



Minutes

Measure M2 Environmental Cleanup Allocation Committee

Committee Members Present:

Gary Brown, Chair
Gene Estrada, Vice Chair
Marc Brown, Santa Ana RWQCB
William Hunt, Orange County Water District
Jill Ingram, City of Seal Beach
Jeff Kuo, Cal State Fullerton
Keith Linker, City of Anaheim
Hector B. Salas, Caltrans
Grant Sharp, County of Orange
Mark Tettermer, Irvine Ranch Water District
Dennis Wilberg, City of Mission Viejo

Orange County Transportation Authority
600 S. Main St., Room 103/104
Orange, California
July 13, 2017 at 10:30 a.m.

Committee Members Present via Conference Call:

Laurie Walsh, San Diego RWQCB

Committee Member(s) Absent:

Jeff Thompson, Rancho Mission Viejo
Marwan Youssef, City of Westminster

Orange County Transportation Authority Staff Present:

<i>Alison Army, Sr. Transportation Analyst</i>	<i>Dan Phu, Environmental Programs Mgr.</i>
<i>Sam Kaur, Section Mgr., Local Prgms.</i>	<i>Ken Susilo, Consultant to OCTA, Geosyntec</i>
<i>Charlie Larwood, Transp. Planning Mgr.</i>	<i>Tamara Warren, Program Mgr., Measure M</i>
<i>Kia Mortazavi, Executive Dir., Planning</i>	

1. Welcome

Chair Garry Brown welcomed everyone to the quarterly Measure M Environmental Cleanup Allocation Committee (ECAC) meeting. He then asked for introductions.

2. Approval of January 12, 2017 Minutes

Chair Garry Brown asked if there were any additions or corrections to the January 12, 2017 meeting minutes. Gene Estrada asked if the number "\$.5 million each year" on the bottom of page 2 of the minutes is correct. Dan Phu said he would find the correct number and make the appropriate changes.

A motion was made by a Mark Tettermer, seconded by Jill Ingram, and carried unanimously to approve the January 12, 2017 ECAC minutes with corrections.

3. ECAC New Members

Dan Phu introduced the new committee members.

4. Tier 1 Call for Projects Funding Recommendations

Sam Kaur presented the recommendations for Tier 1 Call for Projects Funding.

Chair Garry Brown asked that the presentation be distributed to the committee.

The committee discussed the reasoning behind the City of Los Alamitos being the only city that has not received funds. Also discussed was information on whether canceled projects were included in the total funding number. It was determined that five of the 138 projects were canceled. The committee discussed whether cities were able to provide the 20 percent match.

Chair Garry Brown thanked Mart Tettermer for joining him and staff in the evaluation of projects. He said the evaluation committee agreed on all the applications. Chair Brown said the point structure for Tier 1 projects needs be revisited and restructured before the next Tier 1 call. Laurie Walsh or someone from San Diego RWQCB would be willing to help OCTA with the restructuring of points. She said they have recently been through this process and they have the knowledge from their recent call for projects to help streamline the process.

Recommendations

A motion was made by Dennis Wilberg, seconded by Jill Ingram seconded and carried unanimously to recommend for Board of Directors' approval of the programming recommendations for the 2017 Environmental Cleanup Tier 1 Program to fund 16 projects totaling \$3.13 million.

5. Discussion of Potential Funding Implications for Water Quality Projects Under Measure M2

Dan Phu gave an overview of potential funding implications. Ken Susilo provided background information and led the discussion of Potential Funding Implications for Water Quality Projects under Measure M2.

The committee decided guidelines need to be revised before the next call for projects takes place. There needs to be clarity in regards to the trash amendment and how it affects compliance.

The committee also discussed that prior to the next Tier 1 call for projects OCTA will have some guidance with respect to the state trash policy and cities will need to choose whether they will use track one or track two. Guidelines will need to include a discussion about the Trash Amendments.

There was discussion about the Ordinance including the fact that ECP funding cannot supplant programmed funding, but MS4s are a guiding motivation. It is confusing, if cities have a duty, then it would be supplant. So far, the mandate for trash removal is unfunded and the M2 Ordinance says funding is available to help Orange County cities meet water quality standards. One way M2 funds cannot be used is for a city to apply for funds to mitigate what a developer needs to fund as part of the construction process.

Vice Chair Gene Estrada asked for a summary of the policy and how it works with the M2 Ordinance so that we can work on the guidelines.

6. Recap of Funded Project Field Visits

Dan Phu provided a recap of the Funded Project Field Visits. Dan showed before and after pictures of the Tier 2 projects.

The committee discussed the timing of the next Tier 2 call for projects. Staff has been monitoring projects through the County of Orange and SOCWQIP. Once the eligible projects are further developed OCTA will look to have a call for Tier 2 projects. This will then be replicated in the North County Plan. The delay will also help grow Measure M funds.

7. Public Comments

John Kappler, from the City of Newport Beach, said the state trash amendment has recently changed the name to Trash Provision. The state has released their list of full capture BMPs. He said it would be interesting for the ECAC to compare it to OCTA's list of Tier 1 BMPs. John commented that the coastal communities are also required to go to the Coastal Commission to get a permit and there is a three year timeline which impedes cities from fitting into OCTA's timelines. The city has a Tier 2 project that was submitted to the Coastal Commission October 2015. He is finally on their agenda and if all goes well it will still be another four to six months before they get their permit.

Sam Kaur said OCTA staff will work with the coastal cities to get their projects programmed for the correct fiscal year, so that the cities do not have to keep asking for delays.

The committee discussed having OCTA contact the Coastal Commission and see if they can work something out to help these cities. It was suggested that a letter come from the ECAC, and possibly regional partners, to the Coastal Commission asking for some considerations. Also, add language to the Tier 2 guidelines, regarding extension of time lines due to receiving regulatory permits. Staff said five years is the longest extension allowable under the guidelines.

8. Committee Member Reports

There were no further reports.

9. Next Meeting – TBD