# Measure M 2 Environmental Cleanup Allocation Committee

**February 27, 2014**
**Meeting Minutes**

**Committee Members Present:**
Chair Mary Anne Skorpanich, O.C. Watersheds
Vice Chair Garry Brown, Orange County Coastkeeper
Gene Estrada, City of Orange
John Bahorski, City of Cypress
Scott Carroll, Costa Mesa Sanitary District
Mark Tettemer, Irvine Ranch Water District
Dick Wilson, City of Anaheim
Sat Tamaribuchi, Environmental Consultant
Dennis Wilberg, City of Mission Viejo
Marwan Youssef, City of Westminster

**Committee Members Absent:**
Mark Adelson, Santa Ana Regional Water Quality Control Board
Chad Loflen, San Diego Water Quality Control Board
Hector B. Salas, Caltrans
Jean Daniel Saphores, UCI

**Orange County Transportation Authority Staff Present:**
Alison Army, Senior Transportation Analyst
Marissa Espino, Senior Strategic Communications Officer
Janice Kadlec, Public Reporter
Charlie Larwood, Manager of Planning and Analysis
Roger Lopez, Senior Analyst, Programming
Dan Phu, Project Development Strategic Planning Section Manager

**Guests**
Ken Susilo, Geosyntec
Nancy Palmer, City of Laguna Niguel
Roger Staples, City of Costa Mesa
Lo Tan, Orange County Water District

1. **Welcome**
   Chair Mary Anne Skorpanich began the Environmental Cleanup Allocation Committee (ECAC) meeting at 10:05 a.m. and welcomed everyone.

2. **Approval of the January 23, 2014 Meeting Minutes**

Chair Mary Anne Skorpanich asked if there were any additions or corrections to the January 23, 2014 meeting minutes.

A motion was made by Mark Tettemer, seconded by Gene Estrada, and carried unanimously to approve the ECAC January 23, 2014 meeting minutes as presented.

3. **Tier 1 Call for Projects Status Update**
   Dan Phu gave a status update on the Tire 1 Call for projects.

   Chair Mary Anne Skorpanich asked as a point of clarification: OCTA and Geosyntec were going out to the cities who installed Tier 1 projects and asking about their effectiveness. Then Geosyntec is taking that information and categorizing the effectiveness of the different types of Best Management Practices (BMPs). Dan Phu said this is correct.

   Chair Mary Anne Skorpanich suggested with the NPDES Permits all the cities report how much they pick up through Street Sweeping for example. Can this data be helpful? Looking at the before and after; the trend was this and now after installing the BMP it is now this. Gene Estrada said they can look at this but questioned whether or not it would tell much. His city has not shown any noticeable difference but on the other hand they do not have a lot.

   Nancy Palmer said one of the things that helped with her city was they had information from catch basin to catch basin on what amount was pulled out and they could provide information based on the different types of catch basins.

   John Bahorski suggested focusing on arterial highways versus residential streets and roads.

   Garry Brown noted OCTA had a pretty tight schedule on for Tier 1 and yet some of the issues raised such as changing the cap on Tier 1 have not been raised. Dan Phu said on Tier 1 cap for projects this went to the ECAC last month and the consensus of the Committee was to keep the cap as is for now and talk about changing it for the next call for projects. There are three more calls and there are opportunities to address issues such as the cap amount, revisit the types of eligible projects, and the Master Agreement. They can move the date out with the call but changing the criteria would be a challenge.

   Chair Mary Anne Skorpanich asked if the ECAC could take some time to re-evaluate the Guidelines before going forward or are there internal schedules that need to be addressed. Charlie Larwood said there is some internal pressure to move this forward but at this point what staff heard from the Committee is they wanted to stay with the $200,000 cap. In the upcoming calls there may be some discussion in Tier 1 and Tier 2 as to what fits. At the end of the third call for Tier 2 that period ends so there has to be some discussion as to what the ECAC wants to do as far as holding a

call for Tier 1 and Tier 2 every year. At this point they would like to take Tier 1 to the Board now and over the summer talk about Tier 1 and Tier 2 Guidelines and what the ECAC recommends.

Gene Estrada said he was surprised to see pavers at the Vendor Fair because to the best of his knowledge, pavers are not capable of capturing trash. Chair Mary Anne Skorpanich said her recollections from committee discussions are they will be looking more for the smaller street scale BMPs rather than the larger ones. Trash seems like the obvious one to go after.

Garry Brown said the original discussion is they have to put in a number of storm drain filters and screens in five years. So what else is out there now?

Chair Mary Anne Skorpanich asked what the committee thought about loosening up the trash focus. Alison Army said they did add as eligible projects bioswales and infiltration/detention basins and stated the projects will be evaluated on a project by project basis.

Scott Carroll said he doesn't want to hamper OCTA staff's schedule today. They have deadlines and he suggested using the Guidelines as they are today and move forward. If they need to revisit the Guidelines and take them back to the Board at a later date the ECAC can do this.

Dan Phu passed out an OCTA Environmental Cleanup Program Tier 1 Funding Summary spreadsheet. This document listed all Tier 1 projects funded and gave the details on every project.

Chair Mary Anne Skorpanich said one of the things the OCTA Board was concerned about was whether the there were sufficient measures in place where the small cities had as good a chance as the larger cities. Does staff believe this has been done? Staff said yes.

John Bahorski asked if the document handed out was going to the OCTA Board. Dan Phu said yes but probably not in the detail of the spreadsheet handed out to the ECAC. John Bahorski suggested a chart listing the cities by bio graphical area – north, south, east, west, inland, coastal, etcetera.

Garry Brown suggested listing the cities by Supervisorial District.

Gene Estrada said he was looking at the applications of the cities that did not get funding during the last call for projects. Their scored did not seem very low. Alison Army said she did not have the details with her today of the three applications that did not get funded. Staff will make an extra effort to go over each application with the applicants and indicate where they can do better. Gene Estrada said he noticed

some of the applicants used information provided by the vendors.  Sometimes the vendors do not answer the question correctly.

Roger Lopez said as part of the process is the evaluators feel they did not answer a question or answered a question adequately they go back to them.  In this case they went back to them repeatedly and gave them instructions on how to answer the question adequately.

**4. Tier 2 Call Projects Funding Recommendations**
Dan Phu went over the ECAC Recommendations Summary with the Committee and the 2013-2014 ECAC Tier 2 Call for Projects Funding Recommendations.

Garry Brown said as a member of the evaluation committee he found the Tier 2 call for projects was the most complicated.  He commended OCTA staff on their diligent work on trying to get things right.

John Bahorski suggested on Project 14 they should be talking to someone at the zoo regarding animal waste run-off.  He also asked about project 8 in Tustin where they talked about new roads and putting in catch basins.  He seemed to remember there being a similar program under the Roads Program that allowed for this to occur.  Dan Phu said they can double check this but it is his impression this would be separate and independent from what is going on in other places in the city.  Making sure they do not fund an ineligible expenditure is the toughest job of the evaluation committee.

Roger Lopez added that when they do the final project close-out audit if they find out ineligible expenditures are being using they have to pay the money back and not just the ineligible expenditures; they have to pay it all back.

Gene Estrada suggested putting the total project cost on the spread-sheet.  Dan Phu said the figures on the spread-sheet were intended to show all the Water Quality costs of the project.  Gene Estrada felt it would be helpful to show both costs – the total cost of the project and the Water Quality costs.  Dan Phu said if they did this they would have to redesign the application.  Gene Estrada said if it is too complicated he would withdraw his suggestion.

Dick Wilson asked if there was a simple explanation; the point spread is only 35 points. Dan Phu said it is a function of many variables.  One of the heavily weighted variables is it's a function of where the project is.  Going back to the Geosyntec Planning Study and how the scoring structure was created for the evaluation process, 70 points are on the technical aspect of the project.  This could consist of how many lane miles you have or how many TMDLs you have.  On top of this there are 30 more points which are not quantitative and are softer.

Garry Brown said in the lessons learned part of this discussion he would like the ECAC to discuss the weighting of the application questions. Possibly they have over weighted on the technical side.

Mark Tettemer said the spread-sheet indicates the City of Newport has received funds for three of their projects. Is this why they did not receive funds for their fourth project? Dan Phu said the Newport Beach project 16 seemed small and did not provide the benefits the other projects did.

A motion was made by Dennis Wilberg, seconded by John Bahorski, and carried unanimously to endorse the following Tier 2 Project funding recommendations:

A. Approve the Tier 2 programming recommendations for 14 projects totaling $15,186,531 of Measure M2 Environmental Cleanup Program funding.

B. Authorize the allocation of funds through the Comprehensive Transportation Funding Programs master funding agreement process for projects approved for programming.

Chair Mary Anne Skorpanich asked if OCTA staff wanted to have a discussion on "lessons learned" from this round of funding. Dan Phu said he would like to wait until they receive input from the Board Committee and the Board of Directors before having the "lessons learned" discussions. Chair Mary Anne Skorpanich agreed and said it would also give the applicants time to give input.

Sat Tamaribuchi asked if OCTA is planning to do a three year report. Charlie Larwood said the Early Action Plan required a seven year report for Tier 1 and a three year report for Tier 2. Dan Phu said under M2 there is a required ten year review built into the sales tax measure. This is coming up in 2015. That process will revisit all of the M2 Program of Projects implemented up to date. The Environmental Cleanup Program will be subject to this review.

Sat Tamaribuchi suggested summarizing everything up to this date, listing all the catch basins funded, the number of miles of swales funded, the number of screens installed, etcetera. Then list the amount of money provided by the Environmental Cleanup Program and how much was local match. He felt this would tell a fairly impressive story. Three years may be a good time for this. Mary Anne Skorpanich suggested including on this report how many pollutants had been captured.

5. **BMP Vendor Fair and Consolidated Vendor Agreements**
   Marissa Espino said gave an update on the vendor fair which occurred the day before on February 26, after the Technical Advisory Committee meeting. Gene Estrada and Mark Tettemer also attended the vendor fair.

Gene Estrada said he was happy to see some of the vendors and catch up on the new technology.

Charlie Larwood asked Roger Lopez if the cities did their own work or used consultants for the Street and Roads Programs.  Roger Lopez said it depended on the size of the city.  The larger cities had their own staff and the mid to small cities hired consultants.

6. **Public Comments**
   There we no public comments.

7. **Committee Member Reports**
   There were no committee member reports.

8. **Next Meeting – April 10, 2014**
   The next regular scheduled meeting of the ECAC will be April 10, 2014 in the OCTA offices.

9. **Adjournment**
   The meeting adjourned at 11:45 p.m.