance					On-Site			
Diablo Pointe (Estates)	Regency/Rialto 24 lot single family residential	No VortSentry Installed apx. 2006 Lot LIDs installed apx. 2010 to present (still under construction about 90% complete)	City of Clayton for VortSentry – private homeowners for the residential lot LIDs	8/2013	Annual	Bio Retention Planters Vort Sentry Vort Sentry pre Treatment On-Site	Inspection of VortSentry only – residential lot LID will be inspected later as part of tract acceptance process residential lot construction not yet completed No Damage or blockage- removed 1 cubic yd of sediment from the VortSentry system and some debris/trash; installed new absorbent booms– no further action needed All on site LIDs of the residential lots completed to date were found to be in compliance	None	has a Benefit Assessment District (BAD) that city oversees and City conducts maintenance and inspections; the BAD already is operational and thus the VortSentry are already under city maintenance. Prior to tract acceptance all lot LIDs will be inspected by the City
Community Park Public parking lot – City responsible for maintenance and inspections	Regency Dr/Marsh Creek Road	No Installed in 2/2011	City of Clayton	12/2012	Annual	Filtration Planters/Bio-Retention Planters On-Site	Satisfactory, clear of debris, no litter all vegetation healthy and properly trimmed; in compliance with plans	None	None

Comments:

See Attachment C3 h for correspondence related to items inspected that had corrections; and for the inspection/maintenance report for the still under construction Diablo Pointe (Estates) project for the VortSentry

C.3.e.vi.Special Projects Reporting Table												
Reporting Period – January 1 – June 30, 2013												
Project Name & No.	Permittee	Address	Application Submittal Date⁴⁷	Status⁴⁸	Description⁴⁹	Site Total Acreage	Density DU/Acre	Density FAR	Special Project Category⁵⁰	LID Treatment Reduction Credit Available⁵¹	List of LID Stormwater Treatment Systems⁵²	List of Non-LID Stormwater Treatment Systems⁵³
None	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

⁴⁷ Date that a planning application for the Special Project was submitted.

⁴⁸ Indicate whether final discretionary approval is still pending or has been granted, and provide the date or version of the project plans upon which reporting is based.

⁴⁹ Type of project (commercial, mixed-use, residential), number of floors, number of units, type of parking, and other relevant information.

⁵⁰ For each applicable Special Project Category, list the specific criteria applied to determine applicability. For each non-applicable Special Project Category, indicate n/a.

⁵¹ For each applicable Special Project Category, state the maximum total LID Treatment Reduction Credit available. For Category C Special Projects also list the individual Location, Density, and Minimized Surface Parking Credits available.

⁵² List all LID stormwater treatment systems proposed. For each type, indicate the percentage of the total amount of runoff identified in Provision C.3.d. for the Special Project's drainage area.

⁵³ List all non-LID stormwater treatment systems proposed. For each type of non-LID treatment system, indicate: (1) the percentage of the total amount of runoff identified in Provision C.3.d. for the Special Project's drainage area, and (2) whether the treatment system either meets minimum design criteria published by a government agency or received certification issued by a government agency, and reference the applicable criteria or certification.

Section 4 – Provision C.4 Industrial and Commercial Site Controls

Program Highlights

Provide background information, highlights, trends, etc.

The City of Clayton does not have any industrial sites. The City of Clayton has very few commercial sites, they are limited to one 8 acre master planned neighborhood shopping center, and a two block area of smaller commercial business consisting of mostly offices, two small convenience stores, and a few restaurants. The City does not have any auto service facilities. The City of Clayton contracts with the Central Contra Costa Sanitary District – Central Sans- (POTW) for its commercial inspections. We have developed an inspection plan and review and update annually as needed with Central Sans staff supervising inspector. City staff met with its inspector supervisor and ensured the business listing data base was current and updated the planned inspection list for the Fiscal year, facilities lists, and inspection frequencies and priorities; 2) the contracted POTW inspectors conducting inspections and provides regular updates to city staff 3) the POTW inspectors received appropriate training. The City regularly monitors the meetings CCCWP's Municipal Operations Committee and the in the BASMAA Municipal Operations Committee. Refer to the C.4. Industrial and Commercial Site Controls section of the Program's FY 12-13 Annual Report for a description of activities of the countywide program and/or the BASMAA Municipal Operations Committee.

C.4.b.i. ► Business Inspection Plan

Do you have a Business Inspection Plan? Yes No

If No, explain:

C.4.b.iii.(1) ► Potential Facilities List

List below or attach your list of industrial and commercial facilities in your Inspection Plan to inspect that could reasonably be considered to cause or contribute to pollution of stormwater runoff.

See Attachment C4b(1)

C.4.b.iii.(2) ► Facilities Scheduled for Inspection

List below or attach your list of facilities scheduled for inspection during the current fiscal year.

See Attachment C4b(2)

C.4.c.iii.(1) ► Facility Inspections

Fill out the following table or attach a summary of the following information. Indicate your violation reporting methodology below.

<input checked="" type="checkbox"/>	Permittee reports multiple discrete violations on a site as one violation.
<input type="checkbox"/>	Permittee reports the total number of discrete violations on each site.

	Number	Percent
Number of businesses inspected	10	
Total number of inspections conducted	16	
Number of violations (excluding verbal warnings)	3	
Sites inspected in violation	3	N/A
Violations resolved within 10 working days or otherwise deemed resolved in a longer but still timely manner	3	N/A
Comments: Central Sans, our POTW inspector, reports that for initial inspections they provide an average of 4 informational materials per business; for re-inspections they provide an average of 2 informational materials to the business. In summary, two businesses (restaurants) were issued Warning Notices; one business (restaurant) was issued a NOV. See Attachments C 4 c for details of the inspections.		

C.4.c.iii.(2) ► Frequency and Types/Categories of Violations Observed

Fill out the following table or attach a summary of the following information.

Type/Category of Violations Observed	Number of Violations
Actual discharge (e.g. active non-stormwater discharge or clear evidence of a recent discharge)	0
Potential discharge and other	1
Comments: The City of Clayton contracts with our POTW- Central Contra Costa Sanitation District for inspection services. Refer to the "Enforcement Actions" listed under C.4.c.iii.2 Typically a "Level 1" enforcement actions (Warning Notice) is not considered "violations", however it is followed up with either specific follow up inspection, or at a subsequent regular inspection to ensure corrective action is taken. Discharges are counted as one discharge per inspection per site.	

C.4.c.iii.(2) ► Frequency and Type of Enforcement Conducted

Fill out the following table or attach a summary of the following information.

	Enforcement Action (as listed in ERP) ⁴⁸	Number of Enforcement Actions Taken	% of Enforcement Actions Taken⁴⁹
Level 1	Warning Notice	2	N/A
Level 2	Notice of Violation	1	N/A
Level 3	Formal Enforcement Action (Administrative Penalties, Cost Recovery)	0	N/A
Level 4	Legal Action/Referral to State and Federal Agencies	0	N/A
Total		0	N/A

C.4.c.iii.(3) ► Types of Violations Noted by Business Category

Fill out the following table or attach a summary of the following information.

Business Category⁵⁰	Number of Actual Discharge Violations	Number of Potential/Other Discharge Violations
Food Service	0	1
Retail	0	0

C.4.c.iii.(4) ► Non-Filers

List below or attach a list of the facilities required to have coverage under the Industrial General Permit but have not filed for coverage:

There are no industrial facilities in the City of Clayton, therefore there were no industries identified as non-filers during scheduled inspections during this fiscal year. Central Sans conducts inspections for Clayton under an interagency service agreement. Central Sans reviews the operations of the businesses inspected to determine if they may be subject to the General Industrial Permit standards and if so, determines if the business filed a Notice of Intent (NOI) with the SWRCB. If a non-filer is identified, Central Sans informs the business of the requirement to file a NOI. If the business does not file a NOI, Central Sans notifies City of Clayton of this status so that appropriate referral to the RWQCB is made. Central Sans did not notify the City of Clayton of any non-filers during the reporting period.

⁴⁸ Agencies to list specific enforcement actions as defined in their ERPs.

⁴⁹ Percentage calculated as number of each type of enforcement action divided by the total number of enforcement actions.

⁵⁰ List your Program's standard business categories.

C.4.d.iii ► Staff Training Summary				
Training Name	Training Dates	Topics Covered	No. of Inspectors in Attendance	Percent of Inspectors in Attendance
Commercial/Industrial Stormwater Inspection Training Workshop	May 16, 2013	<ul style="list-style-type: none"> • What you can and cannot do in a creek • State General Industrial Permit Reissuance • Management and cleanup of PCBs • Field trip/training on how to inspect a large water park including restaurant, parking, shopping and entertainment facilities 	7	28
CWEA Pretreatment Pollution Prevention, and Stormwater Annual Conference	Feb. 25-27, 2013	<ul style="list-style-type: none"> • Stormwater BMP's • Inspector Training Sessions • Outreach 	7	28
CWEA labs 101- Back to Basics	June 6, 2013	<ul style="list-style-type: none"> • Good Sampling Methods • Sampling Handling 	6	67
CWEA – NRTC including Plan Review 101	Sept. 9-13, 2013	<ul style="list-style-type: none"> • Stormwater Education and Outreach • Plan Reviews 	6	67
CWEA Annual Conference	April 17-19, 2013	<ul style="list-style-type: none"> • Inspector Training • Stormwater BMP's • Outreach 	3	33
Cal EPA Basic Inspector Academy	June 10-13, 2013	<ul style="list-style-type: none"> • Investigations • Evidence • Witness Testimony • Case Development • Interagency Coordination 	1	11

Section 5 – Provision C.5 Illicit Discharge Detection and Elimination

Program Highlights

Provide background information, highlights, trends, etc.

The City of Clayton monitored and received updates from the countywide program's Municipal Operations Committee/Work Group; and the BASMAA Municipal Operations Committee. Refer to the C.5 Illicit Discharge Detection and Elimination section of the CCCWP's FY 12-13 Annual Report for a description of activities conducted at the countywide or regional level.

During the year the City reviewed and updated its emergency and environmental contact list. There are no known or observed illicit discharges or illicit connections in the City of Clayton. City Maintenance staff annually cleans all DI's throughout the City, and at that time observes to see if any signs of illicit discharges or connections. The POTW's also observe for such illicit discharges or connections during their annual business inspections. The City contracts with the City of Concord for maintenance of its Sanitary Sewer system. Construction permits go through a review by the City of Concord prior to issuance to ensure that any sewer connections are done to appropriate sewer lines and to current codes and are inspected properly.

If the City was to receive a complaint/observation of illicit discharge or connection: Our process is that calls are received by city front line staff, police admin staff, or may be field observed by police patrol or maintenance staff in the field, and are directed to either the Asst. to the City Manager or the City Engineering Inspector for initial review, field verification and action; or referred to City Maintenance staff to verify and if needed to take appropriate action to ensure any discharge in public ways does not enter into storm drain. The Asst. to the City Manager is responsible to coordinate with POTW, city part time code enforcement staff person/city engineer/city attorney for any other appropriate follow action. Such actions include contacting the business owner/operator and contact the property owner to determine how the discharge came about; provide them with appropriate educational information; and depending on circumstances may issue any appropriate written warning notice/ citation and/or conduct an investigation and file report with the District Attorney and the Regional Water Control Board for any other follow up action. If it is from an illicit connection we would require them to remove the connection.

C.5.c.iii ► Complaint and Spill Response Phone Number and Spill Contact List

List below or attach your complaint and spill response phone number and spill contact list.

Contact	Description	Phone Number
No complaints received	N/A	N/A

C.5.d.iii ► Evaluation of Mobile Business Program

Describe implementation of minimum standards and BMPs for mobile businesses and your enforcement strategy. This may include participation in the BASMAA Mobile Surface Cleaners regional program or local activities.

Description:
The City participates in the Program outreach related to mobile surface cleaners and that by BASMAA. There are not any mobile surface cleaners located in the City of Clayton. The City has not and does not utilize or hire any mobile surface cleaners, if we were to do so we would utilize a certified Mobile Surface Cleaner.

If the City was to receive a complaint/observation of illicit discharge: Our process is that calls are received by city front line staff, police admin staff, or may be field observed by police patrol or maintenance staff in the field, and are directed to either the Asst. to the City Manager or the City Engineering Inspector for initial review, field verification and action; or referred to City Maintenance staff to verify and if needed to take appropriate action to ensure any discharge in public ways does not enter into storm drain. The Asst. to the City Manager is responsible to coordinate with POTW, city part time code enforcement staff person/city engineer/city attorney for any other appropriate follow action. Such actions include contacting the business owner/operator and contact the property owner to determine how the discharge came about; provide them with appropriate educational information; and depending on circumstances may issue any appropriate written warning notice/ citation and/or conduct an investigation and file report with the District Attorney and the Regional Water Control Board for any other follow up action. If it is from an illicit connection we would require them to remove the connection.

Refer to the C.5 Illicit Discharge Detection and Elimination section of countywide CCCWP's program's FY 12-13 Annual Report ; and the BASMAA MRP Regional Supplement: Training and Outreach for FY 12-13 for a description of efforts by countywide CCCWP and the BASMAA Municipal Operations Committee to address mobile businesses.

C.5.e.iii ► Evaluation of Collection System Screening Program

Provide a summary or attach a summary of your collection screening program, a summary of problems found during collection system screening and any changes to the screening program this FY.

Description:
City Maintenance staff conducts annual conducts visual inspections and cleans as necessary all drainage inlets and all creeks, outfalls, and v-ditches and box culverts (650 DI's; 5 miles of creeks; 15 miles of v-ditches; and 2 box culverts). All DI's and outfalls are regularly inspected, monitored and cleaned as part of overall field maintenance activity during the rainy season and cleared as may be necessary. No issues were observed or reported this year.

24 locations were identified with the annual inspection in October 2011. These were scheduled to be replaced in November 2011. However due to budget cuts and limited staff resources the City Maintenance staff was not able to replace during FY 11-12 due to budget staffing reductions. These were replaced in FY 12-13 along with 45 other identified new locations, for a total of 69 total replacements done during FY 12-13. After completing these replacements there are about 30 new locations that were identified that will be done during FY 13-14. Currently there is apx. 96% of the DI's marked, well above the minimum MRP requirement of 80%.

City Maintenance staff did clean the creeks, v-ditches, and DI's during FY 12-13 however, the 2 box culverts were inspected and determined that they did not need to be cleaned this FY.

C.5.f.iii.(1), (2), (3) ► Spill and Discharge Complaint Tracking

Spill and Discharge Complaint Tracking (fill out the following table or include an attachment of the following information)

	Number	Percentage
Discharges reported (C.5.f.iii.(1))	0	
Discharges reaching storm drains and/or receiving waters (C.5.f.iii.(2))	0	N/A
Discharges resolved in a timely manner (C.5.f.iii.(3))	0	N/A

Comments:
The City of Clayton did not receive or observe any spills or illicit discharges during the reporting period.
Our process is that calls are received by city front line staff, police admin staff, or may be field observed by police patrol or maintenance staff in the field, and are directed to either the Asst. to the City Manager or City Engineering Inspector for initial review, field verification and action; or referred to City Maintenance staff to verify and if needed to take appropriate action to ensure any discharge in public ways does not enter into storm drain. The Asst. to the City Manager is responsible to coordinate with POTW, city part time code enforcement staff person/city engineer/city attorney for any other appropriate follow action. Such actions include contacting the business owner/operator and contact the property owner to determine how the discharge came about; provide them with appropriate educational information; and depending on circumstances may issue any appropriate written warning notice/ citation and/or conduct an investigation and file report with the District Attorney and the Regional Water Control Board for any other follow up action.

C.5.f.iii.(4) ► Summary of major types of discharges and complaints

Provide a narrative or attach a table and/or graph.

None. There were not any discharges observed or complaints received during FY 2012-13.

Section 6 – Provision C.6 Construction Site Controls

C.6.e.iii.1.a, b, c ▶ Site/Inspection Totals		
Number of High Priority Sites (sites disturbing < 1 acre of soil requiring storm water runoff quality inspection) (C.6.e.iii.1.a)	Number of sites disturbing ≥ 1 acre of soil (C.6.e.iii.1.b)	Total number of storm water runoff quality inspections conducted (include only High Priority Site and sites disturbing 1 acre or more) (C.6.e.iii.1.c)
0	1	24
<p>Comments: The City of Clayton conducted approximately 50 additional stormwater quality inspections that were conducted at sites not within the above categories during FY 2012-13. These sites generally consist of construction of minor items such as backyard residential swimming pools/spas, demolition of pools and backfill, residential building additions and remodels, and remove/replace of sidewalks due to tripping hazards. The city conducted these inspections as part of its practice to ensure small projects are properly implementing site construction best management practices. The City of Clayton collects inspection fees to cover its costs and a small refundable deposit. This approach implemented several years ago greatly enhances our program to ensure these small projects are using appropriate BMP's. Because the City of Clayton is mostly built out, most of the construction activity is related to smaller residential type projects and some smaller tenant improvements to existing commercial buildings.</p>		

C.6.e.iii.1.d ▶ Construction Activities Storm Water Violations		
BMP Category	Number of Violations⁵¹ excluding Verbal Warnings	% of Total Violations⁵²
Erosion Control	0	N/A
Run-on and Run-off Control	1	100%
Sediment Control	0	N/A
Active Treatment Systems	0	N/A
Good Site Management	0	N/A
Non Stormwater Management	0	N/A
Total⁵³	1	100%

⁵¹ Count one violation in a category for each site and inspection regardless of how many violations/problems occurred in the BMP category. For example, if during one inspection at a site, there are 2 erosion control violations, only 1 violation would be counted for this table.

⁵² Percentage calculated as number of violations in each category divided by total number of violations in all six categories.

⁵³ The total number of violations may count more than one violation per inspection, since some inspections may result in violations in more than one category. For example, during one inspection of a site, there may have been both an erosion control violation and a sediment control violation. For this reason, the total number of violations in this table may not match the total number of enforcement actions reported in Table C6.e.iii.1.e.

C.6.e.iii.1.e ► Construction Related Storm Water Enforcement Actions			
	Enforcement Action (as listed in ERP) ⁵⁴	Number Enforcement Actions Issued	% Enforcement Actions Issued ⁵⁵
Level 1 ⁵⁶	Verbal Warning (Pine Hollow Ct on 7/2/12)	1	100%
Level 2	Written Letter of Correction	0	N/A
Level 3	Written Notice of Violation – Formal Enforcement Action Stop Work Order (Widmar Place) for active construction issues	1	100%
Level 4	Legal Action/Referral to State and Federal Agencies	0	N/A
Total		2	100%
See Attachment C 6 e for details			

C.6.e.iii.1.f, g ► Illicit Discharges	
	Number
Number of illicit discharges, actual and those inferred through evidence at high priority sites and sites that disturb 1 acre or more of land (C.6.e.iii.1.f)	0
Number of sites with discharges, actual and those inferred through evidence at high priority sites and sites that disturb 1 acre or more of land (C.6.e.iii.1.g)	0

⁵⁴ Agencies should list the specific enforcement actions as defined in their ERPs.

⁵⁵ Percentage calculated as number of each type of enforcement action divided by the total number of enforcement actions.

⁵⁶ For example, Enforcement Level 1 may be Verbal Warning.

C.6.e.iii.1.h, i ► Violation Correction Times		
	Number	Percent
Violations (excluding verbal warnings) fully corrected within 10 business days after violations are discovered or otherwise considered corrected in a timely period (C.6.e.iii.1.h)	1	100%⁵⁷
Violations (excluding verbal warnings) not fully corrected within 30 days after violations are discovered (C.6.e.iii.1.i)	0	N/A⁵⁸
Total number of violations (excluding verbal warnings) for the reporting year⁵⁹	1	100%
<p>Comments: Widmar Place: This violation was for commencing single family home remodeling without obtaining city permits, including installation of drainage systems that needed to be removed. The owner and contractor were issued stop work order and subsequently obtained all necessary permits, including plans that removed illegal drainage and had proper drainage and grading – site inspection through the permit process ensured all issues were resolved.</p> <p>See Attachment C 6 e 1 for details of the violations and corrections.</p>		

C.6.e.iii.(2) ► Evaluation of Inspection Data
Describe your evaluation of the tracking data and data summaries and provide information on the evaluation results (e.g., data trends, typical BMP performance issues, comparisons to previous years, etc.).
<p>Description: In 09/10 there were not any active construction projects that were subject to the thresholds of the NPDES MRP permit. During 10/11 there was only one project (Diablo Pointe) which was only doing remedial grading to a reactivated subdivision project of 24 lots. During 11/12 the 24 lot project was reactivated and moved quickly through the construction process. The project had all site improvement work completed some years back; the only hard construction was limited to the pad lots and some open space slope repair.</p> <p>During FY 12/13 this development was in the house construction phase. Currently, the Diablo Pointe Subdivision is now built out, and all house construction is complete. The City of Clayton is very small and mostly built out; most projects occur only every few years and thus we are not able to obtain meaningful trend analysis. Over the 24 inspections that occurred to this project site, there were not any consistent or significant issues identified and the contractors kept all BMP's in good condition, there were not any violations observed. The developer is a major builder (Toll Brothers) and they appear to understand the importance of good establishment and maintenance of their site BMP's. In general it appears most major developers have contractors who are better versed in the provisions of the MRP, the Clean Water Programs C3 Guidebook etc.</p>

⁵⁷ Calculated as number of violations fully corrected in a timely period after the violations are discovered divided by the total number of violations for the reporting year.

⁵⁸ Calculated as number of violations not fully corrected within 30 days after the violations are discovered divided by the total number of violations for the reporting year.

⁵⁹ The total number of violations reported in the table of Violation Correction Times equals the number of initial enforcement actions. This assumes one violation is issued for several problems during an inspection at a site. The total number of violations in the table of Violation Correction Times may not equal the total number of enforcement actions because one violation issued at a site may have a second enforcement action for the same violation at the next inspection if it is not corrected.

C.6.e.iii.(2) ► Evaluation of Inspection Program Effectiveness

Describe what appear to be your program's strengths and weaknesses, and identify needed improvements, including education and outreach.

Description:

There have not been any weaknesses identified. There has only been one active construction site over the last three years or too little activity to make evaluation.

Our strength is in our training and information materials and outreach/information processes we have developed. The City has had its City Engineer, Planning Director and Stormwater Manager trained on the new MRP through the program training. The City Engineer, City Inspector, and City Stormwater Program Manager (Asst to the City Manager) completed the QSD/QSP training. The city engineer also took and passed the exam. They also received, along with the new Planning Director and the Asst. Planner additional training from the CCCWP in June 2013 related to implementing MRP provision C3 requirements. The City continues to actively implement the MRP requirements as part of its planning and development process review and refers any potential developer of a project subject to the MRP to the Programs website. The City outreached and provided information to developers/architects and engineers in the private sector of training opportunities related to the MRP. The City provides informational materials on good housekeeping construction practices on all construction related permits, including small projects. The City has very infrequent large construction projects, most construction is smaller projects of home remodeling's/additions/swimming pools and commercial tenant improvements. The city requires and conducts inspections of all these projects to ensure compliance with appropriate BMP's.

The City's stormwater manager actively participated in the CCCWP's Development Committee and monitored the activity of the BASMAA Development Committee. The City Inspector has replaced the prior year inspection forms with the example forms available through the Clean Water Program. The City Inspector also participated in local training workshops/seminars on storm water inspection procedures.

In April 2013 the City Council Adopted Ordinance 444 which updated our Stormwater Discharge Ordinance to align better with the MRP. The Ordinance framework was provided by the Clean Water Program new Development Committee Workgroup which the City Stormwater Manager (Asst to the City Mgr.) actively participated on. (See Attachment C 6 e 2)

Refer to the C.6 Construction Site Control section of countywide CCCWP's program's FY 12-13 Annual Report for a description of activities at the countywide or regional level.

C.6.f ► Staff Training Summary

Training Name	Training Dates	Topics Covered	No. of Inspectors in Attendance	Percent of Inspectors in Attendance
CCCWP Stormwater Control Plan Preparation	May 17, 2012	How to Prepare Stormwater Control Plans for Development Projects	2 (planning staff)	N/A
CCCWP Commercial Industrial Inspection Training	May 16, 2013	<ul style="list-style-type: none"> • What you can and cannot do in a creek • State General Industrial Permit Reissuance • Management and cleanup of PCBs 	1 (program manager)	N/A

		<ul style="list-style-type: none"> Field trip/training on how to inspect a large water park including restaurant, parking, shopping and entertainment facilities 		
CCCWP Implementing C3	June 11, 2013	Implementing MRP Provision C3 Requirements for Land Development	2 (planning staff) 1 (inspector) 1 (program manager)	100%
Caltrans Federal Aide Construction Projects	Aug. 6-10, 2013	All Construction activities & Erosion Control responsibilities for Municipalities.	1	100%

Section 7 – Provision C.7. Public Information and Outreach

C.7.a ► Storm Drain Inlet Marking (existing storm drains)

(For FY 12-13 Annual Report only) Report prior years' estimated annual percentages of municipality maintained storm drain inlet markings inspected and maintained as legible with a no dumping message or equivalent. At least 80% of municipality-maintained storm drain inlet markings shall be inspected and maintained at least once per 5-year permit term.

Summary:

Based on the total number of municipality maintained storm drain inlets stenciled with a marking such as "No dumping, drains to Bay", provide the percentage that was inspected and maintained as legible during the following fiscal years: The City has apx. 650 DI's in FY 12/13 all stenciled with thermoplastic "No Dumping Drains to Creek" - all were inspected and 67 signs were found in need of replacing; of those 40 were replaced during FY 12/13.

Estimated annual percentage of stenciled municipality storm drain inlets that were inspected and maintained as legible:

2009-10: 96%

2010-11: 93%

2011-12: 92%

2012-13: 94%

C.7.a ► Storm Drain Inlet Marking (newly-constructed, privately-maintained streets)

(For FY 12-13 Annual Report only) Report prior years' annual number of projects accepted after inlet markings were verified. For newly-approved, privately-maintained streets, permittees shall require inlet marking by the project developer upon construction and maintenance of markings through the development maintenance entity. Markings shall be verified prior to acceptance of the project.

Summary: **Provide, on an annual basis, the number of projects with privately-maintained streets constructed and accepted by your agency, for which inlets were marked prior to acceptance of the project.**

Annual number of newly-constructed, privately-maintained streets for which inlets were marked:

2009-10: 0 projects

2010-11: 0 projects

2011-12: 0 projects

2012-13: 0 projects

The City of Clayton through its conditions of approval requires the developer to install all "No Dumping Drains to Creek" thermoplastic markings at all inlets, this is for both public and private streets. The City ensures through on site field inspection prior to the acceptance through our City Engineer that these have been installed. The developer has a maintenance period for all public installed improvements that are guaranteed by bond. Prior to release of the bond, another inspection is conducted to ensure they are still in acceptable condition, if not the developer is required to replace and they are re-inspected by the City Engineer prior to release of the bond. Even though the streets are private the drainage facilities typically are public with public drainage easements, thus the City responsibility for maintenance, including inspection and replacing the markings as needed.

C.7.b.ii.1 ▶ Advertising Campaign

Summarize advertising efforts. Include details such as messages, creative developed, and outreach media used. The detailed advertising report may be included as an attachment. If advertising is being done by participation in a countywide or regional program, refer to the separate countywide or regional Annual Report.

Summary:

The City of Clayton monitored and received updates during FY 2012-13 from the countywide program's CCCWP's Public Information and Participation Committee and BASMAA's Public Information and Participation Committee Guidance. Refer to Section 7 in the CCCWP's FY 12-13 Annual Report for a complete review of advertising efforts conducted by the CCCWP on behalf of all Permittees.

C.7.b.iii.1 ▶ Pre-Campaign Survey

(For the Annual Report following the pre-campaign survey) Summarize survey information such as sample size, type of survey (telephone survey, interviews etc.). Attach a survey report that includes the following information. If survey was done regionally, refer to a regional submittal that contains the following information:

Place an **X** in the appropriate box below:

	Survey report attached
X	Refer to Section C.7 in the CCCWP's FY 12-13 Annual Report for complete details on the pre-campaign survey conducted for the CCCWP's Pesticide Campaign

C.7.c ▶ Media Relations

Summarize the media relations effort. Include the following details for each media pitch in the space below, AND/OR refer to a regional report that includes these details:

- Topic and content of pitch
- Medium (TV, radio, print, online)
- Date of publication/broadcast

Summary:

Refer to BASMAA's "MRP Regional Supplement for Training and Outreach Report" for a summary of media relations efforts conducted during FY 12-13 on behalf of all Permittees.

The City of Clayton is required in the MRP to have 6 media outreaches. Through BASMAA and the CCCWP 6 were conducted in addition there were additional (apx 4) City outreaches thus we exceeded the 6 minimum required and achieved a total of apx 11 for FY 12-13.

Within the City of Clayton there are two local newspapers "Clayton Pioneer" and the "Concord Transcript", throughout the year there are various articles related to a variety of green topics, including recycling and trash reduction. In addition our local trash/recycling hauler maintains a

website with information related to the proper way to discard trash/recycling, the City's web site has a link to their website and the website is also included on outreach materials. Our hauler also provides an annual customer guide that is mailed to all residents and businesses within the City, and provides bi-monthly billing messages that often have information related to trash reduction and recycling. The City also distributes at its library and City hall flyers on sharps/drugs and bulky object pick up/recycling that the hauler provides for in most cases at no cost, including e-waste. During 12-13 the hauler also mailed out a flier with information and provided direct mail letter to all commercial business. All commercial businesses were inspected and found to be subscribing and have trash and recycling services. The City's local paper "Clayton Pioneer" also coordinated and advertised a "Clayton Cleans Up" day for residents to participate in. This year apx. 300 people attended, our largest turn out yet. At this event there were various materials related to the proper disposal of trash and recycling provided.

Clayton Customer Guide 2012 (mailed Jan – Feb 2012) sent to over 4,700 residents and 100 businesses (all Clayton households and businesses)

Treecycling 2012 (mailed December 2012) sent to over 4,700 residents and 100 businesses (all clayton households and businesses) – Also posted at three public posting informational kiosks in the City

Sharps – Pharmaceutical disposal – sent to over 4,700 residents (all clayton households) 100 provided at Library and City Hall; 100 provided at Clayton Cleans Up. Also posted at three public posting informational kiosks in the City- The city has collection bins at its police department for these. In FY 12/13 there was 188 lbs of sharps were dropped off; and 530.5 lbs. of pharmaceuticals

Free Bulky items/e-waste pick up - 100 provided pick up at Library and City Hall; 100 provided for Clayton Cleans Up April 2012 Also posted at three public posting informational kiosks in the City. In FY 12/13 there were apx. 153 appliances and 146 mattress; and 266 e-waste items collected curbside for free from our hauler Allied/Republic.

See Attachment C 7 c

C.7.d ► Stormwater Point of Contact

Summary of any changes made during FY 12-13:

There are no changes to the City website or city point of contact for the stormwater program.

Refer to countywide Program's [CCCWP's] C.7 Public Information and Outreach section of Program's FY 12-13 Annual Report and the BASMAA MRP Regional Supplement: Training and Outreach for FY 12-13, for efforts conducted by the countywide program to publicize stormwater points of contact (e.g. program website, hotline, outreach materials, etc.).

Additionally, our local trash/recycling hauler continues to maintain a website with information related to the proper way to discard trash/recycling, the City's web site has a link to their website and the website is also included on outreach materials. There are no changes to the City website or city point of contact for the stormwater program.

C.7.e ► Public Outreach Events		
Describe general approach to event selection. Provide a list of outreach materials and giveaways distributed. Use the following table for reporting and evaluating public outreach events		
Event Details	Description (messages, audience)	Evaluation of Effectiveness
<p>Provide event name, date, and location. Indicate if event is local, countywide or regional.</p> <p>The City of Clayton is required to participate in a minimum of three public outreach events every year, the City exceeded this minimum as it participated in a total of 6 events in FY 12-13. Two events were coordinated by the program: Bring Back the Natives, Our Water Our World. In addition the City helped facilitate four other local outreach events: Oktoberfest, Clayton Cleans Up; Creekside Arts Festival; the Art and Wine Festival.</p>	<p>Identify type of event (e.g., school fair, farmers market etc.), type of audience (school children, gardeners, homeowners etc.) and outreach messages (e.g., Enviroscene presentation, pesticides, stormwater awareness)</p>	<p>Provide general staff feedback on the event (e.g., success at reaching a broad spectrum of the community, well attended, good opportunity to talk to gardeners etc.). Provide other details such as:</p> <ul style="list-style-type: none"> • Estimated overall attendance at the event. • Number of people that visited the booth, comparison with previous years • Number of brochures and giveaways distributed • Results of any spot surveys conducted
<p>Bringing Back the Natives Garden Tour, Countywide May 2013</p>	<p>Tour to encourage landscaping using native plants, minimizing pesticide and fertilizer use, water conservation, mulching and composting, etc... for countywide residents. See the Fiscal Year 2012/13 Group Program Annual Report, Section C.7, for further details regarding the description of this event.</p>	<p>See the Fiscal Year 2012/13 Group Program Annual Report, Section C.7, for further details regarding the effectiveness of this event.</p>
<p>Support Our Water Our World, Countywide Various dates</p>	<p>See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the description of this event.</p>	<p>See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the effectiveness of this event.</p>
<p>Oktoberfest, Local (October 6 & 7, 2012 – Downtown Clayton)</p>	<p>This is a two day weekend of vendor booths and music. The City staff helps facilitate the placement of two booths one from the Household Hazardous Waste/Central Sanitary District/Mr. Funnelhead and the other Contra Costa Water District. Both these booths provide their own staffing with information and education on watershed</p>	<p>Estimated attendance over the two day weekend is 10,000 it included parents and children. Due to budget cuts city staff can no longer attend this event, and is done solely by the other agencies and their staff there is not any information on the amount of materials distributed. The number of attendees has varied over the years as it is dependent on weather</p>

	<p>awareness, proper disposal/recycling of materials, general stormwater awareness, EnviroScape landscaping using native plants, minimizing pesticide and fertilizer use, water conservation, mulching and composting, etc Attendees were encouraged to take the materials. Mr. Funnelhead also attends, a dressed up mascot that interacts with the children, the message is only rain down the drain, general stormwater awareness and less toxic gardening practices.</p>	<p>(better weather has better turn out)</p>
<p>Creekside Arts Festival, Local (March 22, 23 & 24, 2013 - Library)</p>	<p>A weekend event featuring local area artist who have made or done art that is reflective of the natural /local environment and also includes those that do unique art in reuse. Artists and the Environment. The location is a community room next to a creekside trail/local library branch. Tables for local organizations that promote our nature areas are provided and there is information regarding good environment stewardship. Also promoted are books promoting nature and the environment especially local materials. This year included Wildlife biologist with outdoor interpretative program at Library's creekside habitat; eco art interactive projects/demonstrations.</p>	<p>Estimated attendance is 500 over the two days. Due to budget cuts city staff can no longer participate and it is put on by volunteers. There is not any information on the amount of materials distributed. There is interactive art project for children using the environment, such as rock painting, collecting leafs for colleges from the nearby creekside trail etc. The number of attendees has varied over the years as it is dependent on weather (better weather has better turn out) as well as competing local youth sports activities.</p>
<p>Clayton Cleans Up , Local (April 27, 2013- City Hall Courtyard)</p>	<p>This is a three hour Saturday morning Community Clean Up event along city trails, creeks, and sidewalk/landscape areas. Tables with information and education was provided & residents encouraged to take the materials. Mr. Funnelhead also attends, a dressed up mascot that interacts with the children, the message is only rain down the drain, general stormwater awareness and less toxic gardening practices.</p>	<p>Estimated attendance was 300 (the most ever for this annual event) it included parents and children. Due to budget cuts city staff can no longer attend this event, and is done solely by volunteers there is not any information on the amount of materials distributed. The number of attendees has varied over the years as it is dependent on weather (better weather has better turn out) as well as competing local youth sports activities.</p>

<p>Art and Wine Festival, Local (May 4 & 5, 2013- Downtown Clayton)</p>	<p>This is a two day weekend of vendor booths and music. The City staff helps facilitate the placement of two booths one from the Household Hazardous Waste/Central Sanitary District/Mr. Funnelhead and the other Contra Costa Water District. Both these booths provide their own staffing with information and education on watershed awareness, proper disposal/recycling of materials, general stormwater awareness, Enviroscope landscaping using native plants, minimizing pesticide and fertilizer use, water conservation, mulching and composting, etc Attendees were encouraged to take the materials. Mr. Funnelhead also attends, a dressed up mascot that interacts with the children, the message is only rain down the drain, general stormwater awareness and less toxic gardening practices.</p>	<p>Estimated attendance over the two day weekend is 10,000 if included parents and children. Due to budget cuts city staff can no longer attend this event, and is done solely by the other agencies and their staff there is not any information on the amount of materials distributed. The number of attendees has varied over the years as it is dependent on weather (better weather has better turn out)</p>
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C.7.f. ► Watershed Stewardship Collaborative Efforts

Summarize watershed stewardship collaborative efforts and/or refer to a regional report that provides details. Describe the level of effort and support given (e.g., funding only, active participation etc.). State efforts undertaken and the results of these efforts. If this activity is done regionally refer to a regional report.

Evaluate effectiveness by describing the following:

- Efforts undertaken
- Major accomplishments

Summary:
See the Fiscal Year 2012/13 Group Program Annual Report, Section C.7, for a detailed report on BASMAA and the Program's encouragement and support of various Watershed Stewardship Collaborative Efforts on our behalf.

**The City is required to participate in or contribute to a minimum of 1 effort. The City participated/supported in apx. 4 efforts:
 The City of Clayton supported the Contra Costa Watershed Forum, and also had two staff attend. The City also supported the Green Business Program through the CCCWP. The City also sent letters of support for various legislative efforts that were supported by the California Product Stewardship Council, and on proposed state legislation on regulating plastic bags, including speaking directly to our local state elected**

representatives on this topic. The City of Clayton actively participates and supports the Program and its 1) participation in the Contra Costa Watershed Forum, 2) the Green Business Program; 3) membership and partnering with the Bay Friendly Landscape Coalition, 4) membership and support for the California Product Stewardship Council.

See Attachment C 7 f

C.7.g. ► Citizen Involvement Events

List the types of events conducted (e.g., creek clean up, storm drain inlet marking, native gardening etc.). Use the following table for reporting and evaluating citizen involvement events.

Event Details	Description	Evaluation of effectiveness
<p>Provide event name, date, and location. Indicate if event is local, countywide or regional</p> <p>The City of Clayton is required to participate in a minimum of 1 citizen involvement event. This year the City participated in 2 events, one through its support of the Community Watershed Stewardship Grant Program and the City helped facilitate the local Clayton Cleans Up.</p>	<p>Describe activity (e.g., creek clean-up, storm drain marking etc.)</p>	<p>Provide general staff feedback on the event. Provide other evaluation details such as:</p> <ul style="list-style-type: none"> • Number of participants. Any change in participation from previous years. • Distance of creek or water body cleaned • Quantity of trash/recyclables collected (weight or volume). • Number of inlets marked. • Data trends
<p>Community Watershed Stewardship Grant Program</p>	<p>See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the description of this event.</p>	<p>See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the effectiveness of this event.</p>
<p>Clayton Cleans Up , Local (April 27, 2013- City Hall Courtyard)</p>	<p>This is a three hour Saturday morning Community Clean Up event along city trails, creeksides, and sidewalk/landscape areas. There were tables with information and education was provided where residents were encouraged to take the materials. Mr. Funnelhead also attends, a dressed up mascot that interacts with the children, the message is only rain down the drain, general stormwater awareness and less toxic gardening practices.</p>	<p>Estimated attendance was 300 it included parents and children. Due to budget cuts city staff can no longer attend this event, and is done solely by volunteers there is not any information on the amount of materials distributed. The number of attendees has varied over the years as it is dependent on weather (better weather has better turn out) as well as competing local youth sports activities. It is estimated that 500 gallons of trash (mostly on land) was collected at this one day activity.</p>

C.7.h. ► School-Age Children Outreach			
Summarize school-age children outreach programs implemented. A detailed report may be included as an attachment. Use the following table for reporting school-age children outreach efforts.			
Program Details	Focus & Short Description	Number of Students/Teachers reached	Evaluation of Effectiveness
Provide the following information: Name Grade or level (elementary/ middle/ high) Refer to the C.7 Section of the CCCWP's FY 12-13 Annual Report for a description of School-age Children Outreach efforts conducted at the countywide level.	Brief description, messages, methods of outreach used	Provide number or participants	Provide agency staff feedback. Report any other evaluation methods used (quiz, teacher feedback etc.). Attach evaluation summary if applicable.
The City of Clayton is to participate or supported a minimum of one effort. In FY 11-12 the City supported 3 such efforts: 2 via the CCCWP: Be Classy not Trashy Youth Anti-littering outreach campaign; and Mr. Funnelhead school, city/county events and tv ads. In addition the City facilitated Mr. Funnelhead appearance at Oktoberfest, Clayton Cleans Up; Art and Wine Festival.			
Be Classy not Trashy Outreach, Countywide	See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the description of	See the FY 2012-13 Group Program Annual Report,	See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the effectiveness of this outreach

	this event.	Section C.7, for further details regarding the number of students reached from this on of this program.	program.
Mr. Funnelhead, Countywide	See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the description of this event.	See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the number of students/teachers reached from this on of this program.	See the FY 2012-13 Group Program Annual Report, Section C.7, for further details regarding the effectiveness of this outreach program.
Mr. Funnelhead – Local (Oktoberfest 6 & 7, 2012 Downtown Clayton)	This is a two day weekend of vendor booths and music. The City staff helps facilitate the placement of two booths one from the Household Hazardous Waste/Central Sanitary District/Mr. Funnelhead and the other Contra Costa Water District. Both these booths provide their own staffing with information and education on watershed awareness, proper disposal/recycling of materials, general stormwater awareness, Enviroscape landscaping using native plants, minimizing pesticide and fertilizer use, water conservation, mulching and composting, etc Attendees were encouraged to take the materials. Mr. Funnelhead also attends, a dressed up mascot that interacts with the children, the message is only rain down the drain, general stormwater awareness and less toxic gardening practices		

<p>Clayton Cleans Up/Mr. Funnelhead, Local (April 27, 2013- City Hall Courtyard)</p>	<p>This is a three hour Saturday morning Community Clean Up event along city trails, creeksides, and sidewalk/landscape areas. There were tables with information and education was provided where residents were encouraged to take the materials. Mr. Funnelhead also attends, a dressed up mascot that interacts with the children, the message is only rain down the drain, general stormwater awareness and less toxic gardening practices.</p>	<p>Estimated attendance was 300 it included parents and children. It is likely that some of the adults are local teachers live in area. Due to budget cuts city staff can no longer attend this event; it is done solely by volunteers there is not any data on the amount of children vs. adults. The number of attendees has varied over the years as it is dependent on weather (better weather has better turn out) as well as competing local youth sports activities.</p>	<p>Estimated attendance was 300 it included parents and children. Due to budget cuts city staff can no longer attend this event, and is done solely by volunteers there is not any information or data collected on the effectiveness general feedback and causal observation is that the younger children seem to enjoy seeing/interacting with Mr. Funnelhead and receiving the free color books with positive reinforcement messages regarding proper disposal and no dumping etc., less toxic gardening etc. The number of attendees has varied over the years as it is dependent on weather (better weather has better turn out) as well as competing local youth sports activities.</p>
<p>Art and Wine/Mr. Funnelhead, Local (May 4 & 5, 2013- Downtown Clayton)</p>	<p>This is a two day weekend of vendor booths and music. The City staff helps facilitate the placement of two booths one from the Household Hazardous Waste/Central Sanitary District/Mr. Funnelhead and the other Contra Costa Water District. Both these booths provide their own staffing with information and education on watershed awareness, proper disposal/recycling of materials,</p>	<p>Estimated attendance over the two day weekend is 10,000 it included parents and children. It is likely that some of the adults are local teachers live in area. Due to budget cuts city staff can no</p>	<p>Estimated attendance over the two day weekend is 10,000 it included parents and children. Due to budget cuts city staff can no longer attend this event, and is done solely by the other agencies and their staff there is not any information on the amount of materials distributed.</p>

	<p>general stormwater awareness, EnviroScape landscaping using native plants, minimizing pesticide and fertilizer use, water conservation, mulching and composting, etc. Attendees were encouraged to take the materials. Mr. Funnelhead also attends, a dressed up mascot that interacts with the children, the message is only rain down the drain, general stormwater awareness and less toxic gardening practices.</p>	<p>longer attend this event, and is done solely by the other agencies and their staff. The number of attendees has varied over the years as it is dependent on weather (better weather has better turn out)</p>	
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C.7.i. ► Outreach to Municipal Officials

(For FY 12-13 Annual Report only) Summarize outreach conducted to increase the overall awareness of stormwater and/or watershed messages among municipal officials.

Summary:
Please see the CCCWP's FY 12-13 Annual Report for additional outreach activities conducted to municipal officials by the CCCWP.

The City Council is kept updated as needed basis on matters related to stormwater. Two of our councilmembers attended the first MRP issuance process and testified during those hearings as well as sent letters. Annually the City council reviews and adopts its city budget which includes stormwater information (it is a separate fund from the general operating budget, since it is funded only through special dedicated funds via ERU assessment levy). Information is also provided as part of the annual ERU levy rate process in April of each year. During these meetings the City Council is provided written information and summary of stormwater the laws and issues and budget constraints. Additionally in March 2013 the City Council received a staff report on updating its Stormwater discharge ordinance – which the Council passed unanimously.

In April 2012 the Contra Costa Clean Water funding initiative measure failed to obtain the votes necessary to secure additional future funding to meet new MRP requirements. The City Council was provided with copious amounts of materials related to this issue prior to and after its failure, including a post-election follow up report prepared by the Clean Water Program.

In May 2013 the City (along with all other Contra Costa cities) received a Grand Jury report concerning Stormwater funding and related issued; in order to provide the necessary and legal required response, the response and report had to be reviewed and approved by the City Council.

The stormwater manager provides updates to the City Manager on a regular and as needed basis including aspects related to the new MRP issuance negotiations. The City manager also receives updates as needed through the Clean Water Program including new MRP issuance negotiations, at the Public Managers Meetings. The City Manager provides updates to the City Council informally through in person meetings and in the Council Weekly update. T

See Attachment C 7 i

Section 8 - Provision C.8 Water Quality Monitoring

C.8 ► Water Quality Monitoring

State below if information is reported in a separate regional report. Municipalities can also describe below any Water Quality Monitoring activities in which they participate directly, e.g. participation in RMP workgroups, fieldwork within their jurisdictions, etc.

Summary

During FY 12-13, we contributed through the CCCWP to the BASMAA Regional Monitoring Coalition (RMC). In addition, we contributed financially to the Regional Monitoring Program for Water Quality in the San Francisco Estuary (RMP) and were represented at RMP committees and work groups. Monitoring efforts and results are documented in a separate report submitted March 15 of each year, as required in Provision C.8. For additional information on monitoring activities conducted by the CCCWP, BASMAA RMC and the RMP, see the C.8 Water Quality Monitoring section of the Program's FY 12-13 Annual Report.

Section 9 – Provision C.9 Pesticides Toxicity Controls

C.9.b ► Implement IPM Policy or Ordinance

Report implementation of IPM BMPs by showing trends in quantities and types of pesticides used, and suggest reasons for increases in use of pesticides that threaten water quality, specifically organophosphates, pyrethroids, carbaryl, and fipronil. A separate report can be attached as evidence of your implementation. **See Attachment C 9 b Neither City Maintenance Staff nor its contractors used any organophosphates, pyrethroids, carbaryl and fipronil in a manner that threatens water quality (i.e., are used outdoors and may come in contact with stormwater.) Footnote #61 provides the list of active ingredients that need to be reported under the pyrethroids class of pesticides.**

Trends in Quantities and Types of Pesticides Used ⁶⁰					
Pesticide Category and Specific Pesticide Used	Amount ⁶¹				
	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14
Organophosphates	0	0	0	0	
Product or Pesticide Type A					
Product or Pesticide Type B					
Pyrethroids	0	0	0	0	
Product or Pesticide Type X					
Product or Pesticide Type Y					
Carbaryl	0	0	0	0	
Fipronil	0	0	0	0	

C.9.c ► Train Municipal Employees

Enter the number of employees that applied or used pesticides (including herbicides) within the scope of their duties this reporting year.	3
Enter the number of these employees who received training on your IPM policy and IPM standard operating procedures within the last 3 years.	3
Enter the percentage of municipal employees who apply pesticides who have received training in the IPM policy and IPM standard operating procedures within the last three years.	100%

⁶⁰ Includes all municipal structural and landscape pesticide usage by employees and contractors.

⁶¹ Weight or volume of the product or preferably its active ingredient, using same units for the product each year. The active ingredients in any pesticide are listed on the label. The list of active ingredients that need to be reported in the pyrethroids class includes: allethrin, bifenthrin, beta-cyfluthrin, bioallethrin, cyfluthrin, cypermethrin, cyphenothrin, deltamethrin, esfenvalerate, etofenprox, fenpropathrin, gamma-cyhalothrin, imiprothrin, lambda-cyhalothrin, metofluthrin, permethrin, phenothrin, prallethrin, resmethrin, sumithrin (d-phenothrin), tau-fluvalinate, tefluthrin, tetramethrin, tralomethrin, cis-permethrin, and zeta-cypermethrin.

C.9.d ▶ Require Contractors to Implement IPM						
Did your municipality contract with any pesticide service provider in the reporting year?			X	Yes	<input type="checkbox"/>	No
If yes, attach one of the following:						
<input type="checkbox"/>	Contract specifications that require adherence to your IPM policy and standard operating procedures, OR					
X	Copy(ies) of the contractors' IPM certification(s) or equivalent, OR					
<input type="checkbox"/>	Equivalent documentation.					
<p>If Not attached, explain:</p> <p>The City historically has always used a very minimal amount of pesticides and herbicides. The City does not use any pesticides or herbicides in a manner that threatens water quality, or in any quantities that would be sufficient to have trend analysis. Pesticide use is mostly limited to building interiors for ants and is mostly done with ant bait stations. Overall the amount used has been constant. Any increase in use is due to increase in the ants based upon weather and climate conditions and seasonal fluctuations. The City limits its use to herbicides to round up and pre-emergent for spot spraying in landscape areas. It uses slow release fertilizer on turf areas only in park areas. These applications are also done when it is not raining or threat of rain. The City ensures through its maintenance operations that it's limited outside contractors for building pest management also use IPM practices. Buildings are mostly managed mostly with minimal building exterior foundation spray if needed and bait type materials for ants by its outside contractor Western Exterminator that is Eco Wise IPM certified. Western Exterminators use of organophosphates, pyrethroids, carbaryl and fipronil are not used or applied in a manner that threatens water quality (i.e., are used outdoors and may come in contact with stormwater.) Any work is done inside of building areas or it outdoors only during non-rain periods. Outdoor work is limited to around building foundations which have landscaping adjacent to the buildings so there is not any potential runoff. Only three small restroom buildings (each about 300 sq. ft. in size) does not have landscaping and treatments are applied only during non-rain periods so that there is not any potential runoff thus no threat to coming into contact with stormwater.</p> <p>Open space weeds in about 125 acres are also managed for non-native invasive (star thistle and artichoke heart) by outside contractor that during FY 11-12 attend and was certified as Bay Friendly IPM. The area targeted for this weed management is a limited area and applications are conducted during non-rain periods.</p> <p>The City Maintenance Supervisor during FY 11-12 attended and was certified as Bay Friendly IPM. City Maintenance Staff only uses spot spraying of round-up and pre-emergent in landscape areas during the spring and fall during non-rain periods. During FY 12-13 due to budget cuts and limited staff resources the maintenance staff did not apply pre-emergent, only spot and spraying of roundup during the non-rainy times. The City maintenance employees do not use or apply pesticides outside.</p> <p>See Attachment C9 d</p>						

C.9.e ▶ Track and Participate in Relevant Regulatory Processes

Summarize participation efforts, information submitted, and how regulatory actions were affected **OR** reference a regional report that summarizes regional participation efforts, information submitted, and how regulatory actions were affected.

Summary:

During FY 12-13, we participated in regulatory processes related to pesticides through contributions to the CCCWP, BASMAA and CASQA. For additional information, see the Regional Pollutants of Concern Report submitted by BASMAA on behalf of all MRP Permittees.

C.9.f ▶ Interface with County Agricultural Commissioners

Did your municipal staff observe any improper pesticide usage or evidence of improper usage (e.g., pesticides in storm drain systems, along street curbs, or in receiving waters) during this fiscal year?

	Yes	X	No
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If yes, provide a summary of improper pesticide usage reported to the County Agricultural Commissioner and follow-up actions taken to correct any violations. A separate report can be attached as your summary.

**C.9.g. ► Evaluate Implementation of Source Control Actions
Relating to pesticides**

(For FY 12-13 Annual Report only) Submit a report that evaluates; 1) the effectiveness of control measures implemented, and 2) attainment of pesticide concentration and toxicity targets for water and sediment from monitoring data (Provision C.8.). If needed, the report should include the following:

- Improvements to existing control measures and/or additional control measures required.
- A plan to implement improved and/or new control measures.

Summary:

The Effectiveness Evaluation Report is included in Section C.9 Pesticides Toxicity Control of the CCCWP's FY 12-13 Annual Report.

C.9.h.ii ► Public Outreach: Point of Purchase

Provide a summary of public outreach at point of purchase, and any measurable awareness and behavior changes resulting from outreach (here or in a separate report); **OR** reference a report of a regional effort for public outreach in which your agency participates.

Summary:

See the C.9 Pesticides Toxicity Control section of CCCWP's FY 12-13 Annual Report, and the BASMAA MRP Regional Supplement: Training and Outreach for FY 12-13 for information on point of purchase public outreach conducted countywide and regionally.

The City of Clayton supported the additional programs: Bay-Friendly Landscape Maintenance and Gardening Coalition; and Our Water our World. In addition the City outreached to its community and the local Garden Club to participate in the Bring Back the Natives Tour to encourage residents to learn about native plants, water efficient irrigation and IPM practices presented as part of the tour. Two Clayton residential home sites were on the tour. In addition our local Garden Club held a local Spring Home Tour that included homes that had some of the same components. The City Council approved a new contract with our open space weed abatement management company who was previously Bay Friendly Certified.

C.9.h.iv ► Pest Control Contracting Outreach

(For FY 12-13 Annual Report only) Document effectiveness of outreach to residents who use or contract for structural or landscape pest control **OR** reference a regional report that summarizes these actions.

Summary:

See the C.9 Pesticides Toxicity Control section of the CCCWP's FY 12-13 Annual Report for a report that evaluates outreach to residents.

C.9.h.vi ► Public Outreach: Pest Control Operators

Provide a summary of public outreach to pest control operators and landscapers and reduced pesticide use (here or in a separate report); OR reference a report of a regional effort for outreach to pest control operators and landscapers in which your agency participates.

Summary:

See the C.9 Pesticides Toxicity Control section of CCCWP's FY 12-13 Annual Report for a summary of our participation in and contributions towards countywide and regional public outreach to pest control operators and landscapers to reduce pesticide use.

The City contractor Western Exterminator for buildings is Eco Wise certified. The City Maintenance Supervisor and its outside weed abatement contractor are Bay Friendly Certified.

Response to Water Board Staff Comments on Section 9, Provision C.9, of FY 11-12 Annual Report

Use this area to respond to any Water Board staff comments on Section 9 of your FY 11-12 Annual Report, and refer to any required submittals that are attached.

There were not any comments that needed to have a response.

Section 10 - Provision C.10 Trash Load Reduction

C.10.a.iii ► Minimum Full Trash Capture (Summary of Actions)

Provide the following:

- 1) Descriptions of actions/tasks initiated, conducted or completed in implementing Minimum Full Trash Capture Devices (due July 1, 2014), including numbers of devices, device types and total land area treated to-date by full capture devices;
- 2) Descriptions of planned actions/tasks and time schedules for completion;
- 3) A map that includes locations of all full capture devices installed (private and public) to-date and associated treatment areas, trash generation rates/areas, creek/shoreline trash hot spots, and trash management areas defined to-date.
- 4) A summary of maintenance activities implemented for each device or groups of devices, including descriptions of typical maintenance frequencies and issues associated with maintaining these devices.

Descriptions of Actions/Tasks (Conducted or Planned):

Initially the City was going to install one device pursuant to the MRP requirement for a city of our size. However when the ABAG grants came out the Maintenance Supervisor identified that the City of Clayton would be eligible for enough funds to install 10 devices, many more than required but would likely allow City to meet the trash reduction goals of the MRP without much else. ABAG then had additional funds left over for reallocation, which we submitted for, and received some additional allocation, and after all funds secured we were able to obtain and install 25 devices. We had all installed by November 2012 to obtain the grant payment to the contractor through ABAG. All the devices are public maintained and on public property. The devices are Catch Basin Trash Capture Devices: Connector Pipe Screen (CPS) installed b7 Waterway Solutions.

At this time we have not yet determined the total area treated by all devices already installed as our drainage maps are not in GIS (our engineers documents are in autocad) and some need updating, in addition we need to obtain the topo information and overlay that since we have topo issues as it relates to yet to be defined drainage areas. The City engineer has not had time to update some of the missing drainage maps from developer subdivision improvement plans into the GIS. Once that is done we will overlay the topo and the land uses and begin to assess the information. We have identified that land uses will need to be modified as most of the City is low trash generating with minimal commercial areas, very limited active park areas, large open space and upper income housing and private maintained golf course/country club. We expect this to be completed by April 2014.

We did receive draft land use map prepared by the Clean Water Program consultant however there are many corrections that need to be made to it both in terms of land uses and the high, medium and low areas.

We have overall map and general location map and trash tracker information from the contractor who installed the devices. These materials are provided in Attachment C 10 a – At this time these maps are not digitally available as this is still a component that will take additional staff time and is expected to be completed in April 2014.

Descriptions of Maintenance Activities:

City Staff will initially inspect and determine if need to be cleaned. At this time we are unsure if this will be conducted by City staff or contracted out. Either way city Maintenance staff will be responsible to keep records and either do the work or oversee the contract. It is planned that they will be inspected a minimum of one time a year, likely prior to the rainy season as part of our other DI pre rainy season inspections. We plan to determine this as part of the FY 14/15 budget process so would have this information apx. June 2014.

We cleaned one device in July 29, 2013 and did not find much in it, we checked the others and they had even less, and was not needed for cleaning until next season. So we have time to determine our next course of action for maintenance, as to who does and frequency expected. If they do not get filled annually maybe only inspect annually by staff and then do as needed, if fill to where needed to be cleaned annually then need to consider if in house or contract out. If in house we need to determine what is required for us to maintain as far as cost goes, looks like we need to meet OSHA confined space reqs which will require purchase of certain safety equipment and also get training and certifications. Or we need to contract out. To date the Maintenance Supervisor has only one cost quote and will need to get at least two more – then we will need to determine which way to go after consulting with the City Manager. If contracting out the direction to head it may be that it has to go to the City Council for approval as the contract cost may exceed city manager level of approval authority. All this will take time and the Maintenance Supervisor who is responsible for this component is currently tasked by the City Manager on higher priority projects.

See Attachment C 10 a for photos and documentation related to the cleaning event described above.

C.10.a.iii ► Minimum Full Trash Capture (List of Devices)					
Provide a list of trash full capture devices installed to-date or planned for installation by July 1, 2014 and the land area treated by each device or group of devices.					
See Attachment C 10 a					
Applicable Trash Management Area (Preliminary Map ID)	Device Type	Planned or Installed	Maintenance Frequency	Total Number Installed	Total Area Treated (acres)
See map information in Attachment 10 a for device locations – at this time the Trash Management Areas that feed into the trash capture devices have not been determined	Catch Basin Trash Capture Device : Connector Pipe Screen (CPS) Installed by United Solutions	25	Unknown at this time	25	Unknown at this time
Totals				25	Unknown at this time

C.10.b.iii ► Trash Hot Spot Assessment

Provide the volume of material removed from each Trash Hot Spot cleanup, and the dominant types of trash (e.g., glass, plastics, paper) removed and their sources to the extent possible. Additionally, include a map that identifies the location(s) of trash hot spots.

See Attachment C 10 b for map and photos

Trash Hot Spot	Cleanup Date	FY 2012-13 Volume of Trash Removed (cubic yards)	FY 2011-12 Volume of Trash Removed (cubic yards)	FY 2010-11 Volume of Trash Removed (cubic yards)	Dominant Type(s) of Trash	Trash Sources (where possible)
Clayton Station (behind Safeway – Mt Diablo Creek segment)	6/28/2013	25 gallons (.15 cubic yd)			Misc. Litter	unknown
Clayton Station (behind Safeway – Mt Diablo Creek segment)	6/5/2012		33 gallons (.20 cubic yd)		Misc. Litter	unknown
Clayton Station (behind Safeway – Mt Diablo Creek segment)	7/17/2011			5 gallons (.03 cubic yd)	Misc. Litter	Unknown

C.10.c ► Long-Term Trash Load Reduction Plan

Provide descriptions of the progress made to-date on the development of Long-term Trash Load Reduction Plans due to the Water Board by February 1, 2014. Descriptions of actions taken to-date/planned via short-term plan implementation are included in the next section (C.10.d).

Long-Term Plan Task	Summary of Progress
<p>1. Identifying and mapping trash generating areas</p>	<p>Staff has reviewed draft maps and conducted field visual site visits on developing/revising very high, high, medium and low trash generating areas. We have found that the density values are overstated for our community, and some of the boundaries need to also be modified. Our field visual site visits have preliminary determined that all the areas in the city are low trash generating areas. Clayton being such a very small community with very limited and small commercial areas, mostly open space and upper income single family housing does not have a significant trash issue or problem, and our field visits are verifying this.</p> <p>Staff is having difficulty locating any areas in the field visits that have trash as a significant or in some cases any problem. Thus it is difficult in determining Trash Generating Areas. Where most communities may have trash and litter problems at schools, and parks it simply is not the case in Clayton. It is challenge to create a plan for a problem that really does not exist in Clayton to the extent that the Long Range Trash process anticipated – the one approach fits all is difficult in the small city that we are.</p> <p>We have completed the installation of 25 DI full capture devices - more than we had originally planned. (Plus the street sweeping one time a month on all streets). Our maintenance staff has had the location and info inputted into the Trash Tracker Program but does not have it documented otherwise</p> <p>Staff needs to further document all sites with photographs and revise draft maps according to site visits thus our ground-truth activities and refinements are not yet complete. Due to limited staff resources and other higher priorities of the limited staff, we expect this to be completed by April 2014 as part of the Long Range Trash Plan. We have preliminary mapped the 25 DI with Trash Capture Units installed and this information has had its GIS coordinates placed into the Trash Tracker program. This information will need to be placed on the land use maps.</p> <p>We will need to obtain topographic map of our city overlay onto the land uses as topography plays an important role in the drainage areas etc. (We have a lot of hilly terrain). Our Engineer did this in Auto Cad as we do not have GIS programing. The city drainage maps need some updating as the AutoCAD has not had all the subdivision final improvements added in. Once these are done we will be able to better assess the drainage areas to each of the installed Trash capture devices.</p> <p>See areas depicted on maps in Section C.10.a.iii.</p>

<p>2. Identifying trash sources (as necessary or feasible) to assist in selecting trash management actions</p>	<p>We encountered difficulties identifying trash sources as the city has very little trash. We were only required to install on trash capture device due to our small city size; in our original short range trash plan of February 2012, we anticipated that we might do more. However our maintenance Supervisor secured enough ABAG funding grant to have installed 25 trash capture devices along selected areas of arterial streets that were near middle school and community park, downtown park/downtown commercial area, and near path of travel for some elem. School; city hall parking lot, and maintenance yard. These were installed in November 2012. It may be that there are sufficient full trash capture implementations that eliminate the need to determine sources of trash.</p> <p>See areas depicted on maps in Section C.10.a.iii.</p>
<p>3. Prioritizing trash generating areas and associated types of trash problems</p>	<p>Our maintenance Supervisor secured enough ABAG funding grant to have installed 25 trash capture devices along selected areas of arterial streets that were near middle school and community park, downtown park/downtown commercial area, and near path of travel for some elem. School; city hall parking lot, and maintenance yard. These were installed in November 2012.</p> <p>These installations were done prior to having the information available on the land uses and topography and field visits. The timing required the maintenance Supervisor to make field judgment on their location with the installation contractor. Based upon the type of DI we had in the field and nearby land uses that he thought might be potential for higher trash generation. In general we tend to want to give the higher priority where there is or the potential for the most trash problem to come from.</p>
<p>4. Identifying and selecting trash management actions for specific management areas</p>	<p>We have moved forward with the installation of 25 Trash Capture Devices at various Dis in the City. This is more than we had originally anticipated. However these areas have not been divided into amanagerment areas as yet, we have not figured out how to divide until we have received the tops and drainage plans from city engineer – then will need to determine if any other actions are needed other than the installed Trash Capture Devices.</p>
<p>5. Defining the type of assessment(s) that will be used to demonstrate progress towards goals</p>	<p>We have not yet developed the assessment – this will be difficult as there is not sufficient visible trash at this time on land to use as an assessment method for decrease. Little to little and almost none in many areas, although a nice problem to have it is difficult to determine how that assessment will provide meaningful information given the time it takes to obtain and that the community is so small and there is very little trash in the community to start with.</p> <p>It is likely we will continue to do on-land visual surveys, on-land trash counting or volume assessment, in the Trash Capture Devices; and our Hot Spot assessment (which also does not have significant trash issues based upon our annual assessment). Although not yet selected they will be a part of the City’s Long Term Trash Management Plan.</p> <p>As to the field work the maintenance staff has inspected all of them (DI's with capture devices) one time through and cleaned one, not that it needed it, just to practice - it had some leaves and about 1/4 gallon of fines(dirt) -- we realize that we need to either find funds for the required OSHA equipment and training to clean or contract out. We are looking into the costs of both options - but Maintenance Supervisor has not completed that step due to other priorities, so I am not sure if we will do in house or contract out.</p>

C.10.d Summary of Trash Reduction Actions

For each trash reduction action (i.e., control measures and best management practices) implemented by your municipality during the reporting period include a full description of the action. Describe actions initiated prior to and continued after the MRP effective date (December 2009), actions initiated after the MRP effective date, and actions planned for future implementation. If a planned action, also include the planned date of implementation. Add rows for actions not listed below as needed. Also identify the dominant source of trash and dominant types of trash removed for each action. To the extent possible, identify the applicable management areas identified on the map created under reporting section C.10.a.iii.

Action	Description	Trash Management Area(s) (Preliminary Map ID)	Dominant Sources	Dominant Types
Trash Management Area Specific Actions				
Full-Capture Treatment Devices	Continued Pre-MRP Actions: None	N/A	Citywide Leaves & silts Other TBD	Leaves & silts Other TBD
	New/Enhanced Post-MRP Actions Initiated/Planned: Install CPS units at various /DI locations in November 2012 (See description in c 10 a iii) Note we were originally planning for 1 then 10 as part of the short range plan; however additional grant funds became available and we installed 25 devices within the reporting period, more and earlier than planned.	TBD		
Street Sweeping	Continued Pre-MRP Actions: Monthly sweeping on all streets (84 curblane miles); weekly on arterials (10 cub lane miles) and weekly on HOA landscape maintained private streets (10 curb lane miles)	Citywide	Citywide Leaves & silts Other TBD	Leaves & silts Other TBD
	New/Enhanced Post-MRP Actions Initiated/Planned: Work with Clayton Station shopping center to see if they will sweep private parking lot	TBD		
On-land Trash Cleanups	Continued Pre-MRP Actions: Private /city coordinated annual clayton cleans up day (2hrs community clean up along streets and trails near creeks)	Various city wide	Citywide arterials and parks	Leaves, silts & misc

C.10.d Summary of Trash Reduction Actions

For each trash reduction action (i.e., control measures and best management practices) implemented by your municipality during the reporting period include a full description of the action. Describe actions initiated prior to and continued after the MRP effective date (December 2009), actions initiated after the MRP effective date, and actions planned for future implementation. If a planned action, also include the planned date of implementation. Add rows for actions not listed below as needed. Also identify the dominant source of trash and dominant types of trash removed for each action. To the extent possible, identify the applicable management areas identified on the map created under reporting section C.10.a.iii.

Action	Description	Trash Management Area(s) (Preliminary Map ID)	Dominant Sources	Dominant Types
	New/Enhanced Post-MRP Actions Initiated/Planned: Continue support of private coordinated Clayton Cleans Up and use of seasonal maintenance 2 x year to pick up along arterials and work alternatives as available, use of seasonal and volunteers to pick up litter in parks weekly or as needed.	TBD	Leaves Silts & misc trash	trash
Partial-Capture Treatment Devices	Continued Pre-MRP Actions: None	N/A	N/A	N/A
	New/Enhanced Post-MRP Actions Initiated/Planned: None	N/A		
Enhanced Storm Drain Inlet Maintenance	Continued Pre-MRP Actions: All inspected and cleaned as needed annually, more if needed	TBD	Citywide Leaves silts and some misc litter	Leaves, silts and some misc litter
	New/Enhanced Post-MRP Actions Initiated/Planned Continue annual and more frequent inspections as needed – No enhancements planned	TBD		
Activities to Reduce Trash from Uncovered Loads	Continued Pre-MRP Actions: None	N/A	Windblown from City maintenance, Oakhurst CC, schools, and special community events (Art n Wine/Oktoberfest)	Misc litter and some recycling (likely paper, plastic bags, and plastic bottles)
	New/Enhanced Post-MRP Actions Initiated/Planned: Work with city trash & recycling hauler to cover loads of large dumpsters (ie: 20yarders)	TBD		

C.10.d Summary of Trash Reduction Actions

For each trash reduction action (i.e., control measures and best management practices) implemented by your municipality during the reporting period include a full description of the action. Describe actions initiated prior to and continued after the MRP effective date (December 2009), actions initiated after the MRP effective date, and actions planned for future implementation. If a planned action, also include the planned date of implementation. Add rows for actions not listed below as needed. Also identify the dominant source of trash and dominant types of trash removed for each action. To the extent possible, identify the applicable management areas identified on the map created under reporting section C.10.a.iii.

Action	Description	Trash Management Area(s) (Preliminary Map ID)	Dominant Sources	Dominant Types
Anti-littering and Illegal Dumping Enforcement Activities	Continued Pre-MRP Actions: Periodic articles or other information in local newspapers and radio media. Free pick up of Christmas trees by boy scouts and hauler curbside.	Citywide all areas	Citywide	Christmas trees, Sharps, drugs, mattresses, appliances, batteries, CFLs.
	New/Enhanced Post-MRP Actions Initiated/Planned: Continue with above and work with Clean Water Program on Be Classy not Trashy program and see if it can be held at middle school; code enforcement follow up as needed by city staff as staff resources allow. Hauler to implement free pick up of bulky items curbside (mattresses, appliances, e-waste, household batteries, and CFL;s). Free drop off recycling bin for needles (sharps) at Police station. Hauler to provide mailed information on services to all of community at least annually through customer services guide and/or billing message.	Citywide all areas		
Improved Trash Bins/Container Management	Continued Pre-MRP Actions: All parks containers services 2 times week, more often if needed; additional trash bags provided at picnic trash containers	TBD	Citywide and Parks, Mt Diablo	Paper, plastic

C.10.d Summary of Trash Reduction Actions

For each trash reduction action (i.e., control measures and best management practices) implemented by your municipality during the reporting period include a full description of the action. Describe actions initiated prior to and continued after the MRP effective date (December 2009), actions initiated after the MRP effective date, and actions planned for future implementation. If a planned action, also include the planned date of implementation. Add rows for actions not listed below as needed. Also identify the dominant source of trash and dominant types of trash removed for each action. To the extent possible, identify the applicable management areas identified on the map created under reporting section C.10.a.iii.

Action	Description	Trash Management Area(s) (Preliminary Map ID)	Dominant Sources	Dominant Types
	<p>New/Enhanced Post-MRP Actions Initiated/Planned: Continue with above, and Install additional 10 recycling containers in city parks; Install free drop off sharps and drug recycling bin at Police station for free; work with new paint store (Sherwin Williams) to see if this new Clayton location will participate in free paint take back (Paint Care) ; work with Clayton Station Shopping Center to ensure trash and recycling container lids (ie: 4 yard bins) have their covers kept closed by their tenants. Verify schools (one elem. and one middle school) have sufficient trash and recycling containers and are using – if needed work with local franchise hauler and school to provide additional and outreach as needed to ensure using appropriately.</p>	TBD	Creek behind Clayton Station and Schools	bottles, paint, needles (sharps), drugs.
Creek, Channel, Shoreline Cleanups	<p>Continued Pre-MRP Actions: Annual Cleans up includes trail along Mt Diablo Creek. Maintenance staff walks all creeks annually and cleans as needed. Hot spot along segment of Mt Diablo Creek is done monthly by shopping center mgmt. landscape company, city maintenance does annually. Police respond on complaint basis of possible homeless or trespassing.</p> <p>New/Enhanced Post-MRP Actions Initiated/Planned: City will continue with the above and ensure that private shopping center property mgmt. continues with their monthly inspection and cleaning. Police to check periodically as staff resources allow to ensure not any homeless issues.</p>	TBD	TBD	Leaves, branches, weeds, some misc litter, paper, plastic bottles, cans, misc. items
		TBD		

C.10.d Summary of Trash Reduction Actions

For each trash reduction action (i.e., control measures and best management practices) implemented by your municipality during the reporting period include a full description of the action. Describe actions initiated prior to and continued after the MRP effective date (December 2009), actions initiated after the MRP effective date, and actions planned for future implementation. If a planned action, also include the planned date of implementation. Add rows for actions not listed below as needed. Also identify the dominant source of trash and dominant types of trash removed for each action. To the extent possible, identify the applicable management areas identified on the map created under reporting section C.10.a.iii.

Action	Description	Trash Management Area(s) (Preliminary Map ID)	Dominant Sources	Dominant Types
Area/Jurisdictional-wide Actions				
Single-Use Carryout Bag Policies	Continued Pre-MRP Actions: City Council policy has been to support state wide legislation proposals and has written letters of support. New/Enhanced Post-MRP Actions Initiated/Planned: City Council has determined not to undertake local city ordinance, as too few businesses, plastic bags are not a litter problem in the community, and too much staff time to undertake, implement and monitor. Continue to monitor state wide legislation proposals and inform city council as appropriate; draft letters of support if city council so directs.	Jurisdiction-wide	City only has one grocery store (Safeway) and two pharmacy stores (CVS and Walgreens); two smaller indep. convenience stores.	Plastic bags
Polystyrene Foam Food Service Ware Policies	Continued Pre-MRP Actions: City Council policy has been to consider support state wide legislation proposals and monitors such legislation. New/Enhanced Post-MRP Actions Initiated/Planned: City Council has determined not to undertake local city ordinance, as too few businesses, and polystyrene litter not a problem in the community, and too much staff time to undertake, implement and monitor. Continue to monitor state wide legislation proposals and inform city council as appropriate; draft letters of support if city council so directs.	Jurisdiction-wide	City has only four sit down restaurants that have polystyrene for their take out. Fast food restaurants do not use paper containers.	Polystyrene Foam containers

C.10.d Summary of Trash Reduction Actions

For each trash reduction action (i.e., control measures and best management practices) implemented by your municipality during the reporting period include a full description of the action. Describe actions initiated prior to and continued after the MRP effective date (December 2009), actions initiated after the MRP effective date, and actions planned for future implementation. If a planned action, also include the planned date of implementation. Add rows for actions not listed below as needed. Also identify the dominant source of trash and dominant types of trash removed for each action. To the extent possible, identify the applicable management areas identified on the map created under reporting section C.10.a.iii.

Action	Description	Trash Management Area(s) (Preliminary Map ID)	Dominant Sources	Dominant Types
Public Education and Outreach Programs	Continued Pre-MRP Actions: Periodic articles or other information in local newspapers and radio media. Free pick up of Christmas trees by boy scouts and hauler curbside. Support of private coordinated Clayton Cleans Up, and support of local regional partnerships of HHW and Clean Water programs at community festivals (Art n Wine and Oktoberfest)	Jurisdiction-wide	Various citywide	TBD
	New/Enhanced Post-MRP Actions Initiated/Planned: Continue with above and work with Clean Water Program on Be Classy not Trashy program and see if it can be held at middle school; code enforcement follow up as needed by city staff as staff resources allow. Hauler to implement free pick up of bulky items curbside (mattresses, appliances, e-waste, household batteries, and CFL;s). Free drop off recycling bin for needles (sharps) at Police station. Hauler to provide mailed information on services to all of community at least annually through customer services guide and/or billing message.			

Section 11 - Provision C.11 Mercury Controls

C.11.a.i ► Mercury Recycling Efforts

List below or attach lists of efforts to promote, facilitate, and/or participate in collection and recycling of mercury containing devices and equipment at the consumer level (e.g., thermometers, thermostats, switches, bulbs).

Refer to FY 12-13 Countywide Program's [CCCWP] Annual Report for a list of mercury collection and recycling efforts conducted countywide and regionally.

The City of Clayton local efforts related to mercury recycling during FY 12-13 included the following:

- 1) **Promotion:** Our Solid Waste/Recycling Hauler (Allied Waste – AWIN, now known as Republic Services) started In October 2011 the curbside collection of CFL's and e-waste for free. This promotion was included on the Allied' billing messages to customers, billing insets, and their Annual Customer Gide (mailed to all customers) and Allied's web site. The City of Clayton web site has a link to our haulers web site. In addition there is information on the County web site related to proper disposal or recycling opportunities. Our hauler also provides periodic information in our local newspaper [Clayton Pioneer] which is distributed to all Clayton residences and businesses.
- 2) **HHW Program:** The City of Clayton is served by a semi regional facility operated by and located at Central Contra Costa Sanitation – Central Sans. They produce promotional information and have a Web Site. They provide the opportunity for small businesses and residents to drop-off mercury-containing devices of CFL's, fluorescent tubes, mercury thermometers, mercury switches.
- 3) **Curbside Collection:** Our Hauler (Allied Waste – AWIN) started curbside collection In October 2011 of CFL's and e-waste for free at individual residences and businesses [fluorescent tubes are not collected curbside].
- 4) **Commercial business take back:** Bill's Ace Hardware is located about 3 miles away in Concord. This location takes back fluorescent tubes at no cost to residents – this location is closer than the HHW Central Sans.
- 5) **City Maintenance Activity:** The City maintains four buildings [City Hall, County Library Branch, Maintenance Yard Building, and a small rental hall (Endeavor Hall)], and some of the city streeflamps, all park lighting, and landscape lighting. All CFL's, Fluorescent tubes, Metal Halides lamps, as well as leftover paints are taken to the Central Sans HHW facility. The City recently converted some of its streetlights on its arterial streets with LED lamps through grant funds. The LED's have a longer life and contain less mercury than metal halides streetlights.
6. **Collection of Mercury-containing devices and equipment:** The City of Clayton has no role in the collection of mercury-containing devices and equipment at the consumer level.
 - a. Collection of Mercury-containing devices and equipment by your municipality or contractors at individual residences. The City of Clayton does not have nor does its hauler provide pick up for mercury containing devices other than CFL's. Collection is done with residents putting bulbs into zip lock bags and placing out with their other materials on their scheduled collection day. (According to our hauler in 2012/13 apx. 540 CFL's were collected curbside; along with 266 e-waste devices; and 410 household batteries)

C.11.a.ii ► Mercury Collection

Provide an estimate of the mass of mercury collected through these efforts, or provide a reference to a report containing this estimate.

Please refer to the FY 12-13 CCCWP Annual Report for an estimate of the mass of mercury collected through collection and recycling efforts in Contra Costa County.

C.11.b ► Monitor Methylmercury

C.11.c ► Pilot Projects to Investigate and Abate Mercury Sources in Drainages

C.11.d ► Pilot Projects to Evaluate and Enhance Municipal Sediment Removal and Management Practices

C.11.e ► Conduct Pilot Projects to Evaluate On-Site Stormwater Treatment via Retrofit

C.11.f ► Diversion of Dry Weather and First Flush Flows to POTWs

C.11.g ► Monitor Stormwater Mercury Pollutant Loads and Loads Reduced

C.11.h ► Fate and Transport Study of Mercury In Urban Runoff

C.11.i ► Development of a Risk Reduction Program Implemented Throughout the Region

C.11.j ► Develop Allocation Sharing Scheme with Caltrans

State below if information is reported in a separate regional report. Municipalities that participate directly in regional activities to can provide descriptions below.

Summary

A summary of countywide CCCWP and regional accomplishments for these sub-provisions are included within the C.11 Mercury Controls section of CCCWP's FY 12-13 Annual Report and/or the BASMAA Regional POC Report.

Section 12 - Provision C.12 PCBs Controls

C.12.a.ii,iii ▶ Ongoing Training

(For FY 10-11 Annual Report and Each Annual Report Thereafter) List below or attach description of ongoing training development and inspections for PCB identification, including documentation and referral to appropriate regulatory agencies (e.g. county health departments, Department of Toxic Substances Control, California Department of Public Health, and the Water Board) as necessary.

Description:

There are no industrial facilities or uses in the City of Clayton. See the FY 12-13 CCCWP Annual Report for a description of training provided countywide and/or regionally.

- C.12.b ▶ Conduct Pilot Projects to Evaluate Managing PCB-Containing Materials and Wastes during Building Demolition and Renovation Activities**
- C.12.c ▶ Pilot Projects to Investigate and Abate On-land Locations with Elevated PCB Concentrations**
- C.12.d ▶ Conduct Pilot Projects to Evaluate and Enhance Municipal Sediment Removal and Management Practices**
- C.12.e ▶ Conduct Pilot Projects to Evaluate On-Site Stormwater Treatment via Retrofit**
- C.12.f ▶ Diversion of Dry Weather and First Flush Flows to POTWs**
- C.12.g ▶ Monitor Stormwater PCB Pollutant Loads and Loads Reduced**
- C.12.h ▶ Fate and Transport Study of PCBs In Urban Runoff**
- C.12.i ▶ Development of a Risk Reduction Program Implemented Throughout the Region**

State below if information is reported in a separate regional report. Municipalities that participate directly in regional activities to can provide descriptions below.

Summary

A summary of countywide CCCWP and regional accomplishments for these sub-provisions are included within the C.12 PCB Controls section of the CCCWP's FY 12-13 Annual Report and/or the BASMAA Regional POC Report.

Section 13 - Provision C.13 Copper Controls

C.13.a.iii.(2) ▶ Training, Permitting and Enforcement Activities

(FY 11-12 Annual Report and each Annual Report thereafter) Provide summaries of activities implemented to manage waste generated from cleaning and treating of copper architectural features, including copper roofs, during construction and post-construction including. :

- Development of BMPs on how to manage the water during and post construction
- Requiring the use of appropriate BMPs when issuing building permits
- Educating installers and operators on appropriate BMPs
- Enforcement actions taken again noncompliance

There are no facilities within the City of Clayton that have been identified as potential users or sources of copper that would require copper reduction BMPs. There are not any copper roofs or other cooper features existing in the City of Clayton. New development projects would require discretionary review by the Planning Commission and at that time if copper features were proposed staff would either work to have the material changed to non-copper; or if approved with copper ensure that all runoff from the copper features went into LID's. The City's inspectors are the POTW inspectors – Central Contra Costa Sanitation which have received training on this topic. Please refer to BASMAA POC inspector training materials, which are available on the Program's website.

Any materials developed through the CCCWP are made available as appropriate at the City offices.

C.13.a.iii.(3) ▶ Evaluation of Effectiveness

(FY 12-13 Annual Report) Evaluate the effectiveness of measures the agency has undertaken to prevent discharge of wastewater to storm drains during the installation, cleaning, treating, and washing of the surface of copper architectural features. The discussion of the effectiveness of these measures should include BMP implementation and may propose additional measures to address this source of pollutants.

There are no facilities within the City of Clayton that have been identified as potential users or sources of copper that would require copper reduction BMPs. There are not any copper roofs or other cooper features existing in the City of Clayton. New development projects would require discretionary review by the Planning Commission and at that time if copper features were proposed staff would either work to have the material changed to non-copper; or if approved with copper ensure that all runoff from the copper features went into LID's. The City's inspectors are the POTW inspectors – Central Contra Costa Sanitation which have received training on this topic. Please refer to BASMAA POC inspector training materials, which are available on the Program's website.

Any materials developed through the CCCWP are made available as appropriate at the City offices. The City of Clayton specifically distributes a brochure developed by the Clean Water Program regarding the appropriate way to drain pools and spas; this brochure is given to applicants that obtain permits to either construct a pool/spa or to demolish an existing pool. These brochures are also available in our public literature display rack at City Hall and at the Clayton branch library.

C.13.c ▶ Vehicle Brake Pads

Reported in a separate regional report.

A summary of the countywide CCCWP's participation with the Brake Pad Partnership (BPP) is included within the C.13 Copper Controls section of CCCWP's FY 12-13 Annual Report and/or the BASMAA Regional POC Report.

C.13.c.iii ▶ Water Quality Issues Associated with Automobile Brake Pads

(FY 12-13 Annual Report Only) – Assess status of copper water quality issues associated with automobile brake pads and recommend brake-pad related actions for inclusion in subsequent permits if needed.

An assessment of copper water quality issues associated with automobile brake pads and recommend brake-pad related actions for inclusion in subsequent permits is included within the C.13 Copper Controls section of CCCWP's FY 12-13 Annual Report and/or the BASMAA Regional POC Report.

C.13.d.iii ▶ Industrial Sources Copper Reduction Results

Based upon inspection activities conducted under Provision C.4, highlight copper reduction results achieved among the facilities identified as potential users or sources of copper, facilities inspected, and BMPs addressed.

Summary

There are no facilities within the City of Clayton that have been identified as potential users or sources of copper that would require copper reduction BMPs, as there are not any auto repair uses within the City. The City's inspectors are the POTW inspectors – Central Contra Costa Sanitation which have received training on this topic. Please refer to BASMAA POC inspector training materials, which are available on the Program's website.

C.13.e ▶ Studies to Reduce Copper Pollutant Impact Uncertainties

Report on progress of studies being conducted countywide or regionally to reduce copper pollutant impact uncertainties. State below if information is reported in a separate regional report.

Summary

A summary of the countywide CCCWP and/or regional efforts to develop regional studies to reduce copper pollutant impact uncertainties is included within the C.13 Copper Controls section of the CCCWP's FY 12-13 Annual Report and/or BASMAA Regional POC Report.

Section 14 - Provision C.14 PBDE, Legacy Pesticides and Selenium Controls

C.14.a ► Control Programs for PBDEs, Legacy Pesticides and Selenium Controls

Report on progress of studies being conducted countywide or regionally to characterize the distribution and pathways of PBDEs, legacy pesticides, and selenium. State below if information is reported in a separate regional report.

Summary

A summary of the countywide CCCWP and regional efforts related to the Control Program for PBDEs, Legacy Pesticides and Selenium is included within the C.14 PBDE, Legacy Pesticides and Selenium section of the CCCWP's FY 12-13 Annual Report and/or BASMAA Regional POC Report.

C.14.a.v. ► Control Programs for PBDEs, Legacy Pesticides and Selenium Controls – Load Computation

(For FY 12-13 Annual Report only) Submit a report with information required to compute loading estimates of PBDEs, legacy pesticides and selenium from urban runoff to the Bay.

Summary

Information required to compute loading estimates of PBDEs, legacy pesticides and selenium from urban runoff to the Bay is included within the C.14 PBDE, Legacy Pesticides and Selenium section of the CCCWP's FY 12-13 Annual Report and/or BASMAA Regional POC Report.

C.14.a.vi. ► Control Programs for PBDEs, Legacy Pesticides and Selenium Controls – Control Measures

(For FY 12-13 Annual Report only) Submit a report identifying control measures and/or management practices to reduce impacts from discharges of PBDEs, legacy pesticides or selenium in urban runoff.

Summary

A report identifying control measures and/or management practices to reduce impacts from discharges of PBDEs, legacy pesticides or selenium in urban runoff is included within the C.14 PBDE, Legacy Pesticides and Selenium section of CCCWP's FY 12-13 Annual Report and/or BASMAA Regional POC Report.

Section 15 - Provision C.15 Exempted and Conditionally Exempted Discharges

C.15.b.iii.(1), C.15.b.iii.(2) ► Planned and Unplanned Discharges of Potable Water

Is your agency a water purveyor?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If No , skip to C.15.b.vi.(2):				
If Yes , Complete the attached reporting tables or attach your own table with the same information. Provide any clarifying comments below.				
Comments: The City is served by Contra Costa Water District, a separate special district, with its own elected board and staff. The City has established a good working relationship with CCWD staff and they do notify the City either before or just after planned and unplanned discharges and provides us with documentation as to the actions they took to dechlor the water and to limit the discharge rate. During the end of the reporting year they were conducting hydrant flushing both for maintenance reasons related to the lines and their tanks.				

C.15.b.vi.(2) ► Irrigation Water, Landscape Irrigation, and Lawn or Garden Watering

Provide implementation summaries of the required BMPs to promote measures that minimize runoff and pollutant loading from excess irrigation. Generally the categories are: <ul style="list-style-type: none"> • Promote conservation programs • Promote outreach for less toxic pest control and landscape management • Promote use of drought tolerant and native vegetation • Promote outreach messages to encourage appropriate watering/irrigation practices • Implement Illicit Discharge Enforcement Response Plan for ongoing, large volume landscape irrigation runoff.
Summary: In September 2010, the City of Clayton adopted new water conservation requirements as was mandated per state law. This ordinance requires new developments to submit efficient irrigation water use calculations and detailed landscape plan prior to either issuance of permits or final inspection of the development project. The Planning staff, City Engineer, stormwater manager have all received a copy and been trained on the new requirements. The requirements apply to private and public projects. Since the requirements are a part of the city codes they are included on our on line documents. The Planning staff provides the information to as part of the early review consultation process of any applicable development application. The city engineer includes as part of any public contract bid process, and city maintenance staff utilize as part of any major landscape renovation project. In addition the Contra Costa Water District (CCWD) provided direct mail information/bill insert messages to customers as well as print ads regarding water conservation promotion.

Materials prepared by the Program on less toxic pest control measures are available at the library kiosk display and were provided at the Clayton Cleans Up event and the Creekside Arts Festival. The Contra Costa Water District also staffed information booth and provided outreach materials on water conservation, proper plan selection, less toxic pest control and landscape management and drought tolerant and native vegetation. The local garden club also provided information on drought tolerant and native vegetation at one of the farmers market and at their annual spring plant sale. There are also local landscape designers that support these approaches and include this aspect in their print media of our local newspaper on a regular basis. The local garden club (Clayton Valley Garden Club) hosts an annual local spring Garden Tour where homes feature water conserving planting and irrigation, in addition the City of Clayton supports the Bringing Back the Natives annual Garden Tour with usually two local homes in Clayton on the tour again promotes water conserving planting and irrigation, and less toxic pest control methods.

Additionally, the City of Clayton through the CCCWP promotes several programs and measures to minimize pollutant loading from excess irrigation including, but not limited to:

- 6th Edition Stormwater C.3 Guidebook adopted by ordinance promotes to land development professionals landscaping designed to: 1) minimize irrigation and runoff; 2) promote infiltration of runoff where appropriate; and, 3) minimize use of fertilizers and pesticides using pest-resistant plants that are suited to site conditions (e.g., soil and climate).
- Green Business Program promotes to businesses a variety of measures such as using drought tolerant plantings, mulching, carefully monitoring irrigation schedules and needs, and implementing Integrated Pest Management.
- Our Water Our World (OWOW) Program promotes to consumers and the point of purchase less toxic alternatives to combating lawn and garden pests.
- Bay Friendly Landscaping and Gardening Training and Certification Program promotes to landscapers a variety of measures designed to reduce waste and prevent stormwater pollution.

One of our Maintenance Supervisors has been Bay Friendly certified and our outside contractor for weed abatement is also Bay Friendly Certified.

See Attachment C15b

Refer to the C.3 New Development and Redevelopment, C.7. Public Information and Outreach and C.9. Pesticide Toxicity Control sections of CCCWP's FY 12-13 Annual Report for additional information on BMPs promoted countywide.



Memo

To: Mark Janney and John Johnston – Maintenance Supervisors

From: Laura Hoffmeister, Asst. to the City Manager

Meeting Date: September 19, 2012

Re: Transmittal of new required City Maintenance Written Standard Operation Procedures (SOP) for addressing potential threat of New Zealand Mud Snail

The City of Clayton is a part of the Contra Costa Clean Water Program NPDES permit regulations issued as the Municipal Regional Permit (MRP). One of the permit regulations state that we are to address impacts or potential threats to impacts to water quality including that in and around the creeks.

A regional monitoring program conducts periodic assessments to evaluate for any potential threats that water board has identified. One of the threats is from the non-native New Zealand Mud Snail. Recent monitoring studies have found that it is appearing in several creek areas in Contra Costa County. Even though it has not been identified to date in creeks in our city we are still required to immediately undertake the SOP. Because the studies did not include all creeks or creek segments in the region as the New Zealand Mud Snail is highly transportable, reproduces extremely fast and wipes out creek habitat swiftly all cities are to implement the SOP. Additional background info is attached.

I have attached the SOP that are now to be implemented. All maintenance staff are to be made aware of the information. Obtain in writing (their signature/date) that they have reviewed and received the information. The SOP and documentation shall be kept on site at the Corp. Yard where it is easily accessible as can be quickly located by any of the staff, as it is a part of the permit requirement and thus is subject to random audits conducted by the Water Board staff or their consultants.

Volunteer groups that might go into the creek must adhere to these SOP. For the volunteers it is probably best just to prohibit them from going into the creek.

For outside contractors that you or City Engineer may use they also must adhere to the SOP, and these SOP are to be a part of their contract/agreement.

cc: Rick Angrisani
Gary Napper

Standard Operating Procedures for Field and Personal Equipment and Clothing Decontamination Procedures for Creek Work

Special Cautions and Considerations; Health and Safety

!

CAUTIONS

When using chemical cleaners, always read the product label and adhere to all printed cautions and safety measures. Wear rubber gloves and eye protection when using chemical cleaners.

Treating field gear with chemical methods may result in unintended contamination of the environment. In particular, extreme caution must be taken to avoid contamination of waterways and wetlands. DO NOT rinse your treated gear in a water body.

Treating rubber gear or boots with Formula 409® and other disinfectants with quaternary ammonium compounds (QACs) may result in surface cracking of the rubber and loss of water repellency.

Chemical methods are not always effective in killing mudsnails. Always scrub your gear and consider using physical methods before resorting to chemical methods.

The best prevention is to simply stay out of the creeks as much as possible. When maintenance is required, limit the number of people who are actually getting into the water.

Work shall be spaced or scheduled in a manner that is spaced out and not going from one creek to another without decontaminating gear. If in same creek and going to a different section (more than ¼ mile away), gear and equipment shall be decontaminated prior to going into the next segment.

Decontamination of all gear, boots, waders and equipment that goes into or comes in contact with the water.

One of the 3 following methods shall be used for decontamination: Do not hose off into yard. Must use a sink that is connected to sanitary sewer or use the covered service bay with water that goes into holding tank.

Scrubbed with a stiff brush, AND followed by either:

- Chemical or Physical treatment. Chemical treatment can include Quat 128 (the active ingredient in Formula 409).
- Drying for a minimum of one week.
- Freezing gear overnight.

Further information and details regarding decontamination procedures are attached.

Methods/Procedures

To prevent the survival of mudsnails or other invasives on field clothing and equipment, it is necessary to first clean all field gear and then to treat it, using either the physical or chemical methods listed below. The following steps are recommended:

- If possible, keep different sets of field gear for use in different bodies of water.
- **Clean** all gear before leaving a site, scrubbing with a stiff-bristled scrub brush and rinsing with water, preferably high-pressure. This is often the simplest and most effective measure for prevention.
- **Inspect** gear before it is packed for transport. Visible traces of sand, mud, gravel, and plant fragments are signs that gear has not been properly cleaned and mudsnails may have been retained.

- **Select** a treatment method in addition to scrubbing and rinsing if mudsnails are present or suspected to be present. Two general categories of treatment are available - physical methods and chemical methods:
 - **Freezing, hot water, or drying treatments** are recommended over chemical treatments because they are usually less expensive, more environmentally sound, and possibly less destructive to gear. However, most physical methods require longer treatment times and often cannot be performed in the field.
 - **Chemical treatments** require a 10-minute soak in a special solution (see "CHEMICAL," page 5). After chemical treatment, gear must be rinsed thoroughly with tap water away from all bodies of water, and all soak solutions and rinse water must be properly disposed of.

PHYSICAL TREATMENT

These methods for cleaning gear are effective as well as environmentally sound. Use *one* of the following methods:

- **Freeze** your gear for a minimum of 4 hours to kill all mudsnails. Freezer temperatures should be at 26°F (-3°C) or below.
- **Soak** gear in a bath of hot water (at least 120°F, 46°C) for 10 minutes.
NOTE: This method is not advised for Gortex.
- **Dry** your gear before reuse. A drying time of at least 48 hours under low humidity is recommended to remove all pockets of dampness. Gear must be completely dry for a minimum of 24 hours. Check to ensure that boots are totally dry.

CHEMICAL TREATMENT

Common disinfecting cleaners containing quaternary ammonium compounds (QACs, e.g., alkyl dimethyl benzylammonium chloride [ADBAC]; diethyl dimethyl ammonium chloride [DDAC]) are effective for decontaminating gear.

Disinfectants listed below will kill other aquatic invasive species but may not result in 100% mortality.

Gear should be soaked in *one* of the following solutions for 5 minutes and then rinsed thoroughly with tap water, away from the water body:

- Commercial disinfectant solutions containing quaternary ammonium compounds (e.g., Formula 409® Cleaner Degreaser Disinfectant, alkyl dimethyl benzylammonium chloride [ADBAC]; diethyl dimethyl ammonium chloride [DDAC]). Formula 409® Cleaner Degreaser Disinfectant has been proven effective for killing mudsnails at 50% dilution.
- The compounds Quat 128® and Sparquat 256® are commercial disinfectants with an active ingredient (QAC) similar to that of Formula 409® Cleaner Degreaser Disinfectant, which has proven effective for killing mudsnails and other aquatic invasive species (see the table on the foldout page of the brochure for dilution rates).
- Many household bath and kitchen disinfectants contain quaternary ammonium compounds (check the label for active ingredients containing alkyl dimethyl benzylammonium chloride [ADBAC]; diethyl dimethyl ammonium chloride [DDAC]).

These and other chemical treatments are constantly being evaluated and are updated online at: seagrant.oregonstate.edu/themes/invasives/

Store and dispose of solution and used rinse water properly.

Quality Assurance/Quality Control

If chemical treatments are used, ensure that rinsing is performed thoroughly, to prevent contamination of water courses.

IF YOU FIND MUDSNAILS

If you suspect you have found mudsnails, collect 5 to 10 individuals and place them in a plastic bag into which you have sprinkled water. Check against the simple traits above and on the Web page below to confirm identification.

<http://www.esg.montana.edu/aim/mollusca/nzms>

Please save the samples and contact the Oregon Invasive Species Council (1-866-INVADER) and one of these specialists:

Sam Chan

Oregon State University
Oregon Sea Grant Extension
samuel.chan@oregonstate.edu

Robyn Draheim
Center for Lakes and Reservoirs
Portland State University
draheim@pdx.edu

Paul Heimowitz
U.S. Fish and Wildlife Service
Paul_Heimowitz@fws.gov

Sherri L. Johnson
PNW Research Station
USDA Forest Service
johnsons@fsl.orst.edu

To order copies, call 1-800-375-9360,
or write sea.grant.communications@oregonstate.edu
You can download a pdf of this brochure at
<http://seagrant.oregonstate.edu/ssgpubs/onlinepubs.html>



NEW ZEALAND MUDSNAILS



This brochure is intended for researchers, monitoring crews, watershed survey groups, and anyone else who travels frequently between aquatic or riparian locations. It is intended to be used as a guide to currently accepted methods for treating field gear to prevent the spread of New Zealand mudsnails.



Devils Lake, Oregon, is heavily infested with New Zealand mudsnails. Prevent the spread of New Zealand mudsnails by cleaning gear and boats and not moving water from infested waters into new bodies of water. (Photo by Jane and Michael Liu.)

INTRODUCTION

The New Zealand mudsnail (*Potamopyrgus antipodarum*) is an introduced aquatic species that has invaded estuaries, lakes, rivers, and streams in Washington, Oregon, California, and many other states in the western U.S. It was first noted in North America in the late 1980s in the Snake River and has since spread throughout the West.

The small size (< 5 mm), cryptic coloration, and ability to survive out of water for weeks make the New Zealand mudsnail an ideal hitchhiker.



Snails can be inadvertently transported in boatlaces (center—note different color). (Photo by Jane and Michael Liu.)

Range expansion of the mudsnail has been unwittingly hastened by anglers, hunters, and field personnel—in other words, people who frequently move between streams and lakes in watersheds, hauling wet waders, nets, and other gear with them. Once the mudsnail is established in a new habitat, it is impossible to eradicate it without damaging other components of the ecosystem. Thus, inspecting, removing, and treating gear before moving to a new water body is the most effective means of preventing the spread of mudsnails.

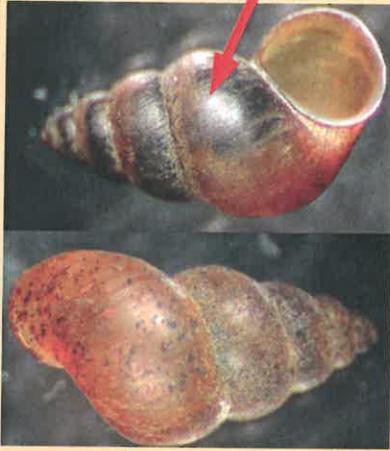


The New Zealand mudsnail is often less than 5 mm long. (Photo by Jane and Michael Liu.)

IDENTIFYING THE NEW ZEALAND MUDSNAIL



Size: A mature snail is usually less than 5 mm (.2 in) long. (Photo by Jane and Michael Liu.)



Shape: Shell is elongated and dextral (its whorls or spirals lean toward the right). Snail typically has between 5 to 6 whorls on its shell. (Photo by D. L. Gustafson, <http://www.esg.montana.edu/aim/mollusca/nzms/>)



Color: Most snails have a light- to dark-brown shell that may appear to be black when wet. (Photo by Jane and Michael Liu.)



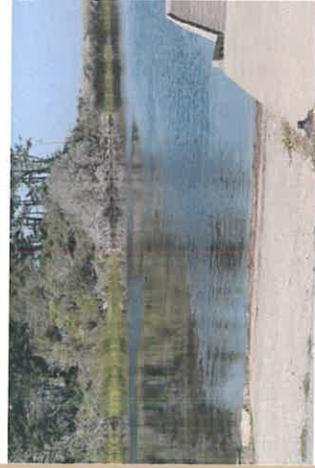
Embryos: Upon dissection, mature snails will have brooded embryos. (Photo by D. L. Gustafson, <http://www.esg.montana.edu/aim/mollusca/nzms/>)



Operculum: The mudsnail operculum (a rounded plate that seals the mouth of the shell when the animal's body is inside) can be seen on live snails but is not easily visible on dead or preserved snails. (Photo by D. L. Gustafson, <http://www.esg.montana.edu/aim/mollusca/nzms/>)

MIXING INSTRUCTIONS

- **Copper sulfate:** Dissolve 3.785 grams of copper sulfate pentahydrate crystals (99.1% purity) for each gallon of solution you want to make. This will achieve a concentration of 252 mg/L of copper ion in the cleaning solution.
- **Benzethonium chloride:** Dissolve 7.57 grams of benzethonium chloride (97% purity) for each gallon of cleaning solution you want to make. This will achieve a concentration of 1,947 mg/L in the cleaning solution.
- **Formula 409® Disinfectant:** Dilute the commercially available solution 1:1 with clean water to achieve the needed concentration for the cleaning solution (i.e., 1 gallon of Formula 409 Disinfectant to one gallon of water). (Note that formulations are subject to change. Check label to make sure that benzethonium chloride is listed as an ingredient.)



Fishing boats and boats are potential conduits for spreading the New Zealand mudsnail. (Photo by Jane and Michael Liu.)



New Zealand mudsnail in test chamber with chemical test solution. (Photo by Robert Hosea.)

CAUTION

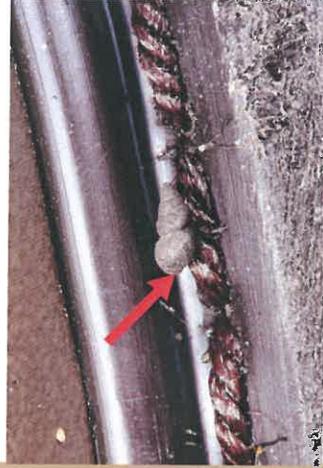
Treating field gear with chemical methods may result in unintended contamination of the environment. In particular, extreme caution must be taken to avoid contamination of waterways and wetlands. DO NOT rinse your treated gear in a water body.

Treating rubber gear or boots with benzethonium chloride or Formula 409® may result in surface cracking of the rubber and loss of water repellency. Chemical methods are not always effective in killing mudsnails. Always scrub your gear and consider using physical methods before resorting to chemical methods. For more information on the testing of chemical treatment methodology, see R. C. Hosea, and B. Finlayson, 2005, *Controlling the Spread of New Zealand Mud Snails on Wading Gear*, Administrative Report 2005-02, Rancho Cordova, California: Resources Agency, California Department of Fish and Game.

Always scrub your gear and consider using physical methods before resorting to chemical methods. For more information on the testing of chemical treatment methodology, see R. C. Hosea, and B. Finlayson, 2005, *Controlling the Spread of New Zealand Mud Snails on Wading Gear*, Administrative Report 2005-02, Rancho Cordova, California: Resources Agency, California Department of Fish and Game.

THE MUDSNAIL PROBLEM

The New Zealand mudsnail is a threat to our waters. By competing with native invertebrates for food and habitat, it may have a detrimental impact on fish populations, vegetation, and other native biota. Mudsnails can tolerate a wide range of habitats, including brackish water, and are found living in high densities (often over 400,000 snails/sq meter) on many different substrates (rock, gravel, sand, and mud).

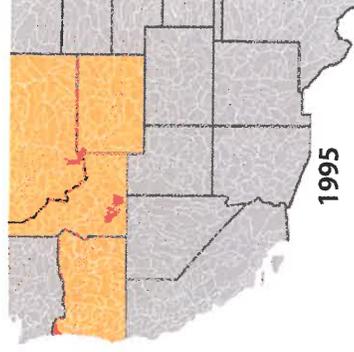


Mudsnails on the seam of a stream boat. Unintentional transport from one stream location to another by hitchhiking on waders or wading boots is one of the primary vectors for spreading New Zealand mudsnails. (Photo by Jane and Michael Liu.)

The biology, ecology, and distribution rate of the mudsnail suggest that many habitats are suitable for further expansion.

Mudsnail populations in the West are self-reproducing brooders; they clone themselves and retain the embryos inside their shell until they are large enough to release. Also known as parthenogenesis, this reproductive technique means that a single mudsnail can rapidly colonize a new location.

Mudsnails are easily transported to new habitats by field crews because the snails readily attach to or are wedged into the many cracks, crevices, and crannies presented by waders, boot soles, nets, buckets, and so on. New Zealand mudsnails can live for weeks in damp, cool conditions; can easily survive on field gear for long periods of time; and can be transferred to a new environment when that gear is reused.



Spread of the New Zealand mudsnail from 1995 to 2006 in the western U.S. New Zealand mudsnails have recently been found in parts of the Great Lakes region. (Map modified from D. L. Gustafson, <http://www.esg.montana.edu/aim/mollusca/nzms>.)



Mudsnails that have been passed through the intestinal tract of a fish. Almost half of the mudsnails survived this trip. (Photo by M. Vinson, <http://www.esg.montana.edu/aim/mollusca/nzms/>.)

PREVENTION

To prevent the survival of mudsnails on field clothing and equipment, you will need first to clean your field gear and then to treat it, using either the physical or chemical methods listed below. We recommend the following steps:

- 1** If possible, keep several changes of field gear for use in different bodies of water.
- 2** Clean all gear before leaving a site (a stiff-bristled scrub brush or high-pressure water is the best tool for this task).
- 3** Inspect gear before it is packed for transport. Visible traces of sand, mud, gravel, and plant fragments are signs that gear has not been properly scrubbed and mudsnails may have been retained.
- 4** Select a treatment method in addition to physical cleaning.
 - **Physical treatments** are recommended over chemical treatments because they are usually less expensive, more environmentally sound, and possibly less destructive to gear. However, most physical methods require longer treatment times and often cannot be performed in the field.
 - **Chemical treatments** require a 5-minute soak in a special solution. After chemical treatment, gear must be rinsed thoroughly with tap water away from all bodies of water, and all soak solutions and rinse water must be properly disposed of.

Remember: physical and chemical treatments are not a substitute for physically scrubbing and cleaning your gear.

PHYSICAL

Physical methods for cleaning gear are effective as well as environmentally sound. Use *one* of the following methods:

- Freeze your gear for a minimum of 4 hours to kill all mudsnails. Freezer temperatures should be at 26°F (-3°C) or below.
- Soak gear in a bath of hot water (at least 120°F, 46°C) for 5 minutes. This method is not advised for Gortex.
- Dry your gear before reuse. A drying time of at least 48 hours under low humidity is recommended to remove all pockets of dampness. Gear must be completely dry for a minimum of 24 hours. Check to ensure that boots are totally dry.

CHEMICAL

Chemical solutions, at the concentrations below, also kill mudsnails but may not always result in 100% mortality.

Gear should be soaked in *one* of the following solutions for 5 minutes and then rinsed thoroughly with tap water, away from the water body. Store and dispose of solution and used rinse water properly.

- Benzethonium chloride (1, 940 mg/L)
- Commercial Solutions Formula 409® Cleaner Degreaser Disinfectant (50% dilution)
- Copper sulfate (252 mg/L copper ion)

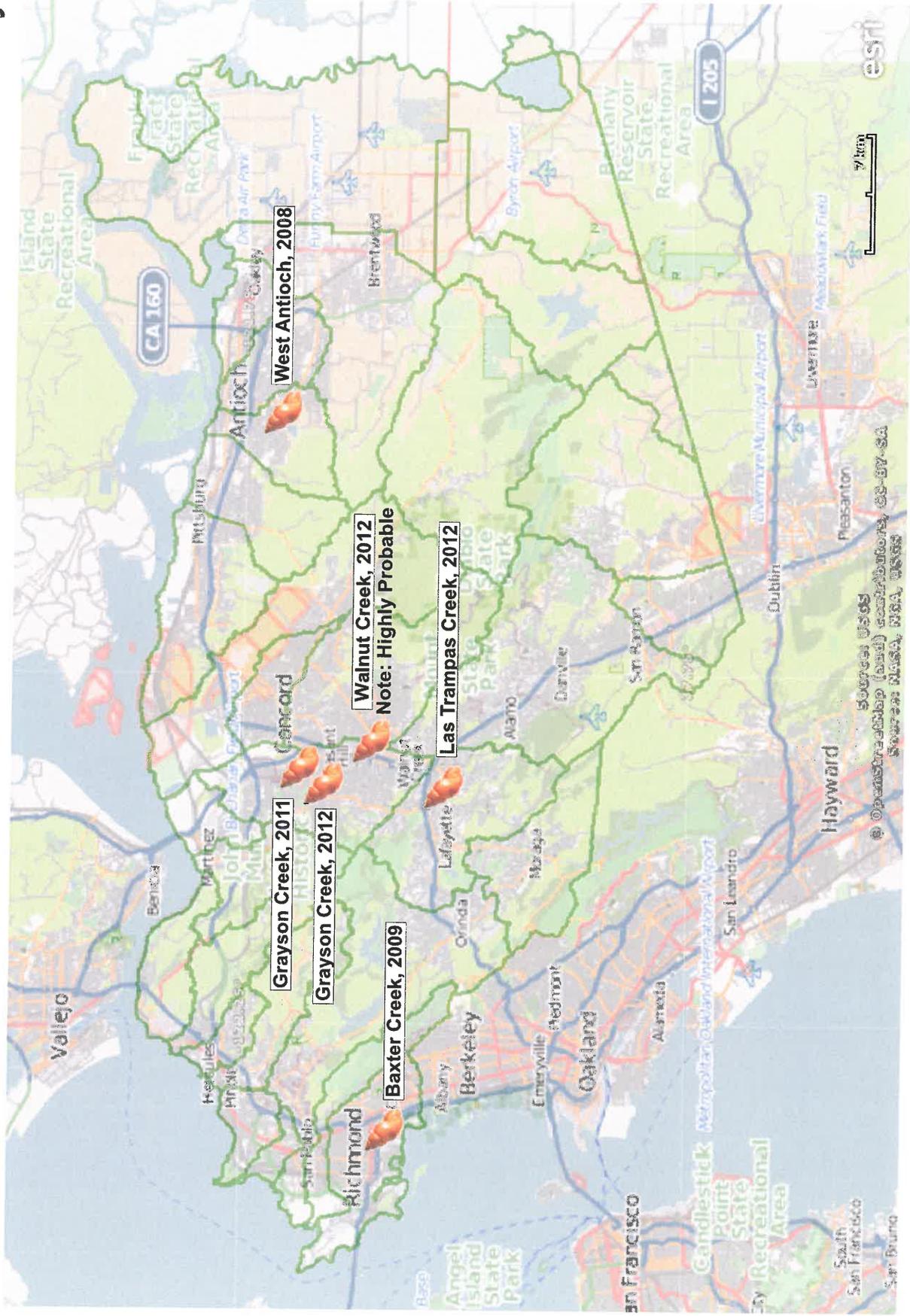
These and other chemical treatments are constantly being evaluated.



The toe of this rubber wading boot has cracked after being exposed to repeated applications of benzethonium chloride. (Photo by Robert Hosea.)

A worker filters the cleaning solution after removing wading gear. (Photo by Robert Hosea.)

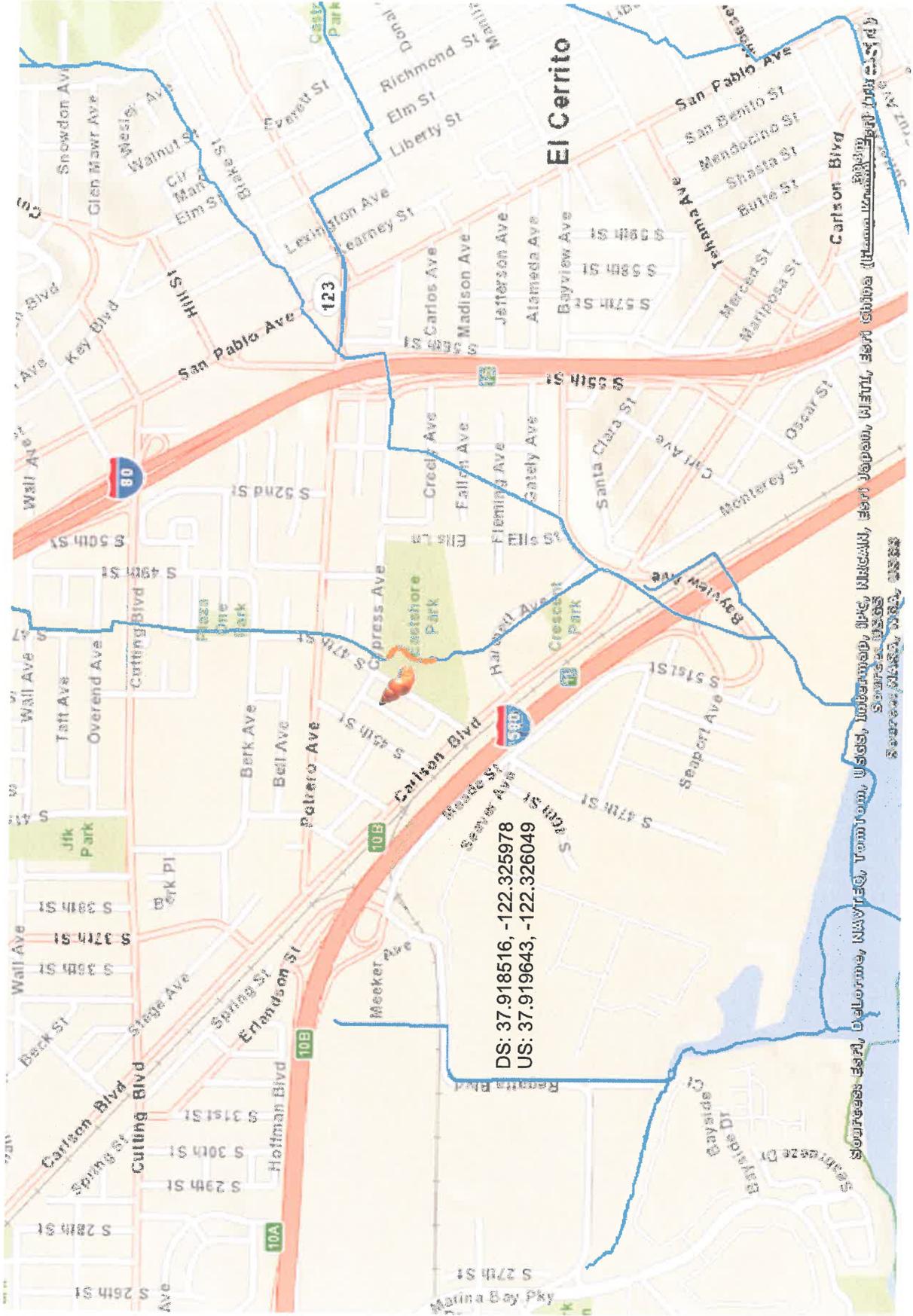
Occurrences of New Zealand Mud Snail in Contra Costa County



-  New Zealand Mud Snail Detection
-  Watershed Boundary

Note: Year given with a station was the that one in which the snails were first detected.

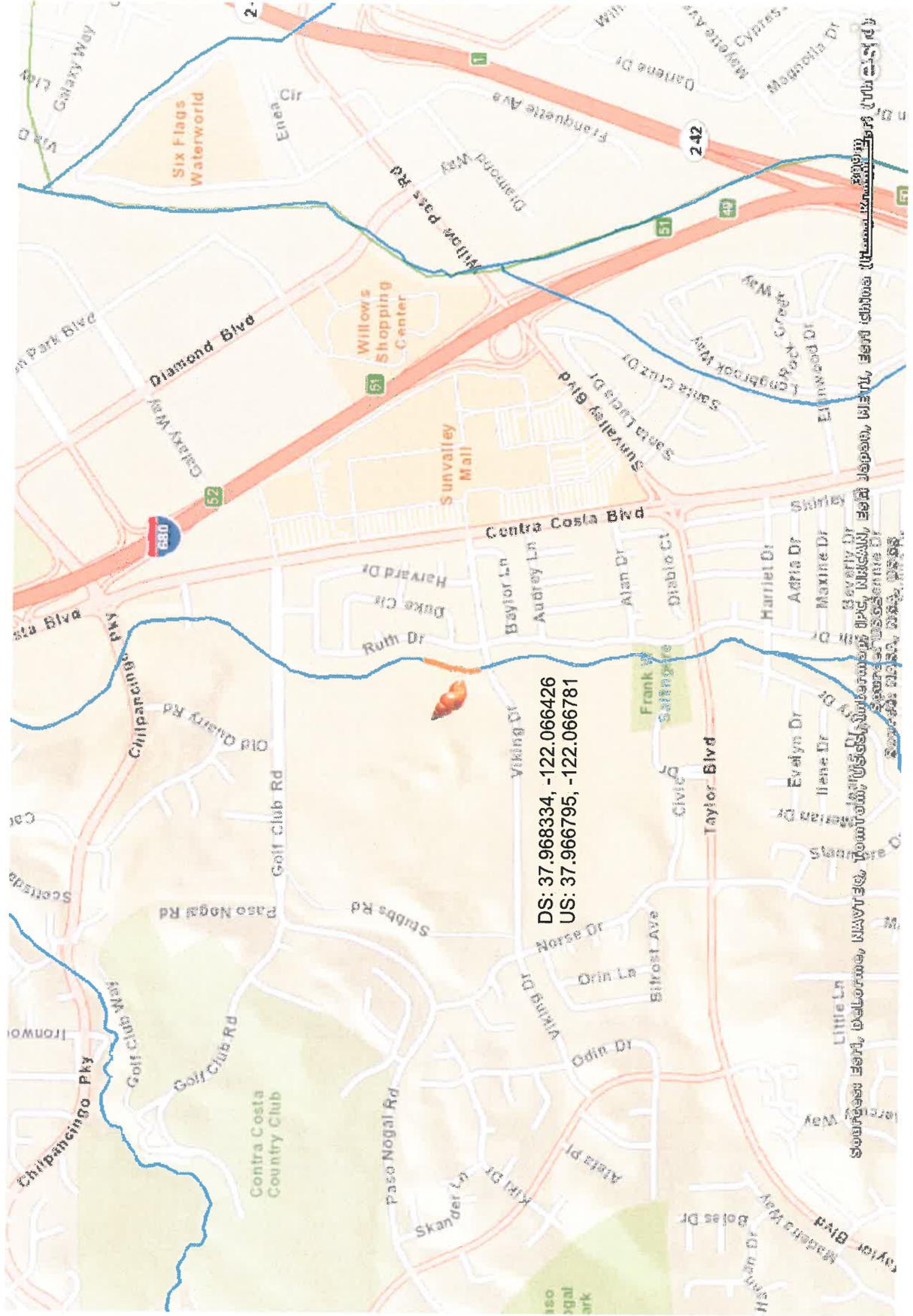
Baxter Creek (BAX030), 2009



DS: Downstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

US: Upstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

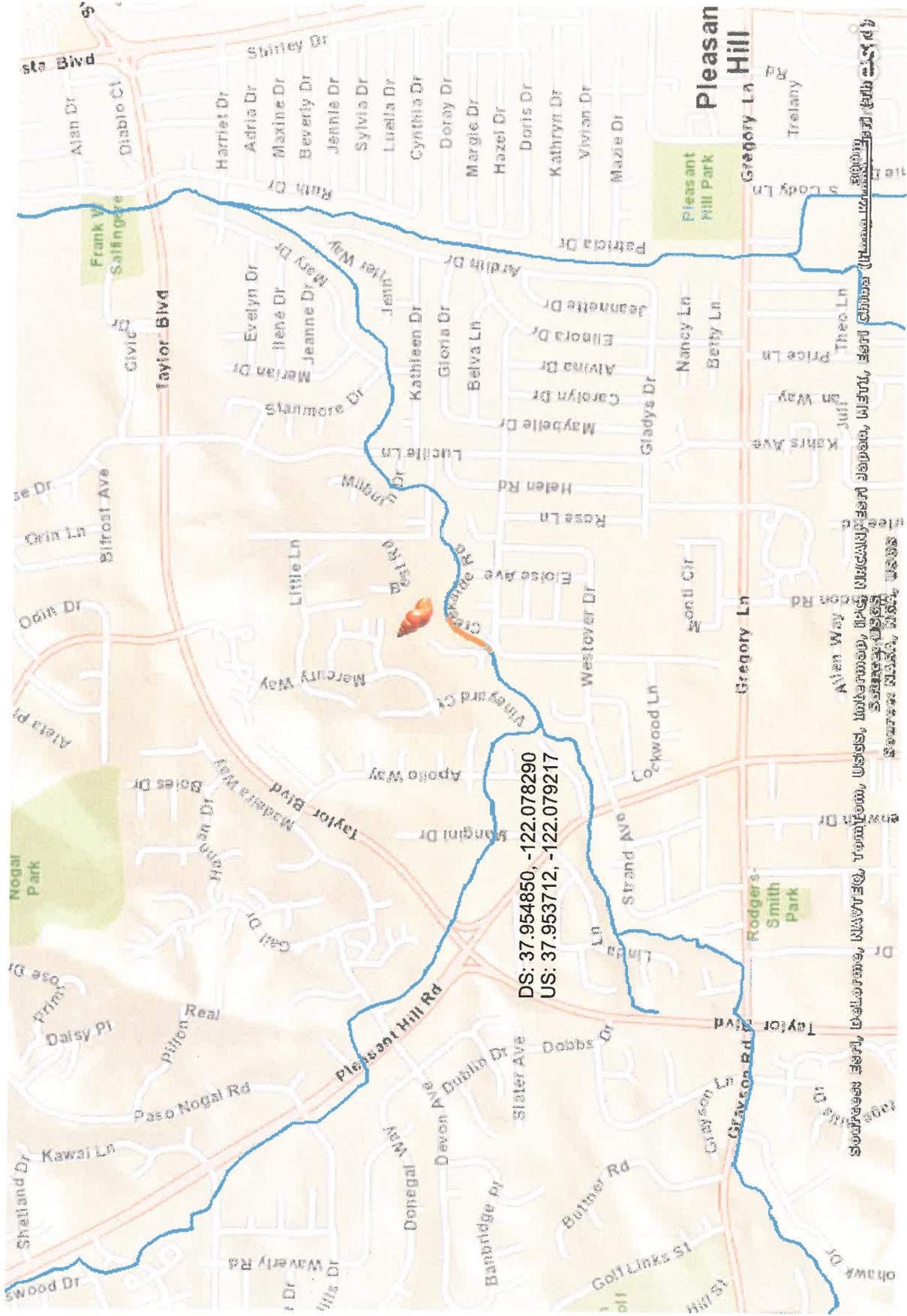
Grayson Creek (WAL050), 2011



DS: Downstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

US: Upstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

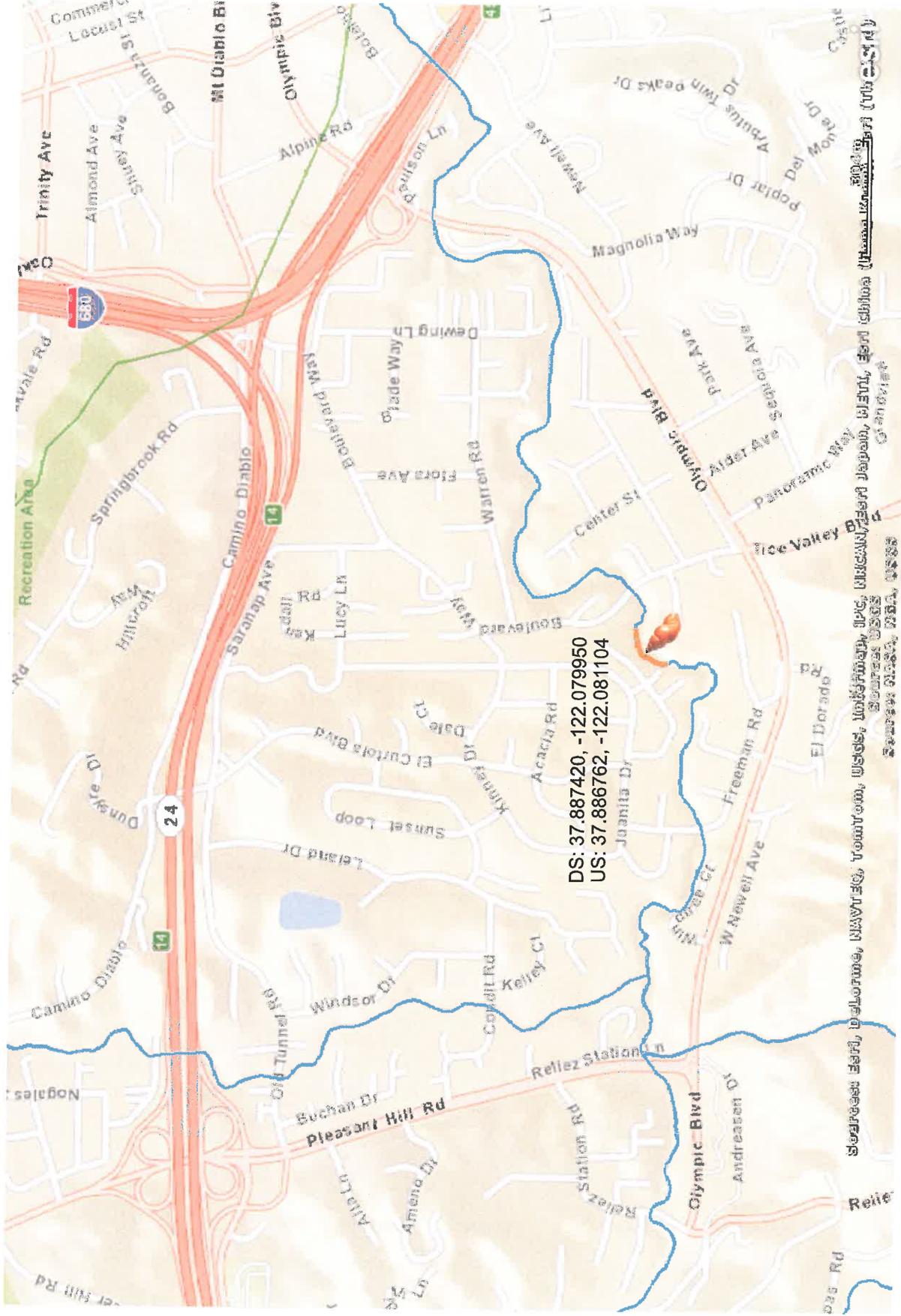
Grayson Creek (207R00011), 2012



DS: Downstream Latitude, Longitude of Stream Reach where Mud Snails were detected. — Creek (Blue-Line data)

US: Upstream Latitude, Longitude of Stream Reach where Mud Snails were detected. — Mud Snail Detection

Las Trampas Creek (RMC139), 2012



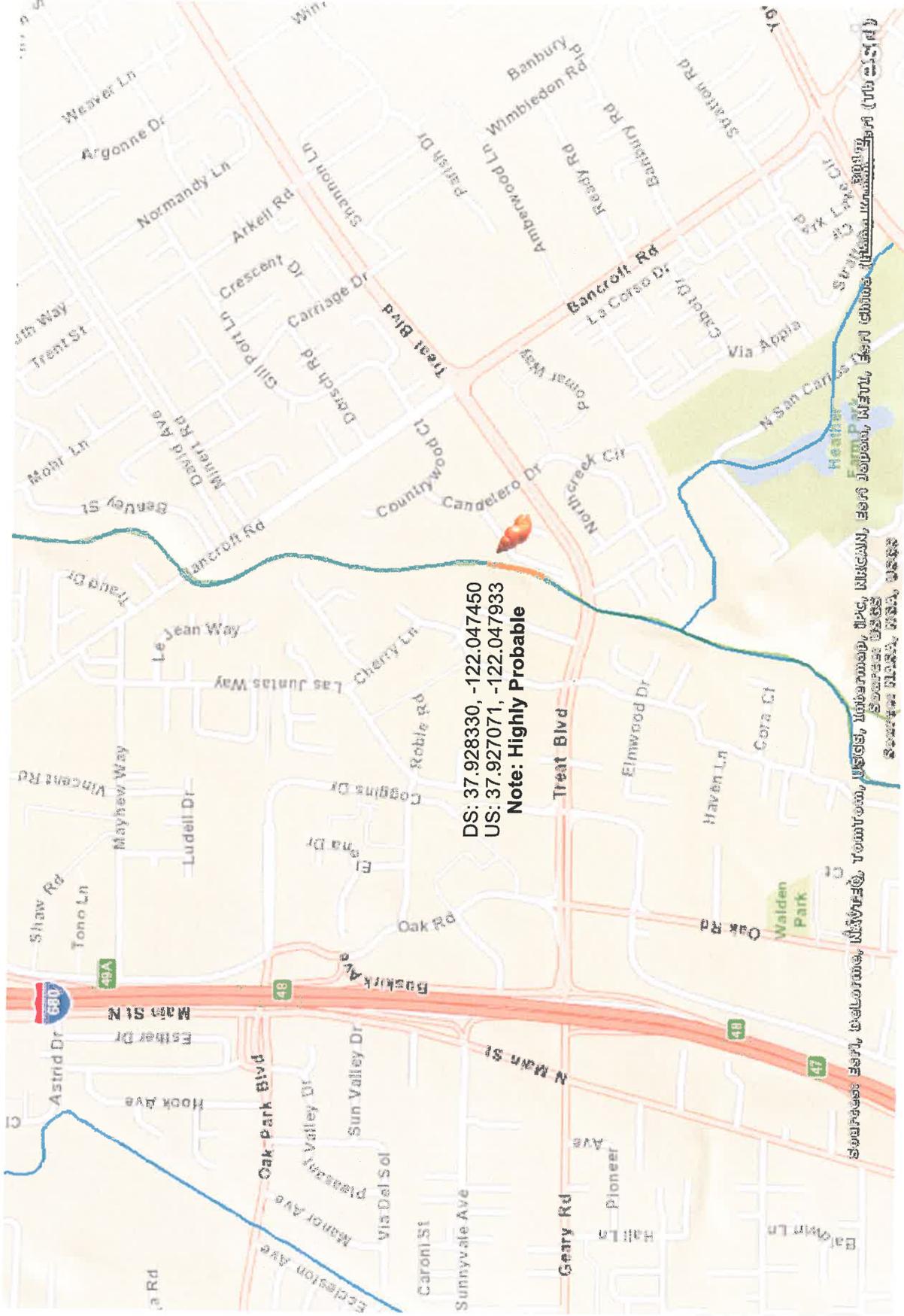
DS: Downstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

US: Upstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

— Creek (Blue-Line data)

— Mud Snail Detection

Walnut Creek (207R00247), 2012



DS: Downstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

US: Upstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

West Antioch (WAN080), 2008



DS: Downstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

US: Upstream Latitude, Longitude of Stream Reach where Mud Snails were detected.

Laura Hoffmeister

From: Mark Janney <mjanney@ci.clayton.ca.us>
Sent: Wednesday, February 05, 2014 8:35 AM
To: lhoffmeister@ci.clayton.ca.us
Subject: New Zealand Mud Snails

Laura

It is the policy of the City of Clayton Maintenance Department to let only paid seasonal or full time workers into the creek during the Cities annual inspection and cleaning. All paid seasonal and full time workers that work in the creeks have been made aware of the New Zealand Mud Snails. They have been informed on the proper way of cleaning equipment and clothing that comes in contact with the creeks. The Maintenance Department does not use WAP (work alternative personal) to enter creek areas during our annual creek maintenance or any other official volunteer personnel.

meeting
9/27/12

New Zealand Mud Snail

<u>Print Name</u>	<u>Sign</u>	<u>Date</u>
Zac Richardson	Zac Rich	9/27/12
MYKEL GRIGGS	Mykel Griggs	9.27.12
Onof Callarica	Onof Callarica	9/27/12
Robby Quintana	Robby Quintana	9-27-12
GARY DANKOWSKI	Gary Dankowski	9/27/12
Daniel M. Johnston	Daniel M. Johnston	9/27/2012
Sandro Arias	Sandro Arias	9/27/2012
Mark Janney	Mark Janney	9/27/2012

City of Clayton Corp Yard Site Pre- Rainey Season Inspection Pictures October 5, 2012 (FY 12-13 Annual Report)

This inspection was done prior to being notified that they must be done prior to Sept 30th per water board letter of January 8, 2013. Prior to this inspection date there had not been any rain. First rain occurred October 21, 2012. The inspection time frame will be modified in FY 13/14 to occur prior in August so that it is in advance of September 30th.



Corp Yard Wash Bay (closed re-circulated water recovery unit no discharges)



City of Clayton Corp yard

City of Clayton Corp Yard Site Pre- Rainey Season Inspection Pictures October 5, 2012 (FY 12-13 Annual Report)



Covered Materials storage City of Clayton Corp Yard



City of Clayton Corp Yard Dumpster bin area

City of Clayton Corp Yard Site Pre- Rainey Season Inspection Pictures October 5, 2012 (FY 12-13 Annual Report)



City of Clayton Corp Yard



City of Clayton Corp Yard Green Waste Recycling Bins

City of Clayton Corp Yard Site Pre- Rainey Season Inspection Pictures October 5, 2012 (FY 12-13 Annual Report)



City of Clayton Cory Yard Parking Area



City of Clayton Corp Yard Drainage Outfall into bio planter area



CITY OF CLAYTON

Founded 1857... Incorporated 1964

COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
JULIE K. PIERCE, Mayor
MARK STRATFORD, Vice Mayor
JIM DIAZ
HOWARD GELLER
DAVID T. SEUBEY

Shin Roei Lee
Chief, Watershed Management Division
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland CA 94612

January 28, 2013

Dear Ms. Lee

This letter provides the City of Clayton comments on the January 8, 2013 Notice of Deficiency pursuant to Provision C.2.f of the Water Board Order No. R2-2009-0074, Municipal Regional Stormwater NPDES Permit (MRP). The City of Clayton recognizes the importance of regular inspections of its municipal corporation yard to ensure elimination or minimization of potential pollutants to stormwater. For reasons explained below we believe we are in compliance with the MRP for FY 11/12 and we disagree with the Notice of Deficiency.

The Maintenance staff conducted an inspection on October 7, 2011. This inspection was noted in the City of Claytons submitted Annual Report for FY 11/12. It is specifically listed on page 2-6. This entry followed the earlier on of February which was listed on page 2-5, which is the date you referenced in the Notice of Deficiency. I had included the February inspection so the information of the October 7, 2011 inspection would make contextual sense. I believe that you missed the entry on the following page for October 7, 2011.

The City considers the inspection conducted on October 7, 2011 to be the FY 11/12 pre-rainy season inspection for reporting purposes. Furthermore, the MRP states that "an inspection shall occur before the start of the rainy season". The MRP Section C.2.f. provides no specific dates as to when the rainy season is considered. The City uses October 15 to April 15 as the "rainy season" which is consistent with Fish and Game; and our City municipal code Section 15.60.040(E) which identifies this period to be when Erosion Control measures are to be in place related to grading activities. Therefore we believe we are in compliance of the permit for FY 11/12 as the MRP since it does not explicitly state the start and end dates of the rainy season for Section C.2.f and we have interpreted it to mean October 15 to April 15. As noted above the City's actual inspection date for FY 2011/12 was before October 15. Additionally the City's corporation yard does not have any drainage that connects to storm drains or creeks, the one Drainage inlet drains to a bio swale and is further filters from the bio swale into a natural field, and no potential impact from corp. yard activities onto waterways or drainage systems. This information has been previously reported in our Annual Reports including photographs. Lastly we would bring to you attention that if inspections are now to be completed by September 30th, the City date of October 7th 2011 was just 5 working days after September 30, 2011.

If Water Board staff is now requiring inspections to take place prior to September 30, we were unaware of this prior to the issued Notice of Deficiency, therefore the City could not have conducted an inspection for FY 12/13 in September, and thus the City will have to implement it beginning in FY 13/14 Annual Report period. Please feel free to contact me at (925)673-7308 or email LHoffmeister@ci.clayton.ca.us if you have any questions.

Sincerely,



Laura Hoffmeister,

Asst. to the City Manager/Stormwater Program Manager

Laura Hoffmeister

From: Louie, Selina@Waterboards <Selina.Louie@waterboards.ca.gov>
Sent: Thursday, March 21, 2013 1:30 PM
To: lhoffmeister@ci.clayton.ca.us
Cc: Lee, Shin-Roei@Waterboards
Subject: RE: City of Clayton response to Regional WATER Board staff to Notice of Deficiency re: C2f

Hello Laura,

Thank you for the City of Clayton's response to our Notice of Deficiency pursuant to Provision C.2.f. of the Municipal Stormwater NPDES Permit (Water Board Order No. R2-2009-0074) dated January 8, 2013.

We have reviewed the City's response and have determined that we issued the Notice of Deficiency in error. We inadvertently missed the October 7, 2011 corporation yard inspection. The corporation yard inspection data spanned two pages in the City's 2011-2012 Annual Report and we missed the listing of the October 7, 2011 inspection, which was on the second page for the Provision C.2.f. section.

The January 8, 2013 Notice of Deficiency will not be entered into our Enforcement Database for the City of Clayton.

Selina Louie
SF Bay Water Board
(510) 622-2383
1515 Clay Street, Suite 1400
Oakland, CA 94612

From: Laura Hoffmeister [<mailto:lhoffmeister@ci.clayton.ca.us>]
Sent: Monday, January 28, 2013 4:56 PM
To: Lee, Shin-Roei@Waterboards; Louie, Selina@Waterboards; Mumley, Thomas@Waterboards; Bowyer, Dale@Waterboards
Cc: Tom Dalziel; gnapper@ci.clayton.ca.us; ricka@permcoengineering.com; mjanney@ci.clayton.ca.us; 'John Johnston'
Subject: City of Clayton response to Regional WATER Board staff to Notice of Deficiency re: C2f

Please find attached the City of Claytons response to your C2f comments on the January 8, 2013 Notice of Deficiency pursuant to Provision C.2.f of the Water Board Order No. R2-2009-0074, Municipal Regional Stormwater NPDES Permit (MRP).

Laura Hoffmeister
Assistant to the City Manager
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

da

Email: LHoffmeister@ci.clayton.ca.us

Ph. desk/vm: (925) 673-7308

Ph. cell/vm/txt: (925) 250-8532

Fax: (925) 672-4917

ORDINANCE NO. 444

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON AMENDING CHAPTER 13.12 TO TITLE 13 OF THE MUNICIPAL CODE RELATING TO STORMWATER MANAGEMENT AND DISCHARGE CONTROL FOR COMPLIANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM NPDES) PROGRAM (STORM WATER POLLUTION PREVENTION) MUNICIPAL REGIONAL PERMIT (MRP) IMPOSED BY THE REGIONAL WATER QUALITY CONTROL BOARD

THE CITY COUNCIL OF THE CITY OF CLAYTON FINDS AS FOLLOWS:

WHEREAS, the 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems; and

WHEREAS, the Federal Clean Water Act and related permits are implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes; and

WHEREAS, stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government; and

WHEREAS, the City of Clayton's National Pollutant Discharge Elimination System (NPDES) permit was reissued in 2009 by the San Francisco Water Quality Control Board in, which added various mandates, including that related to Stormwater Management and Discharge Control, and

WHEREAS, the public necessity, conveniences and general welfare require the adoption of the proposed ordinance for compliance with the City's NPDES permit through the Municipal Regional Permit (MRP) issued by the San Francisco Regional Water Quality Control Board; and

WHEREAS, on March 19, 2013 the City Council held a public meeting to consider amending the Municipal Code, as proposed in the Ordinance amendments "Stormwater Management and Discharge Control"; considered the information contained in the staff report and any other written and public testimony; introduced and held first reading of said Ordinance; and

WHEREAS, the additions to the Municipal Code are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15307, Class 7; and Section 15308, Class 8--actions by regulatory agencies for the protection of natural resources and;

WHEREAS, there is no evidence that the additions will have the potential for any individual or cumulative adverse effect on fish and wildlife resources or their habitat, as defined in Section 711.2 of the Fish and Game Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Revocation and Amendment.

Chapter 13.12 of Title 13 of the Clayton Municipal Code, as adopted by Ordinance No. 379 is hereby revoked in its entirety and amended to read as follows:

“Chapter 13.12. Stormwater Management and Discharge Control

Section 13.12.010. Intent and Purpose.

A. The intent of this Chapter is to protect and enhance the water quality in the City of Clayton's watercourses pursuant to, and consistent with the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. section 1251 et seq.).

B. This Chapter also carries out the conditions in the City's National Pollutant Discharge Elimination System (NPDES) permit that require implementation of appropriate source control and site design measures and stormwater treatment measures for development projects.

C. It is the purpose of the City Council in enacting this Chapter to protect the health, safety and general welfare of Clayton's citizens by:

1. minimizing non-stormwater discharges, whose pollutants would otherwise degrade the water quality of local streams, to the stormwater system.

2. minimizing increases in nonpoint source pollution caused by stormwater runoff from development that would otherwise degrade local water quality.
3. controlling the discharge to the City's stormwater system from spills, dumping or disposal of materials other than stormwater.
4. reducing stormwater run-off rates and volumes and nonpoint source pollution whenever possible, through stormwater management controls and ensuring that these management controls are properly maintained and pose no threat to public safety.

Section 13.12.020. Definitions.

The following words and phrases when used in this Chapter shall be as defined herein. Words and phrases in this Chapter and not otherwise defined shall be interpreted as defined in the regulations issued by the U.S. Environmental Protection Agency to implement the provisions of the Federal Clean Water Act, and as defined by the State Water Resources Control Board to implement the Porter-Cologne Act:

- A. Best management practices or "BMP" are structural devices, measures, stormwater management facilities, activities, prohibitions, or practices, general good housekeeping, pollution prevention practices, maintenance procedures and other management practices, to prevent or reduce the discharge of pollutants directly or indirectly to "waters of the United States," including watercourses, water bodies, and wetlands.
- B. City's NPDES permit shall mean the NPDES permit issued to the City of Clayton, Permit No. CAS612008, and any subsequent amendment, reissuance or successor to the NPDES permit.
- C. Construction shall mean any project, including projects requiring coverage under the General Construction Permit, that involves soil disturbing activities, including but not limited to, clearing, grading, paving, and disturbances to ground such as stockpiling and excavating. Construction sites are also all sites with disturbed or graded land area not protected by vegetation or pavement that are subject to a grading or building permit.
- D. Development shall mean construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit, or planned unit development) or industrial, commercial, retail or other nonresidential project, including public agency projects.

E. Development runoff requirements shall mean the provisions in the City's NPDES permit that contain performance standards to address both the construction and post-construction phase impacts of new projects and redevelopment projects on stormwater quality, as well as any requirements imposed by the director pursuant to a permit or other regulatory action.

F. Director shall mean the City Manager of the City of Clayton or his or her designee.

G. Enforcement officer or Officer shall mean those individuals designated by the director to act as authorized enforcement officers.

H. Guidebook shall mean the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

I. Non-stormwater discharge is any addition of any pollutant to the City's stormwater system, except discharges pursuant to a NPDES permit, or discharges further exempted in Section 13.12.060(c) and (d) of this Chapter.

J. Pollutant shall mean any material other than stormwater including, but not limited to, petroleum products or by-products, solid waste, incinerator residue, sewage, sewage sludge, garbage, heat, chemical waste, biological materials, radioactive materials, wrecked or discarded equipment, rock, sand, soil and industrial, municipal or agricultural waste discharged into the water or stormwater system.

K. Premises shall mean any land, building, structure, facility, or installation, (including a building's grounds or other appurtenances), and adjacent sidewalks and parking strips.

L. Redevelopment shall mean land disturbing activity that results in the creation, addition, or replacement of exterior impervious area on a site on which some past development has occurred.

M. Regional Board shall mean the California Regional Water Quality Control Board, San Francisco Bay Region.

N. Responsible person shall mean the owner or occupant of any premises or who engages in, permits, or oversees any activity from which there is or may be a non-stormwater discharge

or any person who releases pollutants to the City's stormwater system.

O. Stormwater shall mean storm water runoff, snow melt runoff, surface runoff and drainage flow on the surface of the ground resulting from precipitation.

P. Stormwater management facility shall mean any BMP or any device that utilizes detention, retention, filtration, harvest for reuse, evapotranspiration or infiltration to provide treatment (and/or control volume, flows, and durations) of stormwater for purposes of compliance with development runoff requirements.

Q. Stormwater control plan shall mean a plan that meets those criteria contained in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

R. Stormwater system is that system of facilities by which stormwater may be conveyed to any stream, watercourse, other body of water or wetlands, including flood control channels, any roads with drainage systems, city streets, catch basins, curbs, gutters, ditches, improved channels, storm drains or storm drain system, which are not part of a Publicly Owned Treatment Works ("POTW") as that term is defined in 40 CFR section 122.2.

Section 13.12.030. Responsibility for Administration.

The director or his or her designee shall administer this Chapter for the City.

Section 13.12.040. Construction and Application.

This Chapter shall be construed consistent with the requirements of the Federal Clean Water Act and amendments thereto or applicable implementing regulations and the City's NPDES permit.

Section 13.12.050 Stormwater Control Plan Required.

A. In accordance with thresholds and effective dates in the City's NPDES Permit, every application for a development project, including but not limited to a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, grading permit, encroachment permit, design review, or building permit that is subject to the development runoff requirements in the City's NPDES permit shall be accompanied by a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

B. Implementation of an approved stormwater control plan and submittal of an approved stormwater control operation and maintenance plan by the applicant shall be a condition precedent to a final building inspection or the issuance of a certificate of occupancy for a project subject to this section.

C. All stormwater management facilities shall be designed in a manner to minimize the need for maintenance and reduce the chances of failure. Design guidelines are outlined in the Guidebook.

D. All stormwater management facilities shall be maintained according to the Guidebook and the approved stormwater control operation and maintenance plan. The person(s) or organization(s) responsible for maintenance shall be designated in the stormwater control operation and maintenance plan. Unless a different time period is provided for in the plan, those responsible for maintenance shall inspect the stormwater management facility at least annually. The stormwater control operation and maintenance plan shall also describe how the maintenance costs will be funded. Upon the failure of a responsible person to maintain a stormwater management facility in accordance with this Chapter or the plan, the City may perform the maintenance and recover its costs from the responsible person as provided in sections 13.12.100, 13.12.170 and 13.12.180.

E. A property owner shall, through recorded covenants or easements, provide the City, the Contra Costa Mosquito and Vector Control District, and the Regional Board access to stormwater management facilities for inspections and maintenance.

Section 13.12.060. Prohibited Discharges.

A. The discharge of non-stormwater to the City stormwater system is prohibited.

B. The discharge of stormwater from any premises and any activity that may cause or contribute to prohibited discharge, to a violation of receiving water limitations in the City's NPDES permit, or to a nuisance within the meaning of California Water Code section 13050 is prohibited.

C. The following discharges are exempt from the prohibition set forth in subsection (a) above, unless determined by the director to be a source of pollutants to or from the stormwater system or to receiving waters:

1. any discharge in compliance with a NPDES permit issued to the discharger.

2. flows from riparian habitats and wetlands, diverted stream flows, flows from natural springs, rising ground waters, uncontaminated and unpolluted groundwater infiltration, single-family homes' pumped groundwater, foundation drains, and water from crawl space pumps and footing drains, and pumped groundwater from drinking water aquifers.

D. The following discharges are exempt from the prohibition set forth in subsection (a) above, if and only if the director identifies such discharge as not being a source of any pollutant to the stormwater system or to a receiving water or if control measures required by the director and as set forth in Section C.15 of the City's NPDES permit are properly implemented: pumped groundwater from non-drinking-water aquifers; pumped groundwater from other sources, foundation drains, and water from crawl space pumps and footing drains;

air conditioning condensate; planned discharges from routine operation and maintenance activities in the potable water distribution system; unplanned discharges from breaks, leaks, overflows, fire hydrant shearing, or emergency flushing of the potable water distribution system; emergency discharges of the potable water distribution system as a result of firefighting, unauthorized hydrant openings, or natural or man-made disasters; individual residential car washing; swimming pool, hot tub, spa, and fountain water discharges, and discharges from irrigation water, landscape irrigation, and lawn or garden watering.

Section 13.12.070. Discharge in Violation of NPDES Permit.

Any discharge that may result in or contribute to a violation of the City's NPDES permit either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person causing or responsible for the discharge, and such person shall defend, indemnify and hold harmless the City in any administrative or judicial enforcement action relating to such discharge.

Section 13.12.080. Unlawful Discharge and Unlawful Connections.

A. It is unlawful to allow, permit, establish, use, maintain or continue unauthorized drainage connections to the City's stormwater system, or to commence or continue any unauthorized discharges to the City's stormwater system.

B. No discharge shall cause the following conditions, create a nuisance, adversely affect beneficial uses of waters of the State, or cause or contribute to a violation of any applicable water quality standard for receiving waters:

1. floating, suspended or deposited macroscopic matter or foam;
2. bottom deposits or aquatic growth;
3. alterations of temperature, sediment load, nutrient load, or dissolved oxygen, which cause significant adverse impacts to native aquatic biota;
4. visible, floating, suspended or deposited oil or products of petroleum origin; or,
5. substances present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption.

Section 13.12.090. Best Management Practices and Standards.

A. Generally. Any person owning or operating premises that may contribute pollutants to the City's stormwater system shall undertake best management practices to reduce the potential for pollutants entering the system to the maximum extent practicable. Examples of

such premises include, but are not limited to, parking lots, gasoline stations, industrial facilities, and other commercial enterprises. Examples of best management practices include, but are not limited to, those described in publications by the United States Environmental Protection Agency, the California Water Boards, the California Stormwater Quality Association, the Bay Area Stormwater Management Agencies Association, the Contra Costa Clean Water Program, and the City of Clayton.

B. Litter. No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage or other discarded or abandoned objects, articles or other litter in or upon any street, alley, sidewalk, business place, creek, stormwater system, fountain, pool, lake, stream, river or any other body of water, or upon any public or private parcel of land so that the same might become a pollutant, except in containers or in lawfully established waste disposal facilities.

C. Sidewalks. The occupant or tenant, or in the absence of occupant or tenant, the owner or proprietor of any real property in front of which there is a paved sidewalk shall maintain said sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid waste.

D. Maintenance of Facilities and Landscaped Areas. Every responsible person shall implement Best Management Practices to minimize the release of pesticides, fertilizers, herbicides, and other related materials used to maintain landscaping and facilities.

E. Parking Lots, Paved Areas and Related Stormwater Systems. Persons owning, operating or maintaining a paved parking lot, the paved areas of a gasoline station, a paved private street or road, or similar structure, and related stormwater systems shall clean those premises as frequently and thoroughly as practicable in a manner that does not result in the discharge of pollutants to the City's stormwater system. As part of an enforcement action pursuant to this Chapter, the director may require installation and maintenance of BMPs to prevent the discharge of trash or other pollutants from private parking lots, streets, roads, and drainage facilities into the stormwater system. Failure or refusal to comply with such a requirement is prohibited and shall constitute a separate violation of this Chapter.

F. Construction Activities. In addition to any other requirement imposed by this Chapter, all construction projects shall incorporate site-specific BMPs, which can be a combination of BMPs from the California BMP Handbook, Construction January 2003, the Caltrans Stormwater Quality Handbooks, Construction Site Best Management Practices, the San Francisco Bay Regional Water Quality Control Board Erosion and Sediment Control Field Manual, 2002, the City's NPDES Permit, the City's grading and erosion control ordinance, generally accepted engineering practices for erosion control, and any other conditions required by the director when undertaking construction activities. The director may establish controls on the rate, volume, and duration of stormwater runoff from new developments and redevelopment as may be appropriate to minimize the discharge and transport of pollutants.

G. Notification of Intent and Compliance with General Permits. Each discharger associated with construction activity or other discharger described in any general stormwater permit

addressing discharges, as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the Regional Board shall provide the director with the notice of intent, comply with and undertake all other activities required by any general stormwater permit applicable to such dischargers. Each discharger identified in an individual NPDES permit relating to stormwater discharges shall comply with and undertake all activities required by the permit.

H. **Development Runoff Requirements.** Every applicant for a new development and redevelopment project subject to the development runoff requirements shall submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Similarly, increases in runoff volume, flows, and durations shall be managed in accordance with the development runoff requirements.

I. **Stormwater Pollution Prevention Plan.** The director may require any business or utility in the City that is engaged in activities that may result in non-stormwater discharges or runoff pollutants to develop and implement a stormwater pollution prevention plan, which must include an employee training program. Business activities which may require a stormwater pollution prevention plan include maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading, fueling, vehicle maintenance, food handling or processing, or cleanup procedures, carried out partially or wholly out of doors.

J. **Coordination with Hazardous Material Release Response and Inventory Plans.** Any business subject to the Hazardous Material Release Response and Inventory Plan, Division 20, Chapter 6.95 of the California Health and Safety Code (commencing with section 25500), shall include, in that Plan, provision for compliance with this Chapter, including the prohibitions of non-stormwater discharges and the requirement to reduce release of pollutants to the maximum extent practicable.

Section 13.12.100. Reserved.

Section 13.12.110. Authority to Inspect.

A. **Generally.** The director and officer shall have the authority to enter property and make an inspection to enforce and carry out the provisions of this Chapter. Routine or scheduled inspections shall be based upon as reasonable a selection process as may be deemed necessary to carry out the intent of this Chapter, including, but not limited to, random sampling or sampling in areas with evidence of stormwater contamination, evidence of the discharge of non-stormwater to the stormwater system, inspection of stormwater treatment and flow-control facilities for proper operation and evidence of routine and corrective maintenance, or similar activities. Inspections may also be conducted in conjunction with routine or scheduled inspections conducted by other public agencies or special districts, including but not limited to the Central Contra Costa Sanitary District, the Contra Costa County Fire Protection District, County Environmental Health Department, the Contra Costa Mosquito and Vector Control District, or the Regional Board. The City Council may by resolution establish a schedule of fees for inspections.

B. **Authority to Sample and Establish Sampling Devices.** With the consent of the owner or

occupant, or pursuant to a search or inspection warrant, the officer may establish on any property such devices as are reasonably necessary to conduct sampling or metering operations. During all authorized inspections, the officer may take any sample deemed necessary to aid in the pursuit of the inquiry or in the recordation of the activities on site.

C. Notification of Spills. All persons in charge of the premises or responsible for emergency response for the premises have a responsibility to train premises' personnel and maintain notification procedures to ensure that immediate notification is provided to the City of any suspected, confirmed or unconfirmed release of pollutants creating a risk of non-stormwater discharge into the City stormwater system.

As soon as any person in charge of the premises or responsible for emergency response for the premises has knowledge of any suspected, confirmed or unconfirmed release of non-stormwater discharge entering the City stormwater system, such person shall take all necessary steps to ensure the detection and containment and clean up of such release and shall notify the City of the occurrence by telephoning the director. This notification requirement is in addition to and not in lieu of other required notifications.

D. Requirement to Test or Monitor. The officer may require that any person engaged in any activity or owning or operating any premises that may cause or contribute to non-stormwater discharges, undertake such monitoring activities or analysis and furnish such reports as the officer may specify. The burden, including costs of these activities, analysis and reports shall bear a reasonable relationship to the need for the monitoring, analysis and reports and the benefits to be obtained. The recipient of such request shall undertake and provide the monitoring, analysis and reports required.

E. Cost Recovery. If an inspection pursuant to this section results in an enforcement action, the City may issue an invoice of costs and recover in an enforcement action its reasonable inspection costs.

Section 13.12.120. Violations Constituting Misdemeanors or Infractions.

The violation of any provision of this Chapter, or failure to comply with any of the mandatory requirements of this Chapter shall constitute a misdemeanor, except that notwithstanding any other provisions of this Chapter, any violation constituting a misdemeanor under this Chapter may, at the discretion of the director, officer or city attorney, be charged and prosecuted as an infraction.

Section 13.12.130. Penalty for Violation.

A. Upon conviction of a misdemeanor, a person shall be subject to payment of a fine, or imprisonment, or both, not to exceed the limits set forth in California Government Code section 36901.

B. Upon conviction of an infraction, a person shall be subject to payment of a fine, not to exceed the limits set forth in California Government Code section 36900.

Section 13.12.140. Continuing Violation.

Every day that any violation of this Chapter shall continue shall constitute a separate offense.

Section 13.12.150. Concealment.

Concealing, aiding or abetting a violation of any provision of this Chapter shall constitute a violation of such provision.

Section 13.12.160. Acts Potentially Resulting in Violation of the Federal Clean Water Act or Porter-Cologne Act.

Any person who violates any provision of this Chapter, or the provisions of any permit issued pursuant to this Chapter, or who releases a non-stormwater discharge, or who violates any cease and desist order, prohibition or effluent limitation, may also be in violation of the Federal Clean Water Act or the Porter-Cologne Act and may be subject to the enforcement provisions of those acts, including civil and criminal penalties. Any enforcement actions authorized pursuant to this Chapter may also include notice to the violator of such potential liability pursuant to federal or state law.

Section 13.12.170. Violations Deemed a Nuisance.

In addition to the penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to the public health, safety and welfare. Such condition is hereby declared and deemed to be a nuisance, which may be abated as provided in Chapter 8.08 of Title 8 (commencing with section 8.08.010) of this Code including the assessment of the costs of abatement which may be collected at the same time and in the same manner as ordinary municipal taxes as provided by Government Code section 38773.5, and by civil action to abate, enjoin or otherwise compel the cessation of such nuisance by the City Attorney.

Section 13.12.180. Civil Actions.

A. In addition to any other remedies provided in this Chapter, any violation of this Chapter may be enforced by civil action brought by the City. In any such action, the City may seek, as appropriate, any and all of the following remedies:

1. a temporary restraining order, preliminary injunction and permanent injunction;
2. an action for an unlawful business practice pursuant to Business and Professions Code section 17206;

B. Any person violating any provision of this Chapter shall be liable for:

1. reimbursement for the costs of any investigation, inspection or monitoring which led to the discovery of the violation;
2. costs incurred in removing, correcting, or terminating the adverse effect(s) resulting from the violation;
3. compensatory damages for the loss of, or destruction to, water quality, wildlife, fish or aquatic life. Costs and damages under this subsection shall be paid to the City and shall be used exclusively for costs associated with monitoring and establishing a stormwater discharge pollution control system and implementing or enforcing the provisions of this Chapter;

4. the cost of maintenance and repair of any BMP or stormwater management facility that is not maintained in accordance with the guidebook or the stormwater control plan;

5. the reasonable costs of preparing and bringing administrative action under this Chapter.

Section 13.12.190. Remedies Not Exclusive.

The remedies identified in this Chapter are in addition to, and do not supersede or limit, any and all other remedies, administrative, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

Section 13.12.200. Administrative Remedies.

A. In addition to any other remedies provided in this Chapter, any violation of this Chapter may be enforced by the following administrative remedies:

1. Notice of Violation. The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Notice of Violation in accordance with Chapter 1.14 of Title 1 of this Code. The Notice of Violation shall identify the provision(s) of this Chapter or the applicable permit or regulatory order which has been violated and shall state that continued noncompliance may result in additional enforcement actions against the owner, occupant and/or responsible person.

2. Suspension or Revocation of Permit. The director may suspend or revoke any City-issued permit when it is determined that:

i. The permittee has violated any term, condition or requirement of the permit or any applicable provision of this Chapter; or

ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is no longer appropriate to except the discharge from the prohibitions on prohibited discharge contained within this Chapter; or

iii. The permittee fails to comply with any schedule for compliance issued pursuant to this Chapter; or

iv. Any regulatory agency, including EPA or a Regional Water Quality Control Board having jurisdiction over the discharge, notifies the City that the discharge should be terminated; or

v. Any other circumstances where the director determines in his or her sole discretion that continuation of the discharge will result in substantial harm to public health or the environment.

3. Permit Modification. The director may modify any permit provided that the permittee shall be informed of any change in the permit terms and conditions at least forty-five (45) business days prior to the effective date of the modified permit when it is determined that:

- i. Federal or state law requirements have changed in a manner that necessitates a change in the permit; or
- ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is appropriate to modify the permit's terms, conditions or requirements; or
- iii. A change to the permit is necessary to ensure compliance with the objectives of this Chapter or to protect the quality of receiving waters.

B. Cease and Desist Order. The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Cease and Desist Order. The Cease and Desist Order shall be delivered in accordance with Section 13.12.210. The Cease and Desist Order may direct the recipient to:

1. Immediately discontinue any action constituting a violation of this Chapter;
2. Immediately contain or divert any flow of non-stormwater off the premises where the flow is occurring in violation of any provision of this Chapter;
3. Clean up the area affected by the violation; and
4. Implement BMPs necessary to prevent a future violation.

Section 13.12.210. Notice.

Unless otherwise required under Chapter 1.14, any notice or order to be delivered pursuant to this Chapter shall be subject to the following:

- A. The notice or order shall state that the recipient has a right to appeal the matter as set forth in Section 13.12.220 or in Section 1.14.060.
- B. Delivery shall be deemed complete upon personal service to the recipient; deposit in the U.S. mail, postage pre-paid for first class delivery; or facsimile service with confirmation of receipt.
- C. Where the recipient is the owner of the property, the address shall be the address from the most recently issued equalized assessment roll for the property or as otherwise appears in the current records of the City.
- D. Where the owner or occupant of any property cannot be located after the reasonable efforts the notice shall be deemed delivered after posting on the property for a period of ten (10) business days.

Section 13.12.220. Appeal.

Except as provided for a notice of violation under Section 1.14.060, any person aggrieved by the decision of the officer, may file a written appeal to the director within 10 (ten) days following the date of delivery of the decision. Upon receipt of such request, the director shall request a report and recommendation from the officer and shall set the matter for hearing at the earliest practical date. At said hearing, all evidence and testimony deemed relevant and admissible by the Director shall be considered, and the Director may reject, affirm, or modify the officer's decision. Formal rules of evidence shall not apply. The decisions of the director shall be final. Failure to request a hearing or appear at the hearing shall constitute a waiver and failure to exhaust administrative remedies.

Section 13.12.230. Judicial Review.

The provisions of Code of Civil Procedure section 1094.5 are applicable to judicial review of determinations made by the director pursuant to this Chapter.”

Section 2. Action to Challenge This Ordinance.

Any action or proceeding to attack, review, set aside, void or annul this ordinance must

be commenced and the service made on the City no later than ninety (90) days after the effective date of the ordinance.

Section 3. Conflicting Ordinances Repealed.

Any ordinance or part thereof, or regulations in conflict with the provisions of this ordinance, are hereby repealed. The provisions of this ordinance shall control with regard to any provision of the Clayton Municipal Code that may be inconsistent with the provisions of this ordinance.

Section 4. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase thereof be declared unconstitutional, invalid or ineffective.

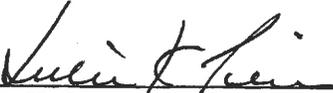
Section 5. Effective Date and Publication.

This ordinance shall become effective thirty (30) days after its adoption by the City Council. Within fifteen (15) days after the passage of the ordinance, the City Clerk shall cause a copy of the ordinance, including the names of the City Council members voting for and against it, to be posted in three (3) public places heretofore designated by resolution of the City Council for the posting of ordinances and public notices.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on the 19th day of March 2013, and PASSED, ADOPTED AND ORDERED posted at a regular meeting of the City Council of the City of Clayton on the 2nd day of April 2013, by the following vote:

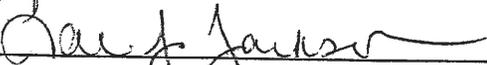
AYES: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz, Geller and Shuey.
NOES: None.
ABSENT: None.
ABSTAIN: None.

APPROVED:



Julie K. Pierce, Mayor

ATTEST:



Laci Jackson, City Clerk

Laura/ordinance re stormwater management discharge control 2013



Revel Environmental Manufacturing Inc.

sales@remfilters.com (888) 526-4736 Lic. No. 857410

Northern California 960-B Detroit Avenue Concord, California 94518 P: (925) 676-4736 F: (925) 676-8676	Southern California 2110 South Grand Avenue Santa Ana, California 92705 P: (714) 557-2676 F: (714) 557-2679
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PLEASE KEEP FOR YOUR RECORDS

*Diablo Pointe
2013/14 WINTER*

Customer Name & Address
Matrix Association Management 4861 Sunrise Drive, Suite 104 Martinez, CA 94553

Site Location
Diablo Estates Seminary Ridge Place Clayton, CA

Contact Information	
Ed Szaky ed.szacky@usematrix.com	Ph: 925-228-4710 Fax: 925-228-4720

Personnel: Chris, Jerome

System Type	Corresponding Map #
VortSentry	1

Date of Inspection	Date of Maintenance
8/28/2013	8/28/2013

System Observations		Comments
Inlet Aperture	Passed	No structural damage or blockage
Flow Partition	Passed	No structural damage or blockage
Outlet Flow Control	Passed	No structural damage or blockage
Head Equalizing Baffle	Passed	No structural damage / Working properly no action needed
Sediment Level in Sump	10 to 12"	Removed all sediment from the system
Floatables in Chamber	Yes/Trash	Removed all floatable trash from the system
Depth of any Standing Water in Vault	7'	Removed all water from the system
Sediment Removal Needed?	Yes	Removed all sediment from the system
Condition of Absorbent Booms	New	Installed new absorbent booms
Amount of Sediment Removed	1 cubic yard	Removed 1 cubic yard of sediment from the system
Yellow Service Tag Installed	Yes	Installed new dated service tag

Summary Notes:

System has been fully cleaned and inspected
System is operating per mfg specification
Installed new absorbent booms

Laura



COMMUNITY DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL * CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUEY, Mayor
HOWARD GELLER, Vice Mayor
JOSEPH A. MEDRANO
JULIS K. PIERCE
HANK STRAYGOD

July 16, 2012

Ms. Colleen McGuire
Endashian LLC
P.O. Box 367
Orinda, CA 94563

Re: 6490 Clayton Road – CVS Pharmacy
NOTICE OF VIOLATION
CMC 13.12.100

Dear Ms. McGuire:

Section 13.12.100 of the City of Clayton Municipal Code, “Compliance Certificates for Stormwater Management Facilities”, requires every person who owns, leases, or operates any premises containing a stormwater management facility of facilities to obtain annually a valid operation and maintenance certificate of compliance certifying to the inspection and proper operation and maintenance of the treatment measures, etc.

Your building at the above address has the following stormwater management facility(ies):

- Four Raised Biofiltration Planter Boxes
- One At-grade Biofiltration Planter
- One Trench Drain with Filter Insert
- Two Catch Basins with Filter Inserts

Your inspection report from 2011 noted that the at-grade Biofiltration Planter was missing 13 plants. We expected those plants to be replaced and maintained as called out for in your inspection report. A recent inspection noted that the plants have not been replaced (see attached photo). Removal of certain nutrients by the plant roots is an integral part of the biofiltration treatment. Therefore, the plants are a necessary component of the system and must be replaced immediately.

Therefore, you, as property owner, are in violation of the City’s stormwater requirements as specified in Chapter 13.12, “Stormwater Management and Discharge Control”, of the City Municipal Code. Such violation will be considered an infraction and will subject you to fines totaling \$100.00 for the first violation, \$200.00 for the second violation and \$500.00 for the third and each subsequent violation. Each calendar day would constitute a violation. These fines would be in addition to any costs incurred by the City in enforcing the provisions of the Municipal Code.

Ms. Colleen McGuire

July 16, 2012

Page 2

The original approved plan called for "potted" plants. This method does not appear to be working acceptably, particularly as related to the viability and lifespan of the vegetation. Therefore, please undertake the following corrective actions as soon as possible:

- 1) remove and dispose of the plant containers;
- 2) temporarily remove the cobbles;
- 3) recondition, refresh and re-grade the soil media (make sure the same type of soils are used);
- 4) plant new vegetation directly into the soil media;
- 5) check, and repair if needed, the irrigation system;
- 6) replace cobbles as needed to dissipate the flows from the parking lot (you may wish to consider just placing cobbles across the planter area opposite the slots in the curbs rather than completely covering the planter area with cobbles).

Please notify Rob Booth of this office at 925/363-7433 prior to beginning of the work in order to insure that timely inspections can be scheduled. In order to avoid the imposition of fines, the deficiencies noted above must be rectified by Monday, August 13, 2011, and payment received to reimburse the City's costs by Friday, August 24, 2012 (amount to be determined upon completion of the work).

We look forward to your cooperation in resolving this issue. If you should have any questions, please do not hesitate to contact the undersigned at (925) 363-7433.

Sincerely,



Rick Angrisani, P.E.
City Engineer

Encl.: Photo

cc: Mr. Richard Collins Jr., RC Store Maintenance, 569 Bateman Circle, Corona, CA 92880
Laura Hoffmeister, Asst. to the City Manager
Rob Booth, City Inspector



Laura Hoffmeister

From: Rick Angrisani <ricka@permcoengineering.com>
Sent: Thursday, August 09, 2012 6:16 AM
To: 'Letourneau, Jill E.'; cabmcguire@aol.com
Cc: 'Negrotti, Susan F.'; 'Perkins, Sheila C.'; 'Robert Booth Jr'; Laura Hoffmeister
Subject: RE: Status of Clayton Store

Follow Up Flag: Follow up
Flag Status: Flagged

Jill and Colleen –

I am pleased to report that the work has been completed and the Notice of Violation is hereby rescinded pending receipt of funds to cover the City's costs in enforcing the stormwater requirements. R. C. Maintenance did an excellent job (after a false start). I will be preparing an invoice for the City's costs and will send it to R C Maintenance as they requested.

It appears part of the problem may have been with the irrigation system which was not working. This is something that should be checked on a regular basis and not just at the time of the annual inspection and report (which, by the way, is coming up in September).

Thank you for your cooperation and response.

Rick Angrisani, P.E.
City Engineer

City of Clayton

5375 Clayton Road, Concord, CA 94521

Phone: (925) 363-7433 fax: (925) 825-5294 e-mail: ricka@permcoengineering.com

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From: Letourneau, Jill E. [mailto:Jill.Letourneau@CVSCaremark.com]
Sent: Friday, August 03, 2012 10:22 AM
To: Robert Booth Jr
Cc: cabmcguire@aol.com; Rick Angrisani; Negrotti, Susan F.; Perkins, Sheila C.
Subject: RE: Status of Clayton Store

Robert,

Thank you for providing the attachment and the detailed update listed below. It is appreciated.

Sincerely,
Jill

Please Note Name & Email Change:

Jill (Murphy) Letourneau | CVS Caremark | Lease Administrator-CA (even numbered stores), CO, GA, IL, NC, SC, NH, OK, PR, WI
| Direct Line 401-770-1897 | E-Fax 401-652-0617 | One CVS Drive, Woonsocket, RI 02895 | EMAIL:
Jill.Letourneau@CVSCaremark.com

From: Robert Booth Jr [<mailto:rbjr@permcoftp.com>]
Sent: Friday, August 03, 2012 12:54 PM
To: Letourneau, Jill E.
Cc: cabmcguire@aol.com; 'Rick Angrisani'
Subject: RE: Status of Clayton Store

Good Morning,

I apologize for the missing attachment from yesterdays 2:00pm email. I have attached the referenced detail on this email. This detail is just a copy taken right out of the O & M binder that was approved for this store upon construction. This was not something added or created for this NOV. I only wanted to send it to make sure everyone was on the same page and to reduce future time and inspections.

I met with Pete at the site this morning and we are on the same page and he is doing everything that I have asked. He is waiting for the delivery of additional soil mix to add to planter. The irrigation was not working 100% which may have contributed to why the plants could not survive. I will let you know if we encounter any future delays or misunderstandings.

Robert Booth

From: Letourneau, Jill E. [<mailto:Jill.Letourneau@CVSCaremark.com>]
Sent: Friday, August 03, 2012 9:10 AM
To: cabmcguire@aol.com
Cc: ricka@permcoengineering.com; rbjr@permcoengineering.com; Negrotti, Susan F.; Perkins, Sheila C.; Porter, Mary A.; Bensing, Robert L.
Subject: RE: Status of Clayton Store

Colleen,

Although previously requested, this is our first receipt of the attached notice. Thank you for providing it. We are aware that the inspection did not go well and it is being addressed, however, we are still waiting for the report that Robert Booth referenced was attached in his email dated 8/2/12 (see 1st attachment). As you know, I requested this from him earlier today via email. Our efforts to cure are ongoing.

Thank you,
Jill

Please Note Name & Email Change:

Jill (Murphy) Letourneau | CVS Caremark | Lease Administrator-CA (even numbered stores), CO, GA, IL, NC, SC, NH, OK, PR, WI
| Direct Line 401-770-1897 | E-Fax 401-652-0617 | One CVS Drive, Woonsocket, RI 02895 | EMAIL:
Jill.Letourneau@CVSCaremark.com

From: cabmcguire@aol.com [<mailto:cabmcguire@aol.com>]
Sent: Friday, August 03, 2012 11:54 AM
To: Letourneau, Jill E.; Porter, Mary A.
Cc: ricka@permcoengineering.com; rbjr@permcoengineering.com
Subject: Fwd: Status of Clayton Store

Jill and Mary,

I am attaching to this email another copy of the original memo sent from the City of Clayton to both Endashiian (me, the landowner) and RC Collins in regards to your CVS store in Clayton, California. As the City Engineer states, the Notice of Violation is still active for this site.

Apparently, the process defined in the memo was not followed, and the issue is not resolved. The City was not contacted prior to RC Collins performing the work, and the work is not satisfactory.

I expect that this issue will be addressed immediately. I continue to be disappointed that we have to through this fire drill every year, but right now my concern is that CVS follow the City's requirements and that the NOV is removed.

Regards,

Colleen McGuire
Managing Member
Endashiian LLC

-----Original Message-----

From: Rick Angrisani <ricka@permcoengineering.com>

To: 'Letourneau, Jill E.' <Jill.Letourneau@CVSCaremark.com>; cabmcguire <cabmcguire@aol.com>

Cc: rbjr <rbjr@permcoengineering.com>; 'Negrotti, Susan F.' <SFNegrotti@cvs.com>; 'Perkins, Sheila C.' <SCPPerkins@cvs.com>

Sent: Thu, Aug 2, 2012 3:15 pm

Subject: RE: Status of Clayton Store

All –

Just so we are all on the same page.

Apparently, the inspection did not go as well as planned. I believe Rob had some comments he passed onto RC Maintenance. We'll have to do it again when it's ready. In the meantime, the NOV is active.

Rick Angrisani, P.E.
City Engineer

City of Clayton

5375 Clayton Road, Concord, CA 94521

Phone: (925) 363-7433 fax: (925) 825-5294 e-mail: ricka@permcoengineering.com

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From: Letourneau, Jill E. [<mailto:Jill.Letourneau@CVSCaremark.com>]

Sent: Thursday, August 02, 2012 8:13 AM

To: cabmcguire@aol.com

Cc: ricka@permcoengineering.com; rbjr@permcoengineering.com; Negrotti, Susan F.; Perkins, Sheila C.
Subject: RE: Status of Clayton Store

Colleen,

Please be advised that the work is complete and a walk through with the city is scheduled for today. Per Richard Collins of RC Maintenance, both Rob and Rick in the city office should be aware of the scheduled job walk to sign off.

Thanks,
Jill

Please Note Name & Email Change:

Jill (Murphy) Letourneau | CVS Caremark | Lease Administrator-CA (even numbered stores), CO, GA, IL, NC, SC, NH, OK, PR, WI | Direct Line 401-770-1897 | E-Fax 401-652-0617 | One CVS Drive, Woonsocket, RI 02895 | EMAIL: Jill.Letourneau@CVSCaremark.com

From: cabmcquire@aol.com [mailto:cabmcquire@aol.com]
Sent: Tuesday, July 31, 2012 3:30 PM
To: Letourneau, Jill E.
Cc: ricka@permcoengineering.com; rbjr@permcoengineering.com
Subject: Status of Clayton Store

Jill,

As of today, I have not heard anything in response to my email of July 26th. I just checked with the city inspector, and nothing has been scheduled.

Could you please let me know if you did not receive my email? Also, the immediate concern is that we get the inspection scheduled and the remedial work performed before the August deadlines. Is RC Collins still the contact for this?

I would appreciate a response as soon as possible.

Regards, Colleen



COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUBY, MAYOR
HOWARD GELLER, VICE MAYOR
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

August 10, 2012

Mr. Richard Collins
R. C. Store Maintenance, Inc.
569 Bateman Circle
Corona, CA 92880-2012

Re: CVS Pharmacy, 6490 Clayton Road, Clayton, CA
CMC 13.12.100 Notice of Violation dated July 16, 2012

Dear Mr. Collins:

We are pleased with the results of your work in satisfying the corrective actions required by the above Notice of Violation.

We are prepared to rescind the Notice upon receipt of funds to reimburse the City of Clayton for inspection and administrative time charged for the enforcement of this violation. Those charges are as follows:

City Engineer	2 hours @ \$150.00/hour	=	\$300.00
City Inspector	5.75 hours @ \$83.00/hour	=	\$477.25
Administrative Overhead	15%	=	<u>\$116.59</u>
Total Due		=	<u>\$893.84</u>

Per the Notice of Violation, this amount must be received by August 24th. Please provide a check payable to the City of Clayton and send it to my attention at 5375 Clayton Road, Concord, CA 94521. Upon receipt we will issue a formal rescission of the Notice.

Thank you for your cooperation.

Sincerely,

Rick Angrisani, P.E.
City Engineer

cc: Merry Pelletier, Finance Manager
Colleen McGuire, Endashian, LLC



COMMUNITY
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ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUEY, *MAYOR*
HOWARD GELLER, *VICE MAYOR*
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

August 17, 2012

Mr. Richard Collins
R. C. Store Maintenance, Inc.
569 Bateman Circle
Corona, CA 92880-2012

Re: CVS Pharmacy, 6490 Clayton Road, Clayton, CA
Rescission of Notice of Violation dated July 16, 2012

Dear Mr. Collins:

We have received the funds requested to reimburse the City for inspection and administrative time charged for the enforcement of this violation.

Therefore, we are rescinding the above Notice of Violation.

Please be aware that this work does not relieve you of your obligations for inspection and annual report filing. We will be sending out reminders of this obligation next month in preparation for the upcoming rainy season.

Thank you for your cooperation.

Sincerely,

Rick Angrisani, P.E.
City Engineer

cc: Colleen McGuire, Endashian, LLC

Laura

CITY OF CLAYTON

Founded 1857... Incorporated 1964

COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHURT, Mayor
HOWARD GELLER, Vice Mayor
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

July 16, 2012

Mr. Dave Thomas
NUCP Clayton LLC
c/o Tioga Construction
3100 Oak Road, Suite 140
Walnut Creek, CA 94597

Re: 1026 Oak Street
NOTICE OF VIOLATION
CMC 13.12.100

Dear Mr. Thomas:

Section 13.12.100 of the City of Clayton Municipal Code, "Compliance Certificates for Stormwater Management Facilities", requires every person who owns, leases, or operates any premises containing a stormwater management facility of facilities to obtain annually a valid operation and maintenance certificate of compliance certifying to the inspection and proper operation and maintenance of the treatment measures, etc. (see attachment).

Your building at the above address has the following stormwater management facility:

Raised Biofiltration Planter Box

A recent inspection noted that all of the vegetation in the Biofiltration Planter Box and the adjoining decorative planter box has been allowed to die (see attached photos). Removal of certain nutrients by the plant roots is an integral part of the biofiltration treatment. Therefore, the plants are a necessary component of the system and must be replaced immediately.

Therefore, you, as property owner, are in violation of the City's stormwater requirements as specified in Chapter 13.12, "Stormwater Management and Discharge Control", of the City Municipal Code. Such violation will be considered an infraction and will subject you to fines totaling \$100.00 for the first violation, \$200.00 for the second violation and \$500.00 for the third and each subsequent violation. Each calendar day would constitute a violation. These fines would be in addition to any costs incurred by the City in enforcing the provisions of the Municipal Code.

Therefore, please undertake the following corrective actions as soon as possible:

- 1) remove and dispose of dead vegetation and bark;
- 2) temporarily remove the cobbles;
- 3) recondition, refresh and re-grade the soil media (make sure the same type of soils are used);

Mr. Dave Thomas
July 16, 2012
Page 2

- 4) plant new vegetation;
- 5) check, and repair if needed, the irrigation system;
- 6) replace cobbles as needed to dissipate the flows from the down drains.

Please notify Rob Booth of this office at 925/363-7433 prior to beginning of the work in order to insure that timely inspections can be scheduled. In order to avoid the imposition of fines, the actions specified above must be completed by Monday, August 13, 2011, and payment received to reimburse the City's costs by Friday, August 24, 2012 (amount to be determined upon completion of the work).

We look forward to your cooperation in resolving this issue. If you should have any questions, please do not hesitate to contact the undersigned at (925) 363-7433.

Sincerely,



Rick Angrisani, P.E.
City Engineer

Encl: Photos

cc: Laura Hoffmeister, Asst. to the City Manager
Rob Booth, City Inspector







COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUEY, MAYOR
HOWARD GELLER, VICE MAYOR
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

August 17, 2012

Mr. Dave Thomas
NUCP Clayton LLC
c/o Tioga Construction
3100 Oak Road, Suite 140
Walnut Creek, CA 94597

Re: 1026 Oak Street
CMC 13.12.100 Notice of Violation dated July 16, 2012

Dear Mr. Thomas:

We are pleased with the results of your work in satisfying the corrective actions required by the above Notice of Violation.

We are prepared to rescind the Notice upon receipt of funds to reimburse the City of Clayton for inspection and administrative time charged for the enforcement of this violation. Those charges are as follows:

City Engineer	3.25 hours @ \$150.00/hour	=	\$487.50
City Inspector	4.00 hours @ \$83.00/hour	=	\$332.00
Administrative Overhead	15%	=	<u>\$122.93</u>
Total Due		=	<u>\$942.43</u>

Per the Notice of Violation, this amount must be received by August 24th. Please provide a check payable to the City of Clayton and send it to my attention at 5375 Clayton Road, Concord, CA 94521. Upon receipt we will issue a formal rescission of the Notice.

Thank you for your cooperation.

Sincerely,

Rick Angrisani, P.E.
City Engineer

cc: Merry Pelletier, Finance Manager



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6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
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City Council
DAVID T. SHUEY, *MAYOR*
HOWARD GELLER, *VICE MAYOR*
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

September 12, 2012

Mr. Dave Thomas
NUCP Clayton LLC
c/o Tioga Construction
3100 Oak Road, Suite 140
Walnut Creek, CA 94597

Re: 1026 Oak Street
CMC 13.12.100 Notice of Violation dated July 16, 2012

Dear Mr. Thomas:

We have received the funds requested to reimburse the City for inspection and administrative time charged for the enforcement of this violation.

Therefore, we are rescinding the above Notice of Violation.

Please be aware that this work does not relieve you of your obligations for inspection and annual report filing. We will be sending out reminders of this obligation next month in preparation for the upcoming rainy season.

Thank you for your cooperation.

Sincerely,

Rick Angrisani, P.E.
City Engineer

Name	Address	City	Program Category
Diamond Terrace	6401 CENTER Street	Clayton	Assisted Living
Clayton Club Saloon	6096 MAIN Street	Clayton	Bar Only
Kinder Care	6095 MAIN Street	Clayton	Child Day Care
Endeavor Hall	6008 CENTER	Clayton	Commercial
Valley Cleaners	5425 CLAYTON Road	Clayton	Dry Cleaner
Dryclean USA	5435 CLAYTON Road M	Clayton	Dry Cleaner
City of Clayton Maintenance Facility	5901 HERITAGE TRAIL	Clayton	Fleet Operations
US Post Office	6150 CENTER Street	Clayton	Fleet Operations
Cinco De Mayo Mexican Restaurant	5415 CLAYTON Road	Clayton	Food Service
Canessa's Brooklyn Heros	6026 MAIN Street	Clayton	Food Service
Carl's Jr Restaurant	1530 KIRKER PASS Road	Clayton	Food Service
Ed's Mudville Grill	6200 CENTER Street	Clayton	Food Service
Subway	1536 KIRKER PASS Road C	Clayton	Food Service
Moresi's Chop House	6115 MAIN Street	Clayton	Food Service
JJ Hawaiian BBQ	5435 CLAYTON Road A	Clayton	Food Service
La Veranda Café	6201 CENTER Street	Clayton	Food Service
Papa Murphy's Take 'N Bake	5433 CLAYTON Road H	Clayton	Food Service
Pavilion Bar and Grill	1508 KIRKER PASS Road	Clayton	Food Service
Skipolini's Pizza	1035 DIABLO Street	Clayton	Food Service
Village Market	6104 MAIN Street	Clayton	Food Service
Coldstone Creamery	1536 KIRKER PASS Road B	Clayton	Food Service
Cup O' Jo	6054 MAIN Street	Clayton	Food Service
International Johnny's Deli & Café	6101 CENTER Street	Clayton	Food Service
Subway	1026 OAK Street 103	Clayton	Food Service
Casa Gourmet Burrito	5435 CLAYTON Road F	Clayton	Food Service
Starbucks Coffee	1536 KIRKER PASS Road A	Clayton	Food Service
Country Waffles	5435 CLAYTON Road B	Clayton	Food Service
Little Caesars Pizza	5433 CLAYTON Road L	Clayton	Food Service
Sweet Bakery	5435 CLAYTON E	Clayton	Food Service
Oakhurst Country Club	1001 PEACOCK CREEK Drive	Clayton	Golf Course
Safeway Food and Drug	5431 CLAYTON Road	Clayton	Grocery Store
Shop & Go Market	5421 CLAYTON Road	Clayton	Mini-Market
Sherwin - Williams	5443 CLAYTON Road	Clayton	Paint Shop
Sunshine Pool Service	36 EASTBROOK Court	Clayton	Pool
CVS Pharmacy	6490 CLAYTON Road	Clayton	Retail
R & M Pool Patio and Garden	6780 MARSH CREEK Road	Clayton	Retail
Walgreen Drug Store	5437 CLAYTON Road	Clayton	Retail
Oakhurst Country Club Maintenance	1001 PEACOCK Drive	Clayton	Vehicle Service

Clean Water Inspections
Fiscal Year 2012-13

Annual Report
7/1/2012-6/30/2013

Type	Facility Name	Address	STW City	Inspector	Date	Inspection Type	Billing Type	Enforcement?
Fleet Operations	City of Clayton Maintenance Facility	5901 HERITAGE TRAIL	Clayton	J. Talarico	2/5/2013	Initial	Add-on	None
Food Service	Carl's Jr Restaurant	1530 KIRKER PASS Road	Clayton	J. Talarico	5/22/2013	Reinspected	Add-on	None
Food Service	Cinco De Mayo Mexican Restaurant	5415 CLAYTON Road	Clayton	J. Talarico	5/22/2013	Reinspected	Add-on	NOV
Food Service	Cinco De Mayo Mexican Restaurant	5415 CLAYTON Road	Clayton	J. Talarico	6/5/2013	Enforcement F/	Targeted	None
Food Service	Cinco De Mayo Mexican Restaurant	5415 CLAYTON Road	Clayton	J. Talarico	6/27/2013	Follow-up	Add-on	None
Food Service	Ed's Mudville Grill	6200 CENTER Street	Clayton	J. Talarico	11/27/2012	Reinspected	Add-on	WN
Food Service	Ed's Mudville Grill	6200 CENTER Street	Clayton	J. Talarico	12/11/2012	Enforcement F/	Targeted	None
Food Service	Ed's Mudville Grill	6200 CENTER Street	Clayton	J. Talarico	12/12/2012	Enforcement F/	Targeted	None
Food Service	Ed's Mudville Grill	6200 CENTER Street	Clayton	J. Talarico	3/7/2013	Follow-up	Add-on	None
Food Service	JJ Hawaiian BBQ	5435 CLAYTON Road A	Clayton	J. Talarico	12/11/2012	Reinspected	Add-on	None
Food Service	La Veranda Café	6201 CENTER Street	Clayton	J. Talarico	8/27/2012	Reinspected	Add-on	WN
Food Service	La Veranda Café	6201 CENTER Street	Clayton	J. Talarico	9/5/2012	Enforcement F/	Add-on	None
Food Service	Moresi's Chop House	6115 MAIN Street	Clayton	J. Talarico	12/18/2012	Reinspected	Add-on	None
Food Service	Papa Murphy's Take 'N Bake	5433 CLAYTON Road H	Clayton	J. Talarico	8/27/2012	Reinspected	Add-on	None
Food Service	Subway	1536 KIRKER PASS Road C	Clayton	J. Talarico	2/5/2013	Reinspected	Add-on	None
Mini-Market	Shop & Go Market	5421 CLAYTON Road	Clayton	J. Talarico	5/22/2013	Reinspected	Add-on	None

Total number of Initial Inspections and Reinspections: 10
 Total number of Follow-up, Enforcement Follow-up, Surveillance, Consultation and Partial inspections: 6
 Total number of closed or moved Inspections: 0

Total number of NOV's issued: 1
 Total number of WNs issued: 2

Planned Inspections for Clayton (7/1/2013 to 6/30/2014)
8/8/2013

Source	Address	City	Facility Type
Enforcement Reinspections			
La Veranda Café	6201 CENTER Street	Clayton	Food Service
Ed's Mixville Grill	6200 CENTER Street	Clayton	Food Service
Cinco De Mayo Mexican Restaurant	5415 CLAYTON Road	Clayton	Food Service
Subtotal: 3			
Inspection Cycle			
Kinder Care	6095 MAIN Street	Clayton	Child Day Care
Canessa's Brooklyn Heros	6026 MAIN Street	Clayton	Food Service
Sherwin - Williams	5443 CLAYTON Road	Clayton	Paint Shop
Sweet Bakery	5435 CLAYTON E	Clayton	Food Service
Diamond Terrace	6401 CENTER Street	Clayton	Assisted Living
Oakhurst Country Club Maintenance Facilities	1001 PEACOCK Drive (Eagle Peak Ave)	Clayton	Vehicle Service
Subtotal: 6			

TOTAL INSPECTION GOAL (110%) = 9

Annual Goal = 8

**Stormwater Enforcement Summary
Fiscal Year 2012-13**

**Annual Report
7/1/2012-6/30/2013**

Facility Name and Address	Date	Type	Citation?	#	Corrected?	Comments
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Clayton

Cinco De Mayo Mexican Restaurant (5415 CLAYTON Road)	5/22/2013	Reinspected	NOV	3381		Pollutant Exposure
	6/5/2013	Enforcement F/U		0	Yes	Comment: Exterior of tallow bin was clean.
Ed's Mudville Grill (6200 CENTER Street)	11/27/2012	Reinspected	WN	3059		Pollutant Exposure
	12/11/2012	Enforcement F/U		0	Partial	Comment: Exterior of tallow bin had been partially cleaned. All of the grease on the ground in front of the tallow bin had been cleaned up.
	12/12/2012	Enforcement F/U		0	Yes	Comment: Exterior of the tallow bin and the ground in front of it were clean.
La Veranda Café (6201 CENTER Street)	8/27/2012	Reinspected	WN	3055		Pollutant Exposure
	9/5/2012	Enforcement F/U		0	Yes	Comment: Tallow drum has been cleaned. No evidence of continued washing of mats outside in the parking lot.

Attachments C4c



Central Contra Costa Sanitary District

5019 Imhoff Place, Martinez CA 94553 • (925) 229-7288

NOV N° 3381

Issued by: Jeremy Talarico
Date: 5/22/13

NOTICE OF VIOLATION

HAND DELIVERED CERTIFIED MAIL # _____

A. GENERAL INFORMATION SECTION

FACILITY NAME Cinco de Mayo Mexican Grill PROPERTY OWNER _____
 SITE ADDRESS 5415 Clayton Rd. ADDRESS _____
Clayton, CA 94517
 MAILING ADDRESS _____ HQ/REG'L NAME _____
 _____ ADDRESS _____
 CONTACT NAME/TITLE Linda Barajas / Manager _____
 CONTACT PHONE # 925-672-0517 HQ/REG'L CONTACT _____
 TYPE OF BUSINESS Restaurant CONTACT PHONE # _____

RECEIVED
COPIED
COPY

B. VIOLATION SECTION

CODE SECTION	DESCRIPTION OF VIOLATION	VIOLATION DATE															
<input type="checkbox"/> 10.08.040	Discharge of prohibited substance or characteristic to sanitary sewer <input type="checkbox"/> A. Explosive/flammable <input type="checkbox"/> J. Stormwater / groundwater / rainwater discharge <input type="checkbox"/> M. Hazardous waste <input type="checkbox"/> Other _____	_____															
<input type="checkbox"/> 10.08.110B	Failure to provide protection from slug discharge of restricted materials	_____															
<input type="checkbox"/> 10.08.110D	Failure to notify of a slug discharge of restricted materials	_____															
<input type="checkbox"/> 10.12.010	Discharging without a valid Industrial User Permit	_____															
<input type="checkbox"/> 10.12.040C	Failure to meet permit condition _____	_____															
<input type="checkbox"/> 10.12.050	Failure to meet reporting requirement _____	_____															
<input type="checkbox"/> 10.12.060	Failure to meet monitoring/sampling requirement _____	_____															
<input type="checkbox"/> 10.32.010	Failure to install a grease, oil, & sand interceptor	_____															
<input checked="" type="checkbox"/> 10.32.030	Failure to adequately maintain a grease, oil & sand interceptor Other: <u>Clayton Ord. 379, Ch. 13.12, Sec 13.12.090 Pollutant Exposure</u>	<u>5/22/13</u>															
<input type="checkbox"/>	Other: _____	<u>5/22/13</u>															
<input type="checkbox"/> 10.08.070	Specific Pollutant Limit Violations: <table border="1"> <thead> <tr> <th>Sampled By</th> <th>Constituent</th> <th>Concentration</th> <th>Discharge Limit</th> <th>Date Sampled</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> IU <input type="checkbox"/> CCCSD</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td><input type="checkbox"/> IU <input type="checkbox"/> CCCSD</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>	Sampled By	Constituent	Concentration	Discharge Limit	Date Sampled	<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____	<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____	_____
Sampled By	Constituent	Concentration	Discharge Limit	Date Sampled													
<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____													
<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____													

Details of violation: 1) Inspection of grease trap showed it to be more than 25% full of grease. 2) I observed grease on the exterior of the tallow bin, and on the ground around it.

The above violation(s) may be subject to the Significant Non-Compliance (SNC) Criteria and applicable publication.

C. REQUIRED ACTIONS SECTION

Immediately abate the violations. Each day of violation will be considered a new and separate offense.

- 1. Conduct [grab composite grab composite] sampling of the process discharge. Analyze for: _____ (Certified lab using wastewater methods). Submit original analysis report and chain of custody.
- 2. Submit the following document(s): _____
- 3. Submit a written response including the following information:
 - a. How/when the incident occurred
 - b. How you intend to correct the problem
 - c. How you will prevent future occurrences
 - d. Proposed schedule/anticipated completion date for: _____
- 4. Other: Copied receipt for grease trap cleaning.

Details: ① Facility shall have the grease trap cleaned immediately, and describe and implement a more frequent cleaning frequency. ② Facility shall immediately clean the exterior of the tallow bin and the ground around it using Best Management Practices, and ensure the tallow bin is clean out all times.

Respond in writing no later than

6/22/13

D. SIGNATURE SECTION

Failure to comply with any of the Required Actions constitutes a separate violation and may be cause for escalated enforcement. Signing this document acknowledges receipt and does not constitute an admission of guilt.

Signature X Kinda Baraja _____ Manager _____ 5/22/13
Facility Representative Title Date

Corrective action acknowledged by _____ on _____
District Representative Date

COPY: CCC DISTRICT ATTORNEY DISTRICT COUNSEL OTHER: _____

WHITE: OFFICE

YELLOW: VIOLATOR



Inspection Report

Facility Name		Address		City	Zip
Cinco De Mayo Mexican Restaurant		6415 CLAYTON Road		Clayton	94517
Primary Contact Name			Phone	Inspector1	
Victor - Owner			(925) 524-0517	J. Talarico	
Secondary Contact Name			Phone	Inspector2	
Linda Barajas / Manager				D. Petagara	
Owner Name	Contact	Phone	Address	City	State Zip
# Employees	Days of Operation	Hours of Operation	Parcel#	SIC1	SIC2
1-10	Mon-Sun	8:00AM-9:00PM	118031038	0	0
IU Category		40CFR	40CFR	Permit Type	
Non-SIU				None	

SW Permit Status: Not covered; does not appear to need coverage

Facility Type: Food Service

Status: Open

Brief Operation Description

Dine in and take out mexican restaurant. Fixtures = 3-comp sink, prep sink, hand sink, mop sink, and a floor sink with strainer.

Inspection Narrative

D. Petagara and I stopped by the back of the facility and observed the tallow bin and the ground around it had been cleaned. We did not engage the facility contact due to time constraints. I will inquire about the methods used to clean the tallow bin when I return to the facility at a future date to verify the grease trap was cleaned. The facility was back in compliance with storm water regulations at the time of this inspection.

Information Material

P2 Award?

Referral Given?

RN #: 0

Required Info Form?

Due Date:

Illicit Connection?

Pretreatment

Process Discharge

Inspection Type	Corrected?	REF Type/No.

Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required:

Stormwater

Inspect Type1	Corrected?	REF Type
Targeted	Yes	NOV
Inspect Type2		REF No.
Enforcement F/U		3381

Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required: 22-May-14



Central Contra Costa Sanitary District

5019 Imhoff Place, Martinez CA 94553 • (925) 229-7288

WN N^o: 3059

Issued by: Jeremy Talarica
Date: 11/27/12

WARNING NOTICE

HAND DELIVERED CERTIFIED MAIL # _____

A. GENERAL INFORMATION SECTION

FACILITY NAME	<u>Eol's Madville Grill</u>	PROPERTY OWNER	FAXED
SITE ADDRESS	<u>6200 Center St.</u>	ADDRESS	
MAILING ADDRESS	<u>Clayton, CA 94517</u>	HQ/REG'L NAME	
CONTACT NAME/TITLE	<u>Mac McCormick / MGR</u>	ADDRESS	
CONTACT PHONE #	<u>925-673-0333</u>	HQ/REG'L CONTACT	
TYPE OF BUSINESS	<u>Restaurant</u>	CONTACT PHONE #	

B. DEFICIENCY SECTION

- The completion / submittal of _____ was due on _____
 - The record(s) checked below
 - O&M Logs PCR Analytical Report Manifests/receipts
 - Chain of Custody pH tape Flow tape Baseline Monitoring Report
 - Other: _____
- was (were) deficient for the following reason: _____

- Failure to notify of _____ as required.
- The discharge from the facility contained the following pollutant(s) of concern to the District:

Sampled By	Constituent	Concentration	Discharge Limit	Date Sampled
<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____
<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____

- Protection of sanitary sewer inlets from the discharge of restricted materials is required for:
Fats, Oil, grease - current grease trap is under sized.
 - The grease, oil and sand interceptor at the facility is in need of maintenance.
 - The sampling conducted on _____ at the facility was deficient due to: _____
 - Other: Clayton Ord. 379, Ch. 13.12, Sec. 13.12.090 - Pollutant Exposure
 - Other: _____
- Details: 1) Existing grease trap is under sized and needs to be upgraded. 2) Inspection of the existing grease trap showed it to be more than 25% full of grease. 3) I observed grease on the exterior of the tallow bin and on the ground in front of it. This area is exposed to rainwater.

C. CORRECTIVE ACTIONS SECTION

- Provide documentation that the deficiency identified in Section B has been corrected.
- Correct the deficiency in the records identified in Section B and submit the completed document.
- Ensure that all future records include the information identified in Section B. Resubmittal is not required at this time.
- Evaluate the process wastewater to determine the source of each pollutant identified in Section B and how it can be minimized or eliminated.
- Conduct [grab composite grab composite] sampling of the process discharge. Analyze for: _____ (certified lab only). Submit original analysis report and chain of custody.
- Ensure that future sampling events are conducted and reported in accordance with District requirements.
- Submit a written response including the following information:
 - How you intend to correct the problem How you will prevent future occurrences
 - Proposed schedule/anticipated completion date for: _____

Other: _____

Details: 1) Facility shall replace the existing grease trap serving the 2-comp sink with one that is a minimum of 70 lbs. in size. 2) Facility shall have the existing grease trap cleaned immediately, and properly maintain it until the new grease trap is installed. 3) Facility shall immediately clean the tallow bin and area around using Best Management Practices to prevent storm water pollution.

Respond in writing no later than 12/27/12

D. SIGNATURE SECTION

Failure to complete the Corrective Actions specified above or recurrence of the deficiency noted above will result in issuance of a Notice of Violation. Signing this document acknowledges receipt and does not constitute an admission of guilt.

Signature X [Signature] [Signature] 11/27/12
 Facility Representative Title Date

COPY: CCC DISTRICT ATTORNEY DISTRICT COUNSEL OTHER: _____
 WHITE: OFFICE YELLOW: FACILITY REPRESENTATIVE



Central Contra Costa Sanitary District - Source Control Section
 5019 Imhoff Place, Martinez Ca 94553 (925) 229-7288

Inspection Date: 27-Nov-12

Inspection Report

Facility Name Ed's Mudville Grill		Address 6200 CENTER Street		City Clayton	Zip 94517
Primary Contact Name Ed Moresi / Owner			Phone 925-673-0333	Inspector1 J. Talarico	
Secondary Contact Name Mac McCormick / Manager			Phone	Inspector2	
Owner Name John & Eloise R Tr	Contact	Phone	Address P.O. Box 661	City Clayton	State CA
Zip 94517					
# Employees 50	Days of Operation Mon-Sun	Hours of Operation 1100-2200	Parcel# 119620060	SIC1 5812	SIC2 5813
IU Category Non-SIU		40CFR	40CFR	Permit Type None	

SW Permit Status: Not covered; does not appear to need coverage

Facility Type: Food Service

Status: Open

Brief Operation Description

Dine in and take out restaurant. Fixtures = 2-comp sink, floor sinks, prep sink, dishwasher, 3 comp sink (bar), mop sink. 2-comp sink connected to the grease trap.

Inspection Narrative

see inspection report "127549-Report"

Information Material

Drain FS
 FOG FS

P2 Award?

Referral Given?

RN #: 0

Required Info Form?

Due Date:

Illicit Connection?

Pretreatment

Process Discharge

Inspection Type	Corrected?	REF Type/No.
Reinspection		

Sample Taken? 0

Enforcement Action: WN 3059

Due Date: 27-Dec-12

Response Received Date: 20-Feb-13

Date Followup Required: 27-Dec-12

Stormwater

Inspect Type1	Corrected?	REF Type
Add-on		
Inspect Type2		REF No.
Reinspected		

Sample Taken? 0

Enforcement Action: WN 3059

Due Date: 27-Dec-12

Response Received Date:

Date Followup Required: 11-Dec-12

INSPECTION REPORT

**Ed's Mudville Grill
6200 Center St.
Clayton, CA 94517**

(925) 673-0333

Facility Contact: Mac McCormick, Manager
Inspector(s): Jeremy Talarico
Inspection Date: November 27, 2012

Manager Mac McCormick granted the inspection.

- The 2-comp sink is connected to a grease trap approximately 30 - 40 pounds in size. Mr. McCormick did not know the name of the company that cleans the grease trap or how often it gets cleaned, and stated the "back of the house" manager, Lorenzo, has that information but is not present. Inspection of the grease trap showed it to be more than 25% full of grease. I told Mr. McCormick the grease trap was in violation of CCCSD regulations and needed to be cleaned right away and Mr. McCormick stated he would make sure it gets cleaned.

-I observed an enzyme dosing system connected to the influent side of the grease trap; however the product supply container connected to the other end of the dosing system was empty. I asked Mr. McCormick about this system, but he did not know anything about it. I told Mr. McCormick that CCCSD prohibits the use of enzymes in grease traps, but that I would not cite them for this since the product container was empty. Mr. McCormick stated he would pass this information along to Lorenzo and the owner.

-There is a grease interceptor located in the alley way behind the restaurant. I asked Mr. McCormick if he knew if they were connected to the unit and he stated he was not sure. I told him the previous two inspections were inconclusive and that I would open the interceptor to check it. Inspection of the grease interceptor showed it to be filled with clean water with no grease or solid materials present in the unit. I told Mr. McCormick that his restaurant was definitely not connected to the interceptor. Mr. McCormick stated he understood and that it must have been for a restaurant that was located next door to them in the building many years ago, and that building space is now occupied by a real-estate office. I told him I understood and then explained that since they were not connected to the grease interceptor, the grease trap they have is too small and not up to code. I told him that I would be requiring them to upgrade the grease trap to one that is 70-lbs. in size, and that they would have 100-days to complete the work. I explained that a 70-lbs, grease trap is the size we require for a 3-comp sink, and that even though they only have a 2-comp sink, one day the health department will make them upgrade that sink to a 3-comp and by installing a 70-lbs. grease trap now, they will be up to code whenever the health department requires them to upgrade their sink. Mr. McCormick stated he understood and he would pass this information along to the owner.

-The hood is cleaned by Fire Sentry Protection Services every 3 months, and the employees clean the hood filters once a week inside. Mr. McCormick stated he is not

sure which fixture the filters are washed in, but he knows they are washed inside because they know only rainwater can enter the storm drains outside.

-Mr. McCormick stated the floor mats are hosed down in the alley behind the restaurant. He explained that one employee hoses down the mats while a second one uses a mop or shop-vac to pick up the wash water as the washing happens. Inspection of this area showed it to be approximately 30 feet away from the closest storm drain, with there being no evidence of wash water or debris being in the storm drain. I also observed a shop-vac stored in this area, and Mr. McCormick stated this was the vacuum used when washing the floor mats. I also did not observe any residual debris on the ground where Mr. McCormick showed me the mats get washed. Mr. McCormick stated all of the wash water that is mopped or vacuumed up is disposed of in the mop sink. He again stated they know the wash water cannot go down the storm drain located outside. I told Mr. McCormick that it appears they do a good job with protecting the storm drain from this process, and that I would allow this practice for now, but that I would ultimately like to see them find a way to wash the floor mats inside their facility and discontinue washing the floor mats outside. Mr. McCormick stated he understood and would speak with the owner and Lorenzo about this to see if they could come up with another way to wash the floor mats inside.

-The tallow bin is located outside. Mr. McCormick stated Darling International pick up the tallow bin, but was not sure how often they come and Lorenzo would have that information. Inspection of the tallow bin showed there to be grease on the exterior of the bin and a little bit on the ground in front of it. I explained to Mr. McCormick that it was a violation of the City of Clayton's storm water ordinance for grease to be on the exterior of the tallow bin and on the ground around it where it is exposed to rainwater and can be washed into the storm drain. I told him they needed to clean this area immediately using Best Management Practices to prevent storm water pollution. Mr. McCormick stated he understood and they would clean this area today.

-Floors and spills are cleaned with the mop, with the mop water being disposed of in the mop sink.

-The restaurant's dumpster is located outside and it was in good order.

-Except for the tallow bin, the remainder of the outside areas were clean and in compliance with storm water regulations at the time of the inspection.

At the end of the inspection, I issued Warning Notice # 3059 for the grease trap being in need of maintenance, the grease trap needing to be upgraded to one that is 70-lbs. in size, and for pollutant exposure with grease being present on the outside of the tallow bin and on the ground in front of it. I explained to Mr. McCormick what they were required to do in response to the citation and asked him if he had any questions. Mr. McCormick stated he did not have any questions, would give this information to the owner, and have the owner call me. I told him this sounded good. I then thanked Mr. McCormick for his time, told him to call if he had any other questions, and then left the restaurant.

COPY



Central Contra Costa Sanitary District - Source Control Section
5019 Imhoff Place, Martinez Ca 94553 (925) 229-7288

Inspection Date: 11-Dec-12

Inspection Report

Facility Name		Address		City	Zip
Ed's Mudville Grill		6200 CENTER Street		Clayton	94517
Primary Contact Name			Phone	Inspector1	
Ed Moresi / Owner			925-673-0333	J. Talarico	
Secondary Contact Name			Phone	Inspector2	
Mac McCormick / Manager					
Owner Name	Contact	Phone	Address	City	State Zip
John & Eloise R Tr			P.O. Box 661	Clayton	CA 94517
# Employees	Days of Operation	Hours of Operation	Parcel#	SIC1	SIC2
50	Mon-Sun	1100-2200	119620060	5812	5813
IU Category	40CFR		40CFR	Permit Type	
Non-SIU				None	

SW Permit Status: Not covered; does not appear to need coverage

Facility Type: Food Service

Status: Open

Brief Operation Description

Grease trap on 2-comp sink, floor sinks, pre rinse sink, dishwasher, 3 comp sink (bar), mop sink.

Inspection Narrative

I met with Manager Mac McCormick today to check the condition of the tallow bin after I observed grease on the exterior of it, and on the ground in front of it, during the facility inspection on 11/27/12. Today, I observed the grease had been cleaned up on the ground, and some of the grease had been cleaned off the exterior of the tallow bin. I told Mr. McCormick that today was the last day they had to clean the tallow bin otherwise I would have to issue another citation. I told him I see they partially cleaned the exterior of the bin, and the ground around it looked great, but they needed to complete the exterior cleaning of the tallow bin. Mr. McCormick stated he understood, would make sure that it is cleaned today, and that I could return tomorrow to check the condition of the tallow bin. I told Mr. McCormick that I would return tomorrow morning and thanked him for the work they have performed so far. Mr. McCormick then asked me if the owner called me yet and I told him the owner had not called. Mr. McCormick stated he would tell the owner I stopped by again and make sure he calls me. I then thanked Mr. McCormick for his assistance and left the restaurant.

Information Material

F2 Award?

Referral Given?

PN #: 0

Required Info Form?

Due Date:

Illicit Connection?

Pretreatment

Process Discharge

Inspection Type	Corrected?	REF Type/No.

Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required:

Stormwater

Inspect Type1	Corrected?	REF Type
Targeted	Partial	WN
Inspect Type2		REF No.
Enforcement F/U		3059

Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required: 12-Dec-12



Central Contra Costa Sanitary District - Source Control Section.
5019 Imhoff Place, Martinez Ca 94553 (925) 229-7288

Inspection Date: 12-Dec-12

Inspection Report

Facility Name		Address		City	Zip
Ed's Mudville Grill		6200 CENTER Street		Clayton	94517
Primary Contact Name			Phone	Inspector 1	
Ed Moresi / Owner			925-673-0333	J. Talarico	
Secondary Contact Name			Phone	Inspector 2	
Mac McCormick / Manager					
Owner Name	Contact	Phone	Address	City	State Zip
John & Eloise R Tr			P.O. Box 661	Clayton	CA 94517
# Employees	Days of Operation	Hours of Operation	Parcel#	SIC1	SIC2
50	Mon-Sun	1100-2200	119620060	5812	5813
IU Category		40CFR	40CFR	Permit Type	
Non-SIU				None	

SW Permit Status: Not covered; does not appear to need coverage

Facility Type: Food Service

Status: Open

Brief Operation Description

Grease trap on 2-comp sink, floor sinks, pre rinse sink, dishwasher, 3 comp sink (bar), mop sink.

Inspection Narrative

I stopped by the restaurant today to check the condition of the tallow bin after observing it had been partially cleaned yesterday. Inspection of the tallow bin today showed the exterior to be clean, and the ground in front of it was still clean. The employee I met with inside stated the owner and managers were not present at the time, but took my business card and said he would have one of them call me. I thanked him for his assistance and then left the restaurant. At this time, the restaurant is back in compliance with storm water regulations.

Information Material

P2 Award?

Referral Given?

FN #: 0

Required Info Form?

Due Date:

Illicit Connection?

Pretreatment

Process Discharge

Inspection Type	Corrected?	REF Type/No.

Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required:

Stormwater

Inspect Type1	Corrected?	REF Type
Targeted	Yes	WN
Inspect Type2		REF No.
Enforcement F/U		3059

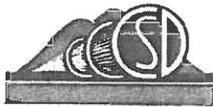
Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required: 27-Nov-13



Central Contra Costa Sanitary District

5019 Imhoff Place, Martinez CA 94553 • (925) 229-7268

WN N° 3055

Issued by: Jeremy Talarico
Date: 8/27/12

WARNING NOTICE

HAND DELIVERED CERTIFIED MAIL # _____

A. GENERAL INFORMATION SECTION

FACILITY NAME La Veranda Cafe PROPERTY OWNER _____
 SITE ADDRESS 6201 Center Ave. ADDRESS _____
Clayton, CA 94517
 MAILING ADDRESS _____ HQ/REG'L NAME _____
 _____ ADDRESS _____
 CONTACT NAME/TITLE Anis Maamari / Owner HQ/REG'L CONTACT _____
 CONTACT PHONE # 925-524-0011 CONTACT PHONE # _____
 TYPE OF BUSINESS Restaurant

FAXED

B. DEFICIENCY SECTION

- The completion / submittal of _____ was due on _____
 - The record(s) checked below
 - O&M Logs PCR Analytical Report Manifests/receipts
 - Chain of Custody pH tape Flow tape Baseline Monitoring Report
 - Other: _____
- was (were) deficient for the following reason: _____

- Failure to notify of _____ as required.
- The discharge from the facility contained the following pollutant(s) of concern to the District:

Sampled By	Constituent	Concentration	Discharge Limit	Date Sampled
<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____
<input type="checkbox"/> IU <input type="checkbox"/> CCCSD	_____	_____	_____	_____
- Protection of sanitary sewer inlets from the discharge of restricted materials is required for: _____

- The grease, oil and sand interceptor at the facility is in need of maintenance.
- The sampling conducted on _____ at the facility was deficient due to: _____

- Other: Clayton Ord. # 379 Sec. 13.12.090 Pollutant Exposure
- Other: _____

Details: ① Inspection of grease trap showed it to be more than 25% full of grease.
 ② I observed grease on the exterior of the tallow drum, which is exposed to rain water.
 ③ Stated practice of washing floor mats outside with the discharge going to the storm drain in the parking lot.

C. CORRECTIVE ACTIONS SECTION

- Provide documentation that the deficiency identified in Section B has been corrected.
- Correct the deficiency in the records identified in Section B and submit the completed document.
- Ensure that all future records include the information identified in Section B. Resubmittal is not required at this time.
- Evaluate the process wastewater to determine the source of each pollutant identified in Section B and how it can be minimized or eliminated.
- Conduct [grab composite grab composite] sampling of the process discharge. Analyze for: _____ (certified lab only). Submit original analysis report and chain of custody.
- Ensure that future sampling events are conducted and reported in accordance with District requirements.
- Submit a written response including the following information:
 - How you intend to correct the problem How you will prevent future occurrences
 - Proposed schedule/anticipated completion date for: _____

Other: Copy of receipt for grease trap cleaning.
 Details: ① Facility shall have grease trap cleaned immediately and implement a more frequent cleaning schedule. ② Facility shall immediately clean exterior of tallow drum using Best Management Practices. ③ Facility shall discontinue the stated practice of washing the floor mats outside with the discharge going to the storm drain system. Note: Owner stated floor mats would only be clean in trap sink from now on while I was onsite.

Respond in writing no later than 9/27/12

D. SIGNATURE SECTION

Failure to complete the Corrective Actions specified above or recurrence of the deficiency noted above will result in issuance of a Notice of Violation. Signing this document acknowledges receipt and does not constitute an admission of guilt.

Signature X Anis Maamari President 8/27/12
Facility Representative Title Date

COPY: CCC DISTRICT ATTORNEY DISTRICT COUNSEL OTHER: _____
WHITE: OFFICE YELLOW: FACILITY REPRESENTATIVE



Central Contra Costa Sanitary District - Source Control Section
 5019 Imhoff Place, Martinez Ca 94553 (925) 229-7288

Inspection Date: 06-Sep-12

Inspection Report

Facility Name La Veranda Café		Address 6201 CENTER Street		City Clayton	Zip 94517
Primary Contact Name Anis Maamari / Owner			Phone 925-524-0011	Inspector1 J. Talarico	
Secondary Contact Name Nicholos Maamari-Owner/ Manager			Phone	Inspector2	
Owner Name John A & Eloise	Contact John McHugh	Phone	Address PO Box 661	City Clayton	State/Zip CA 94517
# Employees 1-10	Days of Operation Mon-Sun	Hours of Operation see above	Parcel# 119620061	SIC1 5812	SIC2 0
IU Category Non-SIU		40CFR	40CFR	Permit Type None	

SW Permit Status: Not covered; does not appear to need coverage

Facility Type: Food Service

Status: Open

Brief Operation Description

Full service family restaurant specializing in Italian food entries.
 Fixtures = 3-comp sink, prep sink, dishwasher, utility sink, 2 hand sinks, mop sink, and a floor sink.
 Hours: M-Sun. 11:30am - 2:00pm, 5:00pm - 9:00pm

Inspection Narrative

see inspection report "I27233-Report"

Information Material

GT Maint. Log
 Grease Haulers

P2 Award?

Referral Given?

RFN #: 0

Required Info Form?

Due Date:

Illicit Connection?

Pretreatment

Process Discharge

Inspection Type	Corrected?	REF Type/No.
Enforcement F/U	Yes	WN 3055

Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required:

Stormwater

Inspect Type1	Corrected?	REF Type
Add-on	Yes	WN
Inspect Type2		REF No.
Enforcement F/U		3055

Sample Taken? 0

Enforcement Action: None 0

Due Date:

Response Received Date:

Date Followup Required: 27-Aug-13

INSPECTION REPORT

**La Veranda Café
6201 Center Ave.
Clayton, CA 94517**

(925) 524-0011

Facility Contact: Anis Maamari, Owner
Inspector(s): Jeremy Talarico
Inspection Date: September 5, 2012

I met with owner Anis Maamari to check the condition of the grease trap and the tallow barrel. During the facility inspection on 8/27/12, Mr. Maamari scheduled the grease trap to be cleaned by United Site Services Friday 8/31/12. Today, Mr. Maamari stated United Site Services never came, so he had his employees clean the grease trap themselves by completely emptying all of the contents of the grease trap and putting the waste in the tallow drum. I told him I understood. Mr. Maamari stated they would just clean the grease trap themselves from now on, and they would do it once a month. I told him this sounded good and explained that they are required to keep a log of the cleanings in order for them to do it themselves. Mr. Maamari stated he understood and they would do this. Inspection of the grease trap showed it to be in compliance with District regulations.

Mr. Maamari showed me that they cleaned the tallow barrel since United Site Services never came on Friday, when they were supposed to clean the grease trap and bring a new tallow barrel. Mr. Maamari then stated he hired Yokayo Biofuels to provide their new tallow service since he has been unhappy with United Site Services, Yokayo is supposed to drop off new tallow containers this week or next, and once he has the new containers he will have United Site Services pick up the old barrel. I told him this sounded good and thanked him for correcting this situation.

While out in the parking lot, I did not observe any evidence of continued floor mat washing in the parking lot. At the end of the inspection, I thanked Mr. Maamari for taking care of all of the issues, told him he just needed to submit a letter of response to the citation to complete everything, and asked him if he had any questions. Mr. Maamari stated he had no questions. I then thanked Mr. Maamari for his time and assistance, and then left the facility.

**City of Clayton
Emergency & Environmental Management
Phone Numbers**

Attachment C5

Local/County/Regional Governmental Contacts

City of Clayton

Stormwater Contact: Laura Hoffmeister
6000 Heritage Trail, Clayton, CA 94517
staff office: (925) 673-7300; direct/vm: 673-7308; or
cell: (925) 250-8532 LHoffmeister@ci.clayton.ca.us
After Hours: contact Clayton Police Dispatch
ask for an officer on Duty (925) 673-7350

Maintenance Dept.: City of Clayton, 6000
Heritage Trail, Clayton CA 94517: (925)
673-7300

After Hours: contact Clayton Police Dispatch
ask for an officer on Duty (925) 673-7350

Local Police Department: Clayton Police
Department (925) 673-7350

Local Fire District: Contra Costa Fire Protection
District, 2010 Geary Road, Pleasant Hill, CA 94523;
Administration Office/Non-emergency: (925) 930-
5500; Communications Center (925) 930-5551
Emergency: 911 or 933-1313

Contra Costa HazMat 24 Hour Emergency:
(925) 646-1112

Wastewater Agency: City Sanitary Sewer Lines –
(City of Concord contract maintenance of City of Clayton sewer lines)
City of Concord Public Works, 1455 Gasoline Alley,
Concord, CA 94519: (925) 671-6448; After Hours
contact Concord Police Dispatch at 671-3333

Wastewater Agency: Treatment Plant – Central
Contra Costa Sanitary District, 5019 Imhoff Place,
Martinez: (925) 933-0955

Contra Costa Water District 24 Hour Emergency:
(925) 688-8095
Dave Omoto - Env. Compliance Manager
direct: (925)-688-8023

HazWaste Facility: Central Contra Costa Household
Hazardous Waste Collection Facility, operated by
Central Contra Costa Sanitary District, 4797 Imhoff
Place, Martinez, CA 94553: Toll Free 1-800-646-
1431

East Bay Regional Park District – Fire District 24
Hour Line: (510) 881-1121

San Francisco Bay Regional Water Quality
Control Board: (510) 622-2300

Central Valley Regional Water Quality Control Board:
(916) 464-4730

Adjacent Jurisdiction Contacts:

Concord Contact: Danae Gemmell, 1455 Gasoline
Alley, Concord, CA 94519: (925) 671-3470
Danae.Gemmell@ci.concord.ca.us
Dan Sequeira, 1950 Parkside Dr. Concord 94519
(925) 671-3031 Dan.Sequeira@ci.concord.ca.us
Frank Kennedy (925) 451-4292/925-932-7857
Concord Public Works: (925) 671-3448
Concord Police Dispatch: (925) 671-3333

Unincorporated County: Charmaine Bernard
(925) 313-2236; Rich Lierly (925) 313-2348
After Hours—call HazMat or 911

Contra Costa Sheriff's Communications Center:
(925) 646-2441

CCC Environmental Health Services:
(925) 646-5225, 7:30 a.m. – 5 p.m. weekdays

State & Federal Agencies

Cal. Highway Patrol: (925) 646-4980

Office of Emergency Services Spill Line:
(800) 852-7550

Dept. Fish & Game – 24 Hour Dispatch during
incident: (831) 649-2801

CAL EPA – Dept. of Toxic Substances Control
(Region 2): (510) 540-3856

CAL Occupational Safety and Health
Administration: (925) 602-6517

US Coast Guard – Marine Safety Office:
(510) 437-3073

Bay Area Air Quality Management District:
(415) 771-6000; or 1-800-334-6367

Miscellaneous Contractors:

Roto Rooter : (925) 798-2122; or (925) 939-3100

Aquatic Habitat: (925) 957-1903

Engineering Remediation Resources Group Inc: (925)
969-0750

Terra Vac: (510) 351-8900

3-D Cleaning Services: (925) 671-7808

Diablo Steam Way: (925) 827-5757

Block Environmental Services: (925) 682-7200

Clean Bay: (925) 685-2800

CITY OF CLAYTON RESPONSE PROCESS TO ILLICIT DISCHARGE GENERAL SPILL RESPONSE PROCEDURES

Call received by public to City Staff

(note: calls may also come in directly to other agencies such as Police, Fire, Hazmat, Water Quality, or Fish and Game, OES, etc.)

City Staff notifies Police (if other agency receives contact they are supposed to contact City Police Department as well)

Police go to site and assess and secure scene, call for Fire Dept., County Hazmat, Fish and Game, Water Quality staff, OES, and/or City Maintenance (if not already contacted) depending on the situation.

All first responders (Police/Fire) have call out numbers to other appropriate response agencies

One of the steps in securing the scene is to secure any potential for spill to flow into storm drains or creek. If in creek to contain the materials so that they do not flow further downstream. If in street curb, gutter or parking lot etc., block inlets and contain materials.

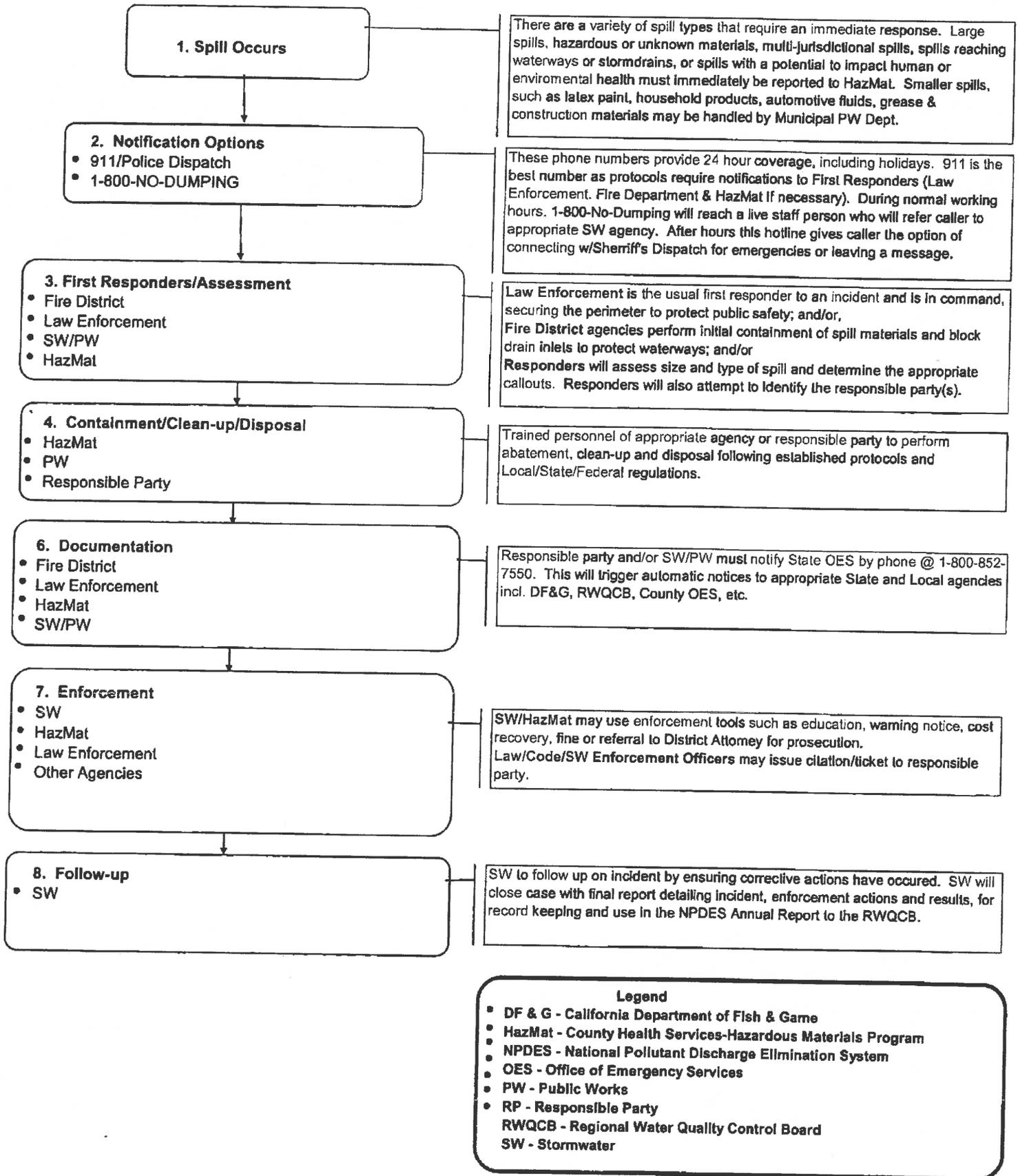
Hazardous materials are handled by Fire and Hazmat.

Non-Hazardous materials are cleaned up by Maintenance staff or contractor under city direction or public/private party if so identified; or left contained to evaporate and monitored as determined appropriate (i.e.: paint spill that has not gone down storm drain or creek). Clean Up (vacuumed or mopped) or flushing depending on material involved.

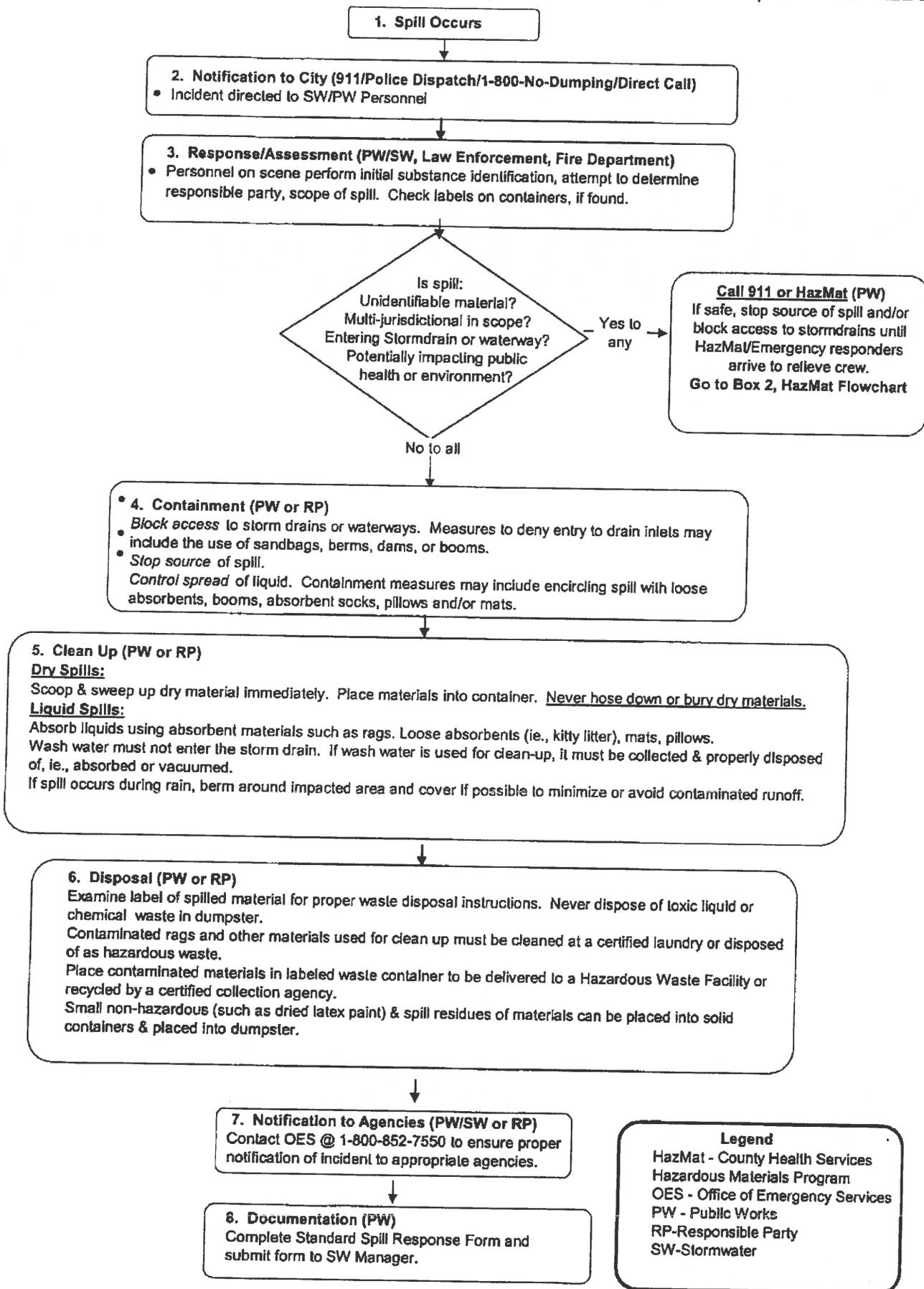
Note: Police Sergeants are trained in Spill and Hazardous materials response. There is a sergeant on duty at all times. Fire Department is trained in Spill and Hazardous materials response. Both of these departments are first responders. In most cases it is the first responder that goes to the site and assesses the situation and determines appropriate steps to take based upon their training. Police sergeant vehicles have spill containment kits. In rare circumstances if maintenance responds first they will contain/monitor and contact fire or another appropriate responder for further assessment and instructions the appropriate agency.

After incident contained police or maintenance notify city storm water manager and report incident verbally. Written response confirmation (Police Report, Maintenance Report, Hazmat report, etc.,) copied to City storm water manager as part of follow up.

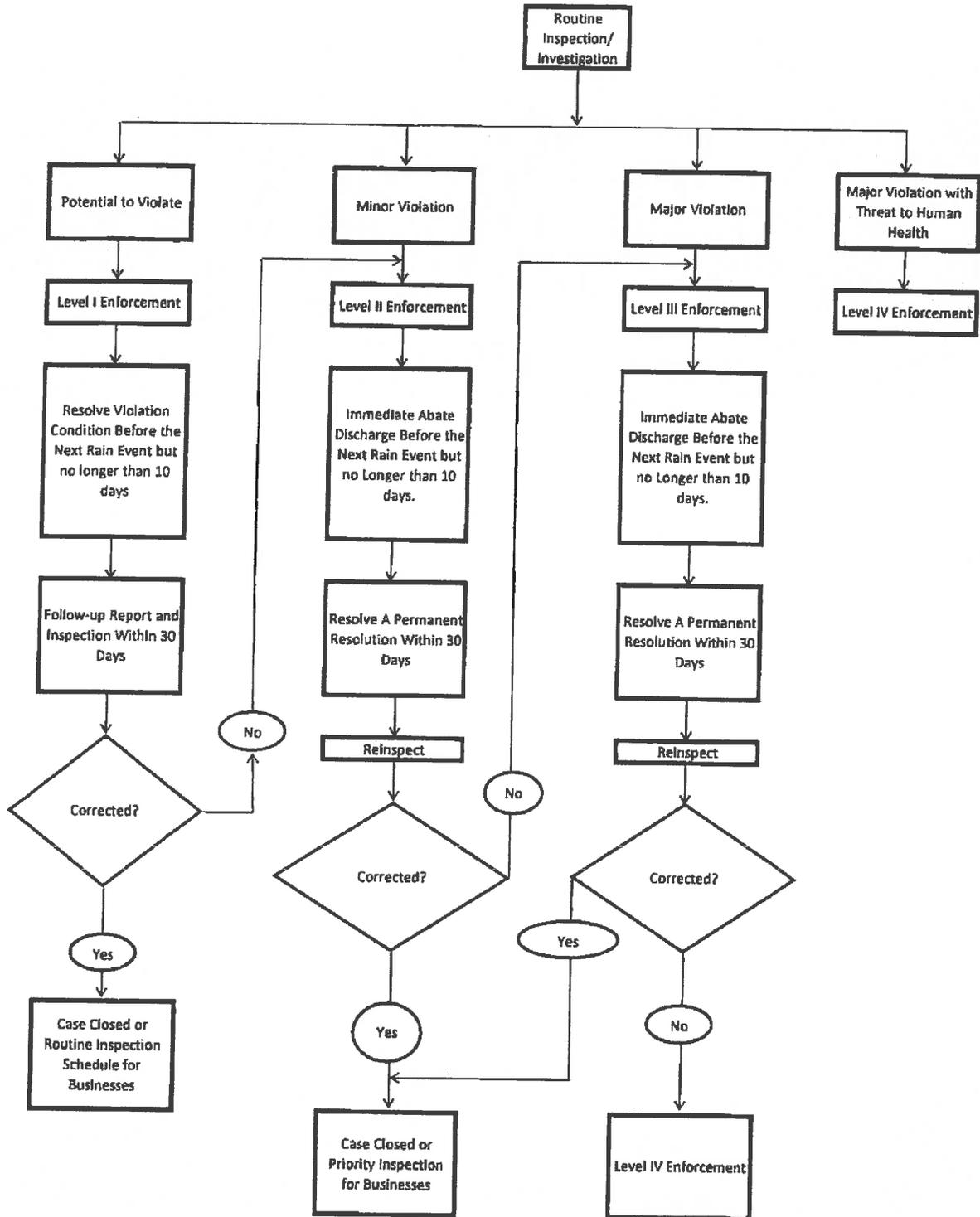
General Overview of Spill Response Process for Any Spill Type



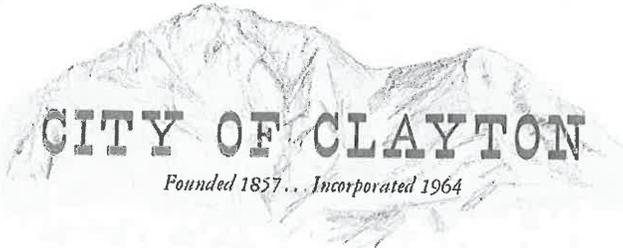
Municipal Field Response to Non-Hazardous Spills



City of Clayton
 Construction Sites
 Enforcement Response Plan
 Flow Chart



Attachments
C6e1

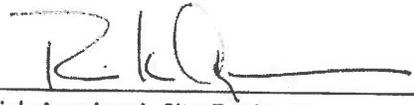


COMMUNITY DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUEY, MAYOR
HOWARD GELLER, VICE MAYOR
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

STOP ALL WORK

Property Address:	128 Widmar Place Clayton, CA 94517
APN:	119-130-014
Owner:	Paola Marticorena
You are in violation with the provisions of the City of Clayton Municipal Code as indicated below:	Section 12.04 Street Encroachments Section 13.12 Stormwater Management and Discharge Control Section 15.01 Construction Regulations
Description of violations:	No building permit obtained for swimming pool construction Construction of swimming pool without a permit No encroachment permit obtained for work within the street right of way Construction of improvements with the street right of way No stormwater permit obtained No provisions for protection of the street and storm drain system during construction No provision for the treatment of stormwater runoff
Meet with City and County officials to decide next course of action	
	City of Clayton Engineering Department 5375 Clayton Road Concord, CA 94521 (925) 363-7433 Hrs. of Operation: 7 AM to 4 PM, Monday through Friday
	8/7/12
Rick Angrisani, City Engineer	Date



CITY OF CLAYTON

Founded 1857... Incorporated 1964

COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUEY, MAYOR
HOWARD GELLER, VICE MAYOR
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

NOTICE OF VIOLATION

August 7, 2012

Ms. Paola Marticorena
128 Widmar Place
Clayton, CA 94517

Re: Violation of Municipal Code
Unauthorized Construction

Dear Ms. Marticorena:

The work that has been undertaken on your property has been without the benefit of any required construction permits.

This work constitutes a serious violation of the City of Clayton Municipal Code, specifically Sections 12.04, "Street Encroachments", 13.12, "Stormwater Management and Discharge Control" and 15.01, "Construction Regulations". Attached to this Notice of Violation is a Stop Work Order. All work is to cease immediately and may not be restarted until all of the violations have been resolved to the City's satisfaction. You will also be receiving a Stop Work Order from the Contra Costa County Building Inspection Department related to the construction of a swimming pool without first obtaining a building permit (the County Building Department contracts with the City of Clayton for building inspection and permitting).

In order to resolve these issues and to obtain a release of the Stop Work Orders, you must meet with representatives of the City's Planning and Engineering Departments and the Contra Costa County Building Inspection Department. Please contact the undersigned at (925) 363-7433 and we will coordinate and schedule a meeting with all parties.

IN THE MEANTIME, NO ADDITIONAL WORK (OTHER THAN SECURING THE CONSTRUCTION SITE FOR SAFETY REASONS) MAY OCCUR UNTIL ALL ISSUES HAVE BEEN RESOLVED.

Thank you for your cooperation.

Sincerely,



Rick Angrisani, P.E.
City Engineer

cc: Jason Crapo, CCCo. Building Inspection
David Woltering, Community Development Director
Laura Hoffmeister, Asst. To the City Manager
Rob Booth, Construction Inspector



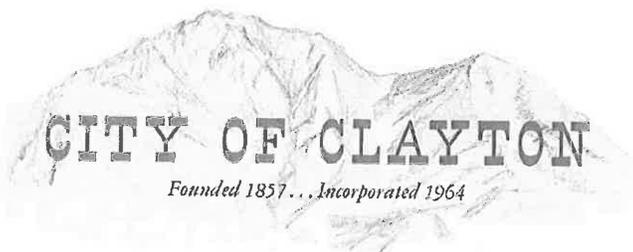
Pre remodel construction



128 Widmar Place August 7, 2012 - pipe installed through face of curb without permits and pool without permits planned to be tied into illegal pipe construction



Final project illegal pipe discharge removed and re-designed so water drains into landscape area behind retaining walls



COMMUNITY DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
DAVID T. SHUEY, MAYOR
HOWARD GELLER, VICE MAYOR
JOSEPH A. MEDRANO
JULIE K. PIERCE
HANK STRATFORD

August 13, 2012

Ms. Paola Marticorena
128 Widmar Place
Clayton, CA 94517

Re: Unauthorized Construction, 128 Widmar Place, Clayton, CA
CMC 12.04, 13.12, and 15.01 Notice of Violation dated August 7, 2012

Dear Ms. Marticorena:

We have prepared a Special Encroachment Permit to allow the retaining walls and decorative columns to remain as constructed with the City's right of way at your residence on Widmar Place.

We are prepared to rescind the Notice upon receipt of the signed and notarized Special Encroachment Permit along with funds to reimburse the City of Clayton for inspection and administrative time charged for the enforcement of this violation. Those charges are as follows:

City Engineer	6 hours @ \$150.00/hour	=	\$900.00
City Inspector	2.25 hours @ \$83.00/hour	=	\$186.75
Administrative Overhead	15%	=	<u>\$163.01</u>
	Total Due	=	<u>\$1,249.76</u>

You are also required to obtain a City Construction Activity Permit (CAP) for the pool construction (separate from the required County Building Permit). This CAP permit allows for the use of the street right of way for construction equipment during the pool construction and includes a stormwater permit to ensure compliance with the City's stormwater regulations.

The cost of the CAP permit is \$211.00 plus a \$2,000 inspection fee deposit. The stormwater permit requires weekly inspections until the construction is complete. Any funds remaining in the deposit account after the inspections are concluded will be refunded upon completion of the work.

Thank you for your cooperation.

Sincerely,

Rick Angrisani, P.E.
City Engineer

cc: Merry Pelletier, Finance Manager
Milan Sikela, Planning

RECORDING REQUESTED BY:
THE CITY OF CLAYTON

AND WHEN RECORDED MAIL TO:

CITY OF CLAYTON
6000 HERITAGE TRAIL
CLAYTON, CA 94517
ATTN: ENGINEERING DEPT.

CITY OF CLAYTON

SPECIAL ENCROACHMENT PERMIT

Permit Effective Date: August 13, 2012
Termination Date: Ongoing

Location: 128 Widmar Place

Description: Two to three foot high rock-faced, concrete retaining walls along the property's easterly and southerly lines, and two – three to four foot high columns at the entry walk to the house, most of which was constructed by the owners within the public right of way of Widmar Place.

Property Owner: Paola Marticorena
128 Widmar Place (APN 119-130-014)

The City of Clayton hereby agrees to allow the retaining wall and columns to remain as constructed, subject to the following conditions:

- 1) Regardless of their actual physical location, the retaining walls and columns are the sole property of the owners on whose private property they are located or abut;
- 2) The property owner are solely responsible for the maintenance, repair and/or replacement of the wall and columns;
- 3) The property owner shall perform any repairs within thirty days of receipt of a notice from the City of Clayton stating that the repairs, in the sole opinion of the City, are necessary;
- 4) All maintenance, repair and/or replacement work shall use the private property for access and material storage unless a separate, temporary encroachment permit is granted by the City;
- 5) The obligations of this permit shall run with the property and be binding on any successors-in-interest to the owner;
- 6) The owner shall have the sole obligation and duty to notify any potential purchasers of the existence of this permit and its provisions.
- 7) The property owner shall defend, indemnify, save and hold harmless, the City and its agents, officers and employees from any and all claims, costs and liability for any damages, injury or death arising directly or indirectly from or connected with the improvements provided for under this permit, due to or claimed to be due to negligent or wrongful acts, errors, or omissions of the property owner, or any person under their control, save and except claims or litigation arising through the sole negligence or sole willful misconduct of the City.
- 8) This permit shall be recorded at the Contra Costa County Recorder's office in order to provide notice of these requirements to successors-in-interest.



June 27, 2012

Across from Mt Diablo Elementary School back parking lot – corner of Pine Hollow Ct/Pine Hollow Rd

Referred to Robert Booth 7/2/12 *RB*
Enerock Permit ?
Clean Materials out of gottes
verbal warning to owner by RB
site cleaned .
7/15/12

Attachments
C6e2

ORDINANCE NO. 444

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON
AMENDING CHAPTER 13.12 TO TITLE 13 OF THE MUNICIPAL CODE RELATING
TO STORMWATER MANAGEMENT AND DISCHARGE CONTROL FOR
COMPLIANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION
SYSTEM (NPDES) PROGRAM (STORM WATER POLLUTION PREVENTION)
MUNICIPAL REGIONAL PERMIT (MRP) IMPOSED BY THE REGIONAL WATER
QUALITY CONTROL BOARD**

THE CITY COUNCIL OF THE CITY OF CLAYTON FINDS AS FOLLOWS:

WHEREAS, the 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems; and

WHEREAS, the Federal Clean Water Act and related permits are implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes; and

WHEREAS, stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government; and

WHEREAS, the City of Clayton's National Pollutant Discharge Elimination System (NPDES) permit was reissued in 2009 by the San Francisco Water Quality Control Board in, which added various mandates, including that related to Stormwater Management and Discharge Control, and

WHEREAS, the public necessity, conveniences and general welfare require the adoption of the proposed ordinance for compliance with the City's NPDES permit through the Municipal Regional Permit (MRP) issued by the San Francisco Regional Water Quality Control Board; and

WHEREAS, on March 19, 2013 the City Council held a public meeting to consider amending the Municipal Code, as proposed in the Ordinance amendments "Stormwater Management and Discharge Control"; considered the information contained in the staff report and any other written and public testimony; introduced and held first reading of said Ordinance; and

WHEREAS, the additions to the Municipal Code are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15307, Class 7; and Section 15308, Class 8--actions by regulatory agencies for the protection of natural resources and;

WHEREAS, there is no evidence that the additions will have the potential for any individual or cumulative adverse effect on fish and wildlife resources or their habitat, as defined in Section 711.2 of the Fish and Game Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Revocation and Amendment.

Chapter 13.12 of Title 13 of the Clayton Municipal Code, as adopted by Ordinance No. 379 is hereby revoked in its entirety and amended to read as follows:

“Chapter 13.12. Stormwater Management and Discharge Control

Section 13.12.010. Intent and Purpose.

A. The intent of this Chapter is to protect and enhance the water quality in the City of Clayton's watercourses pursuant to, and consistent with the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. section 1251 et seq.).

B. This Chapter also carries out the conditions in the City's National Pollutant Discharge Elimination System (NPDES) permit that require implementation of appropriate source control and site design measures and stormwater treatment measures for development projects.

C. It is the purpose of the City Council in enacting this Chapter to protect the health, safety and general welfare of Clayton's citizens by:

1. minimizing non-stormwater discharges, whose pollutants would otherwise degrade the water quality of local streams, to the stormwater system.

2. minimizing increases in nonpoint source pollution caused by stormwater runoff from development that would otherwise degrade local water quality.
3. controlling the discharge to the City's stormwater system from spills, dumping or disposal of materials other than stormwater.
4. reducing stormwater run-off rates and volumes and nonpoint source pollution whenever possible, through stormwater management controls and ensuring that these management controls are properly maintained and pose no threat to public safety.

Section 13.12.020. Definitions.

The following words and phrases when used in this Chapter shall be as defined herein. Words and phrases in this Chapter and not otherwise defined shall be interpreted as defined in the regulations issued by the U.S. Environmental Protection Agency to implement the provisions of the Federal Clean Water Act, and as defined by the State Water Resources Control Board to implement the Porter-Cologne Act:

- A. Best management practices or "BMP" are structural devices, measures, stormwater management facilities, activities, prohibitions, or practices, general good housekeeping, pollution prevention practices, maintenance procedures and other management practices, to prevent or reduce the discharge of pollutants directly or indirectly to "waters of the United States," including watercourses, water bodies, and wetlands.
- B. City's NPDES permit shall mean the NPDES permit issued to the City of Clayton, Permit No. CAS612008, and any subsequent amendment, reissuance or successor to the NPDES permit.
- C. Construction shall mean any project, including projects requiring coverage under the General Construction Permit, that involves soil disturbing activities, including but not limited to, clearing, grading, paving, and disturbances to ground such as stockpiling and excavating. Construction sites are also all sites with disturbed or graded land area not protected by vegetation or pavement that are subject to a grading or building permit.
- D. Development shall mean construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit, or planned unit development) or industrial, commercial, retail or other nonresidential project, including public agency projects.

E. Development runoff requirements shall mean the provisions in the City's NPDES permit that contain performance standards to address both the construction and post-construction phase impacts of new projects and redevelopment projects on stormwater quality, as well as any requirements imposed by the director pursuant to a permit or other regulatory action.

F. Director shall mean the City Manager of the City of Clayton or his or her designee.

G. Enforcement officer or Officer shall mean those individuals designated by the director to act as authorized enforcement officers.

H. Guidebook shall mean the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

I. Non-stormwater discharge is any addition of any pollutant to the City's stormwater system, except discharges pursuant to a NPDES permit, or discharges further exempted in Section 13.12.060(c) and (d) of this Chapter.

J. Pollutant shall mean any material other than stormwater including, but not limited to, petroleum products or by-products, solid waste, incinerator residue, sewage, sewage sludge, garbage, heat, chemical waste, biological materials, radioactive materials, wrecked or discarded equipment, rock, sand, soil and industrial, municipal or agricultural waste discharged into the water or stormwater system.

K. Premises shall mean any land, building, structure, facility, or installation, (including a building's grounds or other appurtenances), and adjacent sidewalks and parking strips.

L. Redevelopment shall mean land disturbing activity that results in the creation, addition, or replacement of exterior impervious area on a site on which some past development has occurred.

M. Regional Board shall mean the California Regional Water Quality Control Board, San Francisco Bay Region.

N. Responsible person shall mean the owner or occupant of any premises or who engages in, permits, or oversees any activity from which there is or may be a non-stormwater discharge

or any person who releases pollutants to the City's stormwater system.

O. Stormwater shall mean storm water runoff, snow melt runoff, surface runoff and drainage flow on the surface of the ground resulting from precipitation.

P. Stormwater management facility shall mean any BMP or any device that utilizes detention, retention, filtration, harvest for reuse, evapotranspiration or infiltration to provide treatment (and/or control volume, flows, and durations) of stormwater for purposes of compliance with development runoff requirements.

Q. Stormwater control plan shall mean a plan that meets those criteria contained in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

R. Stormwater system is that system of facilities by which stormwater may be conveyed to any stream, watercourse, other body of water or wetlands, including flood control channels, any roads with drainage systems, city streets, catch basins, curbs, gutters, ditches, improved channels, storm drains or storm drain system, which are not part of a Publicly Owned Treatment Works ("POTW") as that term is defined in 40 CFR section 122.2.

Section 13.12.030. Responsibility for Administration.

The director or his or her designee shall administer this Chapter for the City.

Section 13.12.040. Construction and Application.

This Chapter shall be construed consistent with the requirements of the Federal Clean Water Act and amendments thereto or applicable implementing regulations and the City's NPDES permit.

Section 13.12.050 Stormwater Control Plan Required.

A. In accordance with thresholds and effective dates in the City's NPDES Permit, every application for a development project, including but not limited to a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, grading permit, encroachment permit, design review, or building permit that is subject to the development runoff requirements in the City's NPDES permit shall be accompanied by a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

B. Implementation of an approved stormwater control plan and submittal of an approved stormwater control operation and maintenance plan by the applicant shall be a condition precedent to a final building inspection or the issuance of a certificate of occupancy for a project subject to this section.

C. All stormwater management facilities shall be designed in a manner to minimize the need for maintenance and reduce the chances of failure. Design guidelines are outlined in the Guidebook.

D. All stormwater management facilities shall be maintained according to the Guidebook and the approved stormwater control operation and maintenance plan. The person(s) or organization(s) responsible for maintenance shall be designated in the stormwater control operation and maintenance plan. Unless a different time period is provided for in the plan, those responsible for maintenance shall inspect the stormwater management facility at least annually. The stormwater control operation and maintenance plan shall also describe how the maintenance costs will be funded. Upon the failure of a responsible person to maintain a stormwater management facility in accordance with this Chapter or the plan, the City may perform the maintenance and recover its costs from the responsible person as provided in sections 13.12.100, 13.12.170 and 13.12.180.

E. A property owner shall, through recorded covenants or easements, provide the City, the Contra Costa Mosquito and Vector Control District, and the Regional Board access to stormwater management facilities for inspections and maintenance.

Section 13.12.060. Prohibited Discharges.

A. The discharge of non-stormwater to the City stormwater system is prohibited.

B. The discharge of stormwater from any premises and any activity that may cause or contribute to prohibited discharge, to a violation of receiving water limitations in the City's NPDES permit, or to a nuisance within the meaning of California Water Code section 13050 is prohibited.

C. The following discharges are exempt from the prohibition set forth in subsection (a) above, unless determined by the director to be a source of pollutants to or from the stormwater system or to receiving waters:

1. any discharge in compliance with a NPDES permit issued to the discharger.

2. flows from riparian habitats and wetlands, diverted stream flows, flows from natural springs, rising ground waters, uncontaminated and unpolluted groundwater infiltration, single-family homes' pumped groundwater, foundation drains, and water from crawl space pumps and footing drains, and pumped groundwater from drinking water aquifers.

D. The following discharges are exempt from the prohibition set forth in subsection (a) above, if and only if the director identifies such discharge as not being a source of any pollutant to the stormwater system or to a receiving water or if control measures required by the director and as set forth in Section C.15 of the City's NPDES permit are properly implemented: pumped groundwater from non-drinking-water aquifers; pumped groundwater from other sources, foundation drains, and water from crawl space pumps and footing drains;

air conditioning condensate; planned discharges from routine operation and maintenance activities in the potable water distribution system; unplanned discharges from breaks, leaks, overflows, fire hydrant shearing, or emergency flushing of the potable water distribution system; emergency discharges of the potable water distribution system as a result of firefighting, unauthorized hydrant openings, or natural or man-made disasters; individual residential car washing; swimming pool, hot tub, spa, and fountain water discharges, and discharges from irrigation water, landscape irrigation, and lawn or garden watering.

Section 13.12.070. Discharge in Violation of NPDES Permit.

Any discharge that may result in or contribute to a violation of the City's NPDES permit either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person causing or responsible for the discharge, and such person shall defend, indemnify and hold harmless the City in any administrative or judicial enforcement action relating to such discharge.

Section 13.12.080. Unlawful Discharge and Unlawful Connections.

A. It is unlawful to allow, permit, establish, use, maintain or continue unauthorized drainage connections to the City's stormwater system, or to commence or continue any unauthorized discharges to the City's stormwater system.

B. No discharge shall cause the following conditions, create a nuisance, adversely affect beneficial uses of waters of the State, or cause or contribute to a violation of any applicable water quality standard for receiving waters:

1. floating, suspended or deposited macroscopic matter or foam;
2. bottom deposits or aquatic growth;
3. alterations of temperature, sediment load, nutrient load, or dissolved oxygen, which cause significant adverse impacts to native aquatic biota;
4. visible, floating, suspended or deposited oil or products of petroleum origin; or,
5. substances present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption.

Section 13.12.090. Best Management Practices and Standards.

A. Generally. Any person owning or operating premises that may contribute pollutants to the City's stormwater system shall undertake best management practices to reduce the potential for pollutants entering the system to the maximum extent practicable. Examples of

such premises include, but are not limited to, parking lots, gasoline stations, industrial facilities, and other commercial enterprises. Examples of best management practices include, but are not limited to, those described in publications by the United States Environmental Protection Agency, the California Water Boards, the California Stormwater Quality Association, the Bay Area Stormwater Management Agencies Association, the Contra Costa Clean Water Program, and the City of Clayton.

- B. Litter. No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage or other discarded or abandoned objects, articles or other litter in or upon any street, alley, sidewalk, business place, creek, stormwater system, fountain, pool, lake, stream, river or any other body of water, or upon any public or private parcel of land so that the same might become a pollutant, except in containers or in lawfully established waste disposal facilities.
- C. Sidewalks. The occupant or tenant, or in the absence of occupant or tenant, the owner or proprietor of any real property in front of which there is a paved sidewalk shall maintain said sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid waste.
- D. Maintenance of Facilities and Landscaped Areas. Every responsible person shall implement Best Management Practices to minimize the release of pesticides, fertilizers, herbicides, and other related materials used to maintain landscaping and facilities.
- E. Parking Lots, Paved Areas and Related Stormwater Systems. Persons owning, operating or maintaining a paved parking lot, the paved areas of a gasoline station, a paved private street or road, or similar structure, and related stormwater systems shall clean those premises as frequently and thoroughly as practicable in a manner that does not result in the discharge of pollutants to the City's stormwater system. As part of an enforcement action pursuant to this Chapter, the director may require installation and maintenance of BMPs to prevent the discharge of trash or other pollutants from private parking lots, streets, roads, and drainage facilities into the stormwater system. Failure or refusal to comply with such a requirement is prohibited and shall constitute a separate violation of this Chapter.
- F. Construction Activities. In addition to any other requirement imposed by this Chapter, all construction projects shall incorporate site-specific BMPs, which can be a combination of BMPs from the California BMP Handbook, Construction January 2003, the Caltrans Stormwater Quality Handbooks, Construction Site Best Management Practices, the San Francisco Bay Regional Water Quality Control Board Erosion and Sediment Control Field Manual, 2002, the City's NPDES Permit, the City's grading and erosion control ordinance, generally accepted engineering practices for erosion control, and any other conditions required by the director when undertaking construction activities. The director may establish controls on the rate, volume, and duration of stormwater runoff from new developments and redevelopment as may be appropriate to minimize the discharge and transport of pollutants.
- G. Notification of Intent and Compliance with General Permits. Each discharger associated with construction activity or other discharger described in any general stormwater permit

addressing discharges, as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the Regional Board shall provide the director with the notice of intent, comply with and undertake all other activities required by any general stormwater permit applicable to such dischargers. Each discharger identified in an individual NPDES permit relating to stormwater discharges shall comply with and undertake all activities required by the permit.

H. Development Runoff Requirements. Every applicant for a new development and redevelopment project subject to the development runoff requirements shall submit a stormwater control plan and implement conditions of approval that reduce stormwater pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Similarly, increases in runoff volume, flows, and durations shall be managed in accordance with the development runoff requirements.

I. Stormwater Pollution Prevention Plan. The director may require any business or utility in the City that is engaged in activities that may result in non-stormwater discharges or runoff pollutants to develop and implement a stormwater pollution prevention plan, which must include an employee training program. Business activities which may require a stormwater pollution prevention plan include maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading, fueling, vehicle maintenance, food handling or processing, or cleanup procedures, carried out partially or wholly out of doors.

J. Coordination with Hazardous Material Release Response and Inventory Plans. Any business subject to the Hazardous Material Release Response and Inventory Plan, Division 20, Chapter 6.95 of the California Health and Safety Code (commencing with section 25500), shall include, in that Plan, provision for compliance with this Chapter, including the prohibitions of non-stormwater discharges and the requirement to reduce release of pollutants to the maximum extent practicable.

Section 13.12.100. Reserved.

Section 13.12.110. Authority to Inspect.

A. Generally. The director and officer shall have the authority to enter property and make an inspection to enforce and carry out the provisions of this Chapter. Routine or scheduled inspections shall be based upon as reasonable a selection process as may be deemed necessary to carry out the intent of this Chapter, including, but not limited to, random sampling or sampling in areas with evidence of stormwater contamination, evidence of the discharge of non-stormwater to the stormwater system, inspection of stormwater treatment and flow-control facilities for proper operation and evidence of routine and corrective maintenance, or similar activities. Inspections may also be conducted in conjunction with routine or scheduled inspections conducted by other public agencies or special districts, including but not limited to the Central Contra Costa Sanitary District, the Contra Costa County Fire Protection District, County Environmental Health Department, the Contra Costa Mosquito and Vector Control District, or the Regional Board. The City Council may by resolution establish a schedule of fees for inspections.

B. Authority to Sample and Establish Sampling Devices. With the consent of the owner or

occupant, or pursuant to a search or inspection warrant, the officer may establish on any property such devices as are reasonably necessary to conduct sampling or metering operations. During all authorized inspections, the officer may take any sample deemed necessary to aid in the pursuit of the inquiry or in the recordation of the activities on site.

C. Notification of Spills. All persons in charge of the premises or responsible for emergency response for the premises have a responsibility to train premises' personnel and maintain notification procedures to ensure that immediate notification is provided to the City of any suspected, confirmed or unconfirmed release of pollutants creating a risk of non-stormwater discharge into the City stormwater system.

As soon as any person in charge of the premises or responsible for emergency response for the premises has knowledge of any suspected, confirmed or unconfirmed release of non-stormwater discharge entering the City stormwater system, such person shall take all necessary steps to ensure the detection and containment and clean up of such release and shall notify the City of the occurrence by telephoning the director. This notification requirement is in addition to and not in lieu of other required notifications.

D. Requirement to Test or Monitor. The officer may require that any person engaged in any activity or owning or operating any premises that may cause or contribute to non-stormwater discharges, undertake such monitoring activities or analysis and furnish such reports as the officer may specify. The burden, including costs of these activities, analysis and reports shall bear a reasonable relationship to the need for the monitoring, analysis and reports and the benefits to be obtained. The recipient of such request shall undertake and provide the monitoring, analysis and reports required.

E. Cost Recovery. If an inspection pursuant to this section results in an enforcement action, the City may issue an invoice of costs and recover in an enforcement action its reasonable inspection costs.

Section 13.12.120. Violations Constituting Misdemeanors or Infractions.

The violation of any provision of this Chapter, or failure to comply with any of the mandatory requirements of this Chapter shall constitute a misdemeanor, except that notwithstanding any other provisions of this Chapter, any violation constituting a misdemeanor under this Chapter may, at the discretion of the director, officer or city attorney, be charged and prosecuted as an infraction.

Section 13.12.130. Penalty for Violation.

A. Upon conviction of a misdemeanor, a person shall be subject to payment of a fine, or imprisonment, or both, not to exceed the limits set forth in California Government Code section 36901.

B. Upon conviction of an infraction, a person shall be subject to payment of a fine, not to exceed the limits set forth in California Government Code section 36900.

Section 13.12.140. Continuing Violation.

Every day that any violation of this Chapter shall continue shall constitute a separate offense.

Section 13.12.150. Concealment.

Concealing, aiding or abetting a violation of any provision of this Chapter shall constitute a violation of such provision.

Section 13.12.160. Acts Potentially Resulting in Violation of the Federal Clean Water Act or Porter-Cologne Act.

Any person who violates any provision of this Chapter, or the provisions of any permit issued pursuant to this Chapter, or who releases a non-stormwater discharge, or who violates any cease and desist order, prohibition or effluent limitation, may also be in violation of the Federal Clean Water Act or the Porter-Cologne Act and may be subject to the enforcement provisions of those acts, including civil and criminal penalties. Any enforcement actions authorized pursuant to this Chapter may also include notice to the violator of such potential liability pursuant to federal or state law.

Section 13.12.170. Violations Deemed a Nuisance.

In addition to the penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to the public health, safety and welfare. Such condition is hereby declared and deemed to be a nuisance, which may be abated as provided in Chapter 8.08 of Title 8 (commencing with section 8.08.010) of this Code including the assessment of the costs of abatement which may be collected at the same time and in the same manner as ordinary municipal taxes as provided by Government Code section 38773.5, and by civil action to abate, enjoin or otherwise compel the cessation of such nuisance by the City Attorney.

Section 13.12.180. Civil Actions.

A. In addition to any other remedies provided in this Chapter, any violation of this Chapter may be enforced by civil action brought by the City. In any such action, the City may seek, as appropriate, any and all of the following remedies:

1. a temporary restraining order, preliminary injunction and permanent injunction;
2. an action for an unlawful business practice pursuant to Business and Professions Code section 17206;

B. Any person violating any provision of this Chapter shall be liable for:

1. reimbursement for the costs of any investigation, inspection or monitoring which led to the discovery of the violation;
2. costs incurred in removing, correcting, or terminating the adverse effect(s) resulting from the violation;
3. compensatory damages for the loss of, or destruction to, water quality, wildlife, fish or aquatic life. Costs and damages under this subsection shall be paid to the City and shall be used exclusively for costs associated with monitoring and establishing a stormwater discharge pollution control system and implementing or enforcing the provisions of this Chapter;

4. the cost of maintenance and repair of any BMP or stormwater management facility that is not maintained in accordance with the guidebook or the stormwater control plan;

5. the reasonable costs of preparing and bringing administrative action under this Chapter.

Section 13.12.190. Remedies Not Exclusive.

The remedies identified in this Chapter are in addition to, and do not supersede or limit, any and all other remedies, administrative, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

Section 13.12.200. Administrative Remedies.

A. In addition to any other remedies provided in this Chapter, any violation of this Chapter may be enforced by the following administrative remedies:

1. Notice of Violation. The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Notice of Violation in accordance with Chapter 1.14 of Title 1 of this Code. The Notice of Violation shall identify the provision(s) of this Chapter or the applicable permit or regulatory order which has been violated and shall state that continued noncompliance may result in additional enforcement actions against the owner, occupant and/or responsible person.

2. Suspension or Revocation of Permit. The director may suspend or revoke any City-issued permit when it is determined that:

i. The permittee has violated any term, condition or requirement of the permit or any applicable provision of this Chapter; or

ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is no longer appropriate to except the discharge from the prohibitions on prohibited discharge contained within this Chapter; or

iii. The permittee fails to comply with any schedule for compliance issued pursuant to this Chapter; or

iv. Any regulatory agency, including EPA or a Regional Water Quality Control Board having jurisdiction over the discharge, notifies the City that the discharge should be terminated; or

v. Any other circumstances where the director determines in his or her sole discretion that continuation of the discharge will result in substantial harm to public health or the environment.

3. Permit Modification. The director may modify any permit provided that the permittee shall be informed of any change in the permit terms and conditions at least forty-five (45) business days prior to the effective date of the modified permit when it is determined that:

- i. Federal or state law requirements have changed in a manner that necessitates a change in the permit; or
- ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is appropriate to modify the permit's terms, conditions or requirements; or
- iii. A change to the permit is necessary to ensure compliance with the objectives of this Chapter or to protect the quality of receiving waters.

B. Cease and Desist Order. The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Cease and Desist Order. The Cease and Desist Order shall be delivered in accordance with Section 13.12.210. The Cease and Desist Order may direct the recipient to:

1. Immediately discontinue any action constituting a violation of this Chapter;
2. Immediately contain or divert any flow of non-stormwater off the premises where the flow is occurring in violation of any provision of this Chapter;
3. Clean up the area affected by the violation; and
4. Implement BMPs necessary to prevent a future violation.

Section 13.12.210. Notice.

Unless otherwise required under Chapter 1.14, any notice or order to be delivered pursuant to this Chapter shall be subject to the following:

A. The notice or order shall state that the recipient has a right to appeal the matter as set forth in Section 13.12.220 or in Section 1.14.060.

B. Delivery shall be deemed complete upon personal service to the recipient; deposit in the U.S. mail, postage pre-paid for first class delivery; or facsimile service with confirmation of receipt.

C. Where the recipient is the owner of the property, the address shall be the address from the most recently issued equalized assessment roll for the property or as otherwise appears in the current records of the City.

D. Where the owner or occupant of any property cannot be located after the reasonable efforts the notice shall be deemed delivered after posting on the property for a period of ten (10) business days.

Section 13.12.220. Appeal.

Except as provided for a notice of violation under Section 1.14.060, any person aggrieved by the decision of the officer, may file a written appeal to the director within 10 (ten) days following the date of delivery of the decision. Upon receipt of such request, the director shall request a report and recommendation from the officer and shall set the matter for hearing at the earliest practical date. At said hearing, all evidence and testimony deemed relevant and admissible by the Director shall be considered, and the Director may reject, affirm, or modify the officer's decision. Formal rules of evidence shall not apply. The decisions of the director shall be final. Failure to request a hearing or appear at the hearing shall constitute a waiver and failure to exhaust administrative remedies.

Section 13.12.230. Judicial Review.

The provisions of Code of Civil Procedure section 1094.5 are applicable to judicial review of determinations made by the director pursuant to this Chapter.”

Section 2. Action to Challenge This Ordinance.

Any action or proceeding to attack, review, set aside, void or annul this ordinance must

be commenced and the service made on the City no later than ninety (90) days after the effective date of the ordinance.

Section 3. Conflicting Ordinances Repealed.

Any ordinance or part thereof, or regulations in conflict with the provisions of this ordinance, are hereby repealed. The provisions of this ordinance shall control with regard to any provision of the Clayton Municipal Code that may be inconsistent with the provisions of this ordinance.

Section 4. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase thereof be declared unconstitutional, invalid or ineffective.

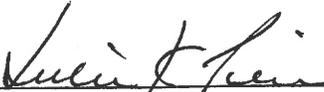
Section 5. Effective Date and Publication.

This ordinance shall become effective thirty (30) days after its adoption by the City Council. Within fifteen (15) days after the passage of the ordinance, the City Clerk shall cause a copy of the ordinance, including the names of the City Council members voting for and against it, to be posted in three (3) public places heretofore designated by resolution of the City Council for the posting of ordinances and public notices.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on the 19th day of March 2013, and PASSED, ADOPTED AND ORDERED posted at a regular meeting of the City Council of the City of Clayton on the 2nd day of April 2013, by the following vote:

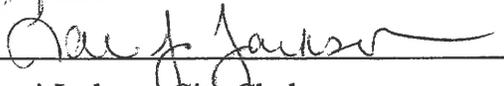
AYES: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz, Geller and Shuey.
NOES: None.
ABSENT: None.
ABSTAIN: None.

APPROVED:



Julie K. Pierce, Mayor

ATTEST:

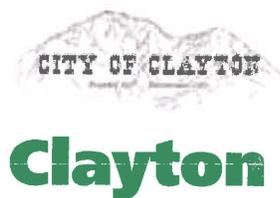


Laci Jackson, City Clerk

Laura/ordinance re stormwater management discharge control 2013

2012 CUSTOMER Guide

Garbage, Recycling, Yard Waste Services



Household Hazardous Waste

Motor Oil, Filters, and Cooking Oil

Recycle oil filters and used motor oil curbside.

Recycle large amounts of cooking oil at the Central Sanitary District HHW facility.

Oil Filters, Motor Oil

- Pour **motor** oil into a clear plastic container like a milk jug.
- Tape lid to close it securely.
- Place jug **beside** your **recycling** cart.

- Maximum 3 gallons of oil per pickup.

- Place oil filters in sealable plastic bag, i.e., Ziploc bag, seal.

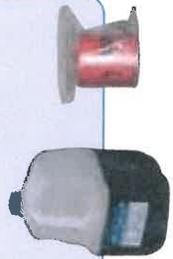
- Place bag **beside** your **recycling** cart.

Cooking Oil

- Pour **cooking** oil into a clear plastic container like a plastic milk jug.

- Tape lid to close it securely.

- Recycle at the Central Sanitary District HHW Facility.



Household Hazardous Waste

It is illegal to throw hazardous waste in your garbage or recycling cart. Recycle your car and household



batteries, latex paint, anti-freeze, motor oil, oil filters, fluorescent bulbs, mercury thermometers, pesticides, solvents and other household chemicals **FREE OF CHARGE** at the Central Contra

Costa Sanitary District's HHW Facility, 4797 Imhoff Place, Martinez. For hours and information, call (800) 646-1431 or visit www.centralson.org.

Sharps

It is illegal to throw syringes, needles and lancets in garbage or recycling. Sharps must be placed in a medical sharps container and taken to an official drop-off site:

- Police station, 2nd floor, City Hall, 6000 Heritage Trail, Clayton.
- For information on more sites, call (925) 685-4711 or visit <http://awsccc.com>.



Electronic Waste

Allied Waste will pick up at no charge e-waste such as CRTs (televisions, computer monitors), computers, keyboards, printers, fax machines, cellular phones, DVD players, VCRs, radios and other electronics.



To schedule a pickup, call (925) 685-4711.

Electronic waste can also be taken to a licensed facility. Local e-waste companies offer free curbside pickup of electronic waste. For a list of e-waste facilities in your area, visit www.awsccc.com.

Old Pills Piling Up?

Dispose of old medicines at the Clayton police station, 2nd floor, City Hall, 6000 Heritage Trail (9-5, MF), (925) 673-7350, or at:

- Sheriff's Substation, County Hospital, 2500 Alhambra Ave., Martinez (8-5, MF).
- City Hall Lobby, 1666 N. Main St., Walnut Creek (8-5, MF).

Remove labels from containers and place in sealable plastic bag.



ALLIED WASTE SERVICES

441 N. Buchanan Circle
Pacheco, CA 94553

(925) 685-4711
<http://awsccc.com>



Naturally Sustainable

Allied Waste is a green business and helps customers pursue "naturally sustainable" practices.



Leave carts out by 6 a.m. with 4 feet of space around each cart.

Carts at the Curb Line

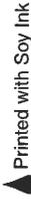
The City of Clayton's quality community standard calls for no carts at the curb before noon the day before collection, and please remove your carts by 10 p.m. the day of collection.



Mixed Sources
Products containing recycled and responsible sourced or fiber



Printed on 100% Recycled Paper
Content Is 50% Post-Consumer



Printed with Soy Ink

Presorted
First-Class
U.S. Postage Paid
PLEASANT HILL, CA
PERMIT NO. 122

The -PAGE

Helping You Help the Earth!

What Happens to Recyclables & Garbage

Q. What happens to my recyclables after I put them in my brown cart?

A. After your recyclables are emptied into our truck, they are taken to Pacific Rim Recycling in Benicia.

The recyclables travel down a conveyor belt, and employees separate them into different commodities. The different material types are then baled together and sold.

Q. What happens to my garbage after I put it in my blue cart?

A. Anything put in the garbage becomes trash forever. What you put in your blue garbage cart (even recyclables like cardboard, cans, bottles) is taken to our Martinez Transfer Station to be compacted, then to Keller Canyon Landfill in Pittsburg.

Employees do NOT sort through garbage and pick out recyclable items. Please put all recyclable items in the brown recycling cart!

Why You Cannot Recycle...

Styrofoam: There is no market for Styrofoam because it is low quality, cheaper to produce from virgin materials and usually contaminated with food. Since it is a useless commodity, it goes straight to the landfill. However, a large amount of Styrofoam products end up as litter and reach the ocean, where they break down into smaller bits and are ingested by birds and sea animals. Avoid Styrofoam whenever you can and tell your favorite restaurants to switch to greener packaging.



Milk cartons: A waxy coating on paper or cardboard diminishes the value of the commodity and makes recycling difficult.



Chipbags & Aseptic Packaging:

Both packaging materials are not recyclable because they are an amalgam of multiple material types. Aluminum foil is bound to plastic or in the case of aseptic packaging aluminum is bound to waxy cardboard. These materials cannot be separated for recycling so unfortunately they have to go in the garbage.



Reuse Area at Central Sanitary

Need some paint? Gardening products? Cleaning chemicals? Stop by the Reuse Room at Central Sanitary's HHW Facility to drop off unwanted chemicals and pick up new ones, all at no charge! Open Monday through Saturday, 9 a.m. to 3:30 p.m.



Old Pills Piling Up?

Don't dump medicines and over-the-counter drugs down the drain or toilet. Flushed drugs enter waterways, harming people, animals and the environment. Wastewater facilities cannot remove these chemicals. Remove labels and place containers in sealable plastic bag. Dispose of safely at:



- Police station, City Hall 2nd floor, 6000 Heritage Trail, Clayton (9-5, M-F), ph: (925) 673-7350.
- Sheriff's Substation at County Hospital, 2500 Alhambra Ave.; Sheriff's Field Ops Bldg., 1980 Muir Road; Martinez Police, 525 Henrietta St., all in Martinez (8-5, M-F).
- City Hall Lobby, 1666 N. Main St., Walnut Creek (8-5, M-F).

Freecycle, CalMAX, Craigslist

Recycling is the last of the 3 Rs – Reduce, Reuse, Recycle. Incorporate the first two (Reduce & Reuse) into your everyday life through the free services at Craigslist.org, CalMAX.org and Freecycle.org. They help you find new homes for unwanted goods, and they're great sources of free (or cheap) goods.

Plastic vs. Reusable Bags

Americans use billions of plastic bags per year, many of which end up in the landfill or in the ocean. Consider using canvas or reusable bags at the grocery store. Some stores have reusable bags for purchase and often offer discounts for using reusables instead of plastic or paper bags.



We do not accept plastic bags (or any type of plastic film material) for recycling, but state law requires grocery stores to accept them for recycling. Visit www.plasticbagrecycling.org for information.

SERVICES

Just Give Us a Call

Whoops! Too much trash. Lid should close.



Extra Material

Please call at least 24 hours prior to your regular collection day to arrange for a pickup of extra garbage.

Our customer service representatives will be glad to provide you information about rates and scheduling.

Phone (925) 685-4711.

Going on Vacation?

Please schedule vacation holds in advance:

- Minimum 2 weeks per hold.
- Maximum 4 holds per year.

Call customer service at (925) 685-4711 for additional information.

Holiday Treecycling



Allied Waste Services will notify you in your December solid waste bill of the holiday tree recycling program. No flocked trees will be taken.

Payment Options

Customers have four convenient ways to pay their garbage bills:

- Online. Make one-time payments or sign up for auto bill-pay with credit card or bank account at <http://awbillpay.inetbiller.com>. You may also call Customer Service at (925) 685-4711 to set up your auto bill-pay account;
- By mail, using the envelope provided with your bill;
- In person at Allied Waste Services' office at 441 N. Buchanan Circle, Pacheco;
- By phone with American Express, Visa, MasterCard or Discover. We do not accept checks over the phone.

How to Reach Us; New Online Service

Questions about your service or bill can be answered by Customer Service.

You can:

- Call one of our representatives at (925) 685-4711; or
- Write us at 441 N. Buchanan Circle, Pacheco, CA 94553, attn: Customer Service Manager; or
- Visit the Allied Waste Services web site at: <http://awsccl.com> where you can order a cart repair, schedule a cleanup, report a missed collection and request other services online.



Cart Sizes

Carts are available in the following sizes:

- Garbage: 20, 32, 64, 96 gallons.
- Recycling: 64 gallons.
- Yard Waste: 64 gallons.
- Cart dimensions:

Size	Height	Width	Depth	Footprint
20 gal.*	38.5"	19.0"	22.0"	2.0 sq. ft.
32 gal.	38.5"	19.0"	22.0"	2.0 sq. ft.
64 gal.	42.0"	25.5"	27.0"	2.5 sq. ft.
96 gal.	46.5"	26.5"	33.5"	3.0 sq. ft.

*20-gallon volume in a 32-gallon cart shell.

Goodbye. I have to stay home.



Holidays Observed

Only Christmas and New Year's Day affect collections.

If your pickup day falls on those holidays or on a day following them that week, service will be one day later even if it falls on Saturday.

Missed Collection?

Please call within 24 hours to report that your garbage, recycle or yard waste cart has not been serviced.

Moving?

If you are moving, please leave your recycling, yard waste and garbage carts in a secure location for the next resident. Call us to discontinue service.

BULKY ITEMS

Free Pickup for E-Waste, Too

Clayton residents may have any item listed here, such as mattresses, furniture, appliances and other large pieces, picked up at no charge at the curbside.

Just call the office at (925) 685-4711 to schedule.

- Air conditioner (pickup & Freon removal)
- Computer monitors
- Couch/sofa
- Dishwasher
- Dryer
- Electronics
- Freezer (pickup & Freon removal)
- Hot water heater
- Hide-a-bed
- Double mattress
- Double box spring
- Twin mattress
- Twin box spring
- Queen mattress
- Queen box spring
- King mattress
- King box spring
- Refrigerator (pickup & Freon removal)
- Stove
- Washer
- Swamp cooler



- Tires (less than 19 inches)
- Tires with rim (less than 19 inches)
- Tires (larger than 19 inches)

- Tires with rim (larger than 19 inches)
- TV (32 inches or smaller)
- TV (32 inches or larger)

Free E-Waste Pickups

There is no charge for collection of e-waste in Clayton. Call (925) 685-4711 to schedule a pickup.



Recycle Batteries, CFLs

Household batteries and compact fluorescent lights can be recycled curbside. Place batteries in quart-size Ziploc bag, seal and leave next to your brown recycling cart. Do the same in a separate Ziploc bag for CFLs.





Leave carts out by 6:00 a.m., and keep carts 4 feet apart.

BLUE CART

Weekly Garbage Service

ON CALL CLEANUPS

Residents in Clayton may schedule two free cleanups per year at any time. Cleanups can be used to discard up to two cubic yards (approx. fourteen 32-gallon bags) of extra trash and items that are too large for garbage carts. To schedule a cleanup, call Allied Waste Services at (925) 685-4711. You can also schedule a pickup online by visiting our website at <http://awsgcc.com>.

Guidelines for Cleanups

- Place items at the curb by 6 a.m., preferably the night before your cleanup day.
- All items must be stacked in one place.
- Cut and tie branches, prunings or wood so bundles are 4 feet or less in length and less than 24 inches in diameter. Tree stumps cannot be collected.
- Bag or tie items with rope, cord or string strong enough to keep bundles intact or place in containers, including metal and plastic trash cans. All containers will be taken away.
- Place cleanup items in a single pile at a distance of 5 feet or more from your garbage cart.
- No loose piles.

Unacceptable Materials

- No single item may weigh more than 150 lbs. or be longer than 4 feet. Bags cannot weigh more than 50 pounds.
- No large car parts (tires, transmission blocks, engines, etc.), large furniture or mattresses.
- No rocks, dirt or concrete.
- No tree stumps or large tree trunks.
- No microwave ovens, clothes dryers, space heaters, ovens or other appliances with mercury switches. These can be picked up for a fee.
- No hazardous wastes including paint, oil filters, motor oil, car batteries, anti-freeze, solvents, pesticides and cleaners. Hazardous waste must be taken to the Central Sanitary HHW Facility at 4797 Imhoff Place, Martinez.

WHAT SHOULD GO IN YOUR GARBAGE CART

Please place as much green waste as possible in your green yard waste cart.

Place all the containers and materials listed in the recycling section in your brown recycling cart.

Everything else goes into your blue garbage cart.

If you have any questions, call us at (925) 685-4711.

REMINDERS

- For missed service, please call within 24 hours.
- Be sure all materials fit inside the cart with lid closed.
- Be sure all materials fit inside the cart with lid closed.
- For missed service, please call within 24 hours.
- Before discarding items, consider reusing or donating.
- Place only trash in your garbage cart.
- Leave the cart out the night before or by 6 a.m. of your collection day.
- Leave at least four (4) feet of space between your garbage cart and any other object including your yard waste and recycling carts and from any street obstacles such as mailboxes, cars or portable basketball hoops.
- Don't place recyclables, yard waste or hazardous waste in garbage carts.



GREEN CART

Biweekly Yard Waste Service



Leave carts out
by 6:00 a.m.,
and keep carts
4 feet apart.

OK FOR RECYCLING

Brush	House plants	Tree branches 6 inches or less in diameter, 3 feet or less in length
Cactus	Lawn clippings	Weeds
Flower cuttings	Leaves	Wood chips
Flowers	Prunings	Yard waste
Garden trimmings	Shrubbery	
Grass	Straw	
Hay		

ON-CALL YW & RECYCLING CLEANUPS

Recycle extra yard waste (YW) or corrugated cardboard or both with up to 4 free on-call recycling cleanups per year. Household batteries and cell phones can be recycled **FREE** with your on-call recycling cleanups. To schedule a recycling cleanup, call Allied Waste at (925) 685-4711 or visit us at <http://awsgcc.com> and request the service online.

Recycling cleanups are in addition to weekly yard waste and recycling service and are scheduled for collection on the same day as your regular recycling and yard waste service. If you request a collection on a day other than your regular recycling and yard waste service day, a fee will apply.

Extra Yard Waste

- After filling yard waste cart, place extra leaves and yard clippings in cardboard boxes, paper bags and containers that are 32 gallons or less in volume. Maximum 50 lbs. per container. (No plastic bags.)
- Containers will not be taken away.
- Tree branches and prunings must be 3 feet or less in length and 6 inches or less in diameter. Bundle with string or cord.
- Place extra yard waste at curb by 6 a.m. of your pickup day or the night before.
- Keep extra material at least 4 feet away from carts.

Corrugated Cardboard

- Flatten corrugated cardboard and trim to 4 feet or less on each side. Bundle with cord or string. No maximum on bundle's thickness if less than 50 lbs.
- Place cardboard at the curb by 6 a.m. of your pickup day or the night before.
- Place the extra material next to your brown recycling cart.

Household Batteries and Cell Phones

- Place batteries in a clear, quart-size plastic bag, i.e., Ziploc. Single-use AA, AAA, C, D and 9V batteries only. No rechargeables.
- Place cell phones and chargers in a plastic bag, i.e., Ziploc. Broken phones OK.
- Maximum of 4 cell phones per household.
- Place bagged batteries, cell phones next to bundles or boxes (**NOT in carts**).



REMINDERS

- **NOT** acceptable for regular or on-call yard waste recycling:
 - 1) Plastic bags
 - 2) Rocks and concrete
 - 3) Sod and dirt
 - 4) Loose fruits and vegetables
 - 5) Large tree trunks and stumps greater than 6 inches in diameter or more than 3 feet in length
 - 6) Palm fronds
 - 7) Pet waste
 - 8) Hazardous waste
 - 9) Garbage and inorganic materials including recyclables like plastics, glass, metal and paper.
- Collection is WEEKLY on the same day as garbage service.
- For missed service, please call within 24 hours.
- **No charge for larger or extra yard waste cart.**
- Be sure all materials fit inside the cart with lid closed.
- Keep cart 4 feet away from other carts and any objects including cars and mailboxes.



Leave carts out by 6:00 a.m., and keep carts 4 feet apart.

BROWN CART

Weekly Recycling Service



OK FOR RECYCLING

Paper

- Books (paperback)
- Boxes, packages
- Carbonless paper
- Cardboard (cut to fit in cart)
- Catalogs
- Cereal boxes
- Colored and construction paper
- Computer paper
- Copy paper
- Coupons
- Detergent boxes
- Egg cartons (paper only; no Styrofoam)
- Envelopes with metal clasps



- Envelopes with plastic windows
- Frozen food packages (remove liners)
- Gift wrap (non-metallic)
- Junk mail
- Magazines
- Manila folders
- Newspapers and inserts
- Office paper
- Paper (adhesive/post-its)
- Paper bags
- Paper packaging with remnant tape

Paper towel and toilet paper tubes



- Pizza boxes (no food residue)
- Telephone books
- Tissue paper (gift type)



Metal

- Aerosol cans (empty)
- Aluminum cans
- Aluminum foil (clean)
- Aluminum pie plates
- Cookie sheets
- Beverage cans
- Food cans (clean)
- Paint cans (empty, dried, latex)
- Pet food cans
- Pots and pans
- Scrap metal
- Small metal items
- Steel cans
- Tin cans



Glass

- (Rinsed, empty; all colors; lids, caps OK)
- Bottles
 - Beverage containers
 - Jars

REMINDERS

- Collections are WEEKLY on the same day as your garbage service.
- For missed service, please call within 24 hours.
- **No charge for larger or extra recycle cart.**
- Place all recyclables in brown cart. Cardboard may be placed next to the recycling cart. Please break down boxes.
- Extra cardboard can be recycled 4 times a year free with on-call recycling. See On-Call Recycling in Yard Waste section.
- Be sure cart lid is completely closed.
- Before discarding, consider reusing or donating.
- For recycling and reuse options for other materials call the Recycling Hotline at 1-800-750-4096 or visit www.ccrecycle.org.



Plastic

- (Containers only; rinsed, empty; with chasing arrows #1-#7)
- Baby wipe containers
 - Bleach bottles
 - Buckets without handles
 - Beverage containers (soda, water, juice)
 - Detergent bottles
 - Food containers
 - Fruit basket (plastic, #1-#7)

- Household cleaning containers
- Milk jugs
- Plant containers (plastic, #1-#7)
- Prescription bottles (empty, #1-#7)
- Salad dressing bottles
- Shampoo, conditioner, toiletry bottles
- Tub containers (yogurt, cottage cheese, margarine, #1-#7)
- Water jugs

NOT FOR BROWN CART

- ⊘ Appliances
- ⊘ Batteries
- ⊘ Ceramics
- ⊘ Electronic waste
- ⊘ Food waste
- ⊘ Garbage
- ⊘ Hangers (metal or plastic)
- ⊘ Hazardous waste
- ⊘ Ink cartridges
- ⊘ Milk cartons
- ⊘ Mirrors, windows
- ⊘ Plastic-coated paper
- ⊘ Plastic bags
- ⊘ Plastic wrap, packaging
- ⊘ Restroom waste
- ⊘ Sharps (needles, syringes, lancets)
- ⊘ Styrofoam
- ⊘ To-go cups and food packaging
- ⊘ Wax paper
- ⊘ Yard wastetvt



ALLIED WASTE SERVICES

A REPUBLIC SERVICES COMPANY

2012 Holiday Schedule

Allied Waste Services observes Christmas Day and New Year's Day holidays. If your collection day falls on those holidays or later in the week, service will be one day later.

Residential Treecycling

Antioch

- Place unflocked trees in your yard waste cart. Branches must be 6 inches or less in diameter and 3 feet or less in length. Cut off tree tops. Lid must be closed.
- Drop-off Locations — You can drop off trees 8 a.m.-5 p.m. Sunday, Jan. 1 and Saturday-Sunday, Jan. 7-8, at the Prewett Family Water Park parking lot and at the Antioch Marina Overflow Parking Lot at 2nd and L streets.
- Boy Scout Treecycling — Scouts will pick up holiday trees Saturday-Sunday, Dec. 31-Jan. 1 & Jan. 7-8. Have unflocked trees ready for pickup before 8 a.m. at the curb. Donations of \$8 or \$1 per foot for large trees, payable to BSA, would be appreciated. For more information call (925) 238-8900; email treepickup@bdscouts.org; or log on to the website www.bdscouts.org/treepickup.
- Recycling Center Drop-off Option: See "Drop-off Locations" on the back of insert for address, hours.
- Flocked trees can be picked up for a fee or included with one of your two, free, large-item pickups.
- Questions? Call customer service at (925) 685-4711.

Bay Point, Clyde

- Boy Scout Treecycling — See Antioch information above. Bay Point schedule and contacts are same.
- Place unflocked trees in your yard waste cart. Branches must be 6 inches or less in diameter and 3 feet or less in length. Cut off tree tops. Lid must be closed.
- Curbside Collection — Unflocked holiday trees will be picked up curbside Thursday, January 12.
- Drop-off Option — See "Drop-off Locations" on the back side of this notice.
- Questions? Call customer service at (925) 685-4711.

Benicia

- Place unflocked trees in your yard waste cart. Branches must be 6 inches or less in diameter and 3 feet or less in length. Cut off tree tops. Lid must be closed.
- Boy Scout Treecycling — Drop-off sites are Benicia Community Park (near Matthew Turner School) and First Baptist Church, 1055 Southampton Road, 9 a.m. to 4:30 p.m. Dec. 31, 2011, and Jan. 1, 7 and 8, 2012. Scouts will also pick up trees by appointment Dec. 31, 2011, and Jan. 1, 7 and 8, 2012. Call (707) 551-4520 or visit www.beniciascouts.org. Donations of \$7 would be appreciated.
- Drop-off Option — See "Drop-off Locations" on the back side of this notice.
- Questions? Call customer service at (707) 747-0608.

Clayton, Unincorporated Concord, Morgan Territory

- Sunday, Jan. 8: Boy Scouts will pick up trees in Clayton only. Leave unflocked trees at the curb by 8 a.m. Donations would be appreciated. Mail checks (do not attach to tree) to BSA Troop 484, c/o 709 Tally Ho Court, Clayton, 94517. Contact: Ken Frey at (925) 323-1524 or email kjfrey1701@yahoo.com.
- January 9-13: Unflocked trees will be picked up curbside on your regular garbage day that week.
- Any yard waste week: Place unflocked trees in yard waste cart. Branches must be 6 inches or less in diameter and 3 feet or less in length. Cut off tree tops. Keep lid closed.
- Drop-off Option — See other side for "Drop-off Locations."
- Questions? Call customer service at (925) 685-4711.

Martinez, Alhambra Valley, Mt. View

- Place unflocked trees in your yard waste cart. Branches must be 6 inches or less in diameter and 3 feet or less in length. Cut off tree tops. Lid must be closed.
- Curbside Collection — Unflocked holiday trees will be picked up curbside the week of January 2-6.
- Drop-off Option — See "Drop-off Locations" on the back side of this notice for address and hours.
- Questions? Call customer service at (925) 685-4711.

Pleasant Hill, Unincorporated Pleasant Hill, Pacheco

- Yard Waste Cart — Place unflocked trees in your yard waste cart. Branches must be 6 inches or less in diameter and 3 feet or less in length. Cut off tree tops. Lid must be closed.
- Curbside Collection — Unflocked holiday trees will be picked up curbside the week of January 2-6.
- Drop-off Option — See "Drop-off Locations" on the back side of this notice for address and hours.
- Questions? Call customer service at (925) 685-4711.

NOTE: Flocked trees cannot be recycled. They can be collected curbside for a fee of \$10 per tree. Pickups must be scheduled in advance. Call (925) 685-4711.





ALLIED WASTE SERVICES

 **A REPUBLIC SERVICES COMPANY**

2012 Holiday Schedule

(continued)

MULTI-FAMILY TREECYCLING

Antioch

- The Boy Scouts will pick up trees in multi-family complexes. A donation of \$8 or \$1 per foot for large trees would be appreciated. To arrange a pickup, call (925) 526-6093 or send an email to treepickup@bdscouts.org.

Bay Point

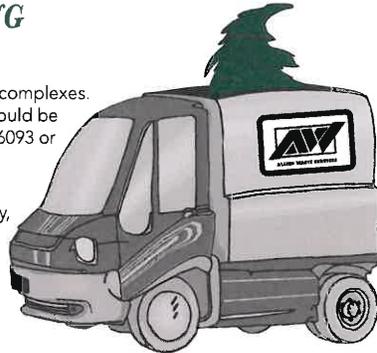
- Trees will be picked up in your complex Thursday, January 12, 2012.
- Please leave your tree out by 6 a.m. on Thursday, January 12, 2012.
- Ask your property manager where trees should be left.

Clayton

- Trees will be picked up in your complex the week of January 9-13, 2012.
- We cannot determine in advance what day your tree will be picked up. Please leave your tree out by 6 a.m. January 9, 2012.
- Ask your property manager where trees should be left.

Martinez, Alhambra Valley, Mt. View, Pacheco, Pleasant Hill, Unincorporated Pleasant Hill

- Trees will be picked up in your complex the week of January 2-6.
- We cannot determine in advance what day your tree will be picked up. Please leave your tree out by 6 a.m. January 2, 2012.
- Ask your property manager where trees should be left.

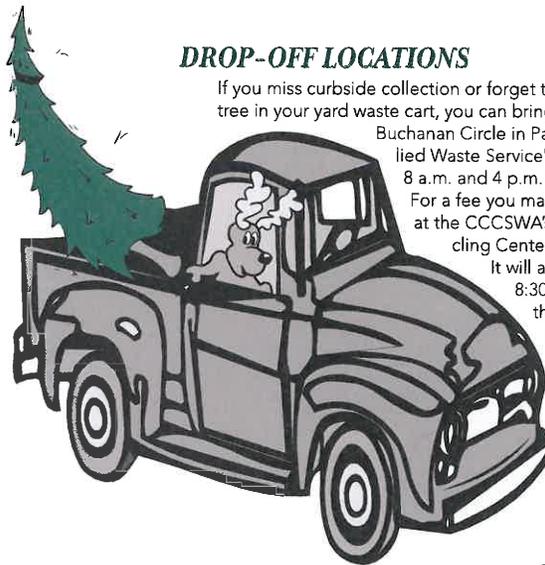


DROP-OFF LOCATIONS

If you miss curbside collection or forget to put your unflocked tree in your yard waste cart, you can bring your tree to 444 N.

Buchanan Circle in Pacheco, across from Allied Waste Service's main office, between 8 a.m. and 4 p.m. Monday through Friday. For a fee you may also leave your tree at the CCCSWA's Walnut Creek Recycling Center, 480 Lawrence Way.

It will accept trees only from 8:30 a.m. to 5 p.m. Tuesday through Saturday. Please do not drop off trees before or after the hours listed above.



IMPORTANT

- Please remove lights, ornaments, tinsel, nails and stands from trees.
- No plastic bags.
- Trees more than 10 feet tall will only be accepted in the Central Contra Costa Solid Waste Authority (CCCSWA) area.
- Flocked, painted, fireproofed or artificial trees are not accepted.
- Flocked trees can be collected curbside for a fee of \$10 per tree. Pickups must be scheduled in advance. Call (925) 685-4711.



SERVICES

Just Give Us a Call



Getting on Vacation?
Place your mobile vacation holds in your regular collection days to arrange for a pickup of extra garbage.

Our customer service representatives will be glad to provide you information about our used scheduling.

From (925) 685-4711.

Holiday Thanksgiving
Republic Services will notify you in your December solid waste bill of the holiday fee recycling fees will be taken.

Payment Options
Customers have four convenient ways to pay their garbage bills:

- Online: Make online payments or sign up for auto bill pay with credit card or bank account.
- Minimum 2 weeks per hold
- Maximum 4 holds per year.

Call customer service at (925) 685-4711 for additional information.

How to Reach Us: New Online Services
Be a person of the Republic Services office at 441 N. Buchanan Circle, Modesto, CA 95235. Call our Service Manager at (925) 685-4711 to set up your auto bill pay account.

• By mail, using the envelope provided with your bill.

• In person at the Republic Services office at 441 N. Buchanan Circle, Modesto, CA 95235. Call our Service Manager at (925) 685-4711 to set up your auto bill pay account.

• By phone with American Express, Visa, MasterCard or Discover. We do not accept checks over the phone.

Holidays Observed
Only Christmas and New Year's Day of our pickup day falls on those holidays or on a day following them that week on Saturday.

Missed Collections?
Please call within 24 hours to report that you are not on one day later even if falls has not been missed.

Moving?
If you are moving, please leave your recycling, yard waste and garbage cans in a clear location for the next resident. Call us at Customer Service.

Cart Sizes
Cans are available in the following sizes:

- Garbage: 20, 32, 64, 96 gallons
- Recycling: 64 gallons
- Yard Waste: 64 gallons
- Cart dimensions:

Size	Height	Width	Depth
20 gal	31 1/2"	18"	12 1/2" x 22 1/2"
32 gal	35 1/2"	18"	20" x 22 1/2"
64 gal	45 1/2"	24"	24" x 24"
96 gal	45 1/2"	30"	24" x 30"

The ECO-PAGE

Helping You Help the Earth!

When Happens to Recyclables & Garbage?
Q: What happens to my recyclables after I put them in my blue cart?
A: After your recyclables are emptied into our truck, they are taken to Pacific Rim Recycling in Bismarck, North Dakota. There, they are sorted and processed into new products. The different material types are then baled together and sold.

Q: What happens to my garbage after I put it in my blue cart?
A: After your garbage is emptied into our truck, they are taken to Pacific Rim Recycling in Bismarck, North Dakota. There, they are sorted and processed into new products. The different material types are then baled together and sold.

Q: What happens to my yard waste after I put it in my green cart?
A: After your yard waste is emptied into our truck, they are taken to Pacific Rim Recycling in Bismarck, North Dakota. There, they are sorted and processed into new products. The different material types are then baled together and sold.

Old pills, medicines and over-the-counter drugs—down the drain or toilet. Flushed drugs end the environment, long paper, cardboard and other materials. What you throw away cannot be recycled. Remove labels and place containers in washable plastic bag. Dispose of safely at a local drop-off site. Call (925) 685-4711 for more information.

Household Hazardous Waste
Household hazardous waste (HHW) includes a wide variety of household products that are flammable, corrosive, toxic, or otherwise hazardous. These include: antifreeze, oil, paint, solvents, and other household chemicals. HHW should not be mixed with other household waste. Call (925) 685-4711 for more information.

Recycling
Recycling is the process of converting waste materials into new materials and objects. This is typically done through a series of steps including collection, sorting, processing, and manufacturing. Recycling helps to conserve natural resources and reduce the amount of waste sent to landfills.

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Republic Services
441 N. Buchanan Circle
Modesto, CA 95235
(925) 685-4711
http://www.rsc.com

Republic Services is a proud member of the U.S. Package Mail Program, Inc.

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2013 CUSTOMER GUIDE

Garbage, Recycling, Yard Waste Services



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Easier to Recycle More

To enhance the City of Clayton's curbside recycling program and create increased convenience for customers to recycle, Allied Waste Services is offering Clayton customers a number of expanded recycling services so at least 50% or more of all solid waste in Clayton is recycled as required by state law.

New and Additional Services Provided at NO CHARGE

NO CHARGE
for an additional
recycling cart.



NO CHARGE for a
bigger recycling cart.
Curbside recycling
collection is unlimited
as long as materials
stay in the cart to
avoid littering.



NO CHARGE
and no limit for
curbside collection
of bulky items. To
arrange a pickup,
please call
customer service
at (925) 685-4711.

NO CHARGE
for an additional
yard waste cart.



NO CHARGE
for a larger
yard waste cart.
Exchange your
64-gallon yard
waste cart for a
96-gallon one.



RECYCLE house-
hold batteries and
compact fluorescent
bulbs curbside.
Place in quart-size
Ziploc bags next
to recycling cart.

QUESTIONS? Call (925) 685-4711.



NO CHARGE
for collection of
e-waste. Call
(925) 685-4711 to
schedule a pickup.

**For Household
Hazardous Waste**
Call (800) 646-1431
Central Sanitary District
4797 Inhoff Pl., Martinez, CA


ALLIED WASTE SERVICES
A REPUBLIC SERVICES COMPANY
WWW.AWSCC.COM

NEVER PUT SHARPS IN A RECYCLING OR TRASH CART



**NO SHARPS
in Your
Brown/Burgundy
Recycle Cart**



A BIOHAZARD

Unless properly disposed of, sharps (needles & lancets) can:

- Injure workers
- Cause infections
- Spread disease
- Harm the environment

Please see other side for proper disposal and more information.



**NO SHARPS
in Your Blue
Trash Cart**

WHY YOU SHOULD NEVER PUT SHARPS IN A RECYCLING CART



Recyclables must be sorted by hand. Any sharp placed in your recycling cart/bin can stick a worker or puncture his or her gloves, left. See guidelines at right for the proper disposal of sharps.

The Proper Way to Dispose of Sharps

By state law it is illegal to discard your sharps (needles and lancets) in household (or commercial) recycling or garbage.

They must be placed in a certified sharps container and dropped off or sent to facilities licensed to handle biohazardous materials. Local and nearby dropoff sites include the following:

- Alamo Sheriff's Substation – 150 Alamo Plaza, Suite C, Alamo
- Benicia Fire Station – 150 Military West, Benicia
- Clayton City Hall – 6000 Heritage Trail, 2nd Floor, Clayton
- Delta Household Hazardous Waste Collection Facility, 2500 Pittsburg-Antioch Hwy., Pittsburg
- Lafayette Fire Station – 3338 Mt. Diablo Blvd., Lafayette
- Moraga Fire Station – 1280 Moraga Way, Moraga
- Mt. View Sanitation District – 3800 Arthur Road, Martinez
- Orinda Police Department – 22 Orinda Way, Orinda
- Rossmoor Medical Center Pharmacy – 1220 Rossmoor Pkwy., Walnut Creek
- San Ramon Fire District – 1500 Bollinger Canyon Road, San Ramon
- Walnut Creek City Hall – 1666 N. Main St., Walnut Creek



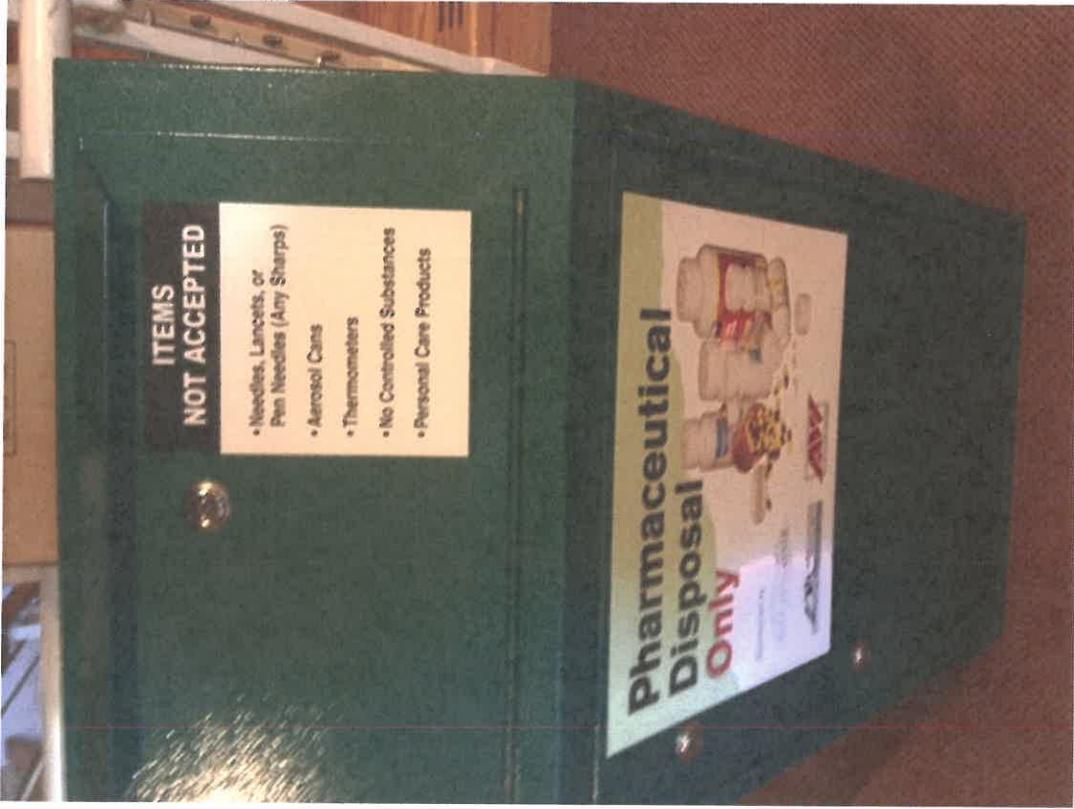
♻️ Printed on Recycled Paper

**CENTRAL CONTRA COSTA
SOLID WASTE AUTHORITY**
www.wastediversion.org

**PACIFIC RIM
RECYCLING**
www.pacificrimrecycling.com

**DELTA DIABLO
SANITATION DISTRICT**
www.ddsd.org

AW
ALLEGED WASTE SERVICES
A REPUBLIC SERVICES COMPANY
www.owsccc.com



City of Clayton Pharmaceutical and Sharps drop off bins available to public during office hours
Located at City Hall 2nd Floor (Police Dept. Lobby)

Household Hazardous Waste Collection Facility

4797 Imhoff Place, Martinez, CA 94553-4392
1-800-646-1431 • www.centrsan.org



Protecting Public Health and the Environment

HOURS OF OPERATION

Residents:
(no appointment needed)

Monday through Saturday:
9 a.m. - 4 p.m.

Businesses:

Monday through Saturday

By appointment only

Closed:

Sunday
and most major Holidays

The Solution to Pollution

Many products in your home contain chemical compounds that can poison, corrode, explode, or ignite when handled improperly. (See list of items on reverse.) When discarded, these substances become household hazardous waste (HHW) and can threaten human health and the environment. For this reason, it is illegal to dispose of HHW in the trash or down any drain. That is why the Central Contra Costa Sanitary District established the HHW Program—to provide local residents with convenient and environmentally safe HHW disposal.

Hazardous wastes brought to our Household Hazardous Waste Collection Facility will never reach waterways through sewers, storm drains, or landfills. To help prevent pollution of our water environment, please bring your HHW to the facility.



THERE IS NO DROP-OFF FEE FOR ELIGIBLE RESIDENTS!

COMMUNITIES ELIGIBLE TO USE THE FACILITY

The collection program services are paid for by members of the communities on the map at right as part of their sewer service charge. Partnership agreements between CCCSD, MVSD, Concord, Clayton, and San Ramon (for southern area) ensure that all central county residents have access to these services.



What Can You Bring to the Household Hazardous Waste Facility?

Household products

- Batteries
- Fluorescent bulbs & compact fluorescent lights (CFLs)
- Mercury thermostat switches
- Grouts/caulking
- Pool chemicals

Paint and paint-related products

- Latex & oil-based paints
- Wood stain & varnishes
- Paint remover/paint thinner & solvents



Household cleaning products

- Bleach
- Liquid cleaners
- Upholstery/rug cleaners
- Oven cleaners
- Furniture polishes
- Tub & tile cleaners

Personal care products

- Mercury fever thermometers
- Fingernail polish & remover
- Hair care products
- Perfumes & colognes

Automotive products

- Motor oil
- Gasoline
- Antifreeze
- Brake fluid
- Transmission fluid
- Solvents
- Car batteries
- Car cleaning products

Garden care and pest-control products

- Pesticides
- Herbicides
- Fertilizers

Other

- Cooking oils and grease (large quantities, as from a turkey fryer)
- Propane tanks (5 gallon or less)



Free Stuff !

The facility has a Reuse Room stocked with items brought in for disposal that are still in useable condition. The inventory often includes paint, wood stain, garden products and a wide variety of cleansers—and they're all free to facility users! The Reuse Room is open Tuesday – Saturday, 9 a.m. – 3:30 p.m.

We do not accept:

- Medicines
- Medical wastes (including sharps—syringes, needles, lancets, etc.)
- Electronic waste (computers, TVs, cell phones, etc.)
- Explosives (ammunition, picric acid, fireworks, etc.)
- Compressed gas cylinders (propane accepted)
- Wastes contaminated with PCBs (fluorescent light ballasts accepted)
- Treated wood wastes

State regulations limit the transportation of hazardous waste to 15 gallons or 125 pounds per visit. Individual containers are limited to 5-gallon capacity.

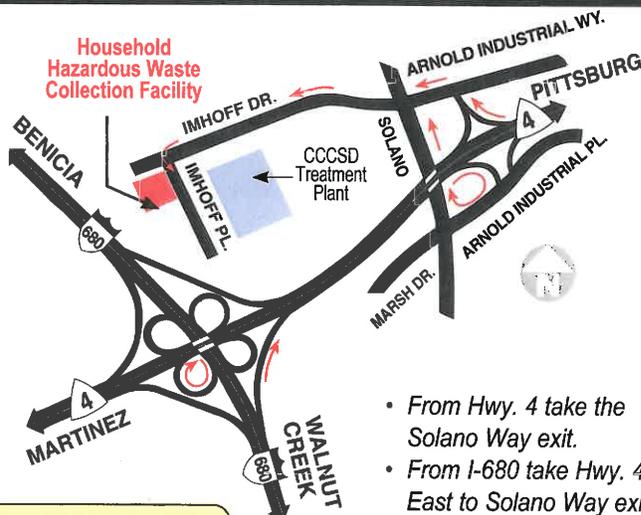
There is no drop-off fee and no appointment necessary for residents of central Contra Costa County. Small businesses require an appointment and are charged a nominal fee. For more information, please call 1-800-646-1431 or visit our website: www.centalsan.org

HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY HOURS AND LOCATION

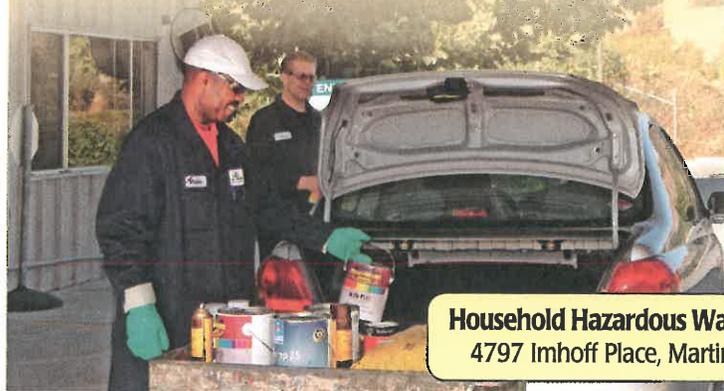
Residents: Monday – Saturday, 9 a.m. - 4 p.m.
(Reuse Room closes at 3:30 p.m.)

Businesses: Monday – Saturday, by *appointment only*

Phone: 1-800-646-1431
www.centalsan.org



- From Hwy. 4 take the Solano Way exit.
- From I-680 take Hwy. 4 East to Solano Way exit.



Household Hazardous Waste Collection Facility
4797 Imhoff Place, Martinez, CA 94553-4392

Daisy Troop learns value of recycling first-hand

NICO SHIPSTEAD
Clayton Pioneer

It's not every day a bunch of young Girl Scouts get to learn about the world with the help of things that have been tossed away. But that's just what hap-

pened when Daisy Troop 33202 from Mt. Diablo Elementary visited Mt. Diablo Recycling to study the Four Rs: Respect the earth, Reduce, Reuse and Recycle.

It was also fun to see cool machines sort and package tons

of material into rectangular cubes for transporting around the world to become other useful items.

Mt. Diablo Recycling in Pittsburg — owned by the Garaventa family — is the largest California recycling facility. The

1,000 pounds of gifts, siblings, grandparents and parents combined weighed a mere postage compared to the 49,000-pound recycling truck entering the 90,000 square foot state-of-the-art facility — or to the tons of

recycling that flow through the center.

Mt. Diablo Recycling opened in September 2008, serving Concord, Pittsburg,

See Recycling, page 6



Nico Shipstead/Clayton Pioneer

DAISY TROOP 33202 AND THEIR SIBLINGS TOURED MT. DIABLO RECYCLING to learn about the 4 R's: Respect the earth, Reduce, Reuse and Recycle. From left to right: Karleigh, Elena, Isabella, Haley, Ava, Shantelle, Megan, Lexie, Monise, Sophia, Erika, Molly and Jack.

Recycling, from page 1

Oakley, Discovery Bay and Rio Vista. "Going green is not new to our family," said Sil Garaventa, Jr., vice chair of Garaventa Enterprises. His grandfather, Andrea Moresco, operated a one-truck garbage route in the 1930s in the then-country town of Concord. "My grandfather was the original recycler," Garaventa said.

"Less than 6 percent is trash," said Adriana Medina, assistant recycling coordinator, "and even that we sell to a company in San Jose."

Greeted by Medina, public tours begin at a bird's eye perch overlooking mountains of materials.

The Daisies spotted a basketball and a Skipohm's Pizza box before entering the processing floor for their weigh in.

Collectibles dumped in the "new generation" totally enclosed facility are sorted using a system of belts, filters and slides on "Big Blue" in a single stream process capable of separating 20 tons of recyclables per hour. There are six categories of recyclables: plastic (which is shipped to China to become, impressively, sweatshirts and tents), aluminum, cardboard, paper, aluminum cans and glass. Mt. Diablo Recycling now also takes the plastic bags used by retailers.

Another machine — aptly named Wall-E after the 2008 Pixar movie robot designed to clean up trash on a devastated earth by "eating" and packaging garbage into cubes — bundles sorted material into bales shipped all over the world for processing into new products.

Medina explained how "garbage" (stuff that can't be used anymore) dumped into a huge hole dug into the ground and covered over creates land-fill. The more materials recycled means the hole fills up slower. Fewer holes make for more places to play soccer, a favorite pastime Medina shares with the Daisies.

Six-year-old Sophia Carcamo explains the difference between recycling and garbage: "It looks

a lot like trash but there's a lot of cardboard," she said.

Visitors also got ideas for crafts reusing recycled materials. "I made a cane, like a walking cane, once — out of a long tube that was skinnier than a toilet paper tube," said Shantelle Tupaz.

The Daisy's will earn a badge for visiting the recycling center. "It ties in with our group lessons on taking care of others and ourselves," said troop leader Lyndee Moylan.

Located at 1100 Liveridge Road, Pittsburg, Mt. Diablo Recycling offers a daybook center open Mon-Fri, 8 a.m. to 4 p.m. Visit their online at www.mtidiablomtrecycling.com. To set up a tour contact Adriana Medina at 925-771-2721.

Earthtalk

Has recycling lived up to its promise?

Americans still don't recycle as much as they could. Nonetheless, the practice is already considered a huge success given that it keeps about a third of the solid waste we generate out of our quickly filling landfills and saves natural resources while generating much-needed revenue for struggling municipal governments. Recycling also helps us keep our carbon footprints down: According to the U.S. Environmental Protection Agency, recycling one ton of aluminum cans conserves more than 1,665 gallons of gasoline.

Of course that doesn't mean the progression from virtually no recycling just 40 years ago to today's U.S. average of 33.8 percent has always been smooth. Some types of materials, especially mixed plastics, have proven difficult and/or expensive to recy-

cle, causing skeptics to question the overall value proposition. But well managed recycling systems that focus on profitable resources like glass, paper and metals have been a big success. And why wouldn't they be, when recycling uses as little as five percent of the energy required for virgin production of materials such as aluminum?

Sara Brown of Presidio Graduate School reports that, while recycling has gained significant momentum during the last two decades, it has still not yet realized its potential. "Unfortunately, recycling pick-up services are not cheap and it is viewed as a redundant service; extra trucks mean extra cost," she says. "Trash, on the other hand, is far more indiscriminate because everything just goes to one place, the landfill."

New York City was a pioneer

in recycling, she says. But when the city became strapped for cash, recycling rates fell precipitously to just 15 percent and have not recovered. "New York City officials claim it is more expensive to recycle than to send trash to landfills and incinerators for disposal, and that they have to weigh those costs against environmental goals."

On the other end of the spectrum is San Francisco, which has been steadily increasing its recycling and composting and is now up to over 77 percent. Even more incredibly, the city is aiming for zero waste by 2020. Brown lauds San Francisco for structuring its recycling program to promote the desired behavior. "Curbside fees are charged on a 'pay as you throw' basis for trash, while recycling and compost are free, creating a financial incentive for fol-

lowing the law and sorting your waste." Brown adds that programs like San Francisco's prove that recycling can be economically viable besides being good for the planet.

Brown acknowledges we've come a long way with recycling but that there is still great potential to do more. A November 2011 report entitled "More Jobs, Less Pollution" by Recycling Works! supports a U.S. government mandate to divert 75 percent of our waste coast-to-coast by 2030. The result would be 1.5 million new jobs as well as significant pollution reduction and savings in water and other resources.

EarthTalk® is written and edited by Reddy Sebes and Doug Moss and is a registered trademark of E - The Environmental Magazine. Send questions to: earthtalk@emagazine.com

Boy Scouts to 'tree-cycle' Christmas trees on Jan. 6

On Sunday, Jan. 6, Boy Scout Troop 484 will conduct its annual Treecycling event in Clayton, picking up Christmas trees for recycling as they have done for nearly 20 years. Unique to this



STEPHEN CUFF, BRINLEY OWEN AND MATTHEW LINDHOLM unload trees during a previous Treecycling event. Allied Waste brings chippers to the drop-off site the following week to recycle the trees.

event, residents can show their support by making donations directly to the troop. The Scouts have fun during the tree collection and use the money for troop activities throughout the year such as for summer camp and kayaking in Monterey. The troop performs several service projects for Clayton such as volunteering at the Art and Wine Festival, Library Book Move and Oktoberfest.

Donate directly to the scouts as they pick up trees or mail a check payable to: BSA Troop 484, 807 Savignon Court, Clayton, CA 94517.

Please do not leave a check or any cash on the tree itself.

For more information, contact Ken Frey at 323-1524 or kjfrey1701@yahoo.com

Classified

Creekside Arts call for artists

CREEKSIDE ARTS 2013!

Call for ...

*Artists * Musicians *
 Authors * Poets *
 Storytellers *
 *Environmental &
 Community Groups!

The Clayton Community Library Foundation is seeking participants for its 10th annual Creekside Arts Celebration as the library celebrates its 18th anniversary.

This year's theme, "100 Years of Stories," also honors the Contra Costa County system for providing stories for the community since 1913. Admission is free. Fee for entrants. Sales benefit the Foundation in their exploration of the arts, culture and nature while supporting environmental education programs in the library's certified creekside wildlife habitat. Entertainment for all ages includes interactive workshops in visual and performing arts, art sales, cultural performances, storytelling, poetry, authors, illustrators and music, environmental education groups and guided nature, cul-



SUSAN PACE-KOCH, CHILDREN'S AUTHOR and Bay Area Independent Publishers Association award winner, is a new presenter at this year's Creekside Arts Celebration.

ture and art tours throughout downtown Clayton. Awards will be presented to artists who creatively interpret this year's theme juried by new juror Elizabeth Tuck, president of California Writers Club, Mount Diablo branch, and the Arts and Culture Commission of Contra Costa County. People's Choice Awards will be given. Highlighted will be the ever-popular Jim Hale, renowned wildlife biologist and ethnobotanist; Tazuo Yamaguchi, national award-winning poet, will lead both a workshop and open poetry readings; and Susan

Pace-Koch will present story boarding techniques. New musical jam sessions include: African, Cuban drumming and returning ukulele jam.

For entry forms, go to claytonlibrary.org. Submission deadline is March 15. For more information, contact Arlene Kikkawa-Nielsen, Event Director, 673-9777 or arikiksen@aol.com. The event is Friday, March 22, from 6 to 8 p.m.; Saturday, March 23, from 10 a.m. to 6 p.m. and Sunday, March 24, from 12 to 5 p.m. The weekend event is at the Clayton Community Library, 6125 Clayton Road.

Learn the fun side of recycling

Mt. Diablo Recycling is celebrating Earth Day next month by encouraging the community to go beyond filling up recycling containers to learn how to help extend the life of recycled materials.

In its "Reuse & then Recycle" program on Saturday, April 20, MDR will offer two free sessions introducing interested residents to its myriad functions at its 90,000-square-foot facility in Pittsburg.

The family "celebration" includes presentations and tours of the facility, featuring colossal recycling machine, Big Blue, and his machine buddy, Big Wall-e; information about "the 4Rs" (Reduce - Reuse - Recycle - Respect the Earth), and an introduction to MDR's mascot, The Recycling Guy.

Event handouts include a mini recycling container and a listing of what is accepted in MDR's residential recycling program. Participants can also make and take home unique reusable treasures and play the "Divide up the Recycling" game.

The identical sessions take place from 9:30 to 11:30 a.m. and from 12:30 to 2:30 p.m. Saturday, April 20, at 1300 Loveridge Road in Pittsburg. Contact Nicole Impagliazzo at 925-692-2224 or send email to Nicole@Garaventaent.com with questions or to reserve space for the morning or afternoon session. RSVP by April 12.

Save the Date
**Clayton
Cleans Up**
April 27, 9 a.m.
City Hall Courtyard
BBQ lunch for volunteers
at 11:30

Clean up Clayton and take home a designer T-shirt



PIONEER STAFFERS Pamela Wiesendanger, Tamara Steiner and Pete Cruz sport the Clayton Cleans Up t-shirts designed by local artist Patricia Crane.

Rain or shine, scores of Claytonians show up at City Hall every year on a Saturday morning in April to pick up garbage bags and gloves before heading out to the city streets for Clayton Cleans Up.

This event, held to honor Earth Day, is a great chance for kids, adults, Scout Troops, service clubs, families and neighbors to spiff up the town in readiness for the Art and Wine Festival.

This year's free T-shirt is a special designer edition created by Clayton resident, Patricia Crane. "I have been interested in art since my first box of crayons and have always managed to have some type of art in my life," Crane says. She continues to take

art classes that are offered locally and participate in community theater. "I am happy that I can use my computer design skills to give back to the community through groups like the Clayton Valley Art Collaborative and Clayton Cleans Up."

Volunteers meet at 9 a.m., Saturday, April 27, at City Hall to pick up a T-shirt, garbage bags and gloves. At 11:30, everyone meets back at City Hall for a barbecue lunch.

The event is sponsored by the Clayton Pioneer and the city of Clayton with generous donations from Allied Waste, Travis Credit Union and local merchants. For more information, call the Pioneer at (925) 672-0500.

Dana Hills greenbelt gets new water-saving irrigation



A block-long greenbelt between Mt. Duncan Dr. and Mountaire Parkway in the Dana Hills subdivision has been outfitted with a new irrigation system focused on efficiency and water conservation. The project, which was going on simultaneously with street work in the area by the city of Clayton, includes five times as many sprinklers as the previous system. The new install provides for fuller, more efficient lawn coverage and eliminates water on the walkway that runs through the greenbelt. The Dana Hills Homeowners Association funded the project.

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- Get a beautiful new garden
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JENNIFER LEISCHER
DESIGN & DÉCOR

April is the perfect month to celebrate all things "Green." With Earth Day taking place this past Monday and today being Arbor Day, if you plant a tree or organize a plan for your family to recycle more, you're doing small, but important deeds to keep our environment thriving.

Green isn't just a color in home design

From a design perspective, there are many things you can do to incorporate environmentally friendly products into your designs. From recycled hardwood floors to repurposing that old chest of drawers, here's a few ideas to bring the "Green" lifestyle into your home.

- If you're thinking about painting the exterior of your home or an interior space, consider choosing a Low or No VOC paint. Fewer toxins in the atmosphere is a good thing, at any level. "Green" paints are a big deal for paint manufacturer's these days as everyone wants to be a little more environmentally

friendly. So take an extra step when choosing your paint base and ask for the Low or No VOC product.

- Using reclaimed lumber for floors, case goods, or decorative arts and crafts is a great way to "upcycle." What is upcycle? Upcycling is taking something that you would otherwise throw out and finding a way to make it into something else. If you're in the market for new hardwood floors, or just need lumber to create something new, don't cut down a tree; consider the reclaimed hardwoods instead.
- Purchasing tile or carpet that has recycled content is a great way to show your spirit for eco-friendly living. There are many beautiful tile designs that use bits of glass or stone or ceramic tiles that have been ground down, just like cement. And I love the fact that some carpet lines actually use plastic soda bottles to cut pile carpet! Again,



FURNITURE CAN BE STYLISH, FUNCTIONAL AND ENVIRONMENTALLY friendly all at the same time. When designing your home, keep a clear vision of your design aesthetic, buy locally, and consider "Green" products when you have a choice.

taking the extra step to research the products you are using to remodel your home is an easy one. I've talked about repurposing furniture in a few of my arti-

cles, but this month, it's most important. The chair your grandmother gave you that's sitting in your garage? Consider having it upholstered so it can be used in one of your living

spaces. Or the dining table with the golden oak finish (that you can't stand), consider refinishing it to the color that works best with the rest of your dining room décor. And if you don't have a chair hanging around, or a table that needs a second life, head over to the Alameda Antique Faire to find your own treasures. For more information, visit www.alamedapointantiquesfaire.com/index.php

If you're remodeling any living space within your home, before hauling demolished materials to the dumps, consider recycling. For more information, visit www.calrecycle.ca.gov/RCP/Construction.asp.

Swapping out your existing light bulbs for the energy efficient Dairy Queen-looking swirl

Jennifer Leischer is the owner of J. Design Interior Design. Contact her with questions, comments and suggestions at jm@jdesign.com

Around Town

Clayton Cleans Up breaks all records with nearly 300 volunteers enjoying a sunny, trashy morning



On a warm and sunny Saturday morning, more than 275 volunteers signed in at City Hall to pick up their orange trash bag and don the t-shirts designed especially for the event by Clayton artist Patricia Crane.

Volunteers included families, scout troops and church groups. Over a dozen young missionaries from the Church of Jesus Christ of Latter Day Saints were on hand in their bright yellow shirts to make the event part of their service projects.

With that many people combing the town's streets, trails and creek banks, there were bound to be some pretty interesting items in the dumpster at the end of the day.

One family dragged a couple of chairs and a sleeping bag back to the trash pick up site. Another group of girls loaded several full bags of loose trash onto a wooden pallet they pulled out of the creek.

But, by far the biggest, heaviest and most oddball of all the trash recovered was a bathtub.

By 11, when the streets were scrubbed clean, the volunteers

gathered back at City Hall for a BBQ.

The annual event is sponsored by the Clayton Pioneer and the city of Clayton with generous donations from Allied Waste, Travis Credit Union, Safeway, Peets Coffee and Fresh and Easy also contributed.

Clockwise from top: Clayton mayor Julie Pierce, front right, and husband Steve, filled up the hungry volunteers with hot dogs and hamburgers; CBCA president Keith Haydon, left, and Clayton's new Community Development Director, Charlie Mullens; Bottom, We didn't get their names, but these local teens were having a great time and their bags were almost full.



Annual hike opens students' eyes



SAMANTHA TUOHEY
DVMS REPORTER

Each year, Mrs. Brewington, the seventh grade science teacher at Diablo View Middle School, takes all of her students on a hike up Mt. Diablo. This year, about 80 students and 10 parents hiked 10 miles to Deer Flat and back down.

Since the seventh graders learned about life science this year, the hike was a great field trip. The students saw the local trails, plants and animals on Mt.



Maddie Webster, DVMS student

A 10-MILE HIKE ON Mt. DIABLO gave DVMS 7th graders a deeper appreciation of the ecology of the area.

Diablo and the hike was a physical challenge for many people.

"Another goal is hopefully to create future hikers that value the importance of public green space and foster good stewardship of local trails," said Mrs.

Brewington. It is also a very affordable trip for the school and parents.

Although the hike was strenuous, it was also very rewarding, as the views were magnificent. "I thought that it was arduous

and exhilarating," student Zackey Sahebzada said.

"It was really hard, but it was really fun at the end," said student Julia Wickware.

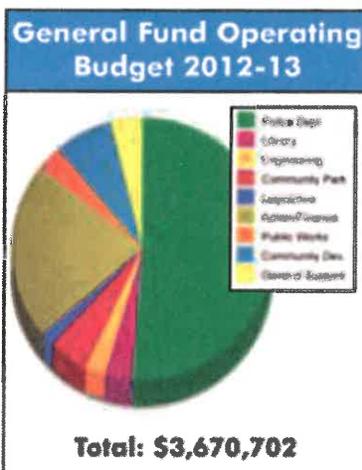
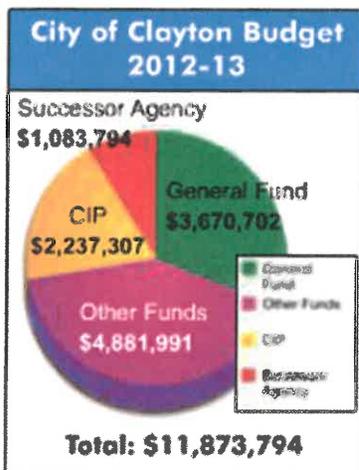
Mrs. Brewington said that her favorite part of this year's hike "is my favorite part of every year's hike – to watch students' faces as they admire views they have never seen before and the pride they take in themselves when the hike is over. It's really quite an accomplishment!"

The hike is a wonderful field trip for seventh grade students. They got to take a break from all of their hard work and really enjoy themselves on the mountain in their own backyard.

Samantha Tuohy is in the seventh grade at Diablo View Middle School and plans to be a writer someday. E-mail your story ideas, comments and questions to Samanthak@claytonpioneer.com.

Thursday
 July 12
 July 26
 August 9
 August 23
 In the City
 6:00 to 8:30

Clayton Council approves budget with \$200,000 gap



Last week, the City Council approved a 2012-13 budget that falls \$200K short of balanced.

Continually declining property tax revenues, the Redevelopment Agency bloodbath in February, cumulative state take-aways and a decade of slow to non-existent growth have now sent general fund revenues below what they were in 2002. A

long, confusing list of "trailer" bills to the state budget threaten to further squeeze blood from the city's turnip.

"This is the 'dawning of the Age of Austerity,'" said City Manager Gary Napper in his budget message to the Council.

Despite the current

See Budget, page 6

Budget, from page 1

recession, the city has managed to avoid dipping into reserves, dodging one fiscal bullet after another. City employees have shouldered much of the burden, says Napper, forgoing all raises including cost-of-living adjustments, and adding 11 unpaid furlough days per year.

The loss of funds from the Redevelopment Agency before

the city received all its property tax money was the punch that threatened to send the budget to the mat. The city will not receive any administrative reimbursement from the agency, nor will it see a payback of the the \$500,000 loaned to the RDA in 1999 to buy the land for Station 11 fire station.

However, with careful man-

agement, a little luck and the occasional unexpected windfall, the city may still end up on its feet, says Napper, noting that the city has always budgeted conservatively.

"Staff only hopes the city's historical propensity to beat its revenue projections and operate under its expense budget will hold for this fiscal year (as it has in the past.)"

For a complete copy of the 2012-13 budget, go to www.ci.clayton.ca.us



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We Buy Back Your Recyclables!
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Open Monday - Friday
8 AM to 4 PM
925.682.4518

Recycle for Our Future

Please call for pricing
1300 Loveridge Road, Pittsburg
Brought to you by Concord Disposal

Clayton Cleans Up 2012



It was a clean sweep for city streets and trails last Saturday when nearly 200 turned out for Clayton Cleans Up.

The morning was warm and sunny and spirits were high as scores of kids and parents gathered in the courtyard of the City Hall to pick up gloves and trash bags before heading out to rid the city streets of trash.

The annual event, sponsored by Allied Waste and the Clayton Pioneer, is the spring cleaning the town needs to get ready for the Art and Wine Festival, the Garden Tour and the summer concerts.

By 11 a.m., the town was sparkling and the grills were hot when everyone returned to City Hall for barbecued hamburgers and hot dogs.

Pictured from left: Girl Scout Darius Grella, Caitlyn, Ana Sommers, Quincy Miller and Kiera Jarvis earn a badge for community service; Daniel Clayton Cantas, Jr. and Fiat Stables; with Clayton Cleans Up committee member Linda Ponder; Longtime Claytonians Robert and Velana Manion attended their first Clayton Cleans Up; Ryan Steffield, Thomas Santala and Sam Burchholz; Scouts from Troop 444 helped with event setup and cleanup and in between filled their own orange bags.





Clayton Cleans Up April 21

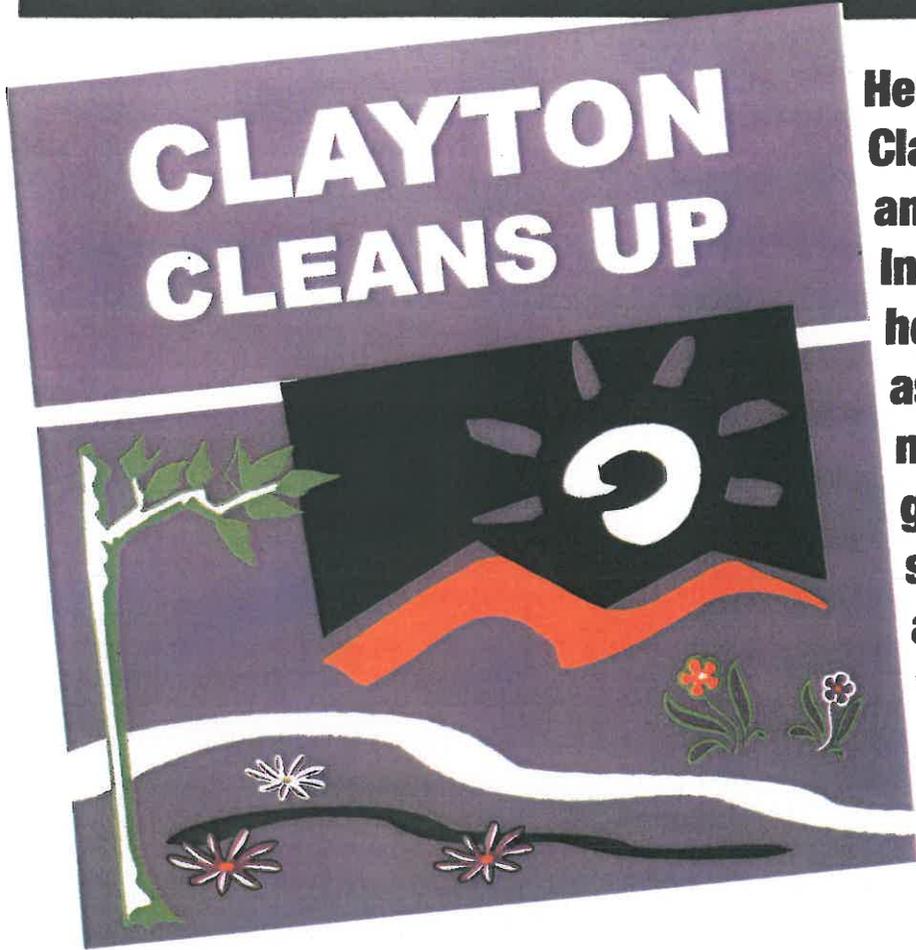
Observe Earth Day with your friends and family and help Clayton spiff up for the Art and Wine Festival.

Join your neighbors on Saturday, April 21, rain or shine, for Clayton's annual spring cleaning.

Meet at City Hall at 9 a.m. to pick up trash bags and T-shirts and spend the morning cleaning up Clayton streets, trails and creek banks.

Then meet back at the City Hall courtyard for a barbeque lunch.

The event is sponsored by the Clayton Pioneer, the city of Clayton and Allied Waste with generous donations from Fresh & Easy, Instant Imprints, Navlet's, Peet's Coffee and Safeway.



**Help clean
Clayton creeks
and parks.
Individuals,
homeowners
associations,
neighborhood
groups,
service clubs...
anyone is
welcome!**

Saturday, April 27, 2013

from 9 a.m. - Noon.

**Meet at Clayton City Hall,
6000 Heritage Trail.**

Free barbecue.



Artwork courtesy of
Patricia Crane

For more information, call 672-0500.

Greekside Arts 2013!

Schedule of events - Theme "100 Years of Stories"

MARCH 22 (Open Recept. 6-8:30pm), MARCH 23 (10-6), MARCH 24 (12-5, Library opens @ 1)

The Clayton Community Library Foundation in cooperation with the City of Clayton

FRIDAY (6-8:30pm) - "OPENING RECEPTION", mini sampling of ART for sale, music, light refreshments, PLUS...

6:30 p.m. - Art Demonstrations: Seema Mahboob, collage, Leslie Wilson, watercolors, Julie VanWyk, acrylics

7:00 p.m. - "LIVE" GREAT HORNED OWL, "OBI-WAN" by Corvid Connection, Elaine Friedman, sketch this local raptor with painter, Leslie Wilson, CA Watercolor Assoc.

7:30 p.m. - Presentation of Art Awards, juried by **NEW** juror, Elisabeth Tuck, Pres. California Writer's club, Art Concepts, Inc., and Arts & Culture Commission of CCC.

SATURDAY (10-6) - Ongoing ART SALES and ECO GROUPS, PLUS...

10:00-12:00- OUTDOOR PLEIN AIRE painting, Qian Gao, CA Watercolor Assoc.

1:00 2:00- **NEW** WOOD MARQUETRY, Brian Condran, Diablo Woodworker Assoc.

2:00-2:30 **NEW** STORY BOARDING, Susan Pace-Koch, BAIPA award winning author, "Get out of My Head"

2:30-4:00 JIM HALE, Wildlife Biologist, ethnobotanist, "Clayton Valley, 100 years ago in 1913...the wildlife, culture", with an outdoor Interpretive Tour to follow with photo opportunities beginning at the library's creekside habitat.

3:00-5:00 CLAYTON ARTWALK TOUR, Jeffrey DeSalles, artist will be your tour guide throughout downtown Clayton beginning at the library, city hall, museum, more.

3:30-4:00 **NEW** RHYTHM & PERCUSSION John Waller, musician, leads a demo.

SUNDAY (12-5, library opens @ 1) - Ongoing ART SALES and ECO-GROUPS continue with "LIVE" ongoing demonstrations PLUS...

12:00-1:00 **NEW** PERFORMANCE POETRY WORKSHOP, Taz Yamaguchi, national award winner, filmmaker, leads this fun, interactive workshop. Light refreshments.

1:00-2:00 PERFORMANCE POETRY OPEN READINGS, led by Taz

2:00-2:30 UKULELE JAM, Robert & Ehu Alidon, bring your ukulele to join in!

2:30-3:00 DIABLO TAIKO, experience this powerful Japanese drumming firsthand with audience participation.

3:00-3:30 **NEW** CRAZY QUILT OF A 1913's TALE, Joy Koonin, storytelling dressed in character as a young girl living in The Clayton Valley during 1913. Quilt squares with authentic patterns to be made by attendees through 5th grade.

3:30-4:00 - **NEW** GATHERING OF DRUMS, Patricia Frame, musician, join in this interactive drum circle with a variety of hand drums, percussion instruments.

4:00-4:30 - PEOPLE'S CHOICE AWARD announcement!



COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
JULIE K. PIERCE, MAYOR
MARK STRATFORD, VICE MAYOR
JIM DILL
HOWARD GELLES
DAVID T. SMITH

April 4, 2013

Senator Alex Padilla
State Capitol, Room 4038
Sacramento, CA 95814-4900

RE: Support for SB 405 - Single-Use Carryout Bags

Dear Senator Padilla:

The City of Clayton would like to express our support of SB 405, as written on February 20, 2013. SB 405 will establish a comprehensive statewide ban on single-use plastic carryout bags at supermarkets, retail pharmacies, and convenience stores throughout the state.

The City of Clayton deals with, and is concerned about, the deleterious effects of this problematic constituent of our waste stream. We are not alone, as over sixty municipalities including the County of Los Angeles, City of San Jose, San Luis Obispo County, San Francisco City and County, and the City of Long Beach have adopted single use bag bans. Dozens of others municipalities, like the City of Los Angeles, are working toward bans within their communities. The plethora of bans throughout the State, each of which are a bit different from other neighboring communities, creates a difficult problem for retail businesses; as no consistency exists on a statewide or regional basis.

Rather than taking a piecemeal community-by-community approach, SB 405 will create a uniform policy, and regulatory certainty for businesses and consumers. The City of Clayton agrees with others, including retailers, that comprehensively addressing single-use bags and encouraging consumers to use reusable bags, is the most sustainable alternative. Moreover, this bill will make headway in reducing the number of single-use bags that cause pollution and unwanted environmental consequences.

Finally, we suggest that you consider combining this bill with a similar effort, AB 158 (Levine).

Sincerely,

Julie Pierce, Mayor
City of Clayton

cc: Senator Mark DeSaulnier
Assembly Member Susan Bonilla
Assembly Member Joan Buchanan
Assembly Member Jim Frazier
Assembly member Nancy Skinner



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City Council
JULIE K. PIERCE, Mayor
MARK STRAZZANO, Vice Mayor
JIM DYER
HOWARD GIBLIN
DAVID T. SMURK

April 4, 2013

Assembly Member Marc Levine
PO Box 942849, Room 2137
Sacramento, CA 94249-0010

RE: Support for AB 158 - Single-Use Carryout Bags

Dear Assembly Member Levine:

The City of Clayton would like to express our support of AB 158, as written on January 22, 2013. AB 158 will establish a comprehensive statewide ban on single-use plastic carryout bags at supermarkets, retail pharmacies, and convenience stores throughout the state.

The City of Clayton deals with, and is concerned with, the deleterious effects of this problematic constituent of our waste stream. We are not alone, as over sixty municipalities including the County of Los Angeles, City of San Jose, San Luis Obispo County, San Francisco City and County, and the City of Long Beach have adopted single use bag bans. Dozens of others municipalities, like the City of Los Angeles, are working toward bans within their communities. The plethora of bans throughout the State, each of which are a bit different from other neighboring communities, creates a difficult problem for retail businesses; as no consistency exists on a statewide or regional basis.

Rather than taking a piecemeal community-by-community approach, AB 158 will create a uniform policy, and regulatory certainty for businesses and consumers. Our City agrees with others, including retailers, that comprehensively addressing single-use bags and encouraging consumers to use reusable bags, is the most sustainable alternative. Moreover, this bill will make headway in reducing the number of single-use bags that cause pollution and unwanted environmental consequences.

Finally, we would suggest that you consider combining this bill with a similar effort, SB 405 (Padilla).

Sincerely,

Julie Pierce, Mayor
City of Clayton

cc: Senator Mark De Saulnier
Assembly Member Susan Bonilla
Assembly Member Joan Buchanan
Assembly Member Jim Frazier
Assembly Member Nancy Skinner

Attachment C7i

Agenda Date: 3-19-13

Agenda Item: 4d



STAFF REPORT

Approved:


Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Assist. to the City Manager 

DATE: March 19, 2013

SUBJECT: Establishing 2013-2014 ERU Assessment Rate for Federal and State Mandated National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention)

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution, Establishing the Rate Per Equivalent Run off Unit (ERU) for FY 2013-14 and requesting the Contra Costa County Flood Control and Water Conservation District to adopt an Annual Parcel Assessment for Drainage and Maintenance and the National Pollutant Discharge Elimination System (NPDES) Program, maintaining the current ERU Rate at \$29.00 per single-family parcel.

BACKGROUND

The 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems. As implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes. Stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government. During wet weather, large amounts of pollutants, such as oil and grease from automobiles, heavy metals from vehicle exhaust and brake pads, such as copper and lead, pesticides, herbicides and fertilizers from lawns and gardens, soil erosion, and biological material enter the storm drain system and ultimately empty, untreated, into creeks, waterways, the Delta and Bay.

The City participates and obtained its joint NPDES permit from the SF Regional Water Quality Control Board via the Contra Costa Clean Water Program whose participants include the cities within the County, the County and the Flood Control District. The City of Clayton has participated since its inception fourteen years ago (September 1993). The SF Regional Water Quality Control Board issued the third five-year permit in December 2009 for 2009/10-2013/14. The new permit is called the Municipal Regional Permit (MRP), which covers many counties and cities in the bay area (rather than individual county by county and the cities within). The process to issue the new MRP took five years. The permit

Subject: Establishing 2013-2014 ERU Assessment Rate for Federal and State Mandated National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention)

Date: March 19, 2013

Page 2 of 5

allows the city and other jurisdictions to utilize the storm water drainage system for the discharges into creeks that ultimately drain into the bay. This joint participation allows for the program management and permit process costs to be kept to a minimum through economies of scale and local and regional collaboration, at a fraction of the cost of doing it alone. The program provides for a regional approach to Stormwater pollution control, regional monitoring, public education and outreach, technical support and training, special studies and NPDES permit administration requirements.

As part of its permit conditions, Clayton is required to implement a comprehensive Stormwater Management Plan (SWMP). The SWMP includes public participation and inter-governmental coordination designed to reduce the discharge of pollutants into the storm drainage system to the maximum extent practicable through the required implementation of 500 plus Best Management Practices (about 400 pages in long with an annual checklist that is 100 pages in length), or BMP's as they are commonly referred. (For comparison in FY 03-04 amendments were added to our permit by the Regional Board, commonly referred to C-3, which increased regulation and monitoring activities for development/construction controls, municipal maintenance, public education and outreach, illicit discharge and inspection, and documentation and reporting. These amendments increased our current permit requirements to about 75 pages. In 1997 there were 257 BMP's covering 40 pages; in 1993 the first permit time frame there were 12 BMP's, about 5 pages in length, all related to municipal maintenance activities such as drainage inlet cleaning and v-ditch cleaning).

Staff is aware the cost of meeting the obligations of the increased requirements contained in the MRP will begin to exceed our revenues received from the ERU. The shortfall for FY13-14 is expected to be \$31,082 which will be able to be covered by the Stormwater Reserve Fund balance. Although difficult to fully identify all future additional costs at this point, staff has identified the minimum estimated cost impacts by the new regulations to the City could outpace revenues by up to \$113,225 in future years (some might be able to be covered by the remaining special fund reserve use).

When the program was originally established in 1993, the rate cap for the current parcel fee in Clayton was set by the City Council at \$29/ERU. Because other members of the Clean Water Program also have the same issues (costs exceeding available revenue available from the ERU rate) a cost/revenue analysis was undertaken by the Contra Costa Clean Water Program to evaluate possible additional funding mechanisms for the added requirements of the MRP. The Clean Water Program attempted three times the pursuit of legislation to add stormwater to the definitions of other utilities such as sewer and water and was not successful in receiving needed legislative support, or getting out of committee, and there is not any support by the governor and his staff. It was after these state wide attempts were fruitless, our staining local funding and the continuing increased requirements by state regulating agencies that led to the recent Prop 218 property owner vote for a new parcel fee. The new second revenue measure did not pass. However, in order to continue to receive our existing the current ERU rate of \$29 per single family parcel (the same amount that we have levied since FY1999/2000), must be levied. Failure to levy this fee would result in the City having to use its General Fund to pay for these unfunded state mandates.

DISCUSSION

Staff currently participates, at least monthly as is required by the program agreement and state permit, on the Clean Water Program's New Development Construction Controls Committee, MRP Implementation sub-committee, and Management Committee; and as needed –usually quarterly in the Administrative and Finance Committee and the Monitoring and Inspection Committee. City staff typically attends and participates in 3-4 meetings per month as is required for permit compliance.

The new MRP added many new requirements including further reduction of the development, threshold of significance from the current 10,000 sq. feet five (effective February 2006), to the 2,500 sq. feet which became effective December 2012. This threshold also applies to widening of roads (including adding of

Subject: Establishing 2013-2014 ERU Assessment Rate for Federal and State Mandated National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention)

Date: March 19, 2013

Page 3 of 5

turn lanes); additions of hardscape in medians; new sidewalk/asphalt path installation; bike lane additions and additions to existing developments, including single family homes. Other permit changes result in more staff time to review and modify environmental review, mitigation, monitoring, reporting, development conditions, general plan and municipal ordinances. One of the largest components of the new permit is the trash load analysis and reduction program that cities must undertake. The cities completed their draft documents and filed them electronically with the SF Regional Water Board in March. This provision requires cities to reduce their trash pollution load by 40% by 2014, and completely eliminate (100% reduction) by 2020. There are annual studies and documentation showing its progress that the cities must file as part of its Annual Report to the State. They include mandatory maintenance items such as cleaning of trash along specific areas of creeks and drainage inlets; the quantification of the materials collected; and enforcement action (issuance of citations) to individuals for pollution runoff. The permit also increases the number of items the creeks and waterways testing needs to cover, requires establishment of local ordinances to prohibit the use of plastic grocery type bags, or other litter materials, mapping, monitoring and of all creeks and all outfalls to creeks, and specific on-going litter removal down to the size of a cigarette butt of litter on certain distance of creek segments and the cleaning of private drainage inlets (we currently do public inlets only). The reporting format requires cities to either use its own or contract for computer data base of mapping, reporting and monitoring information and making and transmitting electronically to the SF Regional Water Board where they will post to a public accessible web site. Another focus of the permit is increased and/or enhanced inspections to commercial businesses. The City contracts with Central Sans to perform these inspections, as they have the special training needed to undertake and most of the businesses are restaurant businesses which they already periodically inspect. The new permit also requires all maintenance staff and city contractors that apply herbicides or pesticides to be certified in Integrated Pest Management Practices (IPM), and Bay Friendly Certified, and for cities to have local IMP management plans and/or ordinances.

These additional unfunded mandates has already, and will continue to, increase staff time spent on NPDES program. Only a small portion of the permit costs are recovered through deposit accounts where they relate to new development projects.

Another on-going issue is the establishment of legislation via litigation. Certain third-party interest groups have repeatedly brought successful legal action against the EPA, State and Regional Agencies, the cities, county, and our Clean Water Program. These court actions have in the past increased costs for legal defense and added to the program requirements standards issued by the State, or as a result of judicial decisions. In addition if the current permit issued by the SF Regional Board is determined to be burdensome the Group or the Region we have filed an appeal and have currently placed the appeal on a up to two year suspense. This was also done to allow time to seek new revenue to meet the unfunded mandates. Activating the appeal will require expenditure of legal costs, thus increasing overall group costs, and further reducing our return to source funds. Thereafter depending on the State decision there could be additional legal costs if the permit issuance is contested legally through the courts. The Environmental organizations have also filed an appeal with the State and placed it on a two year suspense as well. The Environmental organizations intend to monitor the permit conditions effectiveness and our compliance and then will determine if appeal is needed. To minimize the potential future appeal and related legal costs the group program costs have included encumbrances of some group Program funds for this purpose. To date Save the Bay has been closely monitoring the recent draft Baseline Trash Load Analysis and Action Plans. Based upon some recent email received from them it appears they are concerned that cities plans may not be aggressive enough to reduce trash pollution to meet the permit requirement time frames.

Overall the City's total costs are comprised of two components, one consisting of the pro rata share of group costs based upon population. The other is the management and maintenance activities undertaken by the City and its contracts with others for required activity implementation and monitoring and reporting. All program staff and permittees (cities and county) have been and continue to make

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strong efforts to control costs at the program level. However, funds for the new permit technical and legal work, education and outreach, implementation of programs to address recent pollutants of concerns (mercury, PCB, etc.), and future TMDL's, trash, enforcement, have increased these State unfunded mandate costs.

ASSESSMENT AND PROGRAM BUDGET

The Group Clean Water Program Budget for FY 2013-14 is \$2.5 million, about the same as last year. However future budget years will see Group Program increases to address some of the new permit requirements. Increased costs for 2013-14 are being addressed by carry over or encumbrances of this years funds to help reduce or smooth out increases, thus minimizing the impact (reduction) in return to source funds.

For FY 13-14 the City of Clayton's pro rata share of the Program's Costs of 1.04%, is apx. \$25,265 an decrease of \$938 over last year. However future costs increases and lack of Program carry over funding in future years will result Programs Costs budget increases, this will result in less return to source funds to undertake the added local city permit requirements.

It is currently estimated that for FY 13-14 the gross revenues from our assessment would total approximately \$127,014. Of this \$25,265 is allocated to the Clean Water Program administration and group expenses; \$3,800 to the County Auditor for costs related to assessment collection; \$8,000 to the Sanitary District for commercial inspection, monitoring and municipal requested call out inspections; \$3,000 to the District for fiscal and assessment area management and \$7,279 for our state discharge permit fee. Thus, the remaining funds available to the City, for all other activities are approximately \$79,670, an increase of \$938 over this fiscal year 2012-13 budget. Any costs necessary to implement the requirements which exceed the special revenue funds and its reserve, will have to be obtained through the City's General Fund revenues. Approximately fifty-five percent of the City's funds are directly spent on labor costs of maintenance activities required by the program, such as storm drain inspection and cleaning, creek clearing; responding to spill calls; the remaining is divided between equipment and materials; monitoring and inspection; and management and reporting. Any shortfall this year and next year anticipated to be covered by up to \$120,763 from the City's Stormwater Fund reserves. Thereafter, if additional revenues are needed, the city would need to consider use of its General Fund, and/or a local city specific revenue measure since the regional Prop 218 measure did not receive enough support for passage.

To continue the local revenue source necessary to fund the unfunded mandates by federal and State government regulations, the City annually authorizes the Contra Costa Board of Supervisors to direct the Contra Costa Flood Control and Water Conservation District to establish a storm water utility area for the City and to impose benefit assessments on all applicable parcels within the City of Clayton. This is the annual consideration to request the local assessment levy which provides funding to the Federal and State Clean Water program mandates which the City must undertake and participate in according to Federal and State law. **Staff recommends no increase to the rate for FY 2013-14; it will be the same rate as last fourteen fiscal years, which is \$29.00 per ERU.**

Since we are not exceeding the current rate cap and not increasing the rate above that already levied the current language of Prop. 218 process does not apply. A single family detached dwelling is typically one ERU; homes on lots 20,000 sq. ft. or larger are allocated 1.7 ERU's; attached homes (e.g., townhomes and duets) are 0.7 ERU. This formula is the same throughout all Contra Costa communities and all cities and the County funds their NPDES costs through the ERU assessments.

FISCAL IMPACT

Although a Federal and State Mandated program, cities do not receive any revenues from the Federal and State Government to offset or cover the mandated requirements. Consequently, the Stormwater

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Utility Rate and Assessment areas were established in 1993 by the County and the Cities to develop a funding source to cover the costs of the Federal and State mandates.

The recommended assessment for FY 2013-14 is the same rate that is currently in place. Should the City not authorize the Flood Control District to establish and collect the annual assessments, the City would not receive the apx. \$127,014 generated by the annual assessment and mandated activities would need funding from another source, such as the General Fund. Given the high level of commitment of the General Fund to other City programs and projects, prior state "takes" of local funds, loss of redevelopment funds, the overall economic downturn, and potential impacts to the General Fund from yet to be known potential state budget impacts, these NPDES costs if paid for by the General Fund, would adversely impact other services and operations the City currently provides to the community.

Additional implementation measures such as that needed for monitoring and maintenance of new Stormwater facilities required under our mandated permit and installed as part of new construction within Clayton (C-3), have been addressed by the City Council to provide for methods that are self supported by the new development such as Benefit Assessment Districts or Homeowners Associations or combination thereof, or other approach that would not financially impact the city and its general funds. This Council-directed policy minimizes potential impacts to the under-funded Stormwater fund or the City's General Fund for the permanent new development installed specific requirements to meet the new state regulations. However not covered by these are the general overall reporting, enforcement action and trash reduction action plans, commercial inspections, monitoring enhancements required by the regional board are reasons that the current assessment fee should be continued.

CONCLUSION

To continue the revenue source required to fund the state mandated activities the City annually authorizes the Contra Costa Board of Supervisors to direct the Contra Costa Flood Control and Water Conservation District to impose annual benefit assessments on all applicable parcels within the City of Clayton. The attached Resolution would maintain the current Stormwater Utility Rate assessment of \$29.00 per ERU for FY 2013-14.

Attachments:

- Proposed ERU Resolution for FY 2013-2014
- Clean Water Program Budget costs and cost sharing formula FY 2013-14
- Cost estimates for new permit (MRP)
- City NPDES Budget History

RESOLUTION NO. __-2013

A RESOLUTION ESTABLISHING THE RATE PER EQUIVILANT RUN-OFF UNIT (ERU) FOR FY 2013-2014 AND REQUESTING THE CONTRA COSTA FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, under the Federal Water Quality Act [33 U.S.C. Section 1342 (p)], certain municipal stormwater discharges require a permit from the appropriate federal or state authorities pursuant to the National Pollutant Discharge Elimination System (NPDES) program; and

WHEREAS, the City of Clayton, in conjunction with other affected jurisdictions within Contra Costa County, applied to the State Regional Water Quality Control Board and received a Joint NPDES Permit which requires the implementation of a Storm Water Management Plan and Best Management Practices to minimize or eliminate pollutants from entering stormwaters; and

WHEREAS, Assembly Bill 2768 (West's Water Code Appendix, Section 63-12 and 63-12.9) authorizes the Contra Costa County Flood Control and Water Conservation District (District) to establish Stormwater Utility Areas (SUA) and to levy annual benefit assessments for the purpose of carrying our activities required under the NPDES program; and

WHEREAS, it is the intent of the City to utilize funds received from its Stormwater Utility Area (SUA) for implementation of the NPDES program and local drainage maintenance activities; and

WHEREAS, at the request of the City, the Contra Costa County Flood Control District and Water Conservation District (District) has completed the process for the formation of a SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance No. 93-47; and

WHEREAS, the SUA and Program Group Costs payment agreement between the City and the District requires that the City of Clayton annually, by May 1, determine the rate to be assigned to a single ERU for the forthcoming fiscal year.

WHEREAS, the City Council adopted Resolution 9-93, which established the range of the annual assessment to be imposed by the District within the storm water utility area not to exceed \$29 per ERU.

WHEREAS, the City of Clayton has been at its maximum \$29 per ERU rate since FY 1999-2000 (the last thirteen fiscal years) and the same rate is proposed for FY 2013-2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby determine that the rate to be assigned to a single ERU for FY 2013-2014 shall be set and assessed at \$29.00

BE IT FURTHER RESOLVED, that the City Council of Clayton, California, does hereby request the Contra Costa Flood Control and Water Conservation District to adopt the SUA levies based on the above established rate.

Adopted by the City Council of the City of Clayton, California at a regular meeting of thereof held on March 19, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Julie K. Pierce, Mayor

Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular meeting held on March 19, 2013.

Laci J. Jackson, City Clerk

Reso erurate13-14

**CONTRA COSTA CLEAN WATER PROGRAM
GROUP COSTS METHODOLOGY & ALLOCATION
FOR FISCAL YEAR 2013/14**

City/County/State	January 1, 2011	January 1, 2012 ⁽¹⁾	Percent Change	Prorata % of Program ⁽²⁾	Budget ⁽³⁾ Allocation
CONTRA COSTA COUNTY	1,056,306	1,065,117	0.83%		\$ 2,447,293
ANTIOCH	103,055	103,533	0.75%	9.75%	\$ 238,575
BRENTWOOD	52,030	52,575	1.05%	4.94%	\$ 120,800
CLAYTON	10,942	10,996	0.49%	1.03%	\$ 25,269
CONCORD	122,599	123,208	0.50%	11.57%	\$ 283,067
DANVILLE	42,217	42,450	0.55%	3.95%	\$ 97,536
EL CERRITO	23,849	23,774	0.53%	2.23%	\$ 54,625
HERCULES	24,163	24,272	0.49%	2.26%	\$ 55,769
LAFAYETTE	24,024	24,159	0.56%	2.27%	\$ 55,510
MARTINEZ	36,055	36,225	0.47%	3.40%	\$ 83,233
MORAGA	16,076	16,152	0.47%	1.52%	\$ 37,112
OAKLEY	35,998	35,532	1.48%	3.43%	\$ 83,939
ORINDA	17,714	17,819	0.59%	1.67%	\$ 40,942
FINOLE	18,461	18,560	0.54%	1.74%	\$ 42,645
PITTSBURG	63,735	64,706	1.52%	6.08%	\$ 148,673
PLEASANT HILL	33,260	33,440	0.53%	3.14%	\$ 76,834
RICHMOND	104,362	104,887	0.48%	9.85%	\$ 240,996
SAN PABLO	28,931	29,105	0.60%	2.73%	\$ 66,874
SAN RAMON	73,111	74,378	1.73%	6.98%	\$ 170,897
WALNUT CREEK	64,710	65,233	0.81%	6.15%	\$ 146,584
UNINCORP. COUNTY	161,184	162,815	1.01%	15.29%	\$ 374,096
				100.00%	\$ 2,447,293

1. Population estimate based on State of California Department of Finance (E-1) City/County projections- January 1, 2012. Figures are updated in May of each year.
2. Percentages based on prorata of population.
3. Budget Allocation amount is the Stormwater Utility Assessment (SUA) budget, which includes contingency.

City NPDES Budget History

FY 1998-1999 Budget (Total Group Program Budget \$1,525,451): (ERU: \$24.50) (final yr of 5yr permit):

ERU gross revenue est.	\$ 104,851
NPDES Group Program costs:	\$ 17,243
County Auditor/Controller Costs:	\$ 3,334
City Return To Source Funds:	\$ 84,274
Commercial Inspection by Central Sanitary Dist:	\$ 4,205
<u>Flood Control Dist. Fiscal Management Costs:</u>	<u>\$ 3,000</u>
Amount available to Clayton for City NPDES costs:	\$ 73,735

FY 1999-2000 Budget (Total Group Program Budget \$1,491,054): (ERU \$29) *New 5-yr permit and added req.

ERU gross revenue est.	\$125,196
NPDES Group Program costs:	\$ 18,995
County Auditor/Controller Costs:	\$ 3,500
City Return to Source Funds:	\$102,753
Commercial Inspection by Central Sanitary Dist:	\$ 2,100
<u>Flood Control Dist. Fiscal Management Costs:</u>	<u>\$ 3,000</u>
Amount available to Clayton for City NPDES costs:	\$ 94,153

FY 2000-2001 Budget (Total Group Program Budget \$1,773,242): (ERU \$29) * lawsuits filed

ERU gross revenue est.	\$129,522
NPDES Group Program costs:	\$ 18,875
County Auditor/Controller Costs:	\$ 3,500
City Return to Source Funds:	\$107,140
Commercial Inspection by Central Sanitary Dist:	\$ 2,172
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
<u>State Regional Annual Discharge Permit Fee</u>	<u>\$ 1,500</u>
Amount available to Clayton for City NPDES costs:	\$ 96,968

FY 2001-2002 Budget (Total Group Program Budget \$1,648,735): (ERU \$29) *legal costs and technical costs for permit amendment hearings

ERU gross revenue est.	\$129,737
NPDES Group Program costs:	\$ 23,940
County Auditor/Controller Costs:	\$ 3,540
City Return to Source Funds:	\$102,266
Commercial Inspection by Central Sanitary Dist:	\$ 2,240
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
<u>State Regional Annual Discharge Permit Fee</u>	<u>\$ 2,000</u>
Amount available to Clayton for City NPDES costs:	\$ 95,026

FY 2002-2003 Budget (Total Group Program Budget \$2,258,541): (ERU \$29) *legal costs and technical costs for permit amendment hearings

ERU gross revenue est.	\$131,915
NPDES Group Program costs:	\$ 26,238
County Auditor/Controller Costs:	\$ 3,550
City Return to Source Funds:	\$102,127
Commercial Inspection by Central Sanitary Dist:	\$ 2,600
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
<u>State Regional Annual Discharge Permit Fee</u>	<u>\$ 4,000</u>
Amount available to Clayton for City NPDES costs:	\$ 92,527

FY 2003-2004 (Total Group Program Budget \$2,670,929): (ERU \$29) *C-3 permit amendments/legal costs

ERU gross revenue est.	\$128,492	related to lawsuits
NPDES Group Program costs:	\$ 33,843	
County Auditor/Controller Costs:	\$ 3,550	
City Return to Source Funds:	\$ 91,099	
Commercial Inspection by Central Sanitary Dist:	\$ 3,000	
Flood Control Dist. Fiscal Management Costs:	\$ 3,000	
State Regional Annual Discharge Permit Fee	\$ 4,000	
Amount available to Clayton for City NPDES costs:	\$ 81,099	

FY 2004-2005 (Total Group Program Budget \$2,320,572): (ERU \$29) *amended 5-year permit by SFRWQCB

ERU gross revenue est.	\$129,420
NPDES Group Program costs:	\$ 11,843
County Auditor/Controller Costs:	\$ 3,600
City Return to Source Funds:	\$ 113,977
Commercial Inspection by Central Sanitary Dist:	\$ 3,000
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 5,000
Amount available to Clayton for City NPDES costs:	\$ 102,977

FY 2005-2006 (Total Group Program Budget \$2,320,572): (ERU \$29) * implementation of new C-3 permit 1 ac amendments

ERU gross revenue est.	\$126,362
NPDES Group Program costs:	\$ 11,749
County Auditor/Controller Costs:	\$ 3,680
City Return to Source Funds:	\$ 110,933
Commercial Inspection by Central Sanitary Dist:	\$ 5,000
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 5,400
Amount available to Clayton for City NPDES costs:	\$ 97,533

FY 2006-2007 (Total Group Program Budget \$2,867,625): (ERU \$29) * implementation of new C-3 permit 10K sq ft. amendments; new permit issuance and future revenue study.

ERU gross revenue est.	\$126,362
NPDES Group Program costs:	\$ 26,204
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 96,358
Commercial Inspection by Central Sanitary Dist:	\$ 5,000
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 5,400
Amount available to Clayton for City NPDES costs:	\$ 82,958

FY 2007-2008 (Total Group Program Budget \$3,200,422): (ERU \$29) * on-going implementation of new C-3 permit 10K sq ft. amendments; draft new permit issuance and future revenue study

ERU gross revenue est.	\$126,362
NPDES Group Program costs:	\$ 31,800
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 90,762
Commercial Inspection by Central Sanitary Dist:	\$ 2,000
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 5,400
Amount available to Clayton for City NPDES costs:	\$ 80,362

FY 2008-2009 (Total Group Program Budget \$4,200,422): (ERU \$29) * on-going implementation of C-3 ; rev draft new permit regs, hearings on new MRP – cost impact and revenue study

ERU gross revenue est.	\$126,362
NPDES Group Program costs:	\$ 44,520
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 78,042
Commercial Inspection by Central Sanitary Dist:	\$ 3,915
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 5,400
Amount available to Clayton for City NPDES costs:	\$ 65,727

FY 2009-2010 (Total Group Program Budget \$4,000,000): (ERU \$29) * new permit issued Dec 2009 (MRP) new permit regs, hearings on new MRP – cost impact and revenue study

ERU gross revenue est.	\$127,014
NPDES Group Program costs:	\$ 41,017
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 82,197
Commercial Inspection by Central Sanitary Dist:	\$ 3,402
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 5,400
Amount available to Clayton for City NPDES costs:	\$ 70,397

FY 2010-2011 (Total Group Program Budget \$2,250,079): (ERU \$29) * new MRP first year; cost impact and revenue study

ERU gross revenue est.	\$127,014
NPDES Group Program costs:	\$ 23,052
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 100,162
Commercial Inspection by Central Sanitary Dist:	\$ 4,165
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 5,400
Amount available to Clayton for City NPDES costs:	\$ 87,597

FY 2011-2012 (Total Group Program Budget \$2,497,856): (ERU \$29) * new MRP second year costs trash baseline loading and reduction plans

ERU gross revenue est.	\$127,014
NPDES Group Program costs:	\$ 25,517
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 97,697
Commercial Inspection by Central Sanitary Dist:	\$ 4,500
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
State Regional Annual Discharge Permit Fee	\$ 7,279
Amount available to Clayton for City NPDES costs:	\$ 82,918

FY 2012-2013 (Total Group Program Budget \$2,528,966): (ERU \$29) * new MRP reqs third year costs – trash reduction plan (install draining inlet screens); enhanced commercial -business inspection

ERU gross revenue est.	\$127,014
NPDES Group Program costs:	\$ 26,203
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 97,011
Commercial Inspection by Central Sanitary Dist:	\$ 8,000
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
<u>State Regional Annual Discharge Permit Fee</u>	<u>\$ 7,279</u>
Amount available to Clayton for City NPDES costs:	\$ 78,732

FY 2013-2014 (Total Group Program Budget \$2,447,293): (ERU \$29) * new MRP reqs fourth year costs – trash reduction collection from drainage inlets; enhanced commercial -business inspection

ERU gross revenue est.	\$127,014
NPDES Group Program costs:	\$ 25,265
County Auditor/Controller Costs:	\$ 3,800
City Return to Source Funds:	\$ 97,949
Commercial Inspection by Central Sanitary Dist:	\$ 8,000
Flood Control Dist. Fiscal Management Costs:	\$ 3,000
<u>State Regional Annual Discharge Permit Fee</u>	<u>\$ 7,279</u>
Amount available to Clayton for City NPDES costs:	\$ 79,670



Agenda Date: 4-2-13

Agenda Item: 9a

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Assist. to the City Manager

DATE: April 2, 2013

SUBJECT: SECOND READING AND ADOPTION OF AN ORDINANCE No. 444 OF THE CITY OF CLAYTON AMENDING CHAPTER 13.12 OF TITLE 13 OF THE MUNICIPAL CODE RELATING TO STORMWATER MANAGEMENT DISCHARGE CONTROL FOR COMPLIANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM (STORM WATER POLLUTION PREVENTION) MUNICIPAL REGIONAL PERMIT (MRP) IMPOSED BY THE REGIONAL WATER QUALITY CONTROL.

RECOMMENDATION

Staff recommends the City Council receive public comments; have the City Clerk read the ordinance by title and number only and waive further reading; following the City Clerks reading that the City Council adopt the Ordinance.

BACKGROUND

At its March 19, 2013 City Council meeting, the attached Ordinance was introduced. No public comments were received, and the City Council approved the introduction and first reading (by title only) of the Ordinance as proposed by staff. The Ordinance will become effective 30 days after adoption.

DISCUSSION

To comply with the Water Boards mandated interpretation of our NPDES (Stormwater) permit, the attached ordinance amending the section "Stormwater Management and Discharge Control" to the Clayton Municipal Code is necessary. The new Municipal Regional Permit mandates that cities review and update their prior ordinance to ensure they are compliant with the new regulations. Failure to comply with state regulations would result in violation of our State issued Municipal Regional Permit NPDES permit and include the levy of fines. Although technically our current ordinance complies with the state regulations, State Water Board staff has reviewed current local jurisdiction ordinances and determined that by their interpretation additional updating is needed in order to be in permit compliance.

Attachments:

"Stormwater Management Discharge Control Ordinance"
March 19, 2013 City Council Staff Report

Agenda Date: 3-19-13

Agenda Item: _____



STAFF REPORT

Approved:

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Assist. to the City Manager 

DATE: March 19, 2013

SUBJECT: Introduction of an Ordinance of the City of Clayton Amending Chapter 13.12 of Title 13 of the Municipal Code Relating to Stormwater Management Discharge Control for compliance with the National Pollution Discharge Elimination System (NPDES) program (storm water pollution prevention) Municipal Regional Permit (MRP) imposed by the SF Regional Water Quality Control Board.

RECOMMENDATION

Staff recommends the City Council receive public comments; have the City Clerk read the ordinance by title and number only and waive further reading; following the City Clerks reading that the City Council approve the introduction and first reading of the Ordinance.

BACKGROUND

The 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems. As implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes. Stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government. During wet weather, large amounts of pollutants, such as oil and grease from automobiles, heavy metals from vehicle exhaust and brake pads, such as copper and lead, pesticides, herbicides and fertilizers from lawns and gardens, soil erosion, and biological material enter the storm drain system and ultimately empty, untreated, into creeks, waterways, the Delta and Bay.

The City participates and obtained its joint NPDES permit from the SF Regional Water Quality Control Board via the Contra Costa Clean Water Program whose participants include the cities within the County, the County and the Flood Control District. The City of Clayton

Subject: Ordinance Amending Chapter 13.12, Title 13, relating to Stormwater National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention)

Date: March 19, 2013

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has participated since its inception in 1993. The SF Regional Water Quality Control Board issued the third permit, referred to commonly as the Municipal Regional Permit (MRP) in November 2009. This permit allows the city and other jurisdictions in the SF Bay Region to utilize the storm water drainage system for the next five years for discharges into creeks that ultimately drain into the bay. This joint participation allows for the program management and permit process costs to be kept to a minimum through economies of scale and local and regional collaboration, at a fraction of the cost of doing it alone. The program provides for a regional approach to Stormwater pollution control, regional monitoring, public education and outreach, technical support and training, special studies and NPDES permit administration requirements.

As part of its permit conditions, Clayton is required to implement a comprehensive Stormwater Management Plan (SWMP). The SWMP includes public participation and inter-governmental coordination designed to reduce the discharge of pollutants into the storm drainage system to the maximum extent practicable through the required implementation of 256 Best Management Practices (BMP's). Additional standards by the Regional Board in the MRP of 2009 of our NPDES Permit required cities to increase regulations and monitoring activities for development/construction controls, municipal maintenance, public education and outreach, illicit discharge and inspection, and documentation and reporting. Staff currently participates, as is required by the program agreement and state permit, on the Clean Water Program's New Development Construction Controls Committee, Management Committee (Chair), Administrative and Finance Committee (Chair) and the Monitoring and Inspection Committee.

Historically the thresholds have been continually reduced by the SF Board. The Amendments to the NPDES Permit made by the San Francisco Regional Board in February 2003, added new requirements included reduction of the development threshold of significance from the current five acres to 1 acre to 10,000 sq. feet; then to further to 5,000 sq ft., and now are 2,500 sf. ft. These thresholds of impervious areas must be captured and treated and infiltrated; also needed are updates to the local municipal ordinances for establishing local authority for regulation and enforcement. Although still not required at this time, it is expected that future requirements may add quantitative particulate limits (TMDL's) which would involve water runoff quality testing and monitoring through gathering and testing of water samples from certain sties or locations within the community. Other pressures are related to legislation via litigation. Certain third-party interest groups have repeatedly brought successful legal action against the EPA, State and Regional Agencies, and the cities and county and program which has also increased the costs for legal defense and added to the program requirements standards issued by the State, or as a result of judicial decisions. These changes underscore the need to ensure that local ordinances are updated as the Regional Water Board staff has asked of the permittees.

It should be noted that the state mandated requirements are separate from, and in addition to, requirements for erosion and sediment control and pollution prevention measures during construction. These later requirements were the focus for the last 10 years of the Water Board. Over time the Water Board has moved to adding long term permanent reduction or elimination of water quality impacts from new development and redevelopment projects. In general our permit continues to require project site designs to minimize the amount of impervious surfaces such as paving and roofs; where possible use pervious surfaces instead

Subject: Ordinance Amending Chapter 13.12, Title 13, relating to Stormwater National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention)

Date: March 19, 2013

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of paving; have paving areas drain to landscape swales or detention basins so that runoff can percolate to the underlying soil. Runoff from impervious areas must be captured and treated. The permit specifies how to calculate the required size of treatment devices or facilities. Projects may also be required to infiltrate runoff so that peak flows and durations match pre-project conditions or non-development conditions. In addition project applicants must prepare plans, specifications and agreements to insure the stormwater treatment devices and facilities are maintained in perpetuity, including addressing vector control issues (i.e.: mosquitoes- West Nile Virus).

DISCUSSION

The City of Clayton participates in the Contra Costa Clean Water Program (Clean Water Program), which coordinates stormwater NPDES permit compliance efforts countywide. The City of Clayton is a Co-Permittee under a National Pollutant Discharge Elimination System (NPDES) permit regulating discharges from storm drain systems in Contra Costa County. The first municipal stormwater permit was issued to the City of Clayton in 1993. The permit is titled the Municipal Regional Stormwater Permit issued by the San Francisco Bay Regional Water Quality Control Board in 2009 (MRP). The permit specifies measures the Co-permittees must undertake to prohibit non-stormwater discharges to storm drains and to minimize the quantity of pollutants in stormwater.

It should be noted that the state mandated requirements are separate from, and in addition to, requirements for erosion and sediment control and pollution prevention measures during construction. These later requirements were the focus for the last 10 years of the Water Board. Over time the Water Board has moved to adding long term permanent reduction or elimination of water quality impacts from new development and redevelopment projects. In general our permit continues to require project site designs to minimize the amount of impervious surfaces such as paving and roofs; where possible use pervious surfaces instead of paving; have paving areas drain to landscape swales or detention basins so that runoff can percolate to the underlying soil. Runoff from impervious areas must be captured and treated. The permit specifies how to calculate the required size of treatment devices or facilities. Projects may also be required to infiltrate runoff so that peak flows and durations match pre-project conditions or non-development conditions. In addition project applicants must prepare plans, specifications and agreements to insure the stormwater treatment devices and facilities are maintained in perpetuity, including addressing vector control issues (i.e.: mosquitoes- West Nile Virus).

The Contra Costa Clean Water Program (Clean Water Program), brought together a group of municipal attorneys to prepare a model stormwater ordinance in the 1990's. A similar group updated the model ordinance in 2004 to include additional sections related to implementation of new development (stormwater permit Provision C.3) requirements added by the San Francisco Bay Regional Water Quality Control Board. The City's current ordinance is based on the 2004 model.

Following adoption of the MRP in 2009, the SF Regional Board Staff identified that they preferred the local ordinances be updated to more clearly reflect the 2009 MRP. In response, the Clean Water Program once again convened a group of municipal attorneys to review and update the 2004 ordinance. The attached updated ordinance is

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recommended to replace the existing ordinance. The attached ordinance is based on the most recent updated model. The Clayton Asst. to the City Manager (who serves as the city's stormwater manager) served on the technical work group, and the ordinance has been reviewed by the Clayton City Attorney, and Clayton City Engineer. The updated ordinance incorporates the following changes to the existing ordinance, consistent with new or updated provisions in the permit:

- Updates the definition of stormwater management facility to include facilities that use harvesting/reuse, evapotranspiration, and infiltration.
- Deletes the enumeration of specific project size thresholds for applicability of Provision C.3 (these 2003 thresholds have been superseded by lower thresholds in the current permit) and substitutes a reference to thresholds in "the City's NPDES permit".
- Updates the list of discharges exempt from the prohibition of discharges to the storm drain system.
- References specific publishers as sources of BMPs which the City [Town, County] may require to be implemented.
- Requires the use of BMPs to minimize the release of pesticides, fertilizers, herbicides, and other related materials used to maintain landscaping and facilities.
- Allows the City to require installation and maintenance of devices or facilities to prevent the discharge of trash or other pollutants from private parking lots, streets, roads, and drainage facilities into the storm drain system as a means of cost-effectively meeting permit mandates.
- Deletes a section in the 2004 model ordinance allowing compliance certificates for verifying the operation and maintenance (O&M) of privately owned stormwater management facilities; this method of O&M verification is not allowed by the current permits and O&M inspections must now be performed by the municipality.
- Strengthens administrative procedures for enforcement.

FISCAL IMPACT

Although a Federal and State Mandated program, cities do not receive any revenues from the Federal and State Government to offset or cover the mandated requirements. Unfortunately this program is not considered by the State as an unfunded mandate. The State has previously determined in the enacting legislations that local agencies can recover their costs through fees, assessment districts or other similar options. Consequently, the Stormwater Utility Rate Assessment areas were established in 1993 by the County and the Cities to develop a funding source to cover the costs of the Federal and State mandates. The City of Clayton is and has been at its maximum levy or \$29 per Runoff Unit (single family

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parcel) per year to fund the NPDES requirements. This cap was established in 1993, when NPDES permit was first issued, thus any increase in the cap would trigger a Prop 218 voter process. A local revenue Prop 218 compliant measure was put before the property owners countywide last year, however did not receive sufficient ballot support to pass. Failure to comply with state regulations would result in violation of our State issued Municipal Regional Permit NPDES permit and include the levy of fines or other legal actions by the State or third party interest groups.

CONCLUSION

To comply with the Water Boards mandate, of our NPDES permit, the attached ordinance amending the section "Stormwater Management and Discharge Control" to the Clayton Municipal Code is necessary. The new Municipal Regional Permit mandates that cities review and update their prior ordinance to ensure they are compliant with the new regulations. Failure to comply with state regulations would result in violation of our State issued Municipal Regional Permit NPDES permit and include the levy of fines. Although technically our current ordinance complies with the state regulations, State Water Board staff has reviewed current local jurisdiction ordinances and determined that additional updating is needed in order to be in their interpretation in compliance.

Attachments:

- Stormwater C.3 Update (MRP) 2013 information
- "Stormwater Management Discharge Control Ordinance"

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON
AMENDING CHAPTER 13.12 TO TITLE 13 OF THE MUNICIPAL CODE RELATING
TO STORMWATER MANAGEMENT AND DISCHARGE CONTROL FOR
COMPLIANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION
SYSTEM (NPDES) PROGRAM (STORM WATER POLLUTION PREVENTION)
MUNICIPAL REGIONAL PERMIT (MRP) IMPOSED BY THE REGIONAL WATER
QUALITY CONTROL BOARD**

THE CITY COUNCIL OF THE CITY OF CLAYTON FINDS AS FOLLOWS:

WHEREAS, the 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems; and

WHEREAS, the Federal Clean Water Act and related permits are implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes; and

WHEREAS, stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government; and

WHEREAS, the City of Clayton's National Pollutant Discharge Elimination System (NPDES) permit was reissued in 2009 by the San Francisco Water Quality Control Board in, which added various mandates, including that related to Stormwater Management and Discharge Control, and

WHEREAS, the public necessity, conveniences and general welfare require the adoption of the proposed ordinance for compliance with the City's NPDES permit through the Municipal Regional Permit (MRP) issued by the San Francisco Regional Water Quality Control Board; and

WHEREAS, on March 19, 2013 the City Council held a public meeting to consider amending the Municipal Code, as proposed in the Ordinance amendments "Stormwater Management and Discharge Control"; considered the information contained in the staff report and any other written and public testimony; introduced and held first reading of said Ordinance; and

WHEREAS, the additions to the Municipal Code are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15307, Class 7; and Section 15308, Class 8--actions by regulatory agencies for the protection of natural resources and;

WHEREAS, there is no evidence that the additions will have the potential for any individual or cumulative adverse effect on fish and wildlife resources or their habitat, as defined in Section 711.2 of the Fish and Game Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Revocation and Amendment.

Chapter 13.12 of Title 13 of the Clayton Municipal Code, as adopted by Ordinance No. 379 is hereby revoked in its entirety and amended to read as follows:

“Chapter 13.12. Stormwater Management and Discharge Control

Section 13.12.010. Intent and Purpose.

A. The intent of this Chapter is to protect and enhance the water quality in the City of Clayton's watercourses pursuant to, and consistent with the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) and the Federal Clean Water Act (33 U.S.C. section 1251 et seq.).

B. This Chapter also carries out the conditions in the City's National Pollutant Discharge Elimination System (NPDES) permit that require implementation of appropriate source control and site design measures and stormwater treatment measures for development projects.

C. It is the purpose of the City Council in enacting this Chapter to protect the health, safety and general welfare of Clayton's citizens by:

1. minimizing non-stormwater discharges, whose pollutants would otherwise degrade the water quality of local streams, to the stormwater system.

2. minimizing increases in nonpoint source pollution caused by stormwater runoff from development that would otherwise degrade local water quality.
3. controlling the discharge to the City's stormwater system from spills, dumping or disposal of materials other than stormwater.
4. reducing stormwater run-off rates and volumes and nonpoint source pollution whenever possible, through stormwater management controls and ensuring that these management controls are properly maintained and pose no threat to public safety.

Section 13.12.020. Definitions.

The following words and phrases when used in this Chapter shall be as defined herein. Words and phrases in this Chapter and not otherwise defined shall be interpreted as defined in the regulations issued by the U.S. Environmental Protection Agency to implement the provisions of the Federal Clean Water Act, and as defined by the State Water Resources Control Board to implement the Porter-Cologne Act:

- A. Best management practices or "BMP" are structural devices, measures, stormwater management facilities, activities, prohibitions, or practices, general good housekeeping, pollution prevention practices, maintenance procedures and other management practices, to prevent or reduce the discharge of pollutants directly or indirectly to "waters of the United States," including watercourses, water bodies, and wetlands.
- B. City's NPDES permit shall mean the NPDES permit issued to the City of Clayton, Permit No. CAS612008, and any subsequent amendment, reissuance or successor to the NPDES permit.
- C. Construction shall mean any project, including projects requiring coverage under the General Construction Permit, that involves soil disturbing activities, including but not limited to, clearing, grading, paving, and disturbances to ground such as stockpiling and excavating. Construction sites are also all sites with disturbed or graded land area not protected by vegetation or pavement that are subject to a grading or building permit.
- D. Development shall mean construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit, or planned unit development) or industrial, commercial, retail or other nonresidential project, including public agency projects.
- E. Development runoff requirements shall mean the provisions in the City's NPDES permit that contain performance standards to address both the construction and post-construction

phase impacts of new projects and redevelopment projects on stormwater quality, as well as any requirements imposed by the director pursuant to a permit or other regulatory action.

F. Director shall mean the City Manager of the City of Clayton or his or her designee.

G. Enforcement officer or Officer shall mean those individuals designated by the director to act as authorized enforcement officers.

H. Guidebook shall mean the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

I. Non-stormwater discharge is any addition of any pollutant to the City's stormwater system, except discharges pursuant to a NPDES permit, or discharges further exempted in Section 13.12.060(c) and (d) of this Chapter.

J. Pollutant shall mean any material other than stormwater including, but not limited to, petroleum products or by-products, solid waste, incinerator residue, sewage, sewage sludge, garbage, heat, chemical waste, biological materials, radioactive materials, wrecked or discarded equipment, rock, sand, soil and industrial, municipal or agricultural waste discharged into the water or stormwater system.

K. Premises shall mean any land, building, structure, facility, or installation, (including a building's grounds or other appurtenances), and adjacent sidewalks and parking strips.

L. Redevelopment shall mean land disturbing activity that results in the creation, addition, or replacement of exterior impervious area on a site on which some past development has occurred.

M. Regional Board shall mean the California Regional Water Quality Control Board, San Francisco Bay Region.

N. Responsible person shall mean the owner or occupant of any premises or who engages in, permits, or oversees any activity from which there is or may be a non-stormwater discharge or any person who releases pollutants to the City's stormwater system.

O. Stormwater shall mean storm water runoff, snow melt runoff, surface runoff and drainage flow on the surface of the ground resulting from precipitation.

P. Stormwater management facility shall mean any BMP or any device that utilizes detention, retention, filtration, harvest for reuse, evapotranspiration or infiltration to provide treatment (and/or control volume, flows, and durations) of stormwater for purposes of compliance with development runoff requirements.

Q. Stormwater control plan shall mean a plan that meets those criteria contained in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

R. Stormwater system is that system of facilities by which stormwater may be conveyed to any stream, watercourse, other body of water or wetlands, including flood control channels, any roads with drainage systems, city streets, catch basins, curbs, gutters, ditches, improved channels, storm drains or storm drain system, which are not part of a Publicly Owned Treatment Works ("POTW") as that term is defined in 40 CFR section 122.2.

Section 13.12.030. Responsibility for Administration.

The director or his or her designee shall administer this Chapter for the City.

Section 13.12.040. Construction and Application.

This Chapter shall be construed consistent with the requirements of the Federal Clean Water Act and amendments thereto or applicable implementing regulations and the City's NPDES permit.

Section 13.12.050 Stormwater Control Plan Required.

A. In accordance with thresholds and effective dates in the City's NPDES Permit, every application for a development project, including but not limited to a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, grading permit, encroachment permit, design review, or building permit that is subject to the development runoff requirements in the City's NPDES permit shall be accompanied by a stormwater control plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook.

B. Implementation of an approved stormwater control plan and submittal of an approved stormwater control operation and maintenance plan by the applicant shall be a condition precedent to a final building inspection or the issuance of a certificate of occupancy for a project subject to this section.

C. All stormwater management facilities shall be designed in a manner to minimize the need for maintenance and reduce the chances of failure. Design guidelines are outlined in the Guidebook.

D. All stormwater management facilities shall be maintained according to the Guidebook and the approved stormwater control operation and maintenance plan. The person(s) or organization(s) responsible for maintenance shall be designated in the stormwater control operation and maintenance plan. Unless a different time period is provided for in the plan, those responsible for maintenance shall inspect the stormwater management facility at least annually. The stormwater control operation and maintenance plan shall also describe how the maintenance costs will be funded. Upon the failure of a responsible person to maintain a stormwater management facility in accordance with this Chapter or the plan, the City may perform the maintenance and recover its costs from the responsible person as provided in sections 13.12.100, 13.12.170 and 13.12.180.

E. A property owner shall, through recorded covenants or easements, provide the City, the Contra Costa Mosquito and Vector Control District, and the Regional Board access to stormwater management facilities for inspections and maintenance.

Section 13.12.060. Prohibited Discharges.

A. The discharge of non-stormwater to the City stormwater system is prohibited.

B. The discharge of stormwater from any premises and any activity that may cause or contribute to prohibited discharge, to a violation of receiving water limitations in the City's NPDES permit, or to a nuisance within the meaning of California Water Code section 13050 is prohibited.

C. The following discharges are exempt from the prohibition set forth in subsection (a) above, unless determined by the director to be a source of pollutants to or from the stormwater system or to receiving waters:

1. any discharge in compliance with a NPDES permit issued to the discharger.

2. flows from riparian habitats and wetlands, diverted stream flows, flows from natural springs, rising ground waters, uncontaminated and unpolluted groundwater infiltration, single-family homes' pumped groundwater, foundation drains, and water from crawl space pumps and footing drains, and pumped groundwater from drinking water aquifers.

D. The following discharges are exempt from the prohibition set forth in subsection (a) above, if and only if the director identifies such discharge as not being a source of any pollutant to the stormwater system or to a receiving water or if control measures required by the director and as set forth in Section C.15 of the City's NPDES permit are properly implemented: pumped groundwater from non-drinking-water aquifers; pumped groundwater from other sources, foundation drains, and water from crawl space pumps and footing drains; air conditioning condensate; planned discharges from routine operation and maintenance activities in the potable water distribution system; unplanned discharges from breaks, leaks, overflows, fire hydrant shearing, or emergency flushing of the potable water distribution system; emergency discharges of the potable water distribution system as a result of firefighting, unauthorized hydrant openings, or natural or man-made disasters; individual residential car washing; swimming pool, hot tub, spa, and fountain water discharges, and

discharges from irrigation water, landscape irrigation, and lawn or garden watering.

Section 13.12.070. Discharge in Violation of NPDES Permit

Any discharge that may result in or contribute to a violation of the City's NPDES permit either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person causing or responsible for the discharge, and such person shall defend, indemnify and hold harmless the City in any administrative or judicial enforcement action relating to such discharge.

Section 13.12.080. Unlawful Discharge and Unlawful Connections.

A. It is unlawful to allow, permit, establish, use, maintain or continue unauthorized drainage connections to the City's stormwater system, or to commence or continue any unauthorized discharges to the City's stormwater system.

B. No discharge shall cause the following conditions, create a nuisance, adversely affect beneficial uses of waters of the State, or cause or contribute to a violation of any applicable water quality standard for receiving waters:

1. floating, suspended or deposited macroscopic matter or foam;
2. bottom deposits or aquatic growth;
3. alterations of temperature, sediment load, nutrient load, or dissolved oxygen, which cause significant adverse impacts to native aquatic biota;
4. visible, floating, suspended or deposited oil or products of petroleum origin; or,
5. substances present in concentrations or quantities which cause deleterious effects on aquatic biota, wildlife or waterfowl, or which render any of these unfit for human consumption.

Section 13.12.090. Best Management Practices and Standards.

A. Generally. Any person owning or operating premises that may contribute pollutants to the City's stormwater system shall undertake best management practices to reduce the potential for pollutants entering the system to the maximum extent practicable. Examples of such premises include, but are not limited to, parking lots, gasoline stations, industrial facilities, and other commercial enterprises. Examples of best management practices include, but are not limited to, those described in publications by the United States Environmental Protection Agency, the California Water Boards, the California Stormwater Quality Association, the Bay Area Stormwater Management Agencies Association, the Contra Costa Clean Water Program, and the City of Clayton.

B. Litter. No person shall throw, deposit, leave, keep or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage or other discarded or abandoned objects, articles or other litter in or upon any street, alley, sidewalk, business place, creek, stormwater system, fountain, pool, lake, stream, river or any other body of water, or upon any public or private parcel of land so that the same might become a pollutant, except in containers or in lawfully established waste disposal facilities.

C. Sidewalks. The occupant or tenant, or in the absence of occupant or tenant, the owner or proprietor of any real property in front of which there is a paved sidewalk shall maintain said sidewalk free of dirt or litter to the maximum extent practicable. Sweepings from the sidewalk shall not be swept or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid waste.

D. Maintenance of Facilities and Landscaped Areas. Every responsible person shall implement Best Management Practices to minimize the release of pesticides, fertilizers, herbicides, and other related materials used to maintain landscaping and facilities.

E. Parking Lots, Paved Areas and Related Stormwater Systems. Persons owning, operating or maintaining a paved parking lot, the paved areas of a gasoline station, a paved private street or road, or similar structure, and related stormwater systems shall clean those premises as frequently and thoroughly as practicable in a manner that does not result in the discharge of pollutants to the City's stormwater system. As part of an enforcement action pursuant to this Chapter, the director may require installation and maintenance of BMPs to prevent the discharge of trash or other pollutants from private parking lots, streets, roads, and drainage facilities into the stormwater system. Failure or refusal to comply with such a requirement is prohibited and shall constitute a separate violation of this Chapter.

F. Construction Activities. In addition to any other requirement imposed by this Chapter, all construction projects shall incorporate site-specific BMPs, which can be a combination of BMPs from the California BMP Handbook, Construction January 2003, the Caltrans Stormwater Quality Handbooks, Construction Site Best Management Practices, the San Francisco Bay Regional Water Quality Control Board Erosion and Sediment Control Field Manual, 2002, the City's NPDES Permit, the City's grading and erosion control ordinance, generally accepted engineering practices for erosion control, and any other conditions required by the director when undertaking construction activities. The director may establish controls on the rate, volume, and duration of stormwater runoff from new developments and redevelopment as may be appropriate to minimize the discharge and transport of pollutants.

G. Notification of Intent and Compliance with General Permits. Each discharger associated with construction activity or other discharger described in any general stormwater permit addressing discharges, as may be adopted by the United States Environmental Protection Agency, the State Water Resources Control Board, or the Regional Board shall provide the director with the notice of intent, comply with and undertake all other activities required by any general stormwater permit applicable to such dischargers. Each discharger identified in an individual NPDES permit relating to stormwater discharges shall comply with and undertake all activities required by the permit.

H. Development Runoff Requirements. Every applicant for a new development and redevelopment project subject to the development runoff requirements shall submit a stormwater control plan and implement conditions of approval that reduce stormwater

pollutant discharges through the construction, operation and maintenance of treatment measures and other appropriate source control and site design measures. Similarly, increases in runoff volume, flows, and durations shall be managed in accordance with the development runoff requirements.

I. **Stormwater Pollution Prevention Plan.** The director may require any business or utility in the City that is engaged in activities that may result in non-stormwater discharges or runoff pollutants to develop and implement a stormwater pollution prevention plan, which must include an employee training program. Business activities which may require a stormwater pollution prevention plan include maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading, fueling, vehicle maintenance, food handling or processing, or cleanup procedures, carried out partially or wholly out of doors.

J. **Coordination with Hazardous Material Release Response and Inventory Plans.** Any business subject to the Hazardous Material Release Response and Inventory Plan, Division 20, Chapter 6.95 of the California Health and Safety Code (commencing with section 25500), shall include, in that Plan, provision for compliance with this Chapter, including the prohibitions of non-stormwater discharges and the requirement to reduce release of pollutants to the maximum extent practicable.

Section 13.12.100. Reserved.

Section 13.12.110. Authority to Inspect.

A. **Generally.** The director and officer shall have the authority to enter property and make an inspection to enforce and carry out the provisions of this Chapter. Routine or scheduled inspections shall be based upon as reasonable a selection process as may be deemed necessary to carry out the intent of this Chapter, including, but not limited to, random sampling or sampling in areas with evidence of stormwater contamination, evidence of the discharge of non-stormwater to the stormwater system, inspection of stormwater treatment and flow-control facilities for proper operation and evidence of routine and corrective maintenance, or similar activities. Inspections may also be conducted in conjunction with routine or scheduled inspections conducted by other public agencies or special districts, including but not limited to the Central Contra Costa Sanitary District, the Contra Costa County Fire Protection District, County Environmental Health Department, the Contra Costa Mosquito and Vector Control District, or the Regional Board. The City Council may by resolution establish a schedule of fees for inspections.

B. **Authority to Sample and Establish Sampling Devices.** With the consent of the owner or occupant, or pursuant to a search or inspection warrant, the officer may establish on any property such devices as are reasonably necessary to conduct sampling or metering operations. During all authorized inspections, the officer may take any sample deemed necessary to aid in the pursuit of the inquiry or in the recordation of the activities on site.

C. **Notification of Spills.** All persons in charge of the premises or responsible for emergency response for the premises have a responsibility to train premises' personnel and maintain notification procedures to ensure that immediate notification is provided to the City of any suspected, confirmed or unconfirmed release of pollutants creating a risk of non-stormwater discharge into the City stormwater system.

As soon as any person in charge of the premises or responsible for emergency response

for the premises has knowledge of any suspected, confirmed or unconfirmed release of non-stormwater discharge entering the City stormwater system, such person shall take all necessary steps to ensure the detection and containment and clean up of such release and shall notify the City of the occurrence by telephoning the director. This notification requirement is in addition to and not in lieu of other required notifications.

D. Requirement to Test or Monitor. The officer may require that any person engaged in any activity or owning or operating any premises that may cause or contribute to non-stormwater discharges, undertake such monitoring activities or analysis and furnish such reports as the officer may specify. The burden, including costs of these activities, analysis and reports shall bear a reasonable relationship to the need for the monitoring, analysis and reports and the benefits to be obtained. The recipient of such request shall undertake and provide the monitoring, analysis and reports required.

E. Cost Recovery. If an inspection pursuant to this section results in an enforcement action, the City may issue an invoice of costs and recover in an enforcement action its reasonable inspection costs.

Section 13.12.120. Violations Constituting Misdemeanors or Infractions.

The violation of any provision of this Chapter, or failure to comply with any of the mandatory requirements of this Chapter shall constitute a misdemeanor, except that notwithstanding any other provisions of this Chapter, any violation constituting a misdemeanor under this Chapter may, at the discretion of the director, officer or city attorney, be charged and prosecuted as an infraction.

Section 13.12.130. Penalty for Violation.

A. Upon conviction of a misdemeanor, a person shall be subject to payment of a fine, or imprisonment, or both, not to exceed the limits set forth in California Government Code section 36901.

B. Upon conviction of an infraction, a person shall be subject to payment of a fine, not to exceed the limits set forth in California Government Code section 36900.

Section 13.12.140. Continuing Violation.

Every day that any violation of this Chapter shall continue shall constitute a separate offense.

Section 13.12.150. Concealment.

Concealing, aiding or abetting a violation of any provision of this Chapter shall constitute a violation of such provision.

Section 13.12.160. Acts Potentially Resulting in Violation of the Federal Clean Water Act or Porter-Cologne Act.

Any person who violates any provision of this Chapter, or the provisions of any permit issued pursuant to this Chapter, or who releases a non-stormwater discharge, or who violates any cease and desist order, prohibition or effluent limitation, may also be in violation of the Federal Clean Water Act or the Porter-Cologne Act and may be subject to the enforcement provisions of those acts, including civil and criminal penalties. Any enforcement actions authorized pursuant to this Chapter may also include notice to the violator of such potential

liability pursuant to federal or state law.

Section 13.12.170. Violations Deemed a Nuisance.

In addition to the penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to the public health, safety and welfare. Such condition is hereby declared and deemed to be a nuisance, which may be abated as provided in Chapter 8.08 of Title 8 (commencing with section 8.08.010) of this Code including the assessment of the costs of abatement which may be collected at the same time and in the same manner as ordinary municipal taxes as provided by Government Code section 38773.5, and by civil action to abate, enjoin or otherwise compel the cessation of such nuisance by the City Attorney.

Section 13.12.180. Civil Actions.

A. In addition to any other remedies provided in this Chapter, any violation of this Chapter may be enforced by civil action brought by the City. In any such action, the City may seek, as appropriate, any and all of the following remedies:

1. a temporary restraining order, preliminary injunction and permanent injunction;
2. an action for an unlawful business practice pursuant to Business and Professions Code section 17206;

B. Any person violating any provision of this Chapter shall be liable for:

1. reimbursement for the costs of any investigation, inspection or monitoring which led to the discovery of the violation;
2. costs incurred in removing, correcting, or terminating the adverse effect(s) resulting from the violation;
3. compensatory damages for the loss of, or destruction to, water quality, wildlife, fish or aquatic life. Costs and damages under this subsection shall be paid to the City and shall be used exclusively for costs associated with monitoring and establishing a stormwater discharge pollution control system and implementing or enforcing the provisions of this Chapter;
4. the cost of maintenance and repair of any BMP or stormwater management facility that is not maintained in accordance with the guidebook or the stormwater control plan;
5. the reasonable costs of preparing and bringing administrative action under this Chapter.

Section 13.12.190. Remedies Not Exclusive.

The remedies identified in this Chapter are in addition to, and do not supersede or limit, any and all other remedies, administrative, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

Section 13.12.200. Administrative Remedies.

A. In addition to any other remedies provided in this Chapter, any violation of this

Chapter may be enforced by the following administrative remedies:

1. **Notice of Violation.** The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Notice of Violation in accordance with Chapter 1.14 of Title 1 of this Code. The Notice of Violation shall identify the provision(s) of this Chapter or the applicable permit or regulatory order which has been violated and shall state that continued noncompliance may result in additional enforcement actions against the owner, occupant and/or responsible person.

2. **Suspension or Revocation of Permit.** The director may suspend or revoke any City-issued permit when it is determined that:

i. The permittee has violated any term, condition or requirement of the permit or any applicable provision of this Chapter; or

ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is no longer appropriate to except the discharge from the prohibitions on prohibited discharge contained within this Chapter; or

iii. The permittee fails to comply with any schedule for compliance issued pursuant to this Chapter; or

iv. Any regulatory agency, including EPA or a Regional Water Quality Control Board having jurisdiction over the discharge, notifies the City that the discharge should be terminated; or

v. Any other circumstances where the director determines in his or her sole discretion that continuation of the discharge will result in substantial harm to public health or the environment.

3. **Permit Modification.** The director may modify any permit provided that the permittee shall be informed of any change in the permit terms and conditions at least forty-five (45) business days prior to the effective date of the modified permit when it is determined that:

i. Federal or state law requirements have changed in a manner that necessitates a change in the permit; or

- ii. The permittee's discharge or the circumstances under which the discharge occurs have changed so that it is appropriate to modify the permit's terms, conditions or requirements; or
- iii. A change to the permit is necessary to ensure compliance with the objectives of this Chapter or to protect the quality of receiving waters.

B. **Cease and Desist Order.** The director or officer may deliver to the owner or occupant of any premises, or to any person responsible for a violation of any provision of this Chapter a Cease and Desist Order. The Cease and Desist Order shall be delivered in accordance with Section 13.12.210. The Cease and Desist Order may direct the recipient to:

1. Immediately discontinue any action constituting a violation of this Chapter;
2. Immediately contain or divert any flow of non-stormwater off the premises where the flow is occurring in violation of any provision of this Chapter;
3. Clean up the area affected by the violation; and
4. Implement BMPs necessary to prevent a future violation.

Section 13.12.210. Notice.

Unless otherwise required under Chapter 1.14, any notice or order to be delivered pursuant to this Chapter shall be subject to the following:

- A. The notice or order shall state that the recipient has a right to appeal the matter as set forth in Section 13.12.220 or in Section 1.14.060.
- B. Delivery shall be deemed complete upon personal service to the recipient; deposit in the U.S. mail, postage pre-paid for first class delivery; or facsimile service with confirmation of receipt.
- C. Where the recipient is the owner of the property, the address shall be the address from the most recently issued equalized assessment roll for the property or as otherwise appears in the current records of the City.

D. Where the owner or occupant of any property cannot be located after the reasonable efforts the notice shall be deemed delivered after posting on the property for a period of ten (10) business days.

Section 13.12.220. Appeal.

Except as provided for a notice of violation under Section 1.14.060, any person aggrieved by the decision of the officer, may file a written appeal to the director within 10 (ten) days following the date of delivery of the decision. Upon receipt of such request, the director shall request a report and recommendation from the officer and shall set the matter for hearing at the earliest practical date. At said hearing, all evidence and testimony deemed relevant and admissible by the Director shall be considered, and the Director may reject, affirm, or modify the officer's decision. Formal rules of evidence shall not apply. The decisions of the director shall be final. Failure to request a hearing or appear at the hearing shall constitute a waiver and failure to exhaust administrative remedies.

Section 13.12.230. Judicial Review.

The provisions of Code of Civil Procedure section 1094.5 are applicable to judicial review of determinations made by the director pursuant to this Chapter.”

Section 2. Action to Challenge This Ordinance.

Any action or proceeding to attack, review, set aside, void or annul this ordinance must be commenced and the service made on the City no later than ninety (90) days after the effective date of the ordinance.

Section 3. Conflicting Ordinances Repealed.

Any ordinance or part thereof, or regulations in conflict with the provisions of this ordinance, are hereby repealed. The provisions of this ordinance shall control with regard to any provision of the Clayton Municipal Code that may be inconsistent with the provisions of this ordinance.

Section 4. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase thereof be declared unconstitutional, invalid or ineffective.

Section 5. Effective Date and Publication.

This ordinance shall become effective thirty (30) days after its adoption by the City Council. Within fifteen (15) days after the passage of the ordinance, the City Clerk shall cause a copy of the ordinance, including the names of the City Council members voting for and against it, to be posted in three (3) public places heretofore designated by resolution of the City Council for the posting of ordinances and public notices.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on the 19th day of March 2013, and PASSED, ADOPTED AND ORDERED posted at a regular meeting of the City Council of the City of Clayton on the 2nd day of April 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Julie K. Pierce, Mayor

ATTEST:

Laci Jackson, City Clerk



Agenda Date: 7-30-13

Agenda Item: 4c

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CITY MANAGER
DATE: 30 JULY 2013
SUBJECT: CITY RESPONSE TO CIVIL GRAND JURY REPORT NO. 1305

RECOMMENDATION

It is recommended the City Council review the prepared City response letter regarding Civil Grand Jury Report No. 1305, "Getting to Clean Water in Contra Costa County – What's The Plan and Where's the Money?"; and then subject to any Council modifications to the proposed response, by minute motion approve the letter as the City's official response and authorize Mayor Pierce to sign.

BACKGROUND

A Civil Grand Jury is commissioned annually in Contra Costa County to investigate city and county governments, special districts and certain non-profit corporations to ensure functions are performed in a lawful, economical and efficient manner. Pursuant to *California Government Code* Section 933.5(a), whenever a civil grand jury issues a report that involves matters within a particular municipality's jurisdiction or area of responsibility, the respective city is required to respond in writing and in accord with a specific response format.

On 30 May 2013, the FY 2012-13 Contra Costa Civil Grand Jury released a Report directed to cities and selected other public agencies and entities within Contra Costa County. Report No. 1305 considered the Contra Costa Clean Water Program (CCWP), of which our City is a member and active participant, the failed 2012 Community Clean Water Initiative [ballot measure], and other matters related to the municipal National Pollutant Discharge Elimination System (NPDES) permit and programs.

Civil Grand Jury Report No. 1305 concluded with eleven (11) Findings and six (6) Recommendations requiring structured responses by each of the County's nineteen cities and listed respondents. Attached is staff's recommended draft letter for the City Council to consider and approve constituting our City's response to Civil Grand Jury Report No. 1305. Input was received from the CCWP to assist in preparation of our City's reply. The City's response is due by 29 August 2013.

FISCAL IMPACT

None directly. However, there are certainly indirect staff costs and direct time incurred in responding to Civil Grand Jury Reports, Findings and Recommendations.

- Attachments:
1. Proposed City Response Letter [6 pp.]
 2. Civil Grand Jury Report No. 1305 and Cover Letter [12 pp.]



COMMUNITY DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
JULIE K. PIERCE, MAYOR
HANK STRATFORD, VICE MAYOR
JIM DIAZ
HOWARD GELLER
DAVID T. SHUEY

July 31, 2013

Contra Costa Civil Grand Jury, 2012-2013
Attn: Marc Hamaji, Foreperson
725 Court Street
P O Box 431
Martinez, CA 94553-0091

DRAFT

**Re: Contra Costa County Civil Grand Jury Report No. 1305, FY 2012-13
“Getting to Clean Water in Contra Costa County”**

Dear Mr. Hamaji:

In behalf of the Clayton City Council, this letter responds to the Contra Costa Civil Grand Jury’s Report No. 1305 regarding its impressions of the Contra Costa Clean Water Program, the 2012 Community Clean Water Initiative, and matters related to the municipal National Pollutant Discharge Elimination System (NPDES) permit program. The Clayton City Council met in a noticed special public meeting on July 30, 2013 to consider Report No. 1305 and therein authorized this written response.

Pursuant to California Government Code section 933.5(a), the City of Clayton does hereby respond to the Civil Grand Jury’s required Findings (Nos. 1 thru 11) and Recommendations No. 1 through 6, as contained within Report No. 1305:

FINDINGS

Finding # 1: *In the most recent Annual Reports, Permittees reported compliance with their permits; however, Contra Costa County recently received a “Notice of Violation” with regard to its stormwater program.*

The City agrees with this finding.

Finding # 2: *Many Permittees are currently spending more than the total amounts collected from fees/taxes/assessments, etc., designated for stormwater management purposes; any funding shortfalls are covered via supplements from the general fund.*

The City partially disagrees with this finding. The City of Clayton is not currently expending more than the total amounts collected from fees and assessments designated and restricted for purposes related to the City’s Clean Water programs. Further, the City of Clayton has not supplemented its Clean Water unfunded-mandate programs with General Fund monies (yet).

Finding # 3: *Despite the current levels of money being spent on the stormwater control initiatives, many Permittees do not think they are doing as much as necessary to position themselves to meet future compliance requirements.*

The City partially disagrees with this finding. The 9th Circuit Court of Appeal decision in NRDC v. County of LA (9th Cir., July 13, 2011, No. 10-56017) determined that a municipality is strictly liable for violations of its NPDES permit if its discharges cause or contribute to an exceedance of a water quality standard in receiving waters. This decision potentially places every municipal stormwater discharger in the State of California in immediate non-compliance with its NPDES permit if monitoring data show an exceedance, and exposes each to considerable liability, including fines and costly remediation.

Permittees, regulators and watershed stakeholders agree compliance with strict numeric water quality standards will compel substantial public investment for the redesign and retrofit of existing municipal separate storm sewer systems (MS4s). Currently, stormwater treatment and flow control measures are required on many new and redevelopment projects. Pilot studies and projects are being conducted under current municipal NPDES permits to evaluate the costs and benefits of implementing facilities that treat runoff from existing developed areas.

Due to these compulsory actions, current dedicated funding in Clayton is insufficient to meet all existing and future NPDES-compliant permit requirements. New revenue sources dedicated to these public policy unfunded mandates will be necessary for the City of Clayton to adequately design, construct, operate and maintain stormwater drainage infrastructure improvements in the future.

Finding # 4: *The requirements for compliance are expected to become increasingly demanding and the process of negotiating the terms and conditions of the next permit are unclear.*

The City agrees with this finding. Regional Water Quality Control Board staff determines the process for negotiating the terms and conditions of the next municipal permit in accordance with state law and public policy. Recently through the Bay Area Stormwater Management Agencies Association (BASMAA), CCCWP Permittees have joined with other Bay Area municipalities that are also Permittees under the Municipal Regional Stormwater Permit (MRP) to participate in discussions with Regional Water Quality Control Board staff regarding cost-benefit terms and scope of conditions in the next permit. As one of the smallest public agencies in the Bay Area, the Clayton City Council is increasingly concerned about the local financial burdens of this well-intended yet unfunded state mandate.

Finding # 5: Permittees disagree on what reasonable/practical program requirements should entail.

The City partially disagrees with this finding. Each municipality has different water-quality issues that must be addressed, different pollutant sources, different drainage system characteristics, different availability of funds, and different priorities for use of restricted funds. Despite these local differences, Permittees, through representation on the Contra Costa County Clean Water Program's (CCCWP's) Management Committee, rarely disagree as to reasonable/practical programs and continue to maintain consensus regarding permit negotiating positions and the successful implementation of unfunded mandated program requirements.

Finding # 6: All Permittees are forecasting that the lack of funds needed to undertake the critical activities to reach compliance levels will result in the majority of them being non-compliant in 2-5 years.

The City agrees with this finding.

Finding # 7: The CCCWP seems to be doing a reasonable job in terms of its role for centralized activities such as public education, outreach, training and monitoring.

The City agrees with this finding. As the smallest city in Contra Costa County, Clayton expressly values the benefits of working collectively with other municipalities in sharing ideas, successful programs, and realizing taxpayer savings through economies of scale.

Finding # 8: As an intermediary between the Permittees and the regulatory bodies, the CCCWP appears to be failing because there is a significant difference between the expectations and views of the regulators and the Permittees. There are dramatically different perspectives of what needs to be done, how it should be done and what happens if it is not done.

The City disagrees with this finding. Clayton can only imagine in a frightening way what its setting would be like if faced alone with stormwater regulators. There are indeed significant disparities between the expectations and views of the regulators and those of the Permittees; however, this friction is typical of most regulatory processes. It must be noted that non-governmental organizations (NGOs) and other interest groups inject critical influence into the NPDES decision-making process.

Finding # 9: *It is unclear what the impact of non-compliance status will be for a Permittee.*

The City partially disagrees with this finding. Permittees and this City have been advised repeatedly by regulators that civil penalties of up to \$10,000 per day plus \$10 per gallon of polluted discharge for each violation may be imposed administratively by Regional Water Quality Control Boards; fines of up to \$25,000 per day for each violation may also be assessed if imposed by a Superior Court. Further, the Clean Water Act provides that any U.S. citizen may file a citizen suit against any person who has allegedly violated an effluent limitation regulation. Citizen enforcers are entitled to measures sufficient to ensure compliance, the imposition of civil penalties of up to \$27,500 per violation per day, and costs of litigation, including reasonable attorney's fees. Within these guidelines Regional Water Quality Control Boards have discretion on their own enforcement actions yet Clayton and Permittees would not know what action the Board would engage until it actually acts on a violation.

Finding # 10: *The potential future risk associated with funding deficits and non-compliance is not being accurately communicated to citizens by the Permittees.*

The City disagrees with this finding. The CCCWP and the City of Clayton have consistently communicated and broadcast that funding deficits for mandated stormwater pollution prevention and control, and non-compliance with current and future permits, may result in significant fines, costly remediation and/or third party lawsuits. The more definitive Finding would have been: "is anyone listening?"

Finding # 11: *Following failure of the 2012 Community Clean Water Initiative, cities do not appear to have formulated realistic alternative plans.*

The City agrees with this finding. It is an unfathomable challenge to plan for the unfunded programmatic mandates of a state regulator which relies on an open check book of a local Permittee.

RECOMMENDATIONS

Recommendation # 1: *The permit negotiation process be clarified with roles, negotiating strategies, and negotiation objectives defined.*

The recommendation has been implemented. The permit negotiation process is dynamic and must adapt to the exchange between the state regulator and the Permittees. This is an on-going process performed in cooperation between BASMAA and the Regional Water Quality Control Board staff. BASMAA committees, Water Board staff, and Permittee

representatives are attending regularly scheduled meetings to negotiate the terms and conditions of the next permit.

Recommendation # 2: *The CCWP immediately begin to implement more direct communications between the individual Permittees and the regulatory authorities to eliminate the confusion that currently exists between the two parties as to program requirements, solutions for meeting long-term permit compliance and development of mutually agreed-upon plans for the path forward.*

The recommendation has been implemented. BASMAA and the Regional Water Quality Control Board staff have agreed to a permit negotiation process that includes Permittee representatives. Further, Permittee representatives and Water Board staff continue to meet regularly to discuss permit issues in BASMAA committees.

Recommendation # 3: *Permittees immediately quantify a range of future expenditure requirements associated with a range of negotiation outcomes and develop funding plans.*

The recommendation will not be implemented because it is not reasonable. Future expenditure requirements under the current permit were estimated as part of the Engineer's Report for the 2012 Community Clean Water Initiative [ballot measure], and funding plans are difficult to develop (ref. response to Finding # 11.) Estimates of future expenditure requirements associated with a range of future negotiation outcomes is not practical due to the complexity of issues surrounding the management of municipal stormwater conveyance systems coupled with the number of permit requirements and the fluctuating and unpredictable nature of this regulatory permit process. The City of Clayton does not have the resources or magic crystal ball to provide a meaningful prediction of the outcomes of future negotiations in order to generate future funding plans at this time.

Recommendation # 4: *Permittees consider identifying funds to disclose to the public "the issues" surrounding the lack of funding to fulfill their NPDES permit requirements, including the discussion of potential, but realistic, impacts of non-compliance.*

The recommendation requires further analysis. As a member of CCWP, the CCWP acts as the City's agent in matters related to NPDES permit requirements. The CCWP's Management Committee will consider preparing a "fact sheet" addressing these issues, which would be posted on the CCWP's website. This action will be considered in August 2013, and if approved, implemented in the last quarter of calendar year 2013.

Recommendation # 5: *The CCWP consider immediately beginning to re-align its activities and operating costs with; (a) probable outcomes from the negotiation of the next permit's compliance requirements; (b) projected available funding; and (c) constituent needs.*

This recommendation has been partially implemented. In response to Item (a) of this recommendation, please refer to the City's response to Recommendation # 3 above. In response to Item (b) and Item (c), through the CCWP our City continually evaluates its activities and operating costs based on projected available funding and constituent needs.

Recommendation # 6: *Before any Permittee makes any effort to approach its citizens with another request for additional funding, all stakeholders reach consensus on a plan for the path forward that includes articulations of reasonable objectives, ways to measure those objectives and reasonable timelines for accomplishment of those objectives.*

This recommendation will not be implemented as it is not within this Permittee's power or authority to ensure that the objectives, timelines, or provisions of its NPDES unfunded mandated permit are reasonable. Tests of reasonableness, if used, are applied by the Regional Water Quality Control Board pursuant to the applicable provisions of the California Water Code. Again, state and federal legislators need to be more conscious of the forced funding mandates facing Permittees in obtaining compliance with the unfunded provisions and requirements they set while remaining cognizant of the fact Permittees are constrained in ability and capacity to get voters to accept additional revenue measures for state and federal unfunded mandates.

We appreciate the time and effort the Civil Grand Jury spent researching and considering these matters, and we trust this response will be helpful in its endeavors.

Sincerely,

DRAFT

Julie K. Pierce
Mayor



May 29, 2013

Received

MAY 30 2013

City of Clayton

Gary A. Napper, City Manager
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Dear Mr. Napper:

Attached is a copy of **Grand Jury Report No. 1305, "Getting To Clean Water In Contra Costa County"** by the 2012-2013 Contra Costa Grand Jury.

In accordance with California Penal Code Section 933.05, this report is being provided to you at least two working days before it is released publicly.

Section 933.5(a) of the California Government Code requires that (the responding person or entity shall report one of the following actions) in respect to each finding:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees with the finding.
- (3) The respondent partially disagrees with the finding.

In the cases of both (2) and (3) above, the respondent shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefore.

In addition, Section 933.05(b) requires that the respondent reply to each recommendation by stating one of the following actions:

1. The recommendation has been implemented, with a summary describing the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury Report.

4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

Please be reminded that Section 933.05 specifies that no officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to its public release. Please insure that your response to the above noted Grand Jury report includes the mandated items. We will expect your response, using the form described by the quoted Government Code, no later than **AUGUST 29, 2013.**

It would be greatly appreciated if you could send this response in hard copy to the Grand Jury as well as by e-mail to clope2@contracosta.courts.ca.gov (Word document).

Sincerely,

A handwritten signature in black ink, appearing to read 'Marc Hamaji', with a horizontal line above it.

Marc Hamaji, Foreperson
2012-2013 Contra Costa County Civil Grand Jury

**A REPORT BY
THE 2012-2013 CONTRA COSTA COUNTY GRAND JURY
725 Court Street
Martinez, California 94553**

Report 1305

**GETTING TO CLEAN WATER IN
CONTRA COSTA COUNTY**

What's the Plan and Where's the Money?

APPROVED BY THE GRAND JURY:

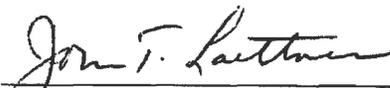
Date: 5/21/2013



MARTHA WHITTAKER
GRAND JURY FOREPERSON-PRO TEM

ACCEPTED FOR FILING:

Date: 5/29/13



JOHN T. LAETTNER
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1305

GETTING TO CLEAN WATER IN CONTRA COSTA COUNTY

What's the Plan and Where's the Money?

TO: Cities and Towns of Contra Costa County; Contra Costa County Board of Supervisors; Contra Costa Flood and Water Conservation District (collectively "Permittees"), and the Contra Costa Clean Water Program

SUMMARY

The Contra Costa Clean Water Program (CCCWP) is characterized by an inability among the stakeholder organizations to reach agreement regarding exactly what they are trying to accomplish, in what manner, in what period of time, and the consequences of failing to do so. Stakeholders include CCCWP management and Permittees, empowered regulatory bodies, and interested activist community groups. They have different opinions and perspectives of what is important, what should or should not be prioritized, what is urgent, what quantifiable indicators should be used to gauge progress and compliance and what is the real exposure for non-compliance. The result is a stream of public communication and comment that is, at best, contradictory and, at worst, misleading. As a starting point, there needs to be constructive dialogue between each of the Permittees and the appropriate regulatory authorities.

The failure of Proposition 218, the 2012 Community Clean Water Initiative, to receive voter approval was a serious setback for the program. The ballot initiative was intended to, at least partially and for a short period of time, address the imbalance between the current and projected future costs for planned clean water activities that far exceeded available funds. Now the Permittees must determine alternative funding sources.

It is projected that by 2015, with no changes in the current permit requirements, a funding gap of several million dollars will exist. This shortfall could significantly grow if new permit requirements are incrementally more onerous than current requirements, as expected. This funding gap, if not resolved, may result in an inability to conduct critical activities needed to meet permit standards. It may also place some Permittees in a condition of non-compliance, with consequent exposure to fines, other monetary damages and enforcement actions.

As the challenge of finding additional funding is addressed, it is an appropriate time for the Permittees to make an effort to better define and understand their paths forward and develop more detailed plans, timelines, and desired outcomes. These re-evaluations should, at least,

include:

- a) negotiation of more realistic, better-defined compliance terms that take into account differences in participant characteristics;
- b) implementation of more efficient and effective operating practices of the Contra Costa Clean Water Program; and,
- c) identification of ways to make the impacted communities more aware of the importance of the program and the challenges ahead.

METHODOLOGY

In evaluating the stormwater pollution control activities as instituted in Contra Costa County by the Permittees, the following tasks were performed:

- Interviews with selected city managers and selected county officials
- Interviews with CCCWP staff, selected Permittee representatives to the CCCWP (collectively “program personnel”) and regulatory personnel
- Interview with a representative from an environmental Non-Governmental Organization (NGO)
- Review of the stormwater permits applicable in Contra Costa County
- Review of individual Permittee stormwater program budgets
- Review of CCCWP publications and operating data
- Review of Permittee Annual Reports for the most recent year
- Attendance at CCCWP Management Committee Meetings and review of minutes for those meetings and others not attended
- Review of Environmental Protection Agency (EPA) and California State Water Board literature with regard to stormwater programs and requirements
- Review of information prepared (and in some cases sent to voters) as part of the 2012 Community Clean Water Initiative, including a number of different outside consultant reports
- Review of public media articles involving the local storm water program and recent ballot initiative
- Review of informational websites including California Stormwater Quality Association (casqa.org), Bay Area Stormwater Management Agencies Association (basmaa.org) and Contra Costa Clean Water Program (cccleanwater.org)

BACKGROUND

The Federal Clean Water Act (as amended from time to time) established the National Pollutant Discharge Elimination System (NPDES) Permit Program to control water pollution. The program regulates point sources that discharge pollutants into the waterways of the United States. The Permit Program is administered by the individual states - in California, by the State Water Board and a series of Regional Water Quality Control Boards (RWQCB). The various water boards are responsible for issuing NPDES permits governing discharges into specific watersheds and determining and enforcing compliance with the individual permit requirements.

One requirement of amendments to the Clean Water Act in 1987 was that many municipalities were obligated to obtain NPDES permits for discharges of urban runoff from their storm sewer systems into local watersheds. Accordingly, the 19 incorporated cities/towns of Contra Costa County, along with the Contra Costa County Flood Control District and the unincorporated areas of Contra Costa County (collectively the "Permittees"), were required to obtain these NPDES permits. The Permittees are covered by one of two applicable permits as shown in the following table:

San Francisco Permit (Discharge into San Francisco Bay)		Central Valley Permit (Discharge into Delta)
Clayton	Pittsburg	Antioch
Concord	Pleasant Hill	Brentwood
El Cerrito	Richmond	Oakley
Hercules	San Pablo	
Lafayette	San Ramon	
Martinez	Walnut Creek	
Orinda	Moraga	
Pinole	Danville	

The Contra Costa Flood Control and Water Conservation District and Contra Costa County are parties to both permits. For purposes of the discussion in this report, no distinction is made between the two permits.

These parties to the two permits -- the Permittees -- are individually responsible for complying with the requirements of their respective permits. The activities typically include street sweeping, storm drain maintenance and cleaning, litter control, creek cleanup programs, construction site and business inspection and control, and public outreach.

In Contra Costa County, in 1991 the Permittees formed the Contra Costa Clean Water Program (CCCWP) to coordinate certain centralized services or group activities such as training and monitoring programs, and public outreach. The CCCWP also serves as the point organization for the Permittees' interface with the Regional Water Quality Control Boards and is expected to continue to do so in the upcoming permit renegotiations. CCCWP is run by a "management committee" comprised of representatives of each of the Permittees. Each of the Permittees and the CCCWP file an Annual Report detailing their compliance with the permit. Reviews of these reports indicate that, for the most recent period, no instances of non-compliance were reported.

However, in December, 2012, Contra Costa County received a “Notice of Violation” with regard to its stormwater program identifying 9 different violations and 30 required actions. Moreover, in January, 2013, several of the Permittees received “Notices of Deficiency” related to a review by the Water Board of certain sections of the 2012 Annual Reports. County personnel interviewed acknowledged that, the most recent Annual Report notwithstanding, the County is not in compliance under the permits. Additionally, a number of the cities interviewed suggested that they were either on the verge of non-compliance, if not already noncompliant.

Generally, the cities and county fund their storm water permit activities via a Stormwater Utility Assessment (SUA) levied on property owners (exceptions are Brentwood and Richmond which use alternative sources including general fund revenues). CCCWP is funded by the participating cities out of the assessment revenue collected.

According to a report to the CCCWP from SCI Consulting Group, since the implementation of the SUA, “inflation and ever-expanding permit mandates have progressively increased the cost of NPDES permit implementation and drainage system maintenance. All municipalities now charge the maximum authorized by the SUA.”

From a budgetary perspective, over the past two fiscal years the majority of cities are spending more than they collect in assessment revenue. Municipalities are absorbing shortfalls using non-storm water funds, general fund resources or prior years’ reserves. Several city managers indicate that, to the extent general fund monies are required for this purpose; there will be an impact on their city’s ability to provide other services.

The regulatory authorities are aware of and sympathetic to the fiscal challenges faced by cities with respect to the program, but have a somewhat different view as to why the cities face the challenges they do. The regulatory personnel indicate that when the SUA structure was enacted, many of the cities immediately shifted the funding of certain program-eligible activities (such as street sweeping and other elements of public works) out of their general funds to be funded out of the new stormwater assessments. While this may have been beneficial to the cities in the short term, in the long run it removed funds which should have been available for the long-term growth and development of the stormwater program, which all understood would necessarily grow increasingly more complex and rigorous over time.

Some city managers and program personnel indicate that, while still in compliance, they are not necessarily doing everything they need to do to ensure continued future compliance due to funding limitations. In a report by SCI Consulting Group commissioned by the CCCWP, consultants stated “Because of current fiscal difficulties, most municipalities are deferring some required maintenance on infrastructure. Some permit-mandated activities, such as staff training, routine surveillance and inspections and outreach are also being minimized. While these budget balancing reductions will not necessarily compromise permit compliance in the short term, in the long term, they could erode local program effectiveness.”

The current permits have introduced additional requirements including expanded storm water monitoring and increased trash control. It is expected that the renegotiated permits will have additional significant implementation requirements. For example, cities now have a requirement that 40% of all trash be removed from the storm water discharge by mid-2014. This rises to 70% by 2017 and 100% by 2022. The State Water Board has rejected the short-term plan submitted by CCCWP for meeting these requirements.

The exact timing of negotiations and program requirements of the new permits are not fully known at this time. Discussion with program personnel and observation of select CCCWP management committee meetings indicate that there is some disagreement as to what Permittees view as reasonable requirements. However, the Permittees also believe that, individually, they have very limited ability to influence the permit process.

The regulators believe that they must balance the requirements of the legal mandates (including Federal Clean Water Act requirements and California state requirements), the desires of outside advocacy groups (primarily environmental groups such as San Francisco Baykeeper, Natural Resource Defense Council, etc.) and the Permittees. Regulators feel the permits are sufficiently flexible to account for size differentials and, to the extent possible, take into account individual circumstances.

The overall structure of the Clean Water Program, with the resulting multiple layers of bureaucracy between the regulatory authorities and the individual Permittees may be a key contributing factor to the dramatically different perspectives of what needs to be done, how it should be done, and what happens if it is not done. Discussions with representatives of many stakeholder organizations revealed a lack of alignment on these issues. In particular, while regulators indicate that the underlying rules are flexible and enforcement activity is subjective, Permittees indicate they are forced to “interpret” the message and this makes formulation of their stormwater program plans and activities difficult. This is especially true during a time of scarcity of financial resources, and a need to make hard choices between competing demands for those resources.

To address the current and expected future fiscal shortfalls, the municipalities and CCCWP sponsored a county-wide Proposition 218 compliant ballot initiative to increase funding by approximately \$8.7 million per year. According to program personnel, this additional funding level was based on “what the public would accept”; however, consultants to CCCWP estimated future costs to be well in excess of those requested via the ballot measure. The ballot measure failed. In its Annual Report the CCCWP described the results as follows:

“The defeat of the 2012 Community Clean Water Initiative represents a setback for Permittees’ clean water programs in Contra Costa County. Permittees have exhausted their reserves. Many are now relying on other municipal revenues, such as their general funds, to implement MRP (Municipal Regional Permit) compliance. At the same time, reductions in general fund revenues due to significant losses in property and sales tax revenues has resulted in reductions in staffing, salaries and benefits, and community services and programs. Local elected officials are faced with agonizing and unpopular public policy decisions on how to use and allocate their limited resources and revenues to continue to provide critical services (e.g. public safety, road maintenance, public facilities operation and maintenance, natural resource protection).”

Some city managers have referred to the current storm water situation as an “unfunded mandate”. They indicate that specific solutions to the potential funding problems have not been determined. At least one city, El Cerrito, has held some limited public discussion on the issue and has begun to explore potential funding options including a city-specific bond measure. In its 2012 Annual Report, the CCCWP indicates that it does not believe any additional county-wide funding measures would be successful at this time.

Interviews with some city managers and program personnel indicate that, given the fiscal issues

they face, the level of deferred program activities, and both currently known and expected more rigorous future program requirements, the majority of cities in the county will be in non-compliance with the NPDES permits over the next 2-5 years. The impact of non-compliance is not clear at this point. There is a wide range of potential outcomes. In a report prepared as part of the ballot initiative effort, consultants to the CCCWP indicate the following:

“Non-compliance with Permit Requirements exposes the Permittees to fines from the RWQCB as well as to potential third-party lawsuits. All Permittees must demonstrate full compliance or be subject to regulatory actions including:

- Administrative Civil Liability - \$10,000 per day of violation and/or \$10.00 per gallon of discharge
- Cease and Desist Orders for either public or private development projects
- Third-Party lawsuits alleging non-compliance and recommending regulatory actions be taken against the entity until violations have been corrected or negative impacts eliminated.”

One regulatory agency made it clear that, while these statements might reflect the “letter of the law”, they in no way reflect the “spirit of the law” or any intention on the part of that regulatory agency to implement fines of any kind in the near term on Permittees making reasonable efforts to achieve compliance. An interview conducted with a member of a prominent environmental group echoed this position that they do not intend to put undue financial burden or bring third-party lawsuits against Permittees as long as they can demonstrate that concerted and continuous efforts are being made to fulfill the mandates of the permit. The environmentalist clearly stated that while they have in the past and will continue to rigorously monitor various Permittee compliance activities in the future, their approach remains realistic and mindful of the financial and personnel constraints of those Permittees.

Some city managers and program personnel acknowledge the potential for significant monetary fines or other regulatory actions. It is possible that the Regional Water Quality Control Boards will recognize the severity of the fiscal situation and enter into a consent-decree type arrangement which, while not changing the discharge requirements, will allow more time to reach those levels as long as continuous progress can be demonstrated by each Permittee and will not impose onerous fines or penalties.

Observation of discussions at the CCCWP Management Committee meetings and a review of their meeting minutes reflect that they have not developed substantive solutions to the fiscal issues facing the group. The CCCWP Annual Report describes actions which they are currently taking to ameliorate the situation as, “specific actions identified include, but are not limited to:

- Review and analyze alternative CCCWP organizational structures, staffing and consultant support levels, and tasks;
- Review other potential sources of revenue (e.g. increased fees) to fund mandated compliance activities;
- Engage local elected officials, municipal managers, businesses, citizens and other stakeholders in development of effective water quality attainment strategies;

- Identify prioritized actions to reduce the discharge of trash and other pollutants of concern to local creeks, the Delta and bay; and,
- Seek flexibility requirements to allow individual Permittees to focus their limited resources to address local water quality priority problems.”

It is not clear from interviews with program personnel or city managers that these actions have resulted in any significant or concrete changes which go to solve the current set of problems or at least partially ameliorate the current set of problems facing the Permittees.

Attendance at CCCWP Management Committee meetings, as well as a review of the group’s minutes and discussions with city managers and program personnel indicate that there are concerns with how the organization is operating and whether it is really in a position to provide or contribute significantly to resolving the current fiscal situation. City managers in particular believe that the 2012 ballot initiative was mishandled in the way it was conducted, and the public was not educated as to its necessity. Some individual city participants question whether they might be better off trying to resolve their issues independently rather than as a combined group. Discussions with program personnel and a review of the history of local watershed permitting, as contained in the current NPDES permits, show that the regulatory authorities have fostered the creation of larger groups of participants in Contra Costa County that share standard agreements. Doing so removes the necessity of negotiating a series of unique agreements with individual municipalities. This is also true outside of Contra Costa County.

The San Francisco Bay permit expires in 2014 and the Central Valley Permit expires in 2015. Both will require renegotiation of new pollution standards and required activities. It is not clear how successfully the CCCWP (including its various committees) has undertaken the efforts to actively communicate issues and problems in order to influence the structure and requirements of the next permits, including dialogue to understand the possibility and ramifications of potential non-compliance and the regulatory bodies’ likely responses.

While some Permittees have made excellent efforts to educate their constituents as to the nature and magnitude of the problems they face, most have not. Interviews with program personnel indicate that little or no discussion with citizens of either the current or the expected longer-term fiscal issues faced by the stormwater programs have occurred.

FINDINGS

1. In the most recent Annual Reports, Permittees reported compliance with their permits; however, Contra Costa County recently received a “Notice of Violation” with regard to its stormwater program.
2. Many Permittees are currently spending more than the total amounts collected from fees/taxes/assessments etc., designated for stormwater management purposes; any funding shortfalls are covered via supplements from the general fund.
3. Despite the current levels of money being spent on the stormwater control initiatives, many Permittees do not think they are doing as much as necessary to position themselves to meet future compliance requirements.

4. The requirements for compliance are expected to become increasingly demanding and the process of negotiating the terms and conditions of the next permit are unclear.
5. Permittees disagree on what reasonable/practical program requirements should entail.
6. All Permittees are forecasting that the lack of funds needed to undertake the critical activities to reach compliance levels will result in the majority of them being non-compliant in 2-5 years.
7. The CCCWP seems to be doing a reasonable job in terms of its role for centralized activities such as public education, outreach, training and monitoring.
8. As an intermediary between the Permittees and the regulatory bodies, the CCCWP appears to be failing because there is a significant difference between the expectations and views of the regulators and the Permittees. There are dramatically different perspectives of what needs to be done, how it should be done and what happens if it is not done.
9. It is unclear what the impact of non-compliance status will be for a Permittee.
10. The potential future risk associated with funding deficits and non-compliance is not being accurately communicated to citizens by the Permittees.
11. Following failure of the 2012 Community Clean Water Initiative, cities do not appear to have formulated realistic alternative plans.

RECOMMENDATIONS

The Grand Jury recommends that:

1. The permit negotiation process be clarified with roles, negotiating strategies, and negotiation objectives defined.
2. The CCCWP immediately begin to implement more direct communications between the individual Permittees and the regulatory authorities to eliminate the confusion that currently exists between the two parties as to program requirements, solutions for meeting long-term permit compliance and development of mutually agreed-upon plans for the path forward.
3. Permittees immediately quantify a range of future expenditure requirements associated with a range of negotiation outcomes and develop funding plans.
4. Permittees consider identifying funds to disclose to the public “the issues” surrounding the lack of funding to fulfill their NPDES permit requirements, including a discussion of potential, but realistic, impacts of non-compliance.
5. The CCCWP consider immediately beginning to re-align its activities and operating costs with; (a) probable outcomes from the negotiation of the next permit’s compliance requirements; (b) projected available funding; and (c) constituent needs.

6. Before any Permittee makes any effort to approach its citizens with another request for additional funding, all stakeholders reach consensus on a plan for the path forward that includes articulations of reasonable objectives, ways to measure those objectives and reasonable timelines for accomplishment of those objectives.

REQUIRED RESPONSES

	Findings	Recommendations
City of Antioch	1 - 11	1 - 6
City of Brentwood	1 - 11	1 - 6
City of Clayton	1 - 11	1 - 6
City of Concord	1 - 11	1 - 6
Town of Danville	1 - 11	1 - 6
City of El Cerrito	1 - 11	1 - 6
City of Hercules	1 - 11	1 - 6
City of Lafayette	1 - 11	1 - 6
City of Martinez	1 - 11	1 - 6
Town of Moraga	1 - 11	1 - 6
City of Oakley	1 - 11	1 - 6
City of Orinda	1 - 11	1 - 6
City of Pinole	1 - 11	1 - 6
City of Pittsburg	1 - 11	1 - 6
City of Pleasant Hill	1 - 11	1 - 6
City of Richmond	1 - 11	1 - 6
City of San Pablo	1 - 11	1 - 6
City of San Ramon	1 - 11	1 - 6
City of Walnut Creek	1 - 11	1 - 6
Contra Costa County Board of Supervisors	1 - 11	1 - 6
Contra Costa Flood and Water Conservation District	1 - 11	1 - 6
Contra Costa Clean Water Program	1 - 11	1 - 6

City of Clayton - IPM Administrative Policy

It is the purpose and intent of this IPM Policy to ensure that the City of Clayton departments and all those who apply pesticides to property owned and/or managed by the City of Clayton utilize integrated pest management (IPM) practices and reduce pesticide applications on public-owned and/or City of Clayton managed property to the maximum extent feasible and as required by State and Regional Stormwater regulation.

The City of Clayton, in carrying out its pest management operations, shall focus on long term prevention or suppression of pest problems with minimum impact on human health, non-target organisms, and the environment.

The goal of the City of Clayton is to reduce its use of pesticide use and use to maximum extent possible non-toxic methods to control pests on City of Clayton property. The City of Clayton recognizes that pesticides are potentially hazardous to human health and the environment, and non-pesticide alternatives will be considered over toxic pesticides on City of Clayton property. The first level consideration will be the least toxic method that is both effective and feasible. The City of Clayton has a IPM Standard Operating Procedures and Practices that will outline all the IPM activities that will be implemented to ensure that less toxic methods, that are effective and feasible, are used to control pests on City of Clayton property.

These documents may be updated as needed from time to time.

City of Clayton

Standard Operating Procedures & Practices

Administrative Policy for Pesticide Use

The following are standard operating procedures for **the City of Clayton** for pesticide use in the IPM operational practices within the City's jurisdiction. These procedures include all Municipal Regional Permit (MRP) stormwater requirements under Provision C.9, Pesticides Toxicity Control The City of Clayton and the Contra Costa Clean Water Program work in conjunction to track and participation in regulatory processes, interface with the County Agricultural Commissioner, and conduct public outreach. For guidelines regarding the City of Clayton IPM program please refer to Attachment B, the City of Clayton's IPM Policy. The staff person or IPM Coordinator responsible for implementing, overseeing, reviewing and updating, and reporting the IPM program is Mark Janney, Maintenance Supervisor and their number is **(925) 673-7327**; or email at mjanney@ci.clayton.ca.us.

IPM Standard Operating Procedures

General

The City uses very limited pesticides, it is currently limited to use at city buildings for ants and similar pests. The City Contracts with Western Exterminator for building pest management. Periodically the City Contracts with a Contra Costa County Department of Agriculture approved IPM contractor for management of ground squirrels in certain areas when damage is occurring. The City also contracts with Environtech for management of non native invasive plant species of Star Thistle and Artichoke Heart in the Oakhurst Open Space. This is a limited area of apx. 125 acres. The EIR mitigation measures required management of this plant. The contractor is trained in IPM. Herbicide applications are targeted to these two plant species. The City maintenance mostly involves limited use of herbicides – specifically spot spraying of weeds in landscape areas, and pre-emergent in the fall and spring to minimize weed growth in certain landscape areas. The maintenance staff also applies slow release fertilizer periodically on active use lawn areas such as the park or sports play fields. All application are done according to the manufactures application specifications.

Pesticide Use

Pesticide use within the City of Clayton is determined by an assessment of each pest situation. Each assessment includes identification of the pest causing the damage (e.g., weed, insect, rodent, etc.), evaluation of prevention, exclusion and sanitation measures that will contribute to

successful pest management, evaluation of both non-chemical and chemical options for eliminating or reducing pest numbers, and then developing an integrated management plan using as many management options as practical and economical. Pesticides are generally used as a last resort and are chosen and applied in a manner that is least harmful to people and the environment. The pest problem should then be monitored to evaluate the success of the management strategy.

Particular scrutiny will be used to evaluate the necessity of using the pesticides of concern listed in the Permit under Section C.9: organophosphorous pesticides (chlorpyrifos, diazinon and malathion); pyrethroids (bifenthrin, cyfluthrin, beta-cyfluthrin, cypermethrin, deltamethrin, esfenvalerate, lambda-cyhalothrin, permethrin, and tralomethrin).

Environmental impacts of the products are also considered. Pesticides of concern listed in C.9 of the MRP will go through a more rigorous process of review prior to considering their use. Each pesticide used are carefully monitored and recorded using a pesticide management database (see Attachment C).

Pesticide Applicators

All pesticide applicators and IPM providers have IPM training and certification as required by the MRP. All IPM contractors have IPM language in their contracts as required by the MRP. All IPM providers are required to follow these standard operating procedures.

IPM Training

All pesticide applicators will be trained annually in IPM. IPM training may include local, countywide, that included with PAPA licensing or regional efforts. All staff associated with planning, design, construction, and maintenance of buildings and landscaping shall receive an orientation to these standards operating procedures and their roles and responsibilities in implementing IPM within their work duties.

IPM Outreach

Pesticide application information will be provided to the public upon request. Public outreach for IPM includes point of purchase outreach and contractor outreach by the Bay Area Stormwater Management Agencies Association (BASMAA) as required by the MRP.

Reporting

A copy of the City of Clayton's IPM policy shall be included in the annual report. To the extent practicable and data is available, trends in quantities and types of pesticides used shall also be reported, as well as reasons for any increases. The annual report shall also include the percentage of City of Clayton employees who apply pesticides that have been trained in IPM. For any city hired contractor who applies pesticides, a copy of their contract specification; or certification; or other similar acceptable documentation shall also be included in the annual report. For regional regulatory, interface or outreach efforts, the City of Clayton may reference those regional reports.

Information for storm water report FY 12/13 City of Clayton Maintenance Supervisor Mark Janney

Herbicide common name, usage, and active ingredient

Usage is along trails, parks and landscape median areas for weed suppression

Trade Name: RANGER

Usage in 12/13: 32 gallons

Active ingredient: Glyphosate N (phosphonmethl) glycine in form of isopropylamin salt

Trade Name: Surflan

Usage in 12/13: 31 gallons

Active Ingredient: oryzain 3.5-dinitro-N4-N4-dipropylsulfanilamide

Trade Name: Gallery 75 Dry Flowable

Usage in 12/13: 496oz

Active Ingredient: isoxaben:N[3(1-ethyyl-1-methylpropyl)-5-isoxazoly] 2,6-dimethoxybenzamide and isomers

Fertilizers Usage:

Use is on small lawn areas in the roadway landscape areas, and on lawns in our parks

5000 pounds of fertilizer it is a slow release type .

Laura Hoffmeister

From: Environjon@aol.com
Sent: Friday, September 07, 2012 8:49 PM
To: lhoffmeister@ci.clayton.ca.us
Subject: Re: need chemical quantities for Clayton ASAP

Hi Laura,

Here is the application quantities you asked for. *- open space weed abatement*

2010	Garlon 3A	65 gallons
	Milestone	10 gallons
2011	Garlon 3A	97 gallons
	Milestone	13 gallons
2012	Garlon 3A	70 gallons
	Milestone	7 gallons

Give me a call if you have any questions.

John Squadroni
Environtech

In a message dated 9/7/2012 11:44:14 A.M. Pacific Daylight Time, lhoffmeister@ci.clayton.ca.us writes:

John:

When we spoke last week or so you were going to provide me with the chemical application information on what you used in clayton and the quantities so I can submit to water board in my annual report as they require – I have not received the info

I need to have this no later than Monday but hopefully today

Thanks

Laura Hoffmeister

Assistant to the City Manager

City of Clayton

6000 Heritage Trail

Laura Hoffmeister

From: Environjon@aol.com
Sent: Monday, August 12, 2013 6:23 PM
To: lhoffmeister@ci.clayton.ca.us
Subject: Re: FW: IPM Bay Friendly for landscaping and PAPA

Hi Laura,

Here are the quantities of product used through July 2013:

April	transline	1 gallon
	garlon 3a	5 gallons
May	transline	2.5 gallons
	garlon 3a	15 gallons
June	transline	8 gallons
	garlon 3a	25 gallons
July	transline	5 gallons
	garlon 3a	20 gallons

John Squadroni
Environtech

In a message dated 7/30/2013 3:31:48 P.M. Pacific Daylight Time, lhoffmeister@ci.clayton.ca.us writes:

Jon (envirjon)

You mentioned to me a couple of weeks back when renewing your bus lic that you had heard that maybe the PAPA training is going to do a IPM that would be acceptable to the SF Regional Water Board as Bay Friendly training – you mentioned in context for recertification when that time came around—I asked and the below is what I received – generally it is not happening

Laura Hoffmeister

Assistant to the City Manager

City of Clayton

6000 Heritage Trail

Clayton, CA 94517

Email: LHoffmeister@ci.clayton.ca.us



901 76th Avenue
Oakland, Ca. 94621
(510) 569-8889 (925) 935-0599

Service Inspection Report
Service Report #970505590C1R03455264

Client: 130965
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 970505590
CITY OF CLAYTON
6000 HERITAGE TRL - City Hall Bldg
CLAYTON, CA 94517-1249

Customer Signature:

laci.jackson

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1000-085

Time In: 07/30/2013 02:42:31 PM **Terms:** INVOICE TO FOLLOW
Time Out: 07/30/2013 03:08:12 PM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
970505590C1R03455264	BLANKET NON-FD COMME	1	\$99.00	\$99.00
SubTotal:				\$99.00
Tax:				\$0.00
Total:				\$99.00
Amount Due:				\$99.00

Service Comments

Tech Comment: thank you for using western exterminator company

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
Niban Granular Bait	64405-2 n/a	Orthoboric Acid 5	8.000 Ounces 8.000 Ounces	General	
<i>Target Pests: Ants</i>					
<i>Areas Applied: Exterior</i>					

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity	Quantity
<i>None Noted.</i>	

Device Summary

Device Type	With Activity	Without Activity	Total Inspected	Device Exceptions		
				Replaced	Removed	Skipped
<i>None Noted.</i>						

Additional pest findings may have been observed. Please see conditions and comments for more details.



901 76th Avenue
Oakland, Ca. 94621
(510) 569-8889 (925) 935-0599

Service Inspection Report
Service Report #010528354C1R03455262

Client: 126004
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 10528354
CITY OF CLAYTON
6008 CENTER ST - Endeavor Hall Bldg
CLAYTON, CA 94517-1302

Customer Signature:

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1000-085

Time In: 07/30/2013 06:30:00 AM **Terms:** INVOICE TO FOLLOW
Time Out: 07/30/2013 06:52:45 AM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
010528354C1R03455262	BLANKET NON-FD COMME	1	\$95.50	\$95.50
SubTotal:				\$95.50
Tax:				\$0.00
Total:				\$95.50
Amount Due:			\$95.50	

Service Comments

Tech Comment: see account 970505590 for sig

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
Niban Granular Bait	64405-2 n/a	Orthoboric Acid 5	5.000 Ounces 5.000 Ounces	General	
<i>Target Pests: Ants</i>					
<i>Areas Applied: Exterior</i>					

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity	Quantity
<i>None Noted.</i>	

Device Summary

Device Type	With Activity	Without Activity	Total Inspected	Device Exceptions Replaced	Removed	Skipped
<i>None Noted.</i>						

Additional pest findings may have been observed. Please see conditions and comments for more details.



901 76th Avenue
Oakland, Ca. 94621
(510) 569-8889 (925) 935-0599

Family Pride In Excellence Since 1923

Service Inspection Report Service Report #504119678C1R03455263

Client: 133900
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 504119678
CITY OF CLAYTON
6125 CLAYTON RD - Library Bldg
CLAYTON, CA 94517-1241

Customer Signature:

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1000-085

Time In: 07/30/2013 06:53:35 AM **Terms:** INVOICE TO FOLLOW
Time Out: 07/30/2013 07:17:37 AM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
504119678C1R03455263	BLANKET NON-FD COMME	1	\$103.00	\$103.00
SubTotal:				\$103.00
Tax:				\$0.00
Total:				\$103.00
Amount Due:				\$103.00

Service Comments

Tech Comment: see account 970505590 for sig

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
Niban Granular Bait	64405-2 n/a	Orthoboric Acid 5	16.000 Ounces 16.000 Ounces	General	
<i>Target Pests: Ants</i>					
<i>Areas Applied: Exterior</i>					

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity Quantity

None Noted.

Device Summary

Device Type With Activity Without Activity Total Inspected Device Exceptions
Replaced Removed Skipped

None Noted.

Additional pest findings may have been observed. Please see conditions and comments for more details.



901 76th Avenue
Oakland, Ca. 94621
(510) 569-8889 (925) 935-0599

Service Inspection Report
Service Report #960300036C1R03455265

Client: 126272
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 960300036
CITY OF CLAYTON
7411 MARSH CREEK RD
CLAYTON, CA 94517

Community Park Restroom Bldg

Customer Signature:

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1000-085

Time In: 07/30/2013 07:43:30 AM **Terms:** INVOICE TO FOLLOW
Time Out: 07/30/2013 08:02:13 AM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
960300036C1R03455265	BLANKET NON-FD COMME	1	\$44.50	\$44.50
SubTotal:				\$44.50
Tax:				\$0.00
Total:				\$44.50
Amount Due:				\$44.50

Service Comments

Tech Comment: see account 970505590 for sig

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
Niban Granular Bait	64405-2 n/a	Orthoboric Acid 5	3.000 Ounces 3.000 Ounces	General	
<i>Target Pests: Ants</i>					
<i>Areas Applied: Exterior</i>					

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity	Quantity
<i>None Noted.</i>	

Device Summary

Device Type	With Activity	Without Activity	Total Inspected	Device Exceptions		
				Replaced	Removed	Skipped
<i>None Noted.</i>						

Additional pest findings may have been observed. Please see conditions and comments for more details.



3481 Arden Road
Hayward, Ca. 94545
(510) 569-8889 (925) 935-0599

Family Pride In Excellence Since 1921

Service Inspection Report Service Report #970505590C1R03564207

Client: 130965
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 970505590
CITY OF CLAYTON
6000 HERITAGE TRL - City Hall Bldg
CLAYTON, CA 94517-1249

Customer Signature:

laci jackson

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1000-085

Time In: 08/27/2013 12:51:28 PM **Terms:** INVOICE TO FOLLOW
Time Out: 08/27/2013 01:14:21 PM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
970505590C1R03564207	BLANKET NON-FD COMME	1	\$102.00	\$102.00
SubTotal:				\$102.00
Tax:				\$0.00
Total:				\$102.00
Amount Due:				\$102.00

Service Comments

Tech Comment: thank you for using western exterminator company

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
ECOPCO WP X	67425-25 n/a	2-Phenethyl Propionate 0.031	0.500 Gallons 0.250 Ounces	General	
<i>Target Pests: Ants</i>					
<i>Areas Applied: Exterior</i>					

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity	Quantity
<i>None Noted.</i>	

Device Summary

Device Type	With Activity	Without Activity	Total Inspected	Device Exceptions		
				Replaced	Removed	Skipped
<i>None Noted.</i>						

Additional pest findings may have been observed. Please see conditions and comments for more details.



3481 Arden Road
Hayward, Ca. 94545
(510) 569-8889 (925) 935-0599

Family Pride In Excellence Since 1921

Service Inspection Report Service Report #010528354C1R03564205

Client: 126004
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 10528354
CITY OF CLAYTON
6008 CENTER ST - *Enclave Hall Bldg*
CLAYTON, CA 94517-1302

Customer Signature:

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1000-085

Time In: 08/27/2013 06:37:04 AM **Terms:** INVOICE TO FOLLOW
Time Out: 08/27/2013 07:02:26 AM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
010528354C1R03564205	BLANKET NON-FD COMME	1	\$98.50	\$98.50
SubTotal:				\$98.50
Tax:				\$0.00
Total:				\$98.50
Amount Due:				\$98.50

Service Comments

Tech Comment: see account 970505590 for sig

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
ECOPCO WP X	67425-25 n/a	2-Phenethyl Propionate 0.031	0.500 Gallons 0.250 Ounces	General	
<i>Target Pests: Ants</i>					
<i>Areas Applied: Exterior</i>					

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity Quantity

None Noted.

Device Summary

Device Type	With Activity	Without Activity	Total Inspected	Device Exceptions		
				Replaced	Removed	Skipped
<i>None Noted.</i>						

Additional pest findings may have been observed. Please see conditions and comments for more details.



3481 Arden Road
Hayward, Ca. 94545
(510) 569-8889 (925) 935-0599

Service Inspection Report
Service Report #504119678C1R03564206

Client: 133900
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 504119678
CITY OF CLAYTON
6125 CLAYTON RD - Library Bldg
CLAYTON, CA 94517-1241

Customer Signature:

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1030-085

Time In: 08/27/2013 07:03:39 AM **Terms:** INVOICE TO FOLLOW
Time Out: 08/27/2013 07:30:27 AM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
504119678C1R03564206	BLANKET NON-FD COMME	1	\$106.50	\$106.50
SubTotal:				\$106.50
Tax:				\$0.00
Total:				\$106.50
Amount Due:				\$106.50

Service Comments

Tech Comment: see account 970505590 for sig

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
ECOPCO WP X	67425-25 n/a	2-Phenethyl Propionate 0.031	1.000 Gallons 0.500 Ounces	General	
<i>Target Pests: Ants</i>					
<i>Areas Applied: Exterior</i>					

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity	Quantity
<i>None Noted.</i>	

Device Summary

Device Type	With Activity	Without Activity	Total Inspected	Device Exceptions		
				Replaced	Removed	Skipped
<i>None Noted.</i>						

Additional pest findings may have been observed. Please see conditions and comments for more details.



Family Pride In Excellence Since 1921

3481 Arden Road
Hayward, Ca. 94545
(510) 569-8889 (925) 935-0599

Service Inspection Report

Service Report #960300036C1R03564208

Client: 126272
CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON, CA 94517

Service Location: 960300036
CITY OF CLAYTON
7411 MARSH CREEK RD - *Community Park Restroom Bldg*
CLAYTON, CA 94517

Customer Signature:

Technician Signature:

MIKE SWETNAM

Licenses/Certifications

CA - 18797
CA - FR11051
CA - SC 1000-085

Time In: 08/27/2013 08:27:13 AM **Terms:** INVOICE TO FOLLOW
Time Out: 08/27/2013 08:43:06 AM **PO #:**

Order #	Service Description	Qty	Unit Cost	Amount
960300036C1R03564208	BLANKET NON-FD COMME	1	\$46.00	\$46.00
SubTotal:				\$46.00
Tax:				\$0.00
Total:				\$46.00
Amount Due:				\$46.00

Service Comments

Tech Comment: see account 970505590 for sig

Material Summary

Material Applied	EPA # Lot #	Active Ingredient AI Concentration	Finished Quantity Undiluted Qty	Application Equipment Application Method	Application Area Weather
ECOPCO WP X	67425-25 n/a	2-Phenethyl Propionate 0.031	0.300 Gallons 0.150 Ounces	General	

*Target Pests: Ants
Areas Applied: Exterior*

Open Conditions

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Conditions Resolved This Visit

Area	Severity Responsibility	Created Last Inspected
<i>None Noted.</i>		

Pest Summary

Pest Activity	Quantity
<i>None Noted.</i>	

Device Summary

Device Type	With Activity	Without Activity	Total Inspected	Device Exceptions Replaced	Removed	Skipped
<i>None Noted.</i>						

Additional pest findings may have been observed. Please see conditions and comments for more details.



155 Mason Circle
Concord, CA 94520
phone (925) 685-9301
fax (925) 685-0266
www.ccmvcd.dst.ca.us

Date: April 1, 2013

TO: Government Agencies in Contra Costa County

SUBJECT: **ANNUAL NOTICE OF INTENT TO APPLY PUBLIC HEALTH PESTICIDES FOR VECTOR CONTROL PURPOSES WITHIN AND ADJACENT TO CONTRA COSTA COUNTY**

1. Pursuant to the Statewide National Pollutant Discharge Elimination System Permit for Residual Pesticide Discharges to Waters of the United States from Vector Control Applications, as required under item VIII.B of the General Permit, it is the intent of the Contra Costa Mosquito & Vector Control District (CCMVCD) to apply pesticides in Contra Costa County.
2. A list of potential materials to be used are included. See attachment.
3. Mosquitoes are suppressed to protect the public from mosquito-borne diseases and pest mosquitoes.
4. Applications may occur anywhere in the county at any time of the year.
5. There are no known water use restrictions or precautions during treatment.
6. Interested persons may contact the district office at (925) 685-9301 to obtain additional information or visit our website www.ContraCostaMosquito.com

Protecting Public Health Since 1927

BOARD OF TRUSTEES

President JEFF BENNETT Hercules • **Vice President** JIM PINCKNEY Contra Costa County • **Secretary** H. RICHARD MANK El Cerrito

Antioch JOSE SAAVEDRA • Brentwood ROLANDO VILLAREAL • Clayton PEGGIE HOWELL • Concord PERRY CARLSTON • Contra Costa County Vacant • Contra Costa County CHRIS COWEN

Danville RANDALL DIAMOND • Lafayette JAMES FITZSIMMONS • Martinez DANIEL PELLEGRINI • Moraga MYRTO PETREAS, PhD • Oakley MICHAEL KRIEG • Orinda DIANE WOLCOTT

Pittsburg WARREN CLAYTON • Pittsburg RICHARD AINSLEY, PhD • Pleasant Hill RICHARD MEANS • Richmond SOHEILA BANA, PhD • San Pablo Vacant • San Ramon SHARYN ROSSI • Walnut Creek MORRIS JONES PhD

Please see the following references regarding selection and use of pesticides in CCMVCD's program.

- a. Best Management Practices for Mosquito Control in California. 2010. California Department of Public Health, Vector-Borne Disease Section <http://www.westnile.ca.gov/resources.php>
- b. California Mosquito-Borne Virus Surveillance & Response Plan. 2010. California Department of Public Health, Vector-Borne Disease Section <http://www.westnile.ca.gov/resources.php>
- c. Operational Plan for Emergency Response to Mosquito-Borne Disease Outbreaks. 2010. California Department of Public Health, Vector-Borne Disease Section <http://www.westnile.ca.gov/resources.php>
- d. Overview of Mosquito Control Practices in California. 2008. California Department of Public Health, Vector-Borne Disease Section <http://www.westnile.ca.gov/resources.php>
- e. Epidemic/Epizootic West Nile Virus in the United States: Guidelines for Surveillance, Prevention and Control. 2003. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention <http://www.cdc.gov/ncidod/dvbid/westnile/>
- f. Contra Costa Mosquito & Vector Control District Mosquito-Borne Virus Surveillance & Response Plan. 2006. http://contracostamosquito.com/npdes_docs.htm
- g. Pesticides and Public Health: Integrated Methods of Mosquito Management. 2001. U.S. Environmental Protection Agency <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2631680/>

ATTACHMENT A – LIST OF PERMITTED ADULTICIDE PRODUCTS

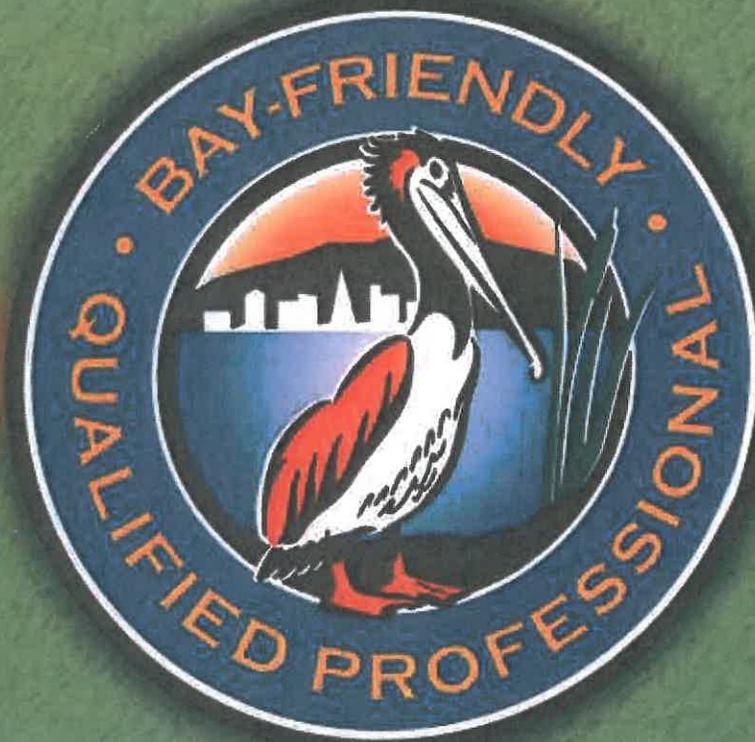
Product Name	EPA Registration No.
Pyroicide Mosquito Adulticiding Concentrate for ULV Fogging 7395	1021-1570
Evergreen Crop Protection EC 60-6	1021-1770
Pyrenone Crop Spray	432-1033
Prentox Pyronyl Crop Spray	655-489
Pyroicide Mosquito Adulticiding Concentrate for ULV Fogging 7396	1021-1569
Aquahalt Water-Based Adulticide	1021-1803
Pyroicide Mosquito Adulticide 7453	1021-1803
Pyrenone 25-5 Public Health Insecticide	432-1050
Prentox Pyronyl Oil Concentrate #525	655-471
Prentox Pyronyl Oil Concentrate or 3610A	655-501
Permanone 31-66	432-1250
Kontrol 30-30 Concentrate	73748-5
Aqualuer 20-20	769-985
Aqua-Reslin	432-796
Aqua-Kontrol Concentrate	73748-1
Kontrol 4-4	73748-4
Biomist 4+12 ULV	8329-34
Permanone RTU 4%	432-1277
Prentox Perm-X UL 4-4	655-898
Allpro Evoluer 4-4 ULV	769-982
Biomist 4+4	8329-35
Kontrol 2-2	73748-3
Scourge Insecticide with Resmethrin/Piperonyl Butoxide 18%+54% MF Formula II	432-667
Scourge Insecticide with Resmethrin/Piperonyl Butoxide 4%+12% MF Formula II	432-716
Anvil 10+10 ULV	1021-1688
AquaANVIL Water-based Adulticide	1021-1807
Duet Dual-Action Adulticide	1021-1795
Anvil 2+2 ULV	1021-1687
Zenivex E20	2724-791
Trumpet EC Insecticide	5481-481
Fyfanon ULV Mosquito	67760-34

ATTACHMENT B – LIST OF PERMITTED LARVICIDE PRODUCTS

Product Name	EPA Registration No.
Vectolex CG Biological Larvicide	73049-20
Vectolex WDG Biological Larvicide	73049-57
Vectolex WSP Biological Larvicide	73049-20
Vectobac Technical Powder	73049-13
Vectobac-12 AS	73049-38
Aquabac 200G	62637-3
Teknar HP-D	73049-404
Vectobac-G Biological Mosquito Larvicide Granules	73049-10
Vectomax CG Biological Larvicide	73049-429
Vectomax WSP Biological Larvicide	73049-429
Vectomax G Biological Larvicide/Granules	73949-429
Zoecon Altosid Pellets	2724-448
Zoecon Altosid Pellets	2724-375
Zoecon Altosid Liquid Larvicide Mosquito Growth Regulator	2724-392
Zoecon Altosid XR Entended Residual Briquets	2724-421
Zoecon Altosid Liquid Larvicide Concentrate	2724-446
Zoecon Altosid XR-G	2724-451
Zoecon Altosid SBG Single Brood Granule	2724-489
Mosquito Larvicide GB-1111	8329-72
BVA 2 Mosquito Larvicide Oil	70589-1
BVA Spray 13	55206-2
Agnique MMF Mosquito Larvicide & Pupicide	53263-28
Agnique MMF G	53263-30
Abate 2-BG	8329-71
5% Skeeter Abate	8329-70
Natular 2EC	8329-82
Natular G	8329-80
Natular XRG	8329-83
Natular XRT	8329-84
FourStar Briquets	83362-3
FourStar SBG	85685-1
Aquabac XT	62637-1
Spheratax SPH (50 G) WSP	84268-2
Spheratax SPH (50 G)	84268-2

City of Clayton

2012



2014

**BAY-FRIENDLY MAINTENANCE
PROFESSIONALS ON STAFF**

**John Johnston
City of Clayton**



2012

2014

**BAY-FRIENDLY LANDSCAPE
MAINTENANCE PROFESSIONAL**

The Bay-Friendly Landscaping & Gardening Coalition confirms that

John Squadroni

has met the requirements to become a

**Bay-Friendly Qualified Landscape
Maintenance Professional**

effective April 20, 2012.



Debi Tidd

Debi Tidd
Bay-Friendly Landscaping & Gardening Coalition

www.ecowisecertified.org



Integrated Pest Management

CERTIFICATE OF COMPLETION



Michael Swetnam

has successfully completed the requirements for

EcoWise Certified Practitioner

on

July 30, 2013

Certificate Expires on July 29, 2016

Certificate No. C-142
(verify at www.ecowisecertified.org)

William Quarles
Program Manager
EcoWise Certified

Cecil Scandone
Senior Regional Planner
Association of Bay Area Governments



Administered by
Association of Bay Area Governments
www.abag.ca.gov

www.ecowisecertified.org



Integrated Pest Management

CERTIFICATE OF COMPLETION

William Seniff

has successfully completed the requirements for

EcoWise Certified Practitioner

on

November 3, 2011

Certificate Expires on November 2, 2014

Certificate No. C-111
(verify at www.ecowisecertified.org)



Coli Scantone
Senior Regional Planner
Association of Bay Area Governments

Administered by
Association of Bay Area Governments
www.abag.ca.gov

William Quince
Program Manager
EcoWise Certified



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THE HOT BUG



Any time. Any pest.

"The only thing we have to sell is service. So let's make it good."

It was a simple philosophy. But over 90 years later, it still works. **Back in 1921**, few people knew very much about pest control. But they knew about service and reliability. And they knew that's what they could count on with Western. People still know that today.

Our Yellow Trucks with the "Little Man" are ready to help, any time of the day or night — whatever you need. We know you have a business to run and don't need to manage your pest control program too. Our professional technicians have the training and expertise to perform the service right the first time. We understand that protecting your brand is your primary concern, and as your pest professional partner, that's our primary concern too. Whether you have a food handling establishment, warehouse, office building, hospital, airplane or cruise ship, no matter how big or small, our Western team is the one to trust!

IPM (Integrated Pest Management)

Integrated Pest Management (IPM) is an effective and environmentally-sensitive approach to pest management that relies on a combination of common-sense practices. Western's IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment. In combination with available pest control methods, you are assured of the most effective pest control program with the least possible hazard to people, property and the environment. Prevention is always the first component, and only when required, necessary control measures are used.

Western Exterminator Company is dedicated to protecting your products, reputation and working environment through our Integrated Pest Management programs that ensure consistency, accountability, responsiveness and effectiveness to provide you the best in



pest management solutions. Our commitment to you: to minimize your concerns related to pests and the problems they cause.

Customized Solutions to Protect Your Brand:

- Complete commercial termite and pest control services, including termite inspections for real estate transactions
- Rodent control and exclusion
- Stored product pest control and elimination
- Bee control and removal
- Bird control without harming the birds
- Bed Bug specialists, including canine inspections
- Air curtain systems
- Commodity, trailer & rail car fumigations
- Flying insect control
- Drain services - no more drain flies, drain odors & clogging
- Integrated food handling facility services - Western's program, supplemented by our on-staff entomologists and registered sanitarians, helps assure compliance with food safety regulations. We can provide complete inspections, assessments, vendor audits, third-party certifications and reports (AIB-American Institute of Baking, ASI-American Sanitation Institute, FDA- Food and Drug Administration, USDA-United States Department of Agriculture)
- Pest management solutions and account management for facilities throughout North America

More pest control. Less pesticide. Western has earned the top certifications in the industry.



Green Shield Certified is an award-winning, independent, non-profit certification program that promotes practitioners of effective, prevention-based pest control while minimizing the use of pesticides. Green Shield Certified gives you the confidence of an independent,

third-party verification and requires that pest management companies adhere to a strict set of standards.



GreenPro is the world's largest and most credible green certification program for pest management professionals. The GreenPro certification means that your pest management provider must comply with a multitude of qualifications to ensure that you receive a safe and effective service each

time they arrive at your door.

For more information about Western commercial services, contact our Commercial Services Team at 1-800-640-0694 or at littleman@west-ext.com



Family Pride In Excellence Since 1921

Commercial Services

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1-800-WEST-EXT
1-800-637-4343

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Our Promise to You
Your Complete Satisfaction is Guaranteed!

Catch these great WEB SPECIALS! Before they catch you.

Customized Solutions



Have Pests Invaded Your Business?

We understand that your business can't afford a pest infestation. Our Yellow Trucks with the "Little Man" are ready to come to your aid, any time of the day or night---whatever you require. Since 1921, Western continues to provide peace of mind and our personal guarantee against pest infestation.

Our professionals will make a complete survey of your facilities and provide you with a report covering existing pest problems, plus any housekeeping and sanitation conditions along with our recommendations for corrections. We guarantee to offer you with the most efficient and cost effective solutions to insure your business is pest free, giving peace of mind to both you and your customers.

Customized Solutions To Fit Your Needs:

- Complete Commercial Termite and Pest Control Services, Including Termite Inspections for Real Estate Transactions
- Rodent Control and Exclusion
- Stored Product Pest Control and Elimination
- Bee Control and Removal
- Bird Control
- Integrated Pest Management (IPM)
- IPM Inspections and Reporting Per Industry and Government Standards (AIB-American Institute of Baking, ASI-American Sanitation Institute, FDA- Food and Drug Administration, USDA-United States Department of Agriculture)
- Air Curtain Systems
- Commodity, Trailer & Rail Car Fumigations
- Flying Insect Control
- Bioremediation Services -No More Drain Flies, Drain Odors & Clogging
- Integrated Food Handling Facility Services- Western's program, supplemented by our on by our on staff Entomologists and Sanitarians, helps assure compliance with food safety regulations. We can provide complete inspections, assessments, vendor audits, 3rd party certifications and reports.
- A National Copesan Pest Solutions Partner Serving the Entire United States

Rely on the West's Best to Solve Your Pest Problems

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CITY OF CLAYTON

CONTRACTING SERVICES AGREEMENT

In entering into this Contracting Services Agreement ("Agreement") this 22nd day of APRIL, 2013 ("Effective Date"), the City of Clayton, a California municipal Corporation ("City") and Environtech Enterprises ("Contractor") (each a "party," and collectively the "parties"), do mutually agree and promise as follows:

1. Special Conditions:

A) Contractor's Name & Address: Environtech Enterprises
1032 Mariposa Street
Vallejo, CA 94591
Ph. (707) 643-3355

B) Payment Limit: \$ 177,000.00

C) Expense Limit: \$ 0

D) Completion Date: 12/31/15

E) Contractor Federal Tax I.D. or SSN: 68-0259915

2. Employment; Independent Contractor: The City employs Contractor on an independent contractor basis, and Contractor is not an employee of the City. Contractor accepts such employment and shall provide materials, labor and equipment necessary to perform the services, described more fully in Exhibit A, which is attached to this Agreement and incorporated herein by this reference, (the "services") upon the terms and in consideration of the payments stated herein. The services required by this Agreement shall be performed by Contractor or under its supervision. Contractor shall determine the means, method and details of performing the services subject to the requirements of this Agreement. Contractor retains the right to perform similar or different services for others during the term of this Agreement. Any additional personnel performing the services under this Agreement on behalf of Contractor shall not be employees of City and shall at all times be under Contractor's exclusive direction and control. Contractor shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of services under this Agreement and as required by law. Contractor shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, certified payrolls, income tax withholding, unemployment insurance, and workers' compensation insurance.

3. Insurance: Contractor shall, at no cost to the City, obtain and maintain during the term hereof: (a) Workers' Compensation Insurance pursuant to State Law, and (b) Comprehensive Liability Insurance including coverage for owned and non-owned automobiles, with a minimum combined single limit coverage of \$1,000,000 for all damages due to bodily injury, sickness or disease, or death to any person and damage to property, including the loss of use thereof, arising out of each accident or occurrence. The Workers' Compensation policy shall include a waiver of subrogation. Contractor shall furnish evidence of such coverage, naming the City of

Clayton, its officers and employees as additional insured and requiring 30 days written notice of policy lapse or cancellation, to the City prior to the commencing work under this Agreement and as a condition precedent to the Agreement being effective. Insurance procured pursuant to these requirements shall be written by insurers that are admitted carriers in the state of California and with an A.M. Best's rating of A- or better and a minimum financial size VII.

4. Payment: The City of Clayton shall pay the Contractor for services performed at the rates shown in Exhibit B, attached to this Agreement and incorporated herein by this reference, which rates shall include all overhead and incidental expenses. In no event shall the total amount paid to the Contractor exceed the payment limit specified in Sec. 1 C) and D) without prior written approval of the City Manager, City of Clayton. Contractor's statement of charges shall be submitted at convenient intervals. Payment will be made within thirty (30) days after receipt of each statement.
5. Time of Completion. Unless the time is extended in writing by the City, the Contractor shall complete all services covered by this agreement no later than the completion date listed above. Interim completion dates, if any, will be established as shown in Exhibit A.
6. Record Retention; Inspection. Except for materials and records delivered to the City, the Contractor shall retain all material and records prepared or obtained in the performance of this Agreement, including financial records, for a period of at least three (3) years after Contractor's receipt of the final payment under this Agreement. Upon request by the City, the Contractor shall make such materials and records available to the City at no additional charge and without restriction or limitation on their use. The Contractor shall also make such materials and records available to authorized representatives of the State and Federal Governments at no additional charge.
7. Documentation: The Contractor shall prepare and deliver to the City at no additional charge the items, if any, described in Exhibit A to document the performance of this Agreement and shall furnish to the City such information as is necessary to enable the City to monitor the performance of this Agreement.
8. Extra Work: Any work or services in addition to the work or services described in Exhibit A shall be performed by the Contractor at rates as stated in Exhibit B. The Contractor shall be paid for the extra work at a rate mutually agreed on prior to commencement of the extra work. In no event shall the Contractor be entitled to compensation for extra work unless a written authorization or change order describing the work and payment terms has been executed by the City prior to the commencement of the work.
9. Termination By The City: At its option, the City shall have the right to terminate this Agreement at any time by written notice to the Contractor, whether or not the Contractor is then in default. Upon such termination, the Contractor shall, without delay, deliver to the City all materials and records prepared or obtained in the performance of this Agreement and shall be paid, without duplication, all amounts due for the services rendered up to the date of termination.
10. Contract Extension: At its sole option, the City shall have the right to extend the contract for three one-year terms. Contractor shall have the option to request a fee increase with each extension. Such increase may not exceed 2/3 of the annual increase in San Francisco, All Items, All Urban Consumers Price Index, with a maximum increase in any one year not to exceed 4%.

11. Abandonment By Contractor: In the event that the Contractor ceases performing services under this Agreement or otherwise abandons the project prior to completing all of the services described in this Agreement, the Contractor shall, without delay, deliver to the City all materials and records prepared or obtained in the performance of this Agreement, and shall be paid for the value of the services performed up to the time of cessation or abandonment.
12. Breach: In the event that the Contractor fails to perform any of the services described in this Agreement or otherwise breaches this Agreement, the City shall have the right to pursue all remedies provided by law or equity. Any dispute relating to the performance of this Agreement shall not be subject to non-judicial arbitration.
13. Compliance with Laws: In performing this Agreement, the Contractor shall keep itself fully informed of and in compliance with all applicable laws, statutes, ordinances, rules, regulations and reporting requirements, whether federal, state or local in origin, including without limitation all applicable Cal/OSHA and environmental regulations, of any nature. Contractor shall obtain and maintain in full force and effect all licenses required to perform the services under this Agreement for the duration of this Agreement.
14. Assignment: This Agreement shall not be assignable or transferable in whole or in part by the Contractor, whether voluntarily, by operation of law or otherwise provided, however, the Contractor shall have the right to sub-contract that portion of the services for which the Contractor does not have the facilities to perform so long as the Contractor notifies the City of such sub-contracting prior to execution of this Agreement. Any other purported assignment, transfer or sub-contracting shall be void.
15. Indemnification: The Contractor shall defend, indemnify, save and hold harmless the City and its agents, officers and employees from any and all claims, costs and liability, including attorneys fees, expert fees and litigation costs, for any damages, injury or death arising directly or indirectly from or in any way in connection with the services provided under this Agreement, due to or claimed or alleged to be due to negligent, whether active or passive, or wrongful acts, errors or omission of Contractor or any person under its control, save and except claims or litigation arising through the sole gross negligence or sole willful misconduct of the City. All City expenses, including attorneys fees, experts fees and litigation costs, related to any claims or litigation shall be paid by the Contractor as they are incurred.
16. Prevailing Wages: The Contractor and each of its sub-contractors shall pay all workers employed to perform the services under this Agreement not less than the wages specified in the General Prevailing Wage Determination made by the Director of Industrial Relations in effect on the date of this Agreement, and shall comply with all applicable requirements of California Labor Code Section 1720, *et seq.*, and 1770, *et seq.*, as well as California Code of Regulations, Title 8, Section 16000, *et seq.* ("Prevailing Wage Laws"). City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement of this Contract. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Contractor's principal place of business and at the project site. Contractor shall defend, indemnify and hold the City, its elected officials, officers, consultants, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.
17. Equal Opportunity Employment: Contractor represents that it is an equal opportunity employer and it shall not discriminate against any employee or applicant for employment because of

race, religion, color, national origin, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

- 18. Attorneys Fees: If an action is commenced by either party against the other party to enforce the terms of this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees..
- 19. Heirs, Successor and Assigns: This Agreement shall inure to the benefit of and bind the heirs, successors, executors, personal representatives and assigns of the parties.
- 20. Entire Agreement. This Agreement contains the entire agreement of the parties with respect to the subject matter hereof, and supersedes all prior or contemporaneous negotiations, understandings or agreements, whether written or oral. This Agreement may only be modified by a writing signed by both parties.
- 21. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Venue shall be in Contra Costa County.
- 22. Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.
- 23. No Third-Party Beneficiaries. There are no intended or incidental third-party beneficiaries of any right or obligation assumed under this Agreement by the parties.
- 24. Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
- 25. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and all of which shall constitute one fully executed Agreement.

IN WITNESS WHEREOF, the undersigned duly authorized signatories have executed this Agreement on behalf of the respective parties, with the intent that it be effective on the Effective Date, on the respective dates shown:

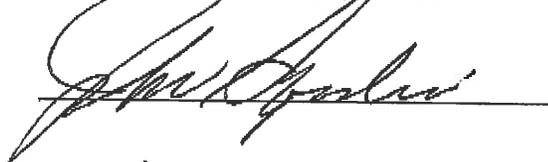
CITY OF CLAYTON

BY



City Manager

ENVIRONTech ENTERPRISES



OWNER

(Designate official capacity in the business)

DATE:

04-22-13

DATE:

4/19/13

Attachments: Exhibit A and Exhibit B, attached behind this page

EXHIBIT A

ENVIRONTECH ENTERPRISES OPEN SPACE MANAGEMENT PROPOSAL CITY OF CLAYTON

The following work is proposed for the open space under management by the City of Clayton. This proposal was designed and implemented by ENVIRONTECH and is identical in its design and method to that which was accepted for the Clayton open space areas since 1991. The scope of the work has been expanded, over the years, to include the original target species, as well as other invasive species. Contract to be fulfilled by ENVIRONTECH.

Artichoke thistle or Cardoon, Mustard, Star thistle, Milk thistle (whose population has had a dramatic increase), are the main species of noxious weed that exist on the Clayton open space. Management of the initial three species has resulted in a marked population reduction. The following proposal targets all the above noxious weeds through the use of an integrated pest management program the main objective of which is to eliminate and eventually exhaust the local seed source.

METHODOLOGY (Identical methods apply for both North and South areas)

Artichoke thistle, Milk thistle, and prickly clot burr will be treated with the best and safest modern herbicides to insure destruction of the parent plants before seeding occurs. The termination of parent plants will result in the elimination of the local seed source and a gradual reduction in the population.

Yellow Star thistle and Mustard will be chemically treated by spraying areas of infestation with herbicide where applicable. New herbicides have proven extremely effective on thistle and broadleaf weeds in very low concentrates. Herbicides will be applied with the use of specially equipped ATV's or pickup trucks, as well as with backpack sprayers.

Broad leaf specific pre-emergent will be used early in the season and in problem areas to head off an early bolt. Annuals will be sprayed at any time before seed for best effect.

Initial annual abatement for Artichoke, Milk thistle, Yellow Star thistle and Mustard is January 1st through June. Work will continue through that time period or until annual budget is exhausted and will include monthly monitoring. Clot Burr and other pioneer weeds will be treated as encountered as well as other infestations of pioneer noxious weeds.

PROPOSED HERBICIDES AND EQUIPMENT

The following is a list of the herbicides proposed for this project.

Telar – Broadleaf specific pre-emergent herbicide with no toxicity above high water marks. Can be used in early season for grass release and to prevent early bolt due to unseasonable weather .

EXHIBIT A

Garlon 3A – Broadleaf specific non volatile herbicide with rapid degradation. Safe for use up to edge of streams and bodies of water. Non toxic to grazing animals. Used on Mustard directly, and used in conjunction with other herbicides for use on thistles. Carries DANGER label for being an eye irritant but becomes CAUTION when diluted.

Renovate – Basically Garlon 3A with an aquatic label for use in drainages and riparian areas where other chemicals are legally prohibited.

Garlon 4 – Broadleaf specific but volatile. Used for quick knockdown when weather and temperature allow (typically early season). Ester formula of Garlon carries CAUTION label. Not to be used near water.

Milestone – Broadleaf specific virtually non toxic chemical that is specific to thistles. Some short term residual effects. Very effective and safe to use up to waterline. Carries CAUTION label.

ENVIRONTECH is equipped with three six wheel drive ATV's of heavy load capacity (over 600 lbs.) with 55 gallon tanks, 300 ft. of ¾ inch hose on reels with delivery of 10 gallons/minute at 280 PSI, along with boom sprayer attachment and automatic boom valves.

ENVIRONTECH also inventories two mobile spray rigs with 4 wheel drive, one of which carries 150 ft of 1 inch hose, 200 gallon capacity with delivery of 30 gallons/minute at 150 PSI.

QUALIFICATIONS

John Squadroni and ENVIRONTECH has been in the business of Native Habitat Restoration, Vegetation Management and Fire Hazard Reduction since 1990 and has been the contractor on this project for the City of Clayton and Wildland Resource Management since 1991. He has a Bachelors of Science degree in Forest Resource Management from the University of Washington and carries an active California QAL (#32335) in categories BCEF, DPR business license (#30038) and a valid California C-27 contractor's license (#691133), and has current IPM certifications. ENVIRONTECH has completed four weed abatement for restoration projects IN THE PAST YEAR including the City of Clayton open space (since 1991). References are attached.

ENVIRONTECH is fully insured with L/D and workers compensation when required.

EXHIBIT B

**FEE QUOTE
WEED ABATEMENT SERVICES
IN CITY OWNED OPEN SPACE PARCELS
IN THE OAKHURST COUNTRY CLUB DEVELOPMENT
FOR YEARS 2013 THROUGH 2015**

The following quote is submitted in response to all provisions of the City of Clayton request for Quote.

ANNUAL COSTS

A). Area North of Peacock Creek

1) Artichoke/Milk/Italian Thistles, and Clot Burr			
Labor			
Qualified Applicator	100 hours @ \$60.00/hour		\$ 6,000.00
Additional labor	50 hours @ \$40.00/hour		\$ 2,000.00
Materials			
Herbicides			\$ 2,000.00
Equipment			
Spray Rigs			\$ 500.00
Other			included
Subtotal			\$10,500.00
2) Mustard and Star Thistle			
Labor			
Qualified Applicator	200 hours @ \$60.00/hour		\$12,000.00
Additional labor	50 hours @ \$40.00/hour		\$ 2,000.00
Materials			
Herbicides			\$4,500.00
Equipment			
Spray Rigs			\$500.00
Other			included
Subtotal			\$19,000.00
Total Annual Cost for area North of Peacock Creek			\$29,500.00

EXHIBIT B

B). Area South of Peacock Creek

1) Artichoke/Milk/Italian Thistles, and Clot Burr			
Labor			
Qualified Applicator	100 hours @ \$60.00/hour		\$ 6,000.00
Additional labor	50 hours @ \$40.00/hour		\$ 2,000.00
Materials			
Herbicides			\$ 2,000.00
Equipment			
Spray Rigs			\$ 500.00
Other			included
Subtotal			\$10,500.00
2) Mustard and Star Thistle			
Labor			
Qualified Applicator	200 hours @ \$60.00/hour		\$12,000.00
Additional labor	50 hours @ \$40.00/hour		\$2,000.00
Materials			
Herbicides			\$4,500.00
Equipment			
Spray Rigs			\$500.00
Other			included
Subtotal			\$19,000.00
Total Annual Cost for area South of Peacock Creek			\$29,500.00
Total Annual Cost			\$59,000.00



**REQUEST FOR QUOTE
FOR
WEED ABATEMENT SERVICES
IN
CITY-OWNED OPEN SPACE PARCELS
IN THE
OAKHURST COUNTRY CLUB
DEVELOPMENT
FOR YEARS
2013 THROUGH 2015**

**February 5, 2013
Revised February 8, 2013**

Prepared by
City of Clayton
Engineering Department
925/363-7433

**REQUEST FOR QUOTE
 FOR
 WEED ABATEMENT SERVICES
 IN
 CITY-OWNED OPEN SPACES PARCEL
 IN THE
 OAKHURST COUNTRY CLUB DEVELOPMENT
 FOR YEARS
 2013 THROUGH 2015**

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REQUEST FOR QUOTE
FOR
WEED ABATEMENT SERVICES
IN
CITY-OWNED OPEN SPACES PARCEL
IN THE
OAKHURST COUNTRY CLUB DEVELOPMENT
FOR YEARS
2013 THROUGH 2015

Background

As part of the development of the Oakhurst Country Club in the 1990's, several large open space parcels were created and transferred to City ownership.

Most of the open space parcels were left undeveloped with the exception of some hiking and fire trails. As part of the management of the property, the City has, since 1992, undertaken an ongoing weed management program in order to control the growth and expansion of undesirable vegetation. The current contract for the weed management program expired on 12/31/12 and the City is seeking proposals for the continuation of the program for the next three calendar years (2013 through the end of 2015, with the option of three one-year extensions).

Areas of Work

There are two areas of work as shown on Attachments 1 and 2. The area labeled "North of Peacock Creek" is approximately 167 acres in size and is generally bounded by single family residences (Eagle Peak and Falcon Ridge subdivisions) on the north, the Oakhurst Golf Course on the west, the easterly City Limits on the east, and Peacock Creek on the south. The terrain for this area is generally very steep and there is only limited access for vehicles and equipment.

The second area, labeled "South of Peacock Creek", is approximately 230 acres in size and is generally bounded by single family residences (Peacock Creek Estates subdivision) on the north, Peacock Creek Drive and Clayton Road on the west, Diablo View Middle School and the Clayton Community Park on the south, and the easterly City Limits on the east. This area is primarily rolling hills and is generally accessible by vehicles and equipment.

Scope of Work

Artichoke Thistle, mustard, yellow star thistle, milk thistle and prickly clot burr are the main species of noxious weeds found to exist on the City's open space parcels. The primary objective of the City's ongoing weed management program has been to promote the growth of grasses and favorable herbaceous plants through the reduction of noxious weed seed sources.

The following described scope and schedule of work is generally based upon past practices. The contractor may propose alternative methods and schedules with the understanding that control and elimination of all noxious weed sources must be achieved during the entire term of the contract. The work will be overseen and inspected on behalf of the City by the City's Maintenance personnel. Should, in the sole opinion of the City, additional treatment, manpower, equipment or materials be

required to achieve the stated goal, such treatment, manpower, equipment or materials shall be provided by the contractor at no additional cost to the City of Clayton.

Artichoke Thistle Removal

Artichoke thistle, milk thistle, and prickly clot burr shall be spot treated to ensure destruction of the parent plants before seeding occurs. Continued spot application of herbicide shall continue throughout the contract term. The elimination of parent plants will result in the elimination of the local seed source and a gradual reduction in the thistle plant population.

Spot infestation of pioneering noxious weeds (e.g., Russian thistle) and milk thistle will be either mowed or cut out, or sprayed with an appropriate herbicide as encountered.

Yellow Star Thistle Removal

A tractor equipped with a flail or cutter bar shall be used in areas of concentration and where slopes allow wheeled vehicles. Where slopes preclude the use of wheeled tractors, a weed-eater with a brush blade shall be used to cut the plants. The use of herbicides may be allowed where applicable.

Schedule

Initial annual abatement for artichoke and milk thistle is February through mid-July. Twice monthly follow-ups shall occur between mid-July and January 31.

Clot burr shall be treated as encountered.

Yellow star thistle and mustard abatement shall begin approximately mid-summer (depending upon weather), just after flower emergence.

Spot infestation pioneering noxious weeds shall be treated as encountered.

Annuals shall be cut at the initial flowering stage. Since the cut will stimulate new growth, a second cut, as determined by Wildland Resource Management, may be required and shall be included in the quote submitted. Where mustard is targeted, cutting of the targeted area will be required annually. The use of selective herbicides to augment cutting may be permitted where concentrations are localized and access with cutting equipment difficult.

Equipment/Herbicides

The contractor shall provide equipment in order to securely and safely negotiate unimproved roads and terrain. This equipment shall minimize soil disturbance by covering as large an area as possible from single point, and to deliver large volumes of material to the site while minimizing drift from herbicide application:

The bidder must have full knowledge of herbicides to be used for greatest effect and minimum environmental impact.

1. Contractor must submit a herbicides proposal. Use of anything other than Garlon 3a, Renovate, or Garlon 4 in open areas away from forest and drainage will not be approved. These are the safest herbicides to use, typically have no effect on grasses and

- a minimal effect on wild flowers and other native herbaceous plants. Most are approved for use right up to water line in riparian zones.
2. The bidder must have broad knowledge of noxious weeds, must identify and seek out noxious weeds, locate infestations and terminate invading species. Must also have broad knowledge of native species to minimize damage.
 3. The bidder must be familiar with and willing to follow the City's IPM operating procedures and practices (see Attachment 1).
 4. At a minimum, bidder shall have an active QAL license in DPR categories BCEF.
 5. A current "Bay Friendly" certification.
 6. Must carry and submit insurance certificates and proof of workman's comp.

Reporting Requirements

Immediately upon completion of a treatment cycle, the contractor shall report the pounds/volume of all pesticides and/or herbicides applied (reporting the amount of the active ingredient applied is a plus) as well as the IPM methods used prior to applying chemicals.

Licenses/Miscellaneous

Contractor shall submit, with his fee quote, copies of current State-issued pesticide applicator licenses, proof of his "Bay Friendly" certification, and proof of experience with references. The City retains the right to perform the desired work with its own forces and shall not be under any obligation to award a contract for this work.

The contractor, if any, awarded this contract shall be required to obtain and maintain a business license from the City of Clayton prior to receiving any payment. The cost of obtaining and maintaining a business license, or any other required license, shall be included in the fee quote and no additional compensation will be allowed therefor. In addition, Contractor will be required to pay prevailing wages to his employees and, if requested, provide certified payroll reports to the City.

Prior to execution of the contract by the City, Contractor shall provide certificates of insurance naming the City of Clayton as an additional insured, for his general liability, vehicle and workman's compensation insurance policies as required in the City's standard contract as shown in Attachment 4.

Site Visit

All bidders are encouraged to inspect the areas covered under the proposed scope of work. Submittal of a fee quote shall constitute evidence of the contractor's familiarity with the work sites and their condition, accessibility, etc. No additional compensation will be allowed for any unforeseen conditions or problems.

Fee Quote Submittal

The fee quote submittal shall describe the services and schedule for work in each area (i.e., North of Peacock Creek and South of Peacock Creek). The fee quote shall describe the equipment, manpower and materials to be used in each area along with estimates of the anticipated man-hours required.

The lump sum fees quoted shall be on annual basis for each of the three years proposed for the contract term.

Attachment 3 is a sample quote sheet intended to provide format guidance only.

The fee quote shall be submitted to Rick Angrisani, Clayton City Engineer, no later than 4:00 PM on Friday, February 22, 2013, at his office at 5375 Clayton Road, Concord, CA 94521. Any questions may be directed to Mr. Angrisani by phone at 925/363-7433 or e-mail at ricka@permcoengineering.com

ATTACHMENT 1

**CITY OF CLAYTON IMP
ADMINISTRATIVE POLICY**

City of Clayton - IPM Administrative Policy

It is the purpose and intent of this IPM Policy to ensure that the City of Clayton departments and all those who apply pesticides to property owned and/or managed by the City of Clayton utilize integrated pest management (IPM) practices and reduce pesticide applications on public-owned and/or City of Clayton managed property to the maximum extent feasible and as required by State and Regional Stormwater regulation.

The City of Clayton, in carrying out its pest management operations, shall focus on long term prevention or suppression of pest problems with minimum impact on human health, non-target organisms, and the environment.

The goal of the City of Clayton is to reduce its use of pesticide use and use to maximum extent possible non-toxic methods to control pests on City of Clayton property. The City of Clayton recognizes that pesticides are potentially hazardous to human health and the environment, and non-pesticide alternatives will be considered over toxic pesticides on City of Clayton property. The first level consideration will be the least toxic method that is both effective and feasible. The City of Clayton has a IPM Standard Operating Procedures and Practices that will outline all the IPM activities that will be implemented to ensure that less toxic methods, that are effective and feasible, are used to control pests on City of Clayton property.

These documents may be updated as needed from time to time.

City of Clayton

Standard Operating Procedures & Practices

Administrative Policy for Pesticide Use

The following are standard operating procedures for **the City of Clayton** for pesticide use in the IPM operational practices within the City's jurisdiction. These procedures include all Municipal Regional Permit (MRP) stormwater requirements under Provision C.9, Pesticides Toxicity Control. The City of Clayton and the Contra Costa Clean Water Program work in conjunction to track and participation in regulatory processes, interface with the County Agricultural Commissioner, and conduct public outreach. For guidelines regarding the City of Clayton IPM program please refer to Attachment B, the City of Clayton's IPM Policy. The staff person or IPM Coordinator responsible for implementing, overseeing, reviewing and updating, and reporting the IPM program is Mark Janney, Maintenance Supervisor and their number is **(925) 673-7327**; or email at mjanney@ci.clayton.ca.us.

IPM Standard Operating Procedures

General

The City uses very limited pesticides, it is currently limited to use at city buildings for ants and similar pests. The City Contracts with Western Exterminator for building pest management. Periodically the City Contracts with a Contra Costa County Department of Agriculture approved IPM contractor for management of ground squirrels in certain areas when damage is occurring. The City also contracts with an approved IPM contractor for management of non-native invasive plant species of Star Thistle and Artichoke Heart in the Oakhurst Open Space. This is an area of approx. 400 acres. The EIR mitigation measures for the Oakhurst Country Club development required management of these plants. Herbicide applications are targeted to these two plant species. Maintenance by City staff mostly involves limited use of herbicides – specifically spot spraying of weeds in landscape areas, and pre-emergent in the fall and spring to minimize weed growth in certain landscape areas. The maintenance staff also applies slow release fertilizer periodically on active use lawn areas such as the park and sports play fields. All applications are done according to the manufacturer's application specifications.

Pesticide Use

Pesticide use within the City of Clayton is determined by an assessment of each pest situation. Each assessment includes identification of the pest causing the damage (e.g., weed, insect, rodent, etc.), evaluation of prevention, exclusion and sanitation measures that will contribute to successful pest management, evaluation of both non-chemical and chemical options for eliminating or reducing pest numbers, and then developing an integrated management plan using as many management options as practical and economical. Pesticides are generally used

as a last resort and are chosen and applied in a manner that is least harmful to people and the environment. The pest problem should then be monitored to evaluate the success of the management strategy.

Particular scrutiny will be used to evaluate the necessity of using the pesticides of concern listed in the Permit under Section C.9: organophosphorous pesticides (chlorpyrifos, diazinon and malathion); pyrethroids (bifenthrin, cyfluthrin, beta-cyfluthrin, cypermethrin, deltamethrin, esfenvalerate, lambda-cyhalothrin, permethrin, and tralomethrin).

Environmental impacts of the products are also considered. Pesticides of concern listed in C.9 of the MRP will go through a more rigorous process of review prior to considering their use. Each pesticide used is carefully monitored and recorded using a pesticide management database (see Attachment C).

Pesticide Applicators

All pesticide applicators and IPM providers have IPM training and certification as required by the MRP. All IPM contractors have IPM language in their contracts as required by the MRP. All IPM providers are required to follow these standard operating procedures. In addition, all IPM providers must be certified as "Bay Friendly".

IPM Training

All pesticide applicators will be trained annually in IPM. IPM training may include local, countywide, that included with PAPA licensing or regional efforts. All staff associated with planning, design, construction, and maintenance of buildings and landscaping shall receive an orientation to these standards operating procedures and their roles and responsibilities in implementing IPM within their work duties.

IPM Outreach

Pesticide application information will be provided to the public upon request. Public outreach for IPM includes point of purchase outreach and contractor outreach by the Bay Area Stormwater Management Agencies Association (BASMAA) as required by the MRP.

Reporting

A copy of the City of Clayton's IPM policy shall be included in the annual report. To the extent practicable and data is available, trends in quantities and types of pesticides used shall also be reported, as well as reasons for any increases. The annual report shall also include the percentage of City of Clayton employees who apply pesticides that have been trained in IPM. For any city hired contractor who applies pesticides, a copy of their contract specification; or certification; or other similar acceptable documentation shall also be included in the annual report. For regional regulatory, interface or outreach efforts, the City of Clayton may reference those regional reports.

ATTACHMENT 2

MAP

AREA NORTH OF PEACOCK CREEK

ATTACHMENT 3

MAP

AREA SOUTH OF PEACOCK CREEK

ATTACHMENT 4

SAMPLE FEE QUOTE SUBMITTAL

--SAMPLE ONLY--

**FEE QUOTE
WEED ABATEMENT SERVICES
IN CITY-OWNED OPEN SPACE PARCELS
IN THE OAKHURST COUNTRY CLUB DEVELOPMENT
FOR YEARS 2013 THROUGH 2015**

The following quote is submitted in response to, and subject to all provisions of, the City of Clayton Request for Quote, dated February 5, 2013.

A. Annual Costs for Area North of Peacock Creek

1) Artichoke Thistle, Milk Thistle and Prickly Clot Burr Abatement

Labor –		
Qualified Applicator – 40 hours @ \$50.00/hour.....	\$2,000.00	
2 Man crew - 100 hours @ \$35.00/hour.....	\$3,500.00	
Materials –		
Milestone	\$2,000.00	
Dye and surfactant.....	included	
Equipment –		
ATV with spray unit	included	
backpack sprayers.....	included	
Subtotal Annual Cost		\$7,500.00

2) Mustard and Yellow Star Thistle Abatement

Labor –		
Qualified Applicator – 50 hours @ \$50.00/hour.....	\$2,500.00	
2 Man crew - 100 hours @ \$35.00/hour.....	\$3,500.00	
Materials –		
Garlon IV herbicide.....	\$2,000.00	
Milestone	included	
Dye and surfactant.....	included	
Equipment –		
ATV with spray unit	included	
backpack sprayers.....	included	
Subtotal Annual Cost		\$8,000.00

Total Annual Cost for area North of Peacock Creek.....\$15,500.00

B. Annual Costs for Area South of Peacock Creek

1) Artichoke Thistle, Milk Thistle and Prickly Clot Burr Abatement

Labor –		
Qualified Applicator – 20 hours @ \$50.00/hour.....	\$1,000.00	
2 Man crew - 50 hours @ \$35.00/hour.....	\$1,750.00	
Materials –		
Milestone	\$1,000.00	
Transline	included	
Dye and surfactant.....	included	
Equipment –		
Truck mounted spray rig.....	\$1,000.00	
ATV with spray unit	included	
backpack sprayers.....	included	
Subtotal Annual Cost		\$4,750.00

2) Mustard and Yellow Star Thistle Abatement

Labor –		
Qualified Applicator – 50 hours @ \$50.00/hour.....	\$2,500.00	
2 Man crew - 100 hours @ \$35.00/hour.....	\$3,500.00	
Materials –		
Garlon IV herbicide.....	\$2,000.00	
Milestone	included	
Dye and surfactant.....	included	
Equipment –		
Truck mounted spray rig.....	\$2,000.00	
ATV with spray unit	included	
backpack sprayers.....	included	
Subtotal Annual Cost		\$10,000.00

Total Annual Cost for area South of Peacock Creek\$14,750.00

Total Annual Cost \$30,250.00

Work schedule and methods shall conform to that specified in the Request for Quote.

ATTACHMENT 5
STANDARD CITY CONTRACT FORM

CITY OF CLAYTON

CONTRACTING SERVICES AGREEMENT

In entering into this Contracting Services Agreement ("Agreement") this _____ day of _____, 2013 ("Effective Date"), the City of Clayton, a California municipal Corporation ("City") and _____, a _____ ("Contractor") (each a "party," and collectively the "parties"), do mutually agree and promise as follows:

1. Special Conditions:

A) Contractor's Name & Address:

Ph.

B) Payment Limit: \$

C) Expense Limit \$0

D) Completion Date: 12/31/15

E) Contractor Federal Tax I.D. or SSN:

2. Employment; Independent Contractor: The City employs Contractor on an independent contractor basis, and Contractor is not an employee of the City. Contractor accepts such employment and shall provide materials, labor and equipment necessary to perform the services, described more fully in Exhibit A, which is attached to this Agreement and incorporated herein by this reference, (the "services") upon the terms and in consideration of the payments stated herein. The services required by this Agreement shall be performed by Contractor or under its supervision. Contractor shall determine the means, method and details of performing the services subject to the requirements of this Agreement. Contractor retains the right to perform similar or different services for others during the term of this Agreement. Any additional personnel performing the services under this Agreement on behalf of Contractor shall not be employees of City and shall at all times be under Contractor 's exclusive direction and control. Contractor shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of services under this Agreement and as required by law. Contractor shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, certified payrolls, income tax withholding, unemployment insurance, and workers' compensation insurance.

3. Insurance: Contractor shall, at no cost to the City, obtain and maintain during the term hereof: (a) Workers' Compensation Insurance pursuant to State Law, and (b) Comprehensive Liability Insurance including coverage for owned and non-owned automobiles, with a minimum combined single limit coverage of \$1,000,000 for all damages due to bodily injury, sickness or disease, or death to any person and damage to property, including the loss of use thereof, arising out of each accident or occurrence. The Workers' Compensation policy shall include a waiver of subrogation. Contractor shall furnish evidence of such coverage, naming the City of Clayton, its officers and employees as additional insured and requiring 30 days written notice of policy lapse or cancellation, to the City prior to the commencing work under this Agreement and as a condition precedent to the Agreement being effective. Insurance procured pursuant to these requirements shall be written by insurers that are admitted carriers in the state of California and with an A.M. Bests rating of A- or better and a minimum financial size VII.

4. Payment: The City of Clayton shall pay the Contractor for services performed at the rates shown in Exhibit B, attached to this Agreement and incorporated herein by this reference, which rates shall include all overhead and incidental expenses. In no event shall the total amount paid to the Contractor exceed the payment limit specified in Sec. 1 C) and D) without prior written approval of the City Manager, City of Clayton. Contractor's statement of charges shall be submitted at convenient intervals. Payment will be made within thirty (30) days after receipt of each statement.
5. Time of Completion. Unless the time is extended in writing by the City, the Contractor shall complete all services covered by this agreement no later than the completion date listed above. Interim completion dates, if any, will be established as shown in Exhibit A.
6. Record Retention; Inspection. Except for materials and records delivered to the City, the Contractor shall retain all material and records prepared or obtained in the performance of this Agreement, including financial records, for a period of at least three (3) years after Contractor's receipt of the final payment under this Agreement. Upon request by the City, the Contractor shall make such materials and records available to the City at no additional charge and without restriction or limitation on their use. The Contractor shall also make such materials and records available to authorized representatives of the State and Federal Governments at no additional charge.
7. Documentation: The Contractor shall prepare and deliver to the City at no additional charge the items, if any, described in Exhibit A to document the performance of this Agreement and shall furnish to the City such information as is necessary to enable the City to monitor the performance of this Agreement.
8. Extra Work: Any work or services in addition to the work or services described in Exhibit A shall be performed by the Contractor at rates as stated in Exhibit B. The Contractor shall be paid for the extra work at a rate mutually agreed on prior to commencement of the extra work. In no event shall the Contractor be entitled to compensation for extra work unless a written authorization or change order describing the work and payment terms has been executed by the City prior to the commencement of the work.
9. Termination By The City: At its option, the City shall have the right to terminate this Agreement at any time by written notice to the Contractor, whether or not the Contractor is then in default. Upon such termination, the Contractor shall, without delay, deliver to the City all materials and records prepared or obtained in the performance of this Agreement and shall be paid, without duplication, all amounts due for the services rendered up to the date of termination.
10. Contract Extension: At its sole option, the City shall have the right to extend the contract for three one-year terms. Contractor shall have the option to request a fee increase with each extension. Such increase may not exceed 2/3 of the annual increase in San Francisco, All Items, All Urban Consumers Price Index, with a maximum increase in any one year not to exceed 4%.
11. Abandonment By Contractor: In the event that the Contractor ceases performing services under this Agreement or otherwise abandons the project prior to completing all of the services described in this Agreement, the Contractor shall, without delay, deliver to the City all materials and records prepared or obtained in the performance of this Agreement, and shall be paid for the value of the services performed up to the time of cessation or abandonment.
12. Breach: In the event that the Contractor fails to perform any of the services described in this Agreement or otherwise breaches this Agreement, the City shall have the right to pursue all remedies provided by law or equity. Any dispute relating to the performance of this Agreement shall not be subject to non-judicial arbitration.

13. Compliance with Laws: In performing this Agreement, the Contractor shall keep itself fully informed of and in compliance with all applicable laws, statutes, ordinances, rules, regulations and reporting requirements, whether federal, state or local in origin, including without limitation all applicable Cal/OSHA and environmental regulations, of any nature. Contractor shall obtain and maintain in full force and effect all licenses required to perform the services under this Agreement for the duration of this Agreement.
14. Assignment: This Agreement shall not be assignable or transferable in whole or in part by the Contractor, whether voluntarily, by operation of law or otherwise provided, however, the Contractor shall have the right to sub-contract that portion of the services for which the Contractor does not have the facilities to perform so long as the Contractor notifies the City of such sub-contracting prior to execution of this Agreement. Any other purported assignment, transfer or sub-contracting shall be void.
15. Indemnification: The Contractor shall defend, indemnify, save and hold harmless the City and its agents, officers and employees from any and all claims, costs and liability, including attorneys fees, expert fees and litigation costs, for any damages, injury or death arising directly or indirectly from or in any way in connection with the services provided under this Agreement, due to or claimed or alleged to be due to negligent, whether active or passive, or wrongful acts, errors or omission of Contractor or any person under its control, save and except claims or litigation arising through the sole gross negligence or sole willful misconduct of the City. All City expenses, including attorneys fees, experts fees and litigation costs, related to any claims or litigation shall be paid by the Contractor as they are incurred.
16. Prevailing Wages: The Contractor and each of its sub-contractors shall pay all workers employed to perform the services under this Agreement not less than the wages specified in the General Prevailing Wage Determination made by the Director of Industrial Relations in effect on the date of this Agreement, and shall comply with all applicable requirements of California Labor Code Section 1720, *et seq.*, and 1770, *et seq.*, as well as California Code of Regulations, Title 8, Section 16000, *et seq.* ("Prevailing Wage Laws"). City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement of this Contract. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Contractor's principal place of business and at the project site. Contractor shall defend, indemnify and hold the City, its elected officials, officers, consultants, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.
17. Equal Opportunity Employment: Contractor represents that it is an equal opportunity employer and it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.
18. Attorneys Fees: If an action is commenced by either party against the other party to enforce the terms of this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees..
19. Heirs, Successor and Assigns: This Agreement shall inure to the benefit of and bind the heirs, successors, executors, personal representatives and assigns of the parties.
20. Entire Agreement. This Agreement contains the entire agreement of the parties with respect to the

subject matter hereof, and supersedes all prior or contemporaneous negotiations, understandings or agreements, whether written or oral. This Agreement may only be modified by a writing signed by both parties.

21. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Venue shall be in Contra Costa County.
22. Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.
23. No Third-Party Beneficiaries. There are no intended or incidental third-party beneficiaries of any right or obligation assumed under this Agreement by the parties.
24. Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
25. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and all of which shall constitute one fully executed Agreement.

IN WITNESS WHEREOF, the undersigned duly authorized signatories have executed this Agreement on behalf of the respective parties, with the intent that it be effective on the Effective Date, on the respective dates shown:

CITY OF CLAYTON

contractor

BY _____

City Manager

(Designate official capacity in the business)

DATE: _____

DATE: _____

Attachments: Exhibit A and Exhibit B, attached behind this page



Memo

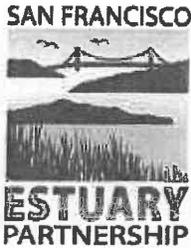
To: Laura

From: John Johnston

Date: 12/20/13

Re: Trash Capture Devices and status

Attached are the locations for the trash capture devices that we had installed in November 2012. Some of the locations may have been adjusted or changed due to field conditions by the contractor so I have also included the excel file from the Trash Tracker that he inputted with the final locations including GPS coordinates. As I understood we only needed to do one under the MRP regulations based upon our City size. When the ABAG grant came out there was originally enough funds for Clayton to obtain up to 10 devices, many more than required but would likely allow City to meet the trash reduction goals of the MRP without much else, which is what I planned. Then they had additional funds left over for reallocation, which we submitted for, and received some additional allocation, and after all funds secured we were able to obtain and install 25 devices. We had to install by November to obtain the grant payment to the contractor through ABAG. We cleaned one device in July 29, 2013 and did not find much in it, we checked the others and they had even less, and was not needed for cleaning until next season. So we have time to determine our next course of action for maintenance, as to who does and frequency expected. If they do not get fill annually maybe only inspect annually by staff and then do as needed, if fill to where needed to be cleaned annually then need to consider if in house or contract out. If in house we need to determine what is required for us to maintain as far as cost goes, looks like we need to meet OSHA confined space reqs which will require purchase of certain safety equipment and also get training and certifications. Or we need to contract out. To date I have only one cost quote and will need to get at least two more – then we will need to determine which way to go after consulting with the City Manager. If contracting out is what direction to head it may be that it has to go to the City Council for approval as the contract cost may exceed city manager level of approval authority. All this will take time and I am currently tasked by the City Manager on higher priority projects.



December 31, 2012

Laura Hoffmeister
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Dear Ms. Hoffmeister:

I'm happy to tell you that our funder has extended the construction deadline for the Bay Area-wide Trash Capture Demonstration Project to March 1, 2013. SFEP/ABAG will therefore not enforce the November 1, 2012 deadline in our municipal contracts. Project participants with allocation funds available may continue to order trash capture devices from vendors whose contracts we have extended (see below), as long as devices are installed and Notices of Acceptance are dated by February 28, 2013.

Vendors with extended contracts:

- Advanced Solutions
- G2 Construction, Inc.
- Kristar Enterprises, Inc.
- Revel Environmental Manufacturing, Inc.
- Roscoe Moss Company
- United Stormwater, Inc.

You may also include, on a purchase order using grant funds, additional devices that you will pay for with your municipality's funds. Let me know if you would like to do this. A number of cities have sent funds to ABAG for this purpose.

In addition, we are considering extending the group purchasing part of the program, after the new deadline, as a service to ABAG members. If cities and counties are interested, we will release a new Request for Proposals and contract with a new slate of device vendors in 2013. These devices will be available for purchase through ABAG; and we will likely need to charge some amount up front so that we can manage the program, post devices to the Trash Tracker, etc. Municipalities that are not part of the current project will be able to use this service. If your city or county would be interested taking advantage of this opportunity in 2013, please let me know.

Best regards,

A handwritten signature in black ink, appearing to read "Janet Cox".

Janet Cox
Project director

(Sent via email to our extended municipal list)

Protect our Waterways, Beaches and Oceans



Stormwater Debris Screens & Filters



Catch Basin Trash Capture Devices: Connector Pipe Screens (CPS)

- Certified "full capture" device by Los Angeles & San Francisco Water Quality Boards
 - Captures all particles > 5 mm
 - Meets hydraulic design standards of > flow rate from 1-year, 1 hour storm and bypass of maximum inlet design capacity
- GRATE and *Wavy* Trash Catchers made from innovative corrugated perforated screen:
 - Meets hydraulic standards in less space
 - Ensures bypass requirement compliance
- Increases catch basin holding capacity:
 - Reduces time intervals between clean-outs & maintenance costs
 - Minimizes flooding potential
- Best (and sometimes only) solution for shallow, narrow, smaller & longer catch basins
- Designed by Mike Soliman, P.E. former Assistant Head, Design Div., LA County Public Works, Flood Control & Water Quality
- Constructed from 304 Stainless Steel: Permanent installations, expected life of 15 -20 years, 5 year warranty.
- Also made in cost-saving, non-leaching, high-strength Plastic.
- Conventional (non-corrugated) Waterway Solutions' Connector Pipe Screens (CPS) available for less-challenging catch basins



GRATE Trash Catcher™
Wavy Trash Catcher™
Conventional CPS

Trash Capture Devices for
ANY type of Catch Basin!



"Wavy" Corrugated CPS: Increased effectiveness in a smaller footprint



"Grate Trash Catcher" CPS:
Effective in catch basins as
small as 18" x 18" x 18"

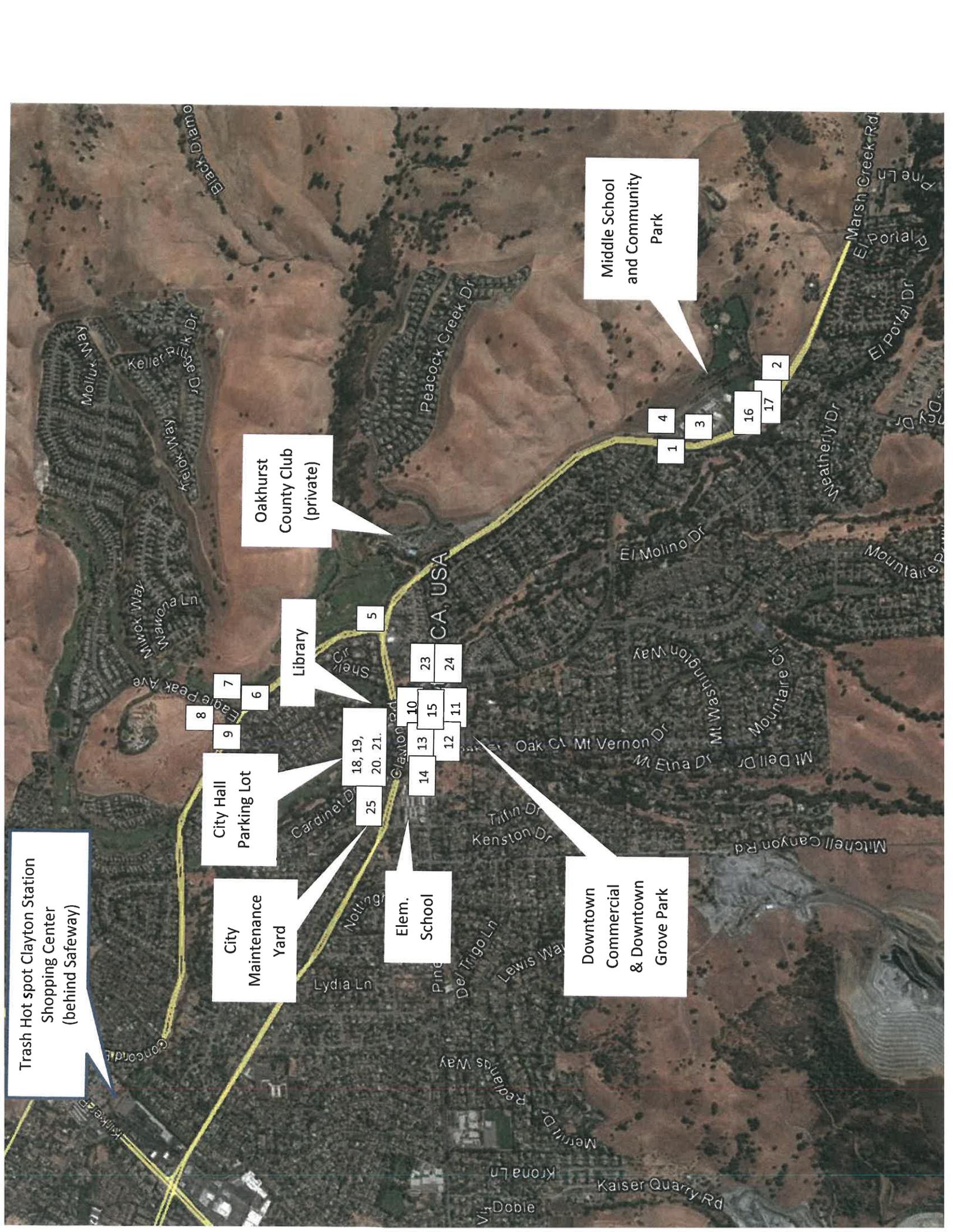


EXAMPLE WORKSHEET - FOR DISCUSSION ONLY
 All of the data that you see has been prepopulated from your "My Municipality" page on the www.bayareatrashtracker.org website. If you see something that is incorrect, feel free to correct it and make a note in the "Notes" field. If you need to delete an entire row a note is not necessary.
HOW TO USE THIS WORKSHEET

Your answers on this worksheet tab will apply to individual device installations. For each device, please answer four questions:
 1. Place a "Y" in the LAND USE column(s) that best describes the area around this device.
 2. Is this device in a high-trash generating area? Place a "Y" or "N" in Column U
 3. Is this device appropriate for its location? Place a "Y" or "N" in Column V
 4. How many times have you inspected or maintained this device since installation? Note the number of maintenance events in Column W

Municipal Device ID	Project Device ID	Device Type	Vendor/Model name	Installation Date	PC#	Line#	Municipal-defined ID (if you use one)	Location Description	Address	Latitude	Longitude	Commercial	Industrial	Residential	Retail	K-12 School	Urban Park	Urban open spaces	Express way	High trash generation area? Y or N	Device appropriate for land use? Y or N	Number of inspections (maint events to date)	Notes	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	1	TC-1	37 931142 By Diablo	37 93114	-121 9235												30 cubic foot capacity		
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	2	TC-2	37 927325 NE Cor. M	37 92733	-121 9205													25.5 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	3	TC-3	37 931039 Dr middle	37 93106	-121 9233													72 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	4	TC-4	37 942922 Eagle Peak	37 94292	-121 9308													25.5 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	5	TC-5	37 946345 Eagle Peak	37 94635	-121 9344													32.5 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	6	TC-6	37 948529 Eagle Peak	37 94853	-121 9344													36 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	7	TC-7	37 948648 Eagle Peak	37 94865	-121 9344													32 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	8	TC-8	37 948621 Eagle Peak	37 94862	-121 9344													42 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	9	TC-9	37 941247 Old Marsh	37 94125	-121 9349													72 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	10	TC-10	37 940508 Center & N	37 94051	-121 9337													48 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	11	TC-11	37 940498 Endeavor	37 94051	-121 9366													26 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	12	TC-12	37 940488 Endeavor	37 94051	-121 9366													26 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	13	TC-13	37 941189 Oak & Mall	37 94117	-121 9366													28 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	14	TC-14	37 941178 Oak & Mall	37 94118	-121 9366													36 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	15	TC-15	37 941183 Main St By	37 94118	-121 9366													60 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	16	TC-16	37 927655 MCR East	37 92766	-121 9249													30 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	17	TC-17	37 928253 MCR by rd	37 92825	-121 9215													42 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	18	TC-18	37 942823 City Hall h	37 94282	-121 9375													42 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	19	TC-19	37 942782 City Hall h	37 94278	-121 9375													24 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	20	TC-20	37 942764 Police parl	37 94276	-121 9373													25 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	21	TC-21	37 942779 Police parl	37 94278	-121 9373													25 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	22	TC-22	37 942801 City Hall P	37 9428	-121 9367													21 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	23	TC-23	37 940625 Across foot	37 94063	-121 9332													30 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	24	TC-24	37 940467 Mudivills G	37 94047	-121 9332													30 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	1	TC-1	37 931142 By Diablo	37 93114	-121 9235													25.5 cubic foot capacity	
Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	2	TC-2	37 927325 NE Cor. M	37 92733	-121 9205													72 cubic foot capacity	
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Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	5	TC-5	37 942922 Water Fea	37 94282	-121 9306													25.5 cubic foot capacity	
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Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	9	TC-9	37 948621 Eagle Peak	37 94862	-121 9344													48 cubic foot capacity	
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Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	16	TC-16	37 927655 MCR East	37 92766	-121 9249													25.5 cubic foot capacity	
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Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	19	TC-19	37 942782 City Hall h	37 94278	-121 9374													24 cubic foot capacity	
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Clayton USW-1	USW-1	connector	United Sto	Nov-12	1	24	TC-24	37 940467 Mudiville G	37 94047	-121 9332													26 cubic foot capacity	

Above Installed Nov. 12, 2012



Trash Hot spot Clayton Station Shopping Center (behind Safeway)

City Maintenance Yard

City Hall Parking Lot

Library

Oakhurst County Club (private)

Elem. School

Downtown Commercial & Downtown Grove Park

Middle School and Community Park

8

9

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18, 19, 20, 21.

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2

City of Clayton – Trash Capture Locations

- 1) Marsh Creek Rd. Westside approximately 400' South of Old Marsh Creek Rd. and Clayton Rd.

This catch basin is by Diablo View Middle School across from street light #1175S.

- 2) Marsh Creek Rd. Northeast corner of Marsh Creek Rd. and Regency Dr. by the community park.
- 3) Marsh Creek Rd. Eastside approximately 400' North of Old Marsh Creek Rd. and Clayton Rd. by Diablo View Middle School across from street light #1175N.
- 4) Marsh Creek Rd. Southeast corner of Old Marsh Creek Rd. and Clayton Rd. at Diablo View Middle School entrance.
- 5) Northeast corner of Oakhurst Dr. and Clayton Rd. in front of the Water Feature.
- 6) Oakhurst Dr. Southeast corner of Oakhurst Dr. and Eagle Peak.
- 7) Eagle Peak East Southeast corner of Eagle Peak and Oakhurst Dr.
- 8) Eagle Peak East Northeast corner of Eagle Peak and Oakhurst Dr.
- 9) Oakhurst Dr. Northeast corner of Oakhurst Dr. and Eagle Peak.
- 10) Old Marsh Creek Rd. Northeast corner of Old Marsh Creek Rd. and Main St.
- 11) Center St. Southeast corner of Center St. and Morris St.
- 12) Center St. Southside in front of 6008 Center St. Endeavor Hall.
- 13) Oak St. Southeast corner of Oak St. and Main St.
- 14) Oak St. Southwest corner of Oak St. and Main St.
- 15) Main St. Southside 120' west of Main St and Marsh Creek Rd.
- 16) Marsh Creek Rd East side approximately 400' north of Regency Dr.

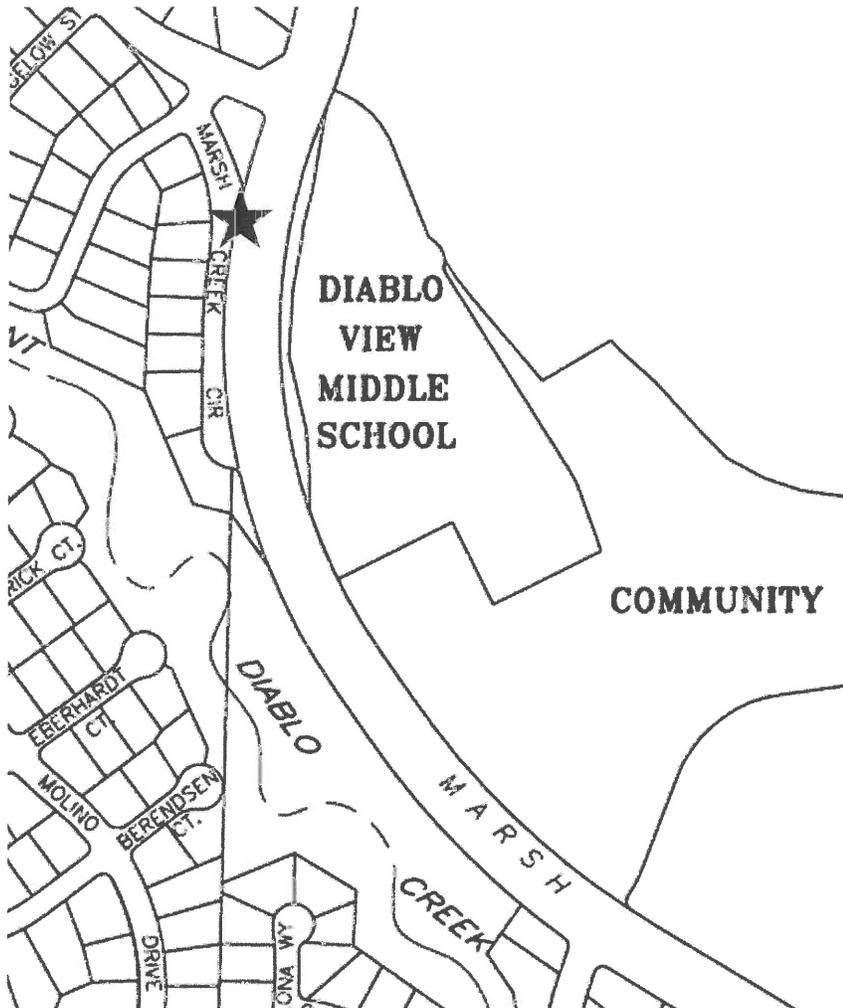
- 17) Marsh Creek Rd East side approximately 600' north of Regency Dr.
- 18) City Hall parking lot Northeast corner.
- 19) City Hall parking lot East side of Police parking entrance.
- 20) City Hall parking lot West side of Police parking entrance.
- 21) City Hall parking lot East side Heritage Trail at the bottom of hill.
- 22) City Hall parking lot West side Heritage Trail at the bottom of hill.
- 23) Center St. Southeast corner by Mudville Grill.
- 24) Center St. Northeast corner across from Mudville Grill.
- 25) City Maintenance Yard in the far Northwest corner.

(1)

Marsh Creek Rd. Westside approximately 400' South of Old Marsh Creek Rd. and Clayton Rd. This catch basin is by Diablo View Middle School across from street light #1175S.

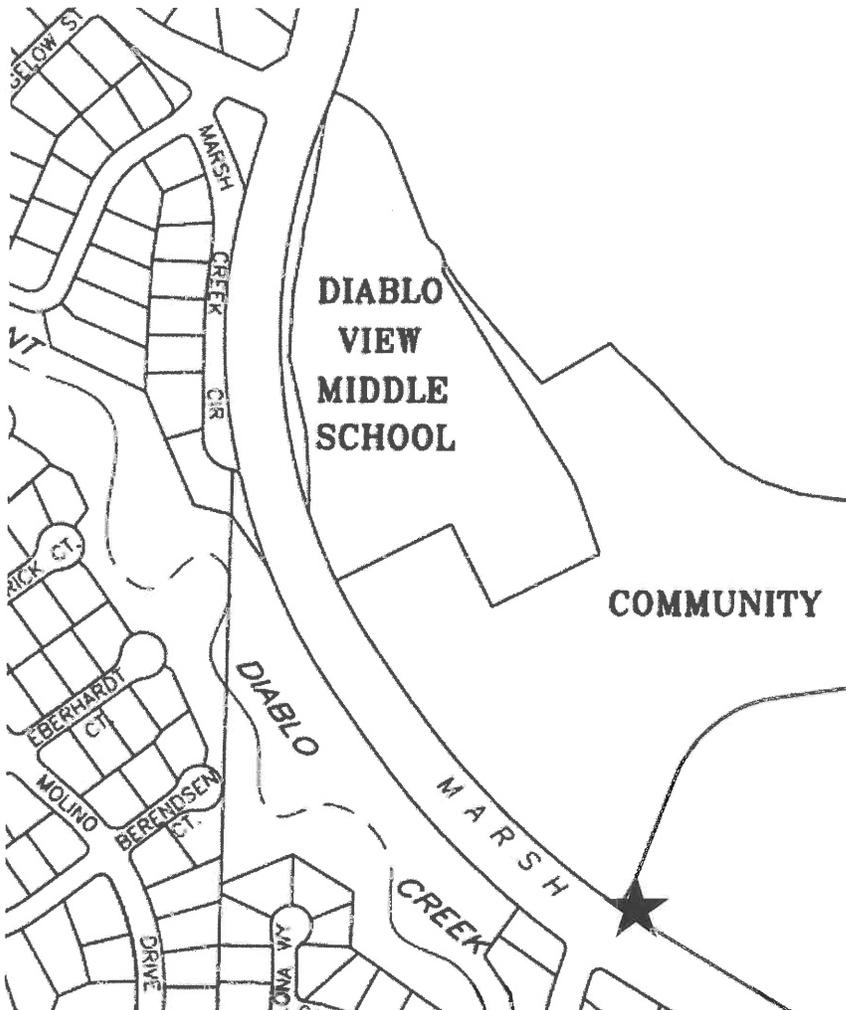
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Marsh Creek Rd. Westside approximately 400' South of Old Marsh Creek Rd. and Clayton Rd. This catch basin is by Diablo View Middle School across from street light #1175S.



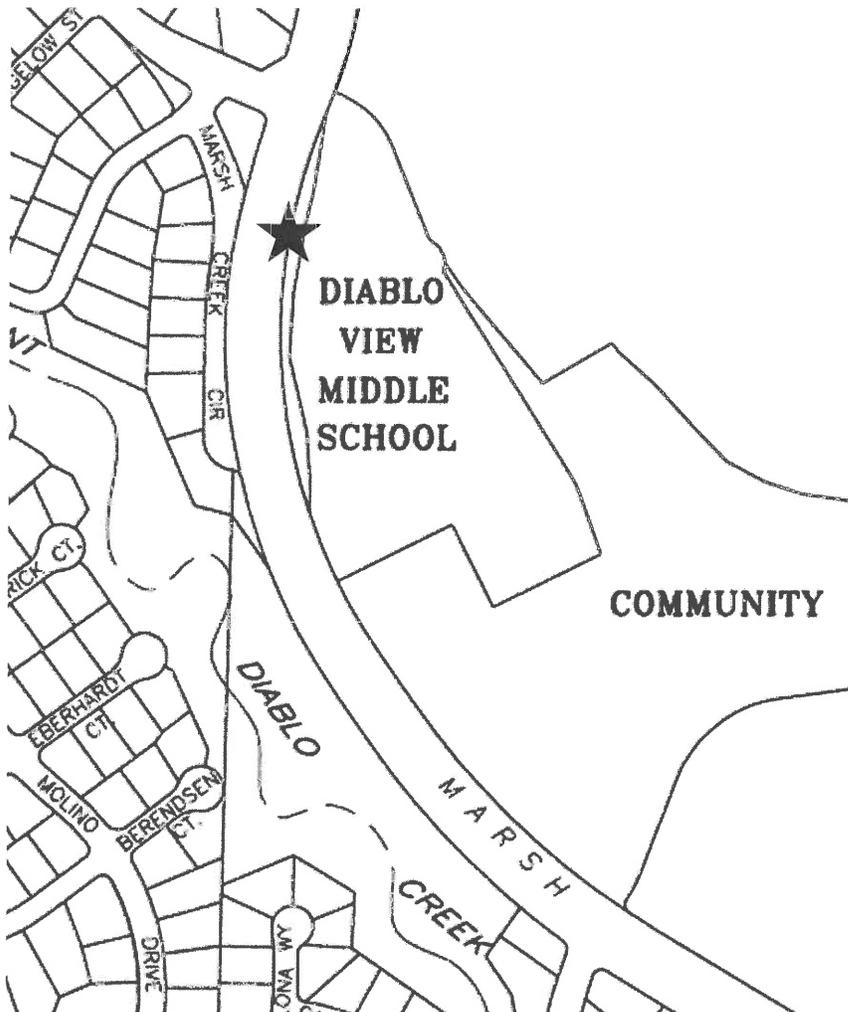
(2)

Marsh Creek Rd. Northeast corner of Marsh Creek Rd. and Regency Dr. by the community park.



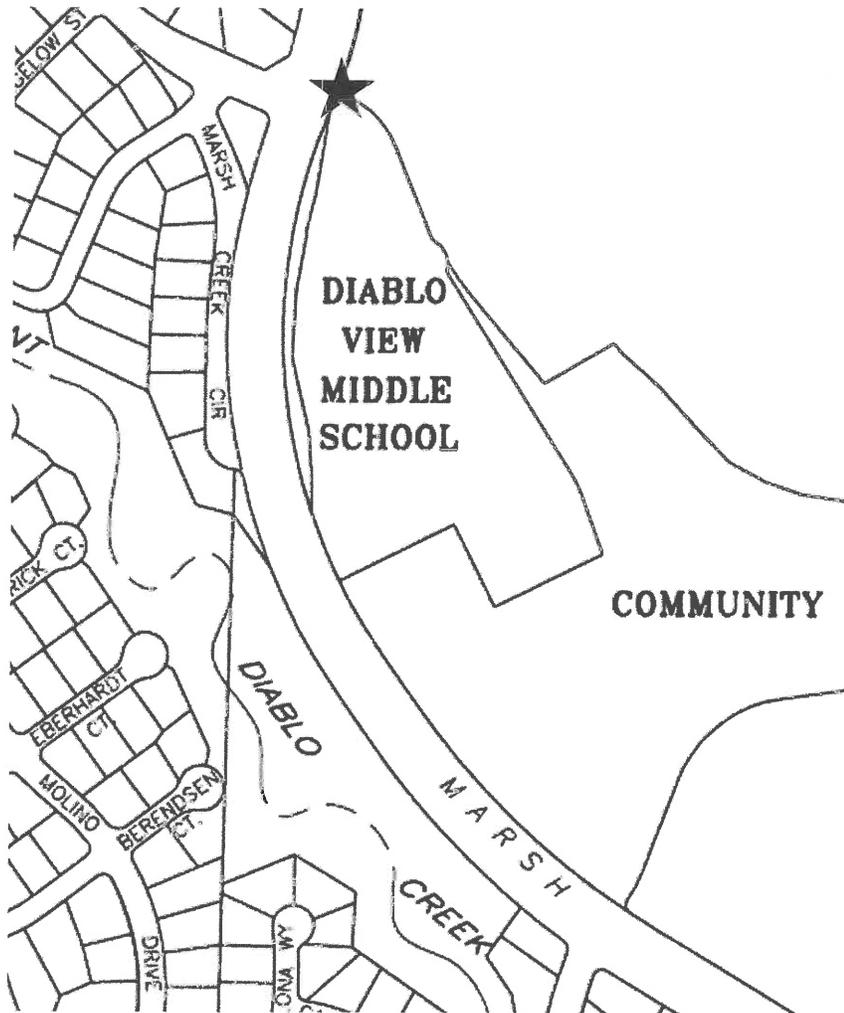
(3)

Marsh Creek Rd. Eastside approximately 400' North of Old Marsh Creek Rd. and Clayton Rd. by Diablo View Middle School across from street light #1175N.



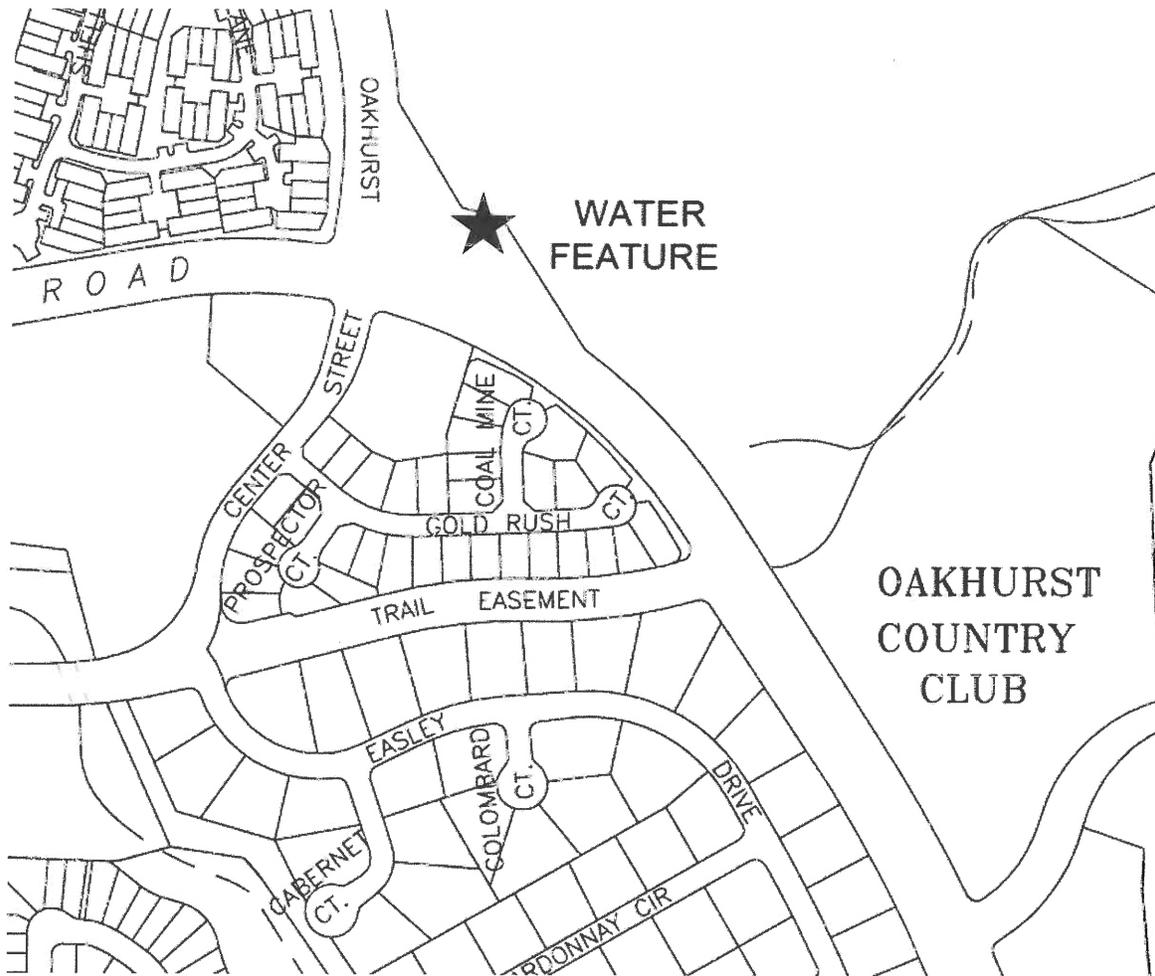
(4)

Marsh Creek Rd. Southeast corner of Old Marsh Creek Rd. and Clayton Rd. at
Diablo View Middle School entrance.



(5)

Northeast corner of Oakhurst Dr. and Clayton Rd. in front of the Water Feature.



(6)

Oakhurst Dr. Southeast corner of Oakhurst Dr. and Eagle Peak.



(7)

Eagle Peak East Southeast corner of Eagle Peak and Oakhurst Dr.



(8)

Eagle Peak East Northeast corner of Eagle Peak and Oakhurst Dr.



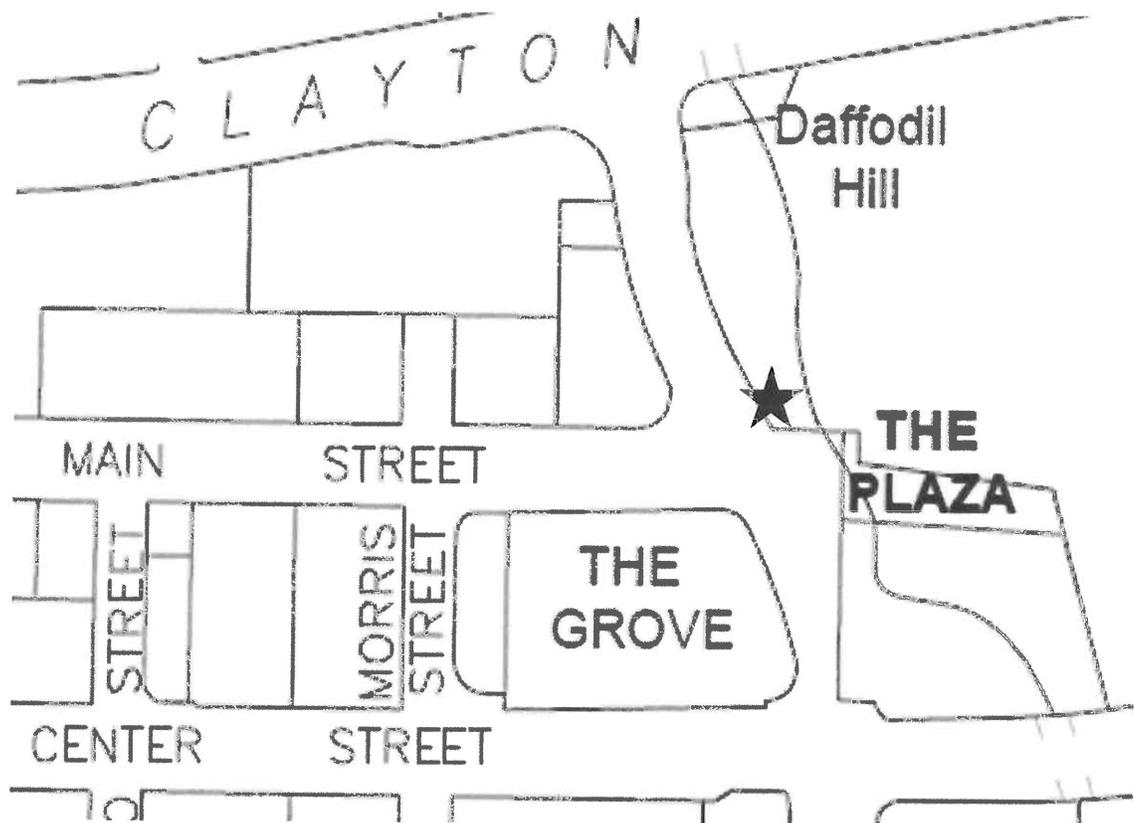
(9)

Oakhurst Dr. Northeast corner of Oakhurst Dr. and Eagle Peak.



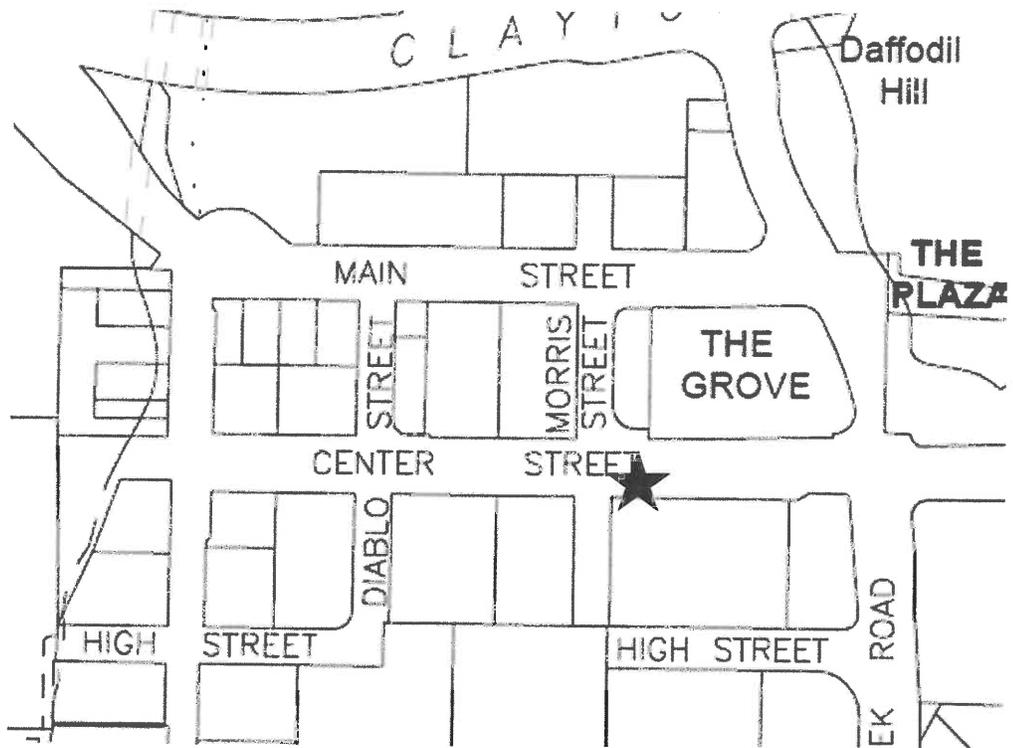
(10)

Old Marsh Creek Rd Northeast corner Old Marsh Creek Rd and Main St. by Kiosk.



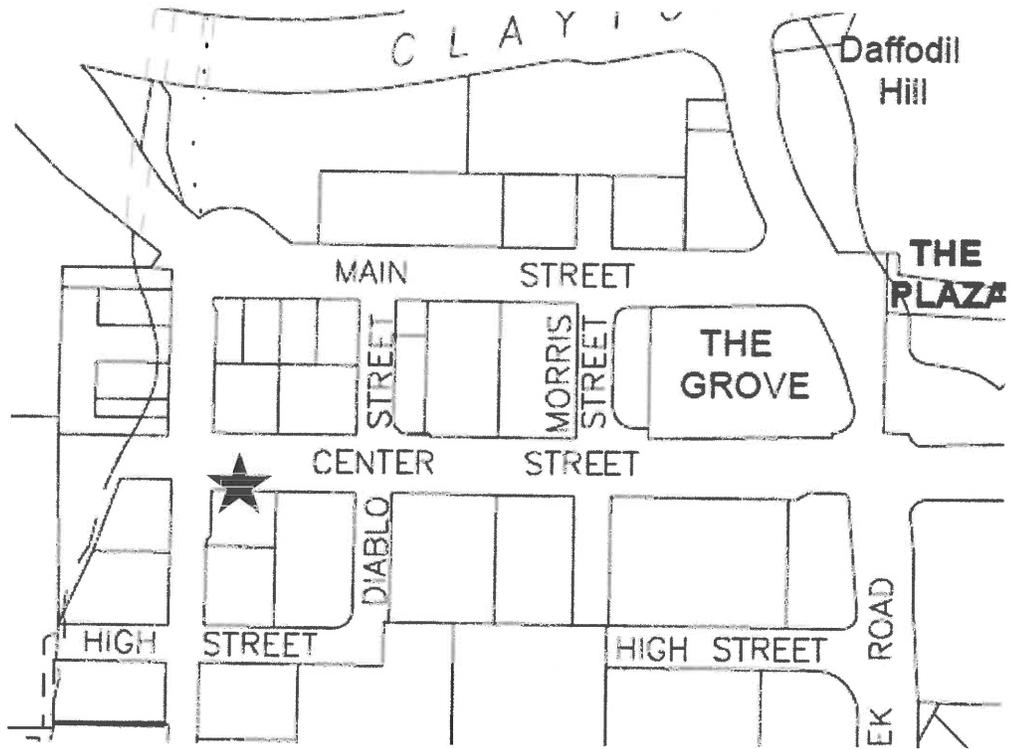
(11)

Center St. Southeast corner of Center St. and Morris St.



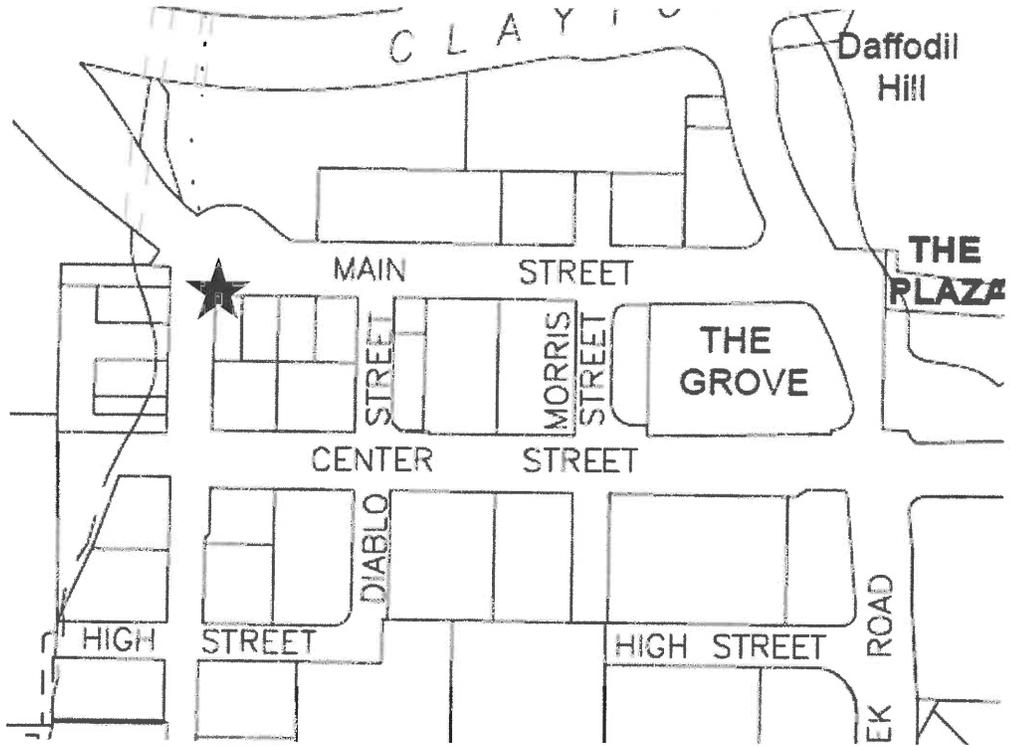
(12)

Center St. Southside in front of 6008 Center St. Endeavor Hall.



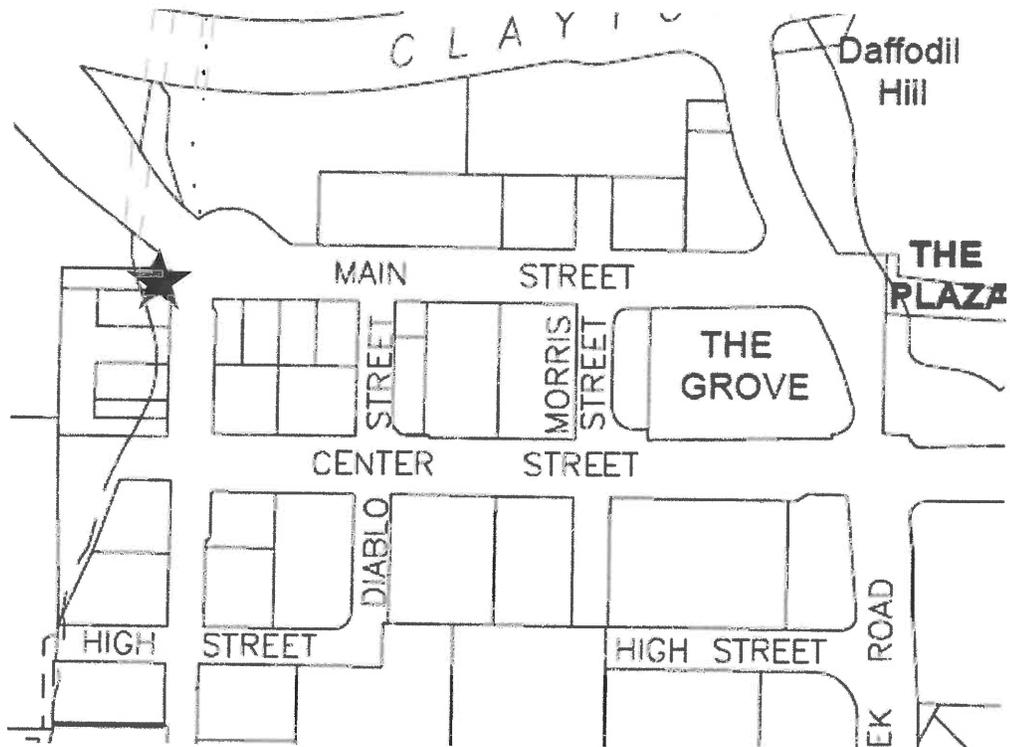
(13)

Oak St. Southeast corner of Oak St. and Main St.



(14)

Oak St Southwest corner of Oak St. and Main St.



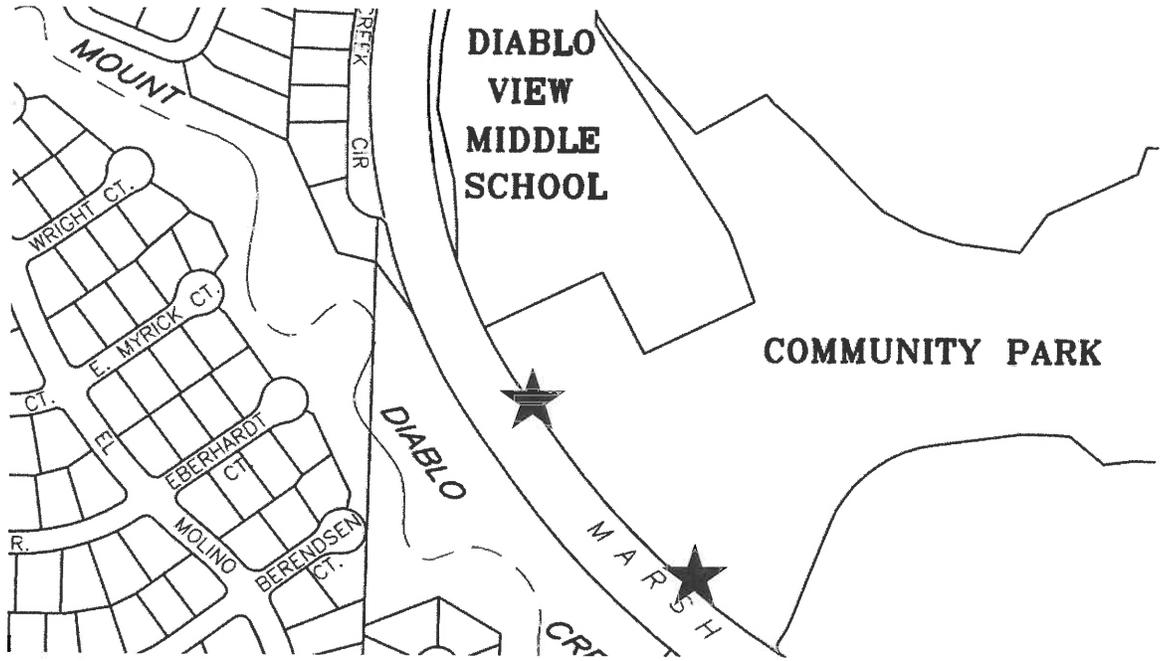
(15)

Main St. Southside 120' west of Old Marsh Creek Rd and Main St by The Grove.



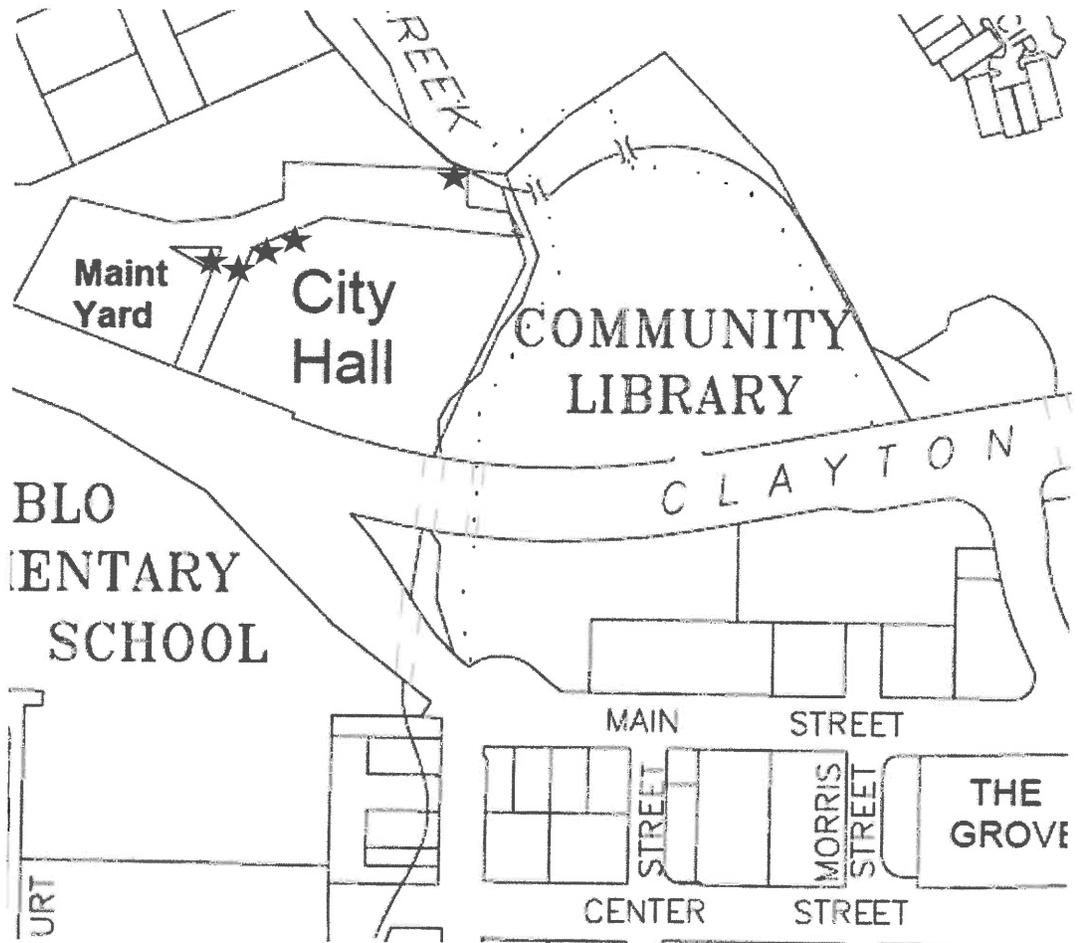
(16 & 17)

Marsh Creek Rd Eastside approx. 400 & 600 feet North of Regency Drive

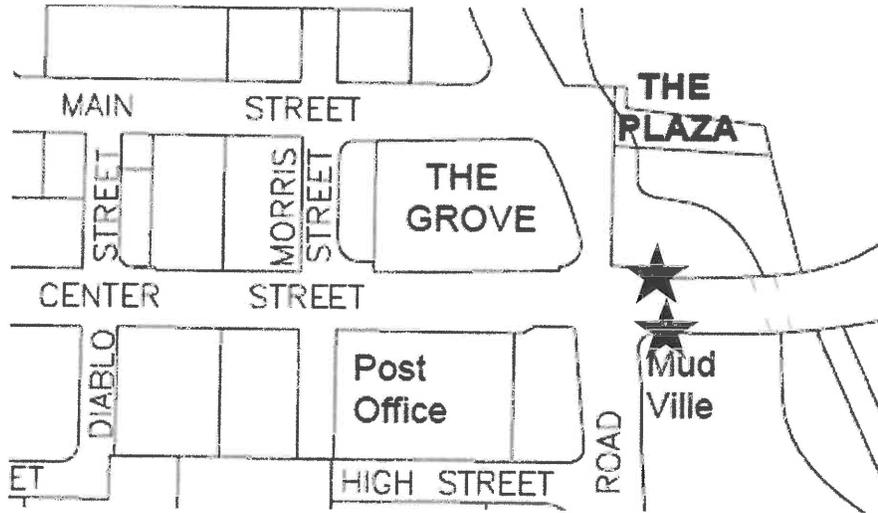


(18, 19, 20, 21, 22)

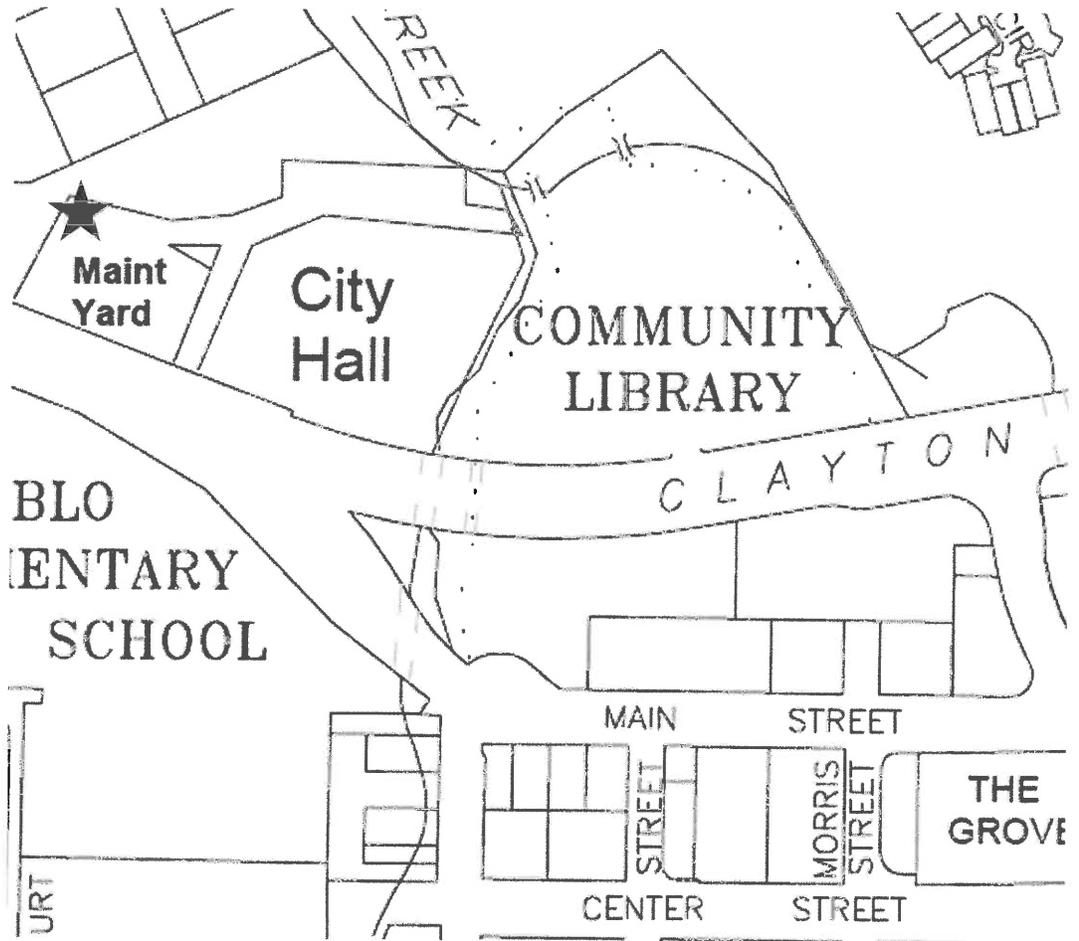
City Hall Parking Lot .



(23, 24)
Center St by Mudville Grill

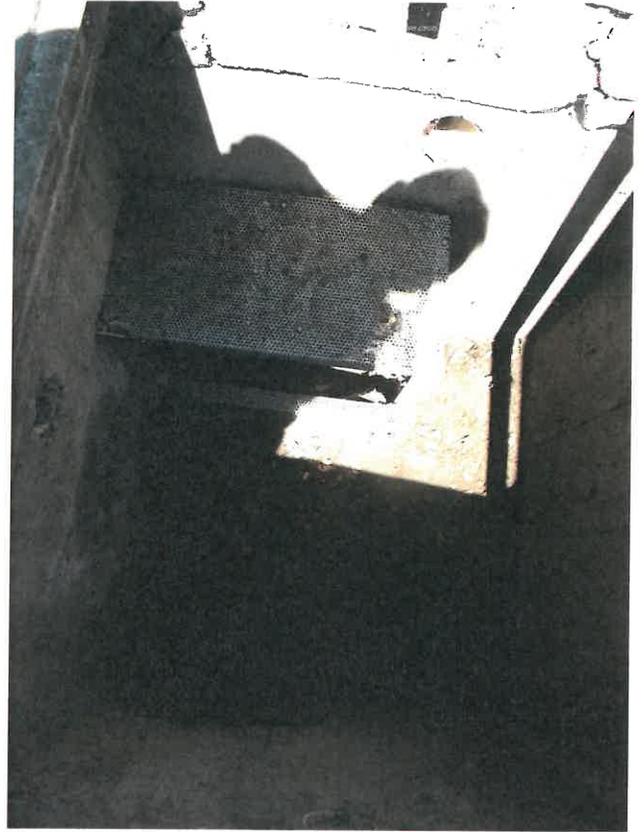


25
City Maint Yard





DI capture device before cleaning – mostly leaves and some fine silts



DI after cleaning



Silts in bottom of DI under leaf debris – no trash in this device was found

Add a Maintenance Event

Address: 37.927325,-121.920531

Project Device ID: USW-1

Purchase Order Number: 1

Purchase Order Line Number: 2

Date of maintenance event (required)

mm/dd/yyyy

Reason for inspection/maintenance (check all that apply)

Regular scheduled

Repair (describe)

Response to complaint (describe)

Is device functioning properly?

Yes

No (explain)

Clogged

Needs repair/adjustment (explain)

Evidence of bypass

Condition of device

Intact, not damaged

Damaged or broken part (describe)

Missing/vandalized

Estimate percentage of catch basin full (percentage):

<5%

Maintenance effort

How many people participated in this maintenance event?:

2

Equipment used for trash removal

Manual/Shovels/Clamshell

Vactor Truck

Other (describe)

Estimated cost of maintenance event:

\$45

Hours:

.25

Minutes:

15

OPTIONAL

Materials removed (estimated percentage/volume in cubic feet if available)

Plastic

1

Percentage

Cubic Feet

Paper

2

Percentage

Cubic Feet

Sediment

27

Percentage

Cubic Feet

Metal

Percentage

Cubic Feet

7/29/13

Add a Maintenance Event | www.bayareatrashtacker.org

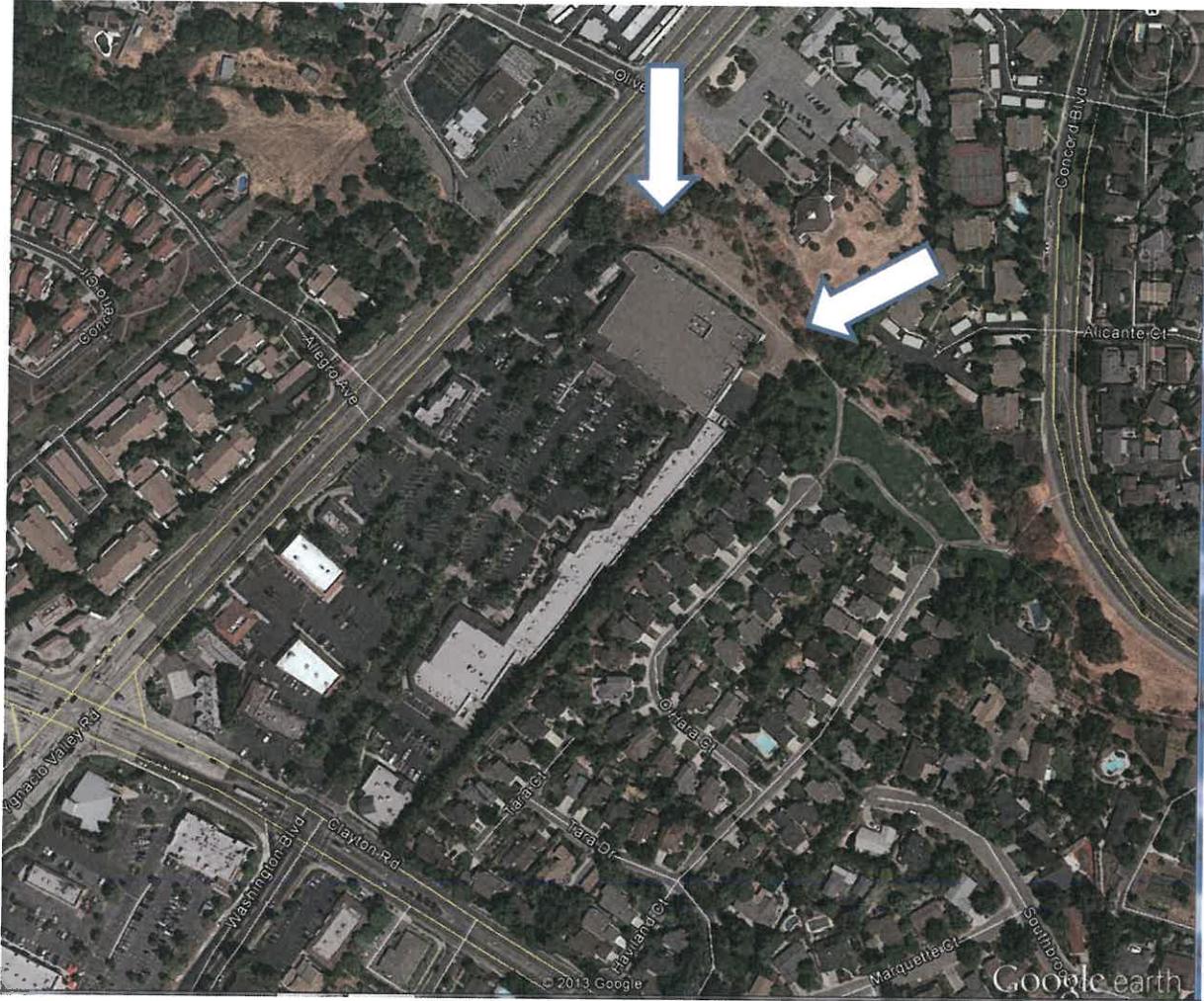
Leaves/vegetation

70
Percentage

Cubic Feet

Save Event

City of Clayton Trash Hot Spot Location – Clayton Station (behind Safeway) Mt. Diablo Creek (segment)



City of Clayton MRP – Trash Hot Spot Location

behind Safeway – Mt Diablo Creek segment near city public easement trail – creek is privately owned by Las Trampas Investments (Clayton Station Shopping Center – Clayton Road/Kirker Pass Road)



TRASH HOT SPOT PHOTO LOCATIONS



PHOTO #1 BEFORE & AFTER



NO TRASH WAS FOUND IN THIS AREA

PHOTO #2 BEFORE (Bike Tube)



PHOTO #2 TRASH TOTAL



PHOTO #2 AFTER



PHOTO #3 BEFORE



PHOTO #3 TRASH TOTAL



PHOTO #3 AFTER



PHOTO #4 BEFORE & AFTER



NO TRASH WAS FOUND IN THIS AREA

PHOTO #5 BEFORE

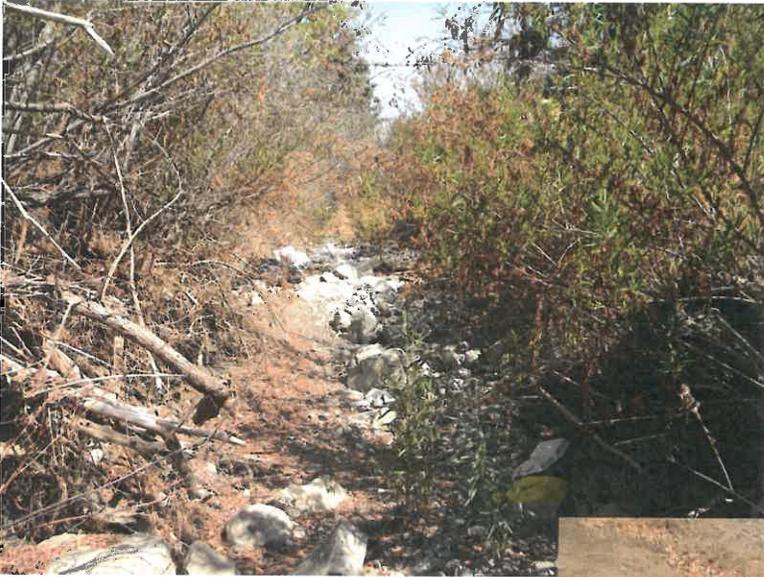


PHOTO #5 TRASH TOTAL



PHOTO #5 AFTER



PHOTO #6 BEFORE & AFTER



NO TRASH FOUND IN THIS AREA

PHOTO #7 BEFORE



PHOTO #7 TRASH TOTAL



PHOTO #7 AFTER



PHOTO #8 BEFORE (Piece of plywood)



PHOTO #8 TRASH TOTAL



PHOTO # 8 AFTER





Trash Hot Spot Cleanup Data Collection Form

Name of Recorder: Mark Janney
 Cleanup Date: 6-28-2013

I. Site Information

Site ID# CAL-01 Long: -121.953852
 Lat: 37.954434 Jurisdiction(s): City of Clayton
 Watershed: Mt. Diablo
 Ownership: Las Trampas Invest. Waterbody: Mt. Diablo Creek

II. Trash Information

1. Describe trash type (Provide % of total trash by volume):

*List of potential trash items on back

Item:	Percentage:	Item:	Percentage:
Plastic bags		Construction debris*	
Convenience/Fast Food items*	<u>5%</u>	Toxic substances*	
Bottles (plastic or glass)	<u>1%</u>	Large items*	
Aluminum cans	<u>0</u>	Miscellaneous items*	<u>80%</u>
Styrofoam (pieces or pellets)	<u>0</u>	Fabric and cloth*	
Other plastic products*		Yard waste (incl. trees)	
Paper and cardboard*		Leaf litter piles	
Cigarette butts	<u>10%</u>	Glass pieces	
Spray paint cans		Golf or tennis balls	
Metal products*	<u>4%</u>	Other*	
Biohazards*		Other*	

2. Potential trash pathways/sources (Check all that apply):

- Trash accumulation
- Litter
- Illegal dumping
- Homeless encampments
- Outfall
- Multiple
- Other
- Unknown

3. Identify adjacent land uses to trash area (Check all that apply):

- Residential (Single-family)
- Residential (High-density)
- Commercial
- Industrial
- Public/Institutional - Church
- Mixed-use
- Other Developed - Park/Open space

III. Trash Removal

Volume of Trash Removed During Cleanup: _____ OR Cubic Yards: _____

Size of trash bag (in gallons): 25 gal.

Total # of bags: 1

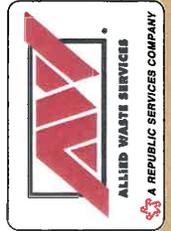
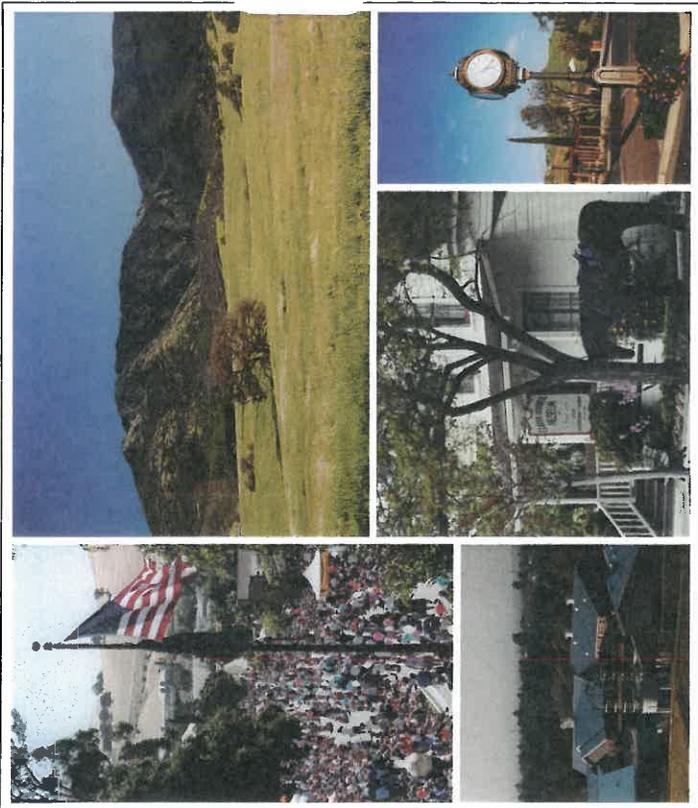
IV. Photo Documentation

Photo#	Before Cleanup Photograph ID	Photo#	After Cleanup Photograph ID
1	No Trash	1	N/A
2	1 bike tube 1 paper cup	2	No Trash
3	1 gal. trash in bag, 1 cup, 1 plastic food container	3	No Trash
4	No Trash	4	No Trash
5	5 gal. pile w/trash; 2 cardboard boxes, 1 plastic bag 5 gal.	5	No Trash
6	No Trash	6	N/A
7	plastic bag, assort. metal rims, 1 plastic bottle 1 paper cup, 2 food wrappers	7	No Trash
8	1 cardboard box 1 plastic bag, 1 newspaper, 1 plastic yogurt cup	8	No Trash

Notes: Not a lot of materials found, No homeless camps or remnants

2012 CUSTOMER Guide

Garbage, Recycling, Yard Waste Services



Attachment C11a

BULKY ITEMS

Free Pickup for E-Waste, Too

Clayton residents may have any item listed here, such as mattresses, furniture, appliances and other large items, picked up at no charge at the curbside. Call the office at (925) 685-4711 to schedule.



- Refrigerator (pickup & Freon removal)
- Computer monitors
- Stove
- Dishwasher
- Dryer
- Electronics
- Sealer (pickup & Freon removal)
- Hot water heater
- Ice-bad
- Double mattress
- Double box spring
- Single mattress
- Single box spring
- Keen mattress
- Keen box spring
- King mattress
- King box spring
- Refrigerator (pickup & Freon removal)
- Stove
- Dishwasher
- Ramp cooler

- Tires with rim (larger than 19 inches)
- TV (32 inches or smaller)
- TV (32 inches or larger)

- Tires (less than 19 inches)
- Tires with rim (less than 19 inches)
- Tires (larger than 19 inches)

Recycle Batteries, CFLs

Household batteries and compact fluorescent lights can be recycled curbside. Place batteries in quart-size Ziploc bag, seal and leave next to your brown recycling cart. Do the same in a separate Ziploc bag for CFLs.

Free E-Waste Pickups

There is no charge for collection of e-waste in Clayton. Call (925) 685-4711 to schedule a pickup.

Household Hazardous Waste Collection Facility

4797 Imhoff Place, Martinez, CA 94553-4392
1-800-646-1431 • www.centrsan.org



Protecting Public Health and the Environment

HOURS OF OPERATION

Residents:

(no appointment needed)

Monday through Saturday:
9 a.m. - 4 p.m.

Businesses:

Monday through Saturday

By appointment only

Closed:

Sunday
and most major Holidays

The Solution to Pollution

Many products in your home contain chemical compounds that can poison, corrode, explode, or ignite when handled improperly. (See list of items on reverse.) When discarded, these substances become household hazardous waste (HHW) and can threaten human health and the environment. For this reason, it is illegal to dispose of HHW in the trash or down any drain. That is why the Central Contra Costa Sanitary District established the HHW Program—to provide local residents with convenient and environmentally safe HHW disposal.

Hazardous wastes brought to our Household Hazardous Waste Collection Facility will never reach waterways through sewers, storm drains, or landfills. To help prevent pollution of our water environment, please bring your HHW to the facility.



THERE IS NO DROP-OFF FEE FOR ELIGIBLE RESIDENTS!

COMMUNITIES ELIGIBLE TO USE THE FACILITY

The collection program services are paid for by members of the communities on the map at right as part of their sewer service charge. Partnership agreements between CCCSD, MVSD, Concord, Clayton, and San Ramon (for southern area) ensure that all central county residents have access to these services.



What Can You Bring to the Household Hazardous Waste Facility?

Household products

- Batteries
- Fluorescent bulbs & compact fluorescent lights (CFLs)
- Mercury thermostat switches
- Grouts/caulking
- Pool chemicals

Paint and paint-related products

- Latex & oil-based paints
- Wood stain & varnishes
- Paint remover/paint thinner & solvents



Household cleaning products

- Bleach
- Liquid cleaners
- Upholstery/rug cleaners
- Oven cleaners
- Furniture polishes
- Tub & tile cleaners

Personal care products

- Mercury fever thermometers
- Fingernail polish & remover
- Hair care products
- Perfumes & colognes

Automotive products

- Motor oil
- Gasoline
- Antifreeze
- Brake fluid
- Transmission fluid
- Solvents
- Car batteries
- Car cleaning products

Garden care and pest-control products

- Pesticides
- Herbicides
- Fertilizers

Other

- Cooking oils and grease (large quantities, as from a turkey fryer)
- Propane tanks (5 gallon or less)



Free Stuff !

The facility has a Reuse Room stocked with items brought in for disposal that are still in useable condition. The inventory often includes paint, wood stain, garden products and a wide variety of cleansers—and they're all free to facility users! The Reuse Room is open Tuesday – Saturday, 9 a.m. – 3:30 p.m.

We do not accept:

- Medicines
- Medical wastes (including sharps—syringes, needles, lancets, etc.)
- Electronic waste (computers, TVs, cell phones, etc.)
- Explosives (ammunition, picric acid, fireworks, etc.)
- Compressed gas cylinders (propane accepted)
- Wastes contaminated with PCBs (fluorescent light ballasts accepted)
- Treated wood wastes

State regulations limit the transportation of hazardous waste to 15 gallons or 125 pounds per visit. Individual containers are limited to 5-gallon capacity.

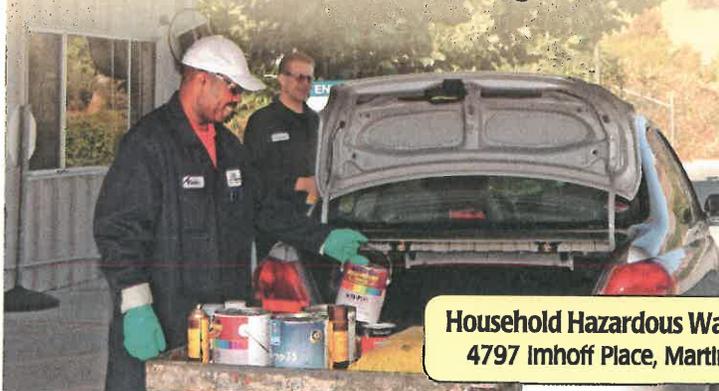
There is no drop-off fee and no appointment necessary for residents of central Contra Costa County. Small businesses require an appointment and are charged a nominal fee. For more information, please call 1-800-646-1431 or visit our website: www.centalsan.org

HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY HOURS AND LOCATION

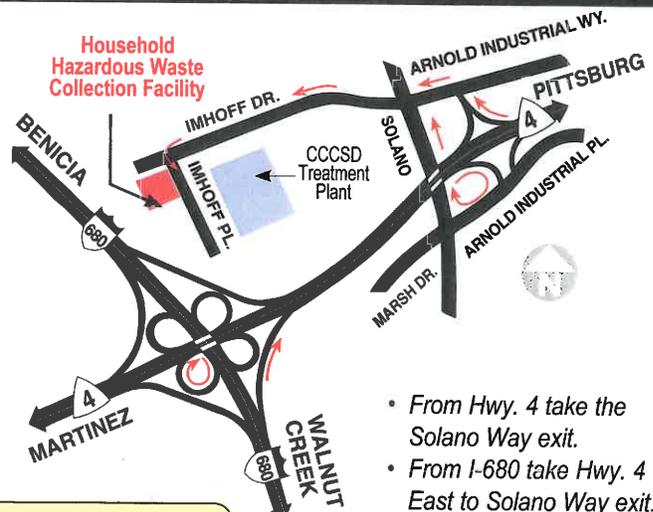
Residents: Monday – Saturday, 9 a.m. - 4 p.m.
(Reuse Room closes at 3:30 p.m.)

Businesses: Monday – Saturday, by appointment only

Phone: 1-800-646-1431
www.centalsan.org



Household Hazardous Waste Collection Facility
4797 Imhoff Place, Martinez, CA 94553-4392



- From Hwy. 4 take the Solano Way exit.
- From I-680 take Hwy. 4 East to Solano Way exit.

What HHW is Accepted

This list does not include everything we accept. If you have any questions, please call the HHW InfoLine at 1-800-646-1431.



Home, Garden, & Misc. Products	Automotive Products	Paint & Paint-Related Products	Household Cleaning Products & Items	Personal Care Products
<ul style="list-style-type: none"> • Grouts • Cements • Caulking • Sealants • Fertilizers • Pesticides • Herbicides • ant stakes • fluorescent lamps (all types) • household batteries • mercury thermometers • mercury switches • propane cylinders (5 gal. or less) • ballasts • pool chemicals • chlorine • bromine • cooking oil • fire extinguishers • aerosol sprays 	<ul style="list-style-type: none"> • motor oil • car batteries • brake fluid • transmission fluid • antifreeze • waxes • polishes • car cleaners • car paints • refrigerants • grease • degreasers • solvents • wheel cleaners • road flares 	<ul style="list-style-type: none"> • paints • stains • varnishes • water • repellants • glazes • wax • wood oils • aerosol paints • thinners • coatings • paint additives • curatives • epoxy resins • wall paper pastes • adhesives • wall paper removers • paint removers • asbestos (special disposal requirements) 	<ul style="list-style-type: none"> • liquid cleaners • upholstery cleaners • oven cleaners • furniture polish • tub & tile cleaners 	<ul style="list-style-type: none"> • shampoos • hair sprays • hair care products • lotions • perfumes/ colognes



More Information About Asbestos



Where Can Asbestos Be Found?

Asbestos is present in many common building materials used in private homes and in public buildings. An asbestos containing product cannot be determined by sight. The only way to determine if asbestos is definitely present in a building material is through a microscopic analysis by an approved laboratory.

Is Asbestos Dangerous?

The process of removing asbestos can be hazardous. Special techniques and equipment are needed to minimize the risks. Without precautions, you can expose yourself as well as other household members to air-borne asbestos. Asbestos fibers are lightweight, so they can stay suspended in the air for many hours. You should consider removal only if encapsulation is not practical. Hire qualified contractors that have been state licensed or EPA certified if removal is necessary.

Asbestos Waste Acceptance (Friable Asbestos Only)

The Central Contra Costa Sanitary District HHW Facility accepts friable asbestos containing materials (FACM) only. Friable asbestos is any material containing more than one percent asbestos and that can be crumbled or reduced to powder by hand pressure. Forms of friable asbestos can be found in materials and products made prior to the mid 1970's such as "popcorn" ceiling coatings, uncoated pipe insulations (without the pipe or ducting), appliance insulation, and ceiling tiles. A certification by a licensed laboratory showing the material contains asbestos may be required.

Packaging Asbestos

The FACM must be wet-down to prevent dusting. Do not soak or over-wet the FACM to cause free liquids to be present. Double-bag asbestos waste into 6mil (or greater) plastic bags. Seal individual bags with duct tape. Label each double bag boldly with "ASBESTOS CONTAINING MATERIAL". This can be done by marking a strip of duct tape on at least two sides of the bags or attaching a marked tag at the closure point. Each bag may not weigh more than 50 pounds. The maximum amount of FACM that can be transported at one time is 125 pounds.

Non-Friable Asbestos Disposal

Forms of Non-Friable asbestos are material such as floor tiles, asbestos pipe, transite siding or pipe, and coated pipe insulation. These materials can be taken to the following sites:

NORCAL WASTE SYSTEMS

6426 Hay Road
Vacaville, CA 95687
(707) 678-4718

WASTEMANAGEMENT ALTAMONT LANDFILL

10840 Altamont Pass Road
Livermore, CA 94550
(800) 449-6349

Chapter 17.80

LANDSCAPE WATER CONSERVATION STANDARDS

Sections:

- 17.80.010 Title and Purpose
- 17.80.020 Definitions
- 17.80.030 Applicability
- 17.80.040 Landscape Project Application (LPA) Requirements
- 17.80.050 Water Efficient Landscape Standards
- 17.80.060 Landscape Plan Requirements
- 17.80.070 Landscape Water Audit Requirements
- 17.80.080 Certifications
- 17.80.090 Landscape and Irrigation Maintenance Schedule
- 17.80.100 Stormwater Management
- 17.80.110 Provisions for Existing Landscapes
- 17.80.120 Public Education

17.80.010 Title and Purpose. This Chapter shall be known and may be cited as the Landscape Water Conservation Standards Ordinance of the City of Clayton for the purpose of implementing within Clayton the Water Conservation in Landscaping Act of 2006.

17.80.020 Definitions. Certain words and phrases are defined within this Chapter and the definitions herein apply to this Chapter only. Where it appears from the context of such words, phrases, or provisions that a different meaning is intended, the definition shall be determined by the Community Development Director.

- A. "Applicant" means the individual or entity submitting a Landscape Project Application (LPA) required under Section 17.80.040 of this Chapter to request a permit, plan check, or design review from the City of Clayton, or requesting new or expanded water service from the local water district. A project applicant may be the property owner or his or her designee.

- B. “Applied water” means the portion of water supplied by the irrigation system to the landscape.
- C. “Backflow prevention device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- D. “Certified irrigation system auditor” means a person certified by the U.S. Environmental Protection Agency’s WaterSense Irrigation Partners Program.
- E. “Conversion factor (0.62)” means the number that converts acre-inches per acre per year to gallons per square foot per year.
- F. “Emission Device” means any device that is contained within an irrigation system that is used to apply water. Common emission devices in an irrigation system include, but are not limited to, spray and rotary sprinkler heads, bubblers, and drip irrigation emitters.
- G. “Estimated Total Water Use (ETWU)” means the estimated total water used for the landscape, as described in the City of Clayton Water Allowance Work Sheet.
- H. “ET adjustment factor (ETAF)” means a factor of 0.7, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. ETAF for a Special Landscape Area shall be 1.0.
- I. “ETo” stands for Reference Evapotranspiration, and means the water loss from a large field of 4-7 inch-tall, cool-season grass that is not water stressed. Local ETo numbers can be found through the California Irrigation Management Information System (CIMIS).
- J. “Evapotranspiration” means the combination of water transpired from plants and evaporated from the soil and plant surfaces.
- K. “Flow rate” means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- L. “Geometry” means the size, shape, and angles of an area.
- M. “Hardscape” means any durable material (pervious and non-pervious).
- N. “Hydrozone” means a portion of the landscaped area having plants with similar water needs. This ordinance uses the publication *Water Use Classification of Landscape Species* (WUCOLS) to determine a plant’s water needs. A hydrozone may be irrigated or non-irrigated.

- O. “Landscape water audit” means an in-depth evaluation of the installed landscape to verify the landscape complies with the Water-Efficient Landscape Standards of the City of Clayton Landscape Water Conservation Standards Ordinance, and completes the Certificate of Compliance for a Landscape Water Audit.
- P. “Irrigation efficiency (IE)” means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this Chapter is 71%. Greater irrigation efficiency can be expected from well-designed and well-maintained systems.
- Q. “Irrigation survey” means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to, inspection, system test, and recommendations to improve performance of the irrigation system.
- R. “Irrigation water use analysis” means an analysis of water use data based on meter readings and billing data.
- S. “Landscape area” means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel, or stone walks, or other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).
- T. “Landscape contractor” means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- U. “Lateral line” means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- V. “Maximum Applied Water Allowance (MAWA)” means the upper limit of annual applied water for the established landscaped area, as specified in the City of Clayton “Water Allowance Work Sheets”.
- W. “Medians” mean any planting area that separates traffic lanes on streets and parking areas in parking lots.
- X. “Mulch” means any organic material, such as leaves, bark, straw, or compost; or inorganic mineral materials, such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

- Y. “Non-Permeable” means any surface or material that will not allow the passage of water through that surface or material into the underlying soil at a rate that ensures run-off will not occur.
- Z. “Operating pressure” means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
- AA. “Overhead irrigation” means systems that deliver water through the air (e.g., sprayheads and rotors).
- BB. “Overspray” means the irrigation water that is delivered beyond the target area.
- CC. “Permit” means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
- DD. “Plant factor” or “plant water use factor” is a factor that, when multiplied by ETo, estimates the amount of water needed by plants. The plant factors for this Chapter are from the WUCOLS publication.
- EE. “Precipitation rate” for this Chapter means the rate of application of water measured in inches per hour.
- FF. “Project” means the total area comprising the landscape area, as defined in this Chapter.
- GG. “Rain switch” or “rain sensing shutoff device” means a component that automatically suspends an irrigation event when it rains.
- HH. “Reference evapotranspiration” or “ETo” means a standard measurement of environmental parameters that affect the water use of plants.
- II. “Rehabilitated landscape” means any re-landscaping project that requires a permit, plan check, or design review, or requires a new or expanded water service application.
- JJ. “Retail water supplier” means any entity, including a public agency, city, county, district or private water company that provides retail water service.
- KK. “Runoff” means water that is not absorbed by the soil or landscape to which it is applied and that flows from the landscape area.
- LL. “Smart irrigation controllers” means controllers using weather information or soil moisture readings along with site information to automatically adjust the irrigation schedule on a daily basis.
- MM. “Soil moisture sensor” or “soil moisture sensing device” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

- NN. “Special Landscape Area (SLA)” means an area of the landscape dedicated solely to edible plants, such as vegetable gardens or orchards, areas irrigated with recycled water, water features using recycled water, cemeteries, and areas dedicated to active play, such as parks, sports fields, and golf courses where turf provides a playing surface.
- OO. “Sprinkler head” means a device that delivers water through a nozzle.
- PP. “Station” means an area served by one valve or by a set of valves that operate simultaneously.
- QQ. “Turf” means a ground cover surface of mowed grass. Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are examples of cool-season grasses. Bermuda grass, Kikuyu grass, Seashore Paspalum, St. Augustine grass, Zoysia grass, and Buffalo grass are examples of warm-season grasses.
- RR. “Valve” means a device used to control the flow of water in the irrigation system.
- SS. “Water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied).
- TT. “WUCOLS” means the Water Use Classification of Landscape Species, published by the University of California Cooperative Extension, the Department of Water Resources, and the Bureau of Reclamation, 2000. (WUCOLS) report is available at <http://www.water.ca.gov/wateruseefficiency/publications/>. Search for WUCOLS, and then go to Part 2 WUCOLS III* 1999 Edition.

17.80.030 Applicability. After October 21, 2010 the indicated provisions of this Chapter shall apply to landscape projects as follows:

- A. Developer Projects: New and rehabilitated landscape development for commercial, multi-family, and single family projects with irrigated landscape areas cumulatively equal to or greater than 2,500 square feet and requiring a building permit, grading permit, plan check, or design review shall complete the Landscape Project Application (LPA) described in Section 17.80.040, and comply with all other Sections of this Chapter.
- B. Municipality and Public Agency Projects: New and rehabilitated projects designed and installed by the City of Clayton with irrigated landscape areas cumulatively equal to or greater than 2,500 square feet shall comply with Sections 17.80.050, 17.80.060, 17.80.070, 17.80.080, 17.80.090, and 17.80.100.

- C. Owner-Directed Single Family Projects: New and rehabilitated owner-directed single family projects with irrigated landscape areas cumulatively equal to or greater than 5,000 square feet and requiring a building permit, grading permit, plan check, or design review shall complete the Landscape Project Application (LPA) described in Section 17.80.040, and comply with all other Sections, except Section 17.80.090, of this Chapter.
- D. Existing Landscapes: Existing landscapes are only subject to the provisions in Section 17.80.110, "Provisions for Existing Landscapes" and Section 17.80.120, "Public Education".
- E. The provisions of this Chapter shall not apply to:
 - 1. Landscapes that are only temporarily irrigated for establishment purposes and landscapes that are not irrigated with a permanent irrigation system.
 - 2. Registered local, state or federal historical sites, or as determined by the City Council;
 - 3. Community gardens, botanical gardens and arboretums open to the public.

17.80.040 Landscape Project Application (LPA) Requirements. Applicant shall choose one of the two options below to comply with this Chapter:

- A. Option A: Proposed landscape project does not include any:
 - 1. Water features with more than 100 square feet of total surface area;" or
 - 2. Turf or other high water use plants, unless they qualify as a "Special Landscape Area. High water use plants are those designated as 'high water use' in the Water Use Classification of Landscape Species (WUCOLS) report¹.

The applicant shall complete the following:

- 1. Project Application Sheet.
 - 2. Certification Sheets.
 - 3. Landscape Plans (See Section 17.80.060);
 - 4. Maintenance Schedule (See Section 17.80.090).
- B. Option B: Proposed landscape project does include:
 - 1. Water features with more than 100 square feet of total surface area; or

¹ Water Use Classification of Landscape Species (WUCOLS) report which is available at <http://www.water.ca.gov/wateruseefficiency/publications/> A Guide to Estimating, Part 2.

2. Turf or other high water use plants not qualifying as a “Special Landscape Area.” The Estimated Total Water Use (ETWU) for the proposed landscape shall not exceed the Maximum Applied Water Allowance (MAWA) for the site. The MAWA formula will use an ET Adjustment Factor of 0.7.

The applicant shall complete the following:

1. Project Application Sheet.
2. Certification Sheets.
3. Water Allowance Work Sheets.
4. Landscape Plans (See Section 17.80.060).
5. Maintenance Schedule (See Section 17.80.090).

An applicant requesting design review approval shall submit, at a minimum, a preliminary landscaping plan with the design review application; however, the applicant must submit all components of the Landscape Project Application (LPA) concurrently with the application for building permit or grading permit for the project.

The Community Development Director or his/her designee shall review each LPA for compliance with the provisions of this Chapter and may withhold issuance of zoning approval for a building permit or grading permit for which its corresponding LPA does not comply with this Chapter.

17.80.050 Water Efficient Landscape Standards. The proposed landscape design shall incorporate the most recent acceptable best management practices as determined by the City of Clayton for water-efficient landscape design and shall comply with the following standards:

- A. Plant Design:
 1. Plants selected shall be well suited to the area’s climate and the site’s soil conditions.
 2. The proposed landscape shall be designed so that distinct hydrozones are irrigated separately by one or more irrigation valves. A hydrozone is an area with similar sun exposure, irrigation precipitation rate, soil conditions, slope, and plant material with similar water needs. Refer to the WUCOLS report for plant water needs.
 3. Plants shall be spaced appropriately based on their expected mature spread.
 4. If the geometry of the planting area does not conform to the spray pattern of the sprinkler, resulting in overspray onto the adjacent pavement, then overhead irrigation shall not be used.

5. Plants shall be spaced so that at mature size they do not block sprinklers.
6. Turf shall not be planted on slopes steeper than 15%.
7. Turf shall not be planted in any medians or in areas narrower than 8'0".

B. Irrigation System:

The irrigation system design shall comply with the following requirements:

1. Smart irrigation controller(s) using one of the below methods shall be required on all irrigation systems:
 - a. Daily evapotranspiration data; and
 - b. Daily soil moisture sensor data.
2. Specify a dedicated landscape water meter for landscapes with an irrigated area greater than 5,000 square feet, or per retail water supplier regulations.
3. Recycled water shall be used for landscape irrigation if it is available at the project site.
4. Specify technology and practices to prevent runoff, low head drainage, overspray, or other water waste.
5. Overhead irrigation shall not be permitted within 12" of any non-permeable surface.
6. Specify sprinkler heads and other emission devices that have matched precipitation rates within each irrigation zone. No irrigation zone shall specify a precipitation rate greater than 1.2 inches per hour. On slopes steeper than 25%, the specified precipitation rate shall not exceed 0.75 inches per hour.
7. Specify irrigation controls so the dynamic water pressure at sprinkler head or other emission device is within manufacturer's recommended optimal operating range.
8. No overhead irrigation shall be specified in planting areas less than 8'0" wide in any dimension, unless demonstrated that water waste will not occur.
9. Specify a manual shut-off valve for each point of connection and specify that each shut-off valve be identified on the controller map.
10. Prepare a controller map and programming table and specify that this be stored in the controller cabinet. The controller map shall visually differentiate each controller zone. For each irrigation valve, the controller programming table shall list the plant water requirement (high, medium,

low, or very low), the sun exposure, irrigation emission device type, precipitation rate, station flow rate, optimal pressure, soil type, infiltration rate, square foot area, and degree of slope.

11. Each irrigation valve shall control irrigation to only one distinct hydrozone. A hydrozone is an area with similar sun exposure, irrigation precipitation rate, soil conditions, slope, and plant material with similar water needs. Refer to the WUCOLS report for plant water needs.
12. Specify a separate irrigation valve and hydrozone for the top of a slope and the bottom of a slope.

C. Water Features:

1. All water features shall have re-circulating water systems.
2. Fountain(s) shall be designed so that no wind drift or overspray occurs.

D. Grading and Soil Preparation:

The landscape design shall:

1. Comply with Storm Water Control Plan requirements (C.3), if applicable.
2. Be designed to improve or maintain the infiltration rate of landscape soils typical of their soil texture and minimize soil erosion.
3. Be designed to avoid drainage onto non-permeable hardscapes within the property lines and prevent runoff of all irrigation and natural rainfall outside property lines.
4. Only specify soil amendments if appropriate for the selected plants.
5. Specify a minimum two-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas unless there is a horticultural reason not to use mulch in a portion of the planting area. Mulch, such as shredded bark, shall be specified in bioretention areas so that they will stay in place during rain events.

17.80.060 Landscape Plan Requirements. The Landscape plans shall demonstrate that all the water-efficient landscape standards have been met:

A. The planting plan shall:

1. Identify Special Landscape Areas. Special Landscape Areas include: landscape dedicated solely to edible plants, such as vegetable gardens or orchards, areas irrigated with recycled water, water features using recycled water, cemeteries, and areas dedicated to active play, such as parks, sports fields, and golf courses where turf provides a playing surface.

2. Identify plants by their common and botanical names.
 3. Identify type and surface area of water features.
- B. The irrigation plan shall:
1. Show the location and size of the landscape irrigation water meter.
 2. Show the location, type and size of all components of the irrigation system, including, but not limited to, controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices.
 3. Identify the static water pressure at the point of connection to the public water supply.
 4. Identify the flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station.
- C. Landscape plans shall include details and specifications reflecting the most recent acceptable best management practices as determined by the City of Clayton for water-efficient landscape design.

17.80.070 Landscape Water Audit Requirements. A landscape water audit shall be performed to ensure that the installed landscape meets the requirements of this Chapter.

- A. A landscape water audit shall be conducted within thirty (30) days of the start of the landscape maintenance period or, if no maintenance period, then upon completion of the landscape installation. An EPA WaterSense certified Irrigation System Auditor shall conduct the landscape audit and submit a Certificate of Compliance, Landscape Water Audit sheet.
- B. The Landscape Auditor shall inform the applicant of all non-compliance issues with the Ordinance. This shall include, but not be limited to, all items listed on the Certificate of Compliance, Landscape Water Audit sheet.
- C. All non-compliance issues shall be repaired and the site shall be re-audited for compliance with the criteria of this Chapter prior to final inspection/permit and final sign off.

17.80.080 Certifications. Water Efficiency Landscape Checklist/Certification sheets will be part of the Landscape Project Application (LPA) requirements.

- A. The person(s) creating the landscape design shall complete the Certificate of Compliance, Landscape Design sheet certifying the landscape has been designed to comply with the criteria of this Chapter.

- B. The Landscape Contractor/Installer shall complete the Certificate of Compliance, Landscape Installation sheet certifying the landscape has been installed, as specified in the Landscape Plans, and complies with the criteria of this Chapter.
- C. The Landscape Auditor shall complete the Landscape Certificate of Compliance, Water Audit sheet certifying the landscape and irrigation system have been installed, as specified in the Landscape Plans, and comply with the criteria of this Chapter.
- D. The Maintenance Contractor/Person shall complete the Certificate of Compliance, Landscape Maintenance sheet certifying the landscape maintenance contractor agrees to manage the property using less water than the Maximum Applied Water Allowance.
- E. While standards applications are not required for Municipality and Public Agency Projects involving “City” projects conducted by City staff, certifications (i.e., Design, Installation, Maintenance, and Auditing) are needed and the City’s Maintenance Supervisors may sign-off on them.

17.80.090 Landscape and Irrigation Maintenance Schedule. The landscape designer or installer shall develop a landscape maintenance specification and schedule for the landscape project that is consistent with the most recent acceptable best management practices as determined by the City of Clayton for landscape maintenance. Schedules shall be submitted with the Certification of Completion.

- A. An annual landscape maintenance schedule shall include at least the following: routine inspection; adjustment and repair of the irrigation system and its components; aerating turf areas; replenishing mulch; seasonal pruning; weeding in all landscape areas; and removing obstructions to emission devices;
- B. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents;
- C. Project shall be irrigated so that total annual water applied is less than or equal to the Maximum Applied Water Allowance (MAWA) (if applicable).

17.80.100 Stormwater Management. The proposed landscape shall comply with the requirements of the National Pollutant Discharge Elimination System intended to implement storm water best management practices into the planting, irrigation, and grading plans to minimize runoff and to increase on-site retention and infiltration.

17.80.110 Provisions for Existing Landscapes. This section applies to existing landscapes that were installed before *[insert effective date of Ordinance]*.

- A. Irrigation Survey and Irrigation Water Use Analysis

To ensure the efficient use of landscape water, each owner of property in the City of Clayton is encouraged to utilize resources and services, such as

irrigation surveys and landscape water use analyses that are offered by the local retail or wholesale water utility.

B. Water Waste Prevention

Each owner of property in the City of Clayton shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from the target landscape areas due to excessive irrigation or inappropriate run times related to time of day, seasonal and/or variable weather conditions, low head drainage, overspray, or other similar conditions where water flows onto an adjacent property, walks, roadways, parking lots, or structures.

17.80.120 Public Education.

- A. All new model homes that are landscaped shall use signs, brochures and other written information to demonstrate the principles of water-efficient landscapes that are described in this Chapter.
- B. The architectural guidelines of a common interest development, which include homeowner associations, community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit conditions that have the effect of prohibiting the use of low water use plants as a group.
- C. For new homes/commercial developments, applicant/owner is required to provide the irrigation controller map and programming table and annual maintenance schedules to new tenants or owners at transfer of ownership/maintenance responsibility.
- D. The City of Clayton shall provide on its website links to resources that offer information about the principals of designing, installing, and maintaining water-efficient landscapes. An example of a link is to the local water utility, the Contra Costa Water District, and the landscape water conservation information that Agency offers.”



Water Allowance Work Sheets

Water Allowance Work Sheets are used to calculate water use in the form of Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) for the landscape project.

These sheets are required if the project has turf or other high water use plants not qualified as a 'Special Landscape Area' or has water feature(s) with more than one hundred (100) total square feet of surface area. This is referred to as Option B of the Landscape Project Application Requirements of the Water-Efficient Landscape Ordinance.

Special Landscape Area is defined as an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water, and areas dedicated to active play, such as parks, sports fields and golf courses where turf provides a playing surface.

The ETWU for the project can not exceed the MAWA for the project.

Calculate the MAWA for the project using the below formula and Factors:

$$\text{MAWA} = (\text{ETo}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

Where:

MAWA	=	Maximum Applied Water Allowance (gallons per year)
ETo	=	Reference Evapotranspiration (inches per year)
0.62	=	Conversion Factor (to gallons)
0.7	=	ET Adjustment Factor (ETAF)
LA	=	Landscape Area including SLA (square feet)
0.3	=	Additional Water Allowance Factor for SLA
SLA	=	Special Landscape Area (square feet)

Step one: Multiple total project landscape area by 0.7, the ET Adjustment Factor

LA	Multiply	0.7	Equals	0.7 x LA
	x		=	

Step two: Multiple total Special Landscape Area by 0.3, the Additional Water Allowance Factor

SLA	Multiply	0.3	Equals	0.3 x SLA
	x		=	

Step 3: Add Adjusted LA and adjusted SLA Water Allowances

0.7 x LA	Plus	0.3 x SLA	Equals	0.7 x LA + 0.3 SLA
	+		=	

Step four: Multiple Reference Evapotranspiration by the conversion factor and Total Adjusted Water Allowance

ETo	Multiply	Conversion factor	Multiply	0.7 x LA + 0.3 x SLA	Equals	MAWA
	x	0.62	x		=	

Calculate the ETWU for the project using the below formula and Factors. A Hydrozone Table will need to be completed prior to completing the ETWU calculation, to determine the total area by hydrozone type.

$$ETWU = (ETo)(0.62) \left(\frac{PF \times HA}{0.71} + SLA \right)$$

Where:

- ETWU = Estimated Total Water Use per year (gallons)
- ETo = Reference Evapotranspiration (inches)
- PF = Plant Factor (see Definitions)
- HA = Hydrozone Area [high, medium, low and very low water use areas] (square feet)
- SLA = Special Landscape Area (square feet)
- 0.62 = Conversion Factor
- 0.71 = Irrigation Efficiency

Step one: Multiple the Plant Factor by the total area of that plant water need category

Plant Factor	Multiply	Total Hydrozone Area	Equals	PF x HA
High (0.8)	x		=	
Medium (0.5)	x		=	
Low (0.3)	x		=	
Very Low (0.1)	x		=	

Step two: Add up the Total Adjusted Hydrozone Allowances

High PF x HA	Plus	Medium PF x HA	Plus	Low PF x HA	Plus	Very Low PF x HA	Equals	Total PF x HA
	+		+		+		=	

Step three: Divide the Total Adjusted Hydrozone Allowance by 0.71, minimum Irrigation Efficiency

Total PF x HA	Divided by	Irrigation Efficiency	Equals	Total PF x HA / 0.71
	/	0.71	=	

Step four: Add the SLA Area to the total (PF x HA / 0.71)

Total PF x HA / 0.71	Plus	Total Special Landscape Area	Equals	Total PF x HA / 0.71 + SLA
	+		=	

Step five: Multiply the yearly ETo times the Conversion Factor times the total (PF x HA / 0.71 + SLA)

Yearly ETo	Multiple	Conversion Factor	Multiple	PF x HA / 0.71 + SLA	Equals	ETWU (must be equal to or lower than the MAWA)
	x	0.62	x		=	

Record Project's square footage, by station number, on the Hydrozone Table, under the correct category. Use WUCOLS to determine the correct hydrozone category for the plants watered by each irrigation valve. Use the highest water needing plant irrigated by a valve to set that valve's water need category.

Hydrozone Table

Station Number	High Water Needs (sq. Ft.)	Medium Water Needs (Sq. Ft.)	Low Water Needs (Sq. Ft.)	Very Low Water Needs (Sq. Ft.)	Special Landscape Area (Sq. Ft.)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					

20					
21					
22					
23					
24					
Totals					



Certificate of Compliance Landscape Installation

Project name: _____

Project Address/Parcel No.: _____

Applicant Name: _____

Applicant Address: _____

- Installed Project Area Measurements match those of the Landscape Design Plans.
- Plant material is the same as that specified in the plans and any substitutes are determined to be equivalent or less in water need, per *Water Use Classification of Landscape Species (WUCOLS)*.
- Installation incorporates most recent acceptable best management practices for water efficient landscape design.
- Any plant substitutes are well suited to the local climate and soil conditions.
- All plants are located per the design plan.
- Irrigation hydrozones are the same as plans and any field-adjusted irrigation zones were installed so that distinct hydrozones are irrigated separately by one or more irrigation valves.
- Changes to irrigation system or plant material shall maintain distinct hydrozones that are irrigated separately by one or more irrigation valves
- No turf is installed in medians, areas narrower than eight feet, or on slopes greater than 15%.
- All irrigation equipment is the same as specified, and any substitutes are equivalent.
- Automatic irrigation controller(s) installed utilize ET or soil moisture sensors.
- Point of connection (POC) is the same as specified in the plans.
- System has been installed and tested to prevent run-off, low head drainage, and overspray.
- No overhead irrigation is installed within 12 inches of any non-permeable surface.
- Sprinkler stations have matched precipitation rates for each irrigation zone, with a maximum precipitation rate of 1.2 inches per hour or 0.7 inches per hour for all slopes of 25% or greater.
- No overhead irrigation is used in areas less than eight feet wide in any direction.
- Manual shutoff valves are specified at each POC.
- A controller map and programming table were placed in all irrigation controller cabinets.
- Separate irrigation valves were installed and hydrozones created for the top of a slope and bottom of a slope.

- All water systems have functioning re-circulating water systems.
- Fountain(s) and their nozzles are maintained so that no wind drift or overspray will occur.
- Installation complies with Storm Water Control Plan requirements.
- Installation work minimized any soil erosion and maintained or improved the landscape soil's infiltration rate.
- Installation avoids drainage onto non-permeable hardscapes within the project and prevents run-off irrigation and rainfall outside property lines.
- Only specified soil amendments that are appropriate for the selected plants were used.
- A minimum of 2 inches of mulch for all exposed soil surfaces in non-turf planting areas.

I/We certify that the landscape has been installed as specified in the landscape plans for the above-listed project to comply with the Water-Efficient Landscape Standards and Landscape Plan Requirements of the City of Clayton Water Efficient Landscape Ordinance.

Installer's Name

Company Name

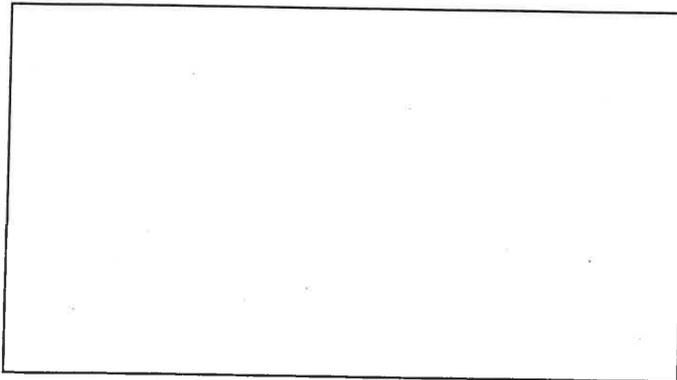
Address

Telephone

E-Mail

Professional License Number

Date



Professional Stamp



Certificate of Compliance Landscape Water Audit

Project name: _____

Project Address/Parcel No.: _____

Applicant Name: _____

Applicant Address: _____

- Installed Project Areas match those of the Landscape Design Plans.
- Plant material is the same as that specified on the plans, with any plant material substitutes being equivalent or less in water need per *Water Use Classification of Landscape Species (WUCOLS)*.
- Project has incorporated most recent acceptable best management practices for water-efficient landscape design.
- Plants used are well suited to the local climate and soil conditions.
- Plants are spaced appropriately based on their expected mature size.
- Overhead irrigation was not used where it would result in overspray.
- Plants are spaced so at mature size they do not block sprinklers.
- Distinct hydrozones are irrigated separately by one or more irrigation valves.
- No turf is planted in medians, areas narrower than eight feet, or on slopes greater than 15%.
- Smart irrigation controller(s) utilizing ET or soil moisture sensors are installed.
- Point of Connection (POC) is same as specified in plans.
- Recycled water is used, if available.
- Irrigation system has no runoff, low head drainage, and overspray.
- No overhead irrigation is installed within 12 inches of any non-permeable surface.
- Sprinkler stations have matched precipitation rate for each irrigation zone, with a maximum precipitation rate of 1.2 inches per hours or 0.7 inches per hour for all slopes of 25% or greater.
- Dynamic water pressure at sprinkler heads and other emission devices is within manufacturer's specifications.
- No overhead irrigation is installed in areas less than eight feet wide in any direction.
- Manual shutoff valves are installed at each POC.
- Controller map(s) and programming table(s) are in all irrigation controller cabinets.
- Separate irrigation valves are installed for the top of a slope and bottom of a slope, and designated as separate hydrozones.
- A re-circulation system has been installed for all water features.
- Fountains and their nozzles have no wind drift or overspray.

- Project complies with Storm Water Control Plan requirements.
- Site's landscape soils infiltration rate is the same as or better than native soil of area.
- Project does not drain onto non-permeable hardscapes within the project, and no runoff of irrigation and rainfall can occur outside property lines.
- Only specified soil amendments that are appropriate for the selected plants were used on project.
- A minimum of two inches of mulch is installed for all exposed soil surfaces in non-turf planting areas.

I/We certify that the landscape for the above-listed project complies with the Landscape Water Conservation Standards of the City of Clayton Landscape Water Conservation Ordinance.

Auditor's Name

Company Name

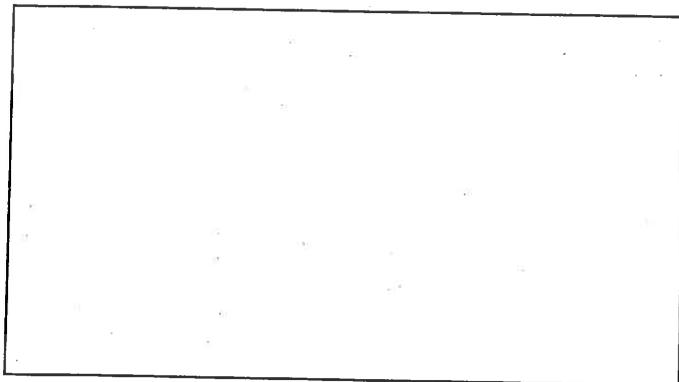
Address

Telephone

E-Mail

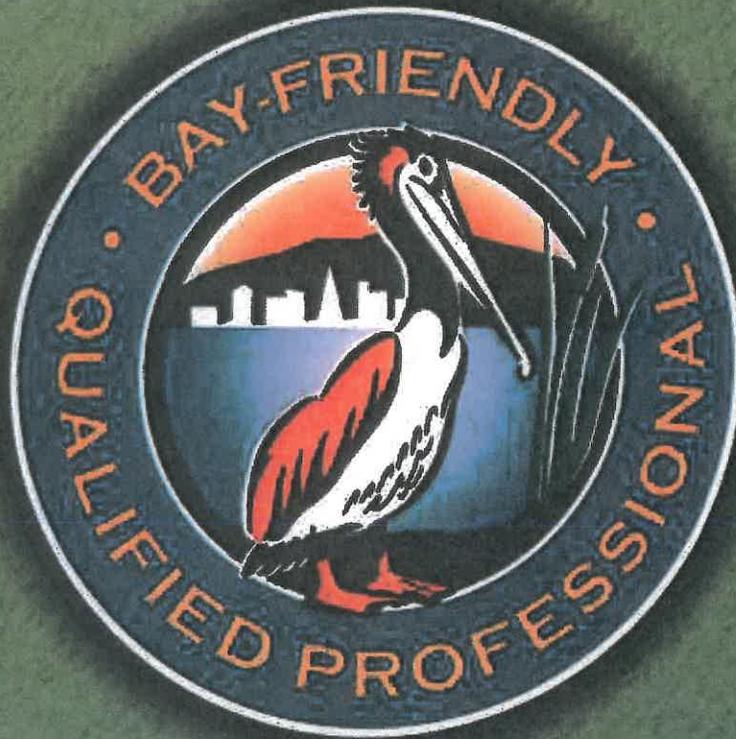
Professional License Number

Date



Professional Stamp

City of Clayton

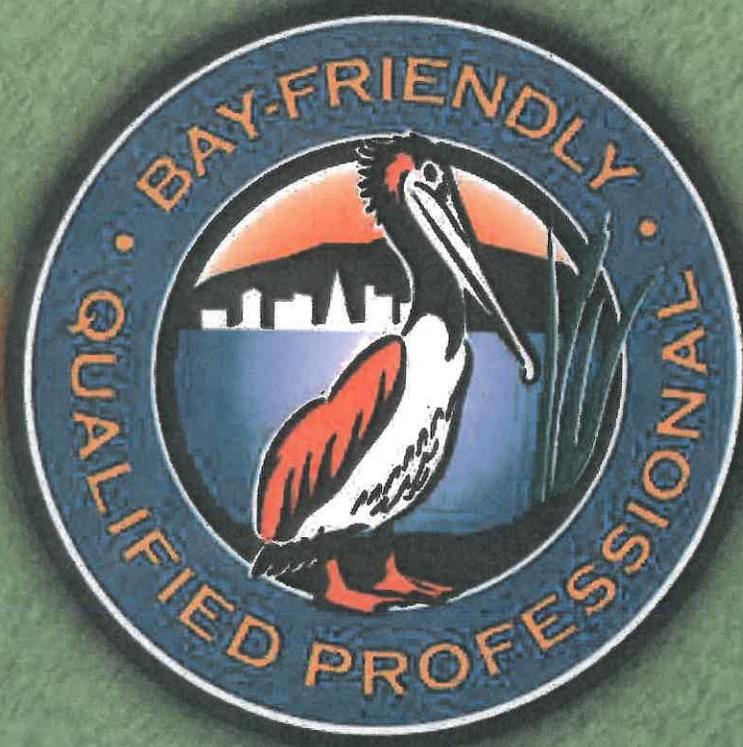


2012

2014

**BAY-FRIENDLY MAINTENANCE
PROFESSIONALS ON STAFF**

**John Johnston
City of Clayton**



2012

2014

**BAY-FRIENDLY LANDSCAPE
MAINTENANCE PROFESSIONAL**

The Bay-Friendly Landscaping & Gardening Coalition confirms that

John Squadroni

has met the requirements to become a

**Bay-Friendly Qualified Landscape
Maintenance Professional**

effective April 20, 2012.



Debi Tidd

Debi Tidd
Bay-Friendly Landscaping & Gardening Coalition

www.ecowisecertified.org



Integrated Pest Management

CERTIFICATE OF COMPLETION

Michael Swetnam
 has successfully completed the requirements for
EcoWise Certified Practitioner

on
July 30, 2013

Certificate Expires on July 29, 2016

Certificate No. C-142
(verify at www.ecowisecertified.org)

William Quarles
Program Manager
EcoWise Certified

Cell Scandone
Senior Regional Planner
Association of Bay Area Governments

Administered by
Association of Bay Area Governments
www.abag.ca.gov

www.ecowisecertified.org



Integrated Pest Management

CERTIFICATE OF COMPLETION

William Seniff

has successfully completed the requirements for

EcoWise Certified Practitioner

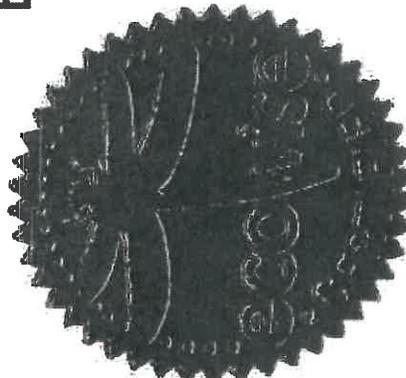
on

November 3, 2011

Certificate Expires on November 2, 2014

Certificate No. **C111**
(verify at www.ecowisecertified.org)

William Gumbel
Program Manager
EcoWise Certified



Cell Scardone
Senior Regional Planner
Association of Bay Area Governments

 Administered by
Association of Bay Area Governments
www.abag.ca.gov

Get up to **\$500 REBATE**

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*Rebates also available for Commercial customers.



CONTRA COSTA
WATER DISTRICT

www.ccwater.com/conserv



Dana Hills greenbelt gets new water-saving irrigation



A block-long greenbelt between Mt. Duncan Dr. and Mountaire Parkway in the Dana Hills subdivision has been outfitted with a new irrigation system focused on efficiency and water conservation. The project, which was going on simultaneously with street work in the area by the city of Clayton, includes five times as many sprinklers as the previous system. The new install provides for fuller, more efficient lawn coverage and eliminates water on the walkway that runs through the greenbelt. The Dana Hills Homeowners Association funded the project.



GARDENING IN CONTRA COSTA COUNTY



Water Conservation Programs

Contra Costa Water District is offering rebates to encourage customers to replace existing water-thirsty lawns with water-efficient [landscapes](#). For more information visit the CCWD Water Conservation [website](#) at ccwater.com/consERVE



Water Saving Tips:

Move turf away from sidewalks and pavement.

Instead plant shrubs or groundcovers next to the pavement, and water with low-flow drip or bubbler system to eliminate runoff from turf [sprinklers](#)



Clayton flower lovers: see how your gardens grow



PINK VERBENA, ORANGE LADY'S SLIPPER and tangerine colored Geum plants pile on top of themselves in a profusion of color at the home of Lori Turner and David Holmes, just one of the spectacular gardens included on the 2013 Clayton Historical Garden Tour, May 18-19.

Get ideas blooming at annual tour to benefit Historical Society

NICOLE HACKETT
Clayton Pioneer

The Clayton Historical Society held their first Clayton Gardens Tour 21 years ago, and this favorite Clayton event has blossomed through the years. Many look forward to strolling through the garden gates of each chosen landscape. Selected homeowners have graciously opened their gardens for this event, which is the largest fundraiser for the Clayton Historical Museum.

Gardens are busting with blooms in May, so it's the perfect

time of year to enjoy a gardens tour. This year the gardens on the Clayton Gardens Tour are exceptional. They are filled with fabulous flowering perennials, roses, groundcovers and shrubs. Ornamental trees are also a highlight on the tour this year; you'll see flowering Dogwood, Beech, Ginkgo, Japanese maple and Magnolia trees. Landscapes also display striking hardscape ideas including decorative and functional retaining walls, patio and pathway foundation ideas and exterior kitchens and lighting.

PERSONAL TOUCH

Homeowners have also personalized their gardens and landscapes with creative touches to spotlight certain areas. Tour-

goers will delight in seeing vine-covered arbors, and trellises, raised vegetable beds, a cottage inspired playhouse and even a holly colored chicken coop. The peaceful sound of babbling water will also be enjoyed throughout some of the landscapes, as fountains and even a natural creek flow through some of this year's gardens.

Pieces of garden art appear in almost every landscape. Individuality shines through art, and in the garden there is no exception. Fences are adorned and garden beds and borders are embellished with pieces of each homeowner's expression.

See Gardens, page 20

Garden Tour, from page 1

SMALL AND LARGE SPACES

The Clayton Gardens Tour gives those interested in gardening a chance to see what plants thrive in our extreme climate. They can see what works, and where, and this can be very helpful. For those tour-goers that would like to see what types of plants succeed on a hillside or for

those that garden in the shade, this is a chance to see what you can do with your landscape. If you have a small space, or large front yard, the Clayton Gardens Tour will give you great ideas for those landscape challenges.

The gardens of the Clayton Gardens Tour are open May 18 and 19 from 10 a.m. to 4 p.m.

The tour is self-guided and will take about two hours. Tickets for the event are \$25 in advance, or \$30 at the door. You can purchase ticket at the Clayton Historical Museum at 6101 Main Street in downtown Clayton, or on-line at www.claytonhistory.org. Tickets can also be purchased at R&M Pool, Patio and Gardens at 6780 Marsh Creek Road during business hours. Purchases at R&M need to be cash or checks.

Club News



THE WIDE VARIETY of one gallon plants sold quickly at the 2012 plant sale.

CLAYTON VALLEY GARDEN CLUB

Join the Clayton Valley Garden Club at their 2013 Plant Sale on Saturday, May 11, at Endeavor Hall.

Garden Club members will sell a wide range of one gallon plants that they have propagated, various blooming plants in color bowls, garden art and gently-used gardening tools and books. Expert advice is free.

The annual plant sale is the Club's biggest fundraiser. With over 70 members from the Clayton and Concord communities, the Club undertakes main-

tenance of selected city plantings, supports local school and community projects, and travels far and wide on outings to special growers, private gardens and wildflower walks.

The sale is from 8 a.m. - 1 p.m. at Endeavor Hall, 6008 Center St., Clayton.

The Club welcomes novice and Master Gardeners alike. Meetings are held at 7 p.m. on the second Wednesday of the month, February through November, at Diamond Terrace, 6401 Center St., Clayton. For more information, please go to claytonvalleygardens.org.

Club News

CLAYTON VALLEY GARDEN CLUB

Six Clayton Valley Garden Club members joined Anna Wendorf, museum docent and landscape designer, on Oct. 28 to spruce up the Clayton Museum garden in preparation for winter.

Volunteers worked on a long list of tasks on the unseasonably warm Sunday morning. Work included plantings along Main Street in the museum's Historical/Streetscape section of the garden, replacing some natives and pruning and thinning existing growth.

The garden is open to the public 365 days a year and serves as an extension of the museum's exhibit space. Each year, up to 2000 visitors visit the museum and its garden. More improvements are planned for the spring



INGELA NIELSEN, STEVE LANE, Linda Karp, Jerry Smith and Valerie Austin prepare the Clayton Museum's garden for winter.

of 2013. Come see and smell the flowers and learn something new.

The Clayton Valley Garden Club and Clayton Historical Society are

always looking for quality members, volunteers and donors to help beautify and educate the community. For more information, go to claytonvalleygardensclub.org and claytonhistory.org.

Budding effort pays off for CV Garden Club

STEVE LANE

Special to the Pioneer

Thanks to a community-wide effort nurtured by the Clayton Valley Garden Club, Daffodil Hill will be blooming again next spring.

On Saturday, Oct. 13, 14 CVGC members, along with the supervision and “groundbreaking” help (quite literally) of Dan Johnston, a member of the city maintenance staff, planted nearly 500 daffodil bulbs around the Clayton monument sign/planter on Daffodil Hill.

Clayton’s Daffodil Hill history dates back to the fall of 2000,



Garden Club members Peggy Arundell, Hailey Callaghan, Carin Kaplan, Chris Callaghan, Ingela Nielsen, Robb Kingsbury, Rory Richmond, Jan Rubiales, Patty Remoy and city maintenance crew member, Dan Johnston.

possibly even earlier, when several CVGC members approached the City of Clayton about the possibility of a mass-planting of daffodils (similar to that of “Daffodil Hill” in Volcano CA), in a high-profile area that would be seen and appreciated by the

Clayton community, its visitors and passers-by. The site at the corner of Marsh Creek Road and Clayton Road was offered to CVGC.

That fall the CVGC dug into

See Budding, page 18

Budding, from page 15

rock-hard clay with a gas-powered auger, pick axes (and other digging implements more suitable for mining than gardening) in a civic beautification effort to get numerous daffodil bulbs, some irises, and a few other plants into the ground before the winter rains. Unfortunately, the plants suffered from lack of irrigation and a drought, but the bulbs bloomed each year up to 2007, when plans for major improvements to Daffodil Hill – funded by the City of Clayton and the Clayton Business and Community Association (CBCA) – were put into motion. Prior to the start of the new improvements, the CVGC dug up most of the bulbs to sell at their annual Spring Plant Sale, and for planting in other locations around town, such as the muse-

um garden and the community library. Both these sites continue to be voluntarily maintained by the CVGC.

Fast-forward to the fall of 2012. Daffodil Hill and the Clayton Road median improvements are nearly complete and bulb planting season has arrived. Daffodil Hill co-designers Nicole Hackett, CVGC President, and Steve Lane, CVGC Vice President, drafted a proposal to City Manager Gary Napper and City Maintenance Supervisor John Johnston, and informed Mayor Geller and the city council that the club would be willing and able to donate, plant and maintain the daffodil bulbs on Daffodil Hill for years to come. The club’s proposal was well-received, and the city manager’s approval for daffodil bulb plant-

ing and their care was granted on Sept. 24.

The CVGC looks forward to caring for and enjoying the beautiful yellow blooms of nearly 500 daffodils next spring, and those that multiply each spring thereafter – a gift that will keep on giving year after year to the Clayton community.

In addition to the CVGC’s efforts, the City of Clayton, the CBCA, Mary Ann Lawrence, Shannon Seven and Stockbridge Construction all helped in the 2012 Daffodil Hill Improvements, ensuring that daffodils will indeed bloom next spring.

The Clayton Valley Garden Club meets at 7 p.m. the second Wednesday of each month (except December and January) at Diamond Terrace, 6401 Center Street, Clayton.

Visit their website for more info at www.claytonvalleygardensociety.org

Save the Date
**Clayton
Cleans Up**
April 27, 9 a.m.
City Hall Courtyard
BBQ lunch for volunteers
at 11:30

Daffodil Hill blooms again



A COMMUNITY-WIDE LANDSCAPING EFFORT of the city's gateway at Marsh Creek and Clayton Roads is paying off this month with the return of the daffodils – a sure sign that spring has arrived. The \$60,000 project nurtured by the Clayton Valley Garden Club and financed by the city of Clayton and a grant from the Clayton Business and Community Association was completed last fall when the Garden Club planted more than 200 daffodil bulbs, a tradition that began sometime around 2000 and gave the hill its nickname.

Nicole Hodel



**NICOLE HACKETT
GARDEN GIRL**

Sometimes after a long, dry summer you look at your lawn and think about all the water, mowing, fertilizer and fuss that you have done and ask, "Is it worth it? Does this lawn look as good as all the effort it is given?" It is amazing how many lawns don't. Keeping a green, healthy lawn, free of weeds, grubs and gophers is a continuous, time-consuming task.

Scattered throughout our Clayton Valley community are beautiful, fulfilling front landscapes that are without lawns. Instead they have strategically placed trees, distinct shrubs, ornamental grasses, and colorful perennials. This look isn't the most traditional, but the results are very appealing. The maintenance of such a landscape becomes a monthly tending to, rather than weekly visits. With a lawn-less front-yard, one uses much less water, fertilizer and almost alleviates the need for insecticides and fungicides. The idea of tearing out your lawn may take some getting used to, but with such attractive results and freed up time, it may be well worth it.

THINK ABOUT TREES

What does one do without lawn? Where would you put the plants and trees? These are very common questions. When approaching a new landscape, start with trees. What are your needs? Are you looking for shade or privacy, or just some

Life without lawns can be beautiful and practical



A LAWN-LESS YARD DOES NOT HAVE TO LOOK LIKE A LUNAR LANDSCAPE. Use garden sculpture, trees, ground cover, shrubs and bark to create a spectacular design requiring little maintenance or water.

vertical appeal? Tree sizes need to compliment the size of your home. Do you live in a single or double story? Once you figure

out your needs, you will be ready to choose the right trees.

Here are some Clayton Valley favorites to consider. For

shade, Chinese Pistache. For two-story shade, consider Raywood Ash. For privacy, think about a Laurel. If you need vertical ornamental interest, Cape Myrtle and Chitalpa are both stunners in our climate.

Shrubs need to be considered as support of the foundation of the home, as well as visual support for any trees. Almost every weedy shrub is water-efficient. Use shrubbery that contrasts with the color of your home. If your home is painted cream, beige or light taupe, install dark green and red foliaged shrubs. If your home is painted a deep color, add contrast with variegated or gray-leaved shrubs.

Ornamental grasses add depth to a landscape. We like to use them to define walkways, and accessorize decorative boulders and other features. Phormium, carex, penstemon and cordyline

are all fabulous ornamental grasses that really thrive in our Clayton Valley climate. Research and ask questions when considering ornamental grasses. It is easy to install the wrong plant in the wrong place.

FLOWER POWER

Perennials are where you are going to get a lot of your flower power. Penstemon is one of the hardiest and heaviest blooming evergreen perennials available. Many of the Salvia, Yarrow and Rudbeckia family are also very front-yard worthy.

When the planting is done, apply a thick layer of mulch or bark. This top-dressing will keep your plants cooler in the summer and warmer in the fall, and also help with inhibiting weed growth. The addition of mulch will also make your landscape look finished.

The Contra Costa Water Department has been encouraging their customers, for several years now, to remove their lawns and replace them with water-wise plant material. They have even created a program to give their customers a rebate for doing so. If you are interested or curious, give them a call at (688-8320) or check their website at www.ccwater.com/conserv.

Autumn is approaching, faster than we expect. October and November are great times to attack such a project. Get your ducks in a row now, and lets do something different with our landscapes.

Nicole is the Garden Girl at RCM Pool, Patio, Gifts and Garden and the 2012 Clayton Valley Garden Care president. Contact her with questions, consultations or suggestions at gardengirl@claytonpioneer.com

Plant poppies for extra pop in your garden



**NICOLE HACKETT
GARDEN GIRL**

Poppy plants are exceptional springtime bloomers. California Poppies, Icelandic Poppies, Oriental Poppies and hybrid poppies or species poppies are all readily available in our Clayton

Valley nurseries and garden centers.

The California Poppy is our state flower, mostly seen in the traditional orange color. Occasionally you will see them in cream, red and bi-color shades. California Poppy plants are found in our open space, and in some landscapes. Icelandic Poppies and Oriental Poppies are more common. They are found in six-packs. This poppy is usually seen in public color-spot displays. Hybrid Poppies or Species Poppies are quite stunning, and are worth seeking out for your garden beds and borders. Hybrid Poppies create an old-fashioned, cottage feeling in the garden.

Large, crepe-like petals of red, pink, salmon and lavender surround the poppy plants black center. Hybrid Poppies can be found in single, double, and fringe petal shapes. The Hybrid Poppies can be small or tall, and they are always interesting.

Double Lavender is a favorite among poppy lovers. The Double Lavender has a beautiful double purplish-gray flower. This selection can reach two- to four-foot tall, and the flowers can be three-inches wide. As the Double Lavender grows, it stretches towards the sun. The flower bud uncurls itself from the stem and faces the sun. The journey the poppy's flower bud takes before

it blooms is amazing. All poppy plants make this journey, it is just easier to see on the Hybrids and Species Poppies, since they are so tall.

The Species Poppy called Double Salmon Pink is a great introduction for the garden lover craving some brightness in their landscape beds or borders. Imagine how fantastic it would look to have double salmon pink blooms throughout your Spanish lavender. The bright orange-pink would contrast with the cool dark purple of the lavender. The overall look would be very successful. All the poppies are very water-wise, so the two selections together would comple-

ment each other nicely.

The red blooming poppies are the most popular. Unlike many plants that claim to be red, and turn out pink, the poppy is an exception. When the tag says red, the flower will be red. Lipstick red. Red with white spots, and red with black spots are both striking in the landscape. Red is such a powerful color, and when it is mixed with a spot of white or black at the base of each petal, the result is photo-worthy.

All poppy plants will tolerate moderate drought, and are deer resistant. The flowers make great cut flowers. Harvest the seeds after the flower fade to keep for

yourself, or share with friends. Poppies aren't picky about soil, and they do best in full sun. They are so easy to grow, anyone can do it.

Nicole is the Garden Girl at RedM Pops, Petals, Gifts and Gardens. Contact her with questions or comments at Gardengirl@claytonpioneer.com



Stunning pink evergreen thrives in local gardens



**NICOLE HACKETT
GARDEN GIRL**

Have you noticed that bright pink flowering shrub that is planted throughout many Clayton Valley landscapes? The shrub is called *Loropetalum* and it is very fabulous in our Clayton Valley yards and gardens.

Loropetalum is one of those shrubs that really comes into its own as it matures. This ever-

green is a stunning garden introduction, commanding attention with both its interesting foliage and showy flower display.

Loropetalum has a dramatic, arching style of growth. This attribute should be embraced, not controlled. If you are one of those garden lovers that like to shear and shape plants, this isn't the shrub for you. When planning to install, allow area for at least 4-feet plus of height and width. Plant in full to half a day sun. *Loropetalum* enjoys regular water while young, and needs to be fertilized 2-3 times a year with an acid-based granular fertilizer for those that water with bubblers or sprinklers. For those of you that rely on drip system watering, you will need to feed with acid based water soluble fertilizer monthly during the

growing season. The growing season in our Clayton Valley climate is April through October.

Many varieties of *Loropetalum* are available. They all seem to mature into large, dramatic shrubs that lend themselves to many styles of landscapes. *Loropetalum* shrubs make excellent companions when planted as a visual support to deciduous trees, to soften the strong blades of phormium plants, or to accompany perennials in colorful flower beds.

The original *Loropetalum* that hit the scene over a decade ago is still a favorite of plant lovers. The name is Razzleberry Fringe Flower. It was a patented selection only grown by a couple lucky growers. These days, almost all the growers are able to grow *Loropetalum*. *Loropetalum*

is one of those shrubs that is better installed in a larger size. When purchasing, do yourself a favor and splurge on the five-gallon selection. *Loropetalum* is slow to grow, and a small size is easy to forget in the landscape. Considering this shrub needs to be fertilized, being able to see it in the ground will be a nice reminder.

Loropetalum Raspberry Fringe is an improved selection of the original. This *Loropetalum* has green leaves with burgundy undertones. When the new growth comes in, it's a deep burgundy color. From the middle of March through the middle of April, bright pink fringe shaped flowers covers the entire shrub.

Loropetalum Purple Majesty is the most sought after selection. The foliage on the Purple

Majesty is a dark purplish-red. The new growth is the same color, just with fresh foliage. Purple Majesty has the same bright pink fringe shaped flower.

Firelance *Loropetalum* is a newer introduction to the family. This selection began to flower earlier than the others. The foliage is mostly burgundy with a touch of green.

Regardless of what *Loropetalum* variety you have or are going to install you need to

remember to plant with a soil conditioner, fertilize, and water regularly for best results. The two most important fertilizing times are in the spring right after the bloom, and the early fall feeding. Sometimes a dose of iron is needed for yellowing.

This is a very Clayton Valley worthy shrub.

Nicole is the Garden Girl at Red M Paul Plant, Gifts and Garden. Contact her with questions or comments at gardeninggirl@claytonpioneer.com



Plant colorful and hardy perennials this month



Salvia nemorosa is a sun-tolerant, water-wise, extremely long-blooming, reliable, herbaceous perennial that thrives in our Clayton Valley landscapes and gardens. This perennial is perfect for the plant lover that wanted to take their passion up another level. *Salvia nemorosa* has a large family, and is filled with fabulous members. You will find them by names like May Night Sage, Sensation Deep Blue, Blue Hills and Royal Crimson Distinction.

Salvia nemorosa Blue Hills is one of the original family members to command attention. This select of sage becomes a tightly branched

shrub of finely toothed matte green leaves. Showy dark blue spikes stretch 3-inches long atop this 2-foot tall and wide perennial. The *Salvia nemorosa* Blue Hills is very bee and butterfly attractive. It can tolerate full sun and reflective heat. This is definitely successful when planted along hot patios and walkways.

Salvia nemorosa Deep Blue is another compact selection. The growth on this sage is free branching, creating rounded 1-2-foot tall with dark blue-violet spire-shaped flowers. This *salvia* is a perfect companion for accenting similar sized evergreens for some punchy curb appeal. Consider pairing with *Polypala Petite Butterfly* or *Euonymus Emerald Gaity*. These plants together would

make a landscape statement that is easy to grow and tolerates full sun.

Royal Crimson Distinction is another *Salvia nemorosa* that has rich, dark violet-red flowers, and stands 24-inches tall and about 1-1/2-feet wide. Green foliage has the scent of sage.

Royal Crimson Distinction will flower consistently from June through August, with tangles of flowers lasting into September. Add this herbaceous perennial to a sun-loving flowerbed for sturdy, reliable summer color. Purple-blooming *Penstemon Midnight*, yellow-flowering *Phlox frutescens*, and bronze-red-foliaged *Sedum Turkish Delight* would make excellent companion perennials and evergreens for the Royal Crimson Distinction. A flowerbed containing these plants would be a thrilling, colorful display bursting with blossoms from April almost through October.

der-blooming *Zuni* multi-trunk *Crape Myrtle*. Another couple of companions for the May Night *Salvia* would be the bronzed-bladed *Carex Testacea*, and the evergreen *Leucopetalum* called *Blush*. Grouping plants together like these would create landscape magic.

Autumn is a great time of the year to install hardy perennials and other foundation plants. The entire *Salvia nemorosa* family should be a welcomed plant in all our Clayton Valley gardens.



**NICOLE HACKETT
GARDEN GIRL**

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The *Salvia nemorosa* family has one member that is super-sought after and popular. The member is called *May Night*. In 1997 *May Night Salvia* was selected as the perennial of the year. *May Night Salvia* blooms a profusion of deep purple spiky flowers on stems that can stand 18 inches tall. Growing 2-foot wide, *Salvia May Night* makes a statement in any garden bed or landscape strip. *May Night* is the type of perennial that can hold its own among shrubs and ornamental trees. Include some *May Night Salvia* when planting *Crimson Pinyon Barberry* and the laven-



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JENNIFER LEISCHER
DESIGN & DÉCOR

April is the perfect month to celebrate all things "Green." With Earth Day taking place this past Monday and today being Arbor Day, if you plant a tree or organize a plan for your family to recycle more, you're doing small, but important deeds to keep our environment thriving.

Green isn't just a color in home design

From a design perspective, there are many things you can do to incorporate environmentally friendly products into your designs. From recycled hardwood floors to repurposing that old chest of drawers, here's a few ideas to bring the "Green" lifestyle into your home.

- If you're thinking about painting the exterior of your home or an interior space, consider choosing a Low or No VOC paint. Fewer toxins in the atmosphere is a good thing, at any level. "Green" paints are a big deal for paint manufacturer's these days as everyone wants to be a little more environmentally

friendly. So take an extra step when choosing your paint base and ask for the Low or No VOC product.

- Using reclaimed lumber for floors, case goods, or decorative arts and crafts is a great way to "upcycle." What is upcycle? Upcycling is taking something that you would otherwise throw out and finding a way to make it into something else. If you're in the market for new hardwood floors, or just need lumber to create something new, don't cut down a tree; consider the reclaimed hardwoods instead.
- Purchasing tile or carpet that has recycled content is a great way to show your spirit for eco-friendly living. There are many beautiful tile designs that use bits of glass or stone or ceramic tiles that have been ground down, just like cement. And I love the fact that some carpet lines actually use plastic soda bottles to cut pile carpet! Again,



FURNITURE CAN BE STYLISH, FUNCTIONAL AND ENVIRONMENTALLY friendly all at the same time. When designing your home, keep a clear vision of your design aesthetic, buy locally, and consider "Green" products when you have a choice.

taking the extra step to research the products you are using to remodel your home is an easy one. I've talked about repurposing furniture in a few of my arti-

cles, but this month, it's most important. The chair your grandmother gave you that's sitting in your garage? Consider having it reupholstered so it can be used in one of your living

spaces. Or the dining table with the golden oak finish (that you can't stand), consider refinishing it to the color that works best with the rest of your dining room décor. And if you don't have a chair hanging around, or a table that needs a second life, head over to the Alameda Antique Faire to find your own treasures. For more information, visit www.alamedapaintantiquesfaire.com/index.php

If you're remodeling any living space within your home, before hauling demolished materials to the dumps, consider recycling. For more information, visit www.calrecycle.ca.gov/RCP/Construction.asp.

Swapping out your existing light bulbs for the energy efficient Dairy Queen looking swirl

Jennifer Leischer is the owner of J. Design Interiors Design. Contact her with questions, comments and suggestions at jennifer@jdesign.com